

“High Resolution LiDAR and Aerial Orthoimagery for the
Western New York Nuclear Service Center and Environs”
Request for Proposal (RFP) 3067

Proposals Due: June 9, 2015 by 5:00 PM Eastern Time

NYSERDA seeks proposals from firms with geospatial expertise to collect and deliver high resolution LiDAR and Aerial Orthoimagery for the Western New York Nuclear Service Center and environs near West Valley, New York. The project area encompasses approximately 173 square miles. Project planning and data collection and processing will be subject to prescriptive and stringent technical specifications and performance standards. The activities covered under this Statement of Work (SOW) include project and flight planning, ground control support/surveys, mobilization of equipment and crew, data acquisition, demobilization, data processing, and data delivery and reporting.

The entire SOW will be performed for one firm, fixed price. The term of the contract will be for one year, however it is anticipated that the SOW would be completed in approximately 6 months. The contract is expected to start on or about September 1, 2015.

Proposal Submission: Electronic submission is preferable. NYSERDA will also accept proposals by mail or hand-delivery. If submitting electronically, proposers must submit the proposal in either PDF or MS Word format with a completed and signed Proposal Checklist and Disclosure of Prior Findings of Non-Responsibility, in PDF format. Proposal PDFs should be searchable and should be created by direct conversion from MS Word, or other conversion utility, rather than scanning. 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 RFP’s webpage, which is located in the “Current Opportunities” section of NYSERDA’s website (<http://www.nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>). Instructions for submitting electronically are located as Attachment E to this RFP.

If mailing or hand-delivering, proposers must submit (2) paper copies of their proposal with a completed and signed Proposal Checklist, along with a CD or DVD containing a PDF or 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, RFP 3067
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning this solicitation, contact Lee Gordon at (716) 942-9960, ext. 4963 or Lee.Gordon@nyserda.ny.gov. If you have contractual questions concerning this solicitation, contact Venice W. Forbes at (518) 862-1090, ext. 3507 or Venice.Forbes@nyserda.ny.gov.

No communication intended to influence this procurement is permitted except by contacting Lee Gordon at (716) 942-9960, ext. 4963 or Lee.Gordon@nyserda.ny.gov. 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 proposer'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.nyserderda.ny.gov.

I. Introduction

On behalf of the people of New York State, the New York State Energy Research and Development Authority (NYSERDA) holds title to the 3,345-acre Western New York Nuclear Service Center (Center), the site of a former commercial nuclear fuel reprocessing facility which is now a US Department of Energy (DOE) environmental clean-up site (the West Valley Demonstration Project; WVDP). Both NYSERDA and DOE, as well as a number of site contractors manage a wide range of projects at the Center and WVDP which generally include both decommissioning and ongoing management of a number of facilities. Activities at the Center and WVDP also include ongoing scientific studies to evaluate natural processes and their implications for future conditions of the site. High resolution topography (LiDAR) and aerial orthophotography, first collected at the site in 2010 have been instrumental in the ongoing projects and studies. NYSERDA currently seeks to both update and expand the 2010 dataset with a new LiDAR and orthophotography survey to be conducted in the fall of 2015.

II. Program Requirements

A. Services Requested

NYSERDA has convened a Technical Evaluation Panel (TEP), with representation from NYSERDA and outside geospatial experts, to assist in the evaluation of proposals for this work. The attached SOW (Attachment C) is being circulated to solicit bids from firms with LiDAR/Orthoimagery expertise interested in performing the tasks defined by this proposal. The term of the contract will be one year and is expected to start on or about September 1, 2015.

All field work must be performed in accordance with the requirements and specifications described in the SOW (Attachment C)

B. Range/Scope of Services to be Provided

The attached SOW provides a detailed description of the requested services and program requirements. Activities covered under this SOW include:

- Ground Surveying
- Data Acquisition Flight Planning
- Data Acquisition
- Data Processing
- Generation of Deliverables

C. Proposer Qualifications

NYSERDA seeks proposals from firms with geospatial expertise who have:

- Relevant education and experience in LiDAR and Orthoimagery acquisition and processing.
- Experience with LiDAR and Orthoimagery projects of similar size, complexity, and performance standards.
- The resources necessary to provide the full breadth of services required.

Relevant education and training would include relevant degrees, training certificates, and other accredited education focused on, but not limited to, geospatial data collection and processing.

Experience with LiDAR and Orthoimagery projects of similar size and complexity would include past LiDAR and Orthoimagery projects that approached or exceeded the proposed project's spatial extent, resource requirements, cost, technical specifications, and/or performance standards.

Resources necessary to provide the full breadth of services would include sufficient organizational and material resources to provide the services described in the SOW.

D. Division of Responsibilities

NYSERDA shall provide the following:

- GIS Shapefiles necessary for project planning and execution
- The full results of the 2010 LIDAR and Orthoimagery project, including ground control survey report

The Contractor shall provide the following:

- All resources needed to perform services outlined in the Statement of Work (Attachment C) in a timely manner following contract award.

III. Proposal Requirements

A. Proposal Content

The Proposer will be required to prepare a proposal, schedule, and firm fixed price for all services described in this solicitation. The proposal must identify how the contractor will provide all the required services in accordance with the specifications and performance standards detailed in the SOW (Attachment C). As part of the proposal, describe any subcontracts that will be required by the proposer to complete the work.

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

Part I - Technical and Management

- Completed "Proposal Checklist" Form (Attachment A) - to be attached to the front page of all copies of Part I of the proposal.
- Background/Objectives (three-page maximum).
- Services to be provided (five-page maximum).
- Approach for providing LiDAR and Orthoimagery services (twelve-page maximum).
- Current Qualifications Statement that clearly presents the experience of the firm or individual(s).
- Current Qualifications Statement that clearly presents the education, training and experience of

key personnel proposed to be used relevant to the SOW.

- Plan for meeting the contract participation goals for minority and women-owned business enterprises in Attachment D (one-page maximum).
- Letters of commitment from all participating firms or individuals (if applicable).
- Work Plan including key personnel and schedule for tasks or services that are anticipated to require lead time in order to implement (five-page maximum).

Part II - Cost and Disclosures

- Disclosure of Prior Findings of Non-Responsibility Form (Attachment B).
- Firm Fixed Price Cost proposal for the entirety of services described in the SOW (Attachment C) to be provided on the attached Contracts Pricing Proposal Form (Attachment E, instructions included).
- Names and contact information for client references (maximum of three).
- Any Indictment/Conviction of Felony (if applicable).
- Any NYSERDA Contracts awarded (if applicable).
- Prior and/or Competing Proposals (if applicable).
- Cost Estimate for performing the services described in this solicitation.
- Exceptions to Terms and Conditions (if applicable).
- In compliance with §139-j and §139-k of the State Finance Law (see Section VI, General Conditions below for additional information), 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 may disqualify your proposal

B. Proposal Evaluation Criteria

Proposals that meet Proposal requirements will be reviewed by a Technical Evaluation Panel (TEP) using the following Evaluation Criteria. This is not a comprehensive list, nor does the arrangement apply order of importance.

- Technical expertise and experience
The proposal will be evaluated on the respondent's demonstrated technical ability. Specific expertise/experience in the areas of LiDAR and orthophotography will be evaluated, including data post-processing expertise/experience. The proposal will be evaluated on the basis of similar project experience. Technical nature, complexity, size, and time frame will be considered.
- Organizational structure
The proposal will be evaluated according to the perceived quality of the respondent's project organization and management, including staffing, management control, and use of subcontractors. The proposal will be evaluated on the basis of the respondent's demonstrated staff qualifications.
- Compliance with REF instructions and specified performance standards
The proposal will be evaluated for compliance with the instructions set forth in this RFP. The proposal will be evaluated for quality, which demonstrates an understanding of the work required to meet the scope of this RFP.
- Technical approach to work
The proposal will be evaluated on the technical details of the proposed work, including data collection planning, data collection, and data processing.
- Ability to conduct high quality work in timely manner



The proposal will be evaluated on the basis of the respondent's apparent ability to deliver high quality products and services to NYSERDA in a timely manner.

- Cost

The proposal will be evaluated on the basis of total firm fixed price proposed for the project

IV. General Conditions

A. Proprietary Information

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, nonconfidential 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.

B. 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

New York Executive Law Article 15-A - NYSERDA is required under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises, and the employment of minority group members and women in the performance of NYSERDA contracts. The MWBE participation goals and obligations of the selected Contractor are set forth in Attachment D.

C. State Finance Law (Section 139-j and 139k)



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 nonresponsible under Section 139-j of the State Finance Law within the previous four years.

D. Tax Law Section 5-a

Tax Law Section 5-a- NYSEERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSEERDA 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 NYSEERDA, the prospective contractor must also certify to NYSEERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a perspective contractor prior to contacting and filed with NYSEERDA. 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>).

E. Contract Award

NYSEERDA 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. NYSEERDA may request additional data or material to support applications. NYSEERDA will use the Sample Agreement (Attachment F) to contract successful proposals. NYSEERDA 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. NYSEERDA expects to notify proposers in approximately 6 weeks from the proposal due date whether your proposal has been selected to receive an award. NYSEERDA may decline to contract with awardees that are delinquent with respect to any obligation under a previous or active NYSEERDA agreement.

F. Limitation

This solicitation does not commit NYSEERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSEERDA 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 NYSEERDA's best interest. NYSEERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to standard terms and conditions of the Sample Agreement.

G. 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 "Right to Stop Work," 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 Form
- Attachment B -** Disclosure of Prior Findings of Non-Responsibility Form
- Attachment C -** West Valley Site Management Program Statement of Work for "High Resolution LiDAR and Aerial Orthoimagery for the Western New York Nuclear Service Center and Environs"
- Attachment D -** Article 15-A (MWBE) Provisions for Solicitation Documents (non-construction)
- Attachment E -** Instructions for Electronic Proposal Submission
- Attachment F -** Sample Agreement