



**“Establishment of a New York Energy Policy Institute”
Request for Proposals (RFP) 1310
\$600,000**

Proposals Due by November 3, 2009 by 5:00 PM Eastern Time*

The New York State Energy Research and Development Authority (NYSERDA) is seeking proposals to support the development, establishment, implementation, and management of a New York Energy Policy Institute (NYEPI). The purpose of the NYEPI is to tap into the extensive knowledge base of New York’s public and private institutions of higher learning in an effort to support interdisciplinary energy research, technology, and policy analysis, and to provide guidance to New York State’s decision makers on energy issues impacting New York State.

Some of the key functional activities of the NYEPI will include: (1) conducting energy research on topics identified by state energy officials; (2) providing objective policy analysis on actual or potential energy issues affecting New York; and (3) serving as an academic, energy information and research clearinghouse to support energy research and regulatory and policy analysis activities of state agencies and authorities. In addition, the NYEPI may be used by NYSERDA to provide short-term and long-term guidance on energy R&D direction, energy analysis review, and energy policy evaluation, state of the art energy issues and other related energy topics.

Proposals will outline the expected management and structure of the NYEPI, and will identify a core group of institutions that will participate as partners under the NYEPI. Partners should represent both public and private institutions of higher education. NYSERDA will provide up to \$200,000 per year of a period of three years for this effort. Part of the first year funding for NYEPI may be used for establishing the NYEPI governing body, and developing a strategic management plan, and work related activities assigned to the NYEPI by NYSERDA. Second and third year funding will be used for work activities assigned by NYSERDA. The successful proposal will also develop a plan on how the NYEPI will be funded beyond the third year.

All proposals must be cost-shared at a minimum of 50% of the total cost of the project/task. One contract award will be made.

Proposal Submission: Proposers must submit ten (10) 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. Proposers will not be reimbursed by NYSERDA for any costs associated with the preparation of their proposals. Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, RFP 1310
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Larry Pakenas at (518) 862-1090, ext. 3247 or ljp@nyserda.org. If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507 or vwf@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Larry Pakenas (Designated Contact) at (518) 862-1090, ext. 3247 or ljp@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

New York State has an impressive set of public and private academic institutions within its borders. Located at these institutions are many faculty members conducting research on issues related to energy research, technology and policy. These academics span multiple disciplines, including engineering, economics, public policy, environmental science, applied technology, law, business, and sociology. Yet, despite this extensive academic expertise on energy issues, there is currently no coordinated way for State policymakers to access this knowledge base and extract information that might assist in decision making.

This Request for Proposals (RFP) explores one approach to solving this problem: the establishment of the New York Energy Policy Institute (NYEPI). As announced by Governor Paterson in his 2009 State of the State address, the NYEPI aims to bring together the knowledge base and expertise found at New York's public and private institutions of higher education to provide analysis, insight, and guidance to State decision makers on important energy research, technology and policy issues.

The public benefits of an institute such as the NYEPI are many. The NYEPI will provide New York State with access to a collection of experts spanning a multitude of fields related to energy research, technology and policy issues. These experts can offer New York State decision makers objective analyses and expertise that complement the work of existing private sector, government, and industry groups. By acting as a clearinghouse for state-of-the-art information and analysis on energy technologies and policies, the NYEPI will assist in keeping New York decision makers well-informed on the most cutting edge aspects of energy research, technology, and policy.

The NYEPI will also complement many of the existing New York State initiatives related to energy and environmental research, including the work being supported by New York State Energy Research and Development Authority (NYSERDA), New York State Department of Public Service (DPS), and New York State Foundation for Science Technology and Innovation (NYSTAR), Long Island Power Authority (LIPA) and New York Power Authority (NYPA), and others. With the NYEPI, New York State can potentially set the standard on how states can incorporate the collective resources and activities of their higher education institutions in formulating energy policy that addresses important state-wide energy issues.

II. PROJECT REQUIREMENTS AND EXPERTISE SOUGHT

The goal of this RFP is to solicit proposals for the development, implementation and management of the New York State Energy Policy Institute. It is envisioned that the NYEPI will be based in an academic institution with a number of other academic institutions as partners, and administrative models are welcome for the establishment and management of the NYEPI.

NYEPI Activities:

The NYEPI will be involved in three functional activities as requested by NYSERDA on an as needed basis: (1) providing objective analysis, insight, and guidance to New York State decision makers on important energy research, technology and policy issues, (2) conducting studies on critical energy issues impacting New York, (3) serving as an academic clearinghouse on energy information and research, (4) maintaining an inventory of qualified candidates from different sectors to serve on NYSERDA's Technical Evaluation Panels (TEP), and (5) serving as a Technical Review Group (TRG) in respect to various R&D program planning activities and R&D program evaluations. Furthermore, the NYEPI should be a resource that can be called upon by NYSERDA, DPS, and other state agencies at NYSERDA's discretion to provide guidance on energy research and development activities to energy policy stakeholders.

The NYEPI will include both private and public academic institutions and its scope will allow for addressing multiple issues as they emerge under NYSERDA's direction. In addition, the NYEPI will work to obtain funding and support from multiple institutions for future operations and initiatives and maintain objectivity in its activities. These aforementioned activities provide the mission for the initial years of the development, operation, management and activities of the NYEPI.

Project Areas:

Proposers should demonstrate expertise in the following project areas:

- **Policy Research and Analysis:** Energy markets, environmental and/or economic impacts of alternative energy options, energy infrastructure planning, energy sustainability, climate change and energy policy, economic development and energy policy, role of public stakeholders in energy decision-making, energy demand, price and supply forecasting, policy analysis and planning, cost-benefit analysis, research, policy work, and other related policy analysis.
- **Technology:** Wind, photovoltaics, hydrogen, fuel cells, wave and tidal power, petroleum, biomass and biofuels, highly efficient lighting, advanced batteries, Smart Grid, semiconductors and electronics, combined heat and power, materials (e.g. ceramics, metals, thin films, nanotechnologies) for energy applications, and other energy efficient, clean energy and next generation technologies.
- **Research:** Interdisciplinary research, energy and environment studies in natural and/or social sciences, engineering, and areas of special interest, such as life-cycle engineering and pollution prevention, as well as facilitation experience for forums for analysis and discussion of energy industry issues, engages in outreach activities, demonstrated capabilities for peer review of analytic methods and substantive results, and otherwise engages in providing advise on scientific, economic and social matters through commentary, oral advice, and academic studies.
- **Education/Training:** Training programs and public education efforts including: photovoltaics installation and maintenance, energy efficiency opportunities for contractors and consumers, public energy education, demonstration of cutting-edge energy technologies, renewable energy workforce development, demonstration and evaluation of other energy technologies, and training for selected entities.

Core Group of NYEPI Institutions:

The proposal shall identify and define who will develop and operate the NYEPI and the member groups and the role of each core group member of the NYEPI.

NYEPI Management/Structure:

This proposal shall establish an administrative model for the management and operation of the NYEPI. For a period of up to three years, the model will allow NYSERDA to utilize the NYEPI’s expertise when necessary to assist in energy research, technology, and policy to inform energy policy decision-making.

III. TYPE OF SERVICES TO BE PROVIDED BY THE NYEPI

- Documents, white papers, reports, and analysis
- Research activity, and technology evaluations
- Technical reviews and strategic planning activities and other energy related projects on an as needed basis

IV. FUNDING

NYSERDA will provide up to \$200,000 per year for a period of three years, totally \$600,000, to support this initiative. The funding shall be used for the initial start-up of the NYEPI, the operation of the NYEPI, and the project work assigned to the NYEPI by NYSERDA on a task order basis.

In addition, this will consist of multi-year funding for both public and private entities and the need to supplement “base funding” with additional revenue sources. Funding will be needed in two areas: (1) operations; and (2) research.

The contract term will be one year, with options for renewal for two additional one year periods up to maximum total of three years.

V. PROPOSAL REQUIREMENTS

Proposers must submit ten (10) 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 (attached to this RFP) 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.** Be sure that the individual signing the checklist is authorized to commit the proposer's organization to the proposal as submitted. Proposals that include teaming arrangements must designate one party as the lead contractor. Faxed or e-mailed copies will not be accepted.

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. 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. The proposal must be in the following format:

Section 1 - Introduction (Maximum 2 pages)

Proposers shall summarize their understanding of the objectives and requirements of this RFP. Proposers shall briefly identify key information about its organization and other organizations that are part of the proposer's team. Proposers shall describe how the organization or team is qualified to perform and complete the services, and activities requested under this RFP and will also provide a general description of the proposer's experience in energy research, technology, and policy issues.

Section 2 - Statement of Work (10 pages maximum)

Provide a general description and scope of work of how the proposer will establish, manage, and operate the NYEPI, and how the proposer will complete work that will be assigned by NYSERDA on an as needed basis. Please develop the scope of work and budget for the full three years of this project.

Section 3 - Management Structure (3 pages maximum)

Proposers shall identify all team members, including the Principal or Lead contact, who will be responsible for ensuring that the project work is timely and of good quality. Provide a clear description of the roles and responsibilities, and anticipated hours allocated to all key personnel. Note that hours allocated in the work schedule must be consistent with those in the budget. Provide the names and addresses of team members. Provide an organization chart. Describe how you plan to coordinate the design of the implementation work among all involved parties that will administer the NYEPI. Discuss how you would manage and maintain flexibility to accommodate potentially short notification times and tight deadlines and please provide any additional information for the proposer feels is relevant.

Section 4 - Qualifications (6 pages maximum)

Describe specific experience pertaining to this type of energy research, technology and policy issues. Discuss proposed teaming of institutions and individuals that will make up the NYEPI. State the team's individual and combined expertise that would enable successful completion of the project work that will be assigned on an as needed basis. List and briefly describe relevant projects that have been completed by the proposer and team. Indicate which team members were responsible for each project described. Indicate the name and telephone number of at least three references for whom your organization has similar relevant completed projects. Provide resumes of all team members in an appendix.

Section 5 - Potential Conflict of Interest (1 page maximum)

Identify the nature of any potential conflicts of interest among team members in providing services to NYSERDA under this RFP. Fully discuss possible conflicts of interest, actual and perceived, which could arise in connection with performance by team members of the proposed contract. Describe how your firm would resolve conflicts of interest.

In the event that NYSERDA determines that a team member may have a conflict of interest or the appearance of a conflict of interest, NYSERDA may: (1) take this into consideration in evaluating the proposal; (2) exclude the proposer from consideration for an award; (3) adjust the scope of work to avoid the conflict or appearance of conflict; or (4) negotiate other appropriate actions with the team member to avoid the conflict or appearance of conflict.

Section 6 - Cost for the Total Project and Proposal (2-3 pages)

Proposals must include Attachment D, Project Personnel and Rate Form. Budgets will be developed for each Task Order.

The proposal should show non-NYSERDA funding of at least 50 % of the total cost of the project/tasks. Cost sharing can be from the proposer, other team members, and other government or private sources. Contributions of direct labor (for which the laborer is paid as an employee) and purchased materials may be considered "cash" contributions. Unpaid labor, indirect labor, or other general overhead may be considered "in-kind" contributions. NYSERDA will not pay for efforts which have already been undertaken. The proposer or proposing team cannot claim as cost-share any expenses that have already been incurred. Show the cost-sharing plan in the following format (expand table as needed):

	Cash	In-Kind Contribution	Total
NYSERDA	\$	\$	\$
Proposer	\$	\$	\$
Others (list individually)	\$	\$	\$
Total	\$	\$	\$

Indirect Costs: Attach documentation to support indirect cost (overhead) rate(s) included in your proposal as follows:

- Describe the basis for the rates proposed (*i.e.*, based on prior period actual results; based on projections; based on federal government or other independently approved rates).
- If rate(s) is approved by an independent organization, such as the federal government, provide a copy of such approval.
- If rate(s) is based on estimated costs or prior period actual results, include calculations to support proposed rate(s). Calculation should provide enough information for NYSERDA to evaluate and confirm that the rate(s) are consistent with generally accepted accounting principles for indirect costs. NYSERDA reserves the right to audit any indirect rate presented in the proposal and to make adjustment for such difference. Financial statements or other needed financial information may be requested.

NYSERDA reserves the right to audit any indirect rate presented in the proposal and to make adjustment for such difference. Requests for financial statements or other needed financial information may be made if deemed necessary.

Appendices: Materials to be submitted include:

- Resumes of key personnel that will complete the work and tasks described in the Section II A.

VI. PROPOSAL EVALUATION

All proposals received by the due date and meeting the requirements established in this RFP will be reviewed and ranked by a Technical Evaluation Panel consisting of NYSERDA staff and selected outside reviewers. Final rankings and the contract award will be based on the following criteria:

Relevant Experience and Qualifications: Are key personnel's education and experience relevant to project needs? Is the project staff's overall capability appropriate? Does the proposing team have experience in conducting similar work? What is the quality of the project staff's performance on past projects or their achievements related to the proposed work?

Comprehensiveness of Approach and Management Plan: Does the proposer demonstrate the ability to complete all aspects of the project? Are appropriate management and coordination strategies articulated? Are sufficient resources being devoted to the project and each individual task? Is the project organization, including the staffing plan and schedule, clear and well defined? Is the staffing plan sufficient to provide timely deliverables?

Responsiveness to the RFP: Does the proposer present a sound approach for accomplishing the objectives of this proposal? Is there a sound rationale or justification for the proposed approach(es)? Has the proposer demonstrated a clear understanding of the project goals and objectives? Does the proposer appear to have the flexibility to accommodate potentially short notification times and tight deadlines? Has the proposer demonstrated a thorough understanding of the work will be assigned?

Cost: How cost-effective is the proposal? Are hourly rates, overhead rates, and total hours reasonable and appropriate? Is the proposer's cost allocation appropriate when compared to the cost allocation of other comparable proposals and their projected results?

Other: Is the proposal well-organized, well-written, and complete? Does the proposal offer economic benefits to New York State? Preferences shall be given to proposals that include the following:

- An entity that is more multi-faceted, integrated, and systems-oriented and representation from both New York's public and private institutions of higher education.
- Demonstrates experience in providing high level energy analysis and policy guidance to government decision makers. This may be exhibited, for example, by participation on esteemed bodies such as National Academies of Science study committees at the federal level, or experience working with energy decision makers at the state level.
- Exhibits strong interdisciplinary understanding of energy issues, with particular attention paid to the integration of energy technology, economics, policy, and the environment. This expertise should be demonstrated through active scholarship and a strong record of peer-reviewed publications on 'interdisciplinary energy-related topics. In addition, proposers should have a demonstrated knowledge of the pertinent factors driving energy issues in New York and sufficient staff and resources available to achieve the proposed efforts.

VII. 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 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, 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.

VIII. 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 accepted. 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/Offerers during the procurement process. A Proposer/Offerers 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/Offerers 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/Offerers 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 contractors, prior to entering an agreement with NYSERDA, to certify whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the New York State Department of Taxation and Finance to collect New York State and local sales and compensating use taxes. The Department of Taxation and Finance has developed guidance and a certification form (ST-220) for contractors which are available at www.nystax.gov/sbc/nys_contractors.htm. The completed Form ST-220 (which is available upon request or at <http://www.nyserda.org/Funding/stdforms.asp>), will be incorporated in the agreement between NYSERDA and the contractor.

Contract Award

NYSERDA anticipates making one award under this solicitation and the contract will be a task order contract. 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 in approximately 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.

IX. ATTACHMENTS

- Attachment A - Proposal Checklist Form
- Attachment B - Disclosure of Prior Findings of Non-Responsibility Form
- Attachment C - Intent to Propose
- Attachment D – Project Personnel and Rates Form
- Attachment E – Sample Agreement