

**“Workforce Development and Training for Renewable Energy and Advanced Technologies”
Program Opportunity Notice (PON) 2841
\$4 Million Available**

**Proposals Due: March 19, 2014, by 5:00 PM Eastern Daylight Time, Round 1;
July 16, 2014, by 5:00 PM Eastern Daylight Time, Round 2***

Program Summary

The New York State Energy Research and Development Authority (NYSERDA) seeks proposals for training to support installation and operation of renewable energy (RE) systems and advanced or emerging energy technologies (AT) in the State. A total of \$4 million is available in two rounds of funding for the development and/or delivery of technical training to develop a qualified workforce to design, install, operate, maintain and inspect customer-sited RE systems and AT¹. All, or none, of the available funds may be awarded in any round. The primary goal is delivery of classroom or on-line training and **directly reducing the cost of training to participants**. Training will be designed for and delivered to practitioners, architects, engineers, college students, inspectors and other stakeholders, as appropriate. Initiatives should provide classes that lead to or support practitioner certifications through basic and advanced classes and integration of RE/AT into certificate programs, as well as two- and four-year college degree programs. Proposals must result in RE/AT training programs that address areas such as: customer-sited RE system design, installation and operation/maintenance; RE/AT equipment manufacturing; AT and strategies that can contribute to net zero energy buildings (advanced building sensors and controls, building modeling, advanced lighting, etc.); smart grid and electric vehicle infrastructure; and, data monitoring. The proposed training must be shown to have a market value with a demonstrated industry demand and a direct link to employers and businesses.

Proposers can apply for funding under one or both categories. **Category A** is for the development and delivery of RE or AT technical training. **Category A** projects must demonstrate a gap and the need for new curriculum development and include training delivery of the new curriculum. **Category B** is for delivery of **existing** RE/AT training courses, already developed and available for delivery to students. Funds to support program marketing for specific training initiatives are also available under both **Categories A and B**.

Funds for training delivery in both **Categories A and B** are for the express purpose of directly reducing the costs of training for students. **Category A** funding can also cover the costs associated with curriculum development, training trainers, purchasing equipment, delivering training and internships to link students to jobs. In addition, limited Category A funding is available for program marketing for specific training initiatives. Equipment funding is available only under **Category A** and is limited to \$50,000. Required cost-sharing for **Category A** is 30% for all costs associated with developing training (NYSERDA funding to cover the remaining 70%). **Category B** funding is for directly reducing the costs of training to eligible students, with limited funding available for program marketing for specific training initiatives. For training delivery costs (costs charged to participants) in both **Category A and B**, NYSEDA will provide 60% of the demonstrated market rate for training completed in 2014 and 50% of the market rate for training completed after December 31, 2014. All NYSEDA funding that is designed to offset training delivery costs must be passed on in full to training participants. NYSEDA funding for marketing costs must not be greater than 5% of the total project budget. The maximum amount per proposal is \$300,000; however, if proposers achieve their training goals, their contracts may be extended and additional funds provided, if available.

All classroom trainings funded under this solicitation must be held within SBC service territories, and are intended to support individuals that reside in SBC territories or companies participating in the SBC and Energy Efficiency Portfolio Standard (EEPS) Programs. Multiple awards will be made under two rounds of funding (unless all funds are expended in Round 1). Expected starting date for work under this PON is 2014. Proposers must show a linkage with industry and match the training to employer needs.

Proposal Submission: Proposers must submit eight (8) double-sided paper copies and one (1) CD of the proposal in **Microsoft Word** with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to the following address:

¹ **Advanced Technologies** are defined as: emerging renewable energy or energy efficiency technologies that are proven, commercially available, that show potential benefits such as efficiency gains or performance or reliability improvements, and may not yet have met some threshold of market penetration. This can represent a new technology or process, improvements to an existing technology or process, or new applications of existing technologies or processes.

**Roseanne Viscusi, PON 2841
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Vicki Colello at (518) 862-1090, ext. 3273 or vac@nyserda.ny.gov. If you have contractual questions concerning this solicitation, contact Elsyda Ahmed at (518) 862-1090, ext. 3232 or ela@nyserda.ny.gov.

No communication intended to influence this procurement is permitted except by contacting Vicki Colello (Designated Contact) at the number or email address above. 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 NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.ny.gov.

I. INTRODUCTION

Goals and Objectives

The Workforce Development and Training (WFD) and Career Pathways component of NYSERDA's *Technology and Market Development Program Plan for 2012-2016* is designed to address the need for renewable energy and innovative technology-based training as identified in NYS Department of Labor's (NYSDOL) May 2009 report, *"New York State's Clean Energy Industry: Labor Market and Workforce Intelligence Report."*

Advances in technology and emerging fields in the clean energy economy require new and updated curriculum and training programs for professions such as system installers and inspectors, attorneys, leasing agents, engineers, and architects. These technological advances also require identification of professional development opportunities, as well as new certificate and degree programs.

NYSERDA is developing programs and working with partners to expand the network of skilled trainers and installers to meet market demands by:

- Providing the workforce with the skills necessary for proper design, installation, operation, and maintenance of clean energy systems;
- Developing necessary certifications with third-party professional certifying organizations; and,
- Educating future end users about clean energy technologies and preparing future workforce for clean energy careers.

NYSERDA has funded development of a network of clean energy training organizations that consists of community colleges, four-year colleges, unions, and other training entities offering a variety of courses and programs. NYSERDA has supported curricula development, training for educators, basic skills training, worker certifications, apprenticeships, lab equipment purchases, and program accreditation for both credit and non-credit programs. Stakeholder sessions have been held with the training and clean energy industry communities to gather information on gaps in established clean energy training in New York State. This solicitation was developed in response to past experience and identified gaps. The training effort under this solicitation builds on previous efforts (see current training providers at <http://www.nyserda.ny.gov/Events/Training-Map.aspx>), to expand the training network in targeted technologies and integrate new technology education into existing programs. NYSERDA's goal is to fund technical training programs that will train 2,800 students/practitioners in RE and AT by 2015.

II. PROGRAM FUNDING

Total funding available for both rounds of this solicitation is \$4 million. All, or none, of the available funds may be awarded in any round. The maximum amount of award per proposal is \$300,000; however, if proposers achieve their training goals, their contracts may be extended and additional funds provided, if available.

Proposers can apply for funding under one or both categories. **Category A** is for the development and delivery of RE or AT technical training. **Category A** projects must demonstrate a gap and the need for new curriculum development and include training delivery of the new curriculum. **Category B** is for delivery of **existing** RE/AT training courses, already developed and available for delivery to students. Funds to support program marketing for specific training initiatives are also available under **Categories A and B**.

Funds for training delivery in both **Categories A and B** are for the express purpose of directly reducing the costs of training for students. **Category A** funding can also cover the costs associated with curriculum development, training trainers, purchasing equipment, delivering training and internships to link students to jobs. Limited Category A funding (not more than 5% of total project budget) is available for program marketing for specific training initiatives. Equipment funding is available only under **Category A** and is limited to \$50,000. Required cost-sharing for **Category A** is 30% for all costs associated with developing training (NYSERDA funding to cover the remaining 70%).

Category B is for delivery of existing RE/AT training courses, already developed and available to students. **Category B** funding is for directly reducing the costs of training to eligible students with limited funding available for program marketing for specific training initiatives. For training delivery costs (costs charged to participants) in both **Categories A and B**, NYSERDA will provide 60% of the demonstrated market rate for training completed in 2014 and 50% of the market rate for training completed after December 31, 2014. All NYSERDA funding that is designed to offset training delivery must be passed on in full to training participants. **NYSERDA funding for marketing costs must not be greater than 5% of the total project budget.**

For the purposes of this PON, the only direct labor and associated costs (benefits, overhead, etc.) allowed for consideration as training delivery expenses will be those costs factored into the tuition costs. Proposed course fees (total) should be consistent with comparable courses available on the market. For Category A project tasks involving developing curriculum, training trainers, etc., it is anticipated that there will be direct labor and associated costs, but those costs must be reasonable and justified.

III. PROGRAM REQUIREMENTS

Proposals are sought that can be shown to advance the State's clean energy goals and objectives, as reflected in the SBC, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS) and the NY-Sun Initiative. For the purposes of this PON, PV and solar thermal technologies are a priority in the RE category.

Advanced technology (AT) focuses on emerging technologies in both the RE and energy efficiency (EE) sectors that are proven, commercially available, that can demonstrate benefits such as efficiency gains or performance or reliability improvements, and may not yet have met some threshold of market penetration. This can represent a new technology or process, improvements to an existing technology or process, or new applications of existing technologies or processes.

Proposers selected under this PON will deliver technical training or coursework for continuing education, or training that leads to or supports practitioner certifications including basic and advanced classes, as well as two- and four-year college degree programs. Proposals are sought for a mix of credit and non-credit classes across the state. Proposers must demonstrate market value of the proposed training that will be developed and delivered based on an industry-validated job task analysis (if available), show a linkage with industry and match the training to employer needs. Proposals must result in high quality RE/AT training programs that address areas such as the following, for example:

- Customer-sited RE system design, installation and operation/maintenance
- RE/AT equipment manufacturing in SBC service territory
- AT and strategies that can support net zero energy buildings
- Smart grid and electric vehicle infrastructure support
- Data monitoring

Eligible projects may upgrade or expand existing training programs or develop new programs. The primary goal of this PON is delivery of classroom or on-line technical training and **directly reducing the cost of training to participants.**

The expected results for training under this PON are courses in RE/AT that have market value, where the training costs are reduced for students through NYSERDA's financial support, with a demonstrated industry demand and a direct link to employers and business sectors, as appropriate.

Eligible RE/AT technology areas include:

- Photovoltaics
- Solar thermal
- Wind
- Data monitoring equipment and strategies
- Advanced building sensors and control
- Passive solar construction
- Designing energy systems for resiliency
- Building modeling
- Advanced lighting design and controls
- Smart Grid and electric vehicle infrastructure

Ineligible training subjects include, but are not limited to:

- OSHA Safety Training
- Weatherization
- Energy auditing
- Energy efficiency
- Infrared thermography
- Demand response
- General manufacturing classes such as CNC programming, blueprint reading, etc.
- PV or solar thermal inspector training
- General energy or sustainability courses

Eligible activities include, but are not limited to the following:

- Curriculum development (Category A only)
- Training trainers (Category A only)
- Delivering training
- Developing student pre-screening processes
- Establishing ongoing internship programs to link students to jobs
- Developing marketing materials or strategies for specific training initiatives
- Strategies and investments that will permanently reduce the cost of delivering the training.

Two- and four-year colleges, BOCES, unions, trade groups, manufacturers, and other entities that can deliver training in SBC service territories and can demonstrate suitable experience, staff, and infrastructure are eligible to apply.

Eligible proposers must provide evidence that they have:

- Credentialed and experienced instructional staff
- Experience in integrating new material into existing curricula and/or developing new stand-alone curricula approved by the New York State Department of Education for use at post-secondary education levels
- Accreditation by the New York State Education Department and/ or training program accreditation by IREC ISPQ²
- Staff with documented experience in curricula development and maintenance and evidence-based learning techniques
- Experience with or a strategy for engaging business and industry partners and professional organizations in the training initiative

Proposers should show a link between training/program development and employers/industry³; use labor market intelligence to illustrate the need for the training and the market value of the training program; demonstrate a clear path from training to appropriate certifications and job placement, career advancement or employment; and, clearly outline the number of trainings to be delivered, their goal for the number of students trained, and how training cost has been directly reduced for students. Teaming with potential employers,

² See PON 2397 for financial support for accreditation.

³ Letters of support from industry attesting to the value of the proposed courses should be included in the proposal.

particularly those that will provide real work experience through internships for students, is encouraged.

Proposers are also expected to describe detailed trainee screening methods to properly assess participants' skills prior to technical training and to better identify and ensure the acquisition of appropriate prerequisites for technical training. These can take the form of pre-assessment surveys, pre-enrollment communication with prospective students, or other methods of screening, as appropriate. Regional and technological diversity will be selection factors to the extent possible for awards.

It is intended that proposals for the development and delivery of training result in programs that are self-sustaining in the long run, i.e., a business model that requires students to pay reasonable costs for training services after subsidies are no longer available.

All new training materials developed under contracts resulting from this solicitation shall be the property of NYSERDA (see sample contract attached to this solicitation for terms). NYSERDA anticipates making multiple awards under this solicitation, and, as stated above, all, or none, of the total available funds may be awarded in any round.

This program is supported with System Benefits Charge (SBC) funding. SBC service territory consists of areas with electric service provided by Central Hudson Gas and Electric Corp., Consolidated Edison Company of NY, Inc., NYS Electric and Gas Corporation, National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric. **All trainings funded under this solicitation must be held within SBC service territories, and all students who receive reduced tuition and course fees under this PON must be NYS residents that reside in SBC service territories.**

IV. PROPOSAL REQUIREMENTS

General Requirements

Proposers must submit eight (8) double-sided paper copies and one (1) CD of the proposal **in Microsoft Word** with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to the following address:

**Roseanne Viscusi, PON 2841
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399**

All training curricula and materials developed under this PON are subject to NYSERDA review and approval and will be the property of NYSERDA.

Proposal Format

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics and should be **double-sided**. Unnecessary attachments beyond those required and 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 PON number, and the page number. The proposal must be submitted in the following format:

1.0 Cover Letter and Abstract

Proposers should submit a cover letter on company letterhead that references this PON and provides a brief summary of qualifications and a brief description of the proposed approach to fulfilling the work requested under this PON.

Proposers should specify the category or categories for which they are proposing, describe teaming and partnering arrangements and their ability to deliver services that meet the overall goals and objectives of this PON. The cover letter must also include firm name, address, telephone/fax, email address, contact person, year that firm/organization was established, and type of firm (partnership, corporation, not for profit, etc.). **The cover letter must be signed by a person with the authority to enter into a contract with NYSERDA.**

2.0 Narrative Description of Proposed Work

Proposers should describe in detail proposed activities and strategies. The proposers should describe their approach/methodology and define their rationale for the proposed approach. Proposers should also provide details of any current activities upon which this proposal builds. Proposers should indicate what the proposal will accomplish, why it is needed, and how those activities will be developed and delivered. More specifically, proposers should describe instructor selection criteria, curriculum development (if Category A), training delivery approach, number of students to be trained, training locations, partnerships, marketing and outreach, and other sources of funding.

Proposers must complete Attachment F – Calculation of Student Costs -- and summarize the training efforts outlined in the attachment in the narrative of the proposal.

3.0 Statement of Work

Statement of Work - The Statement of Work (SOW) details how the proposer will complete the proposed work. The SOW is the primary contractual document that identifies the tasks and deliverables and provides a basis for payment. It is an action document that specifically delineates each step or procedure required to accomplish the tasks outlined. The SOW must be prepared as an ordered set of tasks, including subtasks as necessary. They should describe the actions proposers will take to complete each task and the anticipated outcome of each task. Each action should, therefore, be identified, indicating who will perform it, how it will be performed, when it will be performed, and its anticipated measurable deliverables, such as curricula developed, number of students trained, etc.

In order to effectively evaluate a proposer's SOW, concrete and specific ideas must be presented in the proposal for each element of all tasks. Proposers are expected to demonstrate their understanding of each task and what it entails by elaborating on how they would carry it out. However, no proposer is expected to provide a fully-detailed and comprehensive implementation plan at this point.

Please use the following format to describe each task or subtask:

Task 1: Task Title
The Contractor shall....
The Task 1 deliverable is....

The SOW must address all of the areas identified and described by the proposer in Section 2 of the proposal.

Contractors selected under this opportunity will be required to report project progress on a quarterly basis, and the reporting function must be included as a task in the SOW. Metrics to be reported will include, but not be limited to, the following:

- Complete list of trainings held during the reporting period
- Locations where training sessions were held
- Course titles
- Instructor names and contact information
- Start and end dates
- Number of attendees enrolled and completed; program attrition data
- Cumulative total of student attending training sessions
- Student data in a form agreed upon by NYSERDA
- Registration fees paid by participants and summary of third-party funds used for training
- All costs incurred to conduct training sessions
- Pre- and post-training surveys to be provided by NYSERDA

Section 4.0 Management Structure

The proposal shall identify all project participants, including the program director, who will be responsible for ensuring that the tasks within the Statement of Work are carried out properly and in a timely manner. The proposer should provide a clear description of the roles and responsibilities of each key person in completing the work plan. An organization chart should be included in the proposal. Proposals that include teaming arrangements must specify one party as the Prime Contractor. The Prime Contractor will have overall

responsibility for the Agreement, including its administration and completion of the Statement of Work including reporting and invoicing. The proposer should also describe how coordination with NYSERDA and any other partners will be accomplished.

Section 5.0 Qualifications

The proposers shall demonstrate their qualifications to carry out the tasks in the Statement of Work. The proposal should clearly demonstrate how the proposer possesses the experience, skills, and abilities necessary to effectively develop and implement the proposed program, as described in Section III Program Requirements above. In addition, each proposer should attach at least three (3) letters of reference from previous funders/employers for whom proposers implemented work similar to that to be performed under this PON. Resumes of all key team members should be provided in an appendix.

Proposers should describe ideas or strategies to augment their capabilities with external resources, if needed. Proposals should include examples of relevant training (e.g., website links, hard copies), as well as projects and programs that have been completed by the proposers that would demonstrate their qualifications to develop and implement initiatives proposed under this program. This should include any previous and related contracts or work completed for NYSERDA. Proposals including teaming arrangements must clearly indicate the qualifications of other team members and explain their value to the overall proposal objectives.

Section 6.0 Schedule and Staff Plan

The proposers shall include a time line for completing each task and major subtask identified in their Statement of Work. This time line should be in bar chart form showing anticipated starting and completion times for each task, in terms of weeks or months after execution of the Agreement, and due dates for deliverables.

The proposal should also include a staffing plan that identifies the key personnel, including any subcontractors or other resources responsible for completing each task and major subtask. The proposal should include a table showing the number of hours each key person or subcontractor will spend on each task and the total hours per task.

Section 7.0 Cost Proposal and Budget

The Contract Pricing Proposal Form (CPPF) is included as an attachment to this PON. The proposal must include CPPFs as detailed below. Cost sharing shown on the CPPF should meet the cost share requirements for Category A and B proposals as described below.

Category A proposals should include three (3) CPPFs:

- CPPF for the total costs of the proposal;
- CPPF for all tasks except for tasks associated with the actual delivery of classes with marketing costs itemized separately; and,
- CPPF for tasks associated with training delivery only.

Category B proposals should include one (1) CPPF for training delivery with marketing costs itemized separately.

Proposals should include detailed budget breakdowns (using the CPPF Supporting Schedule) for subcontractors, venues, material, and travel. NYSERDA will not pay for efforts which have already been undertaken. The proposer or proposing team cannot claim as cost-share any expenses that have already been incurred.

Proposers must also complete Attachment F. All proposed courses must be detailed in this attachment and the totals costs for all classes MUST add up to the total budget for course delivery in the CPPF. Additionally, NYSERDA's share of course costs in Attachment F MUST equal the total funds requested from NYSERDA in the CPPF that details training deliver costs. The budget in Attachment F must tie to the corresponding costs in the CPPF.

Cost Sharing - Required cost-sharing for **Category A** is 30% for all costs associated with developing training (NYSERDA funding to cover the remaining 70%). For training delivery costs (costs charged to participants) in both **Category A** and **B**, NYSERDA will provide 60% of the demonstrated market rate for training completed in 2014 and 50% of the market rate for training completed after December 31, 2014. All NYSERDA funding that is designed to offset training delivery must be passed on in full to training participants.

Cost-sharing can be from the proposer, other team members, and other government or private sources. Contributions of direct labor (for which the laborer is paid as an employee) and purchased materials may be considered "cash" contributions. Unpaid labor, indirect labor, or other general overhead may be considered "in-kind" contributions. Show the cost-sharing plan in the following format (expand table as needed):

	Cash	In-Kind Contribution	Total
NYSERDA	\$	\$	\$
Proposer	\$	\$	\$
Others (list individually)	\$	\$	\$
Total	\$	\$	\$

Attach supporting 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.

Section 8.0 Appendices

Materials to be submitted in appendices include:

- Documentation of qualifications as described in Section 5
- Resumes of key personnel who will complete tasks described in the Statement of Work
- If applicable, include letters of commitment, signed by a person authorized to bind the organization, for all proposal partners
- Letters of support from other entities, such as NYSDOL, colleges, or business partners, are encouraged
- If applicable, a list of all NYSERDA contracts your organization and/or team members have received
- Attachment F completed for each course for which funds are being requested.

V. PROPOSAL EVALUATION

NYSERDA reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially non-responsive to the requests for information contained herein. **It is strongly recommended that proposers review the evaluation criteria, since it is the basis upon which proposals will be reviewed and scored.**

Proposals will be reviewed and ranked separately for each category, based on the criteria below, by a Technical Evaluation Panel (TEP) consisting of NYSERDA staff and selected outside reviewers. All references to the "proposer" below apply to the proposer and any additional team members.

After the proposals are reviewed by the TEP, NYSERDA will notify each proposer whether or not the proposal was favorably evaluated (within approximately 8-10 weeks). NYSERDA reserves the right to require an interview before the final contract award decision.

The evaluation criteria outlined below will be used by the TEP.

Responsiveness to the Requirements of the PON

Are the proposed technology areas and activities eligible for funding through this PON? Will the training be focused on customer-sited RE systems and/or AT?

Is the SOW thorough, specific, logical, and consistent with the PON's objectives?

Is the SOW appropriate in its approach to develop, market, and deliver quality training?

Does the plan include a business model that is self-sustaining?

Did the proposer show a link between training/program development and employers/industry and include letters of support from industry?

Has the proposer used labor market intelligence to illustrate the need for the training and the market value of the training program?

Did the proposer demonstrate a clear path from training to certification, career advancement, or employment?

Did the proposer clearly outline the number of trainings to be delivered and their goal for the number of students trained?

Is the proposed training based on an industry-validated job task analysis, if available?

Does the proposal address the State's energy goals (SBC, EEPS, RPS, and the NY-Sun Initiative)?

Has the proposer demonstrated that a significant number of their students will be New York State residents or practitioners?

Are training sites located in New York State SBC utility service territories?

Does the plan include pre-screening and/or prerequisites to assess the existing skills of potential trainees?

Cost

Is the proposer using NYSEDA funding to offset the up-front cost of training to participants? Has the proposer illustrated clearly how costs to students will be directly reduced?

Does the proposal meet cost sharing requirements (Category A)? Is the proposal consistent with PON budget limits?

What are the proposers' other sources of funding? Is there a complete description of each funding source?

Are the Contract Pricing Proposal Forms (CPPF) clear and responsive to the PON?

Have proposers completed Attachment F (calculation of student costs) for each course?

Are billing rates current, reasonable, appropriate, and clearly identified or itemized?

Is the proposer's total cost appropriate when compared to the cost of other comparable proposals and their projected results?

Are the proposer's total training delivery costs appropriate when compared to the costs of other similar proposals and the projected results?

Relevant Experience and Qualifications

Have proposers provided evidence that they have:

- Credentialed and experienced instructional staff?

- Experience in integrating new material into existing curricula and/or developing new stand-alone curricula approved by the New York State Department of Education for use at post-secondary education levels?

- Accreditation by the New York State Education Department and/ or training program accreditation by IREC ISPQ⁴?

- Staff with documented experience in curricula development (Category A) and maintenance and evidence-based learning techniques?

- Experience with or a strategy for engaging business and industry partners and professional organizations in the training initiative?

Does the proposer have documented experience in developing and implementing technical training?

Are key personnel's education and experience relevant to the training needs?

Is the overall capability of the training staff adequate and appropriate?

Has the proposer/team demonstrated recent experience designing and developing relevant training curricula (Category A)?

Does the proposer have a record of developing training curricula that have been approved as a course or approved for integration into existing curricula by the NYS Department of Education (Category A)?

Does the proposer have a letter(s) of commitment or support from all team members and other relevant organizations?

⁴ See PON 2397 for financial support for accreditation.

Previous Experience with NYSERDA

What is the proposer's previous experience with NYSERDA, if any?

Did the proposer perform satisfactorily?

Was reporting timely and complete?

Did proposer provide numbers trained in reporting as required and also upon request?

Were milestones met, was the project completed, and all funds expended?

VI. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501

<http://nyserda.ny.gov/~media/Files/About/Contact/NYSERDARegulations.ashx>

However, NYSERDA cannot guarantee the confidentiality of any information submitted.

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: <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 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.

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 - NYSEDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSEDA 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 NYSEDA, the prospective contractor must also certify to NYSEDA 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 NYSEDA. See, ST-220-CA (available at http://www.tax.ny.gov/pdf/current_forms/st/st220ca_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 - NYSEDA anticipates making multiple awards under this solicitation. Regional and technological diversity will be evaluation criteria to the extent possible. NYSEDA 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. NYSEDA may request additional data or material to support applications. NYSEDA will use the Sample Agreement to contract successful proposals. NYSEDA 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 (see Proposal Checklist). Proposers should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSEDA expects to notify proposers in approximately eight to ten (8-10) weeks from the proposal due date whether your proposal has been selected to receive an award. NYSEDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSEDA agreement.

Limitation - This solicitation does not commit NYSEDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSEDA 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 NYSEDA's best interest. NYSEDA 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 NYSEDA after the award of a contract, NYSEDA 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.

VII. Attachments

Attachment A - Proposal Checklist (mandatory)

Attachment B - Disclosure of Prior Findings of Non-responsibility (mandatory)

Attachment C - Contract Pricing Proposal Form (CPPF - mandatory) & Instructions

Attachment D - Intent to Propose (optional, but encouraged)

Attachment E - Sample Agreement

Attachment F - Calculation of Student Cost