



**Proposals Due: August 31, 2010 by 5:00 PM Eastern Time<sup>1</sup>**

The New York State Energy Research and Development Authority (NYSERDA) is seeking proposals to conduct a Curriculum Inventory, Contractor Needs Assessment and Curriculum Updates. The Green Jobs Green New York (GJGNY) Act of 2009 calls for the promotion of energy efficiency, energy conservation and the installation of clean energy technologies, to reduce energy consumption and costs, reduce greenhouse gas emissions, support sustainable community development and to create green job opportunities. As program administrator of GJGNY, the NYSEDA is, in part, responsible for implementation of energy audits and energy efficiency retrofits or improvements for residential, small business, and not-for-profit property owners. Successful implementation of the GJGNY Program depends in large part on strategic deployment of workforce development and training activities.

In support of the GJGNY Act, NYSEDA seeks proposals to further analyze the workforce needs relative to the goals and objectives of the GJGNY Program. This RFP is seeking proposals to achieve three main tasks: 1) Conduct a comprehensive Training Curriculum Inventory of existing energy efficiency training available in New York State, 2) Conduct a Needs Assessment survey of businesses/contractors to identify current skills gaps in available energy efficiency training curricula and 3) update existing residential auditing and other training curriculum to be administered through the Center for Energy Efficiency and Building Science (CEEBS) and other licensees of NYSEDA curriculum.

NYSERDA anticipates awarding up to \$150,000 to conduct the Training Curriculum Inventory, \$125,000 to conduct a Contractor Needs Assessment, and \$200,000 to complete Curriculum Updates. NYSEDA prefers that Task 1 and Task 2 are awarded under a single contract to a selected proposer, whereas Task 3 may be bid separately. Preference will be given to contractors responding to two or more of the three tasks. However, NYSEDA may, upon its sole discretion, award up to three (3) contracts.

**Proposal Submission:** Proposers must submit ten (10) 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, RFP 2034  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Rebecca Sterling at (518) 862-1090, ext. 3618 or rjs@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 Rebecca Sterling (Designated Contact) at (518) 862-1090, ext. 3618 or rjs@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.

<sup>1</sup> 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

### GOALS AND OBJECTIVES

In support of the GJGNY Act, NYSERDA seeks proposals to further analyze the workforce needs relative to the goals and objectives of the GJGNY Program. This RFP is seeking proposals to achieve three main tasks: 1) Conduct a comprehensive Training Curriculum Inventory of existing energy efficiency training available in New York State, 2) Conduct a Contractor Needs Assessment survey of businesses/contractors to identify current skills gaps in available energy efficiency training curricula and 3) update existing residential auditing and other training curriculum licensed by NYSERDA.

The goal of this RFP is to support the GJGNY initiative efforts to develop a comprehensive workforce training infrastructure and to address skill gaps that will be identified through assessment as the program ramps up and grows. RFP 2034 seeks to:

- develop a training infrastructure for GJGNY;
- support Energy Efficiency training programs;
- and support participating contractors in growing their business.

## II. BACKGROUND

### Green Jobs Green New York (GJGNY)

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 GJGNY program is funded from the proceeds from sales of CO<sub>2</sub> allowances under the Regional Greenhouse Gas Initiative (RGGI). The GJGNY 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 GJGNY Program.

**Existing Resources:** Proposers should be familiar with the following resources. Materials including, but not limited to, legislation, published and on-going research and web resources can be used for background and baseline data. Proposers should detail their intentions for use of existing resources.

Primary resources include:

#### **NYSERDA's Green Jobs Green New York website:**

Note: NYSERDA's GJGNY website includes documents developed by the GJGNY Advisory Counsel and Working Groups. The approved Workforce Operating can also be found here.

<http://www.nyserda.org/GreenNY/>

#### **The Green Jobs Green New York Act:**

<http://www.nyserda.org/pdfs/GJGNY/Chapter487.PDF>

**The Green Jobs Green New York Act Amendment:**

<http://www.nyserda.org/pdfs/GJGNY/Chapter488Amend.PDF>

**New York State Department of Labor: Green Jobs Research**

The New York State Department of Labor (NYSDOL) was recently awarded a \$1.1 million grant from the US Department of Labor to measure employer demand for green jobs against the capacity of existing educational and training resources to address specific energy related training needs across New York State. The NYSDOL will collaborate with The New York City Labor Market Information Service (NYCLMIS) at the CUNY Graduate Center, The Energy and Environmental Technology Application Center (E2TAC) at the State University of New York at Albany's College of Nanoscale Science and Engineering, the Advanced Energy Research Technology Center at Stony Brook University and SUNY's Office of Business and Industry Relations to estimate the number of green jobs and to identify the new, emerging and enhanced skills needed to succeed in today's rapidly growing green jobs. The Department will survey about 20,000 firms to collect this data. More in-depth research will seek to understand the specific skills employers need and identify existing education and training resources to fill those needs.

While the grant runs through May 2011, NYSDOL plans to field the employer survey as early as June 30, 2010 and release preliminary findings by early fall 2010 which will be made available to the contractor conducting analysis under RFP 2034. Proposals should include detail on how NYSDOL data will be utilized to support the training inventory, needs assessment and curriculum updates required in support of GJGNY. The breadth of information in the NYSDOL report will provide a comprehensive inventory of state-wide programs and generalized needs but will not provide the focus and depth required for specific analysis of GJGNY Programs.

Proposers shall demonstrate how they will build upon and leverage NYS DOL survey data with a specific focus on job categories, training areas, needs assessment and curriculum development to enhance performance of the tasks related to GJGNY Program requirements.

**New York State Department of Labor: *New York State's Clean Energy Industry: Labor Market and Workforce Intelligence***

In June 2009, the New York State Department of Labor authored a report titled *New York State's Clean Energy Industry: Labor Market and Workforce Intelligence*<sup>2</sup>. The report addresses three main areas of New York's clean energy sector:

- Labor Market Characterization- describes the characteristics of the state's clean energy sector
- Workforce Development and Training- includes an inventory of existing programs that support priority areas within the clean energy sector as well as a the identification of barriers to training
- State Level Collaboration- A summary

This report, in conjunction with forthcoming NYSDOL LMI data, will provide a baseline of New York's green jobs by which proposers can construct an in-depth, GJGNY-specific inventory and needs assessment.

Additional resources may include:

**New York Career Zone:**

<http://www.nycareerzone.org/cz/index.jsp>

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<sup>2</sup> The full *New York State's Clean Energy Industry: Labor Market and Workforce Intelligence* report can be found here: <http://www.labor.state.ny.us/workforcenypartners/PDFs/NYS%20Clean%20Energy%20Jobs%20Report%20FINAL%2005-27-09.pdf>

**The Workforce Development Institute:**

<http://www.wdiny.org/home.aspx>

**III. RANGE OF SERVICES**

Currently, community colleges, community-based organizations, labor unions, workforce readiness organizations and others provide training and instruction in a wide range of areas applicable to GJGNY's projected labor market. Connecting and coordinating such training and instruction with efforts in this RFP will allow NYSERDA to most effectively forge an integrated workforce development infrastructure to address skill gaps relevant to the energy related sector and to best utilize the forthcoming GJGNY program and concomitant market growth of green jobs that will utilize these skills.

Toward that end, NYSERDA seeks to inventory existing energy related training curricula available across New York State to identify the geographical distribution of current training opportunities, populations served, the competencies to be addressed, and potential inter-curricula connections to leverage. The inventory will allow NYSERDA to better understand how current training systems address key worker competencies relevant to the GJGNY program, and will enable better coordination of existing programs and identification of emerging areas in which to develop new curricula. In coordination with the Training Curriculum Inventory, NYSERDA seeks proposals for a Contractor Needs Assessment that will be used to identify skill gaps that influence employee retention as well as barriers to small businesses interested in responding to the goals of the GJGNY Act. NYSERDA also seeks to update licensed energy efficiency curriculum in order to provide the training infrastructure necessary to support GJGNY.

The New York State Department of Labor will compile a state-wide inventory of green jobs. The proposer who is awarded the Training Curriculum Inventory or Contractor Needs Assessment will use the NYSDOL data as a base of information by which they can take a narrow focus on jobs that serve the goals of GJGNY as well as to develop a framework for evaluating curricula (i.e. geographical distribution, populations served, length of instruction, prerequisites etc.). The proposer shall seek to expand and update the NYSDOL findings, identify ways to address training gaps or areas in need of coordination, and recommend strategies to publicize inventory findings to job seekers, businesses and training providers.

**Task 1) Training Curriculum Inventory (up to \$150,000 available)**

NYSERDA anticipates awarding up to \$150,000 to conduct a Training Curriculum Inventory seeking to assess if the current workforce training infrastructure meets the needs of the GJGNY Program and the specific training and job titles outlined in Attachment E.

The Training Curriculum Inventory shall include the following components:

- Work closely with the New York State Department of Labor to maximize use of existing data to compile an exhaustive directory of training opportunities specific to GJGNY. Data will be made available upon contract.
- Conduct analytical and exhaustive research to specifically address training offered by or sponsored by NYSERDA and its licensed entities, including CEEBS and that draws from the NYSDOL training curriculum research related to GJGNY, including evaluation of curriculum based on:
  - Prerequisites (both academic and job-related)
  - Language of course/training delivery
  - Geographic distribution throughout New York State
  - Length of course

- Target populations
- Proficiencies and skills covered
- Equipment used
- Related job titles
- Related curricula
- Certificates awarded
- Tests administered
- Ability to enable contractors
- Population demographic served
- Rate certification is achieved
- Credentials of trainers
- Quality of facilities

**Task 1 deliverables shall include:**

- Initial directory of inventoried training partnerships which shall be engineered in such a way that it can be easily posted to the web;
- SQL compatible inventory;
- Update of the inventory 6 months after the start of the GJGNY Program;
- Final update and summary report 12 months after the start of the GJGNY Program.

**Task 2) Contractor Needs Assessment (up to \$125,000 available)**

NYSERDA anticipates awarding up to \$125,000 to conduct a Needs Assessment. The assessment component should include, but will not be limited to, a business/contractor survey instrument designed to address on the job training (OJT), energy related skills desired/identified, gaps in training capacity and barriers to employee retention. Additionally, the survey shall be utilized to examine what is necessary for small businesses to grow (i.e. business development assistance, human resources, accounting) The Needs Assessment Survey should focus on **Context Analysis** including an analysis of industry needs or other reasons training is desired. The important questions to be answered by this analysis are what barriers to employment should be addressed by energy related training, is desired and what is needed for small businesses to grow. The assessment will include, but will not be limited to, the following:

- Assessment of how well the current energy efficiency training available in New York State addresses barriers to the success of hiring and workforce development practices necessary under GJGNY
- Assessment of how NYSERDA can better coordinate existing programs and to identify new curriculum needs
- Assessment on how energy efficiency training is factored into employers' selection criteria for employees and what type is preferred in class, on the job, or a combination of both.
- Assessment of employment barriers in economically depressed areas and for the underrepresented populations
- Assessment of employer's resources for growth in small businesses
- Assessment of efficacy of training

Second, proposers shall outline strategies to identify the most significant barriers to employment and recommend training initiatives that would significantly improve the hiring and retention of disadvantaged workers. This includes an analysis of the energy related business needs or other reasons the training is desired. The Contractor Survey should also address employee screening, hiring protocols, and other factors contributing to poor retention and high turnover generally acknowledged in employment literature

related to disadvantaged populations. The important questions answered by this analysis are who decides what training should be conducted, why a training program is seen as the recommended solution to a business problem, what the history of the organization has been with regard to employee training and other management interventions. The analysis should identify the barriers associated with cost, availability and location of training, and time spent away from work that would impact the employers' ability to approve and provide energy efficiency training to its employees.

The proposer shall include the findings from Task 1 in the Needs assessment as it relates to the current training landscape as outlined in the GJGNY Program. In order to most effectively develop a comprehensive training plan, NYSERDA seeks to identify where skills gaps currently exist, looking at geographical coverage and technical knowledge, skills, awareness, etc. It will also be important to identify contractors' history and hiring practices for employment of disadvantaged populations and/or source(s) of referral for those populations (i.e. temp agencies or training partners).

At the time of the contract award, NYSERDA will provide the Needs Assessment contractor with up-to-date contact information for all Home Performance with Energy Star contractors and Multifamily Program Partners.

**Task 2 deliverables shall include:**

- Identification of persistent skills gaps in training programs and retention rates of employed populations cataloged within 180 days of contract;
- Update of the assessment 6 months after the start of the GJGNY Program;
- Final update and summary report 12 months after the start of the GJGNY Program.

**Task 3) Curriculum Updates (up to \$200,000 available)**

NYSERDA anticipates awarding up to \$200,000 for Training Curriculum Updates. NYSERDA seeks to examine the existing residential and commercial auditing curricula and other training to be administered through CEEBS, and other licensees of NYSERDA curriculum. Through the evaluation of data resulting from the Needs Assessment, the contractor will identify areas in need of improvement and update training curriculum as necessary in order to meet the goals of GJGNY. This evaluation should include dialogue with course participants and contractors affiliated with the GJGNY Program to obtain their feedback to support recommendations to NYSERDA regarding curriculum updates and schedule for updates. The evaluation and recommendations must be delivered within 3 months of contract, and priority curriculum updates completed within the first 12 months of contract. Ongoing evaluation and updates may be delivered as approved by NYSERDA, not to exceed a 24 month period unless otherwise approved by NYSERDA.

Curriculum materials should address any changes in industry standards as well as any skills gaps identified by employers in the field. Proposers should build upon current work NYSERDA has developed in these areas and utilize the Needs Assessment data to determine training gaps related to poor employee retention. Retention-related gaps may require the addition of "wrap-around" curriculum and/or soft skills training or remediation. For home performance, these programs include Building Analyst, Heating/Cooling Professional, Envelope Professional, Home Energy Rating System (HERS) rater, Home Performance Sales and Home Performance Marketing. For Multifamily dwellings, the programs include Multifamily Building Manager, Multifamily Building Operator and Hydronic Heating System Design Specialist. For Commercial and Industrial the programs should include energy auditor, benchmarking, building envelope, business process, technology-specific design and installation (for HVAC, lighting, controls, and other technologies outlined in the GJGNY Act). The curriculum should include the current concepts, processes, guidelines, incentives, and objectives of each program as it applies to GJGNY. This curriculum will be used to train participants providing outreach, education, marketing and sales services, and audit, retrofit design and installation for technologies supported by GJGNY.

This task may include the following components:

- Evaluation and Curriculum Update Recommendations
  - Survey course participants to determine needs
  - Collaboration with CEEBS, BPI, and training licensees
  - Examine existing residential and commercial auditing curricula
  - Examine other training administered through CEEBS and other organizations on a regular basis
  - Identify areas in need of improvement

**Task 3 deliverables shall include:**

- Identification of training areas in need of update and proposed curriculum revisions within 3 months of contract;
- Update of the curriculum 12 months after the start of the GJGNY Program;
- Final updates and summary report within 24 months after the start of the GJGNY Program.

**IV. AVAILABLE FUNDING**

NYSERDA anticipates awarding up to \$150,000 to conduct the Training Curriculum Inventory, \$125,000 to conduct a Needs Assessment Survey, and \$200,000 to complete a Curriculum Update. NYSERDA prefers that Task 1 and Task 2 are awarded under a single contract to a selected proposer, whereas Task 3 may be bid separately. Preference will be given to contractors responding to two or more of the three tasks. However, NYSERDA may, upon its sole discretion, award up to three (3) contracts.

**V. PROPOSER QUALIFICATIONS**

Proposers must demonstrate expertise commensurate with the performance requirements of the respective Funding Area of interest. Eligible proposers may include, but not be limited to, a college, university, trade association, BOCES, labor organization, WIB, or CBO. Because this is a state-wide inventory, assessment and update, NYSERDA encourages partnering and/or collaboration with other agencies to meet the goals of this solicitation.

**1.) Training Curriculum Inventory**

- Research, data collection, and reporting capabilities necessary to adequately take inventory of and report on existing energy efficiency programs across the State of New York and, in the interest of Green Jobs Green New York, to expand on existing inventory data efforts through collaboration with the NYS Department of Labor

**2.) Contractor Needs Assessment**

- Statewide geographical employment trends and growth analysis specific to GJGNY
- Experience in the needs assessment of academic material including, but not limited to, energy efficiency training and instruction
- Experience in the evaluation of career pathways educational programs
- Demonstrated experience in the development and deployment of survey-based research
- Experience in the evaluation of worker retention is preferred

**3.) Curriculum Updates**

- Experience in the development and revision of energy efficiency curriculum

- Demonstrated familiarity with curriculum and technology areas supported through the CEEBS network
- Demonstrated experience with career pathways education models

## VI. PROPOSAL REQUIREMENTS

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the RFP number, and the page number. The proposal should be double-sided and must be in the following format:

### **Section 1: Introduction and General Information** (not to exceed two (2) pages)

The proposers should briefly identify key information about their organizations. 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 and contact person;
- Year firm was established;
- Name and address of parent company (if applicable);
- If your 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.

Proposers should describe why they are qualified to perform and complete the services requested under this RFP. This section should be limited to no more than 1-2 pages and provide a brief introduction of the proposer and the team members, if applicable.

Proposers should describe any current activities that this proposal may build upon.

### **Section 2: Executive Summary** - Summary of the proposed task. (not to exceed one (1) page)

The summary should state the goals of the proposal clearly and concisely. The summary should also state the proposer's plans beyond this RFP: Is the end of the project supported by this RFP the project endpoint or is it part of a longer ongoing curriculum inventory, assessment or updating plan?

### **Section 3: Narrative Description of Range of Services Covered** (not to exceed three (3) pages)

Proposers should describe, in detail, the activities proposed and the range of services that will be provided by the proposer or the proposing team for each area. Proposers should also provide details on any current activities that this proposal may build upon. The Proposer should address the areas below, where applicable, and provide more specific information about how these areas will be addressed in Section 4 (Statement of Work). Section 3 should address the "what" and "why" related to the proposed curriculum inventory, assessment and/or update activities. Section 4 should describe "how" those activities will be developed and implemented as further described below, as applicable.

### **Section 4: Statement of Work** (not to exceed three (3) pages)

The Statement of Work details how the proposer will fulfill the tasks outlined in "Section III, "Range 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, "Range of Services."

The Statement of Work must be prepared as an ordered set of tasks, including subtasks as necessary. The proposer 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....

The SOW must incorporate all of the areas identified and described by the proposer from Section 3 of the Proposal Requirement for each task proposed.

**Section 5: Management Structure** (not to exceed two (2) pages)

The proposal shall identify all project 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. 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 proposer should also describe how coordination with NYSERDA and its clean energy partners will be accomplished.

**Section 6: Qualifications** (not to exceed two (2) pages)

The proposers shall demonstrate how they are qualified 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 these tasks (or task), as described above. 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. 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** (not to exceed two (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 plus billing rates.

**Section 8: Cost Proposal and Budget**

The Contract Pricing Proposal Form (CPPF) is included as an attachment to this RFP. The proposal must include a completed CPPF for each of the following:

- The total proposal
- Each of the applicable tasks in the Range of Services.

Attach detailed budget breakdowns (using the CPPF Supporting Schedule) for subcontractors, equipment, material, and travel. A cost-plus-fixed-fee type of contract is contemplated to be used.

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.

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.

**Section 9: Reporting Schedule**

RFP 2034: Reporting Schedule			
	Initial Report Due	First Follow-up	Closing Report
Curriculum Inventory	90 days after contract	6 months after GJGNY Start	12 months after GJGNY Start
Needs Assessment	180 days after contract	6 months after GJGNY Start	12 months after GJGNY Start
Curriculum Updates	within 3 months	12 months after initial report	Up to 24 months

## **VII. PROPOSAL SUBMISSION.**

Proposers must submit ten (10) 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, RFP 2034  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399**

**Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist may 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.

## **VIII. EVALUATION**

Proposals that meet Proposal requirements will be reviewed by a Technical Evaluation Panel (TEP) using the Evaluation Criteria below:

- Qualifications of the firm and key personnel
- Experience with similar projects and references
- Knowledge of energy efficiency training programs
- Experience in training, education and career pathways
- Expert knowledge of the Green Jobs Green New York Act (GJGNY) and associated workforce goals
- Cost of the proposal and values of services to be provided
- Management capabilities, especially in teaming arrangements
- Schedule and timeliness
- Overall quality and clarity of the proposal

## **IX. 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 up to three (3) 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 eight (8) weeks from July 27, 2010 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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## **X. 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- Directory of GJGNY Job Titles
- Attachment F- Sample Agreement