

Climate Change Adaptation Research and Strategies
Program Opportunity Notice (PON) 2941
\$1,600,000 Available

Proposals Due: December 9th, 2014 by 5:00 PM Eastern Time*

There is general agreement among the scientific community that anthropogenic activities are changing the global climate. Climate change is a challenging energy-related environmental issue, as the potential adverse impacts are significant and far reaching. In response, New York State (NYS) has made a substantial commitment to develop and deploy energy efficient and renewable energy technologies, to reduce greenhouse gas (GHG) emissions, and to further the viability of approaches to prepare for a changing climate. The need for resiliency and adaptation under future climate conditions has come to the forefront in recent years. However, given the potential magnitude of climate change impacts and the complexities associated with implementing new approaches to enhancing resiliency and adaptation, many research and information needs remain.

\$1,600,000 is available through this PON for projects in three categories: (A) Energy Infrastructure Adaptation; (B) Other Sector Climate Change Adaptation; and (C) Buildings Sector Climate Impacts and Adaptation.

Multiple awards are anticipated in Categories A and B; proposals should not exceed \$300,000. A single award is anticipated in Category C; proposals should not exceed \$200,000. Cost-sharing of at least 25% is preferred. Leveraging of other research funding is strongly encouraged. In-kind cost-sharing is acceptable.

Proposal Submission: Proposers must submit two (2) paper copies and one (1) CD of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. **Proposals must be received by NYSEERDA on or before 5:00 pm Eastern Time on December 9th, 2014.** Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, PON 2941
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Amanda Stevens at (518) 862-1090, ext. 3325 or Amanda.Stevens@nyserda.ny.gov. If you have contractual questions concerning this solicitation, contact Nancy Marucci at (518) 862-1090, ext. 3335 or Nancy.Marucci@nyserda.ny.gov.

No communication intended to influence this procurement is permitted except by contacting Amanda Stevens (Designated Contact). 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

Proposals will be considered responsive to this PON if important research gaps or information needs related to climate change adaptation and resiliency in NYS are addressed. Proposals with a focus on reducing greenhouse gas (GHG) emissions (i.e., climate mitigation) are not eligible and will not be selected under this PON, as NYSEDA anticipates issuing a PON that focuses on GHG reduction research in the future. However, as GHG reduction may be a co-benefit of a resiliency or adaptation strategy, the documentation of this co-benefit may be included as part of the proposal submitted under this PON.

Preferred projects are those that will provide data in a form that is usable by policy and decision makers; use research and analytical capabilities in NYS; consist of interdisciplinary teams (including environmental scientists, social scientists, and public policy analysts); leverage out-of-state, federal, or other resources; and reduce the disproportionate cost burden and climate-related impacts on low-income families and environmental justice communities (see [Chapter 3](#) of the [ClimAID Report](#)). Projects with a strong tie to the energy sector will be given preference.

II. Program Requirements

A total of \$1.6 million is available for projects. The three categories for this PON are Category A: Energy Infrastructure Adaptation; Category B: Other Sector Climate Change Adaptation; and C: Buildings Sector Climate Impacts and Adaptation. Multiple awards for Categories A and B are anticipated, and individual proposals should not exceed \$300,000. A single award is anticipated for Category C, and individual proposals should not exceed \$200,000.

Categories A, B, and C will be evaluated separately. *Proposals should clearly identify to which category they are proposing.* NYSEDA reserves the right to change a proposal's category if deemed appropriate, or to group similar proposals into additional categories for evaluation to avoid the potential for funding duplicative projects.

A. **CATEGORY A – ENERGY INFRASTRUCTURE ADAPTATION**

Energy Infrastructure Adaptation proposals should focus primarily on adaptation options for energy infrastructure but may also include components that would be useful to, or have benefits for, multiple sectors in addition to the energy sector. *Note that the term “energy sector” is not limited to electricity infrastructure but could also include infrastructure related to natural gas, heating oil, etc.* Identified priorities related to the energy sector include the following:

- Conduct an assessment of the co-dependency between the power and communications sectors and their relative vulnerabilities to climate change. This could be particularly relevant in the context of building management systems or smart grid implementation (e.g., an evaluation of the degree to which implementation of building management systems or smart grid components would create a greater degree of dependency on communications infrastructure, or of the ability of the smart grid to facilitate system response and recovery of service during emergencies). Related topics are the co-dependencies and vulnerabilities of the power sector and other utility sectors, such as water supplies.
- Work with industry organizations to survey and assess existing best practices, tools, risk-assessment models and adaptation strategies for considering climate-change-related risks in decisions to locate, design and build energy infrastructure.

Proposals must include a partnership with one or more representatives from the energy sector in NYS who has expressed an interest in the outcome of the project. These types of proposals must also include a clear, defined path for the results of the project to be used by the partner entity or others throughout NYS. Also, a letter of commitment from each project partner is required and must be included as part of the proposal.

B. CATEGORY B – OTHER SECTOR CLIMATE CHANGE ADAPTATION

Climate change adaptation strategies are needed to build resiliency in various sectors of NYS such as agriculture, coastal zones, ecosystems, public health, telecommunications, transportation, and water resources. Specific research gaps and information needs were identified through a stakeholder-driven process and can be found in the [Climate Change Adaptation research component](#) of the Environmental Program's NYS [Research Plan](#). Proposed projects should not duplicate regional research already performed but should instead build upon such research and be specific to NYS.

Proposals that include development of a tool or guidance should include partnership with an end-user in NYS who has expressed an interest in the outcome of the project. These types of proposals must also include a clear, defined path for the results of the project to be used by the partner entity or others throughout the State.

The following resources may be helpful in forming proposals:

- The [Climate Change Adaptation research component](#) of the Environmental Program's NYS [Research Plan](#)
- [ClimAID Integrated Assessment for Effective Climate Change Adaptation in New York State](#)
- [NYS Sea Level Rise Task Force Report](#)
- [NYS Climate Action Plan interim report](#)
- [New York's Great Lakes Basin: Interim Action Agenda](#)
- [List of ongoing NYSERDA Climate Adaptation projects](#)

C. CATEGORY C – BUILDINGS SECTOR CLIMATE IMPACTS AND ADAPTATION

Climate variability and change are anticipated to impact infrastructure, land use, agriculture, air quality, human health, and a multitude of natural resources. The [ClimAID Report](#) identified impacts and potential adaptation options specific to NYS for many of these sectors. However, although the buildings sector was tangentially addressed throughout the ClimAID Report, there is a need for a more focused assessment of this sector, particularly given its size and the variety of building stock throughout the State. One project is anticipated to be awarded in this category.

This project should aim to accomplish the following:

- Identify and assess both near-term and longer-term potential impacts to the buildings sector in NYS under future climate change scenarios, using the most recent ClimAID projections for NYS (see [ClimAID Report](#)).
- Identify and evaluate potential vulnerabilities of the Buildings Sector in NYS, including any particularly vulnerable geographical areas, building types, etc. Impacts and vulnerabilities may be different for the various buildings types.
- Assess potential climate-related economic impacts to the Buildings Sector in New York State.
- Identify and evaluate potential adaptation and risk-management strategies for the buildings sector in NYS. Identification of the co-benefits (e.g., GHG reduction, energy efficiency, health benefits) and the costs of the identified strategies should be addressed. This assessment should not focus on energy efficiency measures (which are generally methods for GHG reduction), except as they may relate specifically to adaptation (e.g., measures to reduce demand on the electric system during heat waves would also result in reduced GHG emissions). Strategies may be different depending on the building type.
- Identify any co-dependencies with other sectors (e.g., transportation, energy) that could impact the buildings sector.

- Identify the most effective audiences for this information (e.g., building owners, designers, city planners), explain why, and present the information accordingly. The audiences may differ by building type.

This assessment should:

- Consider the entire breadth of building stock in the State, including the age distribution, types (residential, multifamily, commercial, etc.), and locations (urban, rural, etc.). Proposers may wish to consider information on the building stock available from the following sources:
 - [Pattern and Trends NYS Energy Profiles 1997-2011](#)
 - [US Department of Energy Buildings Energy Data Book](#) (buildingsdatabook.eren.doe.gov/)
 - [NYC OpenData](#)
- Consider the various heating fuel types used in the State.
- Consider the benefits, costs, and efficacy of potential adaptation strategies, taking into account long-term maintenance, lifespan, intersection of strategies, etc.
- Include several case studies that illustrate the vulnerability of the State's buildings sector and potential adaptation strategies that could be implemented to reduce the vulnerability.
- Include a component that gathers input from industry experts, planners, and policymakers who will need to consider climate-related impacts in planning decisions.
- Present the information in an organized way that will be relevant to multiple audiences.

Proposed projects should not duplicate regional research already performed but should instead build upon such research and be specific to NYS. Work that could potentially inform this project includes, but is not limited to:

- [U.S. Green Building Council's "Green Building and Climate Resilience" report](#)
- [New York City Building Resiliency Task Force Report](#)
- [Technology Strategy Board's "Design for Future Climate"](#)
- [Islington community council's "Climate Change Adaptation Good Practice Guide 3"](#).

III. **Proposal Requirements**

Proposals should follow the format below and provide sufficient and succinct information to complete the required descriptions and answer the questions described in the Proposal Evaluation criteria listed in Section IV. Proposals should explicitly state under which category they are submitting.

The entire proposal should not be excessively long nor submitted in an elaborate format (e.g., with 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. **Proposals longer than 15 pages** (not including the Proposal Checklist Cover Sheet (Attachment A), Acceptance of Standard Terms and Conditions (Attachment A-1), Contract Pricing Proposal Forms (Attachment C), one-page letters of commitment, resumes, or other required forms), or using a font smaller than 11 point, may be rejected. The preferred lengths of particular proposal sections are shown below. Each page of the proposal should state the name of the proposer, "PON 2941," and the page number.

Proposers must submit the appropriate number of copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Program Opportunity Notice. 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 will be returned and proposals lacking the appropriate completed and signed Proposal Checklist may be returned. Faxed or emailed copies will not be accepted.**

Proposals must include:

- A. Proposal Checklist Cover Sheet** (*Not included in page count*): A signed and completed Proposal Checklist (Attachment A) must be attached to the front of the proposal. **Proposals lacking the appropriate completed and signed Proposal Checklist will be returned.**
- B. Abstract** (*Limit to one (1) page*): Summarize the proposed project, methods, and benefits of the project. Indicate the Category (A, B, or C) to which the proposal is submitted.
- C. Usefulness and Value of Project Results:** Identify the project goals and major objectives. Explain how the project results will address in a timely manner a priority research area or another climate change adaptation issue important to NYS. *If applicable, explicitly describe how the project relates to a need of the Energy sector.* Maximum coordination with other national and state initiatives is desirable. Explain how the project will make use of other relevant data and coordinate with other research initiatives (e.g., [NYS RISE](#)), where possible, to provide maximum value to NYS. *Proposals should not duplicate work already completed or under way.*
- D. Soundness of Project Methods:** Describe the proposed project methods and overall research design. Briefly explain why the equipment, models, methods, and other aspects of the work are expected to meet objectives. Describe the extent to which chosen methods have been accepted by policy-making organizations, or otherwise demonstrated to be valid.
- E. Statement of Work and Schedule:** The Statement of Work is the primary contractual document that identifies the work to be performed and outcome to be produced and provides the basis for NYSERDA payment. It is an action document that specifically delineates each step or procedure required to accomplish the project objectives. Therefore, each action should be identified with a description of its objective, who will perform it, how it will be performed, and the anticipated product deliverables.
 - a. Task Objectives, Methods and Deliverables:** Proposed Statement of Work tasks should identify specific objectives, methods, and quantifiable and measurable targets that define success of each task and that can be evaluated at project completion. The task descriptions should identify the persons responsible for completing each task and the methods to be used. In addition, include a brief description of quality control and quality assurance measures, analytical procedures, and statistical analyses to be employed to optimize the quality of the data and project results.
 - b. Task Budget:** Indicate the approximate amount, in dollars, allocated to each task.
 - c. Technology Transfer Plan:** Include a task for reporting and information transfer. Consider the decision-makers or audiences to whom the project results will be most relevant when crafting the technology transfer plan. The results of funded projects will be made publicly available. The following baseline reporting and information transfer work will be required for each project and should be considered in allocating resources for this task:
 - i. Baseline reporting and information transfer shall be accomplished through presentations and submission of monthly or quarterly progress reports, a final technical report, and an article for a peer-reviewed journal. The format of the final report will be determined upon discussion with the NYSERDA project manager. Principal investigators are strongly encouraged to use a technical editor for all final documents. If requested by NYSERDA, findings to date shall be presented to the Environmental Monitoring, Evaluation, and Protection (EMEP) Program Advisory Group and invited guests at meetings arranged by

NYSERDA staff in Albany, NY. Electronic access to project data shall also be provided after appropriate quality assurance.

- ii. Additional methods of information transfer and reporting may be proposed to involve pertinent decision-makers or regulators and other target audience representatives during the project, and for using the anticipated project results to achieve projected public benefits.

- d. **Master Schedule:** Complete a schedule showing the starting and completion times of all major tasks, in terms of months following project initiation. The schedule should include major milestones and meetings, tests, demonstrations, reports, and other key deliverables.

F. Contract Pricing Proposal Form (*Not included in page count*): Complete the attached Contract Pricing Proposal Form (Attachment C) for the entire project, including any in-kind contributions and other cost-sharing. **The degree of cost-sharing will be considered in the evaluation of proposals.** Cost-sharing of at least 25% is desirable. Leveraging of other research funding is preferable. In-kind cost-sharing is acceptable.

- a. **Cost-Sharing:** While cost-sharing is not required, a cost-share of at least 25% of the total project cost is preferred. Cost-sharing can be from the proposer, other team members, or 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. NYSERDA will not pay for efforts that have already been undertaken. The proposer or proposing team cannot claim as cost-share any expenses that have already been incurred. If applicable, show the cost-sharing plan in the following format (expand table as needed):

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

G. Management Plan and Qualifications

- a. **Organizational Chart:** Prepare an organizational chart listing all personnel. Include any subcontractors and other sponsors involved in the project, showing their roles and responsibilities.
- b. **Tasking Chart:** Prepare a tasking chart, setting forth approximately (in hours or days) the amount of time contributed by each person to each task and to the total effort.
- c. **Résumés** (*Not included in page count*): Identify key project personnel. Submit relevant portions of resumes for all key project personnel, including those of proposed subcontractors. Include education and experience that are relevant to the proposed work.
- d. **Related Projects** (*Limit to one (1) page*): List related projects that have been undertaken by the proposer and/or subcontractors. For each project, provide a brief summary describing the project's title, scope, funding amount and client contact numbers. NYSERDA may contact listed clients.

- H. Letters of Commitment or Support** *(Not included in page count)*: If you are relying on other organizations or businesses to do work, provide services, data, or equipment, or share in the non-NYSERDA cost, include a letter from those organizations or businesses describing their commitment. **Absence of letters of commitment or support will be interpreted as the proposer lacking those parties' commitment and support.**
- I. Procurement Lobby Requirements – State Finance Law Sections 139-j and 139-k** *(Not included in page count)*: 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 (Attachment A) including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility (Attachment B) form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

IV. Proposal Evaluation Criteria

Proposals that meet Proposal requirements will be review by a Technical Evaluation Panel (TEP) using the Evaluation Criteria below:

A. Technical Evaluation Criteria:

- a. Usefulness and Value of Project Results:** Does the proposal address a need of the energy sector? Does it have benefits for multiple sectors? Would the project result in benefits to low-income or environmental justice communities? Does it address a concern that would have large economic impacts to the affected sector? How useful would the project results be in validating policies, regulations, impact assessments, models, or climate change adaptation in NYS? Will the results be available in a timely manner? How well would the project use, build upon, and integrate other relevant data and coordinate with other research initiatives to provide maximum value to NYS?
- b. Soundness of Project Methods and Research Design / Statement of Work and Schedule:** How suitable are the proposed project methods and overall research design for meeting the project objectives and yielding accepted results? How comprehensive, realistic, and explicit is the Statement of Work with respect to the project objectives and proposal requirements? Are specific measurable targets of success provided where applicable?
- c. Management Plan and Qualifications:** How well has the proposer organized a management plan and a project team with the necessary educational, technical, operations, technology transfer, financing, and administrative experience for successfully completing the project? Does the team include partnerships with other research groups? Has the proposer assembled an interdisciplinary team, including environmental scientists, social scientists, public policy analysts, and technologists, as appropriate? How many of the team members are located in NYS? **For development of tools or guidance:** Does the project team include an end user with an express interest in the project results?
- d. Communication of Results:** Will the reporting and information transfer plan use project results to realize the potential benefits of the project? Does the plan specifically target those decision-makers or audiences to whom the project results will be most relevant? **For development of tools or guidance:** Does the project include a clear, defined path for the results of the project to be used by end users in the State?
- e. Cost Criteria:** How justifiable and reasonable are the overall costs compared to the expected usefulness of the project results and the level of effort and duration of the project? How justified and reasonable are the proposer's cost allocations and co-funding contributions (cash, in-kind services, etc.)? To what degree does the proposal include meaningful cost-sharing from other key organizations important for the success of the project?

B. Other Considerations: Projects will be reviewed to determine whether they complement the overall objectives of the Environmental Program and NYSERDA, including:

- The balance among projects of long- and short-term benefits and risk/reward relationships, and whether similar projects are presently or have been previously funded.
- The general distribution of projects of diverse topics related to program goals.
- The ways in which the proposed project fits with currently funded projects.
- The ease of measuring project success in quantifiable ways.

V. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 <http://www.nyserda.ny.gov/About/-/media/Files/About/Contact/NYSERDA-Regulations.ashx>. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
625 Broadway
Albany, NY 12207

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division
625 Broadway
Albany, NY 12207

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 (Attachment A) 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 (Attachment B) 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/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 - NYSERDA anticipates making multiple 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. NYSERDA will use the Sample Agreement (Attachment D) 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 (see Attachment A - Proposal Checklist and Attachment A-1 - Acceptance of Standard Terms and Conditions). Proposers should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSERDA expects to notify proposers approximately twelve (12) weeks from the proposal due date whether your proposal has been selected to receive an award. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSERDA agreement.

Annual Metrics Reports – If awarded, the proposer will be required to submit to NYSERDA's Project Manager on an annual basis, a prepared analysis and summary of metrics addressing the anticipated energy, environmental and economic benefits that are realized by the project. All estimates shall reference credible sources and estimating procedures, and all assumptions shall be documented. Reporting shall commence the first calendar year after the contract is executed. Reports shall be submitted by January 31st for the previous calendar years activities (i.e. reporting period). Please see Attachment: Sample Metrics Reporting Guides (Attachment E) for the metrics that you will be expected to provide and the reporting duration. NYSERDA may decline to contract with awardees that are delinquent with respect to metrics reporting for any previous or active NYSERDA agreement.

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 (Attachment D).

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

- Attachment A: Proposal Checklist
- Attachment A-1: Acceptance of Standard Terms and Conditions
- Attachment B: Disclosure of Prior Findings of Non-Responsibility Form
- Attachment C: Contract Pricing Proposal Form (CPPF) and Instructions
- Attachment D: Sample R&D Cost-Share Agreement
- Attachment E: Sample Metrics Reporting Guide
- Attachment F: Solicitation Marketing Questionnaire