

Proposals Due: August 5, 2014 by 5:00 PM Eastern Time\*

The New York State Energy Research and Development Authority (NYSEERDA) seeks proposals to engage a professional competition consultant to assist NYSEERDA in creating and planning a contest, tentatively titled ContestZERO. The contest is targeting zero net energy (ZNE) for New York State colleges and universities, potentially including ZNE and ZNE-capable buildings or districts. Goals of the contest include leveraging early market activity to expand marketplace knowledge of very low energy consuming and resilient commercial buildings; and educating future generations in the concepts, execution and value of energy efficient and sustainable buildings. Additional goals include identifying other ZNE project activities in New York State for collecting and monitoring data to better understand and inform the definitions and approaches being used, the challenges being encountered and the successes. The successful proposer will be required to seek preliminary input from college and university stakeholders and deliver a fully developed contest including theme, target audience, stakeholder support, NYSEERDA/private industry co-sponsorship of awards; rules, eligibility and registration format, budget, schedule, awards structure, a designed and tested website with social media links, marketing and arrangements for the culminating event.

**Proposal Submission:** NYSEERDA will accept mailed, hand-delivered, or electronic proposal submission. If submitting electronically, proposers must submit one (1) copy of the proposal in either PDF or MS Word format with a completed and signed Proposal Checklist, in PDF format. Proposal PDFs should be searchable and should be created by converting directly from MS Word, or other conversion utility, rather than scanned. For ease of identification, all electronic files must be named using the proposer's entity name in the title of the document. Proposals may be submitted electronically by following the link for electronic submissions found on this solicitation's webpage, which is located in the "Current Opportunities" section of NYSEERDA's website (<http://www.nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>). Instructions for submitting electronically will be located in this section. Electronic submission is preferable.

If mailing or hand-delivering, proposers must submit (1) paper copy of their proposal with a completed and signed Proposal Checklist, along with a CD containing both a PDF and MS Word digital copy of the proposal, following the above guidelines. Mailed or hand-delivered proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, RFP2964**  
**NYS Energy Research and Development Authority**  
**17 Columbia Circle**  
**Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Stephen Finkle at (518) 862-1090 x 3505 or [stephen.finkle@nyserda.ny.gov](mailto:stephen.finkle@nyserda.ny.gov). If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090 x 3507 or [venice.forbes@nyserda.ny.gov](mailto:venice.forbes@nyserda.ny.gov).

\*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](http://www.nyserda.ny.gov).

## **I. Introduction and Background:**

ZNE buildings are a nascent market trend which offers a potentially promising path to significant energy savings. Of the 160 verified or emerging ZNE buildings or districts identified nationally in the “2014 Getting to Zero Status Update Report” from the New Buildings Institute, 8 are located in New York State. Findings on ZNE from the recently released “Phase One Process Evaluation and Market Evaluation of the NYSERDA New Construction Program Final Report” reveal that “...understanding and awareness of ZNE is still relatively low, and... some market actors view the approach with skepticism.” In addition to low awareness, other issues impeding broader market adoption are: the multiplicity of definitions and goals for ZNE, and the wide range in expectations on cost and how to get there. Both in New York and on a national level, the education sector (K-12 and higher education) has been an early adopter and has shown the highest level of activity. A contest can serve to leverage this early activity by helping to collect data on projects, increase awareness, and help position NYSERDA to create an integrated approach for moving the market to ZNE throughout New York State.

The target for the contest is initially conceived to be New York State colleges and universities. The target will be refined and might change as part of the successful proposer’s work, in response to contest direction and NYSERDA input. The overall budget including this planning solicitation, the contest execution phase, awards and culminating event is anticipated to be up to \$10 million.

Colleges and universities are a significant and unique sector of the New York State economy. There are approximately 150 large colleges and universities in the State, over 500 institutions of higher learning counting all sizes and types. Each campus provides learning opportunities for hundreds to tens of thousands of students; and jobs for those who teach them, provide research opportunities, support student life, administer the institutions and create the facilities to support all of it.

Uniqueness comes in several forms. Colleges and universities are willing to try new things, be it cutting edge research or buildings that engage occupants with creative, energy efficient and sustainable designs for living, working and playing. Students arrive with fertile minds, a desire for self expression and boundless enthusiasm. Many are openly concerned for Earth’s future and deeply committed to a sustainable lifestyle at home and at work.

The willingness to try new things, boundless enthusiasm and the desire to compete makes colleges and universities a viable target audience for a contest. The consultant sought through this solicitation will be required to conceive, design and help plan the contest, including the rules, how will it be promoted and marketed to the target audience, the prizes and the proposed benefits for NYSERDA and New York State.

An example of a prize for the contest could be a NYSERDA endowment to the winning college or university for a full professorship with duties including teaching and research in the areas of ZNE buildings and building resiliency in the face of climate change. The actual prizes will be determined by the successful proposer in consultation with NYSERDA.

The contest planning will require an ongoing, synergistic interface with NYSERDA Research and Development, and other NYSERDA programs that may be appropriate partners or may provide funding or incentives to support the work of the contestants and/or winners. The successful proposer will be requested to incorporate aspects of the Empire State Development Start-Up NY Program into the contest participation requirements; to pursue contest co-funding with private corporations; and to obtain buy-in to the contest concept from a sample of potential participants.

The Proposer shall demonstrate three years experience in creating and planning professional contests. Preference will be given to Proposers who demonstrate a working knowledge of ZNE building concepts and design, and have direct experience in ZNE contests and college & university contests.

**II. Program Requirements:** The successful proposer will be responsible for conceiving, planning and organizing the contest. Execution of the contest including contest promotion will be by others under a separate agreement. The successful proposer’s responsibilities are in two primary tasks. The specific tasks and subtasks are described below. The successful proposer shall be responsible for arranging and

attending periodic status meetings at NYSERDA's Albany, NY office throughout the term of the Agreement.

**Task 1 - Contest Concept:** Work with NYSERDA to create and develop the concept for the contest.

- **Subtask 1.1** – Participate in kickoff meeting at NYSERDA (all NYSERDA meetings at 17 Columbia Circle, Albany, NY 12203)
  - Deliverable – Meeting minutes
- **Subtask 1.2** - Determine the feasibility of holding the contest, including identification of best practices from similar contests
  - Deliverable – Presentation to review findings
- **Subtask 1.3** – Develop or obtain market research on the baseline awareness of ZNE among New York State Colleges and Universities.
- **Subtask 1.4** - Identify opportunities to expand NYSERDA's outreach and influence in the area of ZNE through a contest format, including options for the type of contest, potential awards and future benefits to NYSERDA and to New York State. Develop contest metrics to ensure a large number of diversified participants from a wide geographic area across the entire State.
  - Deliverable – Subtask draft and final reports with recommendation
- **Subtask 1.5** - Identify and meet with stakeholders and potential public and private co-sponsors to discuss contest concepts (at least 3) and promote the contest. Following approval of one concept by NYSERDA, obtain input and buy-in from the stakeholders and co-sponsors for the preferred concept and types of awards; and secure co-funding commitments from the co-sponsors.
  - Deliverable – Subtask report
- **Subtask 1.6** - Meet with Empire State Development Start-Up NY program staff to discuss the proposed contest and to determine an appropriate avenue for Start-Up NY participation
  - Deliverable – Subtask report
- **Subtask 1.7** - Finalize the contest concept and format in consultation with NYSERDA and the various stakeholders and co-sponsors
  - Deliverable – Subtask report
- **Subtask 1.8** - Plan the overall procedures
  - Deliverable –Preliminary and progress reports
- **Subtask 1.9** - Prepare and obtain approval for the contest budget including promotion, management, contestant processing, web maintenance, jury honoraria and activities, a culminating event and suggested awards
  - Deliverable – Subtask draft and final reports
- **Subtask 1.10** – Review and summarize Task 1 activities and prepare for Task 2
  - Deliverable - Meetings and presentations at NYSERDA; and final Task 1 report

**Task 2 - Contest Planning and Development:** Plan and organize the contest to attract a wide array of participants and outstanding solutions for the stated contest problem. Develop rules and working documents explaining the content and conduct of the contest. Develop and test a website, including social media links, for contest information, registration, tracking and promotion. Assist NYSERDA in selecting a highly qualified contest jury capable of exercising sound judgment. Include budget, announcements, rules, instructions, program information, schedule, pre- and post-contest media events, awards structure and details, and a list of reports required during and after the contest.

- **Subtask 2.1** - Design, develop, execute and test the contest website, including related social media links
  - Deliverable – Web concept and final designs including related meetings and integration of other contest documentation into the web environment. Execution of the website with social media links and testing, on a password protected development server. Presentation and demonstration of the final website to NYSERDA. Written procedures for establishing the live site.
- **Subtask 2.2** - Schedule the order of events
  - Deliverable –Preliminary and final order of events
- **Subtask 2.3** - Write the procedural rules
  - Deliverable –Preliminary and final rules

- **Subtask 2.4** - Prepare the contest program and schedule
  - Deliverable –Preliminary and final contest program and schedule
- **Subtask 2.5** - Write the submission requirements including standardized submission format
  - Deliverable – Preliminary and final submission requirements. Sample submission for review and comment. Final submission format.
- **Subtask 2.6** - Identify and assist with selection of the jury
  - Deliverable – Summary of meetings and discussions with potential jurors. Preliminary list of distinguished jurors. Review with NYSERDA. Final jury list
- **Subtask 2.7** - Secure from the jurors an endorsement of the contest program
  - Deliverable – Written endorsements from each juror
- **Subtask 2.8** - Identify and obtain commitments from the co-sponsors
  - Deliverable – List of potential co-sponsors for review and discussion. Summary of discussions with selected co-sponsors. Financial commitments and participation agreements between NYSERDA and final co-sponsors.
- **Subtask 2.9** - Finalize the awards structure
  - Deliverable – Present options for awards structure for review and discussion. Final awards structure and a value endorsement from three potential participating institutions.
- **Subtask 2.10** - Plan for and execute pre-contest logistics and handling
  - Deliverable – Electronic media in MS Word format including written instructions for promoting and executing the contest, activating and maintaining the contest website, and managing the culminating event. Include contact information for the Proposer, media outlets, web host, jurors, co-sponsors, key stakeholders, Start-Up NY representatives, NYSERDA program managers and project manager, event venue representative and others who are integral to the successful startup, prosecution and completion of the contest. Incorporate copies of all subtask deliverables. The intent is to provide a full package of detailed information for the future consultant who will execute the contest.
- **Subtask 2.11** - Prepare the contest announcement and media plan
  - Deliverable – Preliminary announcement for review and comment. Final announcement. Present proposed media plan with draft supporting electronic and written media. Final media plan with supporting electronic and written documentation.
- **Subtask 2.12** – Conceive and plan the culminating event/awards ceremony including post-contest logistics
  - Deliverable – Two concepts for the event including opportunities and challenges for each. Present two optional event sites, including photo tour, to accommodate the chosen event, with advantages/disadvantages and preliminary budget for each. Arrange and conduct tour of chosen site for NYSERDA representatives. Develop and present draft and final event plans and budget. Upon approval of chosen event and details provide confirmation of venue reservation with contact information.

The tasks described above are illustrative of the scope of service requested. Subject to NYSERDA approval the meetings and presentations for groups of subtasks may be combined to avoid unnecessary travel and expense. The final task list will be developed by NYSERDA and the selected proposer during preparation of the agreement between NYSERDA and the proposer.

- III. **Deliverables:** The successful proposer will be responsible for the development, presentment and refinement of each task and key deliverable identified in the work plan, as well as provision of supporting documentation related to the findings and recommendations. As requested by NYSERDA, these deliverables will come in the form of memos, Power Point presentations, reports and other items as outlined. The successful proposer will also be responsible for summarizing all task deliverables in a final report. The deadline for completing Tasks 1 and 2 is 90 calendar days from the date of notice to proceed.
- IV. **Proposal Requirements:** Proposers must break out their proposal in tabbed sections as described below. Proposals should be clearly and concisely written in a manner that addresses, at a minimum, the following:

1. **Cover Page:**
  - a. Include completed and signed Proposal Checklist (see Attachment A)
2. **Table of Contents**
3. **Cover Letter** (maximum 1 page)
4. **Introduction** (maximum 3 pages):
  - a. Provide response to the information contained in Section I Introduction and Background.
  - b. Demonstrate understanding of ZNE and resiliency as related to commercial buildings, particularly those located at, or associated with colleges and universities.
5. **Contest Idea(s) and Rationale** (maximum 3 pages per idea; 10 pages total including a summary comparison page if multiple ideas are offered):
  - a. Present at least one primary contest idea. Bonus evaluation points (see Section V) will be offered for up to two alternate ideas. Each idea shall include a narrative description addressing why it is a great concept and the extent to which it accomplishes the contest goals; target participants, challenges and opportunities associated with the idea, suggested budget and anticipated benefits to New York State.
    - i. Ideas proposed are considered proprietary to each proposer, except where there is duplication between or among proposers. A proposer's ideas will only be acted upon if that proposer is awarded the contract. Ideas from the unsuccessful proposers will be discarded upon completion of the proposal evaluations.
6. **Qualifications and Experience** (maximum 8 pages):
  - a. Provide qualifications and experience in conducting the work requested, including samples of related contests conceived and planned by the proposer. References are required. Provide clear identification of staff proposed for the project including their respective role(s), qualifications, and credentials.
  - b. Teaming arrangements to ensure an appropriate level of breadth and depth with respect to the contest design and planning are permissible; but the proposer responding to this request will be responsible for seamless integration of all work and contributions of their team and/or subcontractors.
7. **Management Plan and Approach** (maximum 8 pages):
  - a. Present proposed coordination and management plan and schedule.
  - b. Include specific approach to accomplishing the work in response to the project background and goals, and the Tasks and Subtasks as outlined in Section II Program Requirements.
  - c. Based upon the proposer's previous experience, and if the proposer deems appropriate, identify any concerns and offer suggestions for modifying the Tasks and Subtasks.
8. **Cost Proposal** (using attached NYSERDA Contract Proposal Pricing Form)
  - a. Provide a fixed cost proposal to accomplish the work requested including the fully burdened hourly billing rates for the staff identified for this project. The defined Tasks and Subtasks as outlined in Section II Program Requirements shall be used as the basis for the cost proposal. The final contract costs may be adjusted up or down depending on the final task list developed by the proposer and NYSERDA during contract negotiations.
9. **Other Information** (maximum 4 pages plus required Disclosure Form):
  - a. Provide any other relevant information the proposer feels should be included in its proposal to demonstrate its capabilities, experience and preferred approach to accomplishing the work requested.
  - b. Include completed and signed Disclosure of Prior Findings of Non-Responsibility Form

Proposers must submit the completed proposal in the manner described in the Proposal Submission Requirements section at 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 will be returned and proposals lacking the completed and signed Proposal Checklist may be returned. Faxed or e-mailed copies will not be accepted.**

Proposals must not exceed the maximum number of pages described above, or 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. The proposal shall be in the format described in the Proposal Submission section.

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.

## V. Proposal Evaluation

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

• Overall responsiveness to the requirements of the RFP	20 points
• Understanding of Zero Net Energy and Resiliency	10
• Innovation, quality and executability of primary idea	20
• Innovation, quality and executability of alternate ideas	5
• Anticipated benefits to New York State	10
• Relevant experience and qualifications	15
• Coordination and management plan	15
• Rate structure	5
• TOTAL	100 Points

## 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 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 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](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](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 one award under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal (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. NYSERDA expects to notify proposers in approximately six (6) weeks from the proposal due date whether their 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.

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

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

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## **VII. Attachments:**

Attachment A – Proposal Checklist (Mandatory)  
Attachment B – Disclosure of Prior Findings of Non- Responsibility (Mandatory)  
Attachment C – Contract Pricing Proposal Form  
Attachment D – Electronic Proposal Submission Instructions  
Attachment E – Sample Agreement

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