

**Proposals Due: August 3, 2010 by 5:00 PM Eastern Time\***

The New York State Energy Research and Development Authority (NYSERDA) is seeking proposals to meet New York State’s workforce training needs. Funding is available to facilitate workforce education within New York State in the area of energy efficiency. Proposers may develop and implement training initiatives as part of a career pathway (i.e., basic skills, technical skills, advanced skills), continuing education opportunity, college credit course, certificate program, two-year degree program, etc. Expansion of existing training programs and new programs, including curriculum development are eligible for funding under this PON. Proposers should focus on instruction that develops or enhances the energy efficiency skills of current workers or training that provides basic skills and technical training related to energy efficiency to disadvantaged, unemployed or underemployed workers residing in New York State and will provide energy efficiency services throughout New York State.

Total funding currently available for this solicitation is \$1,850,000. NYSERDA plans to award up to \$750,000 for Careers Pathways training and up to \$500,000 for Technical Training pursuant to the Workforce Development Operating Plan under the Energy Efficiency Portfolio Standard. Additionally, up to \$300,000 will be awarded for oil heat system efficiency training and up to \$300,000 for small commercial building energy auditor training pursuant to the approved Workforce Development Operating Plan under the Green Jobs-Green New York program (GJ-GNY).

Additional funding may become available. It is anticipated that multiple awards will be made under this PON. The number of proposers selected for contracting will be determined by the funds available and the goal of having programs, institutions, and trainers who are qualified and available to teach throughout different regions of New York State.

**Proposal Submission:** Proposers must submit nine (9) double sided 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. One (1) electronic copy of the proposal must also be submitted on a standard compact disk (CD). This electronic document (.pdf format only) must be an exact scanned image of the final paper copy proposal and include all relevant forms and signatures. Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, PON 1817  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Lee Butler at (518) 862-1090, ext. 3003 or [lwb@nyserda.org](mailto:lwb@nyserda.org). If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507 or [vwf@nyserda.org](mailto:vwf@nyserda.org).

No communication intended to influence this procurement is permitted except by contacting Lee Butler at (518) 842-1522, ext. 3003 or [lwb@nyserda.org](mailto:lwb@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 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 web site at [www.nyserda.org](http://www.nyserda.org).

## I. INTRODUCTION

### A. Goals and Objectives

The New York State Energy Research and Development Authority (NYSERDA) is seeking proposals to develop and deliver specific energy efficiency training to support the training needs of the Energy Efficiency Portfolio Standard (EEPS) and the GJ-GNY Program. New education and training programs are needed to quickly improve the skills of professionals and tradespersons that are already active in the energy efficiency field, and to help prepare students and new employees for careers in the energy efficiency services sector. The goal of this solicitation is to fund the development and delivery of energy efficiency training to support specific gaps in current energy efficiency training to better meet the goals of the EEPS and GJ-GNY Programs.

Awards under this solicitation must help to expand the workforce training infrastructure necessary to sufficiently support the labor supply needed to deploy energy efficiency programs funded under the EEPS and the GJ-GNY Programs. Examples of proposal activities of interest under this solicitation include, but are not limited, to the following:

- new energy efficiency training targeted at building and construction contractors that do not currently have energy efficiency-specific skills;
- training to help prepare students for energy efficiency certifications;
- basic skills to help prepare people for technical energy efficiency training;
- applied workshops to support on-the-job training, internship, and apprenticeship initiatives that are attracting new employees to the energy efficiency sector;
- instructor trainings to further increase the field of qualified trainers to deliver training needed to support the projected growth in energy efficiency sector and;
- new energy efficiency and interdisciplinary programs within colleges and universities to support the expansion of two and four-year degree track programs.

Four specific areas are targeted for funding under this solicitation, including: 1) Career Pathways training for underserved and low income students (EEPS funded), 2) Technical Training including applied workshops, certificate programs, and energy efficiency courses to augment existing and new two and four-year degree track programs at colleges and universities (EEPS funded), 3) Small Commercial Building Energy Auditor Training for professionals (GJ-GNY funded), and 4) Oil Heat Efficiency Training for technicians and professionals (GJ-GNY funded). A more detailed description of each targeted area funded under this solicitation is included in Section III of this document.

### B. Background

NYSERDA workforce development initiatives seek to deliver clean energy training along a career continuum to support both emerging workers and professionals already employed in the energy industry. Training efforts support residential and commercial energy efficiency programs, renewable energy, and emerging technologies. Recent efforts have expanded to include a robust statewide training network coordinated with several state agencies. In partnership with Hudson Valley Community College, NYSERDA has helped develop the Center for Energy Efficiency Building Science (CEEBS) which currently has 12 Learning Centers across the state, with more to be added in 2010. The current Energy Efficiency (EE) and Renewable Energy (RE) training network through CEEBS and other RE training centers has expanded to 38 training entities delivering training in energy efficiency, building science, solar electric and solar thermal, small and large wind generation, geothermal, fuel cells and soon, anaerobic digester training. This solicitation seeks to expand energy efficiency training for emerging and disadvantaged workers,

building operators, technicians, installers, contractors, and other professionals needed to support the goals of the EEPS and GJGNY.

### **Energy Efficiency Portfolio Standard (EEPS)**

On June 23, 2008, the Public Service Commission issued an Order Establishing the Energy Efficiency Portfolio Standard (EEPS) and Approving Programs in Case 07-M-1548 (Order). The Order defined “Fast Track” efficiency programs to be administered by NYSERDA and certain “Expedited” programs to be administered by utilities. EEPS is a far-reaching, ground-breaking energy efficiency initiative that seeks to reverse the pattern of ever-increasing energy use in New York by reducing electricity usage (as forecast in 2007) by 15 percent statewide by 2015; one of the most aggressive efficiency programs in the nation. An EEPS program was created for New York State to develop and encourage cost-effective energy efficiency over the long term, and immediately to comments or augment near-term efficiency measures. To meet the goals of the EEPS, NYSERDA is implementing a variety of programs to improve energy efficiency throughout New York State. Creating a workforce that can implement energy efficiency measures in residential and commercial markets is an important part of meeting EEPS goals.

In January 2010, as part of the EEPS program, NYSERDA issued an open-enrollment solicitation, **PON 1816: Workforce Development Training Partnerships for Energy Efficiency**, to quickly ramp up workforce training through established energy efficiency training organizations. PON 1816 awards Training Partnership Agreements (on a first-come, first-served basis) to eligible training entities demonstrating the experience and ability to deliver existing technical training, internship/apprenticeship programs, and specific certification programs that support EEPS goals as outlined in NYSERDA’s Operating Plan approved by the New York State Department of Public Service on September 21, 2009. While PON 1816 is intended for experienced energy efficiency or basic skills training organizations that can quickly ramp up training using existing curriculum, this solicitation (PON 1817) provides funding to expand or develop new energy efficiency training initiatives through new or existing training partners.

### **Green Jobs-Green NY (GJ-GNY)**

On October 9, 2009, Governor David Paterson signed into law the Green-Jobs Green New York Act of 2009 (A.8901/S.5888 and chapter amendment A.9031/S.6032), which will help reduce energy consumption and support community development by providing increased access to energy efficiency services and supporting the training and job placement for the delivery of energy efficiency services. The GJ-GNY program is funded from the proceeds from sales of CO<sub>2</sub> allowances under the Regional Greenhouse Gas Initiative (RGGI). The GJ-GNY Program is designed to create job opportunities, including opportunities for new entrants into the state’s workforce, focusing on both the long-term unemployed and displaced workers and new workforce entrants.

For workforce development and training initiatives, the legislation directs NYSERDA to:

- establish standards for energy audits based on building type and other relevant considerations; and
- enter into contracts to provide employment and training services to support the GJ-GNY Program.

## II. PROGRAM REQUIREMENTS

### A. General Requirements

This solicitation is intended to provide funding for training development and delivery across New York State. Successful proposals may address the work readiness and technical training needs of the EEPS, or may address specific training needs aligned with the GJ-GNY Program as outlined in this solicitation, taking into account geographical need and population density. Energy efficiency training initiatives funded under this Program are primarily intended for adults. However, initiatives for high school students will be considered if the proposer can demonstrate that the high school initiative aligns with postsecondary programs or occupational training. All initiatives must demonstrate a connection to the energy efficiency business community and labor market, and are encouraged to register their entity and relevant course offerings on the New York State Eligible Training Provider List. The NYS Eligible Training Provider List is a comprehensive inventory of training providers and courses used by One-Stop Career Centers to inform customers on training available in NYS. To become registered, a training partner must visit the "Provider" section at [http://www.lavor/state/ny.us/etp/PROV\\_LOGIN.asp](http://www.lavor/state/ny.us/etp/PROV_LOGIN.asp) and complete the online application. Upon completion of the application, the training partner will be contacted by the appropriate Local Workforce Investment Board to complete the registration process.

Letters of support from other Workforce Development entities, such as the Department of Labor/Community College "One Stop" system, are encouraged. Applicants must demonstrate how the proposal is responsive to local business and worker needs. Proposed initiatives supported by this Program must be consistent with the program areas outlined in the WFD Operating Plans for EEPS and GJ-GNY. Proposed training should compliment or broaden NYSERDA's existing training network throughout the state, and should address programmatic needs or geographical regions not currently covered. Training leading to, or resulting in a marketable credential is preferred, so as to encourage immediate placement of trained participants. NYSERDA intends to fund workforce development programs that optimize the likelihood of job placement or career development for the student. All proposed training must demonstrate direct links to the technical training needs supporting the goals of EEPS. Proposed training must have course learning objectives. Each course delivered must have an instructor's manual and a student text or manual. Additionally, it is expected that each class will have lesson plans. Hands-on classroom activities and lab and field work are highly encouraged. If included, lab and field activities must identify the necessary equipment to conduct those activities. Where beneficial, course material should reflect information provided by original equipment manufacturers so as to increase applied knowledge of equipment typically found in the region.

Where possible, course materials shall be certified or recognized by an appropriate certification organization such as, but not limited to, Building Performance Institute (BPI), American Society of Heating, Refrigerating, and Air-conditioning Engineers (ASHRAE), Association of Energy Engineers (AEE), North American Technician Excellence (NATE), United States Green Buildings Council (USGBC), and others. For example, current building science classes taught by Hudson Valley Community College and its network of learning centers are recognized by BPI. Proposed course material may augment existing standards-based curriculum and proposed classes may better prepare students to take standardized written and field examinations that lead to certification.

Teaming among institutions, trainers, and instructors to respond to this PON is encouraged. Preferred training sites are those in an existing educational setting with adequate space and technology to conduct both on-site and Web-based lectures and classroom activities for all training categories. Successful proposers must create and develop curricula in a way that meets the most current educational standards, technical standards, and best practices as illustrated by accredited educational institutions and certification/accreditation organizations. High quality training materials such as instructor manuals, student manuals, lesson plans, presentation materials, and classroom activities are required. Proposers are encouraged to provide samples of training materials that they have produced of similar quality to what is proposed (preferably in electronic format).

Teaming arrangements among training institutions, field trainers, and instructors is encouraged. Successful proposers will be required to work closely with NYSERDA and its training partners to coordinate all training activities.

The number of proposals selected for contracting will be determined by the funds available, the desire to have facilities and trainers distributed throughout New York State, and other factors. The proposal evaluation process will be structured to ensure that there is comprehensive coverage of training elements listed in the solicitation.

All materials developed under contracts resulting from this solicitation shall be the property of NYSERDA (see sample contract attached to this solicitation for terms). Contract timeframe is expected to be 12-24 months.

## B. Available Funding

The budget for this solicitation is \$1,850,000. NYSERDA has designated \$1,250,000 to support the goals of the EEPS program in the areas of Career Pathways and Technical Training (up to \$750,000 for Careers Pathways training and up to \$500,000 for Technical Training). In addition, NYSERDA has designated \$600,000 to support the goals of the GJ-GNY Program (up to \$300,000 for Oil Heat System Efficiency Training and up to \$300,000 for Small Commercial Building Energy Auditor Training). Additional funding may become available. A table showing the Funding Category and available funding is presented below.

**Table 1: Available Funding by Funding Category**

Funding Category	Funding Source	Available Funding
Career Pathways Training	EEPS	\$750,000
Technical Training	EEPS	\$500,000
Small Commercial Building Auditor Training	GJ-GNY	\$300,000
Oil Heat System Efficiency Training	GJ-GNY	\$300,000

One or more awards may be made under this PON, with no more than one award to any given proposer. The number of proposals selected for contracting will be determined by the funds available, regional considerations (location and distribution of training sites and courses), tasks proposed, and the quality of the proposals. Proposers may submit proposals for more than one Funding Category, with the maximum award per Funding Category not to exceed \$300,000.

**Co-funding in the form of cash, instructor and staff time, equipment, etc., is required. A minimum of 25% co-funding as part of the total budget is required and co-funding levels will be considered in proposal evaluation.**

**This PON is not intended to provide funding for direct labor, benefits, or labor-related overhead for delivering training, unless a respondent can justify that such expenses are unique and necessary and can be attributed directly to task requirements. It is intended that proposals for the development of training be self-sustaining, i.e., a business model that requires students to pay reasonable costs for training services.**

## C. Geographical Coverage Requirements

Training funded under GJ-GNY may be held in all areas across New York State, including venues located on Long Island and other areas outside of the EEPS service areas in New York State.

### Career Pathways and Technical Training

Training facilities on Long Island will not be eligible for Career Pathways and Technical Training funding under PON 1817.

All Career Pathways and Technical Training must serve ratepayers within the EEPS service area. Moreover, the EEPS service area includes service areas of utilities that collect the EEPS surcharge from their ratepayers: Central Hudson, Con Edison, NYSEG, National Grid, Orange and Rockland, and Rochester Gas and Electric. Residents that contribute to the EEPS through the utilities and contractors, energy service companies, and others who can demonstrate active participation in any SBC or EEPS funded program, are eligible to attend training programs funded under the EEPS. Any requests for training funds under PON 1817 for Career Pathways or Technical Training must include documentation verifying that students/attendees are eligible for support under this program.

## III. Funding Category/ Scope of Services

A respondent(s) may apply for funding in one or more of the four Funding Categories:

- Career Pathways Training funded under EEPS
- Technical Training funded under EEPS
- Small Commercial Building Energy Auditor Training funded under GJ-GNY
- Oil Heat System Efficiency Training funded under GJ-GNY

One or more awards may be made under this PON, with no more than one award to any given proposer. The number of proposals selected for contracting will be determined by the funds available, regional considerations (location and distribution of training sites and courses), tasks proposed, and the quality of the proposals. Proposers may submit proposals for more than one Funding Category, with the maximum award per Funding Category not to exceed \$300,000.

### A. Career Pathways Training Under EEPS

Proposers responding to the Career Pathways Training funding category should seek to propose training and career development strategies to teach entry-level workers the basic skills required to be successful in the energy-efficient building, construction, energy-efficient retrofits, and the energy efficiency assessment industry serving the residential, commercial, or industrial sectors. Proposers are encouraged to offer “work readiness skills” training, which includes workplace preparation, teamwork, problem solving, time management, conflict resolution, as well as basic education, and vocational technical skills training with a specific vocational objective. Proposed work readiness skills training must be in the context of training for advancement to better jobs, the next training step, certification, etc. All career pathway proposals must address student transition opportunities— increasing student access to postsecondary programs, credential programs, college, certificate programs, apprenticeships, or job placement. Responses must state whether or not articulation agreements are in place and include a copy of those agreements in the proposal.

Proposers should illustrate how the proposal fits within the career pathway of the emerging worker – credit, non-credit, GED, industry recognized certificate, associate degrees, bachelor degrees, etc. Successful proposals will include: 1) sound recruitment and referral strategies for targeted

populations; (2) integration of basic skills and work-readiness training with occupational skills training linked to specific employer needs, as necessary; (3) combination of supportive services with training services to help participants overcome barriers to employment, as necessary; and (4) provision of training services at times and locations that are easily accessible to targeted populations.

The proposed effort must serve low-income populations with a priority to serve unemployed and underemployed individuals. Preference will be given to programs that provide services to “hard-to-serve” and “under-served” populations<sup>1</sup> that experience difficulty obtaining and maintaining employment. In the case of “work readiness skills” training, the provider must demonstrate a “pathway” toward continued technical training in basic math, science, and other technical areas with a specific vocational objective aligned with the goals of the EEPS. All training providers should describe student support services (wrap-around services), which may be included as proposer cost-share, as these services will not be funded by NYSERDA- counseling, tutoring, child care assistance, job placement assistance, mentoring, etc. Proposers should address academic, personal and family needs, and any other needs, important in serving disadvantaged workers.

Successful proposals will include: 1) sound recruitment and referral strategies for targeted populations as outlined in the proposal; (2) integrate basic skills and work-readiness training with occupational skills training linked to specific employer needs, as necessary; (3) combine support services with proposed training services to help participants overcome barriers to employment, as necessary; and (4) provide training services at times and locations that are easily accessible to targeted populations.

Success in Career Pathways training can be achieved by effectively addressing three challenges: 1) Advancing skills of new/vulnerable workers with training in a work-like setting without undermining pay structures for skilled workers and the budget constraints of employers; 2) Rapidly increasing the quantity of skilled workers in energy efficiency; and 3) Connecting trainees to existing jobs, apprenticeships, or internships leading to job placement.

## **B. Technical Training under EEPS**

New technical training is needed to support energy efficiency programs to be implemented under the EEPS by NYSERDA and other utilities across the state. Proposed training may also complement existing training programs. Examples of technical training needed to support EEPS include:

### Commercial

- Efficient Commercial Lighting Fixtures
- Efficient Commercial Lighting Design
- Steam/Hot Water System Diagnostics
  - Boilers
  - Pumps/Condensate Systems
  - Distribution Systems
- Steam Trap Diagnostics and Repair/Retrofit
- Commercial Temperature Control Systems
- Direct Digital Control Systems
- Energy Management Systems

1 The terms “hard-to-serve” and “under-served” populations are defined by the Workforce Investment Act (WIA). These terms include individuals with language barriers, homeless, offenders, etc. If a local area has a priority of service and limited funding, they would then look to serve these populations first. In regard to a low-income designation, it refers to households with an income equal to or lower than 80% of state or area median income, whichever is greater. That's an income of nearly \$60,000 a year for a family of 4 in most counties and higher in several downstate counties.

#### Commercial (continued)

- Commercial Cooling Systems
  - Chillers
  - Condensers/cooling towers
- Motors
  - Variable speed drives
  - Green repairs for motors
- Electrical Distribution Systems and Power Management
- Electrical Metering and Sub-Metering

#### Residential

- Indoor Air Quality & Ventilation
- Residential High Efficiency and Smart Appliances
- Diagnostics and Repair of Advanced Technology Heating Systems
- Advanced Insulation Techniques
- Advanced Air Sealing Techniques
- Infrared Thermography
- Advanced Blower Door
- Gas Piping and Leak Repair
- Energy Efficient Lighting Design and Applications (e.g. Solid State Lighting)
- Whole House Switches, Controls, and Home Automation
- Plug Load Management (e.g. Advanced Power Strips)
- HVAC Quality Installation
- Sales and Marketing Training (e.g. Up-selling Efficiency)

### **C. Small Commercial Energy Audit Training under GJ-GNY**

Proposers responding to the Small Commercial Energy Audit Training Funding Category should propose development of curriculum for small commercial energy audit training that specifically addresses the skills, knowledge, and awareness of workers conducting energy audits for small commercial and non-profit businesses under the GJ-GNY Act. NYSERDA has defined a “standard” (described below) for small commercial energy audits to be conducted under the GJ-GNY Program. It will be necessary to increase auditing capacity in this sector. NYSERDA currently funds building analyst training leading to certification from the Building Performance Institute (BPI)

for residential and multi-family buildings. However, there is no such national certification or standard currently available for small commercial and non-profit buildings. Under the GJ-GNY Act, NYSERDA has outlined a two-tiered commercial audit standard in order to allow flexibility for small businesses and not-for-profits to receive the level of information that they need to support implementation of qualified energy efficiency services.

The Tier 1 audit is a Full Walkthrough Commercial Audit to examine and provide recommendations for all building systems and efficiency opportunities in a building.

The Tier 2 audit is a Technology or Equipment Specific Commercial Audit to provide basic information on energy use, and include recommendations on one or more of the systems, equipment replacement, or upgrade opportunities in the building. Proposers should design training programs based on the small commercial building energy audit standard which is described in the Draft Small Business/Not-for-Profit Operating Plan. More information is available on NYSERDA's website. Please visit: [http://www.nyserdera.org/GreenNY/advisory\\_council\\_documents.asp](http://www.nyserdera.org/GreenNY/advisory_council_documents.asp) and click on "Draft Small Business/Not-for-Profit Operating Plan" under heading, April 14, 2010 Advisory Council Meeting.

Currently, NYSERDA provides commercial energy audits and technical studies for small and large customers through the FlexTech Program, which is funded through the SBC, the Program uses engineering firms, under an approved scope of services. Customers are provided technical information on their buildings, energy use, energy systems, and recommended energy efficiency improvements. In addition, through its Business Partners Program, NYSERDA works with lighting, HVAC, and other contractors to train them on energy efficiency opportunities and encourage them to specify, design and install equipment for commercial customers to the highest efficiency and quality standards.

The proposer shall develop a training program developed specifically for small commercial energy auditing, and have the training be an essential part of an individual (or a company) becoming qualified to conduct audits. This training will enable NYSERDA to expand the auditing capacity, and will lead to the longer term objective to implement a certification in small commercial energy auditing. Such certification is necessary to further ensure quality assurance of services offered in this market sector.

#### **D. Oil Heat System Efficiency Training under GJ-GNY**

It is necessary to develop new training for oil heating system efficiency for residential and commercial systems. The Oil Heat System Efficiency Training must include building science (including health and safety), and combustion testing components as included in current Building Performance Institute (BPI) Heating Professional standards. This training shall be consistent with established national standards such as North American Technician Excellence (NATE), and the National Oil-heat Research Alliance (NORA) Silver and Gold certifications. The training shall prepare students to take the written and field certification exams offered by BPI, NATE, and NORA (silver and gold certification).

### **IV. Proposer Qualifications**

Instructors are the link between the students, the training material, and practitioner certification. The instructors are responsible for training students to the relevant, nationally approved task analysis standards developed by national certification organizations. Instructors eligible for consideration under this PON must meet appropriate base-level credentialing requirements at the time that the proposal is submitted to NYSERDA, and are expected to fully meet applicable

certification requirements as a result of NYSERDA's assistance under this program. Examples of such credentialing requirements include BPI, National Center for Construction Education and Research (NCCER).

Successful proposers to this PON will be required to work closely with NYSERDA and its energy efficiency training partners to coordinate all training activities. Successful proposers who create and deliver energy efficiency training courses must develop/use curricula that meet the most current educational standards, technical standards, and best practices as illustrated by accredited educational institutions and certification/accreditation organizations.

High quality training materials such as instructor manuals, student manuals, lesson plans, presentation materials, and classroom activities are required, and proposers are encouraged to provide samples of training materials that they have produced, preferably in electronic format, and that sufficiently represent materials of similar quality to what is proposed.

Proposers must have the following qualifications:

- Credentialed and experienced instructional staff, or a plan and schedule for instructional staff to obtain necessary credentials
- Successful experience training the student populations served
- Experience implementing and maintaining certified training programs

## V. Proposal Requirements

### A. Proposal Requirements

Proposers must submit nine (9) copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Program Opportunity Notice/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. The checklist must be attached to all nine (9) copies. At least one copy 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.

#### **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, 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.

Proposals should not be more than 25 – 30 pages including attachments, nor should they be submitted in an elaborate format (for example including expensive binders or graphics). Proposals should be printed on both sides of a page. 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 PONP number, and the page number. All proposals submitted as part of PON 1817 become the property of NYSERDA. Proposers will not be reimbursed by NYSERDA for any costs associated with preparation of their proposals. All training curricula and materials developed will be the property of NYSERDA.

## **B. Proposal Elements**

### **Section 1: Introduction and General Information – (1-2 pages)**

The proposer should briefly identify key information about their organization, and should describe the firm's qualifications to perform and meet the requirements of this solicitation. This section should provide a brief introduction of the proposer and the team members, if applicable.

Responding proposers or proposing teams must include the following information for each team member with his or her response:

- Firm name, address, telephone number and fax number, an e-mail address for the contact person;
- Year firm was established;
- Name and address of parent company (if applicable);
- If you firm is not New York-based, a discussion of the mechanism that will guarantee the provision of prompt and efficient services in New York State;
- Current activities that this proposal may build upon.

### **Section 2: Executive Summary – (1 page)**

Summarize the proposed training program. The summary should state the goals of the proposal clearly and concisely. The summary should also state the proposer's plans beyond this PON: Is the end of the PON performance period the proposal endpoint, or is the proposed effort part of a longer ongoing training plan?

### **Section 3: Description of Training – (3 pages)**

Proposers should describe, in detail, the training activities proposed. Proposals should include a course description(s) demonstrating how that training will support specific NYSERDA programs. The description should include course objectives and the number of classroom/field hours in the class. The proposal should state the student population served by the training. The proposal should include information on how the students will be selected, evaluated, and the next steps after training. For example, will the student take a certification exam, begin an internship, or be directly placed in a job? Describe how the course and instructor will be evaluated for quality and effectiveness. The proposal should state where the training will be conducted and in what facility. The proposer should state how many students will be trained during the contract period as well as projections for training after the contract expires.

#### Career Pathways and Technical Training

For Proposals seeking funding in the areas of Career Pathways or Technical Training, the Proposer should indicate how it intends to use PON 1817 funding to expand or develop new energy efficiency training initiatives to serve the EEPS ratepayer.

#### **Section 4: Statement of Work – (3 pages)**

The Statement of Work details how the proposer will fulfill the tasks outlined in “**Section III, “Funding Category/Scope of Services,”**” of this solicitation. The Statement of Work is the primary contractual document that identifies the deliverables and provides a basis for payment.

It is an action document that specifically delineates each step or procedure required to accomplish the tasks outlined in **Section III, “Funding Category/Scope of Services.”** The SOW must address all of the areas identified and described by the proposer in Section 3, “Description of Training,” of the proposal. The Statement of Work must be prepared as an ordered set of tasks, including subtasks as necessary. The proposers should describe their approach/methodology and define their rationale for the proposed approach. They should describe the actions they will take to complete each task and the anticipated outcome of each task. Each action should, therefore, be identified, indicating who will perform it, how it will be performed, when it will be performed, and its anticipated deliverables. In addition to responding to the defined tasks, the proposer is invited to present additional tasks as long as they promote, and are consistent with, the goals and objectives of this initiative.

In order to effectively evaluate a proposer's Statement of Work, concrete and specific ideas must be presented in the proposal for each element of all tasks. Proposers are expected to demonstrate their understanding of each task and what it entails by elaborating on how they would carry it out. Use the following format to describe each task or subtask:

**Task 1:** Task Title

**The Contractor shall....**

**The Task 1 deliverable is....**

#### **Section 5: Training Organization Structure – (2 pages)**

Proposals that include teaming arrangements must specify one party as the Prime Contractor. The Prime Contractor will have overall responsibility for the administration of the Agreement and completion of the Statement of Work. The proposal shall identify all training program participants, including the program director, who will be responsible for ensuring that the tasks within the statement of work are carried out properly and in a timely manner. The proposer should provide a clear description of the roles and responsibilities of each key person in completing the work plan. An organization chart should be included in the proposal. The proposer should also describe how coordination with NYSERDA and its clean energy partners will be accomplished.

#### **Section 6: Qualifications – (2 pages)**

The proposers shall demonstrate their qualifications to carry out the tasks in the Statement of Work. The proposal should clearly demonstrate how the proposer meets the experience, skills, and abilities necessary to effectively develop and implement this Program, as described in the proposal “Description of Training” and “Statement of Work.” Given the wide variety of skills and expertise needed to complete some elements of these tasks, the proposers should describe ideas or strategies to augment their capabilities with external resources, if needed. Proposals should include examples of relevant training, accreditation, and certification projects and programs that have been completed by the proposers that would demonstrate their qualifications to implement a training program. Each proposer should include the name and telephone number of at least three references for whom its organization has completed projects. Resumes of all key team members should be provided in an appendix.

## **Section 7: Schedule and Staff Plan (2 pages)**

The proposers shall include a time line for completing each task and major subtask identified in their Statement of Work. This time line should be in bar chart form showing anticipated starting and completion times for each task, in terms of weeks or months after execution of the Agreement.

The proposal should also include a staffing plan that identifies the key personnel, including any subcontractors or other resources responsible for completing each task and major subtask. Provide a table showing the number of hours each key person or subcontractor will spend on each task and the total hours per task.

## **Section 8: Cost Proposal and Budget**

The Contract Pricing Proposal Form (CPPF) is included as an attachment to this PON. Attach detailed budget breakdowns (using the CPPF Supporting Schedule) for subcontractors, equipment, material, and travel. The proposal must include a completed CPPF for 1) Total Project Cost, and 2) Each of the tasks in the "Statement of Work."

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

1. 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).
2. If rate(s) is approved by an independent organization, such as the federal government, provide a copy of such approval.
3. 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.

## **Section 9: Appendix**

Materials to be submitted in appendices include:

- Resumes of key personnel who will complete tasks described in the Statement of Work.
- If applicable, include letters of commitment, signed by a person authorized to bind the organization, for all participating organizations.
- Letters of support from other Workforce Development entities, such as the Department of Labor/Community College "One Stop" system, are encouraged.
- If applicable, a list of the NYSERDA contracts your organization and/or team members have received.
- Other material deemed necessary by the proposer.

## **Section 10: Letters of Commitment**

Proposers responding to the Career Pathways funding category must submit a "Letter of Commitment" from an appropriate technical training organization, an articulation agreement or a written agreement with a business demonstrating how the proposed work readiness skills training

will lead directly to further technical training or a job in support of EEPS. The “Letter of Commitment,” or agreement, should clearly specify the roles and responsibilities of each training organization. Proposers responding to all other funding categories must include letters of commitment from any sub-contractors, co-funders, or other organization to be directly involved in the project.

## VI. PROPOSAL EVALUATION

Proposals will be scored and ranked within the areas targeted by this PON. Proposers should carefully review the proposal evaluation criteria to help ensure development of a thorough and responsive proposal. Proposals will be reviewed by a Technical Evaluation Panel (TEP) using the Evaluation Criteria below:

### Relevant Experience and Qualifications

- How well does the proposer demonstrate an understanding of the concepts and motivators underlying this program?
- Does the proposal have documented experience in implementing technical energy efficiency or related training?
- Does the proposer have experience training the student populations described in **Section III, “Funding Category/Scope of Services?”**
- Does the proposal utilize various means of technology and resources for the delivery of training?
- Are key personnel's education and experience relevant to the training needs? Is the overall capability of the training staff adequate and appropriate?
- Has the training team demonstrated recent experience in developing, marketing, and delivering training to post-secondary education students and contractors?
- What is the quality of the program staff's performance on past programs or their achievements related to proposed work?
- Does the proposer have an existing network of sites where training will be conducted? If so, are the training facilities self-sustaining?
- Do the personnel dedicated to this program possess strong construction, energy efficiency, and building performance knowledge and working history?
- What is the proposer's previous experience with NYSERDA, if any?

### Cost

- Is the Contract Pricing Proposal Form (CPPF) responsive to the PON?
- Is the CPPF clear?
- Are billing rates current, reasonable, appropriate, and clearly identified or itemized?
- Is the proposer's total cost appropriate when compared to the cost of other comparable proposals and their projected results?
- Are the costs to deliver the training developed and marketed as a result of this PON affordable and cost-effective for contractors and practitioners to attend?
- Are billing rates for proposed trainers reasonable and appropriate?

- Are the proposer's total delivery costs appropriate when compared to the costs of other comparable proposals and the projected results?
- Does the proposal meet co-funding requirements?
- What are the proposers other sources of funding?
- Is there a complete description of each funding source?
- Does the proposal meet PON budget limits?

### **Comprehensiveness of Approach and Management Plan**

- Are training sites located in New York State and located in SBC utility service territories as applicable in the PON?
- Has the proposer demonstrated that their students will be New York State residents or practitioners that will provide energy efficiency services in and throughout New York State?
- Does the proposer plan to provide a range of services commensurate with the services requested by NYSEERDA?
- Does the proposer have the expertise and experience to complete all aspects of the program successfully?
- Does the proposer have a letter(s) of commitment or support from all team members and other Workforce Development organizations?
- Are sufficient resources (staff, facilities, and equipment) being devoted to the SOW and each individual task?
- Is the proposal organization, including the staffing plan and schedule, of high quality?
- Is the overall capability of the program's staff appropriate?
- Is management oversight and control adequate?
- Does it include coordination and interaction with all of the relevant parties?
- Is the coordination of other participants (proposing team subcontractors, local resources, and other programs) well developed?
- How will the coordination of other participants be accomplished?
- How comprehensive is the proposal in addressing:
  - The technologies included
  - The range of services included
  - The geographic range of delivery of training
- Does the proposal describe the student markets to be served?
- For Career Pathways proposals, does the proposed project demonstrate service in areas of high poverty?

### **Responsiveness to the Scope of Work of the PON**

- Is the proposal responsive to the PON?
- Is the SOW thorough, specific, logical, and consistent with the PON's objectives?
- Does the SOW reflect an understanding of all the issues involved and their interrelationships?

- Has the proposer demonstrated an understanding of current training, certification, and accreditation activities supported by NYSERDA and does the proposal address the relationship, if any, between proposed and current training initiatives?
- Is the SOW appropriate in its approach to market and deliver quality training? How well does the proposer demonstrate an understanding of NYSERDA's current energy efficiency programs?
- How well does the proposer's budget accurately reflect potential implementation costs associated with completing the tasks in the SOW?
- How much additional elaboration was provided for each task in the SOW?
- Does the proposer include creative suggestions to achieve the goals of this PON?
- Are there any suggestions that broaden or deepen the scope of this PON that might not have been requested?
- How well does the evaluation plan and strategy accommodate and address Program current and future needs?
- How well does the proposal incorporate input from original equipment manufacturers and industry experts who can bring useful information to the workforce development program?
- How does the proposed program fit into existing gaps in NYSERDA's training initiatives throughout the state? Does the proposal compliment or broaden NYSERDA's existing training network throughout the state.
- For Proposals seeking funding in the areas of Career Pathways or Technical Training, has Proposer adequately explained how it intends to use PON 1817 funding to expand or develop a new energy efficiency training initiatives to serve the EEPS ratepayer? Successful proposers should be prepared to obtain information documenting or verifying that students/attendees are eligible for support under this program. Residents that contribute to the EEPS through utilities bills and contractors, energy service companies, and others who can demonstrate active participation in any SBC or EEPS funded program, are eligible to attend training programs funded under the EEPS.

## VII. 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](http://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](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](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](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 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 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. 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.

\*\*\*\*\*

## VIII. ATTACHMENTS

Attachment A - Proposal Checklist (Mandatory)

Attachment B - Disclosure of Prior Findings of Non-responsibility Form (Mandatory)

Attachment C - Contract Pricing Proposal Form and Instructions (Mandatory)

Attachment D - Intent to Propose (Optional)

Attachment E - Sample Agreement