



Program Implementation Services for Residential Programs
Request for Proposal (RFP) 2470

Home Performance with ENERGY STAR® and EmPower New York

Proposals Due: March 29, 2012 by 5:00 PM Eastern Time*

The New York State Energy Research and Development Authority (NYSEERDA) requests proposals from interested parties to provide implementation services for the Home Performance with ENERGY STAR® (HPwES) and EmPower New York (EmPower) programs which provide energy efficiency services to existing residential buildings in New York State. The objective of this Request for Proposals (RFP) is to award two separate contracts, one implementation contract for each Program, for an initial contract term of twenty-five (25) months beginning June 1, 2012. After the initial term, each contract may be renewed annually, at NYSEERDA option, through June 30, 2016.

Proposers may provide proposals for both HPwES and EmPower or provide a single proposal for only one of the Programs. However, NYSEERDA will not award contracts for both Programs to the same Proposer. Proposals for HPwES and EmPower must be submitted separately.

The successful proposers to this RFP will be responsible for continuing the Program Implementation services currently being provided without disruption or lapses. The passing of the implementation services to the successful proposers will require a transition period of 90 days or more from the start of the contract. The successful proposer must assume sole and full responsibility of Program Implementation by the end of the transition period.

Proposal Submission: Proposers must submit ten (10) hard copies and one (1) electronic copy on CD of the proposal for each Program with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature for each Program. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFP 2470
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact David Friello at (518) 862-1090, ext. 3355 or daf@nyserda.org. 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 David Friello at (518) 862-1090, ext. 3355 or daf@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 will be returned. Incomplete proposals may be subject to disqualification. It is the bidder's responsibility to ensure that all pages have been included in the proposal. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSEERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSEERDA's web site at www.nyserda.ny.gov.**

I. Introduction

The New York State Energy Research and Development Authority (NYSERDA) is a public benefit corporation established pursuant to Title 9 of Article 8 of the Public Authorities Law of the State of New York. NYSEDA's principal mission is to develop innovative solutions to some of the State's most difficult energy and environmental problems.

Pursuant to a January 30, 1998 Order of the New York State Public Service Commission (PSC), NYSEDA became the administrator of statewide public benefit programs funded by the system benefits charge (SBC). In Opinion No. 98-3, the PSC established a system for funding public benefit programs for energy efficiency, research, demonstration and development, low-income services, and environmental protection. The PSC issued an *Order Continuing and Expanding the System Benefits Charge for Public Benefits Programs* on January 26, 2001. On December 21, 2005, the PSC issued the *Order Continuing the System Benefits Charge (SBC) and the SBC-Funded Public Benefits Programs*. PSC Orders on June 23, 2008, January 4, 2010, and October 25, 2011 further expanded many of NYSEDA's SBC-funded programs to include funding from New York's "15 by 15" initiative, collectively known as the Energy Efficiency Portfolio Standard (EEPS). NYSEDA's EEPS programs are currently funded through December 31, 2015.

Definitions for terms used in this RFP

Participating Contractors: Home Performance contractors with an active Partnership Agreement with NYSEDA to provide energy efficiency services through HPwES or EmPower.

Program Partners: Other organizations under contract with or providing services for NYSEDA as noted below.

Scope of Work: A list of proposed energy efficiency measures established through a comprehensive home assessment or energy audit by the Participating Contractors to be installed in a customer's residence.

Program Implementer: The proposers awarded a competitively selected contract through this RFP.

Background

Home Performance with ENERGY STAR® (HPwES)

HPwES began in 2001 as an effort to transform the New York existing homes energy-efficiency marketplace through a comprehensive "house-as-a-system" concept, supported by a growing infrastructure for contractor training and certification. NYSEDA provides comprehensive consumer and contractor marketing campaigns and incentives aimed at overcoming market barriers.

This Program is designed to create a "one-stop" shopping experience for New Yorkers who are considering energy-efficiency improvements for their existing one-to-four family homes. The same contractor who performs the Comprehensive Home Energy Assessment (energy audit) also schedules and completes the work; however portions of the job scope may also be sub-contracted. Over 43,000 households have been served through December 31, 2011.

Green Jobs - Green New York is a statewide program to promote energy efficiency and the installation of clean technologies to reduce energy costs and greenhouse gas emissions. Green Jobs – Green New York (GJGNY) is administered by NYSEDA and made available by the Green Jobs – Green New York Act of 2009. The free and reduced-cost home energy audits and low-interest financing components of the GJGNY program are fully integrated into the HPwES program.

Since inception of the free or reduced cost audit component of HPwES, approximately 20,000 audit applications have been received and more than 13,000 audits have been completed. Approximately 30% of audits result in contracted work through the HPwES Program.

Through December 2011, over 1,650 GJGNY loans have been approved, with interest rates ranging from 3.49% to 3.99%. Of those loans approved, 909 loans have closed, valued at nearly \$7.8 million. Loan origination services were competitively selected through RFP 1235 and are currently provided by Energy Finance Solutions. NYSERDA may issue a Program Opportunity Notice in 2012 inviting additional lending institutions to provide loan origination services. The selected Program Implementer would be required to coordinate services with selected loan originators.

Assisted Home Performance with ENERGY STAR (AHPwES)

An innovative element to the HPwES Program is the availability of financial incentives for households with income at or below 80% of the State Median Income (SMI) or Area Median Income (AMI), whichever is greater.

Currently, income eligible households can receive AHPwES incentives totaling 50% of the project cost up to \$5,000 for single-family homes and up to \$10,000 for two-to-four unit buildings with two or more eligible households. Income verification services are provided by a third party.

Additional information on HPwES, AHPwES and the financing programs, is available at our Web site www.nyserdera.ny.gov/residential.

Program materials, including the current policy and procedures manual, may be obtained by contacting David Friello at (518) 862-1090 ext. 3355 or via e-mail at daf@nyserdera.org.

EmPower New York

EmPower New York (EmPower) began in 2004 and is NYSERDA’s residential low-income energy efficiency program serving households at or below 60% State Median Income (SMI) or customers of a participating utility’s payment assistance program. The Program focuses on cost-effective Electric Reduction (ER) measures such as lighting and refrigerator replacements, as well as cost-effective Home Performance (HP) measures such as insulation and air sealing. Energy related health and safety measures are also addressed as appropriate. Participating Contractors deliver on-site energy use education and provides household members with additional strategies for managing their energy costs. Energy education workshops are available in locations across the state. EmPower serves both homeowners and tenants in buildings with up to 100 units. Over 58,000 households have been served through December 31, 2011.

Additional information on EmPower is available at NYSERDA’s Web site www.nyserdera.ny.gov/residential.

Program materials, including the current policy and procedures manual, may be obtained by contacting David Friello at (518) 862-1090 ext. 3355 or via e-mail at daf@nyserdera.org.

General Information about the Programs

Table 1 below provides a summary of HPwES and EmPower program eligibility by income.

Table 1: *Program Availability by Income Level*

Program	Less than 60%	Greater than 60%, but Less than 80%	Greater than 80%
EmPower New York	YES	NO	NO
Assisted Home Performance	YES, at Customer option	YES	NO
Home Performance/GJGNY	YES, at Customer option	YES, at Customer Option	YES

For both Home Performance with ENERGY STAR and EmPower New York

All Participating Contractors in the HPwES and EmPower programs must be accredited and their staff certified by the Building Performance Institute (BPI), a national resource and independent third party for building science

technology that sets the standards for assessing and improving the energy performance of homes (www.bpi.org). Participating Contractors must maintain BPI accreditation and staff certification to continue to participate in the Program. The HPwES and EmPower programs place a strong emphasis on building science technology, health and safety, utilizing energy modeling software, and tailoring sales and marketing techniques to the residential contracting business.

The successful proposer to either HPwES or EmPower will be required to coordinate their implementation activities with a number of Program Partners who provide support roles in both Programs. These Program Partners have a substantial impact on the success of NYSERDA's residential energy efficiency services. The current Program Partner Team includes:

- NYSERDA's Third Party Quality Assurance (QA) Contractor;
- NYSERDA's Marketing Contractor;
- Owners and developers of NYSERDA approved energy modeling software;
- NYSERDA sponsored Clean Energy Training Program providers.
- NYSERDA's Financing Contractors/Partners, currently Energy Finance Solutions and Concord Servicing Corporation, **New York Energy \$martsm** Loan Fund Participating Lenders and participating AHPwES lenders;
- Building Performance Institute;
- Trade Allies such as the Building Performance Contractors Association of NYS and Efficiency First;
- The **New York Energy \$martsm Communities (NYE\$C)** Service and Support Contractor, and the **NYE\$C** coordinators;
- New York State Weatherization Director's Association (NYSWDA);
- Green Jobs Green New York Community Outreach Coordinators and other Community Based Organizations; and
- Participating Utilities:
 - Central Hudson Gas & Electric Corp.
 - Consolidated Edison Company of New York Inc.
 - Keyspan Energy Delivery Long Island (National Grid) - Downstate
 - Keyspan Energy Delivery New York (National Grid) – Downstate
 - Long Island Power Authority
 - National Grid (Niagara Mohawk Power Corp.) - Upstate
 - National Fuel Gas Distribution Corp.
 - New York State Electric & Gas Corp.
 - Orange and Rockland Utilities, Inc.
 - Rochester Gas & Electric Corp.

Production

In 2011, Home Performance with ENERGY STAR served a total of 6,847 households at an average cost of \$7,750, with a total value of work of \$53.1 million. This includes 2,426 Assisted Home Performance with ENERGY STAR projects, with a total value of \$17.6 million. It is anticipated that the initial twenty five month contract period, the Program will serve an estimated 20,000 households. Historically, approximately 30% of projects have been Assisted Home Performance projects.

In 2011, EmPower New York served a total of 9,500 households at an average cost of \$1,715, which includes 3,560 home performance and 5,940 electric reduction only projects with incentives totaling over \$16.3 million. It is anticipated that during the initial twenty five month contract period, EmPower will serve an estimated 30,000 households, which includes approximately 12,000 home performance and 18,000 electric reduction only projects. Beginning January 1, 2012, NYSERDA anticipates a \$37.5 million EmPower implementation and incentive budget annually through December 31, 2015.

II. Program Requirements

RFP 2470 seeks to obtain two separate Program Implementers who, under the guidance and direction of NYSERDA, will have responsibility for the implementation of either the Home Performance with ENERGY STAR including its low-income component, Assisted Home Performance with ENERGY STAR or the EmPower New York program. The successful proposers will be required to manage referrals and the delivery of services through the network of Participating BPI-accredited Contractors, monitor delivery of services for timeliness and quality, review invoices for services delivered, and follow-up on quality issues identified by the Quality Assurance (QA) Contractor. A separate solicitation(s) will be issued to select a QA Contractor for one or both Programs.

The successful proposers to this RFP will be responsible for continuing the Program Implementation services currently being provided without disruption or lapses. The passing of the implementation services to the successful proposers will require a transition period of 90 days or more from the start of the contract. The successful proposer must assume sole and full responsibility of Program Implementation by the end of the transition period.

Successful proposers to this RFP must demonstrate their ability to provide at a minimum the services outlined in this section. Please read carefully, some tasks are required for both the implementation of HPwES and EmPower and others for only one Program and are indicated as such. NYSERDA has final responsibility for the Program and all the activities and materials involved in the implementation of both Programs are subject to NYSERDA review and approval.

Task 1: Program Policy, Procedures, and Design

For both Home Performance with ENERGY STAR and EmPower New York

Sub-Task 1.1: Program Manual and Documents

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall work with NYSERDA to keep the Policy and Procedure Manuals and other Program Documentation accurate and current.

Deliverables:

The Program Implementer shall:

- Elicit input and feedback about the Program, on an ongoing basis, from the Program Partners and Participating Contractors;
- Suggest modifications of the current Program Policy and Procedures Manual and other Documents as needed by the Program. All updates and modifications require approval by NYSERDA;
- Upon direction from NYSERDA, provide Program updates to Participating Contractors and Program Partners;
- Ensure that all updated documents are used.

Sub-Task 1.2: Ongoing Refinements of Program Procedures

For both Home Performance with ENERGY STAR and EmPower New York

Working with NYSERDA, the Program Implementer shall continue to develop and propose new and refined methods to: (1) streamline and improve the efficiency of Program processes and procedures; (2) reduce operational costs; (3) achieve the Program's goals; and (4) increase the productivity of Program Implementer staff, Participating Contractors and Program Partners. The Program Implementer shall make recommendations designed to improve Program activities related to training, certification, accreditation, participation, production, incentive administration, QA follow-up, Quality Control (QC), partner coordination and overall communication with the various stakeholders.

The Program Implementer shall elicit on an ongoing basis the feedback from Program Partners, Participating Contractors, and other relevant organizations on the development of new or refined implementation processes.

The Program Implementer shall work with NYSERDA to incorporate new technologies, creative incentive structures, and other innovations to advance the effectiveness of the Programs.

Deliverables:

The Program Implementer shall:

- Provide recommendations to NYSERDA on potential refinements to Program implementation processes as needed;
- Participate in and contribute to all implementation meetings as directed by NYSERDA;
- Implement new technologies, standards, incentive systems, business techniques, and other refinements into the Program as authorized by NYSERDA;
- Submit a year-end report which shall summarize improvements implemented over the previous year and identify any additional opportunities for improvement.

Task 2: Infrastructure and Program Development

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall assume primary responsibility for infrastructure development and maintenance of a network of Participating Contractors for both Programs and appliance vendors for EmPower by, assisting prospective Participating Contractors to complete their training needs, acquire the BPI certification and accreditation required for Program participation, and provide detailed and up-to-date programmatic information. These activities shall include, but are not limited to:

- Recruitment of Contractors in coordination with NYSERDA’s Marketing and Workforce Development teams, GJGNY Community Based Organizations, and ENERGY \$mart Community Coordinators;
- Provide programmatic and technical support necessary to ensure that Participating Contractors can effectively communicate the advantages and benefits of the Program and to become proficient at delivering Program services to consumers;
- Communicate the advantages and benefits of the comprehensive “House as a System” business model to prospective Contractors;
- Assist prospective Contractors in the administrative aspects of joining the Program and provide guidance on the training that is required or available;
- Provide guidance and assistance in the BPI accreditation and staff certification process;
- Encourage Participating Contractors to provide comprehensive services either through expansion of their offerings or through effective partnerships.

Deliverables:

The Program Implementer shall:

- Develop and maintain a network of qualified contractors and vendors capable of providing adequate services to households throughout the state according to timelines of Program and as directed by NYSERDA;
- Provide NYSERDA with timely information regarding potential vendors and contractors;
- Assist in the preparation of the NYSERDA Partnership Agreement and related documentation;
- Coordinate ongoing training, technical, and Program support as needed to complete successful, energy efficiency retrofit work in homes and to capitalize on the Program incentive offerings;
- Ensure that standards are followed by Participating Contractors

Task 3: Provide Support Services to Participating Contractors

Sub-task 3.1 Programmatic Support

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall provide comprehensive programmatic support services to Participating Contractors, including, but not limited to:

- Assist Participating Contractors in meeting Program participation requirements by ensuring that those requirements are reasonable and clearly spelled out and ensure Participating Contractors have ready access to all Program information;
- Incentive (Invoice) processing assistance;
- Review existing and potential eligible measures, provide technical review, and assist with dispute resolution upon request of NYSERDA.

NYSERDA will provide 30 days advanced notice of Program changes whenever feasible.

Deliverables:

The Program Implementer shall:

- Provide Program participation, compliance and incentive processing assistance;
- Provide up-to-date information on changes and revisions to Program technical standards;
- Provide regular Program announcements distributed to Program Partners and Participating Contractors;
- Provide NYSERDA participant feedback on programmatic issues;
- Provide assistance resolving customer service issues within Program limitations.

Sub-task 3.2 Technical Support

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall be responsible for providing targeted in-field training and enhanced building science technical assistance to Participating Contractors. The Program Implementer shall identify, prioritize, and coordinate the delivery of this in-field assistance utilizing data from QA inspections, QC staff, Program Partners, participant requests for assistance, and feedback from Program Implementation staff. Technical training curricula topics may include, but not be limited to; air sealing, advanced framing, HVAC systems (e.g. equipment sizing and duct design), duct installation, and dense pack cellulose applications.

To assist Participating Contractors, the Program Implementer shall employ staff strategically located throughout the state who can develop and implement training and technical services in conjunction with Program Partners.

The Program Implementer shall assist Participating Contractors in identifying the appropriate diagnostic equipment necessary to perform Program required building diagnostics.

Deliverables:

The Program Implementer shall:

- Provide feedback on Program training needs for potential and current Participating Contractors, to Program Partners;
- Provide targeted in-field training and enhanced building science technical assistance to Participating Contractors based on feedback from NYSERDA, QA inspections, QC staff, Program Partners, participant requests for assistance, and Program Implementation staff;
- Provide in-field technical support for Participating Contractors facing challenging or unfamiliar health and safety requirements or measure recommendations;
- Provide staff with the expertise to develop and implement training and technical services in conjunction with Program Partners and in response to the needs of Participating Contractors;
- Assist Participating Contractors in identifying the appropriate diagnostic equipment necessary to perform Program required building diagnostics.

Sub-task 3.3 Marketing and Outreach

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall support NYSERDA staff with the review and development of marketing strategies and materials to support the Program.

Deliverables:

The Program Implementer shall:

- Attend meetings and review and provide input for marketing and outreach materials as requested by NYSERDA;

Sub-task 3.3.1 EmPower Outreach

For EmPower New York Only

The Program Implementer, under direction and guidance from NYSERDA, shall conduct outreach to Offices for the Aging, Departments of Social Services, Weatherization Agencies, Community Based Organizations, and other potential organizations for referrals of low-income households to EmPower. The Program Implementer shall be responsible for ensuring completeness of such referrals. The Program Implementer shall send applications to potential participants upon request.

NYSERDA is currently developing a plan to allow Participating Contractors to provide customer outreach and recruitment activities. The Program Implementer shall assist NYSERDA in the development and refinement of this plan.

Deliverables:

The Program Implementer shall:

- Conduct outreach to all county Offices for the Aging, Weatherization Assistance Program agencies, NYS Division of Housing and Community Renewal's Rural and Neighborhood Preservation Companies, and other agencies on a monthly basis at minimum;
- Provide appropriate referral and marketing materials and contact numbers to all such agencies;
- Mail letters requesting further information regarding landlords to all tenants in situations where measures under consideration require landlord permission, but such information is incomplete;
- Mail cover letters and initial landlord permission forms to all landlords in situations where measures under consideration require landlord permission, within 10 days of receipt of complete landlord information;
- Mail follow-up documents within 30 days in situations where no landlord response has been received;
- Assist NYSERDA in the development and refinement of a Program policy allowing Participating Contractors to provide customer outreach and recruitment activities;
- Provide monthly reports of outreach activities;
- Use outreach and marketing materials as appropriate.

Sub-task 3.4 Software Support

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall coordinate with software providers of energy modeling software product approved or under review for use in the Program. Currently, the Program has approved the use of TREAT, Real Home Analyzer, and Recurve energy modeling software. The Program Implementer shall coordinate between software developers and Participating Contractors for the purchase of approved software.

When necessary, the Program Implementer shall coordinate with the software provider(s) in developing a plan and a timeline for delivering software training to Participating Contractors on the most current version or future updates of the software and shall provide monthly progress reports to NYSERDA.

The Program Implementer shall provide ongoing software support, through its software support personnel, field staff, and training and technical assistance personnel, to supplement the support provided by the software's owner.

The Program Implementer shall provide energy modeling support to Participating Contractors for approved energy modeling software.

For EmPower New York only (in addition to the above)

NYSERDA currently owns and utilizes EmPCalc, an Excel based energy analysis tool, for EmPower. The Program Implementer shall maintain and update EmPCalc as necessary and provide ongoing support and training to Participating Contractors.

Deliverables:

The Program Implementer shall:

- Coordinate with NYSERDA to provide software training to Participating Contractors and Program Partners as needed;
- Modify their Program database to allow files using only the most current version of approved software to be uploaded;
- Provide a timeline and plan for integrating newly approved energy modeling software for the Program;
- Provide monthly progress reports on the integration plan for the Program approved energy modeling software, including milestones met and challenges encountered;

For EmPower New York only (in addition to the above)

- Maintain and update EmPCalc as needed.

Sub-task 3.5 Coordination with the Building Performance Institute

For Home Performance with ENERGY STAR Only

The Program Implementer shall meet with the management of BPI to discuss the procedures by which the Program Implementer and BPI shall coordinate Program-related activities. This coordination shall include, but not be limited to, monthly meetings with BPI and monthly reporting between the Program Implementer and BPI with regard to individual technicians in the process of becoming BPI-Certified, and firms moving towards or seeking BPI accreditation.

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall provide BPI, as needed, with information on jobs completed through the Program that BPI may use to verify its own reports on Participating Contractor activity.

The Program Implementer shall request from BPI timely information on any changes in status of individuals certified or firms accredited who are Participating Contractors. This information shall include notice of technicians and contracting firms who have received the certifications or accreditation needed to participate in the Program, and notice of any disciplinary action undertaken by BPI on any of these technicians or contracting firms that may affect the participation status of technicians or firms performing work in the Program.

The Program Implementer shall inform BPI and NYSERDA of relevant information on technician or Participating Contractor actions to support BPI's QA program.

If during the course of this contract, BPI creates new certifications or standards that relate to the Program, the Program Implementer shall work with BPI and NYSERDA to ensure that these standards are applicable and practical. The Program Implementer shall coordinate with BPI to ensure that proper training on any new certification or standard is available to Participating Contractors.

Deliverables:

The Program Implementer shall:

- Coordinate meetings with BPI as necessary to provide regular exchanges of relevant information with BPI;
- Provide technical assistance to BPI in developing future certifications and standards, as approved by NYSERDA;
- Coordinate with BPI and NYSERDA to refine the process of incorporating new certifications and standards into the Program, including:
 - Coordinate with BPI on establishing clear definition of new certifications and standards,

- Develop appropriate procedures and timelines to incorporate new BPI certifications or standards into the Program in a timely and effective manner.

Task 4 Program Referrals

For EmPower New York only

Sub-task 4.1 – Web-Based Referral and Project Tracking System

For EmPower New York only

The Program Implementer will be required to have the means to log, store and track referrals from utilities and other sources electronically on an ongoing basis. In some situations these referrals may come electronically from utility systems. Other referrals may come in hardcopy and data will need to be entered into the electronic referral database. The Program Implementer must maintain electronic records of all electronic and paper referrals from utilities, and all complete applications received from community based organizations, or directly from participations. Upon request the Program Implementer shall provide updated information on the status and count of such referrals by referral source.

A web-based project tracking system has been developed by NYSERDA for use in tracking customers accepted for energy services through EmPower. This module is part of a larger web-based information system known as the Comprehensive Residential Information System (CRIS). The Program Implementer will be responsible for working with NYSERDA to provide input for further refinements to this system. The Program Implementer will be responsible for uploading customer information and energy usage into CRIS. Currently energy usage information is electronically transferred directly from multiple utilities and it is expected that the Program Implementer will assist NYSERDA in developing similar procedures with other utilities. In situations where the customer uses non-utility fuels (delivered) or when direct transfer is not available from a utility, the Program Implementer will be responsible for collecting and entering energy usage data into CRIS.

Deliverables:

The Program Implementer shall:

- Provide a system for accepting, receiving, and electronically storing information on referrals from all sources;
- Have the ability to electronically store all referral data regardless of acceptance into the Program;
- Enter all approved referrals into CRIS;
- Enter energy usage information into CRIS unless unavailable;
- Timely and accurately update of all information into CRIS;
- Participate in meetings related to the further development of CRIS, as requested by NYSERDA;
- Work with NYSERDA to develop a periodic report tracking referrals received by each utility;
- Provide reports to CBO's and Utilities regarding the status of referrals upon request.

Sub-Task 4.2 - Utility Referrals

For EmPower New York only

The Program Implementer shall send referral households an Energy Services Application with a cover letter explaining the possible availability of no-cost energy efficiency services within seven days of receipt of a referral. Responses to the Energy Services Application and energy usage information shall be used to prioritize households for receipt of energy efficiency services. Referred customers who fail to respond to a first mailing of the Energy Services Application must be sent a second mailing within 60 days. In situations where potential measures require prior consent from a landlord, the Program Implementer shall obtain a signed Landlord Energy Services Agreement prior to contractor referral.

Deliverables

The Program Implementer shall:

- Mail applications and cover letters within ten business of receipt of referrals;

- Mail second applications and cover letters to non-responsive referral households within 60 days of initial referral;
- Electronically documentation of above mailings;
- Mail letters requesting further information regarding landlords to all tenants in situations where measures under consideration require landlord permission, but such information is incomplete;
- Mail cover letters and initial landlord permission forms to all landlords in situations where measures under consideration require landlord permission, within 10 days of receipt of complete landlord information.

Sub-Task 4.3 - Direct Customer Referrals

For EmPower New York only

Households interested in services through EmPower may submit applications and income documentation directly to the Program Implementer. The Program Implementer shall make available a toll free number for customer service during normal business hours, and have personnel available to respond to calls from customers, mail applications as requested to customers, and review applications and income documentation submitted through this process.

Deliverables:

The Program Implementer shall:

- Mail applications to all households requesting application within 10 business days of request;
- Review of all applications within 10 business days of receipt., including evaluation of income eligibility documentation;
- Mail letters requesting landlord information to tenants in situations where measures under consideration require landlord permission;
- Mail cover letters and initial landlord permission forms to all landlords in situations where measures under consideration require landlord permission, within 10 days of receipt of complete landlord information.

Sub-Task 4.4 - Emergency referrals

For EmPower New York only

While EmPower is not an emergency program, occasional referrals require immediate attention and may include situations in which households are without heat, hot water or refrigeration. The Program Implementer shall be required to work with referral entities to ensure that referrals are appropriate, to verify customer eligibility, to evaluate the urgency of specific situations, to ensure adequate contractor response, and to coordinate funding and assistance with other sources such as WAP and HEAP. The Program Implementer must ensure that all such responses are appropriately documented.

Deliverables:

The Program Implementer shall:

- Provide immediate response to all situations in which potentially life-threatening situations exist;
- Evaluate the potential risks in other emergency situations within 24 hours;
- Provide appropriate referrals to organizations dealing with emergency situations;
- Respond within 48 hours in situations where EmPower contractors provide emergency services.

Sub-Task 4.5 - Balancing the Referrals

For EmPower New York only

The Program Implementer shall be responsible for balancing the referrals made from each source within parameters established by NYSERDA to ensure that adequate levels of service are being provided to the various service targets.

Deliverables:

The Program Implementer shall:

- Provide reports indicating balance of referral provided upon request by NYSERDA.

Sub-task 4.6 – Referral Incentive

For EmPower New York only

The Program Implementer shall work with NYSERDA and Participating Contractors to develop and implement an innovative incentive structure for referrals made to the Program.

Task 5.1 – Home Performance with ENERGY STAR: Delivery of Energy Efficiency Services

Sub-Task 5.1.1 – Program Incentive Administration

Home Performance with ENERGY STAR only

The Program Implementer shall establish a system for reviewing eligibility for incentives and GJGNY loans based on the criteria established by NYSERDA. The Program Implementer shall process and track Participating Contractor and consumer incentives. The Program Implementer shall also have the capability to verify that there are no duplicate incentive claims being processed, including incentives being claimed by similar energy efficiency programs.

The Program Implementer shall have the capability to electronically manage and process all current Program incentives and shall adapt the system, as needed, to process and track new incentives added in the future. Incentives are paid from various funding sources and must be tracked and invoiced appropriately. The Program Implementer shall refine the process for administration and tracking of Program incentives as the Program evolves and expands over the course of the contract period. The Program Implementer shall develop and maintain a system of electronic and human review processes to minimize errors.

The Program Implementer shall verify the accuracy of incentive claims before submitting the invoices to NYSERDA for approval and payment and also verify that contractors receiving incentives are in compliance with all Program participation requirements, and are in good standing in the Program. The Program Implementer shall submit High Efficiency Measure Incentives (HEMI) and Home Performance with ENERGY STAR Home Assessment claims to NYSERDA bi-weekly (every two weeks) and Participating Contractor incentive claims monthly. If additional incentives are added in the future, the Program Implementer shall work with NYSERDA to develop an appropriate review and incentive submission process.

The Program Implementer shall review the energy model, Scope of Work and other project documentation to determine project and incentive eligibility. This includes, but is not limited to cost-effectiveness of the project, the installation of eligible measures, and that energy savings are adequate. In the case of Assisted HPwES subsidies, or HPwES Program loans the Program Implementer shall not approve a Scope of Work unless the finance entity has issued a subsidy, or loan, pre-approval to the homeowner. The Program Implementer shall closely coordinate with the Program Financing Partners to provide information necessary to process loans and Assisted subsidies.

Deliverables:

The Program Implementer shall:

- Review all incentive requests to ensure compliance with the Program requirements prior to submitting to NYSERDA for payment;
- Assign and track all projects to the appropriate funding source(s);
- Refine the processing and administration of Program incentives as the Program evolves and expands over the course of the contract period;
- Coordinate with Program Partners to process Program incentives such as AHPwES subsidies and consumer financing products;
- Assist NYSERDA in ensuring the Program is compliant with rules established under the Energy Efficiency Portfolio Standard.

Sub-task 5.1.2 - GJGNY Free/Reduced-cost Comprehensive Home Energy Assessment (Energy Audit)

Home Performance with ENERGY STAR only

The Program Implementer shall provide Program support for energy audit application processing, contractor audit claim, audit data upload, and audit incentive processing and tracking.

Deliverables:

The Program Implementer shall:

- Process energy audit applications within 48 hours of receipt;
- Provide energy audit application contractor and customer support;
- Provide Participating Contractors with the ability to claim energy audit reservation numbers;
- Provide Participating Contractors with the ability to upload completed energy audit information;
- Provide Participating Contractors with the ability to claim energy audit incentives;
- Process and submit to NYSERDA, in an approved format, energy audit contractor incentives bi-weekly (every two weeks).

Task 5.2 - EmPower New York: Delivery of Energy Efficiency Services

Sub-task 5.2.1 – Review of Energy Services Application and Prioritization of Services

For EmPower New York only

The Program Implementer shall review all Energy Services Applications submitted. The Program Implementer shall determine in this review which households present the greatest need for service and opportunity for cost-effective energy efficiency services according to guidelines developed by NYSERDA. The Program Implementer shall prioritize households for service based on this information. If a referral is deemed acceptable for the Program, the Program Implementer will enter customer data into the EmPower database. The Program Implementer must provide for timely referral, evaluation and contractor assignment on a continuing basis.

Deliverables:

The Program Implementer shall:

- Provide services that accurately triage customers for energy services;
- Provide accurate and complete data entry into CRIS on a timely basis.

Sub-Task 5.2.2 - Assignment of Work

For EmPower New York only

The Program Implementer shall use CRIS to assign all households prioritized for energy efficiency services to a Participating Contractor. The Program Implementer must maintain a process for equitable assignment of customers to Participating Contractors based on geography, current backlog and capabilities. The Participating Contractor shall accept or reject the assignment in CRIS within ten days. In the event that the Participating Contractor does not provide a timely response, the Program Implementer must reassign the project to another Participating Contractor.

Deliverables:

The Program Implementer shall:

- Provide equitable assignments of households to Participating Contractors, based on geographic territory, existing backlog and current levels of contractor performance;
- Review households referred to each Participating Contractor weekly to ensure timely response.

Sub-Task 5.2.3 - Customer Communications

For EmPower New York only

The Program Implementer shall be responsible to ensure that necessary communications to participating households take place. The Program Implementer shall send each household accepted into the Program a letter confirming acceptance and identifying the name and phone number of both the Program Implementer and the Participating Contractor assigned to the work. The Program Implementer shall ensure that the Participating Contractor contacts the customer to schedule the energy audit, and provides the customer with appropriate scheduling information, including notification of any changes in scheduling. The Program Implementer shall have personnel available to respond to customer issues related to work in progress on a timely basis.

Deliverables:

The Program Implementer shall:

- Develop and implement a process of notification of customers within three days of the time that contractors are assigned;
- Develop and implement a process for notification of customers when no further services will be provided.

Sub-Task 5.2.4 - Review of Scope of Work

For EmPower New York only

The Participating Contractor shall be responsible for Scope of Work development based on on-site inspections and appropriate auditing tools. At the time of the audit a number of pre-approved measures, such as the installation of compact fluorescent lights (CFLs), may be installed. The Program Implementer must review all Scopes of Work and ensure that they meet the standards and goals of the Program. If the Program Implementer determines the Scope of Work is acceptable, they shall finalize the cost of the work. If the Program Implementer determines the Scope of Work is unacceptable, they shall contact the Participating Contractor to discuss the deficiencies and remedy them.

A landlord investment may be required when the eligible household is a tenant. In situations where the work is being performed in coordination with the Weatherization Assistance Program, the Weatherization Agency is typically responsible for obtaining the landlord agreements. In all other situations the Program Implementer is responsible for obtaining a signed landlord agreement for the landlord contribution.

The Program Implementer shall be responsible to ensure that overall Scope of Work costs are consistent with Program goals.

Deliverables:

The Program Implementer shall:

- Review proposed Scope of Work to determine appropriateness for the Program;
- Assist NYSERDA in ensuring the Program is compliant with rules established under the Energy Efficiency Portfolio Standard.

Sub-Task 5.2.5 - Monitoring and Oversight of Work in Progress

For EmPower New York only

The Program Implementer shall develop and maintain systems for ensuring that Participating Contractors complete all work in a timely manner, including tracking all energy services job assignments, communicating changes in status, reviewing progress on a weekly basis to ensure that production goals are on target, and reassigning work in situations where the Participating Contractor is not providing service in a timely manner. The work must normally be completed within 90 days of referral to contractor.

Deliverables:

The Program Implementer shall:

- Review proposed Scope of Work for compliance with Program requirements and goals, cost-effectiveness requirements, accurate application of on-site diagnostic testing, and optimal selection of effective energy saving strategies;

- Assist NYSERDA in ensuring the Program is compliant with rules established under the Energy Efficiency Portfolio Standard;
- Conduct weekly project status reviews of production with each Participating Contractor;
- Set production goals for each Participating Contractor that allows for timely provision of services to all households;
- Collect and file Program documents, including signed permission forms, energy audit forms, customer correspondence and all other job-specific documents related to the work;
- Provide NYSERDA with weekly production status reports;
- Provide timely communication to Participating Contractors, Participating Contractors, NYSERDA, and other partners;
- Ensure timely and accurate completion of work;
- Provide services through EmPower to an estimated 30,000 households, which includes approximately 12,000 home performance projects at an average cost of \$3,500 per unit and 18,000 electric reduction only projects at an average cost of \$900 per unit.

Sub-Task 5.2.6 - Energy Use Education Packet

For EmPower New York only

The Program Implementer shall send each household referred by a utility and not approved for energy services through EmPower an energy use education packet. This packet will include educational materials developed by NYSERDA, CFLs and other energy efficiency items to be determined by NYSERDA and the Program Implementer.

NYSERDA anticipates the need to send up to 11,000 energy use education packets annually at a cost of \$30 each. Separate incentive funding has been established to provide for these costs. Proposers should not include these as part of their proposed budget.

Sub-Task 5.2.7 - On-Site Energy Use Education

For EmPower New York only

The Program Implementer shall ensure that on-site energy use education is delivered to all households receiving energy efficiency services. It is anticipated that the on-site energy use education shall be conducted in the home by a member of the Participating Contractor's team, at the time on-site inspection or efficiency services are being delivered. The Program Implementer shall be responsible for ensuring that each Participating Contractor has staff trained using the most up-to-date curriculum and shall provide training as needed. The Program Implementer shall ensure that on-site education is conducted according to Program guidelines.

The Program Implementer shall periodically review and recommend revisions to the curriculum for NYSERDA's approval.

Task 6: Incentive Processing

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall review all incentive payments submitted by Participating Contractors and customers for work performed through the Program. Program Implementer must verify eligibility for the incentive, verify Scope of Work and pricing, ensure that all appropriate paperwork has been received, and update the tracking database, including cost and savings data. If the request for incentive payment is incomplete or unacceptable, the Program Implementer shall address any issues with the Participating Contractor. If the request for incentive payments meets Program standards, the Program Implementer shall forward copies of the payment request to NYSERDA, recommend approval of payment, and track the status.

The Program Implementer shall be responsible to review and recommend for approval all payment requests within a reasonable timeframe to be negotiated. NYSERDA shall then make payments directly to the Participating Contractor, Program Partner, or customer as appropriate.

The Program Implementer shall be responsible to submit incentive requests in a format approved by NYSERDA. Currently, this is done electronically using Excel for batch importing into the NYSERDA financial system.

The Program Implementer shall be responsible to provide Participating Contractors a summary of payment requests submitted to NYSERDA.

Deliverables:

The Program Implementer shall:

- Submit requests for incentive payments to NYSERDA in the required format within the required timeframe;
- Provide a system for tracking Participating Contractor invoices;
- Assist in tracking invoices upon the request of Participating Contractors or NYSERDA.

Task 7: Coordination with Quality Assurance (QA) Contractor and Quality Control (QC)

For both Home Performance with ENERGY STAR and EmPower New York

NYSERDA defines “Quality Control” (QC) as the process of ensuring the quality of work in progress, and “Quality Assurance” (QA) as the process of evaluating the quality of completed work. The Program Implementer is responsible for QC. In addition, the Program Implementer is responsible to respond to the issues that arise during the QA inspections and ultimately for ensuring the quality of completed work.

Sub-task 7.1 Coordination with QA Contractor

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall coordinate with NYSERDA's QA Contractor and NYSERDA regarding ongoing refinement of the QA system, and on data exchange processes that are consistent with established and evolving Program guidelines.

The Program Implementer shall, on a weekly basis or as agreed with NYSERDA, provide electronic data on project approvals, completion documents, and customer data that the QA Contractor will need for scheduling QA inspections, notifying Participating Contractors of scheduled inspections, and verifying work scopes for projects.

The Program Implementer shall, on a weekly basis or as agreed with NYSERDA, provide the data required for the QA Contractor to schedule inspections.

The Program Implementer shall coordinate with NYSERDA and the QA Contractor to develop a system for importing QA inspection findings on a weekly or more frequent basis directly into the Program Implementer's data systems.

The Program Implementer shall track project failures and deficiencies reported by the QA Contractor, and report the status of resolutions to NYSERDA and the QA Contractor on a monthly basis.

The Program Implementer will develop database systems to receive required electronic data from the QA Contractor. Based on the analysis of this data, the Program Implementer will develop and deliver technical assistance to Participating Contractors.

The Program Implementer shall meet regularly with the QA Contractor to exchange pertinent information necessary for the development and administration of complementary QA and QC processes, and provide timely feedback to NYSERDA.

Deliverables:

The Program Implementer shall:

- Coordinate with the QA Contractor and NYSERDA relating to ongoing refinement of QA data exchange processes and inspection procedures;

- Provide the QA Contractor, with electronic data on project approvals, completion documents, and customer data required for conducting QA activities;
- Provide the QA Contractor, with electronic data on production site information required for scheduling QA inspections and notifying Participating Contractors of scheduled inspections;
- Develop and maintain an electronic information exchange system that allows the QA Contractor to provide QA inspection findings to the Program Implementer in a format that allows data to be entered directly into the Program Implementer's data system;
- Develop and maintain a tracking system capable of tracking project failures and deficiencies reported by the QA Contractor and reporting the status of resolutions to NYSERDA and the QA Contractor;
- Coordinate monthly meetings with the QA Contractor to exchange pertinent QA/QC information;
- Provide complete and appropriate feedback to NYSERDA and the QA Contractor on Program compliance and other relevant issues;
- Provide technical assistance to Participating Contractors based on the analysis of QA data supplied by the QA contractor.

Sub-task 7.2 Quality Control

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall provide comprehensive QC services to ensure that deficiencies/violations reported by the QA Contractor are tracked and resolved in a timely manner. The Program Implementer shall also be responsible for facilitating and tracking the remedial QA activity associated with projects that do not meet Program requirements and/or receive a failing QA score. However, in instances where serious health and safety issues are found, NYSERDA requires the QA Contractor to resolve these issues immediately.

The Program Implementer shall contact the Participating Contractor upon a report from the QA Contractor of a failing score or Program deficiency/ violation. The Program Implementer shall follow-up with written documentation via email or fax to the Participating Contractor describing the conditions that are not in compliance and the steps required to correct those issues.

The Program Implementer shall follow-up and follow-through with the Participating Contractor and customer to ensure appropriate and necessary remedial actions have taken place. The Program Implementer shall require the Participating Contractor to sign the appropriate documentation, which verifies that the corrective action has been performed pursuant to the QA Inspection report. The Participating Contractor, before returning the form, must also obtain the customer's signature, attesting to the fact that the listed work was performed to the customer's satisfaction.

The Program Implementer shall conduct field inspections as necessary to verify the completion of the remedial action and to confirm that the project has come into Program compliance.

The Program Implementer shall report to NYSERDA and the QA Contractor the status of the remediation activity on a weekly or more frequent basis as agreed with NYSERDA.

The Program Implementer shall maintain a data system to track the status of each deficiency and/or violations reported by the QA Contractor, and provide updated reports to NYSERDA and the QA Contractor as requested.

The Program Implementer shall submit a plan for NYSERDA's approval outlining Quality Control objectives and procedures including but not limited to: QC inspections or observation of energy audits and work performed by Participating Contractors; an inspection of an agreed upon number of projects by new Participating Contractors prior to completion; provision of on-site feed back to Participating Contractors; notification of discrepancies and remediation actions; and documentation of QC findings.

The primary responsibility for resolving customer service issues lies with the Participating Contractor. The Program Implementer shall support the efforts of the Participating Contractors in equitably resolving customer service issues.

Deliverables:

The Program Implementer shall:

- Develop and maintain a comprehensive QC process to ensure that deficiencies/violations reported by the QA Contractor are tracked and resolved in a timely manner;
- Develop a plan for outlining QC objectives and procedures for NYSERDA's approval;
- Initiate contact with Participating Contractors upon notification from the QA Contractor of a failing score or Program deficiency/violation;
- Initiate follow-up and follow-through with the Participating Contractor and customer to ensure that in the event of a failing score or Program deficiency/violation both parties are kept informed of the remedial actions necessary;
- Verify, in the event of a failing score or Program deficiency/violation, that the necessary remedial action has been completed and that the project has come into Program compliance;
- Maintain a system that tracks the status of each deficiency and/or violation reported by the QA Contractor and provide updated reports to NYSERDA and the QA Contractor as requested. Notify NYSERDA of any systematic Program non-compliance or bad faith behavior by Participating Contractors and provide recommended disciplinary actions related to these activities in a timely manner;
- Provide reports to NYSERDA and the QA Contractor on the status of remediation activity as agreed with NYSERDA;
- Work in conjunction with NYSERDA and BPI to develop and refine a system of reporting where BPI is notified of Participating Contractors who are found to be in violation of BPI standards;
- Provide QC services, including recommendations based on the findings of the QA Contractor and enforcement of appropriate disciplinary actions, including probation, suspension, and termination.

Task 8: Data Management

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall track all activities for the Programs using a comprehensive electronic database system approved by NYSERDA. At a minimum, the system shall store information uploaded from approved modeling software, other data obtained from Program Partners, and data generated from internal processing and operations. NYSERDA, at its discretion, may choose to manage the Program data systems in the future. In this event, the Program Implementer shall work with NYSERDA and NYSERDA's software vendor to transition the Program data from its comprehensive electronic data tracking and reporting system to the new NYSERDA data tracking and reporting system.

The Program Implementer shall develop data extracts in collaboration with NYSERDA, and shall deliver it to NYSERDA's secure file server or upload on a daily basis for integration with NYSERDA's Comprehensive Residential Information System (CRIS). The CRIS extract shall contain the details of all Program activity as defined by NYSERDA. The Program Implementer shall modify the format, contents, and delivery schedule of the CRIS extract as dictated by Program changes, or at NYSERDA's direction.

The Program Implementer shall coordinate with NYSERDA to provide the technical support necessary to ensure the efficient and accurate migration of Program data to the CRIS database.

The Program Implementer shall work with NYSERDA to streamline and automate Program implementation processes, including project approval, incentive processing, recordkeeping, and metric reporting.

Deliverables:

The Program Implementer shall:

- Maintain a system to track all activities for the Program using a comprehensive electronic database system approved by NYSERDA;
- Ensure that data is maintained, communicated and stored so it is readily available for Program review and evaluation;
- Provide data extract containing required metrics, in a NYSERDA approved format, to the CRIS database. Extracts are to be delivered daily or upon request, using secured file transfer utility provided by NYSERDA;

- Provide technical support as necessary to facilitate an efficient and seamless interaction between the CRIS database and the Program Implementer's database system;
- Perform ongoing data quality review and detailed tests of the data exported to NYSERDA;
- Provide support to transition Program database management to NYSERDA's new data tracking and reporting system, if needed.

Task 9: Field Staff Capabilities

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall provide dedicated New York State-based field staff fully versed in the policy and procedures of the Program. The Program Implementer shall ensure that its existing field and administrative staff, and any new staff hired during the course of this contract, are fully versed on current and new policies, procedures, and marketing activities impacting the Program in order to provide timely and accurate updates to Program Partners and Participating Contractors.

The Program Implementer shall provide capable, experienced technical field staff that is provided with information, training, and equipment necessary to ensure compliance with the Program, including BPI standards. Technical field staff shall cost-effectively provide services across all 62 counties of New York State.

Deliverables:

The Program Implementer shall:

- Provide dedicated field staff fully versed in the policy and procedures of the Program;
- Provide sufficient field staff, strategically located throughout the state, to achieve the necessary levels of Program support to all areas of the state;
- Provide ongoing in-house training for technical field personnel in such areas as: infrared scans, diagnostic equipment testing, building diagnostics, and relevant computer software;
- Provide ongoing in-house training technical, administrative, or marketing approaches change to ensure that the Program Implementer's staff knowledge of the Program remains current;
- Ensure that Program Implementer field personnel receive ongoing training from recognized experts and through attendance at trade conferences.

Task 10: Reporting

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall assemble, from its own records and from reports from the various Program Partners, the data necessary to produce the required Program metrics, and report these metrics to NYSERDA monthly, quarterly, annually, and/or ad hoc as required.

The Program Implementer shall collect, review data quality and analyze data to track the results of the Program and its impact on the market. NYSERDA may request that the Program Implementer provide Program data to NYSERDA and Evaluation Contractors to perform evaluation studies, respond to data requests or conduct ad hoc analyses. In addition, the Program Implementer shall have the ability to conduct and shall work with NYSERDA to provide the data necessary to conduct the total resource cost test. The Program Implementer shall seek opportunities to incorporate new key market indicators into the data collection plan in order to better assess progress toward Program goals.

The Program Implementer shall seek review and approval of the data collection and analysis methodologies from NYSERDA, as appropriate.

Deliverables:

The Program Implementer shall:

- Provide Program metrics and Task progress reports, including existing and new key performance indicators, to NYSERDA in an approved format;

- Provide ad-hoc analysis and reports, necessary to assist NYSERDA with evaluation of Program performance;
- In coordination with NYSERDA, collect metrics from Program Partners, as necessary.

Sub-Task 10.1: Coordination of Weekly, Monthly, Quarterly Progress Reports and Final Report

For both Home Performance with ENERGY STAR and EmPower New York

The Program Implementer shall assemble all data required to produce weekly, monthly, quarterly, annual and the final reports for the Program, and shall send these reports, in approved formats, to NYSERDA in accordance with the required reporting schedule. The Program Implementer shall provide metrics in the progress reports including, but not limited to: Program budget status; participation statistics; participation incentives paid by type and funding; co-funding of energy efficiency measures; electricity and natural gas savings by utility; other fuel savings, and number of installed measures.

The Program Implementer shall, at NYSERDA's request, modify these reports and develop new reports to provide information on any Program changes or additions to this scope of work that may be undertaken during the course of this contract including, but not limited to reports detailing the impact of different funding sources on Program activity (e.g., energy savings, incentive costs, Program costs).

Deliverables:

The Program Implementer shall:

- Deliver Weekly, Monthly, Quarterly, and Annual Progress Reports, for the Program, to be reported in the approved format, according to the following schedule:
 - Weekly reports, as necessary, shall be due close-of-business Monday.
 - Monthly progress reports shall be due within 10 days after the previous month's activities.
 - Cumulative Quarterly reports shall be due within 15 days after the end of the previous quarter
- Deliver annual reports in a form and on a timetable to be mutually agreed upon;
- Deliver a final report on the Program following completion of the contract in a form and on a timetable to be mutually agreed upon;
- Modify existing reports, and develop additional reports, with input and guidance from NYSERDA to accommodate Program changes.

Budget:

The following **annual** budget and Full Time Equivalent (FTE) staff figures are based on previous Program performance and expected ramp-up of production for 2012 to 2015 and should be considered in the preparation of the proposer's statement of work and budget. Proposers are required to prepare a budget for the initial twenty-five (25) month term.

Home Performance with ENERGY STAR

The program implementation and incentive budget for HPwES is estimated to be \$26.1 million annually through 2015, an increase of 55% from 2011. An additional total of \$8.2 million is available for free or reduced cost home energy assessments. The current contract supports approximately 35 FTEs and Proposers are encouraged to identify opportunities for cost savings and efficiencies in developing their proposals.

EmPower New York

The program implementation and incentive budget for EmPower is estimated to be \$37.5 million annually through 2015, an increase of 90% from 2011. The current contract supports approximately 25 FTEs and Proposers are encouraged to identify opportunities for cost savings and efficiencies in developing their proposals.

III. Proposal Requirements

Proposers may be a single company or teams of companies. Proposers must have demonstrated experience in successful management of complex programs on time and within budget. Proposers must demonstrate an understanding of residential building science. Proposers must demonstrate the ability to work effectively with a diverse group of stakeholders and as an effective member of a team. Proposers should be flexible and responsive to changing Program needs. Proposers must demonstrate the ability to provide cost-effective, high quality services statewide.

Proposers must clearly demonstrate an ability to cost-effectively provide the services requested in the scope of work.

Proposers may provide proposals for:

- Both HPwES and EmPower that are submitted separately and independent from one another;
- A single proposal for either HPwES or EmPower.

The proposal must be clearly marked as a response for HPwES or EmPower.

Proposers must submit ten (10) hard copies and one (1) electronic copy on CD of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Proposal. A completed and signed Proposal Checklist must be attached as the front cover of your proposal, one of which must contain an original signature. **Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist may be returned.** Faxed or e-mailed copies will not be accepted.

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

Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The text of the laws are available at: <http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation that could result in agreements with an annual estimated value in excess of \$15,000, additional forms must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist (see Attachment A) including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form (see Attachment B) Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

Proposals that include teaming arrangements must designate one party as the Program Implementer. The Program Implementer will have overall responsibility for compliance with the Agreement and completion of the Statement of Work. All proposals submitted as part of the RFP 2470 solicitation process become the property of NYSERDA.

Proposals must not exceed 50 pages, excluding resumes, letters of commitment and budgets. Nor should proposals be submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the RFP number, and the page number. NYSERDA may request additional data or material to support proposals. The proposal must be in the following format:

Proposal Checklist: The Proposal Checklist to be completed is attached to this RFP. The checklist must be attached to all ten (10) copies of Part I of the proposal. At least one (1) copy must contain an original signature.

Section 1. Introduction and General Information: Proposers should summarize their understanding of the objectives and requirements of this RFP. Proposers should *briefly* identify key information about their organization, team members, and sub-contractors. Proposers should describe why they feel they are uniquely qualified to perform and complete the services requested under this RFP.

Section 2. Statement of Work: The Statement of Work is a detailed work plan of how the Proposer will accomplish the Program's objectives. The Statement of Work should clearly articulate strategies consistent with the requested Tasks and Deliverables, and Program Requirements sections of this solicitation. Describe your

approach/methodology and define your rationale for the proposed approach. Describe the actions you will take to complete each task. The Statement of Work is the primary contractual document that identifies the deliverables and provides a basis for payment. It is an action document that specifically delineates each step or procedure required to accomplish the Program's objectives. The Statement of Work must be prepared as an ordered set of tasks, including subtasks if necessary. Therefore, each action item should be identified, indicating who will perform it, how it will be performed, when it will be performed, and its anticipated deliverables. In addition to responding to the tasks defined for the requested services, proposers are invited to present additional tasks or to recommend alternatives to the list of tasks as long as they promote, or are consistent with, the goals and objectives of the Program.

Section 3. Management structure: Proposals should identify the Program Manager and all key team members. Provide a clear description of the roles and responsibilities of each staff position in completing the work plan, including percentage of time devoted to the Program. Provide an organization chart for this Program and plan for filling vacant positions in the org chart if any. Resumes of all key team members should be provided as an appendix.

Section 4. Qualifications: Describe how the proposer meets the required experience, skills and abilities. State the individual and combined expertise that would enable successful completion of this Program. Describe how the proposer will deliver services to customers across New York State. List and briefly explain relevant programs that have been completed by the proposer. Indicate which team members were responsible for each Program described. Include the name and telephone number of at least three (3) references for whom your organization has implemented programs. Summaries of prior work requested in this RFP may be submitted as an appendix. Proposers must demonstrate: 1) an understanding of the different regional markets across New York State; 2) the ability to effectively serve customers across New York State; and 3) that a majority of staff employed for this Program will be located in New York State.

Section 5. Cost Proposal: A 25 month total project budget, including cost elements, must be provided using the attached Contract Pricing Proposal Form (CPPF), (see Attachment C). Provide a task budget that shows total costs and cost elements per task identified in the Statement of Work. A separate CPPF is not required for sub-tasks. If applicable, provide a budget for each subcontractor involved in the project. Provide detailed budget breakdowns (using the Supporting Schedule for the CPPF) for materials, equipment, and travel.

Attach supporting documentation to support indirect cost (labor overhead and general and administrative) 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.

IV. Contractor Selection and Proposal Evaluation

All proposals received by the due date, and meeting the submission requirements established in this RFP will be reviewed by a Technical Evaluation Panel (TEP) consisting of NYSERDA staff and selected outside reviewers.

Final rankings and contract award will be based on the following criteria listed in order of importance:

Responsiveness to the Requirements of the RFP: Has the Proposer demonstrated a clear understanding of the goals and objectives of the Program or Programs that it is submitting proposals for? Is there clear evidence that the Proposer possesses the capacity to implement, coordinate and monitor the Program(s)? Is there clear evidence that the Proposer demonstrates appropriate information technology expertise to satisfy data processing and analysis needs? Is the Statement of Work thorough, specific, and consistent with the Program's stated objectives? Are deliverables clearly stated and consistent with the Proposer's activities?

Cost: How cost effective is the proposal? Is the Contract Pricing Proposal Form (CPPF) responsive to the RFP and clear? Are billing rates reasonable and appropriate? Does the budget reflect or demonstrate the ability to deliver cost effective services?

Relevant Experience and Qualifications: Are key personnel's education, skills, abilities, and experience relevant to the Program's needs? Does the Proposer have adequate capacity to handle the Program? Does the Proposer demonstrate recent experience in the conduct of similar Programs? Has the Proposer demonstrated strong management and data (electronic or otherwise) collection and reporting capabilities? What is the quality of the Proposer's performance on existing or past programs or their achievement related to the proposed work? Are there aspects of the Program that are unacceptable?

Coordination and Management Plan: Are appropriate management and coordination strategies articulated? Is the Program organization, including staffing plan and schedule, clear and well-defined? Does the proposal include a strategy for coordination and interaction with all relevant parties, including NYSEDA, Participating Contractors, Partners, and Customers?

Familiarity with and Ability to Serve New York State Market: Does the Proposer demonstrate an understanding of the different regional markets across New York State? Does the Proposer demonstrate the ability to serve customers across New York State? To what extent does the Proposer exceed the minimum requirement that a majority of the Proposer's staff will be located in New York State?

V. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSEDA 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 NYSEDA 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 NYSEDA 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://nyserda.ny.gov/~media/Files/About/Contact/NYSERDARegulations.ashx>

However, NYSEDA 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/fillin/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 two awards under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications and may seek to interview one or more proposers. 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 six (6) weeks from the proposal due date whether your proposal has been selected to receive an award.

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

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

VI. Attachments:

- A. Proposal Checklist
- B. Disclosure of Prior Findings of Non-Responsibility Form:
- C. Contract Pricing Proposal Form (CPPF):
- D. NY Home Performance with ENERGY STAR[®] Eligible Measures and Accessories
- E. NY Home Performance with ENERGY STAR[®] Free/Reduced-Cost Energy Audit Application
- F. Assisted Home Performance with ENERGY STAR[®] Subsidy Application
- G. EmPower New York Energy Services Application
- H. Sample Agreement