

General Evaluation Assistance Contractor  
Request for Proposal (RFP) 1809  
**Up to \$2 Million Available**

Proposals Due: November 22, 2010 by 5:00 PM Eastern Time\*

The New York State Energy Research and Development Authority (NYSERDA) requests proposals from organizations or individuals interested in conducting general evaluation assistance activities to support NYSEDA's evaluation team in reporting, planning and coordination efforts. In recent years, NYSEDA's evaluation activities have expanded to meet the distinct reporting requirements for the System Benefits Charge (SBC)/**New York Energy \$mart**<sup>SM</sup> Program, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS), Regional Greenhouse Gas Initiative (RGGI), Green Jobs – Green New York (GJGNY), Statutory Research and Development and other program portfolios. As a result, NYSEDA requests the services of a single contractor, or a lead contractor with a qualified team of subcontractors, to assist its program evaluation staff in the following areas: (1) evaluation management assistance; (2) reporting; (3) evaluation planning; (4) conducting evaluation studies as assigned; and (5) other evaluation tasks as assigned to adequately plan and coordinate these activities.

The initial term of this contract will be for three years up to a maximum annual amount of \$400,000 per year. After the initial three-year term, the contract may be renewed annually, at NYSEDA's discretion.

**Proposal Submission:** Proposers must submit eight (8) 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. Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, RFP 1809**  
**NYS Energy Research and Development Authority**  
**17 Columbia Circle**  
**Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Victoria Engel-Fowles at (518) 862-1090, ext. 3207 or [vse@nyserda.org](mailto:vse@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 Victoria Engel-Fowles (Designated Contact) at (518) 862-1090, ext. 3207 or [vse@nyserda.org](mailto:vse@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 NYSEDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSEDA's web site at [www.nyserda.org](http://www.nyserda.org).

## I. Introduction

NYSEERDA has been responsible for conducting evaluation of the System Benefits Charge (SBC) program since 1998 and, over the past twelve years, has established a highly efficient and effective evaluation process. NYSEERDA aims to achieve credible evaluations that conform to industry standards and best practices, meet acceptable sampling precision levels while reducing bias, and are transparent in terms of reporting program performance and identifying the methods and approaches to conduct those analyses. NYSEERDA and its specialty evaluation contractors follow the American Evaluation Association's *Guiding Principles for Evaluators*, which calls for systematic inquiry, competence, integrity and honesty, respect for people, and responsibility for general and public welfare.<sup>1</sup>

Since NYSEERDA was first directed to evaluate the SBC programs more than a decade ago,<sup>2</sup> internal staff within its Energy Analysis unit have been assigned to conduct analyses and manage external contractor activities related to the evaluation effort. Within NYSEERDA, the Energy Analysis unit is organizationally separate from other units whose staffs perform project and program management functions related to implementation and administration of the programs.

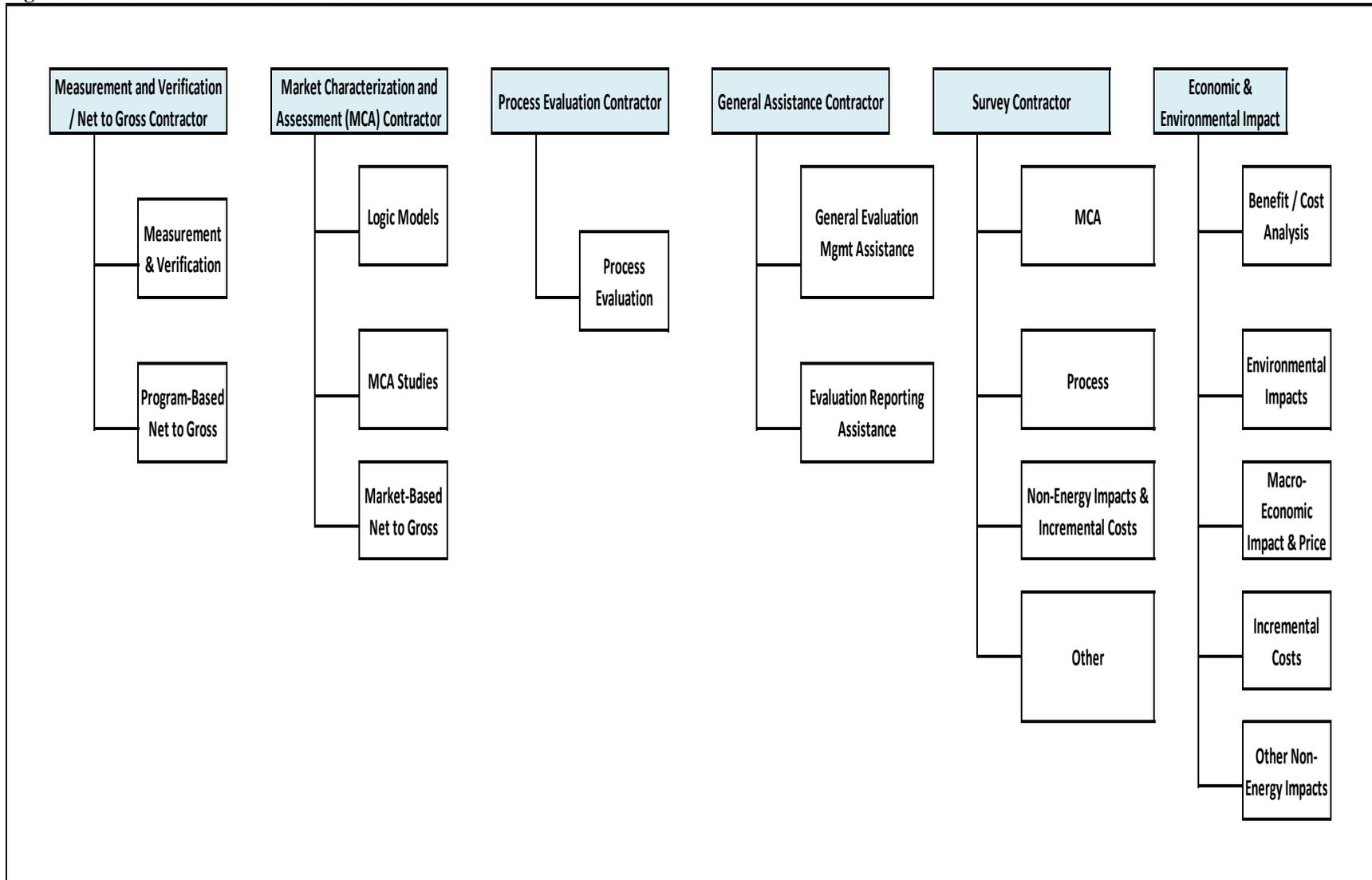
NYSEERDA has a long history of working closely with nationally recognized, independent contractors to conduct evaluations of its programs. NYSEERDA has relied upon these specialty evaluation contractors to measure and verify program savings; establish attribution, including assessing free-ridership and spillover; evaluate the efficiency and effectiveness of program processes; develop program theory and logic models; and conduct market characterization and assessment studies. Figure 1 depicts how NYSEERDA's evaluation contractor structure was developed to accomplish these activities. For details on NYSEERDA's program areas, please refer to the sources listed in Table 1.

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<sup>1</sup> American Evaluation Association (AEA), *Guiding Principles for Evaluators*, [www.eval.org](http://www.eval.org). See source for a full explanation of these guiding principles.

<sup>2</sup> State of New York Public Service Commission, Opinion No. 98-3, Case 94-E-0952, *In the Matter of Competitive Opportunities Regarding Electric Service*, Opinion and Order Concerning System Benefits Charge Issues, Issued and Effective January 30, 1998.

**Figure 1. NYSERDA's Evaluation Structure**



NYSERDA's evaluation planning process has ensured that the most important and significant metrics have been closely and regularly examined by these independent consultants. Use of independent, external consultants with a reputation for credible, high-quality, and unbiased work has served decision makers and stakeholders well and is expected to continue.

In the past, NYSERDA has also contracted with evaluators for general evaluation assistance. Example activities have included designing and implementing evaluation plans, developing and writing evaluation reports, integrating evaluation findings across multiple different contractor teams to assess overall program effectiveness and conducting other tasks as assigned. As the magnitude of NYSERDA's evaluation activities continues to expand to meet the myriad, yet distinct, reporting requirements for the System Benefits Charge/**New York Energy \$mart**<sup>SM</sup> Program, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS), Regional Greenhouse Gas Initiative (RGGI), Green Jobs – Green New York (GJGNY), Statutory Research & Development and other program portfolios, a renewed and increased general evaluation assistance contractor role will be critical to ensure NYSERDA is able to adequately plan and coordinate these activities among the various evaluation contractor teams and specialty areas.<sup>3</sup>

The overarching goals of NYSERDA's evaluation efforts are to: (1) conduct credible and transparent evaluations, and (2) provide NYSERDA program staff and managers, the New York State Public Service Commission (PSC), Department of Public Service (DPS) staff, the EEPS Evaluation Advisory Group (EAG), the RGGI Advisory Group, the GJGNY Advisory Council, the New York State Legislature, and other interested stakeholders with timely and unbiased information regarding program implementation and performance. Specifically, the goals for this solicitation include:

- Evaluation management assistance
- Reporting
- Evaluation planning
- Conducting evaluation activities and tasks as assigned

The selected contractor shall assist NYSERDA in coordinating the plans, activities and communication of findings from its specialty evaluation contractors, while remaining mindful of the myriad reporting requirements associated with multiple program portfolios. The selected contractor shall also assist NYSERDA in planning current and future evaluation activities. As such, the selected contractor shall become familiar with NYSERDA's existing evaluation activities, yet remain flexible to the possibility of additional evaluation areas being supported by NYSERDA in the future.

The selected contractor shall not be precluded from bidding on future NYSERDA evaluation solicitations. However, should the selected contractor choose to bid on a future NYSERDA evaluation solicitation, the selected contractor shall describe how conflicts of interest, both actual and perceived, will be resolved.

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<sup>3</sup> Please see Table 1 for links to additional information about these program areas and their key metrics and stakeholders.

## **II. Project Requirements**

### **Services Requested**

The selected contractor, or team of contractors, shall assist NYSERDA's evaluation staff in general evaluation assistance activities across all programs evaluated, including, but not limited to, the following (initial expectations on the percentage of the selected contractor's effort in each area is included in parenthesis):

- Evaluation management assistance (50% effort). This task will include, but not be limited to, activities such as:
  - Coordinating the evaluation process among NYSERDA's specialty evaluation contractors and program staff. For example, the selected contractor could designate a team member to serve as a liaison for each of NYSERDA's specialty evaluation contractors to assist in this coordination.
  - Identifying opportunities for efficient and effective cross-cutting data collection or analyses and helping NYSERDA and its specialty evaluation contractors leverage such opportunities across program portfolios or evaluation disciplines to ensure the most efficient use of resources and avoid survey fatigue.
  - Organizing meetings, and formulating agendas, as requested by the NYSERDA Project Manager, with the NYSERDA Evaluation Team and specialty evaluation contractors to discuss evaluation planning, coordination and integration.
  - Overseeing and facilitating the exchange of data and information between specialty evaluation contractors.
  - Assisting with data tracking and warehousing.
  - Reviewing work plans, schedules and deliverables submitted by the specialty evaluation contractors, checking for consistency within and among the specialty contractor activities and ensuring that deliverables, and the manner in which the specialty contractor work is conducted, provide the information required for cross-cutting and integrated analyses across NYSERDA programs and portfolios.
  - Ensuring that data collected and analyzed by NYSERDA staff, implementation contractors and specialty evaluation contractors meet industry standards of validity and reliability and are not duplicative.
  - Ensuring data collected and analyzed by NYSERDA staff, implementation contractors and specialty evaluation contractors meet the requirements of each specific program portfolio, while attempting to conduct comprehensive evaluations across programs.
- Reporting (15-20% effort). This task shall include, but not be limited to, activities such as:
  - Assisting NYSERDA in maintaining schedules and meeting reporting requirements for distinct program portfolios.
  - Reviewing and synthesizing specialty evaluation contractor findings into a comprehensive, yet concise analysis at the program, sector and portfolio levels.
  - Providing summary analysis regarding accomplishments of NYSERDA programs toward achieving their respective goals and contributing to the statewide goal of reducing electricity usage in New York by 15% of forecasted levels by 2015. Additional analyses may be required to identify progress toward goals associated with distinct program portfolios.

- Assisting the NYSERDA Evaluation Team, as requested by the NYSERDA Project Manager, with the preparation of quarterly, annual and ad hoc program evaluation and status reports. This may include, but will likely not be limited to: assisting NYSERDA evaluation staff with compiling program progress/impact data from all its individual programs and program portfolios for reporting purposes, preparing draft report outlines for review by NYSERDA, and developing draft documents demonstrating how data collected by NYSERDA's specialty evaluation contractors and NYSERDA should be compiled and presented while remaining mindful of the myriad requirements of the specific program portfolios.
- Evaluation Planning (10-20% effort). This task shall include, but not be limited to, activities such as:
  - Assisting NYSERDA in the design and development of program-specific or portfolio-level evaluation activities.
  - Reviewing detailed evaluation plans and suggesting approaches to best coordinate and facilitate the implementation of evaluation activities across programs or evaluation contractor disciplines.
  - Having a clear understanding of New York State Public Service Commission Orders and DPS requirements and suggesting methods to meet the goals and requirements therein.
  - Understanding regional and national evaluation activities that could have an impact on, and/or benefit, NYSERDA's evaluation.
- Conducting other evaluation activities and tasks as assigned (10% to 25% effort). This task may include, but not be limited to, activities such as:
  - Assisting NYSERDA in researching and identifying "Best Practices" in evaluation for application to NYSERDA programs, as appropriate. NYSERDA has placed a particular emphasis on identifying approaches to evaluate research, emerging technologies, early deployment and market transformation programs.
  - Conducting certain process, market or impact evaluation studies, on an infrequent, as needed basis. This could include collection and analysis of primary and secondary data, and reporting on findings. Although the majority of these studies will be conducted by the designated NYSERDA evaluation specialty contractor in each respective area, there may be times when circumstances would necessitate involvement of the general assistance contractor selected under this RFP in conducting such studies.

Using a teaming arrangement, the selected contractor will work with NYSERDA staff to oversee the planning, implementation and communication of the evaluation. NYSERDA staff anticipates that the specialty evaluation contractors, selected through other NYSERDA evaluation RFPs, will perform much of the detailed on-site and other data collection and analytical work. Therefore, the individuals or team selected through this RFP must have a high-level of experience in evaluation planning and implementation. Further, to meet NYSERDA's ongoing evaluation needs, the selected contractor must have a proven track record of being proactive and flexible.

In addition, the selected contractor shall coordinate closely and regularly with NYSERDA's specialty evaluation contractors as required by NYSERDA. The selected contractor shall become fully aware of NYSERDA's data collection efforts and other evaluation activities and assist the NYSERDA project manager in coordinating this work among the other NYSERDA specialty evaluation contractors.

Key deliverables to be completed by the selected contractor may include, but not be limited to:

- Monthly status reports
- Monthly budget spreadsheets
- Memos and analyses designed to facilitate coordination among specialty evaluation contractors
- Draft and final summaries integrating specialty evaluation contractor findings
- Developing report templates to show progress toward goals for a specific program portfolio.
- Developing tracking and reporting tools to help aggregate impacts of all evaluated NYSERDA programs and program portfolios.

The selected contractor shall become familiar with the goals and objectives of the program portfolios supported by NYSERDA and gain an understanding for the requirements and timelines for evaluating these program portfolios. For a description of the program portfolios and individual programs supported by NYSERDA, as well as current evaluation activities, plans and protocols, please refer to the links in Table 1.

**Table 1. Links to Key Evaluation Documents**

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|--|
| NYSERDA Evaluation Webpage: <a href="http://www.nyserda.org/Energy_Information/evaluation.asp">http://www.nyserda.org/Energy_Information/evaluation.asp</a>  |
| System Benefits Charge <ul style="list-style-type: none"> <li>- 2006 Operating Plan: <a href="http://www.nyserda.org/publications/sbcOperatingPlan2006.pdf">http://www.nyserda.org/publications/sbcOperatingPlan2006.pdf</a></li> <li>- 2009 Supplemental Revision to the SBC Operating Plan: <a href="http://www.nyserda.org/publications/Approval%20of%20Supplemental%20Revision%20to%20SBC%20Operating%20Plan.pdf">http://www.nyserda.org/publications/Approval%20of%20Supplemental%20Revision%20to%20SBC%20Operating%20Plan.pdf</a></li> </ul> |
| Energy Efficiency Portfolio Standard <ul style="list-style-type: none"> <li>- Background: <a href="http://www3.dps.state.ny.us/W/PSCWeb.nsf/All/06F2FEE55575BD8A852576E4006F9AF7?OpenDocument">http://www3.dps.state.ny.us/W/PSCWeb.nsf/All/06F2FEE55575BD8A852576E4006F9AF7?OpenDocument</a></li> <li>- Evaluation: <a href="http://www.dps.state.ny.us/EEPS_Evaluation.html">http://www.dps.state.ny.us/EEPS_Evaluation.html</a></li> </ul>  |
| Regional Greenhouse Gas Initiative <ul style="list-style-type: none"> <li>- Background: <a href="http://www.nyserda.org/RGGI/default.asp">http://www.nyserda.org/RGGI/default.asp</a></li> <li>- Evaluation: <a href="http://www.nyserda.org/RGGI/evaluations.asp">http://www.nyserda.org/RGGI/evaluations.asp</a></li> </ul>  |
| Renewable Portfolio Standard <ul style="list-style-type: none"> <li>- Background: <a href="http://www.nyserda.org/rps/index.asp">http://www.nyserda.org/rps/index.asp</a></li> <li>- Evaluation and Program Documents: <a href="http://www.nyserda.org/rps/documents.asp">http://www.nyserda.org/rps/documents.asp</a></li> </ul>  |
| Green Jobs – Green New York <ul style="list-style-type: none"> <li>- Background: <a href="http://www.nyserda.org/GreenNY/">http://www.nyserda.org/GreenNY/</a></li> <li>- Evaluation Operating Plan: <a href="http://www.nyserda.org/GreenNY/documents/GJGNY_EvalOpPlan_Final_09072010.pdf">http://www.nyserda.org/GreenNY/documents/GJGNY_EvalOpPlan_Final_09072010.pdf</a></li> </ul>  |

To help bidders understand the relative level of effort and attention that will likely be necessary, Table 2 shows the total evaluation budgets for the various program funding sources that NYSERDA expects to be addressed by the general evaluation assistance contractor activities. The SBC (**New York Energy \$mart<sup>SM</sup>**) evaluation activities are already well underway; nearly one third of the available budget has been expended, and the remainder has been set aside for planned evaluation activities. Other programs are either just beginning evaluation activities or developing initial plans.

**Table 2. Evaluation Budgets by Program Funding Source**

| <b>Program Funding Source</b>               | <b>Approximate Evaluation Budget</b> | <b>Approximate Conclusion of Evaluation Activities</b> |
|---|--------------------------------------|--|
| SBC (New York Energy \$mart <sup>SM</sup> ) | \$37.0 million                       | 2013   |
| EEPS  | \$21.4 million                       | 2013   |
| RPS   | \$1.4 million                        | 2013   |
| RGGI  | \$12.4 million                       | 2014   |
| GJGNY                                       | \$5.6 million                        | 2014   |
| <b>Total</b>                                | <b>\$77.8 million</b>                |  |

### **Proposer Qualifications**

In addition to the services described above, the following requirements must be fulfilled by the selected contractor:

#### **Audience Coverage:**

- Must be well versed in the design of various types of primary and secondary data collection approaches for a wide array of end-use customers and able to translate this information into NYSERDA’s reports in an accurate, concise and organized manner.

#### **Technical Support Requirements:**

- MS Office, MS Access.
- Statistical software expertise with SPSS or SAS. Must be able to demonstrate expertise in appropriate statistical analyses and interpretation of various statistical tests associated with survey data should NYSERDA request the selected contractor to conduct ad hoc analyses.
- Demonstrated organizational expertise and the capability to coordinate multiple, yet distinct, evaluation activities to prevent burdening program staff and survey respondents, while also identifying areas of potentially duplicative activities. Past experience supporting the knowledge, experience and organizational needs to conduct such coordination shall be included and summarized in the proposal.
- Expertise in energy efficiency program evaluation and the ability to accurately and concisely synthesize findings generated from technical specialty evaluation contractor reports.

#### **Selected Contractor Reporting Requirements:**

- Provide monthly reports of all activities pertaining to the contract. These status reports shall indicate the specific activities underway and progress made on those efforts. These reports shall also detail any issues or problems that arise and the contractor’s proposed solution.
- Provide monthly budget tracking spreadsheets, including details by team member, of all activities for the period covered in the contractor’s invoice submitted to NYSERDA for payment.
- Provide detailed and comprehensive reports on any research activity as it is completed and as directed by NYSERDA. These reports, if requested, shall provide all supporting information that NYSERDA will need to inform future decision making and replicate the analysis.
- Integrated quarterly and annual summaries of activities, results and analyses conducted across programs to be incorporated into NYSERDA’s quarterly and annual evaluation reports and as directed by NYSERDA. The content and structure of this reporting shall be specified in discussions with NYSERDA, but shall expand upon NYSERDA’s current approach.
- Other reports as requested by NYSERDA.

The use of subcontractors and teaming arrangements as needed to fulfill all obligations associated with this RFP is appropriate. If a team is proposed, respondents to this RFP must be able to demonstrate that they have a teaming arrangement that is directly applicable to and consistent with the evaluation needs of NYSERDA and this RFP. The primary contractor of the team shall have full responsibility for maintaining continuous correspondence with NYSERDA and for ensuring all deliverables applicable to the contract meet quality standards and are provided to NYSERDA according to an approved time-line.

### **Contractor's Responsibility**

The selected contractor shall be responsible for timely completion of the requirements described in the **Services Requested** section of this RFP.

The selected contractor must assume the overall responsibility for coordinating NYSERDA's evaluation activities as described in this RFP (whether performed by the contractor or by one or more subcontractors), act as liaison with participating NYSERDA programs, NYSERDA's specialty evaluation contractors and external organizations, and assume responsibility for completing the deliverables listed in the **Services Requested** section of this RFP.

The selected contractor shall keep NYSERDA informed weekly by telephone, in-person meetings or e-mail on the progress of the general evaluation assistance effort. Meetings with NYSERDA staff will be required as needed.

In any and all circumstances, the selected contractor's contribution to NYSERDA's program evaluation efforts shall be based on the following principles:

- The evaluation process shall ensure objectivity, fairness, and balance in terms of the types of data collected. Only those data deemed necessary for evaluation purposes shall be collected and summarized in reports.
- The program evaluation shall be based on sound methodology, credible data and analysis, and adhere to the highest professional standards.

The selected contractor's contribution will allow NYSERDA to assess the overarching status of its programs and note successes as well as help determine the extent to which NYSERDA's programs have achieved their desired objectives, particularly through the comprehensive integration of findings generated from NYSERDA's specialty evaluation contractors.

### **NYSERDA's Responsibility**

The NYSERDA Project Manager will be responsible for overseeing and managing all tasks undertaken by the selected contractor, including but not limited to reviewing, commenting and approving tasks and subsequent deliverables; coordinating with program staff and interested external stakeholders; promoting coordination between the selected contractor and NYSERDA's specialty evaluation contractors; approving invoices promptly; and reviewing and preparing work products for inclusion in NYSERDA's program evaluation and status reports.

## Available Funds and Limitations

The initial term of this contract will be for three years up to a maximum annual amount of \$400,000 per year. After the initial three-year term, the contract may be renewed annually, at NYSERDA's discretion.

## III. Proposal Requirements

Proposers must submit eight (8) copies 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 Proposal Checklist 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. Proposers will not be reimbursed by NYSERDA for any costs associated with preparation of their proposals. The proposals should not exceed 18 pages, excluding the conflict of interest, cost proposal and appendices. Each page of the proposal should state the name of the proposer, the RFP number and the page number. The proposal must be in the following format:

RFP 1809 Proposal Checklist (Attachment A)

Section 1: Introduction  
Section 2: Statement of Work/Approach  
Section 3: Management Structure  
Section 4: Qualifications, Experience and References to Similar Projects  
Section 5: Potential Conflict of Interest  
Section 6: Cost Proposal  
Appendices: Sample Task  
Resumes of Key Personnel  
Summaries of Relevant Work Products  
Letters of Commitment

## Proposal Explanation

### Section 1. Introduction (2 page limit)

Proposers shall summarize their understanding of the objectives and requirements of this RFP. Proposers shall *briefly* identify key information about their organization and any other organizations that are part of the proposer's team. Proposers shall describe how the organization or team is qualified to perform and complete the services requested under this RFP.

### Section 2: Statement of Work/Approach (7 page limit)

The Statement of Work must clearly describe the approach the proposer will take to achieve the activities outlined in the **Services Requested** section of this RFP. Proposers should detail the approach and methodology and define the rationale for both and identify how coordination and integration of NYSERDA's evaluation activities will be achieved. Proposers should demonstrate understanding of NYSERDA's multiple program portfolios, associated programs and the key metrics and progress

indicators relevant to each program, and describe an approach that will ensure NYSERDA is able to meet the myriad requirements of multiple program portfolios for each evaluation study NYSERDA undertakes.

Sample Task:

In addition, the proposal should also include the approach and rationale to complete the sample task described below. This sample task should be included as an appendix to the proposal.

To assist in completing the sample task, please refer to the following links:

- Link to NYSERDA specialty evaluation contractor reports and quarterly and annual Evaluation and Status Reports: [http://www.nyserdera.org/Energy\\_Information/evaluation.asp](http://www.nyserdera.org/Energy_Information/evaluation.asp)
- Link to DPS Evaluation Guidelines: [http://www.dps.state.ny.us/Evaluation\\_Guidelines.pdf](http://www.dps.state.ny.us/Evaluation_Guidelines.pdf)
- Link to NYSERDA’s program-specific evaluation plans approved by DPS: [http://www.dps.state.ny.us/EEPS\\_Evaluation.html](http://www.dps.state.ny.us/EEPS_Evaluation.html)
- Link to June 23, 2008 PSC Order Establishing the Energy Efficiency Portfolio Standard and Approving Programs: <http://documents.dps.state.ny.us/public/Common/ViewDoc.aspx?DocRefId=%7BD9F7E0DF-A518-4199-84CC-C2E03950A28D%7D>

NYSERDA requests proposers review these materials and identify creative ways NYSERDA can better present, coordinate and integrate its evaluation activities and findings while meeting the reporting requirements as described by DPS in its Evaluation Guidelines and taking into consideration NYSERDA’s planned evaluation activities as described in NYSERDA’s already-approved program-specific evaluation plans.

For example, proposers could consider the approaches NYSERDA has used to present information in the past and ways this information could be made more user-friendly and understandable to NYSERDA’s stakeholders. In addition, proposers could also consider assessing more time- and cost-efficient ways to collect data for its numerous programs.

**Section 3: Management Structure (4 page limit)**

Proposers shall identify all team members, including the Principal or Lead contact, who will be responsible for ensuring that the project is timely and of good quality. Provide a clear description of the roles, responsibilities and availability of each key person in completing the work plan and include an organization chart illustrating these roles and responsibilities. Designate one team member who will serve as the day-to-day contact with the NYSERDA Project Manager. Provide the names and addresses of any subcontractors. Describe how the proposer plans to coordinate NYSERDA’s evaluation activities among all subcontractors and with NYSERDA. Discuss how the proposer would manage and maintain flexibility to accommodate potentially short notification times and tight deadlines.

**Section 4. Qualifications/Experience/References to Similar Projects (5 page limit)**

Describe specific experience related to the activities described in this RFP. Discuss proposed teaming arrangements if applicable. State the team’s individual and combined expertise that would enable successful completion of the project. Describe experience in managing and developing tools or systems to meet the requirements associated with multiple program portfolios. List and briefly describe relevant

projects that have been completed by the proposer/proposing team. Indicate which team members were responsible for each project described. Resumes of all team members shall be provided in an appendix.

Indicate the name and telephone number of at least three references for whom your organization has similar relevant completed projects. Summaries of related work products, tools and other supporting materials that demonstrate your ability to complete the work requested in this RFP may be submitted as attachments to your proposal.

### **Section 5. Potential Conflict of Interest**

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

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

### **Section 6. Cost Proposal**

Using the attached Project Personnel and Rates form as a template (Attachment D), submit the name, title, and hourly salary range for each individual in the proposal who will perform the work in the **Services Requested** section under an agreement with NYSERDA (including all subcontractor personnel) and provide overhead multipliers for the duration of the agreement.

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) is consistent with generally accepted accounting principles for indirect costs.

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

### **Appendices**

Materials to be submitted include:

- Sample task as described in **Section 2: Statement of Work/Approach**

- Resumes of key personnel that will complete the tasks described in the Statement of Work
- Summaries of related work products that demonstrate your ability to assist NYSERDA in coordinating its evaluation activities, and that demonstrate your capability to perform the tasks that would be identified in such a strategy
- Letters of commitment

#### **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.

#### **IV. Proposal Evaluation**

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

*Responsiveness to the Work Scope of the RFP.* Does the proposer present a sound approach for accomplishing the objectives of this proposal? Is there a sound rationale or justification for the proposed approach(es)? Has the proposer demonstrated a clear understanding of the project goals and objectives? Does the proposer appear to have the flexibility to accommodate potentially short notification times and tight deadlines? Has the proposer demonstrated a thorough understanding of NYSERDA's programs? Is there clear evidence that the proposer possesses the capability to organize and coordinate NYSERDA's evaluation activities and present this information accurately, clearly and concisely in reports? Is the Statement of Work thorough, specific, and consistent with the stated objectives?

*Relevant Experience and Qualifications.* Are key personnel's education and experience relevant to project needs? Is the project staff's overall capability appropriate? Does the proposing team have experience in conducting similar work? What is the quality of the project staff's performance on past projects or their achievements related to the proposed work? Does the proposer have the technical expertise to understand and synthesize findings generated from technical specialty evaluation contractor reports?

*Comprehensiveness of Approach and Management Plan.* Does the proposer demonstrate the ability to complete all aspects of the project in a timely manner? Are appropriate management and coordination strategies articulated? Are sufficient resources being devoted to the project? Is the project organization, including the staffing plan, clear and well-defined? Is there one team member designated as the day-to-day NYSERDA contact?

*Cost.* How cost-effective is the proposal? Are hourly rates, overhead rates, indirect costs, other cost multipliers and total hours reasonable and appropriate for the proposer's and subcontractor's personnel completing the tasks? Are the proposer's and subcontractor's rates cost effective when compared to the cost allocation of comparable proposals?

*Other.* Is the proposal well-organized, well-written, and complete? Does the proposal offer economic benefits in New York State (a local office, while not required, would be considered favorably)? Do appendices include resumes and letters of commitment?

## 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](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.tax.state.ny.us/pdf/2007/fillin/st/st220td\\_507\\_fill\\_in.pdf](http://www.tax.state.ny.us/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.tax.state.ny.us/pdf/2006/fillin/st/st220ca\\_606\\_fill\\_in.pdf](http://www.tax.state.ny.us/pdf/2006/fillin/st/st220ca_606_fill_in.pdf)). The Department has developed guidance for contractors which is available at <http://www.tax.state.ny.us/pdf/publications/sales/pub223.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.

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## **VI. Attachments:**

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