

Proposals Due: July 11, 2012 by 5:00 PM Eastern Time*

New York State Energy Research and Development Authority (NYSERDA) Renewable Portfolio Standard - Customer Sited Tier (RPS-CST) programs support the installation of fuel cells, large photovoltaic (PV), wind turbines and anaerobic digester gas (ADG) fueled electric generation systems throughout most of New York State. In order to support these programs, this RFP invites proposals under three (3) Technical Assistance and QA/QC categories as follows:

Category A - Post installation site inspections for distributed generation (DG) systems, including wind, photovoltaic (PV) and fuel cell installations.

Category B - Technical assistance for anaerobic digester gas to electricity system evaluations.

Category C – Wind resource assessment tool.

Proposers may submit proposals under more than one category. However, since the proposals received under each category will be reviewed by different Technical Evaluation Panels, a separate proposal must be submitted for each category. For example, if a proposer wishes to submit under two categories, then two independent and complete proposals must be submitted.

Proposal Submission: Proposers must submit two (2) hard copies and one (1) digital copy on CD-ROM of the proposal with a completed and signed Proposal Checklist attached to the front of each hard copy, at least one of which must contain an original signature. Proposals must be **received by NYSERDA** on or before 5:00 PM Eastern Time on July 11, 2012. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFP 2282
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Edward Kear at (518) 862-1090, ext. 3269 or ebk@nyserda.org. If you have contractual questions concerning this solicitation, contact Nancy Marucci at (518) 862-1090, ext. 3335 or nsm@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Edward Kear (Designated Contact) at (518) 862-1090, ext. 3269 or ebk@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 (Attachment A) or Disclosure of Prior Findings (Attachment B) 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.ny.gov.

General Proposal Instructions (All Categories)

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, the category proposing under, and the page number. Only the digital copy of the proposal will be reviewed by the Technical Evaluation Panel.

Category A – Post Installation Inspections

Introduction

NYSERDA is seeking proposals for contractors to provide site inspection services to verify installation of distributed generation systems installed under NYSERDA's RPS-CST Programs. Contractors (selected proposers) will be asked to perform site inspection visits to verify that DG systems and their associated monitoring/data logging systems were installed consistent with system specifications, and that the monitoring/data logging system is properly installed and operational. DG systems may include PV, wind turbines, fuel cells, microturbines, and reciprocating internal combustion engines.

Although exact numbers are difficult to estimate, it is expected that NYSERDA will require between 100 and 300 inspections per year through 2016. The majority of these inspections will be for PV installations in the lower Hudson Valley and New York City. About 20 inspections per year are expected for wind systems, primarily in the western part of the State. Less than 10 inspections per year are expected for other technologies. Please note that the number of inspections could change depending on economic conditions or State policies.

Program Requirements

Proposers may be qualified companies or teams. Proposers must demonstrate the ability to provide cost-effective, high-quality services to NYSERDA throughout New York, particularly in the downstate region, including the lower Hudson valley and New York City.

Individuals performing site inspections must demonstrate a working knowledge of the technology they will be evaluating.

Proposers must have the capability to coordinate and manage on-site inspections in a cost effective manner. When possible, flexibility will be provided to schedule site visits in groups for economies of scale, provided that NYSERDA's needs are met.

Contractors will be required to prepare site inspection reports and provide those to NYSERDA. The reports will include, at a minimum, items defined in Attachment INS-1 Statement of Work for Inspection Services. The reports will include photographs that are taken using digital photography equipment that has location (geo-code) and time stamping capabilities. The report must identify any non-compliance with the system specification supplied by NYSERDA for the site. The reports shall be reviewed for technical quality and completeness by an individual who holds a Professional Engineers license to practice in the state of New York. Contractors will be expected to maintain records of site inspection for a minimum of 5 years following the date of inspection.

NYSERDA is anticipating selecting one or more contractors to perform all on-site inspections under this program through 2016. Proposers are asked to submit a **single, fully-loaded, fixed price per inspection**, regardless of system technology or site location. No inflation adjustment will be permitted. NYSERDA has set a maximum acceptable price per inspection. This maximum value will not be made public prior to the proposal due date. NYSERDA reserves the right to reject all proposals.

Proposal Requirements

The proposal must be submitted in the following format:

General Information

Proposers must include the following information with their response. If subcontractors are intended to be included as part of the proposer's team, include the following information for the subcontractor as well.

- Firm name, address, telephone and fax number
- Contact person with e-mail address and phone number (Project Manager)
- Federal Employer Identification Number
- Name and address of parent company (if applicable)
- Year that firm was established
- The location that will be leading this effort for your firm (if different than above)
- Number of employees in New York State and at lead location
- Number of Professional Engineers at lead location
- Other locations of your firm in and around New York State that could support this effort
- Primary business activity – be specific
- Other business activities related to this effort

Qualifications and Experience

In this section, proposers must summarize their understanding of the requirements of Category A of this RFP, the general approach to fulfilling them, and why NYSERDA should select the proposer's firm. The Qualifications and Experience section must contain the following components:

1. General Description: Provide a general description of the proposing firm (or proposing team) and the services that can be offered as a Post-Installation Inspection Contractor. If you are proposing as a team, clearly indicate lead contact, subcontractors, team member roles, and their areas of expertise.

2. Experience and Qualifications: In this section, proposers must provide documented ability to perform the services as described under Category A of this RFP. Proposers should include a description of recent relevant activities that demonstrate that you have the capability to adequately perform the work described, including knowledge of DG systems and the ability to coordinate a large number of short-term tasks over a large geographic area. The description should specify the level of involvement of the proposing firm, the results of the activity, and list the key personnel (who will also be involved in this effort) and their respective involvement. For at least one of the recent relevant activities, proposers must include a customer contact name and phone number as a reference. Include one-page résumés for key personnel describing their relevant accomplishments and expertise. Describe the availability of any relevant equipment, software, or other capabilities.

3. Staffing Plan: In this section, proposers must provide a staffing plan outlining the personnel and their abilities to support the proposed services. This section must include:

- A chart or matrix depicting the offices from which services will be provided, the geographic region the office will serve, which areas of expertise will be covered by each office, and the personnel located in each office that will be supporting NYSERDA inspection. New York based firms are encouraged. If the proposer does not have offices within New York State, a description of the applicant's ability to economically perform work in the State must be included.
- An estimate of average hours per inspection for each job title involved in the inspection effort. Provide a breakdown for travel, on-site time, report preparation, report review, scheduling, etc.

4. Conflict of Interest: The Contractor and subcontractors must be free from any financial or similar interest in any product or service which may conflict with or appear to conflict with the objectivity of the services provided to NYSERDA. Please describe all of your product-, manufacturer- or service-related affiliations. If any affiliations exist, you must provide a statement verifying these affiliations will not conflict with the objectivity of providing services to NYSERDA and its customers. Non-disclosure of any affiliation can result in termination of a contract, if awarded.

5. Cost: Proposers shall:

- Provide a breakdown of per job title costs for a “typical” inspection, including travel to/from site and other incidental expenses, using Attachment INS-2 Inspection Service Cost Form;
- Provide a fixed price per inspection.

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

- 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).
- 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 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.

6. Letters of Intent to Participate: If a subcontractor is listed as part of your team, a Letter of Intent to Participate from the subcontractor must be included as part of the proposal.

Proposal Evaluation

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

- Based on the documentation provided in the proposal, does the proposer, or proposing team, have the demonstrated ability to perform the work described in this section of this RFP? Does the proposer have experience with DG systems? Does the proposer have the ability and experience to coordinate a large number of site inspections throughout the State?
- Is the proposed cost per inspection reasonable with respect to the proposed effort and other proposers?

NYSERDA, through its TEP, will review and rank each proposal based on this evaluation criteria. The TEP will consist of NYSERDA staff and selected outside reviewers.

Category B – Technical Assistance for Anaerobic Digester Gas to Electricity System Evaluations

Introduction

NYSERDA is seeking the services of multiple Technical Contractors to provide support for: 1) projects submitted to the RPS-CST Anaerobic Digester Gas (ADG)-to-Electricity Program and 2) ADG-related projects submitted under the RPS Regional Program. The scope of work may vary by project, ranging from application review to invoice review; projects may be located at municipal wastewater treatment plants, industrial facilities, farms, or other commercial facilities.

Although exact numbers are difficult to estimate, it is expected that NYSERDA will require technical consulting services for between 10 and 20 ADG projects per year through 2015. The majority of these projects are likely to be farm-based systems in the Central and Western parts of the State; however, farm, food processing and wastewater treatment-based projects occurring in other parts of the State, with the exception of Long Island, are also eligible for the programs.

Program Requirements

Proposers may be qualified companies or teams. Proposers must demonstrate the ability to provide cost-effective, high-quality services to NYSERDA throughout New York.

Individuals performing this work must either be Professional Engineers licensed to practice in the State of New York, or under the supervision of a Professional Engineer, and must have a strong background in both anaerobic digestion systems and gas fueled electric generation systems.

Technical Consulting services secured through Category B of this RFP will be contracted through umbrella Task Order Agreements.

NYSERDA is requesting technical consulting services for the following tasks as defined in Attachment ADG-1 Statement of Work for Technical Assistance Contractors:

- Task 1 – Review of application packages
- Task 2 – Review (2a) or develop (2b) site Quality Assurance/Quality Control Plans
- Task 3 – Review of first capacity incentive payment requests
- Task 4 – Performing quarterly site visits including a post-installation inspection
- Task 5 – Review of second capacity incentive payment requests
- Task 6 – Review or generate annual QA/QC reports and annual performance incentive payment requests
- Task 7 – As-needed Technical Support

Please refer to “PON 2276” under the “Funding Opportunities” link on NYSERDA’s website (www.nysesda.ny.gov) for a detailed description of the ADG-to-Electricity Program.

Task Order Agreements

NYSERDA will enter into umbrella Task Order Agreements with each of the Technical Consultants selected through Category B of this RFP. The Task Order Agreements will be negotiated soon after the selection process is completed. A Task Order Agreement will not guarantee a specific amount of work, but will contain the maximum dollar amount associated with the Agreement, the negotiated per task costs for performing Task 1 and Tasks 2 – 6 at a typical project site, and a schedule of personnel and travel rates. Task Order Agreements will be for 36 months in duration, with the option for NYSERDA to extend their duration to a total of 60 months, after review of the contractor’s performance by NYSERDA.

Allocation of Projects

All of the Technical Consultants selected through Category B of this RFP will be evaluated and ranked according to the Proposal Evaluation Criteria. This ranking may be used for sequential allocation of projects, and may also be used to determine the maximum dollar amount associated with each Task Order Agreement.

Compensation

Compensation for work associated with Task 1 - 6 will be set at a fixed fee according to the negotiated costs provided in the Task Order Agreement. Compensation for work performed under Task 7 will be based on the contractor's fully loaded hourly rates for the appropriate level of staff plus allowable expenses reimbursable at cost.

Confidentiality

The Technical Consultant may not publicly disclose any of the information provided in the Application Packages. Upon completion of review of Application Packages, the Technical Consultant must return any and all materials received as part of the package to NYSERDA.

Proposal Requirements

The proposal must be in the following format:

General Information

Responding proposers must include the following information with their response. If subcontractors are intended to be included as part of the proposer's team, include the following information for the subcontractor as well.

- Firm name, address, telephone and fax number
- Contact person with e-mail address and phone number (Project Manager)
- Federal Employer Identification Number
- Name and address of parent company (if applicable)
- Year that firm was established
- The location that will be leading this effort for your firm (if different than above)
- Number of employees in New York State and at lead location
- Number of Professional Engineers at lead location
- Other locations of your firm in and around New York State that could support this effort
- Primary business activity – be specific
- Other business activities related to this effort

Qualifications and Experience

In this section, proposers must summarize their understanding of the requirements of Category B of this RFP, the general approach to fulfilling them, and why NYSERDA should select the proposer's firm. The Qualifications and Experience section must contain the following components:

1. General Description: Provide a general description of the proposing firm (or proposing team) and the services that can be offered as a Technical Assistance Contractor. If you are proposing as a team, clearly indicate lead contact, subcontractors, team member roles, and their areas of expertise.

2. Experience and Qualifications: In this section, proposers must provide documented ability to perform the services as described under this Category B of this RFP. Proposers should include a description of recent relevant activities that demonstrate that you have the capability to adequately perform the work described, including knowledge of anaerobic digestion systems and gas fueled electric generation systems. The description should specify the level of involvement of the proposing firm, the results of the activity, and list the key personnel (who will also be involved in this effort) and their respective involvement. For at least one of the recent relevant activities, proposers must include a customer contact name and phone number as a reference. Include one-page résumés for key personnel describing their relevant accomplishments and expertise. Describe the availability of any relevant equipment, software, or other capabilities.

3. Staffing Plan: In this section, proposers must provide a staffing plan outlining the personnel and their abilities to support the proposed services. This section must include:

- A chart or matrix depicting the offices from which services will be provided, the geographic region the office will serve, which areas of expertise will be covered by each office, and the personnel located in each office that will be supporting this effort. New York based firms are encouraged. If the proposer does not have offices within New York State, a description of the applicant's ability to economically perform work in the State must be included.
- An estimate of average hours per Task for each job title involved in this Technical Assistance effort.

4. Conflict of Interest: The Proposer and subcontractors must be free from any financial or similar interest in any product or service which may conflict with or appear to conflict with the objectivity of the services provided to NYSERDA. Please describe all of your product-, manufacturer- or service-related affiliations. If any affiliations exist, you must provide a statement verifying these affiliations will not conflict with the objectivity of providing services to NYSERDA and its customers. Non-disclosure of any affiliation can result in termination of a contract, if awarded.

Each Application Package received by NYSERDA for the ADG-to-Electricity Program (or subsequent Project resulting from an approved application) will be assigned to a Technical Consultant selected through this RFP via a written Notice to Proceed. Should a potential conflict of interest arise with a particular Application Package (e.g., the Technical Consultant helped in the preparation of the Application Package) or Project, the Technical Consultant must notify NYSERDA of the conflict and recuse him/her self from reviewing that Application Package or from serving as Technical Consultant to that Project.

5. Cost: Proposers must:

- Provide a breakdown of "per task" costs for Tasks 1 through 6 (for a "typical" project), including travel to/from site and other incidental expenses, using Attachment ADG-2 – ADG Project Personnel and Rate Form;
- Provide a schedule of project personnel and travel rates to support the costs provided, and to be used if additional work is needed under Task 7.

The Project personnel and Rate Form shall include the fully loaded labor costs for all project personnel, including subcontractors, presented by name, title, and hourly rate; travel and/or per diem cost rates. (If any team members are not located in New York State, please describe how travel costs will be minimized.) Escalation fees that appropriately account for the potential length of a Task Order Agreement (up to five years, if performance is satisfactory) must be identified, if applicable.

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

- 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).
- 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 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.

6. Letters of Intent to Participate: If a subcontractor is listed as part of your team, a Letter of Intent to Participate from the subcontractor must be included as part of the proposal.

Proposal Evaluation

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

- Responsiveness to the RFP requirements;
- Qualifications and ability of the personnel/team;
- Experience and delivery of quality results for similar or related services; and
- Reasonableness of costs.

NYSERDA, through its TEP, will review and rank each proposal based on this evaluation criteria. The TEP will consist of NYSERDA staff and selected outside reviewers.

Category C – Wind Resource Assessment Tool

Introduction

NYSERDA seeks a provider of on-line wind resource assessment tools which will help customers and installers analyze the economic benefits of installing a wind turbine at a specific location. This assessment tool provider shall provide wind assessment tools with two levels of sophistication:

- A publicly available, on-line, web-based screening tool that performs preliminary wind resource characterization to help educate and screen customers interested in on-site wind. (Screening Tool)
- An advanced, site-specific, wind resource characterization and performance analysis tool that includes energy and power performance estimates, and takes into account local geography, and the presence and height of nearby structures and trees. This tool shall be capable of generating a report that can be used to calculate incentive estimates for on-site wind turbine owners who will be participating in NYSERDA's incentive program. This tool should be on-line and web-based, however, access may be limited to NYSERDA staff and NYSERDA qualified Eligible Installers. (Advanced Analysis Tool)

The wind assessment tools shall be capable of performing their analysis on any site in New York State with the exception of the portion of Long Island east of New York City. All required servers, internet connectivity and support shall be provided by the wind assessment tool provider. NYSERDA intends to have the assessment tools available for use through the end of 2015.

It is critical that accurate, site-specific wind speeds and annual energy output estimations be known prior to initiating a wind energy project. The ability to correctly characterize the wind resource and generation potential of a site ties directly to customer satisfaction, project performance, economic viability, and equipment durability is vital to the success of the program.

The quality of this assessment is directly related to the quality of funded projects, as well as public perception of the viability of distributed wind as a clean energy solution.

Program Requirements

The preferred provider shall provide on-line Screening and Advanced Analysis Tools that included estimated wind speed information for any New York locations, except Long Island east of New York City; incorporate information about site geography, terrain and localized obstructions to modify those wind speeds for site-specific conditions; and use the resulting wind resource information to generate estimated annual energy generation values for the selection of wind turbines that are eligible for incentive funding (in a timely manner, the tools must be made current whenever NYSERDA changes the selection of wind turbines that are eligible for incentive funding).

These assessment tools shall be capable of accomplishing the following:

- Publicly available wind resource characterization Screening Tool:
This shall be an on-line, web-based, map interface that provides high-level characterization of the wind resource available at a site. User inputs will be addresses or coordinates. This service would be publicly available for access and use by anyone interested - typically, the users of this service will be potential owners of an on-site wind turbine. The output of the tool would address:
 - The range of wind speeds expected at 60, 100 and 140 feet above ground
 - Qualitative assessment of how appropriate the location is for a small wind project, given the range of speeds estimated at 60, 100 and 140 feet above ground
 - Estimated annual energy output for a range of various sized turbines at 60, 100 and 140 feet above ground.
 - A wind rose, which will provide an estimate of the amount of energy from each directional sector at the proposed installation site graphically displaying the percent time and percent energy of the wind for the directional sectors divided into eight or sixteen sections.

- Site-specific wind resource characterization and performance Advanced Analysis Tool: An on-line, web-based detailed characterization of wind resource, energy generation potential and economics for specific sites. User inputs will be addresses or coordinates, along with heights and types of near-by obstructions. This assessment tool shall be available to NYSERDA's staff and its Eligible Installers. The tool output would address:
 - The wind resource available at a specific site, in consideration of localized terrain, vegetation and site obstructions, at one or more proposed tower heights
 - A wind rose, which will provide an estimate of the amount of energy from each directional sector at the proposed installation site graphically displaying the percent time and percent energy of the wind for the directional sectors divided into eight or sixteen sections.
 - Estimation of annual energy generation at the selected tower height(s) for one or more incentive-eligible wind turbines
 - The ability to generate a printable summary report (PDF) shall be available.

The wind assessment tool provider must provide all servers, internet connectivity, software, maintenance and technical phone support, which shall include, but is not limited to:

- Help desk support (for Advanced Analysis Tool only – may be limited to business hours)
- E-mail support
- Full web enabled help guide (including tutorials)
- A dedicated account manager to provide ongoing support and assistance
- Operating and training manuals, including any master manuals and applicable documentation for the system.
 - Describe proposer's ability to provide training to NYSERDA staff on the operation of the assessment tool, including use of the software applications, mapping and reporting.
 - Describe proposer's ability to provide on-going user-training on the use of the assessment tool to NYSERDA staff and its eligible installers.
 - The proposed schedule must include adequate time for testing and operations training by NYSERDA staff prior to first release.

NYSERDA anticipates that use is likely to be as follows; however, as the incentive program evolves, volume may change:

- Screening Tool: 0-20 users a day. Screening Tool must be publicly available to all users.
- Advanced Analysis Tool: 100-500 assessments per year. Advanced Assessment Tool may be access limited to NYSERDA staff and NYSERDA approved Eligible Installers.

Proposal Requirements

The proposal must be in the following format:

General Information

Responding proposers must include the following information with their response. If subcontractors are intended to be included as part of the proposer's team, include the following information for the subcontractor as well.

- Firm name, address, telephone and fax number
- Contact person with e-mail address and phone number (Project Manager)
- Federal Employer Identification Number
- Name and address of parent company (if applicable)
- Year that firm was established
- The location that will be leading this effort for your firm (if different than above)
- Number of employees in New York State and at lead location
- Primary business activity – be specific
- Other business activities related to this effort

Qualifications and Experience

In this section, proposers must summarize their understanding of the requirements of Category C of this RFP, the general approach to fulfilling them, and why NYSERDA should select the proposer's firm. The Qualifications and Experience section must contain the following components:

1. General Description: Provide a general description of the proposing firm (or proposing team) and the services that can be offered as a Wind Assessment Tool Provider. If you are proposing as a team, clearly indicate lead contact, subcontractors, team member roles, and their areas of expertise.

2. Experience and Qualifications: In this section, proposers must provide documented ability to perform the services as described under Category C of this RFP. Proposers should include a description of recent relevant activities that demonstrate that you have the capability to adequately perform the work described. The description should specify the level of involvement of the proposing firm, the results of the activity, and list the key personnel (who will also be involved in this effort) and their respective involvement.

Include a customer contact name and phone number for at least three (3) current or past customers as references.

Include one-page résumés for key personnel describing their relevant accomplishments and expertise. Describe the availability of any relevant equipment, software, or other capabilities.

Include a description of the proposer's current assessment tool(s), architecture of the tool(s) and proposer's approach to meet NYSERDA's needs as described in Category C of this RFP.

Provide a complete description of the assessment tool(s) as it relates to NYSERDA's requirements as specified in this section of this RFP. Include the following information:

- Provide an overview of the assessment tool's basic technology; detail any applicable licensing requirements
- Identify any third-party software products used within proposer's assessment tool configuration
- Describe how proposer plans to provide software upgrades and if upgrades are provided as part of routine, standard, annual maintenance
- Identify any additional capabilities proposer recommends
- Clearly indicate proposer's user requirements for the assessment tool and how the assessment tool would work for the various users that NYSERDA envisions as described in this section of this RFP
- Describe how the assessment tool will be installed and what operating systems are required to install and run the system
- Clearly identify user software and hardware requirements for both the Screening and Advanced Analysis Tools
- Describe proposer's network and application security, management and internal controls utilized to ensure data integrity, include information about data security, backup and recovery
- Provide a description of the initial training for users
 - Describe any operating and training manuals to be provided including a description of any master manuals and documentation for the software program
- Provide a complete description of all warranties that apply to the assessment tool, including the warranty period and the warranty terms
- Describe proposer's provided operations, maintenance and technical support and ability to respond to problems, including the following:
 - Online availability of support information
 - Telephone or email support
 - Remote-location troubleshooting capability
 - Identification of any local or other software support

- Identify proposer's expected response time to correct problems or answer questions for the following situations
 - System fails and goes down
 - System "bug" or problem exists, but system runs
 - NYSERDA requests a system upgrade or modification
 - Answering technical support questions
- Identify the major risks associated with this project. For each risk, identify those activities which can be undertaken to reduce, mitigate or eliminate the risk. Identify the associated responsibilities. Ensure that these activities are reflected in your project and management plans
- In addition to the specific service proposals specified above, identify and/or recommend any additional or innovative services and products provided by proposer's firm that may be related to or helpful to this web service. If there is a better way for NYSERDA to package or define the services that it has requested herein in order to obtain better pricing and/or service from respondent, please explain what modifications would be necessary to achieve such better pricing and/or service and the resultant better pricing and/or service.

3. Work Plan: In this section, provide a detailed work plan addressing the project description as described in this section of this RFP. Address all necessary work tasks in narrative form and prepare a project schedule showing the timeline for completion of the work. Indicate the firm's capability to complete the project within the desired time schedule. In particular, please indicate how soon, following a signed contract, can the tools be up and running.

4. Conflict of Interest: The Contractor and subcontractors must be free from any financial or similar interest in any product or service which may conflict with or appear to conflict with the objectivity of the services provided to NYSERDA. Please describe all of your product-, manufacturer- or service-related affiliations. If any affiliations exist, you must provide a statement verifying these affiliations will not conflict with the objectivity of providing services to NYSERDA and its customers. Non-disclosure of any affiliation can result in termination of a contract, if awarded. The identity of users of the tools, and the site addresses of interest being investigated by users of the tools, shall remain confidential.

5. Cost: Proposers must provide proposed pricing for development and use or licensing of the assessment tools. Clearly identify and itemize all pricing components.

- Provide the total cost associated with providing the Screening Tool and the Advanced Analysis Tool for use as described above through the end of 2015. NYSERDA intends to pay an annualized, fixed fee.
- Provide a breakdown of the costs associated with each major task included in the Work Plan.
- Provide a schedule of project personnel rates to support the costs provided, and to be used if additional work is needed.

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

- 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).
- 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 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.

6. Letters of Intent to Participate: If a subcontractor is listed as part of your team, a Letter of Intent to Participate from the subcontractor must be included as part of the proposal.

Proposal Evaluation

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

- Responsiveness to the RFP requirements;
- Qualifications and ability of the personnel/team;
- Experience and delivery of quality results for similar or related services;
- Suitability of the proposed assessment tool(s) for the desired purpose;
- Reasonableness of costs.

NYSERDA, through its TEP, will review and rank each proposal based on this evaluation criteria. The TEP will consist of NYSERDA staff and selected outside reviewers.

NYSERDA may request additional information from proposers prior to final selection. NYSERDA may invite the top ranked proposers to make a brief oral presentation and/or to participate in interviews, either in person or remotely.

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
<http://nyserdera.ny.gov/~media/Files/About/Contact/NYSERDARegulations.ashx>
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.ny.gov/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.ny.gov/pdf/current_forms/st/st220td_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.ny.gov/pdf/2006/illin/st/st220ca_606_fill_in.pdf).

The Department has developed guidance for contractors which is available at <http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf>.

Contract Award - NYSERDA anticipates making one or more 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 or budget. 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 8 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.

Attachments

Attachment A:	Proposal Checklist
Attachment B:	Disclosure of Prior Findings
Attachment C:	Sample Agreement
Attachment INS-1:	Statement of Work for Inspection Services
Attachment INS-2:	Inspection Service Cost Form
Attachment ADG-1:	Statement of Work for Technical Assistance Contractors
Attachment ADG-2:	ADG Project Personnel and Rate Form
Attachment Wind-1:	Statement of Work for Wind Resource Assessment Tool Provider