

"Residential Statewide Baseline Study" Request for Proposal (RFP) 2384 Up to \$2.25 million Available

Proposals Due: Thursday, January 19, 2012 by 5:00 PM Eastern Time\*

The New York State Energy Research and Development Authority (NYSERDA) requests proposals from organizations or individuals interested in conducting a statewide residential baseline study across a broad range of customer segments and energy measures.

NYSERDA, in collaboration with the New York State Evaluation Advisory Group (EAG) led by Department of Public Service Staff, will procure a contractor to conduct a comprehensive baseline study of the residential market for the following: 1) new and existing single family buildings (1-4 units), and 2) new and existing multifamily buildings (5 units or more), including dwelling units, common areas, and whole buildings. The overall objective of the study is to understand the residential building stock and associated energy use, including the saturations of energy consuming equipment (electric, gas, and other fuels) and the penetrations of energy efficient equipment, building characteristics and energy management practices. The study will also collect customer household and demographic information, which would be correlated with the energy usage features. Additionally, the study will assess the market for non-electric heating and water heating equipment to determine the baseline efficiency of equipment installed in New York. This information will be used to set more accurate baselines for incentive programs and to calculate savings.

Almost all of New York State residential energy users will be included in the scope of the residential baseline study. The selected contractor will be required to collect primary data areas across the state and utilize secondary data, where possible, from other recent research studies. NYSERDA may also direct the selected bidder undertake several optional tasks including potentially developing energy efficiency technical, economic and achievable potential estimates using the primary data collected to define the baseline.

Up to \$2.25 million will be made available to support this project, although substantial consideration will be given in proposal review to cost efficiency and competitiveness.

**Proposal Submission:** Proposers must submit ten (10) copies of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Also please submit an electronic version of the proposal on a CD-Rom in either Microsoft Word or PDF format, read able on Microsoft Windows XP Systems. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFP 2384 NYS Energy Research and Development Authority 17 Columbia Circle Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Carley Murray at (518) 862-1090, ext. 3277 or <a href="mailto:cm1@nyserda.org">cm1@nyserda.org</a>. If you have contractual questions concerning this solicitation, contact Elsyda Ahmed at (518) 862-1090, ext. 3232 or ela@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Carley Murray (Designated Contact) at (518) 862-1090, ext. 3277 or <a href="mailto:cm1@nyserda.org">cm1@nyserda.org</a>. 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 http://www.nyserda.ny.gov/.

## I. Introduction

On June 23, 2008, the New York State Public Service Commission (the Commission) issued an order creating an Energy Efficiency Portfolio Standard (EEPS) program for New York State to develop and encourage cost-effective energy efficiency over the long term, and adopted a goal of reducing electricity usage (as forecast in 2007) by 15% statewide by 2015. The EEPS program ordered by the Commission also included terms to promote the efficient use of natural gas. Details about the EEPS program can be found on the Commission's website (http://www.dps.state.ny.us/).

In its June 23, 2008 order, the Commission directed the six largest investor-owned electric utilities and the New York State Energy Research and Development Authority (NYSERDA) to submit for approval proposals for electric energy efficiency programs. During 2009, the Commission approved certain utility and NYSERDA administered electric programs for implementation during 2009 - 2011. The Commission also ordered the gas utilities serving more than 14,000 customers and NYSERDA to submit for approval proposals for gas energy efficiency programs. During 2009, the Commission approved certain utility and NYSERDA administered gas programs for implementation during 2009 - 2011.

To date, the Commission has approved over 100 EEPS gas and electric programs for implementation from over 10 EEPS program administrators. These programs were, for the most part, reauthorized for the four year period ending December 31, 2015 in the Commission's October 25, 2011 Order.

As part of the original June 23, 2008 Order, the Commission required that all gas and electric energy efficiency programs established under the EEPS proceeding be evaluated using the same evaluation protocols. In addition to programs using EEPS funds, NYSERDA has about 25 programs funded by the System Benefits Charge (SBC) that are also required to comport with EEPS evaluation guidelines. Details about the NYSERDA's SBC programs can be found on the NYSERDA web page (http://www.nyserda.ny.gov/).

At the direction of the Commission in the June 28, 2008 order, an Evaluation Advisory Group (EAG) was formed in July of 2008 to assist and advise Staff of the Department of Public Service (Staff) in developing evaluation protocols and in other critical evaluation and reporting issues. EAG participants consist of Staff, the gas and electric utilities, NYSERDA, NYPA, LIPA, state and local government agencies, energy efficiency experts, energy efficiency advocacy groups, and consumer and business advocates (member list available at: http://www.dps.state.ny.us/EAG\_Members.pdf).

# II. Project Requirements

NYSERDA, acting in collaboration with the New York State Evaluation Advisory Group (EAG) led by Department of Public Service Staff, will procure a contractor to conduct a comprehensive baseline study of the residential market for the following: 1) new and existing single family buildings (1-4 unit), and 2) new and existing multifamily buildings (5 or more units), including dwelling units, common areas, and whole buildings. The final results may be further disaggregated.

The overall objective of the study is to understand the residential building stock and associated energy use, including the saturations of energy consuming equipment (electric, gas, and other fuels) and the penetrations of energy efficient equipment, building characteristics and energy management practices. The study will also collect customer household and demographic information, which would be correlated with the energy usage features. Additionally, the study will assess the market for non-electric heating and water heating equipment to determine the baseline efficiency of equipment installed in New York. This information will be used to set more accurate baselines for incentive programs and to calculate savings.

Almost all of New York State residential energy users will be included in the scope of the residential baseline study. The selected contractor will be required to collect primary data areas across the state and utilize secondary data, where possible, from other recent research studies. NYSERDA may also direct the selected bidder undertake several optional tasks including potentially developing energy efficiency technical, economic and achievable potential estimates using the primary data collected to define the baseline.

## A. Services Requested

#### Overview

#### **Existing Buildings**

The project will include phone surveys and on-site visits for a representative sample of single (1-4 units) and multifamily (5+ units) residences throughout New York. With regard to multifamily buildings, only those tenant units that are individually metered or sub-metered will be included in this project. Master metered multifamily buildings will be part of a separate commercial baseline project. This study will assess residential single family and multifamily buildings, their energy-using equipment and appliances, with several characteristics including but not necessarily limited to:

- Existing inventory of primary HVAC and water heating equipment (for all heating fuels),including size, the
  rated efficiency, equipment age, water heater equipment type (tank, indirect, on-demand, etc), and for
  central A/C and air source heat pump location- size, the rated efficiency, duct location, presence of duct
  insulation, etc.
- Availability, type, efficiency, and utilization of secondary heating sources.
- HVAC controls, including type of thermostats, and especially with regard to programmable thermostats, and if they are used properly
- Lighting inventory, penetration of CFL lamps and fixtures, LEDs, occupancy sensors
- Customer supplied hours of operation and set points for all major energy-using equipment
- Household appliances (including refrigerators (primary & secondary), freezers, dehumidifiers, clothes washers, clothes dryers, dishwashers, wine coolers/chillers, room air conditioners) information including number of appliances, age, energy use, presence of ENERGY STAR, etc.
- Plug loads (including, but potentially not limited to, cable boxes, faxes, printers, computers, game systems, televisions, cell phone chargers, smart strips, portable phones, etc.) and the type of internet connection used in the home
- Building shell characteristics (type of construction, vintage, size, square footage, number and efficiency [U factor or panes] of windows, insulation, shell, stories, number of units, if multifamily, basement/crawlspace/slab, etc.)
- Conducting blower door tests, duct blaster tests (for homes with ductwork) and infrared camera tests of wall insulation [OPTIONAL, single family detached homes]
- Overall home energy usage correlated, when appropriate, with the above information.

#### **New Construction**

The project will include on-site visits to newly constructed and newly occupied single-family homes in New York. Single-family homes for this study include fully detached homes and semi detached (semi attached, side-by-side) row-houses and townhouses. In the case of attached units, each must be separated from the adjacent unit by a ground-to-roof wall and not share heating/air-conditioning systems.

On-site visits of residential single family new construction should include an updated energy rating for each home and include but may not be limited to:

- Recording key data on building shell characteristics including type of construction, size, square footage, number and efficiency [U factor or panes] of windows, insulation, shell, stories, basement/crawlspace/slab
- Conducting blower door tests, duct blaster tests (for homes with ductwork) and infrared camera tests of wall insulation

- Documenting primary HVAC and water heating equipment including size, the rated efficiency, equipment age, water heater equipment type (tank, indirect, on-demand, etc), and for central A/C and air source heat pump location- size, rated efficiency, duct location, presence of duct insulation, etc.
- Availability, type, and utilization of secondary heating sources, if applicable
- Inventory of HVAC controls, including type kinds of thermostats, and especially with regard to programmable thermostats, if they are used properly
- Lighting inventory, penetration of CFL lamps and fixtures, LEDs, occupancy sensors
- Customer supplied hours of operation and set points for all major energy- using equipment
- Inventory of household appliances (including primary and secondary refrigerators, freezers, dehumidifiers, clothes washers, clothes dryers, dishwashers, wine coolers, room air conditioners) information including number, age, energy use, presence of ENERGY STAR, etc.
- Plug loads (including, but potentially not limited to, cable boxes, faxes, printers, computers, game systems, televisions, cell phone chargers, smart strips, plug-in heaters, air ventilation systems, etc.) and the type of internet connection used in the home
- Overall home energy usage correlated, when appropriate, with the above information

For both existing buildings and new construction the sample size should not only be representative of the entire population but be large enough to be statistically viable for a range of approximately 4-8 possible geographic breakouts within the state for electric and natural gas customers. These geographic breakouts will be defined in at the project outset but could include the upstate, downstate, and western regions of New York as well as Long Island. Other space and water heating fuels (e.g., fuel oil, propane) should be represented in any sample populations at least proportionally to their overall representation in the state. Oversamples may be required to meet the need for statistically valid data for program impact evaluation and planning purposes for various forms of energy use, customer types, weather zones, etc.

Tasks and assistance that may be required of the selected contractor include, but are not limited to, those tasks described below. Some tasks are currently identified as "optional" within the services requested. Bidders should fully address these optional tasks, including pricing, within their proposals. NYSERDA and the other project collaborators will decide whether to move forward with the optional tasks during project initiation.

## Task 1: Review Existing Data

In order to maximize cost efficiency, prior to making any recommendations related to primary data collection, the selected contractor shall first review existing data sources available to potentially support the overall baseline study effort. Existing data sources include, but may not be limited to, program data, prior studies or utility customer data. Examples include the following:

- <u>Program Data</u>: 1- to 4-family comprehensive home assessment (CHA) data collected through NYSERDA's Home Performance with ENERGY STAR may be used to complement, or possibly replace, some data planned to be collected through this study.
- <u>Prior Studies:</u> Studies conducted or underway for NYSERDA's Energy Codes Program. These studies
  will include site visits to residential buildings to determine current practices and efficiency levels compared
  to the energy code in effect through December 31, 2010 and as of January 1, 2011. Data presented in
  these studies may provide guidance to the selected contractor and the EAG subcommittee regarding the
  incidence of code compliance in residential buildings and could be used in lieu of or leveraged with data
  collection contemplated through this RFP.
- <u>Utility Energy Usage Data:</u> Utility energy usage data, for electricity and natural gas, may be available to support sample development and stratification, analysis, and extrapolation of results.

Review of the available data, and discussions among NYSERDA, the EAG Statewide Study subcommittee and the selected contractor, will determine the ultimate feasibility of including existing data as part of this study. Issues such as data comparability, representativeness and timing should be considered in deciding whether existing data can be used to supplement or take the place of primary data collection.

The number of surveys and on-site visits that should be budgeted in responding to this RFP is listed under each task. However, the ultimate number of surveys/visits may change based on the findings from Task 1. Based on the outcome of Task 1, NYSERDA and the other project collaborators may elect to expand, contract or otherwise change some activities described in this RFP under tasks 2-8.

## Task 2: Sampling Design

After reviewing available secondary data, and once Task 1 is complete, the contractor will be directed to develop various sampling strategies that could be used for the remaining tasks. The contractor should weigh the costs and benefits of the different data collection methods (phone survey versus on-site visit), sample sizes and levels of desegregation when developing the sampling plans. The contractor should provide estimates of statistical precision that could be expected for each sampling strategy proposed. The contractor will develop detailed costs for the top three sample design strategies recommended for consideration by NYSERDA and the other project collaborators.

NYSERDA and the other project collaborators will carefully examine the suggested sample designs and associated costs for completing the remaining tasks and will determine which sampling approach is most appropriate for the study. NYSERDA reserves the right to terminate the project if the costs for completing the recommended sample designs exceed the available funding for the project.

In developing the sampling strategy recommendations and the final sample design, the Contractor will need to understand and address the complexity of designing an efficient and effective sample across multiple electric and natural gas utility service territories, weather zones, housing types, and addressing other heating fuels. For both existing buildings and new construction, the sample size should not only be representative of the entire population but be large enough to be statistically viable for a range of approximately 4-8 possible geographic breakouts within the state for electric and natural gas customers (e.g., Western, Upstate, Downstate and Long Island). Other space and water heating fuels (e.g., fuel oil, propane) should be represented in any sample populations at least proportionally to their overall representation in the state. Oversamples may be required to meet the need for statistically valid data for program impact evaluation and planning purposes for various forms of energy use, customer types, weather zones, etc.

## Task 3: Develop Work Plan

The selected contractor shall organize a kick-off meeting and provide a work plan detailing the process, timeline and cost for undertaking activities related to the residential baseline study, including, but not limited to:

- Recruitment survey for site visits
- Telephone survey of homeowners, tenants, dwelling occupants and property owners or managers
- Collecting field data through detailed audits of existing and newly constructed single family homes, existing multifamily homes and multifamily common areas
- Conducting interviews with heating and water heater equipment supply houses, heating contractors and plumbers
- Data analysis, report writing and presentation of results

All major deliverables (e.g., work plans, survey instruments, etc.) should be shared with the NYSERDA (and through NYSERDA with the other project collaborators) for review/approval before moving forward.

## Task 4: Conduct Telephone Survey

Telephone surveys should be conducted for a sample of existing and new construction residential single family and multifamily buildings. For single family and smaller multifamily (5-10 unit) dwellings, the homeowner or tenant will be surveyed, and for larger multifamily facilities, besides a sample of dwelling occupants, the property owner or manager should be interviewed. The sampling approach should be designed to achieve a minimum of 90% confidence levels with a precision of +/- 10% for each identified geographic breakout and housing type, as well as for high importance end uses such as central air conditioning and space heating equipment.

For the single-family survey, questions should inform equipment penetrations that are relevant to the technologies and the end-uses identified above, including efficiency level. Home characteristics, demographic (including income level) and attitudinal and behavioral information related to energy use should also be collected. Also, prior participation in energy efficiency programs should be identified.

For multifamily, in addition to facility size, the survey questions should collect building and end-use characteristics data. The survey should include, but may not be limited to, questions to determine:

- Facility make-up including number of buildings, number of floors, distribution and common characteristics
  of units, i.e., number and typical size of studio, one bedroom, two bedroom, square footage,
  basement/crawl/slab; age; etc.
- Occupancy;
- Main heating fuel and delivery system;
- Water heating fuel;
- Other fuels and their uses:
- Common or individual laundries:
- Common area attributes, i.e., tennis courts, health club, exercise facility, pool areas, clubhouses, etc.
- Other attitudinal and behavioral information of interest, including conservation behavior and attitudes, purchasing behavior, awareness of energy efficient technology, satisfaction with energy efficient technology;
- Past participation in energy efficiency programs;
- The desire for additional educational information among facility managers, and if so what types of information, and
- Common area efficiency practices.

For both single family and multifamily customers, questions pertaining to common market barriers (i.e. need for financing, lack of information, etc) and options for overcoming them should be included.

For the purposes of responding to this RFP, bidders should assume 1,500 single family telephone surveys randomly selected throughout the state. Multifamily interviews will be split between individual residents and property managers. Assume 200 property managers/building owners and 500 individual residents of housing units. These sample sizes may be altered, if needed, once a bidder is selected and work begins. Bidders should assume the phone survey will be approximately 20 minutes long. It is expected that a financial incentive will be necessary to garner customer participation in these surveys. Such financial incentives should be included in proposed budgets.

## Task 5: Conduct On-Site Survey

Task 5 involves on-site visits to a sub-sample of new and existing construction single family homes and multifamily buildings that were surveyed by telephone. For existing homes/buildings the on-site visits will be used to validate information collected over the phone using a nested sample approach, as well as collect more detailed information. The end-uses to be documented are noted below, with a listing of the minimum information that should be collected for each one. The selected contractor will be expected to propose a complete list to meet the project's requirements.

## Heating & Cooling Systems, Water Heaters, and Other Appliances

(Other appliances include washing machines, clothes dryers, dishwashers, refrigerator/freezers, stand-alone freezers, dehumidifiers, wine coolers, and room air conditioners)

- Ask the age of each appliance in dwelling unit (where applicable ask property manager or tenants in multifamily).
- Fuel type, including primary and secondary, will be noted from visual inspection and usage patterns from inquiry with owner.
- The manufacturer, model number and size will be taken from the nameplate when observable. Age should be estimated if required. Presence of ENERGY STAR should be noted and documented (e.g., photograph) if possible from observation.
- Ask number of cycles per week (for clothes washers, dryers, dishwashers), heating and AC usage patterns.
- Various features relating to energy efficiency will be noted such as the existence of a through the door water/ice dispenser for refrigerator freezers or insulation levels for water heaters.
- Ask about the presence of solar hot water heating system, and if appropriate, size, technology, working order, etc.

### Lighting

- Every lighting fixture, both hardwired and portable, should be inventoried by fixture type, including the number of lamps and lamp type.
- Light switches will also be checked for dimming capabilities and control schemes such as manual, timer, or 3-way.
- Ask about the hours of use for each fixture.

### Plug Loads

- Determine number of units and different types of home electronic and office equipment such as televisions, DVD players, battery chargers, cordless phones, audio equipment, set top boxes, smart strips, computers, fax machines and printers.
- Identify the occurrence of plug-in heaters, air ventilation systems (whole house systems), etc.
- Ask about hours of use for each.
- · Ask how often each is completely shut off.

### Windows

The contractor conducting the on-site visits will record the predominant window type (single, double, triple pane) and check for the existence of storm windows, low-E coating and, if possible, ask if they are gas filled.

### Insulation

The insulation levels of the floor, walls and attic will be obtained by visual inspection if possible. Efforts should be made to estimate the insulation levels through discussions with the contact and based on educated judgment (i.e. wall construction 2x4, 2x6, home age, etc.) when no visual observations are possible.

### Air Leakage Assessment

For new construction on-sites, the site work will include blower door tests, duct leakage testing and infrared scanning.

Provide blower door tests to assess air leakage and duct blaster test to assess duct leakage where appropriate for each existing single family home visited.

Recruitment of homeowners and property owners or managers for the on-site inspections shall be conducted in a manner that minimizes bias in the sample of homes/buildings selected. All recruiting must be done by personnel with a least one year's experience in data collection recruitment and must follow this protocol: in cases of answering machines or no answers, customers should be called back at least five times before moving on to the next name. At least three of these callbacks need to be on weekday evenings (6 p.m. to 9 p.m.) or on weekends. Recruiters shall provide NYSERDA with weekly reports of call disposition, including the number of calls made, refusals, ineligible customers, and customers awaiting callbacks.

For new construction, the customer lists will be developed from utility lists of new permanent service requests and existing program data. Utility or program data will be used to supplement Task 4 surveys or Task 5 site visit recruitment efforts as appropriate. While the utilities will clean these lists to the extent possible, eliminating names and addresses that clearly do not involve a new home, or are part of a large multifamily dwelling, it will be the contractor's responsibility, upon contacting a homeowner and property owners or managers, to ascertain that the home/building was completed within the past year and fits the parameters of this study.

If the on-site visit identifies any health or safety issues, the homeowner and property owners or managers must be notified by the contractor at the time of the visit, and then followed by a written notification. Personnel conducting the basic on-site visits must have proper training and experience to conduct a comprehensive assessment of the home. Completion of Home Energy Rating System (HERS) or Building Performance Institute (BPI) training programs or an equivalent is acceptable.

All homeowners, dwelling occupants, and property owners or managers shall be offered the option of scheduling their on-sites on weekdays, evenings, or weekends. We assume that an incentive will be necessary to have homeowners, dwelling occupants, and property owners or managers agree to participate in these on-site visits.

The winning bidder will be responsible for providing guidance on any incentives required to achieve project tasks such as on-site visits. Additionally, the contractor should have the capability of issuing such payments when applicable. Bidders should include costs for recruitment incentives in their bid price, but clearly identify the incentive as a separate line item. Any incentive payments made shall come out of the identified budget for this study.

For the purposes of responding to this RFP, assume 750 on site surveys selected throughout the state, with a split between 500 single and 250 multifamily dwellings units in 50 unique buildings. Additionally, at least 200 site visits will be made to new single family homes. These sample sizes may be altered, if needed, once a bidder is selected and work begins. It is expected that a financial incentive will be necessary to garner customer participation. Such financial incentives should be included in proposed budgets.

#### Task 6: Conduct Interviews with HVAC Equipment Dealers and Installers

The purpose of this research is to establish the baseline conditions for high-efficiency heating equipment in New York. The market characterization would describe where the market is now and what percent of the equipment being sold is currently high efficiency. Several levels of high efficiency would be parsed out if appropriate for the

technology/market being assessed. Attention should also be paid to units installed in multifamily units that are part of 1-4 unit projects or in town-house type configurations where individual units have their own heating systems. It is assumed that larger multifamily units will have central systems served by the commercial programs, and will not be a part of this assessment.

This research is intended to help inform sponsors of the market penetration for high efficiency residential furnaces, boilers and domestic hot water heaters. Market channels and specification practices for these technologies would also be characterized. This investigation would look at the market differences throughout the state for the geographic breakouts defined in the sampling design.

The contractor will conduct interviews with trade associations, manufacturers, distributors and contractors to determine the percentage of equipment that meets certain efficiency criteria, and determine if the market has been transformed for certain levels of efficiency. Also, the contractor should factor in current and future DOE standards/code changes for relevant equipment.

The purpose of the contractor interviews will be to determine the efficiency level of equipment currently being installed and gauge common practices in the HVAC installer and service market. Additionally, the interviews should assess levels of awareness with respect to problems resulting from over sizing, leaky ducts, air distribution system design, and charging deficiencies. Elements of common practice that will be explored include, but are not limited to:

- practice, techniques, and experiences with sizing new systems and retrofit systems;
- designing, installing, replacing, and fixing air distribution systems;
- · recommending and specifying system efficiencies; and
- diagnosing techniques for ensuring adequate system refrigerant charging.

For the purposes of responding to this RFP assume 60 interviews with HVAC Equipment Contractors, 10 Distributors, and 5 Manufacturers and 3 Trade Association Representatives.

## Task 7: Multifamily New Construction Assessment

The purpose of the Task 7 research would be to establish the baseline conditions for multifamily new construction buildings. Information collected during interviews and on-site visits should include, but may not be limited to:

- Facility make-up including number of buildings, number of direct metered and sub metered buildings, number of floors, distribution and common characteristics of units, i.e., number and typical size of studio, one bedroom, two bedroom, square footage, etc.; basement/crawl/slab
- Occupancy;
- Main heating fuel and delivery system;
- Water heating fuel;
- · Other fuels and their uses
- Tenant contribution to energy bills;
- Common or individual laundries;
- Common area attributes, i.e., tennis courts, health club, exercise facility, pool areas, clubhouses, etc.
- Other attitudinal and behavioral information of interest, including conservation behavior and attitudes, purchasing behavior, awareness of energy efficient technology, satisfaction with energy efficient technology;
- Common area efficiency practices

- · Building shell characteristics
- Lighting and appliance inventory
- Market barriers (i.e. need for financing, lack of information, etc) and options for overcoming them

For the purposes of responding to this RFP assume 25 building developer and/or owner interviews and on-site visits. The new multifamily projects included in the study should average 100 units per building/development.

# Task 8: Residential Potential Study [OPTIONAL]

The purpose of this task is to conduct a potential study of additional technical, economic and achievable residential energy efficiency opportunities in NY over the next 3 and 5 years. The objective will be to identify opportunities not yet identified and, if and where possible, to recommend programs or actions to pursue those opportunities found to be cost-effective.

- Conduct a detailed review of current efficiency program offerings including participation and savings data over the last 5-10 years (depending on what is available) as well as which technologies are available and most often installed through the existing programs.
- Survey a number of key players in the New York energy efficiency market to get their input on estimates of what potential is for various technologies and programs.
- Produce an up to date list of currently available and soon to be commercially available technologies which
  may play a part in future efficiency programs.
- Using the data collected from the previous tasks, estimate current saturations and penetrations of energy
  efficiency equipment identified above for both the new construction/time dependent as well as retrofit
  markets.
- Develop a simplified end-use model of state electricity and fuel and peak demand consumption by sector which can be used to true-up the estimates of technical potential against actual consumption. The utilities will provide sales for the residential sector.
- Assess the maximum technical potential for electricity and fuel over 3 and 5 years using the end-use model developed as a sanity check of the estimates.
- Estimate the economic potential for energy efficiency resources and the cost required to achieve that potential. The economic potential would be defined as what portion of the technical potential is cost effective and lower cost than supply.
- Using estimates of market acceptable developed from the interviews for this project, past achievements in New York and data from similar programs in other regions develop estimates of achievable potential under different resource levels (staffing, incentives, marketing, etc).
- Using the estimates of technical potential by technology, end-use group or customer segment develop cost
  of savings energy curves which identify the magnitude and cost of each measure or groups of similar
  measures of measures that can be delivered together. These estimates should be developed for threeyear and five-year periods.
- Provide a sensitivity analysis of energy efficiency savings to differences in the resource levels (staffing, incentives, marketing, etc.) of energy efficiency programs. This analysis should also attempt to estimate the likely level of achievement of the predicted potential in the absence of programs.

The final results of the projects should be available in an electronic Excel spreadsheet that can be distributed without any copyright protection.

In addition to the short-term potential study described above, NYSERDA, under RFP 2326 (Energy Efficiency and Renewable Energy Resources Potential Study), has competitively selected a contractor to analyze the long-term potential for energy efficiency and renewable energy technologies in NY over the next 10 to 20 years. Results of RFP 2326 will also be used to assist NYSERDA with evaluating the cost-effectiveness of energy efficiency and renewable energy technologies and programs, and assist State agencies with identify energy efficiency and renewable energy resource options.

The contractor selected under this RFP 2384 will review any findings from the aforementioned Energy Efficiency and Renewable Energy Resources Potential Study with NYSERDA in order to help ensure that the two efforts are optimally coordinated to inform the 2013 State Energy Plan and other portfolio planning objectives.

## **Project Deliverables**

Key deliverables to be completed by the selected contractor include, but may not be limited to the following. Each key deliverable shall be subject to review by NYSERDA and other project collaborators.

- Draft and final work plan
- Draft and final data input form for the on-site inspections
- Draft and final survey instruments and interview guides
- Cleaned and coded data files and data from site inspections
- Draft and final reports describing goals and objectives of the study, activities and methods undertaken, results and analysis of findings for all tasks
- Presentation of results to NYSERDA, DPS, the EAG and other stakeholders, as requested

The inspection data input form will be in spreadsheet format and contractors or subcontractors will be asked to submit all completed forms electronically at least once every two weeks. At the outset of the project each contractor involved with data collection will be asked to conduct one on-site visit and return the completed form to NYSERDA before conducting any additional on-site visits. After each contractor has submitted one completed form, NYSERDA and the Contractor team lead will review the submitted forms and discuss any needed revisions to the form with the contractors to ensure all contractors complete the forms consistently.

# Contractor's Responsibility

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

The selected contractor must assume overall responsibility for coordinating and conducting field work and surveys (whether done by the contractor or one or more subcontractors), analysis and reporting required by this RFP (whether or not done by the contractor or one or more subcontractors); adhering to proposed project budgets; and act as liaison with study sponsors as requested and have responsibility for completing the deliverables under the contract. To inform program planning, the New York State Energy Plan, and other programmatic efforts the contractor must complete the final baseline study report on or before December 31, 2013.

The selected contractor shall keep NYSERDA and project collaborators informed either by telephone, in-person meetings, or email, bi-weekly, on the progress of the baseline study. The selected contractor shall participate in meetings, as needed, with NYSERDA and the other project collaborators staffs. The selected contractor may utilize sub-contractors and or teaming arrangements as needed to fulfill the requirements of this RFP. If a team is proposed, respondents to this RFP must be able to demonstrate that they have or can create a teaming arrangement that is directly applicable and consistent with the baseline and potential study evaluation needs of this RFP. The primary contractor of the team shall be responsible for maintaining continuous correspondence with NYSERDA and the other project collaborators ensuring all deliverables are provided according to an approved time-line.

In any and all circumstances, study efforts shall be based on the following principles:

- The study shall ensure objectivity, fairness, and balance in terms of the types of data collected. Only those data deemed necessary for evaluation purposes shall be collected.
- The study shall be based on sound methodology, credible data and analysis, and adhere to the highest professional standards.
- Conclusions drawn from the study shall focus on establishing a baseline for residential building stock and associated energy.

The selected contractor shall employ good data documentation practice procedures to ensure that NYSERDA can replicate the study in the future and conduct comparisons of results and analyze changes over time. In addition the selected contractor shall provide all data sets from data collection activities. The structure and delivery of these data sets shall be determined upon further discussion between NYSERDA and the selected contractor.

# **NYSERDA Responsibility**

The NYSERDA Project Manager will be responsible for overseeing and managing all tasks undertaken by the selected contractor, including but not limited to reviewing, commenting and approving tasks and subsequent deliverables; coordinating with the project collaborators on such reviews and decision-making; promoting coordination between the selected contractor and various project stakeholders, as needed; and approving invoices promptly. The NYSERDA project manager's role will include facilitating input from other project collaborators and resolving any divergent opinions or input received.

## **Project Schedule**

This RFP outlines a major, comprehensive study effort that will take significant time to complete. Final study results need to be delivered and all work identified in this RFP completed no later than December 31, 2013. More aggressive schedules will be given special consideration during proposal evaluation as long as bidders present sufficient evidence that they possess and can dedicate the resources to accomplish the work on the time line proposed, and acknowledge the complexities and possible roadblocks that can arise in conducting a study of this magnitude. Proposals should include a detailed schedule, including dates by which the following major study milestones will be completed.

- Kick-off Meeting
- Review of Existing Data
- Sample Design
- Sample Selection and Survey Instrument Design
- Phone Surveys
- Site Surveys
- Vendor Surveys
- Draft Report
- Final Report and Data Delivery

## **Project Budget**

Up to \$2.25 million will be made available to support this project, although substantial consideration will be given in proposal review to cost efficiency and competitiveness.

The total funding available to support the services requested under this RFP and the utility service territories identified for this study, at this time, are subject to change based on the needs of NYSERDA and the DPS/EAG, programmatic responsibilities, and regulatory and legislative requirements. Bidders should include all costs associated with this RFP in their bid price.

In order to evaluate the cost component of each proposal, NYSERDA requires that a budget be developed that uses the sample sizes (shown in italics) for Tasks 3-7 in this RFP. However, these proposed sample sizes are for bidding purposes only. NYSERDA encourages bidders to make sample recommendations for each task, as appropriate, as well as the reasons and benefits for proposing such changes. If changes are suggested, a second budget also should be included that reflects the recommended sample sizes. The proposed budgets for Tasks 1, 2, and 8 should be included separately, including as much detail as possible. Total budget for all tasks, including those currently identified as optional, cannot exceed the \$2.25 million available to support this project.

## **Proposer Qualifications**

This study will require the selected contractor to become familiar with and fully understand the breadth and depth of the portfolio of NYSERDA and utility residential and multifamily programs, program and portfolio interactions and relationships, and utility territories. The selected contractor should plan on reviewing secondary data sources including evaluation reports that have been conducted for NYSERDA and utility programs. In addition, the contractor will be expected to be aware of any other NYSERDA or utility ongoing evaluations, be familiar with the evaluation guidelines developed by DPS staff and the EAG, and participate in program evaluation design and coordination activities.

The use of sub-contractors and or teaming arrangements as needed to fulfill the requirements of this RFP is appropriate and encouraged. If a team is proposed, respondents to this RFP must be able to demonstrate that they have or can create a teaming arrangement that is directly applicable and consistent with the baseline and potential study evaluation needs of the NYSERDA and other project collaborator programs and this RFP. The primary contractor of the team shall be responsible for maintaining continuous correspondence with NYSERDA and the other project collaborators and ensuring all deliverables are provided to NYSERDA according to an approved time-line line and meeting quality standards.

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

### Energy Program/Fuel Type Coverage

Must demonstrate the expertise or capability to evaluate various types of energy programs including
electric, natural gas, fuel oil and propane energy efficiency projects, electric demand reduction projects, as
well as on-site generation.

## Audience Coverage

Must have the experience and capability to work with, and conduct analysis for, a wide-variety of energy
users including, but not limited to residential customers (homeowners, renters, low-income households,
etc.), multifamily buildings (building owners, property managers, occupants, etc.).

# **Technical Support Requirements**

- Must be able to demonstrate technical expertise and capability to design study and evaluation plans and
  carry out all associated work. Past projects relevant to supporting knowledge and experience in baseline
  and potential study evaluation activities and field work experience shall be included and summarized in the
  proposal.
- Must be able to demonstrate technical expertise in survey and interview guide design and development through an understanding and application of survey design principles related to appropriate wording of

survey questions, length of survey, survey structure, etc. Past projects relevant to supporting knowledge and experience in survey design and development shall be included and summarized in the proposal.

- Statistical software expertise with SPSS or SAS. Must be able to demonstrate expertise in appropriate statistical analyses and interpretation of various statistical tests associated with survey or other data.
- Computer software proficiency in MS Excel, MS Access, MS PowerPoint, MS Word, etc.

## **Reporting Requirements**

- The primary contractor of the team shall be responsible for maintaining continuous correspondence with NYSERDA and the other project collaborators and ensuring all deliverables applicable to the contract are provided to NYSERDA according to an approved time-line line meeting quality standards; providing weekly/bi-weekly and/or monthly reporting of all activities pertaining to the contract as determined by the NYSERDA and the project collaborators. These status reports shall indicate what specific study efforts are underway, and progress made on those efforts including tracking against the schedule outlined in the detailed baseline and potential study evaluation plan and any subsequent work plans. These reports shall also detail any issues or problems that arise, and the contractor's proposed solution.
- Provide detailed and comprehensive reports on each project and major activity as it is completed. These reports shall provide supporting information that NYSERDA and project collaborators will need to conduct a detailed review of the data, analysis and conclusions.
- Provide reports on the results of each site visit conducted.

## III. Proposal Requirements

Proposers must submit ten (10) copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Proposal. In addition to the 10 paper copies, one digital copy of your proposal on a CD-ROM in either Microsoft Word or Portable Document Format (PDF) readable on Microsoft Windows XP Systems. A completed and signed Proposal Checklist must be attached as the front cover of your proposal, one of which must contain an original signature. Also please submit an electronic version of the proposal. Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist may be returned. Be sure that the individual signing the checklist is authorized to commit the proposer's organization to the proposal as submitted. Proposals that include teaming arrangements must designate one party as the lead contractor. Faxed or e-mailed copies will not be accepted.

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. The proposals should not exceed 22 pages, excluding the conflict of interest, cost proposal and appendices. Each page of the proposal should state the name of the proposer, the RFP number, and the page number. The proposal must be in the following format:

**Proposal Format** 

RFP 2325 Proposal Checklist (Attachment A)

Section 1: Introduction

Section 2: Statement of Work/Approach Section 3: Management Structure

Section 4: Qualifications, Experience, and References to Similar Projects

Section 5: Potential Conflict of Interest

Section 6: Cost Proposal

Appendices: Resumes of Key Personnel

Summaries of Relevant Work Products

Letters of Commitment

## **RFP 2384 Proposal Checklist**

The checklist is attached to this RFP. It must be attached to all 10 copies of the proposal. At least one copy must contain an original signature.

# Section 1: Introduction and General Information (2 pages)

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

## Section 2: Statement of Work/Approach (13 pages)

The Statement of Work must be consistent with the deliverables and schedule outlined in this RFP. Provide a plan of how you will assist NYSERDA in designing and implementing the baseline and potential study evaluation activities outlined in this RFP and a time-line for completing these activities. Provide a general description of how you will assess the baseline and potential of the NYSERDA and utility programs, consistent with the specific items listed in Section II A. Describe your approach and methodology, and define your rationale for both with reference to the range of methods available and how you would choose methods that are most appropriate. Describe the actions you will take to complete each task.

## Section 3: Management Structure (2 pages)

Proposers shall identify all team members, including the Principal or Lead contact, who will be responsible for ensuring that all deliverables and ultimate projects are timely and of good quality, as well as a backup lead person should this need arise. Provide a clear description of the roles and responsibilities of each key person in completing the work plan. Provide the names and addresses of subcontractors. Provide an organization chart and discuss how you would structure the team to efficiently and effectively meet the needs of NYSERDA and other project collaborators to conduct the baseline and the optional potential study evaluation activities covering a broad range of program types, sectors, program geographic regions, data inputs and analytical approaches. Describe how you plan to coordinate the design and implementation of the study among all team members/subcontractors and with NYSERDA. Discuss how you would manage and maintain flexibility to accommodate potentially short notification times and tight deadlines.

# Section 4: Qualifications, Experience, and References to Similar Projects (5 pages)

Describe specific experience pertaining to this type of baseline and potential study evaluation work. Discuss proposed teaming arrangements, if applicable. State the team's individual and combined expertise that would enable successful completion of the project. List and briefly describe relevant projects that have been completed by the proposer/proposing team. Include specific examples of prior work involving: expert baseline and potential study evaluation design, data collection including field work, data analysis, reporting of findings as well as interpretations and recommendations related to this work. Indicate which team members were responsible for each project element described. Resumes of all team members shall be provided in an appendix. Indicate the name and telephone number of at least three references for whom your organization, or proposed teaming arrangement if appropriate, has recently completed similar, relevant projects. Summaries of related work products and other supporting materials that demonstrate your ability to complete the work requested in this RFP may be submitted as attachments to your proposal.

## Section 5: Potential Conflict of Interest (1 page)

Identify the nature of any potential conflicts of interest among team members in providing services to NYSERDA under this RFP. Fully discuss possible conflicts of interest, actual and perceived, which could arise in connection

with performance by team members of the proposed contract. Describe how your firm would resolve conflicts of interest.

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

### **Section 6: Cost Proposal**

While NYSERDA is making a total of up to \$2.25 million available to support this project, substantial consideration will be given to cost-efficiency and competitive pricing in the proposal review and scoring.

Using the Attachment C Contract Pricing Proposal Form (CPPF) as a template, submit the name, title, and hourly rate for the project for each individual proposed to perform the work outlined in Section II Project Requirements, Subsection A, Services Requested (including all subcontractor personnel). Use the CPPF to provide overhead multipliers for the duration of the project.

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

- 1. Describe the basis for the rates proposed (*i.e.*, based on prior period actual results; based on projections; based on federal government or other independently approved rates).
- 2. If rate(s) is approved by an independent organization, such as the federal government, provide a copy of such approval.
- 3. If rate(s) is based on estimated costs or prior period actual results, include calculations to support proposed rate(s). Calculation should provide enough information for NYSERDA to evaluate and confirm that the rate(s) are consistent with generally accepted accounting principles for indirect costs.

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

Additionally, if there are any significant direct costs associated with conducting the on-site field work requested in this RFP, please provide a detailed schedule of those costs in your proposal.

Separate from the CPPF form, bidders should provide an overall cost per task for each task listed in the Services Requested section of this RFP. For tasks 4-7, bidders should also separately indicate the cost-per-complete for each survey/interview/site visit conducted. The cost should be inclusive of only data collection/data entry, and exclusive of survey instrument development and data analysis. Additionally, separate pricing (total dollar value to complete) should be provided for any tasks or task elements identified as "optional" in this RFP.

### **Appendices**

Materials to be submitted include:

- Resumes of key personnel that will complete the tasks described in "Section II.A: Project Requirements Services Requested."
- Summaries of related work products that demonstrate your ability to conduct large scale baseline and
  potential study evaluation activities that demonstrate your capability to perform the tasks that would be
  identified in such a strategy.
- Letters of Commitment from any subcontractors.

## **Proposal Evaluation**

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

## Responsiveness to the Work Scope of the RFP

- Does the proposer present a sound approach for accomplishing the objectives of this RFP?
- Is there a sound rationale or justification for the proposed approach(es)?
- Is the approach in alignment with best practices and protocols of evaluation? Does it build upon the prior work of NYSERDA or utilities in this area? Does it present new innovative approaches that could be applied?
- Has the proposer demonstrated a clear understanding of the project goals and objectives?
- Does the proposer appear to have the flexibility to accommodate potentially short notification times and tight deadlines?
- Is the proposed schedule for completing the study timely and realistic?
- Has the proposer demonstrated a thorough understanding of NYSERDA and New York utility energy efficiency programs?
- Is there clear evidence that the proposer possesses the capability to conduct large scale studies involving comparable primary data collection, and present information in clear and concise reports?
- Is the Statement of Work thorough, specific, and consistent with the stated objectives?

### Relevant Experience and Qualifications

- Are key personnel's education and experience relevant to project needs?
- Is the project staff's overall capability appropriate?
- Does the proposing team have experience in conducting similar baseline study/potential study projects?
- Does the proposing team have experience in conducting on-site metering and monitoring data collection?
- Does the proposing team have the technical expertise in survey and interview guide design and implementation as well as statistical software applications?
- What is the quality of the project staff's performance on past projects or their achievements related to the proposed work?
- Does the proposer have the technical expertise to understand and synthesize findings generated from the primary and secondary data sources envisioned in this project?

#### Comprehensiveness of Approach and Management Plan

- Does the proposer demonstrate the ability to complete all aspects of the project?
- Has the proposer demonstrated the ability to institute appropriate data collection and analysis procedures (including statistical analysis software programs and building energy simulations modeling)?
- Are appropriate management and coordination strategies articulated?
- Are sufficient resources being devoted to the project?
- Does the proposer demonstrate dedication to this project by key personnel?
- Is the project organization, including the staffing plan, clear and well-defined?

- Does the proposer describe a quality control strategy for key project elements such as data collection, data analysis and reporting?
- Is the staffing plan sufficient to provide timely deliverables?
- Is there one team member designated as the day-to-day NYSERDA contact and is there an informed and involved backup lead person designated should the need for this arise?

#### Cost

- How cost-effective is the proposal overall?
- Are hourly rates, overhead rates, indirect cost, other cost multipliers, and total hours reasonable and appropriate for the proposer's and subcontractor's personnel completing the tasks?
- If any direct costs are associated with the on-site metering and monitoring work, how competitive are they?
- Are the survey/interview costs-per-complete reasonable and competitive?
- Are the proposer's and subcontractor's rates cost effective when compared to comparable proposals?

#### Other

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

## **Procurement Lobbying Requirements**

## Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k

Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The text of the laws is available at: <a href="http://www.nyserda.ny.gov/en/About/New-York-State-Regulations.aspx">http://www.nyserda.ny.gov/en/About/New-York-State-Regulations.aspx</a>. 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.

## **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 <u>substantial injury to the competitive position</u> 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://www.nyserda.ny.gov/About/New-York-State-Regulations.aspx. 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 <a href="http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html">http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html</a>

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 <a href="http://www.tax.ny.gov/pdf/current\_forms/st/st220td\_fill\_in.pdf">http://www.tax.ny.gov/pdf/current\_forms/st/st220td\_fill\_in.pdf</a>). 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 <a href="http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf">http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf</a>.

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 ten (10) 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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#### IV. Attachments

Attachment A - Proposal Checklist

Attachment B - Disclosure of Prior Findings of Non-responsibility

Attachment C - Contract Proposal Pricing Form and Instructions

Attachment D - Intent to Propose

Attachment E - Sample Agreement