A Joint Research Solicitation

Advancing Livable Communities through Sustainable Transportation
Program Opportunity Notice No. 2314
$1,500,000 Available

PROPOSALS DUE: September 7th, 2011 by 5:00 pm Eastern Daylight Time*

In partnership with the New York State Department of Transportation (NYSDOT), the New York State Energy Research and Development Authority (NYSERDA) seeks proposals that have the potential of reducing the energy consumption and associated greenhouse gas (GHG) emissions of the existing multi-modal transportation system in New York State. Total available New York State funding is $1,500,000. All, or none, of the available funding may be allocated.

In funding this research, the sponsors seek to identify the key factors impacting transportation energy efficiency and economics, develop and/or demonstrate policies and strategies, and implement innovative technologies that advance livability and sustainability. It is generally accepted that livable communities require greener transportation choices to decrease household transportation costs, reduce the nation's dependency on foreign oil, improve air quality, and reduce GHG emissions. Sustainable transportation choices fulfill these requirements employing a long-term, multi-generational approach that satisfies the present needs while protecting natural and historic resources for future generations. NYSDOT and NYSERDA are partnering in this research initiative to advance livable communities and transportation sustainability in support of the recovery and growth of the State's economy.

Proposers must submit fourteen (14) print copies and one (1) electronic media copy (CD) of the proposal in ***Microsoft Word*** format (appendices may be in PDF format) with a completed and signed Proposal Checklist (Attachment A) 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, PON No. 2314
NYS Energy Research and Development Authority
17 Columbia Circle, Albany, NY 12203-6399

If you have technical questions concerning this solicitation contact Joe Tario at (518) 862-1090, ext. 3215 (jdt@nyserda.org) or Richard Drake at (518) 862-1090, ext. 3258 (rld@nyserda.org). If you have contractual questions concerning this solicitation, contact Nancy Marucci at (518) 862-1090, ext. 3335 (nsm@nyserda.org)

No communication intended to influence this procurement is permitted except by contacting Joe Tario (Designated Contact) at (518) 862-1090, ext. 3215 (jdt@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 offer, and (2) may result in the proposer not being awarded a contract.

*Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.org

I. INTRODUCTION

New York is the fifth largest energy user of all the states. Nevertheless, households, businesses, industries, and electric utilities in New York rely largely on fuels produced elsewhere. Only thirteen percent of the total primary energy requirements were met from in-state resources in 2009. Hydroelectric power is produced at various locations throughout New York, including 28 large projects and approximately 340 small (less than 10 MW) projects. Crude oil and natural gas production are found in the western region of the state. However, New York consumers rely on external sources for 100% of refined petroleum fuel products because there are no petroleum refineries in the State. (Patterns and Trends, 2011, NYSERDA)

The State's transportation sector in 2009 was responsible for 77 percent of petroleum consumption and 40 percent of GHG production, the single largest sector in either category. These percentages have been steadily increasing over time and they are closely related with each other. Predominantly fueled by carbon-rich petroleum products, transportation is the largest end-use source of CO_2, the most prevalent GHG. In New York, about 90% of the GHGs are from CO_2, the rest come from methane and a small amount from what are called the "F6" gases. While automobiles are the largest contributor, energy use and GHG emissions from freight transportation have grown at roughly twice the rate of passenger transportation emissions over the last 15 years.

Although it has been the source of some debate, global warming is a term most often used to refer to the warming predicted to occur as a result of increased emissions of GHGs. Scientists generally agree that the Earth's surface has warmed by about one degree Fahrenheit in the past 140 years. The Intergovernmental Panel on Climate Change recently concluded that increased concentrations of GHGs are causing an increase in the Earth's surface temperature and that increased concentrations of sulfate aerosols have led to relative cooling in some regions, generally over and downwind of heavily industrialized areas.

In January of 2011, Governor Andrew M. Cuomo reaffirmed Executive Order No. 24 (2009), which had set a goal to reduce greenhouse gas emissions in New York State by 80 percent below the levels emitted in 1990 by the year 2050 (also known as 80x50). The Executive Order also created the New York Climate Action Council with a directive to prepare a Climate Action Plan that will assess how all economic sectors can reduce GHG emissions and adapt to climate change. The Plan will also identify the extent to which such actions support New York's goals for a clean energy economy.

According to a recent federal Highway Administration (FHWA) study entitled The Role of FHWA Programs In Livability: State of the Practice Summary, the concept of livability, which has evolved over the years, is often used to describe a range of initiatives aimed at improving community quality of life while supporting broader sustainability goals. Livability in transportation is about integrating the quality, location, and type of transportation facilities and services available with other more comprehensive community plans and programs to help achieve broader community goals. It provides economic benefits to communities, businesses, and consumers. In practice, livable transportation systems accommodate a range of modes (walking, bicycling, transit, and automobiles) by creating mobility choice within more balanced multimodal transportation networks.

The above-referenced FHWA Study further points out that livability in transportation requires collaboration and innovation across other traditional highway agency programs, such as management and operations (M&O), intelligent transportation systems (ITS), transportation demand management (TDM), safety, and freight. It also requires collaboration between transportation agencies and partners concerned with land use, housing, environmental permitting, historic preservation, natural resource protection, economic development, and many other areas. Federal efforts continue to better define livability and sustainability, including the following descriptions:

- Livability: Fostering livable communities through place-based policies and investments that increase transportation choices and access to transportation services for people in communities across the United States**.**
- Environmental Sustainability: Improving energy efficiency, reducing dependence on oil, reducing GHG emissions and benefitting the environment.

Numerous examples of innovative transportation strategies and deployments are contained in the references described in this introductory section. Three focus areas will be considered for funding:

Focus Area 1: Transportation System Management and Operations (M&O). Transportation System M&O strategies can relieve congestion, optimize infrastructure investments, promote travel options, and reduce GHG emissions. Proposals may address passenger and/or freight traffic and vehicles and/or infrastructure. Transportation System M&O strategies and technologies could also include techniques that lower NYSDOT operating costs, such as more reflective materials and lighting used during nighttime construction. Also of interest are efficient construction and maintenance practices, as well as fleet management strategies.

FHWA defines Transportation System M&O as an integrated program to optimize the performance of existing infrastructure through the implementation of systems, services, and projects designed to preserve capacity and improve security, safety and reliability. M&O approaches seek to improve the operation of the transportation system through reduced vehicle travel time, improved traffic flow, decreased idling, and other efficiency of operations; improvements that can result in lower energy use and GHG emissions. Approaches range from commercial truck idle reduction, to reducing congestion through Intelligent Transportation Systems (ITS) and other innovative forms of traffic management, to advanced IntelliDrive (5.9 GHz Dedicated Short Range Communications) technologies for vehicle to infrastructure (V2I) and vehicle to vehicle (V2V) applications. Also eligible are proposals to improve the utilization and/or economics of inherently efficient modes of transportation (e.g. mass transit, freight rail).

Focus Area 2: Transportation Demand Management (TDM). The objective of this focus area is to reduce travel demand or to redistribute the demand in space or time. There are a number of proven TDM strategies available to reduce vehicle trips. The effectiveness of the strategies will vary depending on the types of land use and travelers they are targeting. TDM emphasizes the movement of people and goods, rather than motor vehicles, and gives priority to walking, cycling, ridesharing, public transit and telecommuting, particularly under congested conditions. It prioritizes travel based on the value and costs of each trip, giving higher value trips and lower cost modes priority over lower value, higher cost travel, thus increasing overall system efficiency.

TDM strategies reduce GHG emissions primarily by decreasing vehicle miles travelled (VMT), which can occur in several ways, including: shifts from highway to other modes; increasing vehicle occupancy; eliminating vehicle trips; reducing vehicle trip lengths; and linking vehicle trips. In addition, some TDM strategies can encourage shifts from peak periods to less congested periods, thereby reducing travel delay and idling.

Focus Area 3: Transportation Sustainability. The objectives of this focus area are to evaluate sustainable transportation strategies for New York State and to estimate their potential impact. As defined in FHWA's recent Livability in Transportation Guidebook: Sustainable transportation provides exceptional mobility and access to meet development needs without compromising the quality of life of future generations. A sustainable transportation system is safe, healthy, and affordable, while limiting emissions and use of new and nonrenewable resources. It meets the needs of the present without depleting resources or harming the environment. It also considers the long-term economic health and equity of a community.

The U.S. does not have a national sustainable transportation strategy to guide policy development; however, individual states and metropolitan areas have begun to develop their own policies, programs, and methodologies for improving transportation system sustainability. Case studies, performance measures and best practices have recently been highlighted in FHWA's Transportation Planning for Sustainability Guidebook and serve as good examples for this Focus Area.

As opposed to the first two Focus Areas, which strive to improve the efficiency and reduce the demand of current transportation operations, sustainable transportation strategies take a multigenerational perspective and tend to address larger environmental goals such as improving air quality, reducing climate impacts, increasing energy efficiency, and decreasing dependence on foreign oil.

II. PROGRAM REQUIREMENTS

Solicitation Goal. As previously stated, the goal of the solicitation is to attract proposals with the potential of reducing the energy consumption and associated GHG emissions of the existing multi-modal transportation system in New York State. The strategies, policies and technologies resulting from the solicitation will enhance development of the state's transportation investment priorities and help focus strategic regional investments that can support the state's economy and set the tone for future economic growth.

Funding Categories. Four categories of projects will be considered for funding:

1. Education and Technology Transfer. Outreach activities to advance the awareness of the general public, policy makers and municipal planning organizations on the issues, consequences, objectives and resources, associated with the solicitation goal. Projects funded in this category will be limited to a maximum of $20,000 of NYS funds.
2. Policy Research and Feasibility Studies. Research to develop and evaluate strategies and policies for New York State that have the potential to achieve the solicitation goal. Projects funded in this category will be limited to a maximum of $75,000 of NYS funds.
3. Demonstrations of Underutilized Strategies and Policies that have the potential to achieve the solicitation goal and that require only minor amounts of equipment and/or materials purchased for implementation. Projects funded in this category will be limited to a maximum of $150,000 of NYS funds.
4. Demonstrations of Underutilized Commercial* Technologies that have the potential to achieve the solicitation goal and that have not been previously deployed in New York State to any significant extent. Projects funded in this category will be limited to a maximum of $250,000 of NYS funds.

Category 1 will help fund outreach activities and materials, including workshops, webinars, publications, guidebooks and brochures. Outreach may focus on implementing new strategies or technologies, as well as seek to modify the behavior of NYS residents.

Category 2 is designed to fund paper studies, which may or may not include field and/or market data collection. Studies may comprise feasibility assessments, engineering studies, and related analysis necessary to establish the energy, environmental, and additional benefits of a relevant policy, strategy, product or technology. Examples of additional benefits include financial impacts, as well as potential impacts in the areas of operations, maintenance, safety, reliability, mobility, and security.

The third and fourth categories are similar, but differ in the amount of materials and equipment required to be procured for the demonstration. Category 3 seeks to demonstrate Underutilized Strategies and Policies, which have been proven to be effective elsewhere - including perhaps, elsewhere in NYS. The intent is to replicate fundamental changes in system operation, which can be readily implemented without major equipment expenditures. For this category, proposed purchases of materials and equipment are limited to 30% of the total project budget. Examples of qualifying Category 3 proposals might include: park and ride programs, incident management strategies, regional traffic light control, and innovative freight delivery.

The fourth category is designed to fund the limited demonstration of existing Underutilized Commercial* Technologies that have been successfully deployed in other states or countries, but that have not been previously deployed in New York State to any significant extent. This category is aimed at finding new and emerging "best practices", which have yet to be significantly deployed in New York State. As contrasted to Category 3, it is recognized that significant procurement of material and equipment may be necessary.

*A commercial technology is defined to be a product, such as an item, material, component, subsystem, or system, applicable to transportation and sold or traded in reasonable quantities on the open market within the course of normal business operations at prices based on established catalog or market prices with industry-standard deliveries, terms, and warranties.

Category 3 and 4 proposers will be required to establish that their proposed strategy or technology is truly underutilized in NYS. Proposers should conduct a scan of available literature, news articles, and internet sites and published studies to present a convincing case for the value in a funded NYS demonstration.

Category 4 proposers will be required to establish that the transportation technology is fully commercial and that no significant product development is required. Transportation technologies requiring additional product development should be proposed to NYSERDA's *Advanced Transportation Technologies* solicitation, which is issued annually and specifically targets transportation product development. (For example: PON 2271, which is available in calendar year 2011).

Project Scope. Projects selected for funding must:

- Provide readily-quantifiable reductions in transportation energy and GHG emissions in New York State.
- Emphasize the ultimate deployment of technical solutions rather than conducting basic research.
- Document mobility and reliability, environmental, economic, safety and security benefits in New York State.
- Be consistent with metropolitan transportation plans in New York State and with transportation-related regulations at the federal or state level.
- Provide at least 25% of cost-sharing by the proposer or third parties in the form of cash or in-kind labor, materials, equipment, facilities, and other resources, subject to reasonable and verifiable valuation. Co-funding may be from the proposer or other private or government sources. New York State funds cannot be used to reimburse or replace normal expenses of other government organizations.

Other Considerations. In addition, note that:

A proposal may be considered non-responsive if it fails to comply with the requirements above, the Proposal Requirements of Section III, or the General Conditions of Section V.

Projects are expected to begin within six months of the proposal due date. Generally the project schedule should not exceed 24 months, except to indicate the approximate duration of future phases (beyond the proposed phase) of a multi-phase project.

Multi-phase projects are acceptable as long as the proposal only requests funding for one clearly-defined phase and adheres to the funding limit for the appropriate project category as described under "Funding Categories" above. The proposer must accept that any contract awarded to fund one phase of a multi phase project does not in any way obligate New York State to fund later phases.

Teaming arrangements are strongly encouraged, where appropriate, to enhance the likelihood of project success. Proposal teams may include commercial firms, industry associations or research organizations, universities, government agencies, end-users, and other stakeholders. Letters of interest or commitment from each identified team member should be included in an appendix to the proposal. The lack of such letters, especially in cases where co-funding is indicated, is viewed as a very serious proposal deficiency and will be judged accordingly in the technical evaluation process

Total proposal length should ideally be 20 pages or less, plus letters of interest or commitment in an appendix. Double-sided printing is preferred and suggested page limits for each section are provided below in parentheses. If you believe proprietary information must be submitted to present an adequate proposal, please contact an individual listed at the beginning of this PON and comply with the Section V instructions for submitting proprietary material. Rigid bindings and other elaborate presentation material should not be used - a single staple in the upper left corner is preferred. Your goal as a proposer should be to concisely present the information needed to fully address the evaluation criteria (see Section IV). Proposals that grossly exceed the page limits or fail to follow the format guidelines may be rejected as non-responsive.

III. PROPOSAL REQUIREMENTS

Proposers must submit fourteen (14) print copies and one (1) electronic media copy (CD) of the proposal in ***Microsoft Word*** format (appendices may be in PDF format) 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 the attention of Roseanne Viscusi at the address on the front of this Program Opportunity Notice. **Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed copies will not be accepted.**

Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response may negatively influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the PON number, and the page number. The proposal must be in the following format and should present the items in the sequence indicated below.

Proposal Sections. Sections of your proposal should be as follows and assembled in the order indicated:

1. Proposal Checklist. Complete the specific Proposal Checklist attached as part of this PON (Attachment A), and include it as the front cover of the original and each copy of the proposal. Note the following:

- Indicate whether you accept the standard terms and conditions as contained in the attached Sample Agreement. If you do not accept the standard terms and conditions, provide alternate terms with justification based on the risk and benefit to New York State. NYSERDA reserves the right to consider only exceptions to terms that are specifically included with the proposal. Any negotiation of terms will be at NYSERDA's sole discretion.
- Do not leave any blanks. If a specific question is not applicable, indicate N/A.
- Be sure the individual signing the Proposal Checklist is authorized to commit the proposer's organization to the proposal as submitted.

2. 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 texts 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.

3. Executive Summary (one page maximum). Indicate the Focus Area (1, 2 or 3) and the Funding Category (1, 2, 3, or 4) to which your proposal is being submitted. Briefly summarize the team members, the related problem or opportunity, the proposed solution and its innovative characteristics, and the potential for energy and GHG reductions in New York State. Use the following outline:

I. Team Members
II. Background
III. Objective and Scope of Proposed Project
IV. Project Benefits

4. Background and Proposed Approach (three to four pages). Provide a narrative of the transportation sector being impacted, how it currently operates and what opportunities exist for improvement. Explain fully how the transportation energy and GHG emissions will be reduced and how the efficiency of the existing NYS transportation system will be enhanced. If applicable, discuss your solution's relevance to any metropolitan transportation plan or transportation-related regulation.

For Category 3 funding, proposers must include a proposal section documenting the NYS underutilization of their strategy. This should include the results of literature reviews and internet scans as previously discussed and contrast NYS to other areas where higher utilization has been achieved.

For Category 4 funding, proposers must include a proposal section documenting the commercial availability and NYS underutilization of their technology. This should include previous sales and deployments, and include client references and contact information. As previously discussed, this solicitation seeks to demonstrate Underutilized Commercial Technologies. Pre-commercial prototypes, requiring additional product development, should be proposed to NYSERDA's *Advanced Transportation Technologies* solicitation, PON 2271 which specifically targets transportation product development.

5. Proposed Statement of Work and Schedule (three to four pages). The Statement of Work (SOW) is the primary contractual document that outlines work activities and quantifies deliverables. It specifically delineates each step or procedure required to accomplish the project objectives. Therefore, each action needs to be identified, indicating who will perform it, how it will be performed and its intended result. At the end of each task description, specific task deliverable(s) must be listed. Be clear and specific: concentrate on "how" and not "why". Use "active voice" sentence structure to make clear who is responsible for specific actions; for example, use the following phrase to start the description of every task and subtask: "The Contractor shall...."

For example:

Task 1.0 Project Management.

Subtask 1.1 Subcontracts. The Contractor shall enter into the following agreements.

Subtask 1.2 Meetings. The Contractor shall hold a Kick-Off Meeting, Interim Review Meetings (as warranted), and a Wrap-Up Meeting at the end of the project.

Subtask 1.3 Progress Reports. NYSERDA and NYSDOT will expect to receive written monthly or quarterly progress reports, as part of the project management task. These activities should be considered when developing your cost proposal. Such reports shall describe any difficulties encountered during the reporting period, and shall include a statement of the Project Director setting forth the cost of the work during the reporting period. The progress reports should be submitted to the NYS Project Managers no later than the 10th of the following month.

Subtask 1.4 Data Collection and Benefit Reporting. For Category 1 and 2 Outreach/Study Projects, NYSERDA will require two brief annual updates on the effectiveness of the information dissemination (e.g. conference presentations, workshops, publications, citations, etc.). A simple, web-based pdf form will be provided for electronic filing (Attachment D, Exhibit A).

For Category 3 and 4 Demonstration Projects, the proposal should include a detailed plan to collect data and provide reporting to validate the claimed transportation benefits. Depending on the project, this may require periodic data collection and reporting activities, conducted by the proposer or subcontracted to an unbiased third party. This is an important aspect of a properly-crafted demonstration project and it is in the best interests of the proposer and NYS that it is done properly.

For Category 3 and 4 Demonstration Projects, NYSERDA will require also five brief annual updates on the effectiveness and additional replication of the demonstrated Strategy/Technology. A simple, web-based pdf form will be provided for electronic filing (Attachment D, Exhibit A).

Subtask 1.5 Final Report. The Final Report is a significant project deliverable and should detail all of the work performed and task deliverables, but exclude proprietary information. The comprehensive Final Report shall cover all aspects of the project and shall merge together, and build further on, the previously generated monthly progress and benefit reports. Although not onerous, NYSERDA, NYSDOT and FHWA each have elements of required report formats, which need to be satisfied and will be provided to successful proposers at the start of the project.

Task 2.0, 3.0, 4.0, etc. Project-specific Work Scope Tasks. Add as many tasks and subtasks as necessary to cover all actions needed to achieve the goals and objectives of the project. These will be action steps. Each task should include a concise narrative description of the work that will be performed and how the work will be performed and specific deliverables to be provided. Typical tasks may include, but are not limited to, requirements definition, preliminary design, prototype construction, testing, final design, and demonstration. Be sure to identify the task deliverable, as this will be a measure of your performance.

Schedule. Present a work schedule with a starting point and duration for each task and subtask. Presentation of the schedule in a table or bar chart is preferred starting with "Month 1," "Month 2," etc. along the top horizontally with tasks and subtasks running vertically down the left hand side

6. Proposer Qualifications (two to four pages, depending on team size). Provide an overview of the relevant qualifications of the proposer, other team members and major subcontractors. Note that subcontracts of $50,000 or more are subject to competitive bid procedures except where the proposal identifies a specific subcontractor as an integral participant in the proposed work (see Att. D: Sample Agreement). Resumes, facility qualifications, and data sheets do not belong in the body of the proposal, but should be included in the appendix. Key individuals identified in the proposal need to be available to commit to the project in the time frame proposed and subsequent personnel substitutions will require New York State approval. Additionally, discuss any NYSDOT and/or NYSERDA contracts awarded to the proposer in the past five years. Identify New York State project managers associated with those contracts, who have knowledge of your performance.

To the extent that proposed Category 4 activities include the use of any existing intellectual property (IP) assets, the proposer must describe the IP and provide details that would identify any granted patents or pending applications related to the IP. If the proposer does not own the relevant IP, but is a licensee of the IP, then the proposal must specifically identify and describe any relevant license agreements. Proposers are encouraged to provide copies of relevant IP license agreement(s) and/or letter(s) of support from licensors as attachments to the proposal. To the extent any of the above represents non-public information, please refer to the "Proprietary Information" section in Article V below.

7. Project Benefits (two to three pages). Discuss how the proposed project will reduce transportation energy and GHG emissions in New York State and provide estimates of the potential improvement. Quantify any additional project benefits to the extent possible: Mobility and Reliability benefits (e.g., congestion reduction, number of people or goods shifting to more efficient transportation modes, amount of travel variability reduced, etc.), Environmental benefits (e.g., emission reductions, elimination of hazardous materials, etc.), Economic benefits (e.g., jobs created or retained, reduced transportation system life-cycle costs, enhanced viability of NYS businesses, etc.), Safety and Security benefits (e.g., reduction in deaths, injuries and real property losses, etc.), and other benefits (e.g., lowering the cost of compliance with NYS or federal regulations, enhanced quality of life issues, etc.)

8. Budget. A Contract Pricing Proposal Form (CPPF), with associated instructions, is provided as Attachment C to this PON. Each proposal must include a completed CPPF and also a cost-sharing table (see example below) identifying the allocation of funding by task. The net cost to New York State is one of the evaluation criteria and will be closely considered. The value of New York State funds could be reduced through greater efficiencies or through cost sharing where other funds substitute for New York State funds.

Cost Sharing. The proposal should show non-NYS funding of at least 25% of the total cost of the project and the amount of cost sharing will be an important consideration in the proposal evaluation process. Cost sharing can be from the proposer, other team members, and other government or private sources. The proposer or proposing team cannot claim as cost-share any expenses that have already been incurred. New York State funds cannot be used to reimburse or replace normal expenses of other government organizations.

Contributions of direct labor (for which the laborer is paid as an employee) and purchased materials may be considered "cash" contributions. Unpaid labor, indirect labor, or other general overhead may be considered "in-kind" contributions. For example, labor may be provided at discount rates, while products for commercial demonstration may be provided at a significant discount or at cost to the project.

It is the responsibility of the proposer to adequately document the level of cost share being provided from all sources. If funded, the proposer will also need to provide cost share documentation with each invoice submitted. The proposer or proposing team cannot claim as cost-share any expenses that have already been incurred. Show the cost sharing plan in the following format within your proposal (expand as needed).

PROPOSAL COST SHARING TABLE						
Proposed Funding By Task (Cash and In-Kind)					Project Total	
Funding Source	Task 1 ($)	Task 2 ($)	Task 3 ($)	...	Cash ($)	In-Kind ($)
New York State						
Proposer						
Co-Funder (identify)						
Co-Funder (identify)						
Task Total ($)						

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

- Describe the basis for the rates proposed (e.g., based on prior period actual results; based on projections; based on federal government or other independently-approved rates).
- If rate(s) is approved by an independent organization, such as the federal government, provide a copy of such approval.
- If rate(s) is based on estimated costs or prior period actual results, include calculations to support the 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.

9. Appendices. Include any resumes, company qualifications, or ancillary information which is deemed necessary to support your proposal. If appropriate, also include:

Letters of Interest or Commitment. If you are relying on any other organization to provide services, equipment or cost share, include a letter from that organization describing their planned participation. Where appropriate, proposed field demonstrations should include letters of commitment from the host site or vehicle fleet owner. However, due to their active sponsorship of this solicitation, Letters of Interest or Commitment should not be solicited from NYSDOT or NYSERDA personnel.

Also include letters of interest or commitment from team members, businesses or other organizations critical to the success of the project. Absence of letters of interest or commitment will be interpreted as the proposer not having support from the identified parties.

IV. PROPOSAL EVALUATION

Requirements. A negative response to any one of the questions identified below may eliminate the proposal from further consideration. Does the proposal:

- Have the potential to reduce transportation energy and GHG emissions in New York State?
- Adequately document the commercial availability and/or underutilization of the technology/strategy to be demonstrated?
- Provide at least 25% cost sharing by the proposer or third parties?
- Provide additional mobility and reliability, environmental, economic, safety and security benefits in New York State?
- Provide Letters of Commitment from all co-funders and key team members?

Proposals will be reviewed by a Technical Evaluation Panel (TEP) and will be scored and ranked according to the following criteria. All four categories will be evaluated together. After the proposals are reviewed, NYSERDA will issue a letter to each proposer indicating the proposal evaluation results. Proposers receiving favorable evaluations will be invited to enter into contract negotiations with NYSERDA. The proposer will be required to submit a detailed statement of work, budget, and schedule, and may also be asked to address specific questions or recommendations of the TEP before contract award.

Evaluation Criteria.

Proposed Solution/Scope. How significant is the issue or opportunity for New York State? Is the proposed concept likely to be adopted and have the potential to reduce transportation energy and GHG emissions in New York State? If a demonstration, is the technology/strategy truly commercial and/or underutilized in NYS? Is the proposed work plan technically feasible, innovative, and superior to potential alternatives?

Project Benefits. How significant is the statewide potential for transportation energy and GHG reductions in New York State? Are the expected benefits likely to be realized, given other constraints or barriers? Are there additional significant mobility and reliability, environmental, economic, safety and security benefits? If adopted, will there be economic benefits in New York State in the form of subsequent manufacturing or technical service activity?

Proposer(s). To what degree does the team have relevant and necessary technical and business background and experience? Does the team include New York State businesses, thereby providing economic benefits in the form of jobs? Does the proposal contain Letters of Commitment from all essential participants, co-funders, and related businesses and other organizations?

Project Outcome and Cost. Is the overall project cost justified based on the expected benefits? Relative to the project cost, how significant are the potential benefits? Has the 25% minimum cost share requirement been met? How appropriate are the proposer's cost share contributions (sources and amounts) with respect to the degree of risk, potential to benefit from the work, and financial status of the proposing organization and project team?

Other Considerations. Proposals will be reviewed to determine if they reflect New York State's overall objectives, including: risk/reward relationships, similar ongoing or completed projects, the general distribution of transportation research projects among industries and other organizations, and the distribution of projects within New York State.

V. GENERAL CONDITIONS

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

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

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

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

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

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

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html
The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. See, ST-220-TD (available at http://www.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). 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 multiple awards under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal. NYSERDA expects to notify proposers in approximately ten weeks from the proposal due date whether your proposal has been selected to receive an award.

Limitation - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest. NYSERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to the standard terms and conditions of the Sample Agreement.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

VI. ATTACHMENTS

Attachment A - Proposal Checklist
Attachment B - Disclosure of Prior Findings of Non-Responsibility Form
Attachment C - Contract Pricing Proposal Form and Instructions
Attachment D - Sample Agreement