



**Clean Energy Career Pathways Training
Program Opportunity Notice (PON) 6121
\$30 Million Available**

NYSERDA reserves the right to extend and/or add funding to the solicitation should other program funding sources become available.

Proposals accepted in funding rounds with the following due dates:

2026

Round 1 - May 20, 2026; Round 2 - July 22, 2026; Round 3 - September 23, 2026; Round 4 - November 24, 2026.

2027

Round 5 - January 20, 2027; Round 6 - March 24, 2027; Round 7 - May 26, 2027; Round 8 - July 21, 2027; Round 9 - September 22, 2027; Round 10 - November 23, 2027

Due dates beyond are subject to funding availability.

All proposals must be received by **3 p.m. Eastern Time** by the dates noted above
via **NYSERDA Application Portal**

PROGRAM SUMMARY

Overview

The New York State Research and Development Authority (NYSERDA) is seeking proposals for clean energy Career Pathways projects. These projects must include clean energy technical training as well as career preparation, wraparound services, and job placement support to prepare new workers for entry-level clean energy careers. Projects funded under this solicitation are intended to build or expand training infrastructure and capacity to build an equitable and inclusive pipeline of skilled talent for New York's clean energy labor market. All training funded under this solicitation must be industry-driven and meet a demonstrated business need.

Total funding for this solicitation is \$30 million, with up to \$1.5 million per project. Additional funds may be added to this solicitation, if available, at NYSERDA's discretion.

Funding is available for training that advances skills in the following clean energy technology areas: energy efficiency and building electrification; renewable energy; energy storage; smart grid; and electric vehicle charging stations (installation, operation and maintenance).

Energy efficiency and building electrification (EE/BE) are the primary focus of this solicitation with approximately 80 percent of the funding reserved for EE/BE technology areas. In 2025, the New York State Public Service Commission directed NYSERDA to serve as the single program administrator (PA) in workforce development. The Commission's EE/BE directives present an

overarching theme of NYSERDA's role as workforce development PA to ensure that training curricula and program designs align with contractor needs and create a pipeline of trainees that can be hired by contractors conducting EE/BE work.

Funds are available for eligible initiatives that prepare individuals for entry into clean energy careers. Eligible activities include the delivery of technical training; equipment purchases for hands-on training or to build out training labs; training of trainers; test and certification fees; internships; career preparation and wraparound services as well as services to place individuals into full-time jobs (including New York State Department of Labor Registered Apprenticeships).

All training funded by NYSERDA must take place in New York State and serve New York State residents.

Proposal Submission

Online submission is required. Individual files should be 100MB or less in file size. This solicitation requires applicants to complete Attachments A - Application and B – Budget, Employer Letters of Commitment, and Resumes of Key Personnel. As applicable, applicants must submit Project Team Letters of Support. Application Materials must be submitted in the format as outlined in Section III, Proposal Application Process.

Materials submitted are subject to the Proposal Requirements and Evaluation Criteria outlined below. Proposals are accepted by the deadlines listed above and will be evaluated within **approximately** six (6) to eight (8) weeks of the relevant proposal deadline.

Upon favorable review, selected applicants will be issued a notice of fund award and invited to participate in contract negotiations. Once successfully negotiated, NYSERDA will enter into agreements with these applicants to move forward on implementing their projects.

For detailed instructions on how to submit a proposal including file requirements, click the link "[Application Instructions and Portal Training Guide \[PDF\]](#)" located on the [solicitation page](#). Should any changes be made to this solicitation, notification will be posted on the "[Funding Opportunities](#)" section of NYSERDA's website.

*** All submissions must be received by 3 p.m. Eastern Time by the dates noted above via NYSERDA Application Portal. Late, faxed, or emailed applications will not be accepted.** The online application 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 Funding Opportunities](#) section of NYSERDA's website.

Incomplete proposals may be subject to disqualification. It is the proposer's responsibility to ensure that all required materials have been included in the proposal package.

Note: In addition to uploading attachments, there are several questions that applicants are required to answer. Applicants should allot at least 60 minutes to submit their application materials. Please see [Solicitation Proposal and Vendor Responsibility Questions.pdf](#) for a complete list of the questions applicants must answer as part of a submission.

Contact Information

Potential responders are advised that under New York State Finance Law Section 139-j, communication on procurements can be made only to designated contact persons. For contractual questions regarding this solicitation or for web support in filling out a proposal, please contact Ciarra Rowe (Designated Contact) at ciarra.rowe@nyserda.ny.gov.

For program questions, please contact Jillian Palmer, Kerry Hogan, or Beth Offenbacher (Designated Contacts) at eecectraining@nyserda.ny.gov.

All applicants should be familiar with the legal prohibitions against certain types of contacts during government procurements set forth in State Finance Law section 139-j. In accordance with that law, contacting anyone other than the Designated Contacts (either directly by the applicant or indirectly through a lobbyist or other person acting on the applicant's behalf) in an attempt to influence the procurement: (1) may result in an applicant being deemed a non-responsible offeror, and (2) may result in the applicant not being awarded a contract.

I. INTRODUCTION

Background

NYSERDA develops markets for clean energy, supports technology development, and provides financing to enable economic growth and reduce emissions, to the benefit of communities across the state. As part of its mission, NYSERDA is committed to funding a variety of training activities that support individuals entering and working in the clean energy industry. Energy efficiency and building electrification are among NYSERDA's highest priorities based on the current number of jobs in these areas and the projected job growth associated with the state's investments planned through 2030.

Objective

Through this funding opportunity NYSERDA seeks to create a diverse, equitable, and inclusive pipeline of skilled talent for the clean energy labor market. Projects funded through this solicitation must build or expand New York State's training infrastructure and capacity to develop and deliver clean energy technical training and job placement assistance to new workers by ensuring they have the skills and qualifications required to meet industry demand.

All projects funded under this program must include technical training and must include career preparation (e.g., employment-related supports such as mentoring, job coaching, interview preparation, job placement assistance and retention services), soft skills training, and wraparound supports (e.g., case management, childcare, and transportation) to ensure successful training completion and subsequent job retention, particularly for individuals of Disadvantaged Communities and Priority Populations. Applicants are required to leverage existing resources, where possible for all project activities. NYSERDA will prioritize projects that use its funding for technical training, equipment purchase(s) for training purposes, curriculum development, and job

placement services.

For the purposes of this solicitation, “Disadvantaged Communities,” “Priority Populations,” and all other defined terms shall meet the definitions outlined on NYSERDA’s Clean Energy Workforce Development “[Definitions](#)” webpage.

II. PROPOSAL REQUIREMENTS

To be eligible for funding, proposals must meet the following requirements:

Eligibility Requirements

A. Applicant Eligibility

Applicants are encouraged to partner with other entities as helpful to ensure a comprehensive proposal. One (1) entity must be identified as the lead Applicant, that entity must complete the proposal and enter and hold the contract with NYSERDA.

The project team must demonstrate previous success in preparing trainees for jobs, administering support for job preparedness and placements, and conducting technical training. Additionally, the project team must possess relevant qualifications to deliver energy-related training.

The Applicant must meet the following requirements:

- Be registered to do business in New York State.
- Have a business address for a formal business location within New York State.
- Demonstrate satisfactory integrity and capacity to perform the requirements of an Agreement with NYSERDA through completion of the [Solicitation Proposal and Vendor Responsibility Questions](#).
- Have the legal authority to hire employees and conduct business in New York State.

The Applicant/Project Team must meet the following requirements:

- Must have a New York State training location suitable to delivering the proposed training program.

B. Technology Area Eligibility

Funding is available for training that advances skills in the following clean energy technology areas:

- Energy efficiency and building electrification (EE/BE) (e.g., energy auditing, insulation, heat pumps, building controls, building operations and maintenance);
- Renewable energy;
- Energy storage (deployed wholesale bulk storage; “retail” commercial, non-residential, and community storage; and residential building storage);
- Smart grid; and
- Electric vehicle charging stations (installation, operation and maintenance).

Transferrable skills such as welding, electrical, and engineering are also eligible for funding so long as applicants demonstrate a connection to clean energy jobs for trainees now or in the near future. Applicants can demonstrate this through partnerships with employers and designing

training to meet their needs.

Applicants must identify the clean energy occupations that individuals will be trained and prepared for.

C. Eligible Training Initiatives and Activities

Project Requirements

All proposed projects must meet the following:

- Take place in New York State and exclusively serve residents of New York State;
- Be carried out by an experienced applicant or project team¹;
- Include rigorous and high-quality technical skills training along with career preparation designed to prepare individuals for clean energy jobs. The training program must have adequate hours of clean energy technical training content. Determinations will be made on a case-by-case basis considering factors such as overall training program hours relative to clean energy technical training content, industry standards, employer support, and more.
- Ensure that at least 50% of individuals who participate in training meet the criteria of Disadvantaged Communities and/or Priority Populations;
- Include wraparound services and/or stipends as needed to support individuals with barriers to training and/or employment. NYSERDA will fund wraparound services only after other sources of funding have been exhausted;
- Detail a thorough recruitment and screening plan to attract candidates to the program;
- Clearly describe the proposed training, including training format, dates, and locations, as well as targeted audience, industry, occupations, wages, and skills;
- Include partnerships, demonstrated in letters of commitment, with employers to interview program graduates and provide pathways to full-time jobs;
- Propose clear job placement goals for trainees, with a minimum of 70% of program graduates to be placed into full-time jobs (including Registered Apprenticeships) within six months of training completion;
- Demonstrate a sustainability plan to ensure continuation of training after NYSERDA funding is exhausted; and
- Be completed within thirty (30) months.

Reporting Requirements

Effective and regular communication is essential between selected applicants (“Contractors”) and the NYSERDA Project Manager. Reporting is required for the NYSERDA Project Manager to measure progress and to assess whether a Contractor’s invoice may be approved. Each quarter, Contractors will be required to submit a progress report based on a format provided by NYSERDA (**Attachment D**), documenting training activities and key program performance metrics (**Attachment E**) over that time frame. NYSERDA, at its sole discretion, may terminate funding for projects that fail to timely meet deadlines or complete project goals.

Outcome Monitoring

The project must include a plan to track and monitor the career-related achievements of program graduates for at least 6 months after training completion (“Outcome Monitoring Period”). The Outcome Monitoring Period shall be included in the total project duration, which should not

¹ Project teams refer to the primary applicant (if awarded, the “Contractor”) and Subcontractors, where applicable.

exceed thirty (30) months. Some achievements NYSERDA expects the Contractor to monitor include, but are not limited to, credentials earned, jobs obtained, additional training towards a career path, advancements, wages, and wage growth over the length of the tracking period.

Funding and Cost Share Requirements

NYSERDA Funding: NYSERDA will accept applications requesting between \$250,000 and \$1.5 million in funding with the intent to facilitate training at scale. At NYSERDA's sole discretion, additional funding may be awarded to projects deemed successful after the original scope of work is completed.

Cost Share Requirement: Applicants must contribute a minimum cost share of 25 percent toward the total project budget, which may include "cash" or "in-kind" services. Cost sharing may be borne by the applicant, other team members, and/or other government or private sources. Cost sharing for individual tasks may vary between NYSERDA and the applicant; however, total costs must result in a NYSERDA/applicant split of no greater than 75 percent/25 percent.

The minimum cost share required for projects exclusively serving Disadvantaged Communities and/or Priority Populations is 10 percent. Projects that are led by or include New York State Minority and/or Women-owned Business Enterprise (MWBE) certified by NYS Empire State Development and/or Service-Disabled Veteran-Owned Businesses (SDVOB) certified by NYS Office of General Services (OGS) are also eligible for a 10 percent cost share provided that these entities perform at least sixty-five percent (65%) of the NYSERDA funded labor hours to perform the Scope of Work.

Cost-Share Eligibility: For costs to be eligible for cost share, they **must be incurred** during the period of the Agreement with NYSERDA. Costs incurred outside of the Agreement period are **not eligible** for cost share.

The table below outlines specific items and activities eligible for NYSERDA funding as part of a training project, those that may be considered cost share, and those that are entirely not eligible to be included in a project budget.

Average Cost Per Person: Based on historical data and depending on project scale and depth, NYSERDA estimates the average cost per person trained on a comprehensive career pathways project to be between \$5,000 and \$10,000 depending on the scope and length of technical training, including wraparound services and stipends. **To calculate the cost per person** in the proposed training program, divide the NYSERDA funding by the number of trainees.

Cost Element	Eligible for NYSERDA Funding <u>or</u> Cost Share *	Eligible for Cost share but <u>not</u> NYSERDA Funding*	<u>Not eligible</u> <u>for either</u> NYSERDA Funding or Cost Share
Curriculum or certification development or modification when there is a demonstrated market gap and need	●		
Equipment purchases for hands-on training	●		
Reasonable and necessary in-state travel for trainers.	●		
Reasonable marketing and outreach (maximum 5% NYSERDA Funding).	●		
Services to place individuals into full-time jobs (including New York State Department of Labor (NYSDOL)-approved Registered Apprenticeships).	●		
Testing and Certification Costs	●		
Training Delivery	●		
Contributions of direct labor (for which the laborer is paid as an employee)	●		
Wraparound services and/or stipends for individuals in training that meet the criteria of a resident Disadvantaged Community and/or Priority Population criterion.	●		
Internships, as part of career pathways program.	●		
Virtual Reality (VR) training equipment	●		
Reasonable indirect costs, with justification, such as training facility or equipment rentals and utilities, provided they are commensurate with the scope of the proposed training project.	●		
Out-of-state travel, provided costs are justified to transport subject matter experts to New York to address a specific market gap		●	
Costs funded by other state, city, or federal programs		●	
Electronics for training (e.g., computers, iPads)		●	
Equipment supplied by manufacturers/businesses for hands-on training		●	
Food and refreshments during training hours		●	
Indirect labor or general overhead		●	
Mobile training labs		●	
Prorated costs for the improvement or upgrade of a Learning Management System or other online training labs for virtual training as justified in the application.		●	
Wraparound services and/or stipends for individuals in training that do not meet the criteria of a resident of a Disadvantaged Community and/or Priority Population criterion.		●	
Food and refreshments outside training hours			●
Motor vehicles or trailers			●
Proprietary Manufacturer/Vendor Training			●
*Requests for NYSERDA funding and/or cost share are evaluated on a case-by-case basis. The acceptability of cost elements may vary.			

The majority of NYSERDA funds must be dedicated to technical training to prepare trainees for entry into clean energy jobs.

NYSERDA will evaluate reasonable funding requests for wraparound services, modest stipends and/or career preparation services for individuals in training, as justified on a case-by-case basis. The following restrictions apply:

- NYSERDA funding may only be leveraged for wraparound services and/or modest stipends after all available outside sources of support are exhausted and only if individuals are from Disadvantaged Communities and/or Priority Populations.
- Wraparound services and/or modest stipends typically range from \$1,000-2,500 per person, depending on the length of the proposed career pathway training effort for trainees.
- Funding for stipends must be based on a fixed fee, as opposed to an hourly wage, and is intended to partially offset the cost of attending training (in lieu of or in addition to wraparound services, as justified). Funding for paid internships may be structured on an hourly wage basis.
- Applicants must demonstrate that all other available sources for wraparound services and stipends have been exhausted prior to requesting NYSERDA funding.
- NYSERDA funding for wraparound services, stipends, and/or career preparation services may be contingent on the demonstration of utilizing alternative funding streams.

Training projects that are selected for funding must be cost competitive with market rates and serve a commensurate number of individuals. The costs must be reasonable and appropriate for the proposed scope of the project, as determined by NYSERDA.

The project budget, including proposed cost share, must be provided in **Attachment B – Budget**.

Proration: NYSERDA, at its sole discretion, may choose to retain up to 10 percent of project costs until project completion, as necessary, to ensure that all applicable project requirements (e.g., 70 percent placement requirement) have been met. Any remaining payments may be prorated, as appropriate, based on the level of project completion.

Trainee Opt-in to Participate in NYSERDA’s Longitudinal Data Analysis (LDA): To better understand the impact of NYSERDA-funded career pathways projects, NYSERDA is implementing an optional Longitudinal Data Analysis (LDA) that leverages Unemployment Insurance (UI) wage data from the NYS Department of Labor to examine the outcomes on trainee wages and employment over time. Trainee participation in the LDA is optional. Contractors are not required to collect or share personally identifying information (PII) with NYSERDA, trainees will be required to either opt in or out of the LDA at the start of program enrollment. Trainees who opt into the study will be asked to share their legal names, Social Security Numbers, and other relevant PII (e.g., demographics, barriers to training and employment) with NYSERDA via a secure online form. As reflected in the **Sample Agreement**, the Contractor is responsible for collecting documentation from trainees demonstrating the decision of each individual to opt in or opt out of the LDA.

III. PROPOSAL APPLICATION PROCESS

Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and

effective response will not influence the evaluation of the application. The following attachments, which are to be completed and submitted by the applicant:

1. Attachment A – Application Form

The Application Form must be submitted as a PDF.

The PDF **may not** be submitted as a scanned document. It must remain form fillable.

2. Attachment B – Budget Workbook

The Budget Form must be submitted as an Excel file (file formats include csv, xls, and.xlsx). The Budget Form must be based on the time and materials anticipated to complete the proposed scope of work. A separate budget form must be submitted for Subcontractors whose share of the budget is \$50K or greater. Budget Workbook documentation will inform the development of a milestone budget payment schedule, pending an award and negotiation.

Attachment C - Sample Agreement

The Applicant must use the Statement of Work included in **Attachment C - Sample Agreement** on the solicitation page to inform the budget breakdown by task.

Projects **must include** the following tasks:

- Project Management
- Outreach and Recruitment
- Training Delivery
- Wraparound Services
- Job Readiness Services
- Job Placement
- Reporting

Projects **may include** the following tasks:

- Curriculum Development and/or Modification
- Equipment Purchase
- Paid internships

3. Employer Letters of Commitment

Applicants must include letters from employer partners attesting to the need for the training specifically addressing the suitability of the training program (e.g., program length, verification of curriculum). Employers must also confirm their projected labor demand for the corresponding period for individuals completing the training and commit to interviewing program graduates. Job placements must provide a career path into the clean energy industry.

While a minimum number of letters of commitment is not required, the letters should provide sufficient evidence of the applicant's ability to meet the solicitation's 70% placement requirement.

Letters must be custom-tailored and unique to each employer partner. Form letters that include the same language signed by multiple partners may not be sufficient.

Project Team Letters of Support (as applicable)

Applicants must include letters from project partners (e.g., Subcontractors, advisory boards) outlining their role, proposed task(s) in the training program, and qualifications for the designated role(s).

Form letters that include the same language and signed by multiple partners may not be sufficient.

4. Resumes of Key Personnel

Applicants must submit the resumes of key personnel expected to be involved in the project. These resumes should align with the staffing plan included in the budget and note any relevant credentials or certifications for instructors and be up to date.

Applicants are required to state in their applications if they intend to use artificial intelligence (“AI”) for the proposed work including reports or other deliverables. Approval for any applicant to use any AI systems for such purposes must be expressly granted by NYSERDA. Any applicant who submits materials to NYSERDA that are created with the use of AI must disclose such use to NYSERDA. For more information on the use of AI at NYSERDA, please visit [Doing Business with NYSERDA](#) on NYSERDA’s website.

Upon favorable review, NYSERDA will inform applicants of its funding decision and invite select applicants to participate in contract negotiations. Applicants not selected to advance may submit a revised or separate application in a later funding round.

IV. APPLICATION EVALUATION

Evaluation Criteria

Eligibility Requirements (Section II)

Applicant Qualifications. The project team has demonstrated experience in providing technical training, serving members of Disadvantaged Communities (DAC) and Priority Populations (PP) with the relevant and necessary expertise to complete the proposed work. The project team has successfully led or participated in one or more technical training program(s). There are qualified staff and, as applicable, letters of support to administer technical training, connect individuals to wraparound services, recruit individuals, including those from DACs/PPs, and facilitate job placement. The applicant has secured strong commitments from all essential team members and partners, demonstrated in both letters and cost share.

Clean Energy Technical Training Details. The proposed training program clearly indicates if it is an expansion of an existing program, or creation of a new program. The clean energy technical training to be delivered includes detailed course description(s), industry aligned certification(s) that

are relevant to the training program. The training content is clear. If the project team is proposing new training content, there is an identified need for new curriculum. If the project team is proposing to leverage existing curriculum, the plan to do so is clearly outlined. The training location is clearly identified and suitable for the training. If incorporating an internship program, the applicant outlines how individuals will be assessed for internships, placed, and businesses are deemed responsible. Virtual training, if applicable, is identified, explained, and verified acceptable by employers.

Budget. The proposal offers high value by proposing a cost in line with market standards while providing maximum benefit to NYSERDA by utilizing a cost share and/or indicating a high level of understanding for this work. The budget form and related references in the application are clear and free of errors. The staffing plan is well thought through, providing enough hours with appropriate levels of staff that strongly demonstrate the ability to meet the project schedule. Clear supporting schedule and budget breakdown by task are completed. Separate budget forms are included for Subcontractors receiving \$50,000 or more.

Alignment with Industry Demand. The proposal provides a clear and relevant list of occupations and/or job titles expected to be fulfilled at the completion of the training program. There is a variety of labor market data to support a local, regional, or state level demand of the training, which is supplemented by employer input. There is a strategy to place individuals into full-time jobs. Industry partners and their roles are clearly outlined. There are ample letters of commitment to support the job placement goal. A plan is clearly outlined to sustain the proposed training post-NYSERDA investment.

Comprehensive Job Readiness and Job Placement. Career preparation services are clearly outlined. A total per person cost for services is included and justified. Job placement and career readiness services are clearly scoped out and aligned with the needs of the target audience and required placement goal.

Program Policy Factors

Additionally, NYSERDA reserves the right to accept or reject applications based on the following factors:

- Geographical coverage across New York State to ensure that projects selected for funding optimize the use of available funding to achieve programmatic objectives.

NYSERDA may also cancel the PON in part or in its entirety if deemed in its best interest.

Application Review: Process and Timing

Applications that meet solicitation requirements will be reviewed by a Scoring Committee consisting of NYSERDA staff and external subject matter experts using the Evaluation Criteria outlined above. NYSERDA will inform each applicant of its decision for an award within approximately six (6) to eight (8) weeks of the application deadline.

Accepted Applications:

Upon favorable (passing) review, NYSERDA will inform applicants of its decision and invite select applicants to participate in contract negotiations. Applicants not selected to advance may submit a revised or separate application in a later funding round. The Scoring Committee reserves the right to accept or reject any or all applications received, to negotiate with all qualified sources, or to limit the number of awards per applicant. NYSERDA may also cancel the PON in part or in its entirety if deemed in its best interest.

Applications that receive a favorable (passing) evaluation may be requested to address specific weaknesses, contingencies and/or recommendations prior to proceeding with contract negotiations. Upon successful negotiation, an award under this PON may result in a contract. NYSERDA may award a contract based on proposals with or without discussion. NYSERDA reserves the right to cancel negotiations at any time if deemed in its best interest.

See **Attachment C - Sample Agreement** for the full terms and conditions.

Denied Applications:

Applicants whose applications have been denied may request a debrief and may reapply under future rounds of this PON.

NYSERDA reserves the right to accept or reject any or all applications received, to negotiate with all qualified sources, or to limit the number of awards per applicant.

V. GENERAL CONDITIONS

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of an application. Review should include whether it is critical for evaluating an 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 \[PDF\]](#). 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 the [NYS Office of General Services – Procurement Lobbying Law page](#). 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).

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 - Contractor Certification Form \[PDF\]](#)). 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 contracting and filed with NYSERDA. See [ST-220-CA - Contractor Certification to Covered Agency Form \[PDF\]](#)). The Department has developed guidance for contractors which is available at [Publication 223 - Questions and Answers Concerning Tax Law Section 5-1 \[PDF\]](#).

Contract Award - NYSERDA anticipates making multiple awards under this solicitation. NYSERDA anticipates a contract duration of approximately two years, unless NYSERDA management determines a different structure is more efficient based upon applications received. A contract may be awarded based on an initial application without discussion or following limited discussion or negotiations pertaining to the Statement of Work. Each application 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 applications. NYSERDA may at its discretion elect to extend and/or add funds to any project funded through this solicitation. 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 checklist questions. Applicants should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSERDA expects to inform applicants within approximately six (6) to eight (8) weeks from application due date whether an application has been selected to receive an award. 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 Jillian Palmer or Gwendolyn Summers (Designated Contacts) at eecectraining@nyserda.ny.gov or at (518) 738-2820 or (518) 738-2827, respectively. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSERDA agreement.

Information Security: The NYS Office of Information Technology Services (ITS) establishes and regularly updates policies, standards, and guidelines for information security (collectively referred to as “ITS Security Policies”) for State Entities, including NYSERDA. Contractors, vendors, and solution providers conducting work on behalf of NYSERDA including, but not limited to, application development, web development, hosting, or managing NYSERDA’s sensitive data are required to comply with the NYS requirements. These requirements include, but are not limited to, the NYS Information Security Policy NYS-P03-002 which sets forth the minimum requirements, responsibilities, and accepted behaviors to establish and maintain a secure environment and achieve the State's information security objectives. Contractors that manage NYSERDA’s data outside of NYSERDA’s systems with a High or Moderate rating as per the NYS ITS Information Asset Identification Worksheet must comply with the following requirements.

High Rating	Moderate Rating
• Maintain up-to-date SOC 2 Type 2 Assessment Report and provide to NYSERDA upon request. • Maintain Cyber Security Insurance • Provide a signed self-attestation on an annual basis for multiyear contracts	• Maintain Cyber Security Insurance • Provide a signed self-attestation on an annual basis for multiyear contracts

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 reject applications based on the nature and number of any exceptions taken to the standard terms and conditions of the Sample Agreement. 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 an 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, the applicant must describe how it would eliminate or prevent it. The applicant must 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 a 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 [Office of Foreign Assets Control - Sanctions List Search page](#). 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.

VI. ATTACHMENTS

Attachment A – Application Form

Attachment B – Budget Form

Attachment C – Sample Agreement

Attachment D – Sample Quarterly Report

Attachment E – Sample Trainee Tracker