**Large Scale Non-drop-in Alternative Fuels Based Resources and Infrastructure**
Program Opportunity Notice (PON) 6161
**Up to $8 million Available**
*All, some, or none, of the available funds may be awarded.*
*NYSERDA reserves the right to extend and/or add funding to the solicitation should other program funding sources become available.*

**Round 1 Proposals Due: September 28th, 2026 by 3:00 PM Eastern Time**

The New York State Energy Research and Development Authority (NYSERDA) supports development, pilot and demonstration of technologies for large scale alternative fuel-based resources and relevant Infrastructure.

Alternative fuels can be categorized as "drop-in" or "non-drop-in", as described below:

**Non-drop-in alternative fuels** include hydrogen, ammonia, or other low carbon alternative fuels that not only require innovation support in end user equipment but also require new or retrofitted existing infrastructure in fuels production, distribution and storage.

**Drop-in alternative fuels** include those fuels that can be used directly (or with minimal modifications) with existing engines, fuel distribution, and storage infrastructure. These drop-in alternative fuels include renewable natural gas, renewable diesel, sustainable aviation fuels, methanol, etc.

NYSERDA's support for these two types of fuels are separate. This PON focuses on non-drop-in alternative fuels. Drop-in-fuels are not within the scope of this PON.

This PON includes the following two Technical Areas:

- **Technical Area 1** – Large scale alternative fuel-based resources
- **Technical Area 2 –** Alternative Fuel Infrastructure

Proposers may discuss relevance to more than one Technical Area; however, for evaluation purposes, each proposal must designate **one primary Technical Area** in the Innovation Proposal Form (Attachment A). Proposals that do not align with one of the Technical Areas in the current revision of this solicitation at the time of submission will be considered **non-responsive** and will not be reviewed.

This PON includes two Funding Categories:

- **Funding Category A: Product Development**
- **Funding Category B: Pilot & Demonstration**

Details of Funding Categories are defined in Table 1, along with associated Technology Readiness Levels (TRL), cost share requirements, and period of performance. Projects under either Technical Area are eligible under either Funding Category, subject to meeting the applicable requirements. Each proposal must identify one and ONLY one Funding Category.

Total funding available under this PON is up to $8 million. Individual award amounts and the number of awards will be determined at NYSERDA's discretion.

Table 1: Funding Category, TRL, cost-share and period of performance

| Funding Category | Estimated Technology Readiness Level (TRL)** | Proposer or External Cost Share (non-NYSERDA funding)*** | Anticipated period of performance (months) |
|---|---|---|---|
| A. Product Development * | 4-6 | 50% of total project cost | Within 36 months |
| B. Pilot & Demonstration Projects | 7-9 | 50% of total project cost | Within 36 months |

* Product Development projects will be subject to recoupment requirements.

**Please refer to Attachment C - TRL Definition and Requirements

*** The cost share percentage is based on total project cost (NYSERDA share + proposer/external cost share), not solely NYSERDA's contribution.

## I. Proposal Submission

Online submission is preferable. Proposers 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 should be 100MB or less in file size. Proposal PDFs should be searchable and should be created by direct conversion from MS Word, or other conversion utility. Files should not be scanned. Do not convert any of the Excel files (such as the Statement of Work Workbook) to PDF; they must remain in Excel format. For ease of identification, all electronic files must be named using the proposer's entity name in the title of the document. NYSERDA will also accept proposals by mail or hand-delivery if online submission is not possible. For detailed instructions on how to submit a proposal (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).

**Questions?** Please see designated contacts below:

- No communication intended to influence this procurement is permitted except by contacting a Designated Contact.
- If you have technical questions concerning this solicitation, contact Eliseo Curcio (Designated Contacts) by e-mail at pon6161@nyserda.ny.gov.
- If you have contractual questions concerning this solicitation, contact James Cowmen (Designated Contact) jim.solicitations@nyserda.ny.gov
- If you have questions related to Salesforce for your online proposal submission, please contact Jillina Baxter at jsolicitation@nyserda.ny.gov.

Contacting anyone other than the Designated Contacts (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

* **All proposals must be received by 3 p.m. Eastern Time on the date noted above. Late, faxed, or emailed proposals will not be accepted.** Incomplete proposals may be subject to disqualification. It is the proposer's responsibility to ensure that all pages have been included in the proposal. 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 proposals. 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).

**Letter of Intent to Propose**

Though not required, proposers are strongly encouraged to submit a Letter of Intent to Propose using this Letter of Intent link. If submitting a Letter of Intent to Propose, please submit it as early as possible. If submitted no later than three weeks prior to the proposal due date given above, NYSERDA staff will respond as to the eligibility of the project under this PON, specifically whether the project falls within a topic area and meets the identified eligibility requirement(s). Final determination of responsiveness and proposal merit will be determined based on the review of the full proposal.

**Teaming Partners** and Demonstration **sites:**

NYSERDA encourages teaming arrangements that increase probability of success and commercialization of technologies that yield NYS benefits. Teams may include commercial firms, manufacturers, large original equipment manufacturers (OEM), industry associations, research organizations, universities, government agencies, corporate strategic partners, strategic investors, end-users, and other stakeholders.
Proposers wishing to find other teams with complementary capabilities can refer to one of the following two partner tables:
**Hydrogen Partners list**: https://www.nyserda.ny.gov/All-Programs/Hydrogen/Partner-Table

**Innovation Projects Partners Table:** https://www.nyserda.ny.gov/All-Programs/Innovation-at-NYSERDA/Funding-Opportunities/Innovation-Projects-Partners

Proposers seeking a demonstration site host may refer to the **Innovation Demonstration Site Hosts Network**: https://www.nyserda.ny.gov/All-Programs/Innovation-at-NYSERDA/Funding-Opportunities/Innovation-Demo

Submitting teaming information or demonstration site hosts' information is completely optional and not required. NYSERDA cannot provide guidance on selecting potential partners. Proposers are solely responsible for making any teaming arrangements and are not required to choose partners using NYSERDA's partnering platforms. NYSERDA does not guarantee the accuracy of the information on the website, endorse, or recommend listed companies.

## II. Introduction

New York State is supporting the development of advanced energy technologies capable of addressing growing infrastructure and decarbonization challenges across industrial, distributed energy, and hard-to-electrify applications. As energy demand increases and electrification expands across multiple sectors, there is increasing need for scalable solutions capable of providing sustained on-site power , long-duration energy supply, resilient infrastructure, and lower-emission operation in applications where direct electrification may be constrained by technical, operational, or economic limitations [1].

Clean hydrogen and other non-drop-in alternative fuels may provide pathways to support these needs across industrial processes, , microgrids, backup power, and other hard-to-electrify applications. However, significant technical, cost, infrastructure, storage, distribution, and system-integration challenges remain before these technologies can be deployed at scale within New York State.

Through its innovation and research activities, NYSERDA is seeking to support the development and demonstration of technologies that improve system performance, operational reliability, scalability, safety, and lifecycle emissions outcomes associated with alternative fuel-based energy systems and infrastructure. This includes large-scale non-combustion power systems, low-carbon fuel production technologies, advanced storage approaches, and integrated infrastructure solutions capable of supporting real-world deployment under New York-specific operating and siting conditions.

Since 2020, NYSERDA has engaged stakeholders across New York State including industry, technical experts, academic institutions, and environmental justice organizations to understand opportunities, challenges, and community perspectives related to hydrogen and alternative fuels. These discussions highlighted the importance of focusing innovation on fuel-flexible, non-combustion power technologies, low-carbon hydrogen or ammonia production with electrolysis and beyond; and infrastructure solutions that support safe, cost-effective deployment. Insights from these engagements help shape the priorities and focus areas for this solicitation and other Fuels Transition activities. More information about NYSERDA's efforts in clean hydrogen can be found at https://www.nyserda.ny.gov/hydrogen.

## III. Funding Categories

Product Development (Category A) and Pilot & Demonstration Projects (Category B) will be considered for funding. Requirements for each category are provided below. Each proposal must clearly identify Technology Readiness Levels (TRLs). Please see Attachment C for details about TRL definition and required proof materials.
NYSERDA reserves the right to:

- Verify all TRL claims;
- Require clarification or additional documentation;
- Reject proposals whose TRL classification is inconsistent with the selected funding category.

### A. Category A: Product Development

Category A supports product development projects for technologies that have reached TRL 3 or above but have not reached TRL 6 yet. Proposals in this category shall be submitted to include required proof of its current technical readiness (TRL 3-5). Category A projects shall meet the following requirements:

- TRL at the time of proposal submission: 3-5.
- Estimated TRL at the end of the project: 4–6
- Recoupment: Required per NYSERDA policy for product development.
- Maximum Period of Performance: Up to 36 months.

**i. Teaming Requirements**

Category A project teams shall include members with expertise in the proposed technology at the component, subsystem, and system levels, as well as experience in design, integration, and testing. Teams must have access to appropriate laboratories or testing facilities and have prior experience managing projects of similar scope and complexity.

Project teams shall also be familiar with New York State specific requirements, including applicable safety codes, permitting, and regulatory considerations, as well as relevant customer and market needs. Proposals must identify the team members responsible for these areas and provide supporting documentation of their qualifications.

**ii. Expected Scope of Work**

1. The scope of work must be aligned with the proposed starting and target Technology Readiness Level (TRL), consistent with Attachment C.
2. **Commercialization activities:** projects must include the following commercialization activities toward the end of the product development effort. Funding for these activities can be determined based on the specific project but must be no less than 7% and no more than 25% of the requested NYSERDA funding.

    a. A detailed cost analysis for the proposed system, including vendor quotes or supporting cost data for key components based on the final design.

    b. A comparison of cost and performance relative to relevant state-of-the-art technologies.

    c. Quantified emissions reduction based on analysis and, where applicable, test data.

    d. An assessment of the total available market in New York State for the proposed technology.

    e. Identification of remaining technical gaps and required investment for future development.

    f. Identification of permitting and regulatory barriers that must be addressed for future adoption in New York State.

    g. Analysis of workforce and supply chain readiness.

    h. Manufacturing plan and scale up.

    i. Necessary certification of the product (e.g., NFPA 2 for hydrogen), or additional effort to comply with certification requirements.

    j. Additional commercialization effort as considered necessary by the project team.

## B. Category B: Pilot & Demonstration Projects

Category B supports pilot and demonstration projects at sites within New York State that pay into the Clean Energy Fund through the electric System Benefits Charge (see further detail below), with technologies that have reached TRL 6 or above, but have not reached TRL 9 yet. Proposals in this category shall be submitted to include required proof of its current technical readiness (TRL 6-8). Please see Attachment C for details on required proof materials. Category B projects shall meet the following requirements:

- TRL at the time of proposal submission: 6-8.
- Estimated TRL at the end of the project: 7–9
- Recoupment: Not required.
- Maximum Period of Performance: Up to 36 months.

Eligible demonstration activities may include installation, commissioning, field operation, monitoring, evaluation, and validation of system performance under representative conditions. Category B can also support Front-End Engineering Design (FEED) or pre-FEED for a demonstration project with a selected site.

### i. Teaming Requirements

Category B project teams shall include, at a minimum, the following roles:

- An Engineering, Procurement, and Construction (EPC) firm, or an entity with demonstrated experience executing projects of similar scope and complexity.
- An operator or owner of the proposed pilot or demonstration host site located in New York State.
- A technology developer with demonstrated expertise in the design and development of the proposed core technology.

Proposals shall clearly identify all project team members, define their roles and responsibilities, and provide supporting documentation demonstrating their qualifications, experience, and capability to successfully execute the proposed project.

### ii. Expected Scope of Work

Category B projects shall include the following activities and related deliverables in Attachment B - Statement of Work. Proposals shall also include other tasks necessary to pilot or demonstrate the proposed solution.

1. **Site-Specific Design and Integration**
Complete site-specific engineering design for the proposed system, including final system configuration, interfaces with existing site infrastructure, and incorporation of safety, access, and layout constraints.

2. **Permitting and Regulatory Coordination**
Obtain all permits and approvals required to install and operate the system, including coordination with necessary Authorities Having Jurisdiction (AHJs).

**3. Site Agreement and Host Site Commitment**

Once the proposal is awarded, a site agreement is required for category B projects as part of the scope of work. The site agreement terms shall specify (1) cost share contributions; (2) description and duration of the monitoring; (3) descriptions of any modifications required to the Host Site for monitoring the installed equipment; (4) access to the Host Site for installing, inspecting, and servicing the installed equipment by the Contractor and its agents; (5) insurance; (6) equipment removal; (7) indemnification (including a provision by which the site owner disclaims any liability against NYSERDA for any damages or losses occurring by virtue of the equipment being installed or operated at the site); (8) site restoration; and (9) publicity (including but not limited to posting of project success information on NYSERDA's website). The site agreement shall be executed with an entity having the authority to commit to the Host Site. A formal site agreement is not required during proposal phase, but a letter of commitment from the host site should be submitted as an attachment to the proposal.

4. **Safety Analysis and Implementation**
Develop and implement site-specific safety plan and associated safety documentation and measures, including hazard analyses, operating procedures, and emergency response considerations appropriate to the proposed technology.

5. **Equipment Procurement and Installation**
Procure, fabricate (if applicable), and install the full system and associated balance-of-plant equipment at the host site in accordance with the finalized design.

6. **Commissioning and Startup**
Execute commissioning and startup activities, including functional testing, controls validation, and verification of safe operation prior to system operation.

7. **Operation under Real-World Conditions and Data Collection**
Operate the system under representative real-world conditions relevant to the intended application, including sustained operation, variable operating conditions, and data collection sufficient to evaluate performance.

**8. Commercialization activities**

Projects must include the following commercialization activities toward the end of pilot or demonstration project. Funding for these activities should be determined based on the specific project but must be at least 7% and no more than 25% of the requested NYSERDA funding.

a. A cost analysis based on actual procurement and operational data.
b. Quantified greenhouse gas (GHG) emissions reduction based on measured data during operation.
c. An assessment of replication potential in New York State, including identification of potential sites, customers, and end users.
d. Identification of lessons learned, remaining technical gaps, and required future investment.
e. Identification of permitting and regulatory barriers relevant to broader deployment in New York State.
f. A high-level plan for future manufacturing, scale-up, or commercialization of the proposed system.
g. Analysis of workforce and supply chain readiness

h. Manufacturing plan and scale up.

i. A commercialization plan to deploy a fully functional and scalable solution that is cost- and feature-competitive, and well-positioned for growth in New York State.

j. Additional commercialization effort as considered necessary by the project team

9. **Measurement and evaluations.**
Measurement and evaluations shall be performed by **an independent third party** which includes necessary data collection and analysis, as well as comparison of cost and performance relative to state-of-the-art technologies. Proposers are required to allocate proper project budget to complete this task, which cannot be performed by the project team itself.

## IV. Innovation Technical Areas

NYSERDA's 2026–2030 Innovation and Research (I&R) Portfolio Operating Plan [5] included Fuels Transition initiatives to advance (1) large-scale alternative fuel-based resources and (2) alternative fuel infrastructure. These efforts support the development and demonstration of technologies related to fuel production, storage, distribution, and end-use integration for non-drop-in alternative fuels. NYSERDA's investment will address key gaps in system integration, cost, and scalability, and support deployment of non-drop-in fuels across industrial and other hard-to-electrify applications. Accordingly, this solicitation includes two technical areas as described below.

### A. Technical Area 1: Large-Scale Alternative Fuel-Based Resources

#### i. Background

New York State's industrial and energy-intensive facilities require sustained power capable of providing multi-hour to multi-day output for processes and loads where direct electrification is constrained [1], [2]. Technologies using clean hydrogen or other non-drop-in alternative fuels may provide scalable, low-emission power for hard-to-electrify applications, including on-site industrial power, microgrids, and backup power [1], [2].

Commercially available non-combustion systems using hydrogen and other alternative fuels, including electrochemical and related conversion platforms, remain limited in their ability to meet these requirements. Existing systems are typically deployed at sub-megawatt scale and only limited validation has been conducted at multi-megawatt scale relevant to industrial and on-site power applications. Key limitations include durability under continuous operation, performance at high output, system integration challenges, and limited use of advanced control, monitoring, and optimization approaches such as artificial intelligence (AI) and machine learning (ML) [5], [6]. In addition, cost and scalability remain significant barriers due to high capital costs, component degradation, and limited manufacturing capability. Fuel flexibility is also limited, as many systems are designed to operate with different fuel specifications and lack validated performance across multiple non-drop-in fuels, including hydrogen, ammonia, and other emerging alternatives [3], [5].

This Technical Area supports the development and demonstration of large-scale, non-combustion alternative fuel-based power systems to address the above gaps and enable deployment in New York State.

### ii. Example Projects and Technologies

Example projects that may be considered under this Technical Area include, but are not limited to:

- Multi-megawatt, non-combustion power generation systems, such as fuel cells (e.g., PEM, SOFC, MCFC) or other electrochemical systems, capable of providing sustained, zero-emission electricity for industrial and other hard-to-electrify applications..

- Behind-the-meter alternative fuel-based systems that provide zero-emission power for backup power or microgrid applications.

- Fuel-flexible, non-combustion power systems capable of operating on more than one non-drop-in alternative fuel such as hydrogen or ammonia.

- Integrated demonstrations of multi-megawatt power systems in industrial or on-site environments to validate long-duration operation, , dynamic response, and operational reliability under New York conditions.

- Technologies or system configurations that reduce lifecycle cost, improve durability, or enable scalable deployment of large-scale alternative fuel-based power systems.

- Integration of advanced control, monitoring, and optimization approaches, including artificial intelligence (AI) and machine learning (ML), to improve system performance, predictive maintenance, operational efficiency, and reliability of alternative fuel-based power systems.

### iii. Examples of projects that will not be considered:

Example projects that will NOT be considered under this Technical Area include, but are not limited to:

- Projects that rely on conventional combustion-based generation technologies, including internal combustion engines, gas turbines, or boilers.
- Projects focused solely on the use of alternative fuels without incorporation of innovative system configurations, performance improvements, or integration with qualifying alternative fuel-based power systems.
- Small-scale projects with system power output designed for less than 1MW.
- Projects focused on using drop-in alternative fuels, such as renewable natural gas or renewable diesel etc.

### iv. Proposal Requirements for Technical Area 1

Proposers shall complete Attachment A – Innovation Proposal Form and provide all supporting documentation, information, analyses, and other materials necessary to demonstrate compliance with the requirements of this Solicitation.

- The proposed system must have a nameplate output of 1 MW or greater. Projects that rely solely on aggregation of commercially available sub-megawatt units without meaningful system-level innovation will not be considered. *(Provide your answer in Attachment A under Question #1)*
- The system design must include full system integration, including balance of plant, fuel interface, electrical systems, and control systems, at a level appropriate for multi-megawatt deployment. *(Provide your answer in Attachment A under Question #1)*
- The proposed system must be designed for deployment in New York State and must meet applicable market, siting, safety, and regulatory requirements, including footprint constraints and operational conditions relevant to industrial or on-site power applications. *(Provide your answer in Attachment A under Question #1)*
- The proposed system must demonstrate measurable improvement relative to state-of-the-art technologies in at least one of the following areas: *(Provide your answer in Attachment A under Question #4)*
  – efficiency
  – durability or degradation rate
  – operating duration
  – load response or operational flexibility
  – capital or lifecycle cost
- Proposals must quantify expected greenhouse gas (GHG) emissions reductions relative to conventional fossil-based systems serving the same application in New York. The analysis must identify key lifecycle emission sources and demonstrate the basis for emissions reductions. *(Provide your answer in Attachment A under Question #2)*
- Proposals must include a technoeconomic analysis (TEA) that establishes baseline system cost and projected cost following project completion. The TEA must present a normalized cost or performance metric appropriate for stationary power applications and enable comparisonto incumbent fossil-based alternatives for the target application . *(Provide your answer in Attachment A under Question #7)*

## B. Technical Area 2 – Alternative Fuel Infrastructure

### i. Background

Statewide adoption of non-drop-in fuels such as hydrogen and ammonia is limited by infrastructure constraints including production scalability, fuel storage, distribution logistics, and system integration, as well as limited use of advanced monitoring, control, and optimization approaches such as artificial intelligence (AI) and machine learning (ML)[5].

Emerging technologies for alternative fuel production, including methane pyrolysis, gasification of biogenic or waste-derived feedstocks, and other thermochemical or electrochemical processes, offer potential pathways to reduce lifecycle emissions and expand supply options [5], [6]. However, these technologies require further development and validation, particularly in integration with storage, conditioning, and delivery systems suitable for New York's geographic, regulatory, and operational constraints.

In addition to production, significant challenges remain in fuel storage and distribution. New York lacks large-scale hydrogen storage options and has limited corridors for fuel delivery, particularly in urban and constrained environments. Addressing these challenges requires compact, modular, and integrated infrastructure solutions that reduce footprint, improve safety, and enable deployment without reliance on extensive new pipeline systems [5].

This Technical Area supports the development and demonstration of alternative fuel infrastructure systems, including production, storage, distribution, and integration technologies, with a focus on addressing key deployment barriers in New York State, such as cost, scalability, siting constraints, and system integration. These systems may incorporate advanced data-driven approaches, including artificial intelligence (AI) and machine learning (ML), to improve performance, monitoring, and operational efficiency and enable scalable deployment of low-carbon fuels in New York State.

### ii. Example Projects and Technologies

Example projects that may be considered under Technical Area 2 include, but are not limited to:

**Production:**

- Development of alternative fuel production systems that improve performance, reduce costs, or enable scalable deployment of hydrogen, ammonia, or other low-carbon fuels, such as producing hydrogen from natural gas with methane pyrolysis, or from waste-derived feedstocks using electrochemical or thermochemical conversion pathways [5].
- Production systems utilizing diverse feedstocks, including renewable electricity and water, biomass, organic waste streams, or industrial gases, with demonstrated pathways to reduced lifecycle emissions and cost-effective operation.
- Integrated production modules that combine feedstock preparation, conversion, gas cleanup, thermal integration, and carbon or byproduct management into deployable systems suitable for on-site or distributed applications.

**Storage:**

- Alternative fuel storage technologies that reduce cost, footprint, or siting constraints, including high-density compressed storage, cold-compressed systems, liquid carriers such as ammonia, and materials-based storage (e.g., metal hydrides or metal fuels).
- Storage systems designed for long-duration or high-capacity applications that support multi-hour to multi-day operation of alternative fuel-based energy systems.

**Distribution and Delivery:**

- Innovative fuel distribution and delivery systems, including modular transport solutions, containerized fuel systems, or transfer technologies that enable safe and efficient fuel movement without reliance on large-scale pipeline infrastructure.
- Materials, components, or system designs that enable new or retrofitted infrastructure for bulk fuel transfer, handling, and conditioning across industrial sites, ports, or energy hubs.

- Refueling, bunkering, or fuel dispensing infrastructure for medium and heavy duty on-road or offroad vehicles, such as hydrogen refueling stations, particularly solutions utilizing modularized designs to support scalability and future replication. Please note that vehicle development or procurement is not covered by this solicitation.

**Integrated Systems:**

- Co-located or integrated systems that combine fuel production, storage, and end-use to reduce reliance on external infrastructure and enable deployment in industrial, on-site power , or microgrid environments.
- Infrastructure systems that integrate production, storage, conditioning, and delivery into modular or site-specific solutions optimized for New York's footprint, safety, and permitting constraints.
- Integration of advanced monitoring, control, and optimization approaches, including artificial intelligence (AI) and machine learning (ML), to improve system performance, logistics, predictive maintenance, and operational efficiency across alternative fuel infrastructure systems.

### iii. Examples of Projects That Will Not Be Considered

Examples of projects that will not be considered under this Technical Area include but are not limited to:

- Projects that do not demonstrate a pathway to substantially reduced lifecycle greenhouse gas (GHG) emissions relative to conventional fossil-based systems.
- Projects that rely on conventional or commercially available technologies without demonstrating innovation in performance, cost, efficiency, integration, or scalability.
- Projects that focus on carbon capture, utilization and storage technologies.
- Projects that focus on vehicles (either on road or offroad), rather than the infrastructure.
- Refueling stations only for light duty vehicles.

### iv. Proposal Requirements for Technical Area 2

Proposers shall complete Attachment A – Innovation Proposal Form and provide all supporting documentation, information, analyses, and other materials necessary to demonstrate compliance with the requirements of this Solicitation.

- For fuel production systems, proposals must define the production pathway, feedstock, key input requirements, and expected production throughput. Proposals must provide sufficient information to explain why the selected pathway is technically feasible and supports scalable deployment under New York conditions. *(Provide your answer in Attachment A under Question #1)*
- For fuel storage systems, proposals must specify storage capacity or duration, system configuration, and interfaces with upstream production and downstream distribution systems. Proposals must provide sufficient information to explain why the storage solution is suitable for the intended application, including consideration of footprint, safety, and operational constraints. *(Provide your answer in Attachment A under Question #1)*

- For fuel distribution systems, proposals must define expected throughput capacity, targeted corridors or deployment locations within New York State, and the intended fuel sources and end users. Proposals must provide sufficient information to explain why the proposed system enables practical and scalable fuel delivery under New York-specific logistical and regulatory conditions. *(Provide your answer in Attachment A under Question #1)*

- Proposals must quantify lifecycle greenhouse gas (GHG) emissions associated with the proposed production or infrastructure system and demonstrate reductions relative to conventional fossil-based alternatives. The analysis must identify major emission sources and provide a transparent basis for comparison. *(Provide your answer in Attachment A under Question #2)*

- Proposals must include a technoeconomic analysis (TEA) that establishes baseline cost and projected cost following project completion. The TEA must include relevant capital and operating costs and present a normalized cost or performance metric appropriate to the proposed system (e.g., cost per unit of fuel produced, stored, delivered, or processed). *(Provide your answer in Attachment A under Question #7)*

- Proposals must identify expected performance improvements, such as increased efficiency, reduced emissions intensity, improved durability, reduced cost, or enhanced system integration, and describe how these improvements support scalable deployment in New York State. *(Provide your answer in Attachment A under Question #4)*

## V. Additional Program Requirements

**Recoupment**

For category A projects that exceed $100,000 in total NYSERDA funding, NYSERDA will require a royalty based on sales and/or licensing of the new product developed (Please see Attachment G, Sample Agreement, for specific recoupment obligations). Recoupment is not required for category B (pilot or demonstration) projects. Please see the definitions below to determine if your project will be subject to recoupment. Please note that NYSERDA will make final determinations as to whether proposals fit within the demonstration or product development categories. Projects where NYSERDA's share of funding is $100,000 or less will generally not require recoupment. Please note: NYSERDA may decline to contract with awardees that are delinquent with respect to recoupment payments or sales reporting for any previous NYSERDA agreement.

**Cost Sharing**

Proposals must include proposer or external (non-NYSERDA) cost share funding of at least 50% of the total project cost, as shown in Table 1. Scoring preference will be given to proposals that best leverage NYSERDA funding by providing higher levels of non-NYSERDA cost share (see Section III. Proposal Evaluation).

Cost share may be provided by the proposer, project team members, or other government or private sources. Contributions of direct labor (for which the laborer is paid as an employee) and purchased materials may be considered "cash" contributions. Unpaid labor, indirect labor, or general overhead may be considered "in-kind" contributions. Total non-NYSERDA cost share is the sum of cash and in-kind contributions from non-NYSERDA sources. NYSERDA will not reimburse costs incurred prior to contract execution, and such costs may not be counted toward cost share.

Cost share must be verifiable at the time of proposal submission. Proposers must provide written assurance of all cost share contributions as part of the proposal. NYSERDA may require additional documentation during contract

negotiations to validate proposed cost share. Cost share contributions must be clearly identified in Attachment B. Cost share commitments must not be contingent upon future events (e.g., receipt of grants, loans, tax incentives, or investment). If federal funds are proposed as cost share, the proposer must include a commitment letter from the federal agency that explicitly authorizes the use of those funds for the proposed project scope.
The proposer is solely responsible for providing the full required cost share if an award is made, including any contributions from subcontractors or subrecipients. The proposer is also responsible for managing and enforcing cost share commitments across all project team members. Proposals must include Letters of Commitment from the proposer, all teaming entities, and all cost share providers. Each letter must specify the contributing organization, the dollar amount or value of the contribution, and whether the contribution is cash or in-kind.

**Annual Metrics Reports**

If awarded, the proposer will be required to submit to NYSERDA's Project Manager on an annual basis, a prepared analysis and summary of metrics addressing the anticipated energy, environmental and economic benefits that are realized by the project. All estimates shall reference credible sources and estimating procedures, and all assumptions shall be documented. Reporting shall commence the first calendar year after the contract is executed. Reports shall be submitted by January 31st for the previous calendar years' activities (i.e., reporting period). Please see Attachments F Metrics Form for the metrics that you will be expected to provide and the reporting duration. The Contractor shall provide metrics in accordance with a web-based form, which will be distributed by NYSERDA. NYSERDA may decline to contract with awardees that are delinquent with respect to metrics reporting for any previous or active NYSERDA agreement.

**New York State Eligibility**

To support building an ecosystem of advanced energy technological expertise and supply chains in New York State that will facilitate future deployment of clean, reliable energy technology in the State, proposals must have a nexus with New York State by meeting at least one of the following:

1. The proposing entity is formed, domiciled, or has a physical presence in New York State. This requirement applies only to the proposing entity, not to proposed subcontractors;

2. Proposed pilots or demonstrations are located in New York State. This requirement applies to proposed pilots or demonstrations funded by NYSERDA or intended to meet required cost share; or

3. The proposal includes physical work performed by the project team within New York State. This requirement applies to work funded by NYSERDA or included to meet required cost share. Out-of-state contractors may perform desktop or analytical work so long as the project's essential, place-dependent elements (e.g., in-person meetings and conferences, location-specific surveys) take place in New York State and the primary program benefits (e.g., analysis results) flow to New York State.

In addition, for pilot & demonstration projects (funding category B), the project site must pay into the Clean Energy Fund (https://www.nyserda.ny.gov/About/Funding) through the electric System Benefits Charge (SBC), unless significant statewide benefits are demonstrated.

## VI. Additional Proposal Requirements

Full Proposals must conform to the following requirements:

- **Completion**: The Innovation Proposal Form template (Attachment A) must be fully completed. If any required question is left unanswered or exceeds the word limit, the Innovation Proposal Form may be deemed unresponsive. The Statement of Work (SOW) workbook template (Attachment B) must also be fully completed. If any required sheet (Acronyms and Definitions, General Info, SOW, Budget) is left unanswered, the SOW may be deemed unresponsive.

  **Required Attachments for the Proposal:**
  - Attachment A – Innovation Proposal Form
  - Attachment B – Statement of Work Template (Workbook)
  - TRL supporting materials (Please see TRL definition and relevant required materials in Attachment C)
  - Attachment E – Executive Summary Slide Template
  - Resumes/CVs
  - Project list – A list of relevant projects that the proposal team has completed in the past
  - Letter(s) of Commitment for Cost Share
  - Indirect Cost Rate Supporting Documentation
  - Letter(s) of Site Commitment (for Category B)

  **Optional attachments:**
  - Attachment D: Letter of Support from Municipalities (for Category B)
  - Other letters of commitment or support from interested offtakers, customers, project partners.

- **Format**: Submitters must use the provided templates. These templates are designed to guide proposers through requirements in an organized manner without repeating or restating information. Materials submitted in a different format may be deemed unresponsive.

- **Document Specifications:**
  - All responses must be written in English
  - All template formatting (margins, font, etc.) must not be revised
  - The Innovation Proposal Form (Attachment A) must be submitted in Adobe PDF format
  - Do not convert Excel files (such as the Statement of Work Workbook or TRL Calculator) to PDF; they must remain in Excel format.

- **Identification**: Each page of the Innovation Proposal Form must prominently display the proposer's organization name, the PON numbers, and the page number.

If proprietary information must be submitted to provide adequate information for a proposal, see Section VIII General Conditions regarding submitting proprietary information.

**Compliance with New York State Finance Law**

In compliance with §139-j and §139-k of the State Finance Law (see Section V, General Conditions below for additional information), proposers will be required to answer questions during proposal submission, which will include making required certification under the State Finance Law and to disclose any Prior Findings of Non-Responsibility.

**Letters of Commitment or Support**

If proposers are relying on other organizations for a portion of the work, services, large or critical pieces of equipment, key partnership, or cost-sharing, include letters of commitment or support from those organizations describing their planned participation. Also include letters from partners or other organizations critical to the development, implementation, and success of the program. Absence of letters of commitment or support may be interpreted as meaning that the proposer does not have support from the subject parties. Letters should not be solicited from NYSERDA personnel.

A municipality in New York state can submit a letter of support for a Category B (pilot or demonstration) project. The letter of support must include required information as shown in Attachment D. Municipalities who submit a qualified letter of support will be recognized by NYSERDA's clean energy community program. Please visit the following link for clean energy community program availability and updates: https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Communities

**Commercialization Activities**

Proposers should allocate an appropriate amount of requested NYSERDA funding to develop and implement the commercialization activities that include an assessment of non-technical, commercialization risks and barriers to market adoption, as well as a clear plan to execute tasks that (1) drive adoption readiness towards commercial deployment in NYS; and (2) proactively address external market risks and regulatory and policy uncertainties. Details of required commercialization tasks can be found in Section III - Funding Categories and Related Proposal Requirements. The examples of commercialization tasks are shown in section III.A.ii and Section III.B.ii ("Expected Scope of Work") for both product development and pilot/demonstration funding category.

**Additional Considerations:**

Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not be considered in the evaluation of the proposal.

Proposers must carefully review the Innovation Proposal Form (Attachment A) to ensure that all required sections are completed. Failure to do so may result in the proposal being rejected as non-responsive. Note: The proposer's goal should be to concisely present the information needed to fully address the scoring criteria (see the Proposal Evaluation section). Proposals that exceed the page or word limits may be rejected as non-responsive or the excessive pages or words will not be reviewed. Proposals deemed non-responsive will not be eligible for awards. A proposal may be considered non-responsive if it fails to comply with the requirements of Section III, the requirements of Section IV, or the General Conditions of Section VI. NYSERDA reserves the right to modify a project's Statement of Work and may offer to fund part of the proposal at a level lower than that requested.

NYSERDA may, at its discretion, elect to extend and/or add funds to any project funded through this solicitation, including by increasing the scope and funding to a higher level than requested. Projects awarded with increased funding must still meet the minimum cost share requirements. Preference will be given to proposers that provide attractive leverage (cash co-funding, partnerships) opportunities for NYSERDA, and proposers who have a strong path to commercialization. A payment based on the final deliverable will be reserved until project completion. If awarded, NYSERDA may choose to negotiate the amount of such payment, which typically represents at least 10% of contract value.

Prior to an award being made, proposers may be required to demonstrate confirmation of cost share, participation of key individuals and team, commitment from demonstration site(s), and the ability to qualify for an award under applicable laws and regulations.

Proposers are required to state in their Proposals if they intend to use artificial intelligence ("AI") for the proposed Work including reports or other deliverables. Approval for any Proposer/Seller to use any AI systems for such purposes must be expressly granted by NYSERDA. Any Proposer who submits materials to NYSERDA that are created with the assistance of AI must disclose such use to NYSERDA. See Doing Business with NYSERDA on NYSERDA's website for more information on the use of AI at NYSERDA.

## VII. Proposal Evaluation and Criteria

Proposals determined to be compliant with application procedures and responsive to the solicitation will be review by a scoring committee comprised of internal and external technical experts in accordance with the following criteria. At NYSERDA's discretion, proposers may be requested to interview to address any potential questions or clarifications outlined in the proposals. Proposers will be notified if they are requested to attend an interview.

Proposals determined to be compliant with application procedures and responsive to the solicitation will be subject to review by a scoring committee in accordance with the criteria below. The criteria below is listed in order of importance.

- **Project Plan, Budget and Risks**
    - Does the proposed project provide strong value and justification for the funding, demonstrating that the anticipated outcomes and impacts are achievable and significant relative to the proposed budget?
    - Do the proposer's cost-share contributions meet or exceed the minimum requirement?
    - Does the proposal plan include fully developed tasks, subtasks, milestones and deliverables, with a high likelihood of meeting cost, schedule, and technical milestones within the timeline?
    - If a pilot or demonstration project, does the project present a detailed and feasible plan for securing demonstration site agreement, including a comprehensive, site-specific description aligned with the technical and logistical needs of the proposed solution, and a robust strategy for promoting replication through clear implementation pathways, stakeholder engagement, and scalable outcomes?
    - Does the proposer demonstrate clear understanding of the potential project risks and barriers and provide a well-considered mitigation plan to enable project success and anticipated benefits?
    - Is adoption of the solution low risk or, if moderate risks exist, are they likely to be effectively managed?

- **Technical Solution and Benefits**
    - Does the proposed solution align with the specific goals and desired outcomes of the selected technical area of this solicitation?

- Does the solution deliver measurable environmental and economic benefits to New York State? Does the proposer describe their intent, plan, and/or demonstrated capability to deliver these benefits to NYS?
- Does the solution bring benefits to disadvantaged or low-to-moderate income communities, and advance equity by improving access to clean, affordable solutions with quantified outcomes? Will the solution create job opportunities in New York State?
- To what extent does the solution offer a new or unique approach compared to existing options, including any novel features, methods, or applications that could advance the field or industry? How does the solution deliver superior functional performance and usability to support user needs?
- Does the solution demonstrate technical feasibility, validated by data showing performance at or above industry standards, and is it at or progressing toward an appropriate Technology Readiness Level (TRL) for deployment or scale-up?
- Does the proposal demonstration that adoption of the solution is low risk, or, if moderate risks exist, are they well-understood and supported by credible, specific mitigation strategies that indicate the risks are likely to be effectively managed?

- **Go-to-Market Plan**
  - How realistic is the cost breakdown, and how clear and well-justified is the go-to-market price and pathway to maintain cost competitiveness with alternative solutions?
  - Does the applicant provide a data-driven quantification of the Total Addressable Market (TAM), Serviceable Available Market (SAM), and Serviceable Obtainable Market (SOM) in direct relation to the target customer segments, and do their calculations suggest market demand and capture opportunity?
  - How well does the IP strategy protect the solution's core technology and support its competitive advantage?
  - Does the solution have a viable deployment path, demonstrated by alignment with existing value chain infrastructure, support from strategic partnerships that enable deployment and commercialization, and realistic, solution-specific milestones that reflect progress toward commercialization and readiness for broader implementation?
  - Is NYSERDA funding or support critical to achieve the ultimate commercialization of the product or service? Will the proposed project accelerate a technology that industry is not likely to undertake itself?
  - Does the solution have a feasible pathway for development and commercialization using existing infrastructure and supply networks? If gaps exist, is there a clear and actionable plan to address them for long-term viability? Is the solution supported by a robust manufacturer and supplier ecosystem with clearly identified key players, a saleable strategy, and supply chain design that anticipates key risks with credible mitigation tactics?
  - Does the solution have a clear, step-by-step installation plan that identifies all key stakeholders, required training, technical support, and necessary infrastructure adjustments to ensure a smooth and secure installation process? Additionally, does the plan demonstrate that all

logistical and operational aspects are addressed, with credible strategies for managing risks and ensuring stakeholder readiness?

- **Team and Organizational Capacity**
  - Does the project team possess the technical, business, and project management expertise—as well as the operational capacity, business processes, and collaborative partnerships—necessary to address the specific challenges, scale, and technical demands of the proposed solution and execute the project effectively?

NYSERDA reserves the right to accept or reject proposals based on the following program policy factors:

- The degree to which the proposal expands the portfolio of technical areas and project types both within the advanced fuels program and within NYSERDA's portfolio.

## VIII. General Conditions

**Proprietary Information** - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 https://www.nyserda.ny.gov/About/-/media/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<br>Division for Small Business<br>625 Broadway<br>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. Proposers are required to answer questions during proposal 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 proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years).

**Tax Law Section 5-a** - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. See, ST-220-TD (available at http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a prospective contractor prior to contracting and filed with NYSERDA. See, ST-220-CA (available at http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf.

**Contract Award** - NYSERDA anticipates making multiple awards under this solicitation. NYSERDA anticipates a contract duration of up to three years, unless NYSERDA management determines a different structure is more efficient based upon proposals received. A contract may be awarded based on initial applications without discussion or following limited discussion or negotiations pertaining to the Statement of Work. Each proposal should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use Attachment G, Sample Agreement, to contract successful proposals. 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. Proposers should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSERDA expects to notify proposers in approximately twelve weeks from the proposal due date whether your proposal has been selected to receive an award. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSERDA agreement.

Recoupment - For any new product research and/or development, NYSERDA will generally require a royalty based on sales of the new product developed. NYSERDA's standard royalty terms are 1% of sales and of all license revenue accruing to the Contractor for products produced, for a period of fifteen years or until the Contractor pays NYSERDA an amount equal to the amount of funds paid by NYSERDA to the Contractor, whichever comes first.

**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.

**Limitation** - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest. NYSERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to the standard terms and conditions of Attachment G, Sample Agreement. NYSERDA reserves the right to disqualify proposers 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 proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

**Vendor Assurance of No Conflict of Interest or Detrimental Effect** - The proposer 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 proposer or former officers and employees of NYSERDA, in connection with proposer'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 proposer 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 Joint Commission on Public Ethics, or its predecessors (collectively, the "Ethics Requirements"). Proposers 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 Joint Commission on Public Ethics, and, if deemed appropriate by the State, instruct any such person to seek the opinion of the New York State Joint Commission on Public Ethics. 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 a proposal relative to any of the topics listed in evaluation criteria, whether or not such topic is explicitly addressed in a proposal. NYSERDA may conduct due diligence on some or all proposals based on NYSERDA's current guidelines at the time of a review. NYSERDA staff may follow up with proposers to request additional information or clarification regarding applicant's proposal, including questions regarding applicant's business prospects and resources, whether or not those questions are specifically related to the elements of the proposal. Additionally, customized due diligence may be conducted by internal or external staff or contractors based on questions on any proposal 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 proposal; 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 proposers' business, including similar (or unrelated) technologies, processes, or competitive solutions; or any other research that could reasonably inform the evaluation of a proposal, or the prospects for commercial success of the proposers' business (whether directly related to, or unrelated to the specific elements in a proposal). Due diligence may include discussions with proposers' 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 a proposal 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://sanctionsearch.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.

## IX. Attachments:

- Attachment A – Innovation Proposal Form
- Attachment B – Statement of Work Template (Workbook)
- Attachment C – TRL Definition and Requirements
- Attachment D – Letter of Support from Municipalities (for Category B)
- Attachment E – Executive Summary Slide Template
- Attachment F – Metrics Form
- Attachment G – Sample Agreement (for reference only; does not need to be filled)

## X. References:

**[1] New York State Energy Planning Board.** *New York State Energy Plan.* Albany, NY: New York State Energy Planning Board. Available at: New York State Energy Plan

**[2] New York State Energy Research and Development Authority (NYSERDA).** *2026–2030 Innovation and Research (I&R) Portfolio Operating Plan.* Albany, NY: NYSERDA, 2025. Available at: 2026–2030 I&R Portfolio Operating Plan

**[3] New York State Energy Research and Development Authority (NYSERDA).** *Zero by 40 Technoeconomic Assessment, Final Report.* Albany, NY: NYSERDA, 2025. Available at: Zero by 40 Technoeconomic Assessment

**[4] New York State Energy Research and Development Authority (NYSERDA).** *New York State Hydrogen Assessment.* Albany, NY: NYSERDA, 2025. Available at: New York State Hydrogen Assessment (Full Report)

**[5] U.S. Department of Energy.** *U.S. National Clean Hydrogen Strategy and Roadmap.* Washington, DC: U.S. Department of Energy, March 2023. Available at: U.S. National Clean Hydrogen Strategy and Roadmap

**[6] U.S. Department of Energy, Hydrogen and Fuel Cell Technologies Office (HFTO).** *Clean Hydrogen Production Standard (CHPS) Guidance.* Washington, DC: U.S. Department of Energy, 2023. Available at: Clean Hydrogen Production Standard (CHPS) Guidance