

**Competitive Capacity-Based Incentive Program  
American Recovery and Reinvestment Act (ARRA) State Energy Program  
Program Opportunity Notice (PON) 1686  
\$ 10 million Available  
Proposal Due date: October 29, 2009; 5:00 PM Eastern Time\***

**Program Summary**

This Program Opportunity Notice (PON) provides Statewide funding for the installation of solar photovoltaic systems. This program is made available as part of NYSERDA's administration of the State Energy Program (SEP) funded by the American Recovery and Reinvestment Act (ARRA). Through this program, NYSERDA is selecting proposals requesting capacity-based incentives for installations in the residential and non-residential market.

Funding for this program is provided under the American Recovery and Reinvestment Act (ARRA) and the State Energy Program, and is subject to all terms, conditions and restrictions therein, either now or as amended in the future. If your organization receives funding under this Program, it will be subject to special terms and conditions, including but not limited to: detailed reporting requirements; audit of your organization's use of ARRA funds; Buy American provisions; Davis-Bacon prevailing wage requirements; the National Environmental Policy Act and the New York State Environmental Quality Review Act. Your organization will be required to provide certain information in a timely manner to meet ARRA requirements. **Failure to comply with ARRA and State Energy Program-related requirements may result in the loss of Federal funding.** Proposers are encouraged to thoroughly review Attachment D hereof for special terms and conditions applicable to receipt of ARRA funds.

Additionally, guidance on ARRA may be found on <http://www.recovery.gov/>.

**Proposal Submission:** Proposers must submit ten (10) paper copies of your proposal and one (1) electronic copy on a CD. Paper copies must have a signed Proposal Checklist (Attachment A) attached to the front and one must include an original signature. Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, PON 1686  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399**

All program questions should be directed to Jeff Peterson, 518-862-1090, ext. 3288, [jmp@nyserdera.org](mailto:jmp@nyserdera.org). All contractual questions should be directed to Nancy Marucci, 518-862-1090, ext. 3335, [nsm@nyserdera.org](mailto:nsm@nyserdera.org).

No communication intended to influence this procurement is permitted except by contacting Jeff Peterson, 518-862-1090, ext. 3288, [jmp@nyserdera.org](mailto:jmp@nyserdera.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, incomplete, or unsigned Proposals 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 website at [www.nyserdera.org](http://www.nyserdera.org).

## I. INTRODUCTION

As outlined below, funding provided through this competitive solicitation will be provided to selected teams to install photovoltaic (PV) systems in New York State. Funding will be provided as a fixed amount in dollars per kW of PV installed. Teams must propose the installation of multiple individual PV systems that when combined are between a minimum block size of 500 kW and a maximum block size of 1,000 kW of PV systems.

The American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, (Recovery Act) was enacted to preserve and create jobs and promote economic recovery, assist those most impacted by the recession, provide investments needed to increase economic efficiency by spurring technological advances in science and health, invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits, stabilize State and local government budgets in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases. Recipients shall use grant funds in a manner that maximizes job creation and economic benefit.

The Recovery Act included funding for the State Energy Program (SEP). SEP funds are distributed to states based on a formula allocation. NYSERDA administers the SEP funds in New York State pursuant to a program plan that has been approved by the U.S. Department of Energy (DOE). Through this Program Opportunity Notice (PON), NYSERDA expects to provide \$10 million of New York's allocation of Recovery Act SEP funds for the installation of solar photovoltaic (PV) systems on a competitive basis.

The following sections of this Program Opportunity Notice are as follows:

- II. Eligibility
- III. Program Requirements
- IV. General Organization of the Proposal
- V. Proposal Evaluation
- VI. Milestone Deliverables and Payment Process
- VII. General Considerations
- VIII. Attachments

## II. ELIGIBILITY

**Proposing Team Experience:** At least one (1) company in the Proposing Team must have installation experience in the target market. For example, if the proposal is for the installation of 500kW in the residential market, the Proposing Team must show in the materials provided pursuant to Section IV, that a member of the Proposing Team has previously installed at least 500kW of residential systems and the equivalent of at least 50% (250kW in this example) of the proposal's kW total in a single year. The Proposing team must also demonstrate that they have installed at least one system equal to the largest system they anticipate installing if selected in this program.

**Location of the Installations:** All of the installations must be in New York State and must be connected to the electric grid. NYSERDA currently supports the installation of photovoltaic systems through the Renewable Portfolio Standard (RPS) program. Under that program, incentives are provided for installations less than 80kW in size and located at customer sites that pay the RPS charge. To the extent possible, NYSERDA is interested in supporting installations that are not eligible for RPS funding. Please note, installations may not be located at any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

**Certain Compliance Measures:** For all projects, the Proposing Team will be required to comply with Davis-Bacon prevailing wage requirements. For all work on public buildings or for public works projects, Proposers will be required to comply with Buy American requirements and must purchase iron, steel, and manufactured goods produced in the United States, unless a waiver is obtained from the Department of Energy. These Federal requirements may exclude some equipment and may have cost impacts that must be taken into account prior to a proposal being submitted to NYSERDA. Proposers may be audited for compliance with these requirements.

Additionally, projects will not be eligible for funding unless they have complied with the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA). Please note that the DOE issued a categorical exemption from the requirements of NEPA for any appropriately sized PV systems to be installed on existing rooftops and parking shade structures, or 60kW systems or smaller installed on the ground within the boundaries of an existing facility. Individual systems larger than those above may be categorically excluded based on additional information provided by the Proposing Team regarding a specific installation. Large PV projects on green field sites or sites of special interest (ecological, historical, cultural; see “integral conditions” at the beginning of Appendix B of DOE’s NEPA regulations, which can be found at [http://www.gc.energy.gov/NEPA/documents/nepa1021\\_rev.pdf](http://www.gc.energy.gov/NEPA/documents/nepa1021_rev.pdf)) would most likely require a more detailed NEPA review. Note that the proposed installation of any PV system on a historic structure could require further consideration under the National Historic Preservation Act or other statutes. Please also note that SEQRA exempts PV systems installed on existing buildings for installations less than 4,000 square feet (see 21 NYCRR § 503.3(a)(11)).

Proposers will want to take into consideration that, to the extent proposed PV systems exceed the foregoing parameters, additional time will be required to meet NEPA and SEQRA requirements prior to funding eligibility. In accordance with ARRA, NYSERDA must obligate all funds by October 17, 2010.

Please note, the Recovery Act requires contractors to provide a nine digit Data Universal Numbering System (DUNS) number and Central Contractor Registration plus four extended DUNS number. For more information on obtaining these numbers, see Dun & Bradstreet, Inc.’s website at <http://smallbusiness.dnb.com/establish-your-business/12334338-1.html> and Central Contractor Registration’s website at <https://www.bpn.gov/ccr/default.aspx>.

**Ineligible Projects and Costs:** Projects that already have a fully executed contract to be funded or partially funded by other NYSERDA programs, or any utility funded program, are not eligible for funding under this PON. Material costs incurred and construction work conducted prior to a NYSERDA contract date, is not eligible for funding. Please note, no part of the ARRA funds may be commingled with any other funds or used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

#### **Other NYSERDA Programs**

Photovoltaic projects funded by this PON are not eligible for additional funding under other NYSERDA programs. Proposing Teams who previously entered into a contract with NYSERDA to implement a project under a different program cannot cancel participation in that program in order to reapply to this program. If a project has been submitted to another NYSERDA program, but no contract is in place, Proposers may choose to cancel participation in that program in favor of receiving funds from this Program.

#### **Other ARRA Grants**

Some Proposers may also be eligible to apply for Energy Efficiency and Conservation Block Grants (EECBG) directly from the U.S. Department of Energy to fund their project. Receipt of ARRA funding for the project being proposed to NYSERDA under other programs may result in a reduction in NYSERDA’s incentive so that total grants and

incentives of a proposed project do not exceed the cost of the project. Proposers must provide a complete listing of any other ARRA grants their organization is using for any energy projects.

### **III. PROGRAM REQUIREMENTS**

**Key Principles and Scale:** This solicitation is designed to leverage ARRA funds to promote the installation of high quality solar photovoltaic systems, to maximize the deployment of the technology and to assist in building a sustainable solar photovoltaic industry in New York State.

**Project Completion Date:** Due to the Federal source of the ARRA funds, Proposers must complete installations and submit the required documentation to NYSERDA for payment by March 1, 2012. Failure to do so may result in termination of the Agreement.

**Project Categories:** Capacity Incentive Requests will be accepted and evaluated separately for Residential Installations and Non-Residential Installations (refer to Attachment C). NYSERDA is interested in supporting projects in both categories but there is no predetermined allocation of the available funding to either category.

**Measurement and Verification Plan:** By requesting funding from this PON, the Proposer agrees to provide NYSERDA, or NYSERDA-designated contractors, access to facilities, equipment, data (including metering and energy management system data), and personnel as necessary to facilitate measurement and verification. If the Proposal is selected for an award, NYSERDA will notify the Proposer of the Measurement and Verification Plan for the project. The Measurement and Verification Plan itself will be conducted by NYSERDA or its contractor(s). The Proposing Team must cooperate with NYSERDA and its contractor(s) in conducting the Measurement and Verification Plan.

NYSERDA is in the process of engaging a third party contractor to review and evaluate the energy savings, generation and other benefits resulting from Projects funded under this PON. All awardees must provide all reasonable assistance and documentation to support this effort.

**Equipment and Components:** The equipment and components installed through this program must be new and compliant with all applicable Institute of Electrical and Electronics Engineers (IEEE) standards. Equipment and components must be certified to meet those standards by a nationally recognized testing laboratory (e.g., UL, CSA, ETL, TUV, etc.).

**Wage Rates:** All laborers and mechanics employed on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan numbered 14 of 1950 (64 Stat. 1267, 5 U.S.C. App.) and section 3145 of title 40 United States Code. Proposing teams will also meet the requirements of the New York State Department of labor with respect to prevailing wages, if the Project constitutes a public works project.

### **IV. General Organization of the Proposal**

#### ***Proposal Outline***

Your goal as a Proposer should be to concisely present the information needed to fully address the evaluation criteria (see Section V). Proposals that fail to include the information requested below may be rejected as non-responsive.

Proposers must submit ten (10) copies of the completed proposal and one (1) electronic copy on a CD to the attention of Roseanne Viscusi at the address on the front of this Program Opportunity Notice (PON). Rigid bindings and other elaborate presentation material should not be used. A single staple in the upper left corner is preferred.

- A completed and signed Proposal Checklist (Attachment A) must be attached as the front cover of your proposal, one of which must contain an original signature.
- Each proposal must contain a signed and notarized Agreement (Attachment D), including Exhibits B, C, and D, at least one of which must contain an original signature.
- **Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist and signed and notarized Agreement will be returned. Faxed or e-mailed copies will be not accepted.**
- Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response may negatively influence the evaluation of the proposal.
- Each page of the proposal should state the name of the proposer, the PON number, and the page number.

All Proposals must contain the following information without exception and, to help facilitate timely evaluation, must be organized as indicated below.

1. Cover Letter
2. Proposing Team Training, Experience and Qualifications
3. Marketing and Sales Plan
4. Project Implementation Schedule
5. Quality Assurance Plan
6. Incentive Request Form
7. Other Information
8. Signed Agreement, including Exhibits B, C, and D.

### **1.0 Cover Letter**

The cover letter should highlight any special features of the proposal, and include the name, phone number, and email for the point of contact within the Proposer's company. The cover letter should be signed by a representative of the Proposer's company who has the authority to bind the Proposer.

### **2.0 Proposing Team Training, Experience and Qualifications**

Provide the following information for *each member* of the Proposing Team:

#### ***Proposing Team***

- Identify the Proposing Team leader for the entire proposal, including full contact information.
- Identify the Proposing Team member responsible for each part of the project.
- Provide organizational chart that describes the reporting relationships of all key personnel.
- Resumes of key personnel who will be directly involved with the implementation of the proposed project.

#### ***Company Profile***

- Year founded
- Status (private/publicly-held)
- Number of employees

- States and countries in which you do business
- Target customers (residential, commercial, industrial, government, etc.)
- Location of New York State Offices

#### **Financial Statements**

- If public, provide a link to your investor reports. If private, attach audited financial statements from 2007 and 2008.

#### **Project Design and Installation Experience**

- Provide total and annual information on the number and size of individual photovoltaic installations.
- Detail the market sector and city/town for the installations.

#### **Recent PV Projects**

Provide letters of support from representatives of at least three (3) operating PV systems that a member of your Proposing Team has installed in the last three years in the market sector(s) the Team is proposing (Residential and/or Non-residential). Provide the following information for these systems. The installed PV capacity for one project must be at least equal to the largest system expected to be installed in the proposed program.

- Customer Name
- Site location
- Size of PV System Installed
- System description (roof vs. ground mounted)
- Date installed
- PV module used
- System kW<sub>dc</sub> rating
- If known, the cumulative kWh produced since system installation by year
- Current status of system (operational yes/no)
- Name, address, telephone number and email of contact person

### **3.0 Marketing and Sales Plan**

Provide a detailed and comprehensive marketing and sales plan that demonstrates the ability of the Proposing Team to meet the target PV system installation schedule presented below for Residential and/or Non-residential installations. Installation sites do not need to be identified as part of the proposal.

### **4.0 Project Implementation Schedule**

Due to the Federal source of the ARRA funds, Proposers must complete implementation and submit the required documentation to NYSERDA for payment by March 1, 2012. Failure to meet the Project Implementation Schedule may result in a reduction in the amount of PV that can receive incentives. The Project Implementation and Delivery Schedule will serve as the Statement of Work for the project.

Provide a detailed implementation schedule for the described program indicating the expected milestones and timing for each installation. Include, at a minimum, a target schedule for major development milestones for each installation as listed below:

- Customer Agreements Signed
- System Design Complete
- All Permits Obtained
- Equipment Delivered to Job Site
- System Installation
- Interconnection Agreement Executed

- Commercial Operation Date.

### 5.0 Quality Assurance Plan

Provide a detailed description of the quality assurance procedures that will be followed and the warranties offered as part of the individual PV installations and a detailed description of the service and maintenance capabilities of the Proposing Team.

NYSERDA, at its discretion, may inspect or have a third party inspect, any individual installation for adherence to appropriate codes and professional standards pertaining to PV installations.

### 6.0 Incentive Requests Form

Capacity Incentive Requests will be accepted and evaluated separately for Residential Installations and Non-Residential Installations (refer to Attachment C). NYSERDA is interested in supporting projects in both categories but there is no predetermined allocation of the available funding to either category.

### 7.0 Other Information

If necessary, provide additional information to assist NYSERDA in reviewing and evaluating the proposal.

### 8.0 Signed Agreement

Each proposal MUST contain two (2) signed and notarized Agreements (Attachment D, including Exhibits B, C & D). If your proposal is selected for funding, NYSERDA will work with the proposer to develop a Statement of Work which will be appended to Attachment D as Exhibit A and constitute the final Agreement. Once agreement on the Statement of Work has been reached, NYSERDA will append it to Attachment D, countersign the Agreement, and return one fully-executed copy of the Agreement. This process is intended to facilitate the approval of projects and the expenditure of ARRA funds as quickly as possible.

## V. PROPOSAL EVALUATION

NYSERDA will conduct an initial screening of each proposal to ensure completeness and conformity with the eligibility requirements. Required forms, tables, certifications and signatures must be provided by the proposal due date requirements of the grant solicitation. Proposals that fail this initial step will be eliminated.

### Initial Pass/Fail Screening Criteria

CRITERIA
Proposal was submitted by the deadline and signed by an authorized representative of the Proposing Team.
Proposal is complete and includes required sections and forms including detailed scope of work and budget.
Request for incentives is for a block of PV installations between 500kW and 1,000kW.

Proposals that pass the Initial Screening Criteria will be reviewed by a Technical Evaluation Panel (TEP) and will be ranked against one another according to the following criteria. The Technical Criteria represents 40% of the total points a proposal can receive.

**Technical Evaluation Panel Criteria**

TECHNICAL CRITERIA
The Proposing Team has adequate and pertinent experience, financial resources, and qualifications to develop and install the proposed photovoltaic facilities.
The likelihood that the marketing and sales plan will meet proposed targets.
The quality assurance and maintenance plan for the PV installations is reasonable.
The Project Implementation Schedule is well defined, realistic and achievable.
Letters of Support for Recent Solar Projects

**Capacity Incentive Requests Evaluation**

The Capacity Incentive Request represents 60% of the points a proposal can receive. Capacity Incentive Requests will be accepted and evaluated separately for Residential Installations and Non-Residential Installations.

NYSERDA has developed a maximum acceptable Capacity Incentive Request dollar amount, and any Capacity Incentive Request above the maximum acceptable Capacity Incentive Request will receive zero (0) points. Points awarded to all other Capacity Incentive Request will be awarded in proportion to where the Capacity Incentive Request falls within the range from lowest Capacity Incentive Request to the maximum acceptable Capacity Incentive Request. **NYSERDA will not award a contract at a Capacity Incentive Request above the maximum acceptable Capacity Incentive Request.**

**VI. MILESTONE DELIVERABLES AND PAYMENT PROCESS**

Proposers must complete installations in a schedule that allows for submission of the required documentation to NYSERDA for payment by September 1, 2011. Payments will be made through monthly invoices to NYSERDA. Payments will be based on the Incentive Request per kilowatt (kW) of installed PV. Total payments will not exceed the Total Project Cost as identified on the Capacity Incentive Request Forms (Attachment C).

Payment requests for individual installations will be made in two steps: 75% of the amount (Incentive Request x kW installed) when all equipment is delivered to the Customer site and 25% (Incentive Request x kW installed) when the system has been connected to the electric grid and has operated for at least 30 days.

Monthly requests for payment must include:

- A status report on project performance relative to the Project Implementation and Deliverable Schedule and any other documentation required in Attachment D.
- For the 75% individual installation payment: documentation that equipment has been delivered to the Customer site, a signed copy of Installer-Customer Purchase Agreement.
- For the 25% individual installation payment: documentation that the system has been connected to the utility grid and is generating power according to the system design, copies of any Permits and Approvals from all jurisdictions having authority and photographs of the installation with explicit permission for NYSERDA to use, reproduce, distribute, exhibit, alter, publish or otherwise use such photographs in all forms, manner, including composite or distorted representations, and media,

including electronic, print, digital, or electronic publishing via the Internet, and for all purposes, including advertising, trade, or any other lawful purposes.

## VII. GENERAL CONSIDERATIONS

**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 Proposing Team 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 exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 [www.nyserda.org/nyserda.regulations.pdf](http://www.nyserda.org/nyserda.regulations.pdf). However, NYSERDA cannot guarantee the confidentiality of any information submitted.

**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 texts 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, additional 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.

**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

**Limitation:** This solicitation does not commit NYSERDA to award a contract, to 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 Proposing Team 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 Service Provider may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposing Teams shall 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.

**State Finance Law sections 139-j and 139-k:** NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html> The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

**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/killin/st/st220td\\_606\\_fill\\_in.pdf](http://www.tax.state.ny.us/pdf/2006/killin/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 prospective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at [http://www.tax.state.ny.us/pdf/2006/killin/st/st220ca\\_606\\_fill\\_in.pdf](http://www.tax.state.ny.us/pdf/2006/killin/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](http://www.tax.state.ny.us/pdf/publications/sales/pub223_606.pdf).

**Contract Award:** NYSERDA anticipates making multiple awards under this solicitation. It may award a contract based on initial proposals without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each Proposal should be submitted using the most accurate cost and technical information available. NYSERDA may request additional data or material to support proposals. NYSERDA expects to notify Proposers in approximately 4 to 6 weeks from the Proposal due date whether each Proposal has been selected to receive an award.

## **VIII. ATTACHMENTS**

- Attachment A Proposer Checklist
- Attachment B Disclosure of Prior Findings of Non-responsibility Form
- Attachment C-1 Residential Capacity Incentive Request Form
- Attachment C-2 Non-Residential Capacity Incentive Request Form
- Attachment D Agreement