



**76West: Building a Clean Energy Business Ecosystem in New York's Southern Tier  
Request for Qualifications (RFQL) 3101  
Up to \$20 million Available**

**Proposals Due: June 15, 2015 by 5:00 PM Eastern Time\***

**Program Summary:** The Southern Tier<sup>1</sup> of New York State is a leader in clean energy innovation and investment. To advance and accelerate this progress, the New York State Energy Research and Development Authority (NYSERDA) is implementing 76West as a clean energy business competition designed to bring new jobs to the Southern Tier Region (Region). The competition will take advantage of the Region's advanced manufacturing sector, reliable research and tech-transfer capabilities, as well as business training and improvement programs already in place. This competition is expected to attract investment and innovative ideas from around the world to the Region. As part of the competition, entrepreneurs and companies will be challenged to present their ideas and compete for funding, technical assistance, and other services to help turn their proposals into real opportunities.

Through this solicitation, NYSEDA expects to select one or more contractors to provide as-needed consulting services to support the 76West initiative. The expected start date for work under this program is August 4, 2015.

**Proposal Submission:** Electronic submission is preferable. NYSEDA 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 RFQL's webpage, which is located in the "Current Opportunities" section of NYSEDA's website (<http://www.nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>). Instructions for submitting electronically are located as Attachment D to this RFQL.

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 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, RFQL 3101  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Jeff Peterson at (518) 862-1090, ext.3288 or [jeff.peterson@nyserda.ny.gov](mailto:jeff.peterson@nyserda.ny.gov). If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507 or [venice.forbes@nyserda.ny.gov](mailto:venice.forbes@nyserda.ny.gov).

No communication intended to influence this procurement is permitted except by contacting Jeff Peterson (Designated Contact) at (518) 862-1090, ext.3288 or [jeff.peterson@nyserda.ny.gov](mailto:jeff.peterson@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.

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<sup>1</sup> For the purpose of 76West, the Southern Tier is defined as including the following counties: Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Delaware, Schuyler, Steuben, Tompkins and Tioga.

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

## I. Introduction

The New York State Energy Research and Development Authority (NYSERDA) is a public benefit corporation established by the New York State Legislature in 1975 with a mandate to use innovation and technology to solve some of New York's most difficult energy and environmental problems in ways that improve the State's economy. NYSERDA does so through research and development programs and market development efforts. Information on NYSERDA programs can be found at [www.nyserderda.ny.gov](http://www.nyserderda.ny.gov).

The Southern Tier<sup>2</sup> of New York State is a leader in clean energy innovation and investment. To advance and accelerate this progress, NYSERDA is implementing 76West as a clean energy business competition designed to bring new jobs to the Southern Tier Region (Region). The competition will take advantage of the Region's advanced manufacturing sector, reliable research and tech-transfer capabilities, as well as business training and improvement programs already in place. This competition is expected to attract investment and innovative ideas from around the world to the region. As part of the competition, entrepreneurs and companies will be challenged to present their ideas and compete for funding, technical assistance, and other services to help turn their proposals into real opportunities.

The strategic goals of the 76West initiative include: catalyze a clean energy business cluster that builds on the indigenous strengths and assets of the Region; grow and attract new clean energy businesses; leverage existing and planned public and private investment in research and business growth; build partnerships with local businesses to bring innovative solutions to the market; communicate the opportunities of the Region to clean energy businesses outside of the region; and support a portfolio of programs designed to increase the probability of success for the new businesses participating in the competition. Beyond the regional economic development benefits of the program, commercializing new technologies that help New Yorkers (and beyond) use less energy or generate cleaner energy will have long term greenhouse gas reduction impacts.

76West is a comprehensive four-year program with an annual \$2.5 million Business Model Competition that will be launched by the end of this year. Preliminary program details could include, but are not limited to:

- The competition will be open to any early-stage clean energy technology business in the world that builds on the indigenous strengths and assets of the Southern Tier.
- Eligible categories will focus around stages of business development
- Prize payments will be made as milestones are achieved.

In addition to the business competition, 76West will offer business support services to the local clean energy market. These services could include, but are not limited to:

- Entrepreneurial training programs, built, for example, around the customer discovery, market validation and business model canvas methodology.
- Access to and use of the existing incubator programs in the region.
- An Entrepreneurs-in-Residence program to provide mentoring and coaching on commercialization and business development.
- Networking events to introduce regional clean energy technology businesses to potential corporate partners and investors.
- Fellowship programs to locate graduate students for internships and research assignments.
- Facilitated access to rapid-prototyping and pilot-scale manufacturing resources in the region, and across New York.
- Building a pool of business professionals in the Southern Tier to provide the necessary expertise to clean energy technology businesses in the region through an Executive Leadership Institute.

For the purpose of the 76West initiative, clean energy is defined as follows: *hardware technologies, software technologies, services, or processes that broadly reduce energy consumption and greenhouse gas emissions and/or enable the transition to a sustainable and clean energy economy by increasing the supply of renewable energy and distributed energy resources, improving the efficiency of energy utilization at the consumer and industrial scale, improving the processes and systems that use energy, or more effectively enabling energy solutions to permeate the marketplace.*

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<sup>2</sup> For the purpose of 76West, the Southern Tier is defined as including the following counties: Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Chenango, Delaware, Schuyler, Steuben, Tompkins and Tioga.

## II. Program Eligibility

Eligible proposers may include, but are not limited to, private businesses, consultants, academics, business development organizations, or teams.

## III. Program Requirements

Proposers are invited to submit, in the format described below in Section IV C, a proposal describing their skills, expertise, experience, qualifications, and personnel rates in the areas outlined below. Proposers are permitted, but not required, to team with partners (subcontractors) they think would offer complementary expertise in addressing the following Program Objectives:

### A. Program Objectives

The objective of this solicitation is to identify *one or more contractors* to implement activities that support the success of 76West, including the following:

Program Marketing and Communications Implementation: Position/brand and support the launch of 76West to achieve the following:

- Attract interest from promising companies inside and outside of the Region;
- Encourage and support companies in New York State and the Region to use the opportunity to position themselves for further growth; and
- Leverage and coordinate marketing across organizations in the Region to deliver consistent messages and value.

Design and Implement the 76West Clean Energy Business Plan Competition: The core activities in this program component include, but are not limited to, the following:

- Development of the official rules, eligibility and judging criteria;
- Development of a program implementation and competition schedule (the competition launch date is November, 2015); and,
- Management of the logistics for the competition including all of the events leading up to, during, and following the annual competition.

Entrepreneurial Training: The core activities in this program component include, but are not limited to, the following:

- Leverage and utilize existing incubators in the Region or other programs across New York State to deliver a range of entrepreneurial education activities in the months leading up to the annual competition application due date;
- Develop and implement entrepreneurial training, based on a customer discovery and market validation model, to semi-finalists prior to the due date for the final application. The training must be accessible to semi-finalist teams that could be located outside of the Region.

Business Support and Mentoring: The core activities in this program component involve the development and implementation of a series of initiatives designed to increase the success and growth rate of businesses selected through the competition. These may include, but are not limited to, the following:

- The use of existing incubator programs in the region to provide support and services to the businesses selected in the competition;
- An Entrepreneurs-in-Residence program to provide mentoring and coaching to selected businesses;
- A series of networking events, such as Business Showcase, Startup Weekends and Venture Forums, to introduce selected clean energy technology businesses to potential corporate partners and investors;
- Partnerships with academic institutions across New York, to locate graduate students with selected clean energy businesses from the competition for internships and research assignments; and,
- Provide facilitated access to resources in the Region, and across New York, to provide

manufacturing design, testing and pilot manufacturing to selected clean energy businesses from the competition.

Corporate/Institutional Partnerships: The core activities in this program component involve proactive connection to regional and New York State public and private organizations that can serve as strategic partners for businesses selected in the competition and potentially support/invest in the competition.

Identify and Track Critical Key Performance Indicators (KPI): In consultation with NYSERDA, identify the objective variables that will be used to measure the performance of the 76West initiative. Develop and implement the processes to track the variables and desired outcomes.

Other Activities: Under the direction of NYSERDA, plan and conduct additional services that further the objectives of the 76West initiative.

## **B. Funding**

Up to \$20 million may be available for the program. The initial term of the contracts signed will be for 5 years to support 4 annual competitions.

## **C. Task Order Agreements**

One or more contractors may be selected through this RFQL. NYSERDA will enter into a general Task Order Agreement with the selected contractor(s) with the flexibility to request services for a variety of activities. A Task Order Agreement is used because no estimate can be made in advance as to the type, amount, and complexity of the work.

The Task Order Agreements will not guarantee any specific amount of work, but may contain a maximum dollar amount. Following a request from NYSERDA, the contractor will prepare a written Task Order Plan, which will become a binding agreement for all parties. The Task Order Plan will be prepared by the contractor in cooperation with NYSERDA.

Task Order Plans shall include:

- The goals and objectives of the project
- The detailed, task-based approach that will be taken to meet the objectives
- Any relevant background information
- Defined deliverables
- The project time frame
- The names and titles of individuals to work on the project
- The total not-to-exceed cost of the project, including a breakout by task and by title, hourly rate, hours, and non-labor costs
- The identification of performance measures to track project success

The details of any Task Order Plan will be consistent with the level of complexity of the proposed project or activity. Hourly rates shall be those in the general Task Order Agreement. NYSERDA must review and approve all Task Order Plans before projects are implemented.

## **D. Compensation**

Compensation will be based on the contractor's direct and indirect personal services costs (included in the proposal) plus allowable expenses. Fees will be based on the contractor's hourly rates for the appropriate level of staff. NYSERDA will negotiate each task order on the basis of demonstrated competence and qualifications, at fair and reasonable fees. Fee schedules (Attachment C) shall be included in each proposal that identify rates for each member of the team by title. Proposers are asked to consider the length of the Agreement (five years) in proposing their fee schedules, which will be fixed for the duration of the five-year contract period. Should the Agreement be extended after the five-year contract period, rates may not escalate by more than 3% in each additional year.

Budgets for all work conducted will be included in the Task Order Plan and approved by NYSERDA. The Task Order Plan will also place a ceiling or not-to-exceed amount for each project. Contractors who accrue billable hours beyond the ceiling in the Task Order Plan, without approval in writing by NYSERDA, will do so at their own risk. **Contractors will not be compensated for time spent in the preparation of any Task Order Plan.** Preparation of the Task Order Plan is considered to be covered by the contractor's overhead expenses.

#### **IV. Proposal Requirements**

Proposers are invited to submit a proposal following format outlined in Section IV C below. A completed and signed Proposal Checklist (Attachment A) must be attached as the front cover of your proposal. **Late proposals will be returned and proposals lacking the appropriate completed and signed Proposal Checklist may be returned. Faxed or e-mailed copies will not be accepted.**

##### **A. Submittal**

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 (Attachment B), 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 RFQL'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 D to this RFQL.

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##### **B. Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k**

Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The texts of the laws are available at: [http://ogs.ny.gov/aboutOgs/regulations/defaultSFL\\_139-j-k.asp](http://ogs.ny.gov/aboutOgs/regulations/defaultSFL_139-j-k.asp)). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation that could result in agreements with an annual estimated value in excess of \$15,000, additional forms must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

##### **C. Proposal Format**

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, RFQL 3101, and the page number.

All responses submitted as part of this RFQL solicitation process become the property of NYSERDA. Proposers will not be reimbursed by NYSERDA for any costs associated with the preparation of their proposals. Proposals may be either single- or double-sided, but a page is considered one side of an 8-1/2" x 11" piece of paper. The font size shall not be smaller than 11 point.

Each proposal shall contain, at a minimum, the following:

##### **Cover Letter** (1 page suggested)

Proposers shall submit a cover letter on company letterhead that:

- (a) references RFQL 3101
- (b) summarizes the proposer's ability to perform such services relative to Section III A -- Program Objectives
- (c) is signed by a person with authority to enter into a contract with NYSERDA

Letters from subcontractors included in the proposal must be attached to the proposal and include the same information included in the proposer's cover letter.

**Program Objectives:** Proposals must include the information outlined below for each of the Section III A - Program Objectives for which the proposer is interested in delivering service.

**Overall Experience and Capabilities** (2-3 pages)

Describe the team's expertise and experience in performing one or more of the activities outlined in Section III A -- Program Objectives. This should include the aggregate number of years working in this area and a brief summary of at least one and no more than three similar projects. The project descriptions should specify the level of involvement of the proposing firm and subcontractors and the results/deliverables of the project.

**Recommended Approach** (2-3 pages)

Proposers must provide a more detailed discussion of the recommended approach and experience of the project team in delivering the proposed activities outlined Section III A -- Program Objectives, above. Provide at least one reference that can be contacted by NYSERDA.

Proposers must provide examples of similar activities of the proposing team in sufficient detail to allow for the evaluation of the capabilities of the proposing team to deliver superior service to NYSERDA in meeting Section III A -- Program Objectives.

**Management Plan** (1-2 pages, plus one-page résumés)

Proposers must identify and describe the company or organization that will be the prime contractor under this RFQL and describe any personnel, teams, and subcontractors. Describe past relationships with team members and subcontractors. Include an organizational chart, if necessary. Describe the accomplishments, experiences, and expertise of the individuals comprising the proposing team relevant to this RFQL.

Proposers must identify the project manager who will serve as the single point of contact as well as all personnel that may be involved with providing services under this RFQL.

In this section include one-page résumés that highlight recent experiences of all individuals who will be directly involved in providing services.

**Fee Schedule**

Proposers must include a fee schedule (Attachment C) for the services proposed under this RFQL. Fee schedules for proposers and all subcontractors shall include: direct labor costs presented by job title, and a range for each job title's hourly rate; travel and per diem costs; overhead rates (basis rate and items included in overhead rate); general and administrative costs and basis for application; and other costs. If a proposer is not located in New York State, describe how travel costs will be minimized.

**D. Indirect Cost**

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) is 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 Section II – Program Eligibility and Section IV – Proposal Requirements will be reviewed by a Technical Evaluation Panel (TEP) consisting of NYSERDA staff and selected outside reviewers. Responses to each of the Program Objectives will be individually reviewed and assigned scores based on the criteria highlighted below:

The following factors will also be considered during the evaluation:

- Reasonableness of the Recommended Approach as required under Section IV C, above.
- Previous experience in the conduct and delivery of services similar to those described in Section III A -- Program Objectives.
- Adequacy/depth of resources to provide requested services in a timely manner.
- Clear identification of staff that are available to be assigned to various project types.
- Qualifications and expertise of the staff in relevant areas (listed in Section IV C).
- Reasonableness of labor rates, associated fees, and overhead.
- Demonstrated ability to complete projects on schedule.
- Information provided by references.
- Other programmatic and management factors deemed appropriate by NYSERDA.

Further, as part of the evaluation process, proposers may be required to have appropriate representatives attend an interview in Albany, NY prior to final selection.

**Conflicts:** The firm, its principals, subcontractors, and any personnel of the firm must be free from any financial or similar interest in any product or service which may conflict with or appear to conflict with the objectivity of the services provided to NYSERDA. Please describe all of your product, manufacturer or service-related affiliations. If any affiliations exist, you must provide a statement verifying these affiliations do not conflict with or appear to conflict with the objectivity of providing services to NYSERDA and its customers. Non-disclosure of any affiliation can result in the termination of a contract, if awarded.

## VI. GENERAL CONDITIONS

- A. **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.nyserda.ny.gov/en/About/New-York-State-Regulations.aspx>. 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  
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

- C. **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://ogs.ny.gov/aboutOgs/regulations/defaultSFL\\_139j-k.asp](http://ogs.ny.gov/aboutOgs/regulations/defaultSFL_139j-k.asp). The attached Proposal Checklist (Attachment A) calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form (Attachment B) 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.
- D. **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>.
- E. **Contract Award** - NYSERDA anticipates making one or more awards under this solicitation. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement (Attachment E) 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. NYSERDA expects to notify proposers in approximately eight weeks from the proposal due date whether your proposal has been selected to receive an award.
- F. **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.

- 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 stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

## **VII. Attachments:**

- Attachment A:** Proposal Checklist
- Attachment B:** Disclosure of Prior Findings of Non-Responsibility
- Attachment C:** Project Personnel and Rates
- Attachment D:** Electronic Submission Guidelines
- Attachment E:** Sample Task Order Agreement