



**Offshore Wind Major Component Manufacturing Port Infrastructure  
Request for Qualifications – Port RFQL 5897  
Release Date: October 29, 2024  
Revised: December 6, 2024**

**Update to Offshore Wind Major Component Manufacturing Port Infrastructure Request for Qualifications – Port  
RFQL 5897**

**Original Release Date: October 29, 2024**

**Updated December 6, 2024**

**Summary of Revisions**

1. The Application due date has been extended from December 9, 2024 to January 13, 2025 by 3:00 p.m. Eastern Time. The RFQL has been updated to reflect these changes to the Request for Qualifications schedule [posted here](#).

**OSWRFQL5897 Request for Qualifications Schedule**

<b>Event</b>	<b>Date (all times ET)</b>
RFQL Release Date (Original)	October 29, 2024
RFQL Portal Open for Submission	December 30, 2024
Proposal Submission Deadline	January 13, 2025, 3:00 p.m.
NYSERDA Qualification Notification Date	Expected mid-February 2025
Qualification Execution and Public Announcement	Expected March 2025



**Offshore Wind Major Component Manufacturing Port Infrastructure  
Request for Qualifications – Port RFQL 5897  
Release Date: October 29, 2024  
Revised: December 6, 2024**

Applications Due: January 13<sup>th</sup>, 2025 by 3:00 p.m. Eastern Time

## **Offshore Wind Major Component Manufacturing Port Infrastructure RFQL 5897 Request for Qualifications**

This Request for Qualifications (RFQL) constitutes Phase I of a two-phase process through which NYSERDA seeks to pre-qualify ports located in New York State for participation in a competitive solicitation to award grant funding for Major Component Manufacturing (defined further below) to advance the offshore wind supply chain in New York State. Through Phase I, NYSERDA expects to pre-qualify multiple ports for participation in Phase II. Phase II will consist of a Request for Proposals (RFP) that is planned for release by NYSERDA in the first quarter of 2025 ("Phase II RFP").

All relevant documents pertaining to this Request for Qualifications (RFQL) are available on NYSERDA's website <https://nyserda.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Supply-Chain-Economic-Development/500M-Investment>. Applicants are advised to check this website regularly for updates.

NYSERDA does not intend to publish Applications to this RFQL. However, if you intend that portions of your Application are to remain confidential, please mark them "Confidential" or "Proprietary." If NYSERDA receives a request from a third party for Applications received that have been marked "Confidential" or "Proprietary," NYSERDA will process such request under the procedures provided by New York State's FOIL regulations as detailed in Section V below (email [foil@nyserda.ny.gov](mailto:foil@nyserda.ny.gov) for additional information).

Questions about this RFQL should be directed to the Primary Designated Contacts or Other Designated Contacts (collectively, the "Designated Contacts") listed below in writing by emailing [offshorewind@nyserda.ny.gov](mailto:offshorewind@nyserda.ny.gov).

Primary Designated Contacts: Peter Lion, Kevin Flynn, Nathaniel Chumley and Gregory Lampman

Other Designated Contacts: Doreen Harris, Georges Sassine, Laila El-Ashmawy, Bram Peterson and Alex Stein

No communication intended to influence this application is permitted except by contacting the Designated Contacts. Contacting anyone other than the Designated Contacts (either directly by the Applicant or indirectly through a lobbyist or other person acting on Applicant's behalf) to influence the application may result in: (1) Applicant being deemed a non-responsive offeror, and (2) Applicant not being qualified. NYSERDA may contact Applicants at any stage with requests for clarifications and questions.

If you have technical questions regarding this RFQL, please contact [offshorewind@nyserda.ny.gov](mailto:offshorewind@nyserda.ny.gov). If you have contractual questions regarding this RFQL, please contact James Cowman at [james.cowman@nyserda.ny.gov](mailto:james.cowman@nyserda.ny.gov) or 518-862-1090 extension 3652.

**Application Submission:** Online submission is preferable. Applicants may submit Word, Excel, or PDF files (file formats include: csv, doc, docx, gif, jpeg, jpg, pdf, png, ppt, pptx, pps, ppsx, tif, txt, xls, xlsx, and zip). Individual files must be 100MB or less in file size. Application PDFs should be searchable and should be created by direct conversion from MS Word, or other conversion utility. Files should not be scanned. For ease of identification, all electronic files must be



named using the Applicant's entity name in the title of the document. NYSERDA will also accept Applications by mail or hand-delivery if online submission is not possible. For detailed instructions on how to submit an Application (online or paper submission), click the link "[Application Instructions and Portal Training Guide \[PDF\]](#)" located in the "Current Opportunities" section of NYSERDA's website (<https://www.nysERDA.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>).

For submission, the Applicant's complete Application to this RFQL should be consolidated into a single file and uploaded under the "Request for Qualifications" upload location. Additionally, any aerial visuals (which are optional) may be uploaded separately under the "Aerial Visuals" upload location.

**\* All Applications must be received by 3 p.m. Eastern Time on the date noted above. Late, faxed, or emailed Applications will not be accepted.** Incomplete Applications may be subject to disqualification. It is the Applicant's responsibility to ensure that all pages have been included in the Application. Please note: for online submission, there are required questions that you will have to answer in addition to uploading attachments and **you should allot at least 60 minutes to enter/submit Applications.** Please see [Solicitation Proposal and Vendor Responsibility Questions.pdf](#) for a complete list of the questions Applicants must answer as part of a submission. The online proposal system closes promptly at 3 p.m. Eastern Time, files in process or attempted edits or submission after 3 p.m. Eastern Time on the date above, will not be accepted. If changes are made to this solicitation, notification will be posted on the "Current Opportunities" section of NYSERDA's website (<https://www.nysERDA.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>).

## **Acronyms and Definitions**

**Applicant** – The public or private business entity that submits an Application in response to this RFQL.

**Application** – A response to this RFQL applying for the Port Site to be qualified for participation in the Phase II RFP.

**Exclusivity Agreement** – As defined in Section II.

**Major Component** – Any of the following: (i) the main parts of an offshore wind turbine structure, including the foundation, transition piece, flange, tower, nacelle, hub and rotor blade, (ii) major components of the offshore substation bottom side and topside, or (iii) high voltage electrical equipment, inter-array and export cables.

**Major Component Manufacturing** – The industrial processes involved in the production, assembly, and quality control of Major Components, or any combination thereof.

**Major Component Manufacturer** – An entity that carries out Major Component Manufacturing.

**Minor Components** – Articles, materials, and supplies incorporated directly into Major Components at any level of manufacture, fabrication, or assembly.

**Phase II RFP** – The Request for Proposals (RFP) that is planned for release by NYSERDA in the first quarter of 2025 further described in Section Ic of this RFQL.

**Port Development Team** – Key team members of the Applicant and any supporting contractors or consultants who are expected to be part of the Potential Port Site Activities and Upgrades. As further defined in Section III.

**Port Marketing Form** – Informational packet for Applicants to outline their respective Port Sites and Potential Port Site Activities and Upgrades that, as proposed, would enable them to support Major Component Manufacturing. Each Qualified Port Site will have their respective Port Marketing Form made publicly available as a listed port on NYSERDA's website and as an attachment to the Phase II RFP.

**Port Site(s)** – A port location in New York State that can accommodate or be upgraded to accommodate serial Major Component Manufacturing of Major Components, with the potential to support multiple offshore wind projects.

**Potential Port Site Activities and Upgrades** – Proposed activities and upgrades at the Port Site that may include permitting, development, construction, operations and maintenance that enable the hosting of Major Component Manufacturing.

**Qualified Port Site(s)** – Eligible Port Sites that qualify under this RFQL to apply with Major Component Manufacturers for the Phase II RFP.

**Release Date** – As defined in Section II.

**Scoring Committee** – The committee responsible for reviewing Applications, which is expected to consist of NYSERDA staff, representatives of other New York State entities and independent evaluators.

**Site Control** - The legal right of the Applicant to permit, develop, construct, operate, and maintain the Port Site.

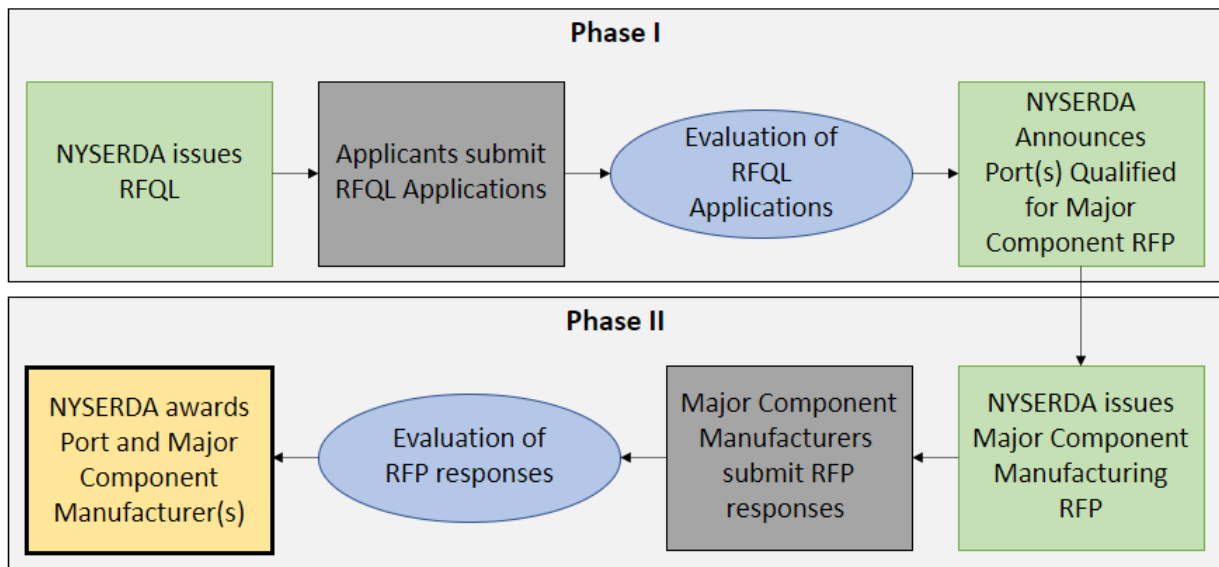
## I. Introduction and Context

Offshore wind is more than an emerging cornerstone of New York State’s pathway to a clean energy future. It is a burgeoning high-tech industry that will bring billions of dollars of investment and create thousands of jobs for New Yorkers in a range of sectors including manufacturing, installation, operations and maintenance, and project development. With a nation-leading commitment to developing 9,000 megawatts of offshore wind energy by 2035, a central location between New England and Mid-Atlantic states, core manufacturing competencies, pioneering education and labor institutions, and a veteran workforce, New York is ideally positioned to be the long-term hub of the U.S. offshore wind industry.

As the offshore wind industry continues to grow, the offshore wind supply chain is vital to securing successful projects that deliver timely and cost-effective results, while also benefiting New York’s workforce, businesses, and the transition to a clean energy economy. In recognition of the critical role the supply chain will play in attaining the State’s goals, Governor Hochul and the State Legislature allotted \$500 million for investments in offshore wind ports, manufacturing, and other related supply chain infrastructure in the 2022 New York State Budget. These funds are being committed, in part, through OSWSCRFP24-1<sup>1</sup> and with the remainder through this two-phased process that will award at least \$300 million for Major Component Manufacturing during the Phase II RFP.

This RFQL is part of a two-phase process. The RFQL is designed to identify Port Sites that can support offshore wind Major Component Manufacturing projects and qualify these Port Sites for participation in the Phase II RFP, under which NYSERDA will award grant funding.

Figure 1: Two-Phase Process Diagram



<sup>1</sup> <https://www.nyserdera.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Supply-Chain-Economic-Development/500M-Investment>

## **Ia. Phase I: Major Manufacturing Component Port Qualification**

Port infrastructure is integral to the offshore wind supply chain, serving as the vital link between land-based Major Component Manufacturing, pre-assembly activities and offshore wind projects. Many New York public and private ports are equipped to support Major Component Manufacturing and have been readying their Port Sites to respond to the needs of Major Component Manufacturing requirements. This phase of the process has been developed to allow NYSERDA to:

1. Examine, pre-qualify and publicly announce Port Sites that provide the greatest opportunity to support the advancement of offshore wind Major Component Manufacturing in New York State.
2. Ensure that Qualified Port Site(s) under this RFQL support fair and robust competition between Applicants and Major Component Manufacturers in the subsequent Phase II RFP.

Each of these objectives should be evidenced within Applications to this RFQL including the submission of Appendix A – Port Marketing Form. The form is intended to enable Applicants to outline their respective Port Sites and Potential Port Site Activities and Upgrades that, as proposed, would support Major Component Manufacturing. Each Qualified Port Site will have its respective Port Marketing Form (Appendix A) made publicly available as a listed Qualified Port Site on NYSERDA's website and as an attachment to the Phase II RFP. The Port Marketing Form is intended to assist in marketing the owner of the Port Site, the physical characteristics of the Port Site and the expected terms of an agreement with a long-term Major Component Manufacturer.

Only those Qualified Port Sites under this RFQL will be eligible to participate with Major Component Manufacturer partners in the initial round(s) of the Phase II RFP. Applicants are encouraged to submit an Application to this RFQL if they can host Major Component Manufacturing at their Port Sites. Details regarding how Port Sites will be evaluated under this RFQL are described in Section III.

## **Ib. Intersection of Phase I Port Qualification with ORECRFP24-1**

This RFQL is independent from the Offshore Wind Renewable Energy Certificate (OREC) Request for Proposals (ORECRFP24-1) issued by NYSERDA in July 2024<sup>2</sup>. However, as described in Section 2.2.18 of ORECRFP24-1, awarded offshore wind energy developers will be required to commit to a minimum of \$100 million of "Supply Chain Investments", which is defined in ORECRFP24-1 as "any investment in, or procurement of goods or services from, an offshore wind port or other offshore wind supply chain facility (including facilities that provide training or workforce development, conduct scientific research and/or conduct environmental conservation activities) located in New York State that (i) is either a new (greenfield) facility or requires significant upgrades to an existing facility to accommodate the contemplated usage and (ii) once built or upgraded, will accommodate the serial provision of goods or services, with the potential to support multiple offshore wind projects."

Under the terms of ORECRFP24-1, the Supply Chain Investment cannot be allocated by developers awarded under ORECRFP24-1 until after awards under the Phase II RFP have been announced and no later than 30 days following the Inflation Adjustment Date, defined in Appendix H of ORECRFP24-1. This provides an opportunity for Port Sites and Major Component Manufacturers to team with developers selected under ORECRFP24-1 to invest the obligated \$100 million in their supply chain opportunity. NYSERDA has published the proposals in ORECRFP24-1 on its website<sup>3</sup> and further plans to announce the contracted projects early in 2025. Qualified Port Sites and potential Major Component Manufacturers can reference the described sections above on the ORECRFP24-1 NYSERDA website in the Request for Proposals

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<sup>2</sup> <https://www.nysERDA.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Offshore-Wind-Solicitations/2024-Solicitation>

<sup>3</sup> <https://www.nysERDA.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Offshore-Wind-Solicitations/2024-Solicitation>



(ORECRFP24-1) document and the associated Appendix H – Offshore Wind Renewable Energy Certificate Standard Form Purchase and Sales Agreement if seeking further detail on the minimum expenditure commitment requirements.

### **Ic. Offshore Wind Major Component Manufacturing RFP (Phase II RFP)**

The Phase II RFP will be a competitive solicitation by which NYSERDA intends to make at least \$300 million available to invest in Major Component Manufacturing facilities at Qualified Port Sites in New York. The Phase II RFP is planned for release in the first quarter of 2025 following the announcement of the Qualified Port Sites and will seek proposals for Major Component Manufacturing at the Qualified Port Sites. The Phase II RFP is expected to be developed as a rolling solicitation with a planned series of due dates with the first submission deadline after the finalization and announcements of ORECRFP24-1 contracts. This is intended to allow sufficient time for offshore wind developers contracted through that solicitation to engage with potential proposers in the Phase II RFP to potentially support their proposals. If an award is not made in the initial round, additional round(s) will follow, allowing proposers a chance to refine and improve their proposals. These large manufacturing facilities are further supported by the opportunity to secure funds set aside by awarded developer(s) in ORECRFP24-1 as described in the section above.

## **II. Eligibility and Content Requirements**

Applicants should respond to all questions included in this RFQL. The following information and items must be included at a minimum for Applications to be eligible for review:

- Applicant's name, affiliation, title, and primary contact information.
- Port Site location, parcel number(s), size (acreage), names of owners and/or operators of parcel number(s), and existing port use.
- The number corresponding to each RFQL item/question request set forth in Section III hereof.
- Identification of the Major Component Manufacturing uses that best fit the Port Site characteristics or could best fit following port upgrades.

Applicants should respond on a standalone basis. Applicants may submit Letters of Support or Letters of Interest from potential long-term lessee(s), offshore wind developer(s), lead equity/or debt provider, the local community and/or other stakeholders or potential users of the Port Site.

To be eligible for qualification, the Applicant must identify at least one Port Site and should describe the current level of Site Control or describe their ability to obtain Site Control. If the Port Site is owned by an entity other than the Applicant, the Applicant must provide a signed attestation from the parcel owner regarding the Applicant's use of the Port Site and if possible, include terms associated with such use. Such terms should align with the requirements of Appendix B - Applicant Certification Form and Commitment to Open Access.

Applicants are prohibited from entering into any agreement with any potential proposer to the Phase II RFP ("Phase II Proposer") that would (i) materially restrict the Applicant's ability to partner with any alternative Phase II RFP Proposer for use of the Applicant's Port Site in connection with NYSERDA's anticipated Phase II RFP, and/or (ii) materially restrict any Phase II RFP Proposer(s) from partnering with any other Applicant on a proposal responsive to the Phase II RFP (each an "Exclusivity Agreement").

Each Applicant must certify in Appendix B that as of the date of submission of its Application (i) it has not previously entered into an Exclusivity Agreement, and (ii) it will not enter into any new Exclusivity Agreements through the earlier of (a) execution of a conditional grant funding agreement between the Applicant and NYSERDA for a Phase II RFP award, (b) the date an Applicant is notified that its proposal was not selected for funding via the Phase II RFP or (c) the date Applicant either withdraws from consideration in the Phase II RFP or notifies NYSERDA in writing that it will not apply for such funding (the earlier of (a), (b) and (c), the "Release Date"). In the event an Applicant is unable to certify (i) above, as an alternative it must certify that it has unwound the Exclusivity Agreement or will do so within 30 days of filing its Application and will voluntarily withdraw its Application if it is unable to do so.

Nothing prevents Applicants from having or entering into any agreement containing exclusivity terms that does not meet the definition of an Exclusivity Agreement; however, Applicants **must disclose any such agreement to NYSERDA** in sufficient detail to permit NYSERDA to review and confirm, in its sole judgment, that such agreement is not an Exclusivity Agreement.

Applicants are prohibited from offering pricing structures that do not conform to the Applicant's Proposed Pricing Structure (as detailed in Section III below) to any Phase II RFP Proposer between the date of submission of its Application and the Release Date. Applicants must further certify in Appendix B that they will use the Applicant's Proposed Pricing Structure prepared pursuant to Section III.F. below in connection with any proposal for the Phase II RFP.

NYSERDA reserves the right to audit an Applicant's records to the extent necessary to verify Applicant's compliance with Appendix B – Applicant Certification Form and Commitment to Open Access. Applicant must certify that it agrees to grant NYSERDA such access. Where such audit reveals a material non-compliance, NYSERDA reserves the right to revoke qualification or selection.

### **III. RFQL Application Requirements**

The following represents the requirements for all Applications. Applications (Sections A-G) must not exceed 18 pages. Additional attachments are allowed, but only as needed to present a complete, comprehensive and effective Application. Each page of the application should state the name of the applicant, the RFQL number (i.e. RFQL 5897), and the page number. Following the submission of Applications, NYSERDA and the Scoring Committee may request clarification and additional information from Applicants at any time throughout the evaluation process. If the Applicant does not respond promptly to such information requests or does not provide adequate information, the affected Application(s) will be evaluated based on the information as originally submitted. At NYSERDA's discretion, applicants may be requested to interview with all or part of the Scoring Committee to address any potential questions or clarifications outlined in the Applications. Applicants will be notified if they are requested to attend an interview.

#### **A. Application Narrative (Up to 2-pages)**

1. Describe and discuss any relevant site planning, permitting, investments, development goals, business arrangements with manufacturers, or any other aspects for consideration by NYSERDA regarding why the Port Site should be qualified. Please provide any information that you believe NYSERDA should consider in its evaluation in addition to what is listed below.

#### **B. Port Site Identification and Description (Up to 3-pages)**

1. Identify the Port Site(s) discussed in the Application. Proper identification should include geographic information system (GIS) data, address, parcel number(s), a description of the surrounding neighborhood, and optional aerial visuals and/or graphic depictions of site delineation.
2. Identify the current ownership, operational structure, and uses of the Port Site. This information should include the terms of any current leases relevant to the Port Site and Potential Port Site Activities and Upgrades.
3. Provide a summary of the existing Port Site infrastructure. At a minimum, this description should include:
  - a. Developable acreage
  - b. Existing zoning
  - c. Water depth and seabed conditions of the quayside, adjacent channels, and relevant vessel routes
  - d. Dimensions of the quayside
  - e. Bearing capacity of the quayside and upland area
  - f. On-site power and other utilities
  - g. Access to road and rail transportation
  - h. Infrastructure and buildings
  - i. Nautical distance from all existing and proposed staging and marshalling ports that could be serviced by the Port Site
  - j. Jurisdiction of navigable waterways





- k. Key current and historical environmental conditions
- l. Regulated wetlands/open waters on site
- m. Proximity to known cultural resources of significance
- n. Protection from surges, storms, and hurricanes

**C. Potential Port Site Activity and Upgrades (Up to 5-pages)**

- 1. Identify any potential Major Component Manufacturing types or uses that may fit the site in its current condition. At a minimum, the description should include:
  - a. Potential Major Component Manufacturing types and uses that fit with the current Port Site characteristics and constraints, including the necessary acreage, load bearing capacity, building usage, size and types of vessels that would be able to utilize the wharf.
  - b. To the extent applicable, the Port Site's ability to host more than one Major Component Manufacturing facility or provide multiple services to the offshore wind industry.
- 2. Identify any Potential Port Site Activities and Upgrades that would be required or that would significantly improve the Port Site for hosting Major Component Manufacturing. Information should be sufficiently detailed to support an assessment of the viability of the Potential Port Site Activities and Upgrades. At a minimum, the description should address each of the below items and note specifically which, if any, are not relevant:
  - a. Developable acreage, noting, current and potential ownership where applicable
  - b. Port conceptual site plan (simple 2D plan view) including where applicable:
    - i. water depth and seabed conditions of the quayside, adjacent channels, and relevant vessel routes
    - ii. length of the quayside
    - iii. dimensions and bearing capacity of the quayside and upland area
    - iv. access to road and rail transportation
    - v. on-site power and other utilities
    - vi. other essential infrastructure
    - vii. Identify any physical barriers to the Potential Port Site Activity and Upgrade(s)
    - viii. Protection from surges, storms, and hurricanes.
  - c. The upgraded Port Site's ability to host more than one Major Component Manufacturer

**D. Permitting, Environmental and Construction Review (Up to 2-pages)**

- 1. Provide a brief description of applicable permits and, if appropriate, the status of the discussions with federal, state, and local permitting entities relating to the proposed improvements that correlate to the Port Marketing Form.
- 2. Provide a catalogue of existing Environmental Impact Statements, Environmental Assessments, and supporting environmental studies resulting from NEPA, SEQRA and/or CEQR, if applicable for the Potential Port Site Activities and Upgrades and if they are not required, explain and demonstrate compliance with Environmental Review Regulations.
- 3. Provide a schedule of key permitting, construction and related milestones for development for the Potential Port Site Activities and Upgrades.
- 4. Identify any permitting or construction barriers to the Potential Port Site Activities and Upgrades.
- 5. Describe any zoning amendments that may be required for the Potential Port Site Activities and Upgrades to support Major Component Manufacturing in its current condition and to achieve the Potential Port Site Activities and Upgrades.

**E. Stakeholder Engagement and Local Support (Up to 2-pages)**

- 1. Describe the community and stakeholder support and challenges for the Site (if any) to expanded use and/or Potential Port Site Activities and Upgrades. The description should present a full view that considers all relevant stakeholders, including but not limited to maritime community, environmental advocates, local elected officials, environmental justice advocates, members of disadvantaged communities, economic development organizations, Indigenous Nations, local businesses, and the local public.

2. Describe any ongoing or preliminary communications with the local community and any potential community engagement plans.
3. Identify any potential stakeholder support challenges to the Potential Port Site Activities and Upgrades.

F. Proposed Pricing Structure and Financial Capacity (Up to 2-pages)

1. Detail the sources and uses, if available, of the expected cost for the Potential Port Site Activities and Upgrades (if any) that the Applicant has determined would be required for port infrastructure upgrades and describe how the estimate was generated. If this figure varies depending on the Major Component produced at the site, please include an estimate for Potential Port Site Activities and Upgrades for each Major Component or component group that could potentially locate at the Port Site.
2. Identify all existing sources of capital available to the Port Site to support its development. Provide a narrative noting additional potential sources of capital the Applicant may have or may gain access to.
3. Describe the Port Site's proposed leasing structure such as, but not limited to, long-term vs. short-term leases, single user vs. multiple users, etc.
4. Describe how the lease agreement for the Port Site and other agreements related to the usage of the Port Site, such as for operations and maintenance and stevedoring services, will be made transparent to potential Major Component Manufacturers proposing into the Phase II RFP to ensure that pricing is competitive, associated projects will be commercially viable, and costs will be appropriately consistent and reasonably aligned between interested parties with similar needs. **This pricing structure may be modified only with NYSERDA's written consent. Applicant is required to certify in Appendix B that Applicant will use its proposed pricing structure submitted in response to this Section III(F)(4) (as such structure may be modified with NYSERDA's consent) in connection with all arrangements related to proposals for the Phase II RFP that propose to utilize the Port Site.**

G. Port Development Team (Up to 2-pages; resumes excluded from page count)

1. Name the members of the core Port Development Team, briefly describe the role of each and include a resume for each of the key members, and list any supporting contractors/consultants who are expected to be part of the Potential Port Site Activities and Upgrades and describe their roles.
2. Describe any experience the Port Development Team has in partnering with the offshore wind industry or related industries.
3. Describe any experience the Port Development Team has in securing capital for port development and related activities.
4. Provide any qualifications or experience the Port Development Team has in attaining local, state and federal permitting.
5. Describe any experience the Port Development Team has in port and upland facility construction management and success at delivering projects on time and on budget.

H. Letters of Support (Not included in page-count)

1. Include any letters of support for the Port Site and any port-related activities that may support this Application. These letters may be provided by maritime community, environmental advocates, local elected officials, environmental justice advocates, members of disadvantaged communities, economic development organizations, Indigenous Nations, local businesses, and the local public, local or regional stakeholders, potential Major Component Manufacturers or other types of potential project partners or participants.

I. Additional Forms (Not included in page count)

1. Appendix A – Port Marketing Form
2. Appendix B – Applicant Certification Form and Commitment to Open Access
3. Appendix C – Executive Order No. 16
4. Appendix D – Non-Disclosure and Confidentiality Agreement

#### **IV. Evaluation of Applications**

Applications will be evaluated against the Evaluation Criteria set out below, listed by category (A-E) in order of importance. The content of Applications should address these criteria in reasonable detail.

##### **A. Demonstration of Site Readiness and Technical Considerations**

1. Level of current Site Control.
2. Existing and proposed "Port Site Activity and Upgrades" and the ability to support Major Component Manufacturing at the site.
3. The understanding of the technical needs and challenges of developing the proposed Port Site(s) to support Major Component Manufacturing activity currently or in an upgraded condition.
4. Plans and progress in acquiring necessary permits, completing environmental reviews, and construction as necessary to prepare the Port Site, if applicable.
5. Maturity of Port Site development to date.
6. Proposed construction schedules, if applicable.

##### **B. Value and Proposed Pricing Structure**

1. Applicant's understanding and assessment of the utility of the Port Site(s) fit with offshore wind major manufacturing component supply chain.
2. Demonstration of the Port Site's competitive advantages in the offshore wind supply chain.
3. Opportunity for greater flexibility in fit with potential Major Component Manufacturing types or uses.
4. Plans to offer market competitive pricing to tenants allowing for sustained long-term growth of the offshore wind industry with limited impact to ratepayers.
5. Ability of the proposed Port Site(s) to support the near-term and long-term offshore wind industry.
6. Locational advantages and barriers of the proposed Port Site(s) and their proximity to other potential offshore wind supply chain activities.

##### **C. Experience**

1. Qualifications of the Applicant, the Applicant's key team members and any other parties included in the Application to delivering projects on time and on budget.

##### **D. Support**

1. Available sources of capital and access to additional capital.
2. Community engagement to date associated with proposed offshore wind Major Manufacturing Component site activity.
3. Demonstration of Major Component and offshore wind developer interest.

##### **E. Quality of Application**

1. Responsiveness to the RFQL.



## V. Applicant Qualification Period

NYSERDA anticipates qualifying Applicants under this solicitation for a duration of twelve (12) months with options to renew at NYSERDA's sole discretion. Qualified Port Sites will be eligible to apply with Major Component Manufacturers for the initial rounds of the Phase II RFP. If after the initial round(s) the funds are not fully committed, NYSERDA may elect to revise the solicitation to allow non-qualified Port Sites or other applicants to apply. NYSERDA expects to notify Applicants in approximately eight (8) weeks from the Application submission deadline whether your Application has been qualified. Upon receipt of this notification, an Applicant may request to schedule a debrief on the selection process and the strengths and weaknesses of its Application by contacting [offshorewind@nyserda.ny.gov](mailto:offshorewind@nyserda.ny.gov). NYSERDA may decline to qualify Applicants or Port Sites that are delinquent with respect to any obligation under any previous or active NYSERDA agreement. NYSERDA may request additional data or material to support Applications.

## VI. General Conditions

**Proprietary Information** - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your Application. Review should include whether it is critical for evaluating a Application, 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 Applicant 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 <https://www.nyserda.ny.gov/-/media/Project/Nyserda/Files/About/Contact/NYSERDA-Regulations.ashx>. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

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

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

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

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

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

**State Finance Law sections 139-j and 139-k** - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <https://online.ogs.ny.gov/legal/lobbyinglawfaq/default.aspx>. Applicants are required to answer questions during Application submission, which will include making required certification under the State Finance Law and to disclose any Prior Findings of Non-Responsibility (this includes a disclosure statement regarding whether the Applicant has been found non-responsible under section 139-j of the State Finance Law within the previous four years).



**Accessibility Requirements** - NYSERDA requires contractors producing content intended to be posted to the Web to adhere to New York State's Accessibility Policy. This includes, but is not limited to, deliverables such as: documents (PDF, Microsoft Word, Microsoft Excel, etc.), audio (.mp3, .wav, etc.), video (.mp4, .mpg, .avi, etc.), graphics (.jpg, .png, etc.), web pages (.html, .aspx, etc.), and other multimedia and streaming media content. For more information, see NYSERDA's Accessibility Requirements on the [Doing Business with NYSERDA page](#) or download [NYSERDA's Accessibility Requirements \[PDF\]](#).

**Limitation** - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing an Application, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all Applications 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 disqualify Applicants based upon the results of a background check into publicly available information or the presence of a material possibility of any reputational or legal risk in making of the award.

**Disclosure Requirement** - The Applicant 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 Applicant 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. Applicants 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.

**Vendor Assurance of No Conflict of Interest or Detrimental Effect** - The Applicant shall disclose any existing or contemplated relationship with any other person or entity, including any known relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Applicant or former officers and employees of NYSERDA, in connection with Applicant's rendering services as proposed. If a conflict does or might exist, please describe how your company would eliminate or prevent it. Indicate what procedures will be followed to detect, notify NYSERDA of, and resolve any such conflicts.

The Applicant must disclose whether it, or any of its members, or, to the best of its knowledge, shareholders of 5% or more, parents, affiliates, or subsidiaries, have been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission"), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

**Public Officers Law** – For any resulting awards, the Contractor and its subcontractors shall not engage any person who is, or has been at any time, in the employ of the State to perform services in violation of the provisions of the New York Public Officers Law, other laws applicable to the service of State employees, and the rules, regulations, opinions, guidelines or policies promulgated or issued by the New York State Commission on Ethics and Lobbying in Government, or its predecessors (collectively, the "Ethics Requirements"). Applicants are reminded of the following Public Officers Law provision: contractors, consultants, vendors, and subcontractors may hire former NYSERDA employees. However, as a general rule and in accordance with New York Public Officers Law, former employees of NYSERDA may neither appear nor practice before NYSERDA, nor receive compensation for services rendered on a matter before NYSERDA, for a period of two years following their separation from NYSERDA service. In addition, former NYSERDA employees are subject to a "lifetime bar" from appearing before any state agency or authority or receiving compensation for services regarding any transaction in which they personally participated, or which was under their active consideration during their tenure with NYSERDA.

Any awardee will be required to certify that all of its employees, as well as employees of any subcontractor, whose subcontract is valued at \$100,000 or more who are former employees of the State and who are assigned to perform services under the resulting contract, shall be assigned in accordance with all Ethics Requirements. During the term of any agreement, no person who is employed by the contractor or its subcontractors and who is disqualified from providing services under the contract pursuant to any Ethics Requirements may share in any net revenues of the contractor or its subcontractors derived from the contract. NYSERDA may request that contractors provide it with whatever information the State deems appropriate about each such person's engagement, work cooperatively with the State to solicit advice from the New York State Commission on Ethics and Lobbying in Government, and, if deemed appropriate by the State, instruct any such person to seek the opinion of the New York State Commission on Ethics and Lobbying in Government. NYSERDA shall have the right to withdraw or withhold approval of any subcontractor if utilizing such subcontractor for any work performed would be in conflict with any of the Ethics Requirements. NYSERDA shall have the right to terminate any contract at any time if any work performed is in conflict with any of the Ethics Requirements.

**Due Diligence** – NYSERDA, at its discretion, may conduct broad due diligence to validate any or all elements of an application and to assess applicants' prospects of success, including gathering information to assess an Application relative to any of the topics listed in evaluation criteria, whether or not such topic is explicitly addressed in an Application. NYSERDA may conduct due diligence on some or all Applications based on NYSERDA's current guidelines at the time of a review. NYSERDA staff may follow up with Applicants to request additional information or clarification regarding Applicant's Application, including questions regarding applicant's business prospects and resources, whether or not those questions are specifically related to the elements of the Application. Additionally, customized due diligence may be conducted by internal or external staff or contractors based on questions on any Application raised by NYSERDA staff and/or the Scoring Committee. Due diligence may include (but is not limited to): interviews of independent references and background checks of team members; assessment of prior business experience of any team member associated with an Application; research on intellectual property claims; customer and partner reference checks; market research on the applicants' target market and any other related or possibly competitive technology or market area; research to validate any assumptions on current or future revenues, costs, capital needs, and financing prospects for Applicants' business, including similar (or unrelated) technologies, processes, or competitive solutions; or any other research that could reasonably inform the evaluation of an Application, or the prospects for commercial success of the Applicants' business (whether directly related to, or unrelated to the specific elements in an Application). Due diligence may include discussions with Applicants' former and current business partners, employees, investors, customers, and competitors. Due diligence may be conducted by NYSERDA personnel or contractors including members of the scoring committee, before, during, or after a scoring process, and prior to finalization of a contract award, any information gleaned in diligence may be used to score or re-score an Application or apply a program policy factor.

**EO 16 Protocols** – Pursuant to Executive Order No. 16 issued on March 17, 2022, all vendors responding to bids or contracting with New York State must certify, using the form provided as part of this solicitation, their status with regard to conducting business operations in Russia, and that any such business operations in Russia conducted on behalf of the vendor are determined to be permitted under any of the allowable exemptions. The term vendor is intended to encompass bidders prior to contract award, contractors who have received a contract award, contract assignees, or contractors for whom an extension to an existing contract is being pursued. Exemption decisions are in NYSERDA's sole discretion and are final decisions. NYSERDA reserves the right to solicit additional materials or information regarding the responses or materials provided by a vendor.

Pursuant to Executive Order No. 16, all vendors will be vetted to ensure that they are not on the federal sanctions list at <https://sanctionssearch.ofac.treas.gov/>. There is no waiver or exemption process for vendors appearing on the federal sanctions list.

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case sanctions are lifted during a solicitation, or after award in the case of some solicitations.



## **Additional Forms**

### *Appendix A – Port Marketing Form*

A completed Port Marketing Form in Appendix A must be provided by each Applicant. The Port Marketing Form(s) for Qualified Port Site(s) under this RFQL will be published on NYSERDA's website and in the Phase II RFP to ensure Major Component Manufacturers have access to Phase 1 RFQL Qualified Port Site(s). NYSERDA reserves the right to request that Applicants update information or formatting.

### *Appendix B – Applicant Certification Form and Commitment to Open Access*

A completed version of the form in Appendix B must be signed by authorized representative(s) for the Applicant to certify the validity of the Application and attest to other representations. Only one Applicant Certification Form can be included in the Application.

### *Appendix C – Executive Order No. 16*

A completed version of the form in Appendix C must be signed by an authorized representative for the Applicant associated with the specific project. One completed version of Executive Order No. 16 must be provided for each entity comprising the Applicant.

### *Appendix D – Non-Disclosure and Confidentiality Agreement*

A completed version of the form in Appendix D must be signed by an authorized representative for the Applicant associated with the specific Application. One completed version of the Non-Disclosure Agreement must be provided for each entity comprising the Applicant.

## **Supporting Attachments**

Applicants should also submit supporting attachments where applicable (each file size must be 100MB or less) to provide information or studies related to the Application. Each supporting attachment must be a fully searchable PDF file, unless a different file type such as Excel is necessary for presentation of the information.