



Electric Power Transmission and Distribution (EPTD)
Distributed Energy Resource Integration
 Program Opportunity Notice (PON) 3404
Up to a total of \$3.5 Million Available

Proposals Due: November 28, 2016 by 5:00 PM Eastern Time *

The New York State Energy Research and Development Authority (NYSERDA) invites proposals to support the development, demonstration, and commercialization of innovative technology and techniques to facilitate the interconnection of distributed energy resources (DER) to the electric grid. Proposals seeking to lower interconnection burdens for commercial and industrial scale (>200 kW) solar photovoltaic systems will be given preference. All proposals must address DER interconnection as discussed later in this solicitation.

Proposals will be evaluated on the basis of their potential for interconnection cost reduction and ability to increase DER penetration. Up to \$3,500,000 of NYSERDA funding is available. All, some, or none, of the available funds may be awarded. NYSERDA may increase the available funding at a later date.

Examples of preferred innovations include, but are not limited to, the following:

- **Alternatives or lower cost options for islanding protection (alternatives to direct transfer trip)**
- **Alternatives or lower cost options for neutral overvoltage protection (alternatives to 3Vo relaying)**
- **Advanced monitoring and control of distributed energy resources**
- **Applications of smart inverter functionality leading to higher allowable DER penetration**

NYSERDA is accepting proposals in the following categories:

Category	Maximum NYSERDA Funding Per Award	Total Project Cost Share
Category A: Research Studies	\$400,000	25%
Category B: Engineering Studies	\$400,000	25%
Category C: Product Development	No limit	50%
Category D: Demonstration Projects	No limit	50%

Proposal Submission: Electronic submission is preferable. NYSERDA will also accept proposals by mail or hand-delivery. Whether submitted electronically or by mail or hand delivery, proposals must be received by NYSERDA by 5:00 PM Eastern time on November 28, 2016. 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 PON’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 in that section as Attachment G to this PON.

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 both 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: **Jillina Baxter, PON 3404, New York State Energy Research and Development Authority, 17 Columbia Circle, Albany, NY 12203-6399**. Technical programmatic questions should be directed to Dave Crudele, 518-862-1090 ext: 3095 (dave.crudele@nyserda.ny.gov). Contractual questions should be directed to Nancy Marucci, (518) 862-1090 ext: 3335 (nancy.marucci@nyserda.ny.gov).

No communication intended to influence this procurement is permitted except by contacting Dave Crudele, (518) 862-1090 ext: 3095. 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 offeror, 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 emailed 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: www.nyserda.ny.gov and in the Contract Reporter.

I. INTRODUCTION

Innovation that increases grid capacity to interconnect and expand the use of clean distributed energy resources is a necessary component of a comprehensive strategy to achieve the goals of the New York State Energy Plan, Clean Energy Standard, and the Reforming the Energy Vision (REV) initiative. The Electric Power Transmission and Distribution DER Integration Program, funded through the Clean Energy Fund¹ authorized by the Public Service Commission, will make investments in research that advances methods, technology, and industry knowledge to reduce the cost, complexity, and time to interconnect distributed energy resources with New York's electric grid.

This Electric Power Transmission and Distribution DER Integration Program solicitation is issued for technology areas including, but not limited to: DER islanding prevention, neutral overvoltage protection, advanced DER monitoring and control, and application of smart inverters to address interconnection challenges. Proposals that demonstrate the potential to lower interconnection burdens for commercial and industrial scale DER (>200 kW) will be given preference. Activities include demonstration projects, product development and studies that lower interconnection costs, facilitate faster DER interconnection, reduce the need for utility infrastructure upgrades, and allow for higher penetration of DER in the New York State electric grid. Projects that support DER interconnection both within and outside of the six NY regulated electric service territories (Consolidated Edison, Orange and Rockland, New York State Electric and Gas, Rochester Gas and Electric, Central Hudson Gas and Electric, and National Grid) and meet the Program Requirements are eligible for funding under this solicitation. This opportunity is designed to support innovation that is enabling with respect to the goals and objectives of the Reforming the Energy Vision (REV) initiative.² **All projects must demonstrate broad public benefit.** Projects outside the State's investor-owned utilities' territories must also provide direct energy, environmental, and economic benefits to the ratepayers of the State's investor-owned utilities.

Proposals will be evaluated in select categories and scored on criteria listed in this solicitation. All of the proposals will be reviewed by an investment evaluation panel (IEP) consisting of both internal NYSERDA staff and outside experts. All proposals will be evaluated according to the quality and level of detail provided and must include substantive documentation addressing all evaluation criteria items.

II. PROJECT CATEGORIES

¹ <https://www.nyserda.ny.gov/About/Clean-Energy-Fund>

² <http://www3.dps.ny.gov/W/PSCWeb.nsf/All/CC4F2EFA3A23551585257DEA007DCFE2?OpenDocument>

This solicitation includes four project categories. **The proposer must indicate under which category they are proposing.** Proposers should give careful consideration to which category they choose to propose under, as inappropriate choices negatively affect project selection results. Proposers are encouraged to contact NYSERDA (see cover page for instructions) with technical questions to promote complete understanding of the project categories as described below:

Category A: Research Studies (NYSERDA’s share of funding for any project of this type will be limited to a maximum of \$400,000. Proposer total project cost share at or above 25%.)

- Research aimed at exploring new policy, business models, regulatory, planning and cost recovery models, advanced concepts, innovative product and/or technology development. Studies that will reduce barriers to the deployment of advanced technologies that reduce the cost, complexity, and time to interconnect distributed energy resources with the electrical power delivery system.

Category B: Engineering Studies (NYSERDA’s share of funding for any project of this type will be limited to a maximum of \$400,000. Proposer total project cost share at or above 25%.)

- Engineering studies that assess the feasibility, design and effectiveness of demonstrating new or under-utilized technologies at a New York site. Engineering studies are expected to ultimately lead to widespread technology adoption or a project proposal in a future solicitation under Category D: Demonstration Projects and are intended to support project development activity such as detailed design, site assessment, economic analysis, interconnection and permitting issues associated with potential demonstration projects.

Category C: New Product Development (Proposer total project cost share at or above 50%.)

- Development and commercialization of products that reduce the cost, complexity, and time to interconnect distributed energy resources with New York’s electric grid. Note that bench-scale testing and field verification or testing may be included in Category C projects. For Category C proposals technical and economic feasibility studies of the technology must have been completed and must be included in the proposal. Proposers who cannot meet this requirement may consider proposing under Category A. See Section IV(7).

Category D: Demonstration Projects (Proposer total project cost share at or above 50%.)

- Demonstrations of new or under-utilized technologies that are past the technology readiness level 3 or above stage. Projects in this category **should not** include technology or product development tasks. If technology or product development tasks are necessary, consider proposing in Category C. Projects in Category D should demonstrate innovative new or under-utilized products or technologies in pioneering applications. Proposals in this category should clearly identify how this project will bring the product or technology closer to commercial realization and how such demonstration will lead to increased use of the technology in New York State. See Section IV(8).

NOTE: NYSERDA reserves the right to negotiate scope of work, budget and funding levels on all awarded projects. Efforts requesting more than \$250,000 of NYSERDA funds may be phase funded.

III. ELIGIBLE TECHNOLOGIES

Recent trends show continued growth in the number, size, and complexity of DER interconnection projects in New York. Innovation supporting DER interconnection is not occurring passively in the scope or scale needed to support the increasing number and size of DER projects requesting to interconnect with New York’s electric grid. As a result, DER projects are increasingly required to make expensive and time consuming electric grid infrastructure upgrades before they can be interconnected. Proposals to this PON must address the increasing cost, complexity, and protracted nature of the interconnection process by furthering innovation intended to reduce interconnection burdens.

Technologies eligible under this solicitation include innovative and under-utilized smart grid and other electric power deliver technologies and studies that facilitate increased DER adoption by reducing interconnection burdens and furthering industry knowledge of how DER interact with the electric grid.

Potential technologies include, but are not limited to:

- (1) Alternatives or lower cost options for islanding protection (alternatives to direct transfer trip)
- (2) Alternatives or lower cost options for neutral overvoltage protection (alternatives to 3Vo relaying)
- (3) Advanced monitoring and control of distributed energy resources
- (4) Applications of smart inverter functionality
- (5) Mitigation of overvoltage associated with DER (i.e. ground fault overvoltage and transient overvoltage)
- (6) Flicker mitigation
- (7) Methods to allow greater DER penetration on the electric grid
- (8) Methods to increase hosting capacity of existing circuits

IV. PROGRAM REQUIREMENTS

Projects selected for funding must:

- (1) Address an innovative DER interconnection technology that reduces interconnection burdens, increases allowable DER penetration, or otherwise supports DER adoption under New York's Reforming the Energy Vision (REV) initiative.
- (2) Provide direct and quantifiable energy, environmental, and economic benefits to New York State such as emissions reductions (such as greenhouse gases and criteria air pollutants), clean distributed energy resource deployment, job creation, product manufacturing and sales, increased resiliency and reliability, higher efficiency, and reduced electric costs.
- (3) Include a project budget using the attached Contract Pricing Proposal Form (CPPF) showing total project cost and proposer cost-share. Include a cost-sharing breakdown by project task in the Statement of Work.
- (4) Provide for the sharing of project success by agreeing to pay recoupment, where required, to NYSERDA for any new technology or product development project requesting NYSERDA funding over \$100,000 upon product commercialization, if applicable (see terms and conditions in Attachment F, Sample Agreement).
- (5) Demonstrate that the proposer and/or team of proposers are qualified to carry out the submitted project proposal.
- (6) Provide a strong rationale as to how the project will overcome barriers impeding the implementation or adoption of any new or under-utilized technology.
- (7) For projects that develop technologies or products, emphasize development and/or application of marketable products for near-term commercialization, rather than basic research, provide an assessment of the addressable market, and discuss an appropriate commercialization path and potential for manufacturing in New York State. Note that even in early-stage projects, initial activities focusing on commercialization (or technology deployment) paths and challenges are

essential to assessing benefits, risks, and future resource requirements. Technical and economic feasibility studies of the technology must be included.

- (8) For demonstration projects, clearly identify how this project will bring the product closer to commercial readiness and how such demonstration will lead to increased use of the product in New York State. **Demonstration projects must be installed within New York State. See additional requirements for Demonstration Projects, below.**
- (9) Provide a letter of support and commitment from all funding sources and entities responsible for managing, operating and maintaining all electric delivery infrastructure impacted by project.
- (10) Demonstrate that the project and funding request addresses a current challenge to technology evolution that is not being addressed adequately by current industry practices and/or federal and/or other state research priorities and funding. Include a cost and New York statewide public benefit analysis to justify allocation of funds.

Other Considerations

- A proposal may be considered non-responsive if it fails to comply with the requirements of this solicitation. Proposals deemed non-responsive will not be eligible for awards.
- Prior to an award being made, potential contractors may be required to demonstrate: access to financial resources sufficient to perform the proposed work, technical experience and adequate facilities (or the ability to access them), a good performance record, and the ability to qualify for an award under applicable laws and regulations.
- Preference will be given to proposers that provide higher cash contributions towards project costs.
- External funding partnerships are encouraged to leverage limited New York State resources. Proposers are encouraged to develop projects that leverage funding with external resources partners such as other research and development organizations.

ADDITIONAL PROGRAM REQUIREMENTS FOR CATEGORY D DEMONSTRATION PROJECTS ONLY

Category D projects selected for funding **must**:

- (1) Have a **New York State demonstration site**.
- (2) Be installed within 18 months of contract.
- (3) Address safety issues, including public safety, that are applicable to the demonstration project.
- (4) Comply with all applicable building, fire, electrical, and interconnection codes, standards, and requirements.
- (5) Provide equipment sensors, instrumentation, and a complete data acquisition system for remote monitoring and reporting as specified below.
- (6) Demonstrate the technology viability and monitor the performance, characteristics, and benefits for a period adequate to meet project goals. If the period is under 18 months, the proposer must discuss why the proposed time is adequate. Unless the proposer demonstrates a compelling reason otherwise, at least 365 operating days of data will be required after commissioning.
- (7) Present an economic analysis of the proposed technology demonstration including an estimated cost/benefit ratio, and a plan to measure the actual cost/benefit ratio during the demonstration.

Data Acquisition Requirements for Category D Demonstration Projects Only

It is the intent of NYSERDA to provide system level operation and performance information, including economic performance information, to the general public on each of the demonstration projects funded under this solicitation. In order to meet this objective, each demonstration project must provide sufficient instrumentation and data

transmittal, and analytical capabilities to allow the collection and analysis of technical and economic performance data.

The demonstration project proposal should include system operating data to be used for evaluation and generation of reports on the overall performance of the technology being demonstrated. Data acquisition sampling rates must be adequate to characterize the benefits and the value proposition of the proposed application. For example, sampling rates for applications designed to enhance power quality or system stability would be much higher than sampling rates for peak shaving or arbitrage applications. In the event that the demonstration system performs multiple activities, the system must provide for the collection of data for all activities. All raw and summary data collected at the project sites must be archived and protected from loss on permanent media.

Benefits Data Tracking and Reporting for Category D Demonstration Projects Only

Data sufficient to demonstrate the energy, environmental, and economic benefits defined in the proposal must be measured, collected, analyzed, and recorded. For applications that claim multiple benefits, the proposed data and analysis scheme must adequately support the claimed benefit for each of the benefits specified in the proposal.

Reporting Requirements for Category D Demonstration Projects Only

The proposal must identify the project team member who will be responsible for the preparation and delivery of periodic written project reports. System operational summary information must be generated regularly and be included in progress reports. At a minimum, the system operational summary information must include the following:

- Raw data.
- System performance summary.
- Summary of system reliability and failure rates.
- A written summary of the economic benefit derived for the time period.
- A written summary of all operations and maintenance activities for the time period.
- System dispatch information and use patterns associated with the project, as appropriate.
- Energy consumption breakdown of parasitic loads introduced by the demonstration system, as appropriate.
- System performance under typical utility fault conditions, e.g. lightning strikes, primary phase to ground faults, voltage sags/spikes, electric outages, etc., as appropriate.
- System performance under user fault conditions, e.g. fault in customer plant, as appropriate.

Reports must be generated that consolidate all the information from the reports and summarize demonstration system performance for the preceding year.

Historical Performance Data Reporting for Category D Demonstration Projects Only

Where appropriate to document project benefits, historical utility system operational data prior to the installation of the demonstration system is required in order to provide credible baseline data on electrical system performance before and after the installation of the demonstration system. Information concerning load profiles, peaks, overloads, faults, power quality events, and any other information required to fully characterize the operation of the electrical utility at the demonstration site prior to installation of the demonstration system must be collected by the proposer for a reasonable period of time. Comparison information must be made part of the progress reports.

V. PROPOSAL REQUIREMENTS

Proposal Submission: Electronic submission is preferable. NYSERDA will also accept proposals by mail or hand-delivery. All proposals must be received by NYSERDA by 5:00 PM Eastern time on November 28, 2016. If submitting electronically, proposers must submit the form fillable 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 PON's webpage, which is located in the "Current Opportunities" section of NYSERDA's website (<http://www.nyserderda.ny.gov/Funding-Opportunities/Current->

[Funding-Opportunities.aspx](#)). Instructions for submitting electronically are located in that section as Attachment G to this PON.

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 both 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: **Jillina Baxter, PON 3404, NYS Energy Research and Development Authority, 17 Columbia Circle, Albany, NY 12203-6399. Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist may be returned.** Faxed or e-mailed copies will not be accepted.

The proposer's goal should be to concisely present the information needed to fully address the evaluation criteria (see Section VI). Proposals that grossly exceed the word limits or fail to follow the format guidelines may be rejected as non-responsive. If you believe proprietary information must be submitted to provide an adequate proposal, you must comply with the Section VIII instructions for submitting proprietary material. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective proposal may reduce, rather than increase, a proposal's standing per the evaluation criteria. Each page of the proposal should state the name of the proposer, the PON number, and the page number. The proposal must be in the following format, with items in the sequence shown.

1. Proposal Checklist - Complete the specific Proposal Checklist attached as part of this PON, and include it as the front cover of the original and each copy of the proposal. Please note the following:

1. Indicate whether you accept the standard terms and conditions as contained in the attached Sample Agreement (Attachment F). If you do not accept the standard terms and conditions, provide alternate terms with justification based on the risk and benefit to NYSERDA and New York State. 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.
2. Be sure the individual who is signing the Proposal Checklist is authorized to commit the proposer's organization to the proposal as submitted.
3. Indicate to which category you are proposing on the proposal checklist. Each proposal will be considered for only one category of funding.
4. Do not leave any blanks. If a specific question is not applicable, indicate N/A.

2. Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k. In compliance with §139-j and §139-k of the State Finance Law (see Section VIII, 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.

3. Proposal Narrative. Complete the Proposal Narrative form-fillable document as part of the PON (Attachment C). The Funding Category must be clearly indicated. The Proposal Narrative contains the following sections:

- Executive Summary
- Problem Statement and Proposed Solution
 - Attachment C2: Business Model Canvas (Category C, and D)
- State of Research and Technology Targets
 - Attachment C3: TRL/CRL Calculator
- Commercialization Potential of Proposed Product
 - Attachment C4: Three-Year Financial Projects Worksheet (Category C)
- Demonstration Project Information (Category D Only)
- Study Information (Category A and B)
- Statement of Work (Attachment C1) and Schedule
- Project Benefits
- Budget

- Proposer Qualifications
- Letters of Support
- Attachments

Proposers must carefully review the Proposal Narrative to ensure that all required sections are completed. Failure to do so may result in the proposal being rejected as non-responsive.

VI. PROPOSAL EVALUATION

Proposals will be reviewed by an Investment Evaluation Panel (IEP) and will be scored and ranked according to the following criteria. In addition to considering how project proposals satisfy the Evaluation Criteria listed below, NYSERDA reserves the right to make funding decisions on the basis of other programmatic reasons such as, but not limited to, NYSERDA's history/experience with particular contractors, geographic equity/distribution, customer diversity, scale of anticipated impacts, and prospects for learning opportunities. After the proposals are reviewed, NYSERDA will issue a letter to each proposer indicating if the proposal has been selected to enter into contract negotiations with NYSERDA. As part of contract negotiations, the proposer will be required to submit a detailed Statement of Work, budget, and schedule, and may also be asked to address specific questions or recommendations of the IEP before contract award.

EVALUATION CRITERIA:

Problem and Proposed Solution (All Categories) -

- How significant is the problem or opportunity to New York State?
- Is the proposed work technically feasible, innovative, and superior to alternatives?
- Does the proposal address an eligible technology?
- How well does the proposed solution address the problem or opportunity?
- Are fundamental scientific principles well understood and clearly presented?
- How appropriate are the cost, technical, and performance goals for the proposed technology or product?
- Does the proposer exhibit an understanding of the state-of-the-art, competing products and alternative designs?
- If the proposed work is a follow-on project to a previously co-funded NYSERDA project, what was the outcome of the earlier phase?
- Is the proposed project addressing a current challenge or opportunity that is not being addressed adequately by current industry practices and/or federal and/or other state research priorities and funding?

Proposed Work (Category D only) –

- How significant is the demonstration opportunity to New York State?
- How well does the proposed solution address the problem or opportunity?
- Is the proposed demonstration innovative and is it appropriate that the proposed demonstration be funded under this program as opposed to a NYSERDA program that provides incentives to install certified, commercially-ready technologies?
- Does the proposal address an eligible technology?
- Is the proposed demonstration well-conceived, technically feasible, and superior to alternatives?
- Does the proposer exhibit an understanding of the state-of-the-art, competing products and alternative designs?
- What is the level of commitment of a New York State host site?
- Is an appropriate performance monitoring and data analysis effort included in the proposal?
- If the proposed work is follow-on to a previously co-funded NYSERDA project, what was the outcome of the earlier phase?

New York State Impact and Project Benefits (All Categories) –

- To what extent does the project support Reforming the Energy Vision (REV) goals, Grid modernization, in general the Clean Energy Standard, and the Clean Energy Fund goals in New York State?
- To what extent will there be economic benefits in New York State in the form of subsequent commercial activity and economic growth?
- Does the proposal include a New York State demonstration site?
- To what extent does the proposal involve the participation of one or more utilities?
- Are the appropriate letters of support and/or commitments included in the proposal?
- How well are the potential benefits to New York State quantified?
- How likely is it that the projected benefits will be realized?
- Does the proposed project have favorable energy, efficiency, environmental and economic impacts in New York State? How significant are these impacts?
- To what extent will there be economic benefits in New York State in the form of subsequent commercial activity?
- Are the technical risks identified, appropriately addressed, and balanced by project benefits?
- Does the proposal address an innovative electric power delivery technology that improves performance, quality or reliability / resiliency?

Statement of Work and Schedule (All Categories) -

- How appropriate are the technical and performance goals for the proposed project?
 - Do the proposed technical and performance goals adequately allow for measurement and verification of the success of the proposed project?
 - Is the work strategy in the Statement of Work sound and likely to achieve the technical and performance goals?
 - Does the Statement of Work include an economic analysis of the technology based on performance measurements?
 - Is the Statement of Work well organized, complete, and appropriate for the goals identified?
 - How realistic is the schedule for achieving the goals of the proposed project?
 - Is the proposed level of effort reasonable to complete the proposed project?
 - Are the proposed milestones reasonable?
- (Category D Only) –
- Are the data acquisition, monitoring, and reporting plans reasonable and do they meet the requirements in Section V, ‘ADDITIONAL PROGRAM REQUIREMENTS FOR CATEGORY D DEMONSTRATION PROJECTS ONLY’?
 - Is the benefits tracking plan reasonable and does it meet the requirements in Section V, ‘ADDITIONAL PROGRAM REQUIREMENTS FOR CATEGORY D DEMONSTRATION PROJECTS ONLY’?
 - If monitoring baseline utility system operation is necessary to document system benefits, does the Statement of Work include a provision to adequately gather baseline utility operational data?

Proposer Qualifications (All Categories) -

- Has the proposer provided evidence of being qualified to perform the proposed work based on the qualifications of the organization(s) and the involved individual(s)?
- Were resumes of key individuals included in the proposal?
- To what degree does the proposer have the necessary technical and business background and experience?
- Does the team include a New York State business, thereby providing economic benefits in the form of jobs?
- Has the proposer provided evidence of good past performance on other relevant projects?
- Is the proposing team appropriately organized?
- Are staff allocations and responsibilities reasonable?

Project Cost and Value (All Categories) -

- Is the overall project cost justified and reasonable based on the level of effort proposed and the expected outcome and benefits?
- How significant is the potential market opportunity relative to the project cost?

- How appropriate are the proposer's co-funding contributions (sources and amounts) with respect to the degree of risk, potential to benefit from the work, and financial status of the organization?
- How firm are the commitments and support from essential participants, co-funders, and related businesses and other organizations?
- Are the overhead rates reasonable and supported with appropriate documentation?
- Are equipment, facility, material, and travel costs based on reasonable estimates?
- Are the labor rates reflective of the industry?

Technology Transfer / Repeatability (All Categories) –

- Does the proposed technology have commercial applications at other New York State sites?
- Does the proposed project demonstrate an effective strategy and strong potential for the project to lead to future use of the technology in New York?
- Does the proposed technology address market needs?

Business/Commercialization Plan (Category C only) -

- Is the proposed product or concept likely to be successful?
- Are there sufficient markets or needs for the concept/technology?
- Does the proposed project address customer needs?
- Are the business and commercialization or replication plans appropriate for the type of project and stage of development?
- How significant are the barriers to market entry?
- Does the proposer demonstrate a clear understanding of the steps required to overcome these barriers?
- Have customers been identified and consulted regarding the value of the technology or solution?" "Is the value proposition of the technology well matched to the expressed needs of the customer segments being targeted?
- Does the proposal identify competing and alternate solutions, and clearly show why this product or concept is superior to, price competitive with, or provides value compared to alternative products or solutions?
- If follow-on financial resources are necessary, are plans to raise necessary financial resources likely to be successful?
- How well are the project tasks directed at identifying and fulfilling customer requirements? How far will execution of the work plan take the product to full commercialization?
- Would achievement of technical and business goals position the company to raise capital or realize revenue from the product before NYSERDA funding is exhausted?

Other Considerations – Proposals will be reviewed to determine if they reflect NYSERDA’s overall objectives, including: risk/reward relationships, the general distribution of projects among categories, technologies, industries and other organizations, and geographically within New York State. NYSERDA may decline to fund proposals that duplicate or are similar to other proposals or ongoing or completed projects,

VII. RECOUPMENT AND METRICS

Recoupment. For any new projects **exceeding \$100,000** that involve product development, including business development (see definition below), **NYSERDA will require a royalty based on sales and/or licensing of the new product developed** (Please see Attachment F, Sample Agreement for specific recoupment obligations).

Product Development: the method of bringing a new or improved product, system, or service to market, including technical feasibility, business case feasibility, market analysis, proof of concept, product design, engineering, scale up, and field testing. Field testing is the stage in which a technology, not yet commercially available with a warranty, is operated in real world conditions with results used for product iteration, market validation, or customer engagement. Projects where NYSERDA’s share of funding is \$100,000 or less will generally not require recoupment. However, should subsequent funds be awarded for

further product development of the same or a substantially similar product, any funds previously received under the \$100,000 threshold will be added to the future recoupment obligation. Please note: NYSERDA may decline to contract with awardees that are delinquent with respect to recoupment payments or sales reporting for any previous 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 E: Product Development Sample Metrics Reporting Guide 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.

VIII. 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://www.nyserra.ny.gov/About/-/media/Files/About/Contact/NYSERDA-Regulations.ashx>[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
30 South Pearl Street
Albany, NY 12245

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

Empire State Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>. The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of \$100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. *See*, ST-220-TD (available at http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a prospective contractor prior to contacting and filed with NYSERDA. *See*, ST-220-CA (available at http://www.tax.ny.gov/pdf/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 to contract successful proposals. NYSERDA, at its sole discretion, will decide whether to contract successful projects using time and material or milestone payment terms. NYSERDA reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal. NYSERDA expects to notify proposers in approximately 10 weeks from the proposal due date whether your proposal has been selected to receive an award. **NYSERDA may decline to contract with awardees who 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.

IX. Attachments

Attachment A - Proposal Checklist

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

Attachment C – Proposal Narrative Format

Attachment C1 - Statement of Work Format

Attachment C2 – Business Model Canvas Template

Attachment C3 – TRL-CRL Calculator Workbook

Attachment C4 – 3 Year Financial Projection Worksheet

Attachment D - Contract Pricing Proposal Form (CPPF)

Attachment D1 – Contract Pricing Proposal Form (Excel)

Attachment E - Sample Product Development Metrics

Attachment E1 – Sample Demonstration Metrics

Attachment E2 – Sample Information Dissemination Metrics

Attachment F - Sample Agreement with Exhibits

Attachment G – Instructions for Electronic Proposal Submission