



CHP Data Integration System Operation and Support Request for Proposal RFP 1308

Proposals Due: February 25, 2010 by 5:00 PM Eastern Time*

NYSERDA is seeking a qualified vendor to continue the Distributed Generation (DG) - Combined Heat and Power (CHP) performance data collection, analysis and presentation effort currently being performed by CDH Energy Corp. as represented by NYSERDA's CHP operational performance website chp.nyserderda.org.

Proposers must have demonstrated experience in CHP system installation, remote monitoring and performance analysis, as well as experience in web-based database application development, operation and maintenance.

Proposal Submission: Proposers must submit two (2) hard copies and one (1) digital copy on compact disc of the proposal with a completed and signed Proposal Checklist attached to the front of each hard copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, RFP 1308
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Edward Kear at (518) 862-1090, ext. 3269 or ebk@nyserderda.org. If you have contractual questions concerning this solicitation, contact Nancy Marucci at (518) 862-1090, ext. 3335 or nsm@nyserderda.org.

No communication intended to influence this procurement is permitted except by contacting Edward Kear (Designated Contact) at (518) 862-1090, ext.3269 or ebk@nyserderda.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 and Disclosure of Prior Findings of Non- Responsibility may 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.nyserderda.org. Answers to frequently asked questions may also be posted on NYSERDA's website.

I. INTRODUCTION

NYSERDA offers a number of programs that support the installation and operation of distributed generation (DG), combined heat and power and other on-site generation systems (collectively known as CHP systems even if thermal energy capture is not a primary goal). Most of these programs require that system performance data be supplied to NYSERDA for analysis and presentation to the general public. In 2004, NYSERDA contracted with CDH Energy Corporation to develop and operate the Combined Heat and Power – Data Integration System (CHP-DIS), as described in Attachment D - NYSERDA DG/CHP Integrated Database Functional Description, which automatically receives daily uploads of 15 minute system performance data from each of the NYSERDA funded on-site generation project sites (CHP sites), performs automated quality checks on the data, stores the data in a database, analyzes the data, and presents the results through the publicly available website chp.nyserderda.org.

In addition, the existing agreement requires that CDH Energy Corp assist each CHP site to develop a monitoring plan consistent with the Attachment E - Monitoring and Data Collection Standard, assist in the establishment of a data transfer protocol with each CHP site, develop a Case Study of each CHP site, perform both automatic and manual data quality assurance inspections, and monitor the system (including data transfer from the sites) so that problems are quickly identified and resolved in a timely fashion.

Since the existing agreement is scheduled to expire in early 2010, NYSERDA is requesting proposals from qualified vendors who wish to continue this effort.

The vendor selected as a result of this RFP (selected vendor) will receive an agreement for an initial period of 2 years, followed by an optional renewal period of 2 years and then a final optional renewal period of 1 year, both at NYSERDA's discretion. The total period of this effort will be a maximum of 5 years.

The CHP-DIS is currently receiving daily operational data from approximately 25 active sites. It is anticipated that between 30 and 70 new active sites will be added during the first 2 years of this effort.

The existing agreement requires that CDH Energy Corp grant NYSERDA a license to use, modify, distribute, and permit others to use, modify and distribute all software developed as part of the development, operation, or maintenance of the CHP-DIS. The selected vendor will receive a copy of the source code developed under the existing agreement which provides much of the functionality of the CHP-DIS. However, some functionality is currently provided using software written by CDH Energy Corp prior to the existing effort and this source code will NOT be provided to the selected vendor. This excluded software is described in Section 3 of Attachment D and consists primarily of command line batch files and programs written in PV-WAVE. The selected vendor will be required to replicate the functionality of the excluded software during the Transition and Startup phase of this effort.

II. PROGRAM REQUIREMENTS

Proposers may be individual entities or teams of entities. Proposers must have demonstrated experience in the areas listed below under "Proposer Qualifications".

NYSERDA anticipates that a single proposer, or proposing team, will be selected to perform the Work as defined in Attachment C - Statement of Work.

The selected vendor will be required to grant NYSERDA a license to use, modify, distribute, and permit others to use, modify and distribute all software and other materials developed as part of the development, operation, or maintenance of the CHP-DIS.

III. PROPOSAL REQUIREMENTS

Proposers must submit two (2) hard copies and one (1) digital copy on compact disc of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Proposal. 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 Attachment A - Proposal Checklist and a completed Attachment B - Disclosure of Prior Findings of Non-Responsibility form may be returned.** 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 digital copy must be submitted on a compact disc using a format compatible with Microsoft Windows XP. The digital version of the proposal on the compact disc must be in a format or formats compatible with Microsoft Office 2003. Optional additional material and an additional copy of the proposal may also be included on the compact disc in Portable Document Format (PDF). The proposal must be in the following format:

Proposer Qualifications

Document experience in each of the following areas. Provide specific, detailed examples, web addresses, site contact information, as appropriate. Identify individuals and the specific activities performed.

- CHP system design and installation;
- Automated remote monitoring of CHP systems;
- Analysis of CHP system performance;
- Database development, operation and maintenance, particularly using MYSQL and Access and;
- Website development, operation and maintenance, particularly using database driven dynamic web pages using ColdFusion and Python.

CHP-DIS Implementation

Carefully review the existing CHP-DIS website at chp.nyserda.org and describe what changes you would make to the CHP-DIS system which would improve its functionality, particularly with respect to technology transfer.

Carefully review the Attachment E - Monitoring and Data Collection Standard. Describe what changes you would make (if any) and why.

Carefully review the existing CHP-DIS hardware and software environments as described in Attachment D. Fully describe the hardware and software environments that you propose to utilize to support the CHP-DIS, and, if different to what is currently used, how the change(s) would improve the functionality of the CHP-DIS. If you are proposing to use a hosting service, provide its name, its web address, and level of service (and options if any) that you are contemplating using.

Cost

A milestone payment structure will be used in the Agreement resulting from this solicitation. Provide your proposed milestone payment amount for each of the following using Attachment F - Milestone Budget Form:

- **Transition and Startup** – A fixed milestone payment for all activities leading up to an approved, fully functional CHP-DIS, including acquiring and configuring all hardware and software, installing and updating the CHP-DIS software and files, establishing reliable data transfer from all of the existing active CHP Sites, and attending transition meeting(s) (See Tasks 2 and 3 of Attachment C - Statement of Work) This milestone payment may be invoiced upon final approval for “public roll-out” of the CHP-DIS received from NYSERDA’s Project Manager.
- **Update of the Monitoring and Data Collection Standard** - A fixed milestone payment for this effort if you are proposing to update the Monitoring and Data Collection Standard. (See Task 4 of Attachment C - Statement of Work) This milestone payment may be invoiced upon approval of the Final Monitoring and Data Collection Standard by NYSERDA’s Project Manager.
- **System Operation and Maintenance** – Milestone payments for operation and maintenance will be broken down into two components: a fixed monthly fee (to generally cover fixed costs) and a variable monthly fee based on the number of active sites monitored throughout the month (\$/site times number of sites). You may propose different fees for each of the three time periods indicated on the table. (See Tasks 1 and 5 of Attachment C - Statement of Work) These milestone payments may be invoiced monthly.

- **Adding New CHP Project Sites** - A fixed milestone payment for adding a new active site to the CHP-DIS after transition/startup (\$/new site), including assisting the site to develop an approved Monitoring Plan, entering all site information into the CHP-DIS, creating and publishing a Case Study for the site, and establishing reliable daily CHP system performance data transfer from the site. (See Task 6 of Attachment C - Statement of Work) This milestone payment may be invoiced once site data and the Case Study are available through the CHP-DIS, reliable daily data transfer has been established, and automated analysis and reporting are functional for the site.
- **Transition and Shutdown** - A fixed milestone payment for performing the transition and shutdown effort described in Tasks 7 and 8 of Attachment C - Statement of Work. This milestone payment can be invoiced once the CHP-DIS has been successfully handed off to the "New Contractor".

IV. PROPOSAL EVALUATION

Proposals that meet Proposal Requirements will be reviewed by a Technical Evaluation Panel (TEP) using the following evaluation criteria.

- **Experience** – For each of the five areas of experience listed above, is the Proposer's, or Proposing Team's, experience insufficient, adequate or superior?
- **Benefits** – Will the Proposer, or Proposing team, bring a capability that will ensure or enhance the continued operation of the CHP-DIS? If changes are proposed, will the proposed changes to the CHP-DIS and/or Monitoring and Data Collection Standard provide benefit(s) to the CHP Sites, NYSERDA or the public?
- **Value** – What is the overall value, considering experience, benefits and cost, when compared to the other Proposers?

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 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/about/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 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.nystax.gov/pdf/2007/fillin/st/st220td_507_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.nystax.gov/pdf/2007/fillin/st/st220ca_507_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 under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. 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 reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal. NYSERDA expects to notify proposers in approximately eight 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. NYSERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to the standard terms and conditions of the Sample Agreement.

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
Attachment C - Statement of Work
Attachment D - DG/CHP Integrated Database Functional Description
Attachment E - Monitoring and Data Collection Standard
Attachment F - Milestone Budget Form
Attachment G - Sample Agreement