Nuclear Safety Specialist
Request for Qualifications (RFQL) 2195

Funding for this RFQL is provided under the American Recovery and Reinvestment Act (ARRA). If you receive funding under this solicitation, you may be subject to special terms and conditions, including but not limited to: detailed reporting requirements; audit of your use of ARRA funds; Buy American and Davis-Bacon prevailing wage requirements for construction activities. You will be required to provide certain information in a timely manner to meet ARRA requirements. See Attachments for a list of special terms and conditions. Failure to comply may result in the loss of Federal funding.

Proposals Due: March 1st, 2011 by 5:00 PM Eastern Time*

Program Summary

This Request for Qualifications (RFQL) provides funding for the contracted services of a Nuclear Safety Specialist (Specialist) for a period of time through August 2012. The New York State Energy Research and Development Authority (NYSERDA) seeks the services of the Specialist to assist New York State in the State's responsibilities to oversee nuclear safety of the New York-located nuclear power plants. The Specialist will be physically located at the Department of Public Service (DPS).

This RFQL is being issued in connection with NYSERDA's administration of federal funding received under the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5 (ARRA). Through ARRA, the U.S. Department of Energy (DOE) has provided $1.98 million in funding to New York to develop a Plan and enhance State preparedness to "facilitate recovery from disruptions to energy supply" and "enhance reliability and quicker repair of outages".

Proposal Submission: Proposers must submit (six) (6) copies of their application package (See Section III) with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Materials must be clearly labeled and submitted to:

Roseanne Viscusi, RFQL 2195
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Andrew Kasius at (518) 862-1090, ext. 3327 or ask@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 Andrew Kasius at (518) 862-1090, ext. 3327 or ask@nyserda.org. Contacting anyone other than this Designated Contact (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

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

I. Introduction

Through the American Recovery and Reinvestment Act (ARRA), Pub. L. 111-5, the U.S. Department of Energy (DOE) provided $1.98 million in formula grant funding to New York to develop a State Energy Assurance Plan and to carry out activities that enhance the State's ability to plan for and respond to energy supply disruptions. [1] NYSERDA has responsibility to implement this program and is working with a group of State agencies to develop the Plan.[2]

In 2009, nuclear power generated 32% of New York's electricity supply. As nuclear power plays a major role in the State's electricity system, a State agency sponsored nuclear safety program is a key element of the State's energy assurance efforts. Qualified and experienced nuclear safety staff provides the State with an objective, knowledgeable voice in review of operations, proposals, emergency response and actions by the nuclear industry and other government agencies.

NYSERDA is issuing this RFQL to obtain the services of a Nuclear Safety Specialist. The Specialist will be hired as a contractor to NYSERDA, however the individual will be located at the NYS Department of Public Service in Albany, NY. The term of the contract will extend to August 31, 2012.

The responsibilities for this position are listed below in Section II.

II. Program Requirements

Services Requested

Under the direction of a Chief or other higher level official in the Department of Public Service (DPS), the Specialist will plan, develop, and oversee work programs involved in nuclear operations and issues related to nuclear power generating facilities in New York State. Responsibilities will include:

- Plan, organize and oversee the development and implementation of a program that provides for the technical evaluation of nuclear generating facilities design, construction, licensing, operation, and decommissioning to determine whether they meet design objectives and federal and State safety requirements.
- Develop and revise criteria, standards and procedures for evaluating nuclear power plant operations under normal and emergency conditions.
- Evaluate the effectiveness and reliability of nuclear power plant systems, as well as engineered safety features and other systems important to protecting the public and the environment from potential radiation exposure during normal operations and under emergency conditions.
- Review and evaluate reports from industry and the federal government pertaining to safety or environmental impact of nuclear generating facilities and other nuclear fuel cycle facilities.
- Provide technical expertise and advice on matters that may affect the operation of nuclear power plants in New York State as they may relate to potential health, radiological risks, economic, and environmental impacts.
- Provide consultation and assistance to Department and other State officials in planning, developing and implementing nuclear facility emergency plans.
- Conduct surveys of nuclear facilities to assure that all applicable requirements are being met and may make on site inspections during construction and operation of nuclear power plants to evaluate the adequacy of such construction and operation.
- Review license amendments submitted by nuclear power plant licensees in New York State; performs research regarding amendments as it relates to plant safety, design, and engineering issues; makes recommendations to the U.S. Nuclear Regulatory Commission (NRC) via the State Liaison Officer based on review findings.
- Confer with State officials, federal government, and local agencies concerning matters of nuclear power generating facilities, as they relate to potential health, radiological risk, and environmental impacts.
- Prepare reports and briefing materials related to nuclear power plant operations and emergency planning, exercise, and response actions by evaluating the validity of certain assumptions made in estimating the effectiveness and reliability of nuclear system components to mitigate the consequences of various potential or actual system failures, or external impacts to safe plant operation.

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[1] For more information on the initial Funding Opportunity Notice issued by DOE to the States, see http://www.naseo.org/foa/energyassurance/OE_EA_FOA_Final_0000091_0021.pdf

[2] Partner State agencies include: Department of Public Service; State Office of Emergency Management; Office of Counter Terrorism; Office of Cyber Security

- Develop training programs and provide on-the-job field training to the nuclear engineering staff and other departmental staff with responsibilities related to nuclear power plants, inspections, and shipment activities in New York State.

The Specialist is also required to provide input to NYSERDA's concurrent development of a State Energy Assurance Plan, including opportunities to improve the operational performance and reliability of the State's nuclear power fleet as well as responsiveness and recovery strategies to nuclear power outages. , Given NYSERDA's additional responsibilities for the coordination of the State's atomic energy activities, lead agency status for nuclear safety, and designation as the State Liaison Officer to the NRC, the Specialist will be expected to work cooperatively, and on a regular basis, with NYSERDA nuclear staff . The Specialist will also be expected to work cooperatively with the State Departments of Health and Environmental Conservation, and NYS Division of Homeland Security and Emergency Services on nuclear safety and response issues.

Term and Compensation
The contract term will continue until August 31, 2012, the completion date for the ARRA Energy Assurance Grant. The Specialist will be expected to work a standard workday, Monday to Friday, 37.5 hours per week. Pay-scale will be commensurate with experience, however total compensation is not to exceed $159,000 per annum. Compensation does not include any additional benefits.

III. Qualifications, Required Materials, and Selection Process

Applicants should meet the following minimum qualifications:

Education
- Graduation from an accredited college with a Bachelor's degree in an engineering or technical discipline.

Experience
- Three years of experience in nuclear reactor operations and reactor safety programs.
- A Master's degree in a technical discipline appropriate to the position may be substituted for one year of experience.
- A nuclear plant operator's license issued by the NRC may be substituted for the educational requirements.

Required Materials
Interested applicants should submit the following: a resume and cover letter describing their professional experience and education as it relates to the tasks described above; a list of professional references and contact information; and minimum compensation requirements.

In addition, applicants should submit Attachments A (Proposal Checklist), B (Disclosure of Prior Findings of Non-responsibility Form) and C (Sample Agreement). Templates for all of these are included in the solicitation package.

Proposers must submit six (6) copies of the completed package to the attention of Roseanne Viscusi at the address on the front of this Request for Qualifications. A completed and signed Proposal Checklist (Attachment A) 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.

Selection Process

Applications that meet Proposal requirements will be reviewed by a Technical Evaluation Panel (TEP) that will review proposals based on education, experience, and references. Selected candidates will be asked to interview with representatives of NYSERDA, DPS and others involved in this selection process. In addition, the successful candidate will be required to undergo and pass a background security check including fingerprinting.

IV. Procurement Lobbying Requirements

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.

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 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 (five) 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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Attachments:

Attachment A: Proposal Checklist

Attachment B: Disclosure of Prior Findings of Non-responsibility Form

Attachment C: Sample Agreement