

TECHNICAL ASSISTANCE SERVICES
TO SUPPORT the **NEW YORK**
ENERGY \$MARTSM New Construction Program
Request for Proposal (RFP) 1523
Available \$14.9million

Proposals Due: Monday, March 1, 2010, by 5:00 PM Eastern Time*

PROGRAM SUMMARY:

The New York State Energy Research and Development Authority (NYSERDA) requests proposals from firms interested in assisting NYSERDA with delivering technical assistance services to the **New York Energy \$mart**SM New Construction Program (NCP).

Multiple firms will be selected to provide regionally focused Technical Assistance (TA) services for NCP across New York State. With cost-share amounts added, the total amount of funding represented is \$29.8 million available for these services over a five-year term. Contracts with TA providers will be for an initial one-year period, with two, two-year options for renewal based on performance.

Proposal Submission:

Proposers must submit two (2) paper copies of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, both of which **must** contain an original signature. One (1) electronic copy of the proposal must 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, RFP1523
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Technical questions should be directed to the Project Manager, Charle-Pan Dawson at (518)-862-1090, ext. 3244, or cad@nyserda.org or Chris Reohr at (518)-862-1090, ext. 3363, cjr@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 Charle-Pan Dawson at (518) 862-1090, ext.3244 or cad@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 website at www.nyserda.org.

I. INTRODUCTION

A. GOALS

The ultimate goal of the New Construction Program is to produce a permanent improvement in “standard” design practices among building designers and owners, for non-residential new construction and major renovation projects, thus saving energy in New York State and helping to create buildings that are better places to live and work.

B. OBJECTIVES

The objectives of the New Construction Program (NCP) are to provide technical assistance (TA) and financial incentives to building owners, developers and leaseholders. TA services are offered on a cost-shared basis to customers, and include building energy use simulation modeling and specialized green building services. The NCP offers TA services in complying with LEED® (the U.S. Green Building Council’s rating system), Executive Order 111, and NY CHPS (New York’s High Performance Schools Guideline). Additional information is available about this program on NYSERDA’s web site at: (http://www.nyserda.org/programs/New_Construction/default.asp)

In addition, TA services provide incentive calculations based on energy savings of new design improvements, for eligible utility customers who elect to install energy-efficient equipment in new construction or renovation projects. These financial incentives are provided to offset a portion of the incremental cost of implementing energy efficiency measures. By doing so, this accelerates the incorporation of electrical energy efficiency in the design, construction, and operation of commercial, industrial, institutional, and governmental buildings.

II. PROGRAM REQUIREMENTS

A. SERVICES REQUESTED

TA services are sought to support the NCP through this RFP. NYSERDA is seeking TA services from multiple firms to provide assistance to the NCP. TA firms chosen through this RFP will be contracted as NCP-approved providers. A list of NCP TA firms will be made available to customers seeking TA services through the NCP.

B. SCOPE OF SERVICES TO BE PROVIDED

- 1) Conduct project scoping and screening visits at the discretion of NYSERDA to identify and review energy efficiency opportunities with building design teams. As a result of this visit, develop project scopes that include energy efficient design assistance and other services as described in the NCP.
- 2) Use generally accepted engineering practices to evaluate energy consumption and energy savings of comparable building components. This may also include the identification, presentation, discussion and analysis of options presented relating to various components of building design, construction and use; and performing other similar engineering support activities to customers and design teams.
- 3) Conduct evaluations of various types of equipment and systems including but not limited to heating, ventilation and air conditioning systems, lighting, motors, transformers, variable speed drives, insulation, windows, materials, process equipment, productivity improvements, combined heat & power (CHP) applications, industrial process energy consumption improvements and other building components having an effect on electrical or fossil fuel energy efficiencies.

- 4) Conduct energy analysis and whole building energy performance studies using computer-assisted building modeling tools such as TRACE or DOE-2.1E or other NYSERDA-approved computer modeling software. These models may include energy code-compliant designs, base building designs (design prior to NYSERDA involvement), and improved building designs. The NCP may require firms that provide building energy modeling services to achieve Building Energy Modeling certification, or other industry training and/or certification.
- 5) Coordinate with customers and their design teams on a continual basis throughout the project design process to ensure that all parties are educated on the benefits of incorporating energy-efficiency technologies and green features into their building project(s).
- 6) Prepare or review cost estimates to determine and verify costs differences between “standard design” and the “proposed energy-efficient design” based on measures considered for all electrical and fossil fuel upgrades. This should be accomplished, at a minimum, by a combination of past experience, direct vendor quotes and through cost data publications (*e.g.*, R.S. Means Company, Inc.)
- 7) Provide Green Building services, as they relate to optimizing building performance and assessing conformance with standards such as the U.S. Green Building Council’s third party certification, LEED[®], NYCHPS, The Advanced Buildings Core Performance Guide, or other similar TA green buildings services requested by NYSERDA.
- 8) Calculate energy savings opportunities and NCP incentives to be presented in a preliminary meeting with the customer and support team. Produce a final report for the project in a timely manner to be reviewed and approved by NYSERDA.
- 9) Assist NYSERDA on an as needed basis in related areas, including but not limited to Charrette facilitation, participating in or conducting training activities, gathering building performance data for benchmarking, and assessing environmental impacts of funded measures pursuant to the State Environmental Quality Review Act (SEQRA).
- 10) Assist NYSERDA in establishing workflow systems that help reduce the costs of delivering services to customers. Delineate cost effective delivery strategies.
- 11) Provide other services as directed by NYSERDA .

C. GEOGRAPHICAL/ REGIONAL COVERAGE

To ensure adequate coverage throughout the State, each firm must identify which Region(s) they are proposing to serve (Regions are defined in Table 1.). Customers, in need of TA services, will choose from the NCP list of TA firms available in their area. In addition, NCP TA firms will be encouraged to bring projects from their coverage area into the NCP for cost-shared TA services and incentives.

Firm(s) proposing to provide TA Services to support the NCP must specify in their proposal which Region(s) they are proposing to serve and demonstrate that they have the ability to serve the Region(s). A TA firm may elect to propose to serve more than one Region if practical and cost effective to the NCP.

Table 1. Regional Areas and Zones (by County)

| | |
|-------------------------------------|--|
| <u>Western Region</u> | <u>Zone 1</u> - Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming |
| | <u>Zone 2</u> - Chemung, Livingston, Monroe, Ontario, Yates, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, |
| <u>Upstate/Southern Tier Region</u> | <u>Zone 3</u> - Broome, Cayuga, Chenango, Cortland, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, and St. Lawrence |
| | <u>Zone 4</u> - Albany, Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Washington, and Warren |
| <u>Downstate Region</u> | <u>Zone 5</u> - Columbia, Delaware, Dutchess, Greene, Orange, Putnam, Rockland, Sullivan, Westchester, and Ulster |
| | <u>Zone 6</u> - Bronx, Kings, New York, Richmond, Queens |

D. PROPOSER QUALIFICATIONS

Firms must be able to

- 1) Demonstrate experience in providing energy efficiency engineering services in New York State, including demonstrated experience in providing services to the building construction community.
- 2) Demonstrate that principals of the firm have 10 or more years experience in the energy field.
- 3) Demonstrate that they have sufficient staff and resource capabilities to provide the range of engineering services outlined within this proposal.
- 4) Demonstrate experience in a range of projects for which they have provided whole building and custom measure energy modeling services.
- 5) Demonstrate having sufficient staffing resources to maintain the capacity to cover varying workloads and the ability to commit staff to projects on short notice.
- 6) Evidence the ability to complete projects on schedule, demonstrating a record of well-organized project management, and delivery of reports and other materials in a timely manner.
- 7) Demonstrate that key personnel interacting with customers are LEED® accredited or receive LEED® accreditation by the US Green Buildings Council within 90 days of contract approval.
- 8) Provide examples of the ability to establish good communication channels with customers and the ability to build lasting relationships. Demonstrate that TAs can speak effectively, conveying technical and complex concepts to customers in an easy-to-understand manner.
- 9) Provide flexibility to commit senior level staff to complex technical studies as well as use technicians or junior engineers, under the supervision of a P.E. or licensed architect, to provide rudimentary energy surveys or support for more complex technical analyses.
- 10) Demonstrate competency and willingness to work on small and large projects.

III. PROPOSAL REQUIREMENTS

A. DELIVERY OF SERVICES

NYSERDA is seeking assistance from multiple firms to provide TA Services to the NCP. It is anticipated that at least eight (8), but no more than twenty (20) firms will be selected to fulfill the estimated needs of the NCP.

All actual billing for services will remain on a Task Work Order basis at the agreed upon hourly rates (Attachment C)

B. COMPENSATION

Firms must be able to begin work within 10 days of execution of the contract.

Compensation for each Task Work Order will be based upon the applicant's direct and indirect personnel services costs at the agreed upon hourly rates identified in Attachment C plus allowable expenses to an upset maximum dollar amount. All work assignments will be managed by NYSERDA. After an initial scoping visit and meeting with prospective customers on specific projects, the TA firm will prepare a scope of services and fee proposal for that project. Travel expenses may be included at a reasonable cost of generally no more than 3% of total budget for each project. After NYSERDA's review, TA providers will perform services based on an approved Task Work Order. TA providers will not be compensated for time spent on initial scoping visits and preparation of a scope of services. This will be considered part of the proposal to the customer.

Payments will be tied to satisfactory completion and acceptance of the specified deliverables set forth in each Task Work Order. NYSERDA will withhold payment of 10% of the approved maximum amount of Task Work Order until satisfactory completion and acceptance of the particular final deliverables. Satisfactory completion means that the NYSERDA Project Manager approves the deliverables as complete and delivered on time.

C. TASK WORK ORDERS AND WORK DISTRIBUTION

Each TA project will be defined by a written Task Work Order, which will become a binding agreement for all parties. A Task Work Order Plan with a Not-to-Exceed Budget will be prepared by the contractor for NYSERDA's review and approval. Then NYSERDA will issue an official Task Work Order and Notice to Proceed. The actual amount of work each TA contractor receives and ultimately conducts, will largely depend on customer preference, contractor networking and marketing efforts, the geographic area in which it is selected to conduct services, the amount of work requested based on customer applications, and indirectly on the reputation of the contractor to consistently provide high-quality, cost-effective services.

NCP TA firms will be encouraged to bring customers with building projects to the NCP.

NYSERDA reserves the right to monitor workflow and make adjustments to project distribution if needed. However, NYSERDA will not typically assign customers to TA firms or control work distribution. If requested, NYSERDA will provide customers with a short list of NCP TA firms for particular projects that require special skills. Each firm will be expected to provide TA services to a range of projects, both small and large.

Firms must provide the required assistance within a reasonable specified time frame and provide required documentation of expenditures by task based on the approved Task Work Order Plan when seeking reimbursement from NYSERDA.

D. PROPOSAL FORMAT

Total length of proposals, excluding appendices, may not exceed 35 pages. Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. EACH section should begin on a separate page and each page should clearly state the name of the applicant. Firms will not be reimbursed by NYSERDA for any costs associated with the preparation of their proposals. Proposals may be either single or double sided, but a page is considered one side of an 8-1/2" x 11" piece of paper. The font size shall not be smaller than 10 point. Each page of the proposal should state the name of the proposer, the RFP number, and the page number.

To facilitate comparison of proposals, firms must submit proposals in a format that corresponds to the following outline:

RFP 1523 Proposal Outline

Section 1: Introduction and general information about the applicant

Section 2: Staffing Plan

Section 3: Qualifications of key personnel

Section 4: Statement of Work including Corporate Qualifications and references to similar projects

RFP 1523 Proposal Contents:

Section 1. Introduction: In this section, firms must summarize their understanding of NYSERDA's requirements, the general approach to fulfilling them, and why NYSERDA should select the firm.

Provide a general description of the firm and the TA services that can be offered. Included in this section must be a one-page description of the firm and the services that will be provided. This section shall not be longer than six pages; additional pages will not be considered in the review process.

Section 2. Staffing Plan: In this section, firms must provide a staffing plan including full time equivalents (FTEs) for completing the identified tasks and deliverables (a "full-time equivalent" or "FTE" is a unit of measurement representing the commitment of personnel resources equal to one person working full-time for one year). Include a detailed organizational chart and a clear description of each key person's responsibilities in executing the proposed tasks, including any subcontractors.

TA services will typically be accomplished with a weighted combination of staff (*e.g.*, principal, senior, junior, technical, administrative and clerical staff). The applicant must identify the number of FTEs from the firm dedicated to providing TA services for the NCP. The FTE commitment per region must be stated for each region it is proposing to serve. Firms may also propose to commit a fraction of one FTE if they desire. Proposals must include a list of billing rates for all applicable listed positions.

Firms must address their ability to provide Regional or statewide services. Include a listing of the applicant's offices from which services will be provided and the services to be provided from each office. If the applicant does not have offices within New York State, a description of the applicant's ability to economically perform work in the State must be included.

The firm and principals of the firm must be free from any financial interest in any product or service which may conflict with or appear to conflict with the objectivity of the technical service provided to NYSERDA and its customers. TA firms will not be allowed to provide TA services to projects that have the same firm providing outreach services under another contract to NYSERDA. TAs must describe all

product, manufacturer, or service-related affiliations that may relate to the NCP. If any affiliations exist, a statement verifying that these affiliations do not conflict with or appear to conflict with the objectivity of providing services to NYSERDA and its customers, must be provided.

Examples of such affiliations include, but are not limited to: a manufacturer's representative of energy-consuming or energy-efficient equipment, financial interest in equipment that potentially may be specified or recommended in a TA report, ability to provide construction services, or affiliation with or service provider to an energy service or similar company providing services in New York State. Non-disclosure of any affiliation or failure to comply can result in the termination of a contract, if awarded.

Section 3. Qualifications of key personnel: Identify the individual who will be the main contact for the contract with the NCP. This individual should be experienced in client relations, program and project management, and project development. The description of the main contact's expertise should highlight these abilities, including qualifications and experience in providing services.

Include a one-page resume that highlights recent experience of the personnel who will be directly involved in providing the requested services. If additional pages are provided, only the first page of each resume will be evaluated. NYSERDA may request an in-person interview with designated key personnel as part of the selection process.

Section 4. Statement of Work

The Statement of Work must fully specify how selected firms will provide the requested services through this RFP. The Statement of Work must describe an internal quality assurance protocol that will be implemented to deliver services to customers and NYSERDA. The Statement of Work must list the responsibilities of the specific personnel who will provide TA services as described in Section II, and the range of services to be provided. If subcontractors are intended to be a part of the applicant's team, information about the subcontractor must be included as well.

Each applicant should include a description of projects (at least five, but no more than 10 projects) completed by the proposing firm within the specified program area. A mix of small and large projects is preferred. The project descriptions should specify the level of involvement of the proposing firm and the results of the project. Include customer contact names and phone numbers for these projects and list the key personnel who worked on the project. The project descriptions shall not exceed a total of 10 pages.

Liability Insurance/Bonding

The response must include information on the liability insurance coverage or bonding which the applicant carries applicable to work performed under this program.

Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k

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

IV. PROPOSAL EVALUATION AND CONTRACTOR SELECTION

Proposals submitted for this RFP will be reviewed and assigned scores based on the criteria highlighted in the Evaluation Guide included below.

NYSERDA reserves the right to contract fewer TA firms than stated as an anticipated minimum in the event that there is insufficient response to this RFP.

NYSERDA, through its Technical Evaluation Panel (TEP), will review each Statement of Work, TA firm qualifications and experience, and may contact selected references to determine whether an applicant has the necessary technical resources to successfully provide services requested through this RFP.

NYSERDA will negotiate contracts for services in fulfillment of the needs of this RFP on the basis of demonstrated competence and qualifications. Contract negotiations may include the selected applicant's fee schedules to ensure the work is accomplished at fair and reasonable rates. These contracts will not guarantee any specific amount of work. The amount of work will depend on experience, amount of work requested in the geographic area in which the firm is awarded,, and the ability of the contractor to provide high quality, cost effective, and timely services.

NYSERDA recognizes the cost premium associated with providing TA services for small projects. Competitive proposals will evidence the TA firm's willingness to work with smaller projects and will outline a strategy to deliver these services cost effectively.

NYSERDA reserves the right to negotiate among finalists to ensure statewide coverage, and to ensure access to specific expertise. NYSERDA also reserves the right to negotiate among finalists to ensure that services are provided at fair and reasonable fees, and are adequately available in all service areas.

Evaluation Guide - Technical Assistance Services to Support The New Construction Program

1. Technical and/or Customer Service Capability

Evaluate the applicant's technical capability to provide the services requested in the RFP. Has the applicant provided examples of documentation which demonstrate the applicant's competence and qualifications to deliver the professional services required by the RFP? How responsive is the proposal to the scope of work requested in the RFP?

Evaluate the approach described by the applicant for each of the services to be provided. Firms who demonstrate effective approaches should be rated higher.

2. Time Line, Staffing Plan, and Cost Summary by Task

Evaluate the ability of the applicant's key personnel to provide the services requested in the RFP. Has the applicant provided all of the resumes of the personnel who will be directly involved in providing the proposed services?

The applicant's listed staff must show evidence of experience in providing the services proposed. Firms who perform a large percentage of work in-house should receive a higher rating.

Evaluate the appropriateness and reasonableness of the estimated mix of key personnel to provide cost-effective services, including billing rates.

3.Experience

Evaluate the applicant's experience at providing the services requested in the RFP. Has the applicant provided examples of past work that is similar to that being proposed in the RFP? Consider the number and magnitude of projects, number of years the applicant has provided these services, and the variety of clients for whom these services were provided. Has the proposer worked well in collaboration with other teams? This experience may be from projects located outside New York.

4.Regional Knowledge

Evaluate the cost and timesaving advantages and ability to service the designated area in a cost-effective manner. Evaluate ability to identify customers and customer needs.

5.Clarity of Proposal

Evaluate the applicant's understanding of the major objectives of the RFP. Is the proposal well written, clear, concise, and well organized?

V. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes.

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

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

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

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

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

Empire State Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

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

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

NYSERDA employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Proposer/Offerer pursuant to this law. Certain findings of non-responsibility can result in rejection for contract award and in the event of

two findings within a 4-year period, the Proposer/Offerer is debarred from obtaining governmental Procurement Contracts.

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

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires 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 is 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 multiple awards under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA expects to notify proposers in approximately 12 weeks from the due date whether your proposal has been selected.

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.

Attachments:

- Attachment A - Proposal Check List
- Attachment B - Disclosure of Prior Findings of Non-responsibility Form (Mandatory)
- Attachment C - Project Personnel and Rate Form
- Attachment D - Sample Agreement