"Supplemental Marketing Assistance for Energy Efficiency Services (EES) Programs" Request for Proposal (RFP) 1203

Up to $300,000 Available

Proposals Due: February 12, 2008 by 5:00 PM Eastern Time*

NYSERDA is requesting proposals and budgets from firms that can provide specific marketing assistance to support existing commercial and industrial programs. In particular, placement of NYSERDA developed print media, stakeholder outreach, conference planning and implementation, special event participation, and online outreach to non-residential customers. As part of its effort to develop marketing strategies, the selected contractor shall assist NYSERDA in accessing its internal database resources for potential marketing leads. The selected contractor shall also assist NYSERDA in the development of a potential cooperative advertising strategy for its exiting service providers. NYSERDA has a particular interest in increasing participation in the downstate metropolitan market. The contract is for one year with an option to renew for one additional year, with a maximum budget of $300,000. The first year budget shall not exceed $200,000. Marketing activities are expected to begin in the spring of 2008.

The purpose of this downstate marketing initiative is to support existing energy efficiency and demand reduction programs, particularly in downstate New York (five New York City Boroughs and Westchester). Downstate marketing should result in improvements in program participation, leading to reduced energy and demand consumption, increased electric system reliability, and a healthier and cleaner environment. Programs to be promoted are those that reduce electrical and gas consumption including, but not limited to, Technical Assistance, Enhanced Commercial Industrial Performance Program, Peak-Load Reduction Program, Aggregated Demand Reduction Program, New Construction Program, Loan Fund Program, and the incentives that support all of those efforts (Enhanced Commercial Industrial Performance Program). Specifically, the marketing program will seek to improve the (1) awareness of NYSERDA's energy and demand reduction programs (2) understanding of the multiple benefits of energy efficiency and demand reduction products, services, and tools; and (3) the knowledge of the availability of specific programs that assist customers to reduce energy and demand consumption, decrease utility bills, and improve the environment.

Proposers must submit twelve (12) copies of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFP 1203
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Susan Andrews at (518) 862-1090, ext. 3234 or sta@nyserda.org. If you have contractual questions concerning this solicitation, contact Doreen Darling at (518) 862-1090, ext. 3216 or djd@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Susan Andrews (Designated Contact) at (518) 862-1090, ext. 3234 or sta @nyserda.org. Contacting anyone other than this Designated Contact (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

*Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.org.

I. INTRODUCTION

The New York State Energy Research and Development Authority (NYSERDA) is a public benefit corporation whose mission is to develop innovative solutions to some of the State's most difficult energy and environmental problems. On January 30, 1998, NYSERDA became the administrator of public benefit programs funded by system benefits charge (SBC) monies. Pursuant to Opinion No. 98-3, the New York State Public Service Commission (PSC) established the SBC to fund public benefit programs for energy efficiency, energy research and development, low-income services, and environmental protection. A major component of the SBC program is initiatives that inform and educate the market about products, services, and practices that reduce electrical consumption, or shift it to off-peak periods.

NYSERDA requests proposals for providing marketing assistance to increase participation in NYSERDA's electric and gas efficiency programs, particularly in the downstate New York market (five boroughs and Westchester county). The initiative will start in the Spring of 2008. NYSERDA anticipates awarding a single contract for one year with an option to renew for one additional year, with a maximum budget of $300,000. The first year budget shall not exceed $200,000. One contract will be awarded based on experience, qualifications, and ability to provide the services identified in the RFP.

II. BACKGROUND

NYSERDA administers a host of energy efficiency and demand reduction programs, services and tools that offer customers many benefits, including energy, demand, and dollar savings; reduced environmental pollution; and enhanced health, safety, and comfort. However, lack of information prevents some customers from knowing about and accessing programs and services, necessitating an effort to educate and inform customers regarding their availability. Marketing involves strategic efforts to induce lasting structural and behavioral changes in the marketplace that result in increased availability, adoption, and penetration of energy efficiency and demand reduction technologies and practices. Properly designed and targeted assistance, information, and marketing can help transform the market for energy efficiency and demand reduction.

As a result of the Consolidated Edison Of New York, Inc. (Con Edison) Rate Case Settlement (Case 04-E-0572), issued March 24, 2004, NYSERDA was instructed to procure at least 150 MW, and up to 300 MW, of Systemwide energy efficiency, distributed generation, and load management reductions in the Con Edison service territory. A specific marketing effort was developed as a result of the Systemwide Program which included a variety of successful activities that supported NYSERDA's commercial and industrial programs. Systemwide Program marketing activities were closely coordinated with Con Edison. The Systemwide program is slated to end on March 31, 2008, but its continuation beyond this date has been proposed as part of the current Con Edison rate case.

With or without the formal continuation of the Systemwide Program, NYSERDA plans to continue the momentum of marketing activities that emerged from this effort, in recognition of the unique characteristics of the downstate market (building stock, transmission limitations, etc.) and its contribution to the State's energy and demand use.

Additionally, as part of Case 06-G-1332, NYSERDA was also instructed to implement gas efficiency programs in the Con Edison service territory. Many of the strategies developed for promotion of electric programs will also be used to promote gas efficiency programs.

III. PURPOSES AND SERVICES TO BE PROVIDED

The purpose of this marketing initiative is to support the range of gas and electric energy efficiency and demand reduction programs, particularly in the Downstate market. Marketing should result in measurable improvements in program participation, reduced energy and demand consumption, increased electric system reliability, and a healthier and cleaner environment. Programs to be promoted are those commercial and industrial programs that reduce electrical and gas consumption including, but not limited to, Technical Assistance, Enhanced Commercial Industrial Performance Program, Peak-Load Reduction Program, Aggregated Demand Reduction Program, New Construction Program, Loan Fund Program, and the incentives that support all of those efforts, the Enhanced Commercial Industrial Performance Program. Specifically, the marketing program will seek to improve the (1) awareness of NYSERDA's gas and electric Efficiency and Demand Reduction Programs (2) understanding of the multiple benefits of energy efficiency and demand reduction products, services and tools, and (3) knowledge of the availability of specific programs and incentives that assist customers to reduce energy and demand consumption, decrease utility bills, and improve the environment.

Marketing efforts will be targeted to customers that can offer significant electrical reductions and contribute to the short and long-term reliability of the electric system. The objective is to increase awareness of the need to reduce electrical consumption and to inform customers about the range of NYSERDA programs and services for accomplishing this. Strategies and interventions must have a lasting impact on the use of energy efficient and demand reduction products, and availability of services for customers.

The selected contractor will work closely with NYSERDA and its partners that focus on energy efficiency (both electric and gas), demand reduction, and environmental awareness; economic development and retention; and other contractors that support and implement NYSERDA programs.

The selected contractor will assist NYSERDA in the development of a potential cooperative advertising strategy for its existing service providers (e.g Demand Response Providers, Energy Service Companies). The goal of the cooperative advertising strategy is to leverage partner resources to increase program activity, thereby helping NYSERDA reach the State's 2015 energy savings goals. The funds to implement the cooperative advertising strategy are not included in this effort. The marketing campaign will need to be compatible with, and applicable to, NYSERDA's current program strategies and themes.

The selected contractor will also work with NYSERDA staff to assess internal database and other informational resources for marketing leads, and develop a strategy for using those leads in an online marketing effort.

NYSERDA is requesting proposals and budgets from firms that can provide a range of marketing services including: creative development, limited print media placement, stakeholder outreach, conference planning and implementation, special event participation, and other conventional and electronic modes

and methods of promoting programs and services. Marketing activities are expected to begin in the spring of 2008.

The selected contractor shall:

1. Market NYSERDA's Energy Efficiency Services (EES) programs, particularly in the Downstate market;
2. Review the current **New York Energy $mart Program**[SM] efforts and materials, and work with NYSERDA staff to implement cost-effective marketing strategies that address downstate needs;
3. Investigate existing partner advertising efforts for possible coordination and leveraging opportunities;
4. Evaluate existing NYSERDA data collection and other informational resources for potential marketing leads, and implement strategies to address those leads, as appropriate;
5. Identify a cooperative advertising or co-branding strategy that could be implemented with other partners working with NYSERDA, like Energy Service Companies (ESCO's), and
6. Identify partnerships with associations, trade allies, and other organizations to help market NYSERDA programs and educate their constituents.

Based on the results of the information gathered from the above activities, the selected contractor shall finalize a Marketing Plan that includes:

1. Goals;
2. Strategy;
3. Major marketing activities;
4. Website and other INTERNET-based applications;
5. Key marketing messages;
6. Reporting Plan;
7. Tracking, monitoring, and evaluation plan;
8. A budget for development of marketing strategies and implementation of the marketing effort, including allocation of resources among various marketing activities; and
9. Potential cooperative advertising strategies for implementation with EES's service providers.

IV. Proposal Requirements

Proposed Format

Proposers must submit twelve copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this RFP. A completed and signed Proposal Checklist must be attached as the front cover of your proposal, one of which must contain an original signature. Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed copies will not be accepted.

Proposals that include teaming arrangements must designate one party as the Prime Contractor**.** Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Text font size should be no smaller than 11 and care should be taken not to exceed page limits provided. Unnecessary attachments beyond those sufficient to present a complete,

comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the RFP number, and the page number.

Procurement Lobbying Requirements

Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k
Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The text of the laws are available at: http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation that could result in agreements with an annual estimated value in excess of $15,000, an additional form (or forms) must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

Executive Summary (one page limit)
Summarize the proposed effort.

Introduction/Background (two page limit)
Discuss the proposed approach and Identify the major goals and objectives of the proposed approach and strategy.

Proposal Checklist:
The proposal checklist (Attachment A) must be attached to all 12 copies of the proposal. At least one copy must contain an original signature. Be sure that the individual signing the checklist is authorized to commit the proposers organization to the proposal as submitted.

Statement of Work (15 page limit)
The Statement of Work is a detailed plan of how you will accomplish the project objectives. The Statement of Work should clearly articulate strategies consistent with the program criteria established in the Purpose and Services to Be Provided section of this RFP. Each action should be identified, indicating who will perform it, how it will be performed, and its anticipated result(s). Be clear and specific. The Statement of Work must be prepared as an ordered set of tasks.

Evaluation(3 page limit)
Describe how you will capture, quantify, and evaluate impacts of efforts. Describe how activities will be tracked, monitored and reported. Metrics for consideration include, but are not limited to:

- total number of impressions from all media and marketing campaigns;
- changes in awareness;
- leveraging funds; and
- results of all marketing methods and activities including promotional events, internet, online, and print advertising.
- Increased participation in programs resulting from marketing activities.

Qualifications (3 page limit)
Identify all project team members (name, address, telephone number), including the party who will assume the responsibilities of the Coordinating Contractor, if applicable, and their qualifications to undertake the proposed work. List the most recent relevant or related projects that have been undertaken and successfully completed by the project team members.

Work Schedule and Staffing Plan
Prepare a work schedule highlighting tasks, subtasks, and major milestones in terms of weeks or months after execution of the Agreement. Define an appropriate schedule consistent with the Statement of Work for task deliverables, including periodic update and progress reports (e.g., monthly, quarterly, etc.) and a final report, and incorporate them into the work schedule. The work schedule should also include a project-staffing plan, which indicates the roles, responsibilities, and hours allocated to key personnel. Note that hours allocated in the work schedule must be consistent with those in the budget.

Budget
A total project budget including cost elements must be provided using the attached Contract Pricing Proposal Form (CPPF - Attachment C). Provide a task budget that shows total costs and cost elements per task (i.e., complete a CPPF for the total project and for each task identified in the Statement of Work). If applicable, provide a budget for each subcontractor involved in the project. Provide detailed budget breakdowns (using the Supporting Schedule for the CPPF) for materials, equipment, and travel. Provide project personnel and rates (attachment D)

Appendix
- Letters of commitment, if applicable, for all team members, funding partners, etc.
- Resumes of key personnel involved with the project

IV. PROPOSAL EVALUATION

Eligible proposals, meeting solicitation requirements, will be reviewed by a Technical Evaluation Panel (TEP). Final rankings will be made by the TEP based on the written proposals. The highest ranked proposer will be recommended for contract negotiations. The TEP will review using the Evaluation Criteria below in order of importance.

A. Proposed Plan
Is the proposed strategy sound and feasible? Will it likely obtain the desired results? Does the proposed strategy fit with NYSERDA goals? Is the proposal comprehensive? Does the proposed strategy reflect an understanding of NYSERDA's programs? Does the proposed strategy reflect an understanding of NYSERDA's targeted customer base? Is the Statement of Work comprehensive, realistic, and consistent with the proposal requirements?

B. Qualifications and Experience
Does the Project Team have the necessary background and experience; in particular, experience with customers and partners in the downstate market? Does the Project Team demonstrate recent experience in similar type projects and will there be a main contact who will handle the project? Does the Project Team show a balance of technical, marketing, administrative, or other expertise necessary to accomplish

the project? Does the Project Team have the ability to effectively manage the effort in a timely fashion?

C. Cost

Is the overall cost reasonable? How cost-effective is the proposal based on the strategy and overview included? Are allocations of task hours justifiable? Does the Project Team use junior and senior staff as appropriate to be cost effective while achieving success?

D. Other

How does the assessment and oversight strategy ensure the success of the effort? Is the plan reasonable and appropriate for the tasks proposed? Is the plan sufficient to demonstrate success? Does the proposal include a plan to measure success? Does the proposer have relatively prompt access to NYSERDA's offices and staff? Does the proposer have access to partners and other service providers in the downstate market? Can the proposer dedicate staff to the project, particularly for work in the downstate market?

V. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 www.nyserda.org/nyserda.regulations.pdf. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division for Small Business
30 South Pearl Street
Albany, NY 12245

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division

30 South Pearl Street
Albany, NY 12245

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j & 139-k. State Finance Law §139-j(6) requires that NYSERDA incorporate a summary of its policy and prohibitions regarding permissible communications during a covered procurement.

Pursuant to State Finance Law §§139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between NYSERDA and a Proposer/Offerer during the procurement process. A Proposer/Offerer is restricted from making contacts from the earliest notice of intent to solicit offers [such as a "Program Opportunity Notice", "Invitation for Bid" or "Request for Proposal", etc.] through final award of the Procurement Contract (the "restricted period") to other than Designated Staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated Staff, as of the date hereof, are identified on the first page of this solicitation.

NYSERDA employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Proposer/Offerer pursuant to this law. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the Proposer/Offerer is debarred from obtaining governmental Procurement Contracts.

Additional guidance regarding these procurement lobbying requirements and can be found at http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. *See,* ST-220-TD (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220td_606_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a perspective contractor prior to contacting and filed with NYSERDA. *See,* ST-220-CA (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220ca_606_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.state.ny.us/pdf/publications/sales/pub223_606.pdf.

Contract Award - NYSERDA anticipates making one award per sector through this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA expects to notify proposers approximately eight (8) weeks from the proposal due date whether your proposal has been selected to

receive an award.

Limitation - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

VI. ATTACHMENTS

Attachment A - Proposal Checklist
Attachment B - Disclosure of Prior Findings of Non-Responsibility Form
Attachment C - Contract Pricing Proposal Form and Reporting Schedule
Attachment D - Project Personnel and Rates
Attachment E - Intent To Propose
Attachment F - Sample Agreement