



**Innovation Advisory Services Program**

Request for Proposals (RFP) 4441

**\$1,250,000 Available**

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

**Proposals Due: September 3, 2020 by 3:00 PM Eastern Time\***

**Program Summary:** Through this Request for Proposals (RFP), NYSERDA is adjusting the scope of its Innovation Advisory Services program to focus on recruiting subject matter experts with specific industry experience to actively contribute towards the achievement of New York's energy and climate goals. As such, NYSERDA is seeking to secure the services of Innovation Advisors, which are business and technology experts with extensive experience in areas key to NYSERDA's policy mandate and strategic plan. In this new solicitation, we are seeking experts with skills ranging from general executive and consulting experience, to climate finance and risk expertise, to applied experience commercializing growth stage climate tech ventures. These Innovation Advisors will apply their substantial technology, subject matter, and corporate experience to assist NYSERDA's Technology and Business Innovation (TBI) department achieve its mission and goals by developing new programs with TBI leadership, offering targeted strategic advice to improve the effectiveness of existing programs, creating processes for the successful execution of programs, liaising with private sector actors affiliated with NYSERDA's programs as needed, and ensuring that evaluation best practices are implemented swiftly and in alignment with TBI's climate impact goals.

**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. 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](https://www.nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx) [PDF]" located in the "Current Opportunities" section of NYSERDA's website (<https://www.nyserda.ny.gov/Funding-Opportunities/Current-Funding-Opportunities.aspx>).

No communication intended to influence this procurement is permitted except by contacting by e-mailing [rfp-4441@nyserda.ny.gov](mailto:rfp-4441@nyserda.ny.gov)✉. If you have contractual questions concerning this solicitation, contact Venice Forbes (Designated Contact) at (518) 862-1090, ext. 3507 or [venicesolicitations@nyserda.ny.gov](mailto:venicesolicitations@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 5:00 PM 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 5:00 PM Eastern Time, files in process or attempted edits or submission after 5:00 PM 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>).

## I. INTRODUCTION

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Over the past decade, NYSERDA's Technology and Business Innovation (TBI) initiatives have been a key driving force in the growth of the clean energy market in New York State through their support for applied research, policy development, product development and demonstration, and business development. This support has contributed to the market entry of numerous innovative clean energy products and has helped many emerging technology companies raise follow-on investment, secure critical partnerships, and attract customers/end-users. NYSERDA's TBI department is made up of experienced professionals across a wide variety of disciplines, including engineering, hard sciences, economics, and business. Most members of staff hold advanced or doctorate degrees, and typically have over 10 years of private sector experience. The department is organized into five groups, which represent TBI's strategic priorities: Advanced Buildings, Clean Transportation, Renewable Optimization and Energy Storage Innovation, Smart Grid Systems and Distributed Energy Integration, and Technology to Market. TBI allocates its resources primarily towards applied research and technology development, with an emphasis on business development, commercialization, and market entry for the innovations that NYSERDA invests in and supports through its various programs.

NYSERDA recently reached an inflection point in its history represented by the launch of a 10-year, \$5.3 billion commitment to the growth of the clean energy market and achievement of ambitious energy and climate goals in New York State. This commitment, known as the [Clean Energy Fund](#), will guide NYSERDA's operations and investments over the next decade. In response to the Clean Energy Fund, TBI is evolving its operations to maintain and amplify its significant contributions towards the growth of the clean energy market in the state. A key aspect of this evolution is continuing to improve the strategic approaches for identifying areas for investment and managing those investments while also maximizing the impact of the capital TBI is deploying to support clean energy technology and business development. To that end, and to assist in the development of new strategic and operational solutions, NYSERDA is seeking advisement services, on an independent contractor basis, from individuals that have substantial experience with corporate management, entrepreneurship and startups, technology development and commercialization, early-stage investing, sales and marketing, and operational transformation. Drawing from the collective experiences of such a resource will contribute directly towards the effectiveness of NYSERDA's TBI department by applying corporate and startup best practices across all operations and through leveraging unique technical expertise. By bringing in outside perspectives from those who have an "ear to market", it will strengthen NYSERDA's ability to identify and respond to emerging investment

opportunities and market needs. In addition, the reputation and deep networks of these individuals will provide external validation and more exposure for NYSERDA portfolio companies and TBI programs.

The Innovation Advisor program is itself a long-term commitment by NYSERDA and offers the opportunity for top tier management and technical talent to actively advise TBI strategy, the development of impactful program tactics, improvement of internal business processes, and the growth of NYSERDA staff and portfolio companies. Collectively, this will assist New York State in its pursuit to achieve ambitious energy, climate, and economic goals and the realization of NYSERDA's Clean Energy Fund vision. Innovation Advisors are key collaborators who will interact with NYSERDA executive management and staff, portfolio companies, program partners, and other key stakeholders throughout the state's clean energy market.

## **II. PROGRAM REQUIREMENTS**

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### **Eligibility and Proposer Requirements**

NYSERDA Innovation Advisors will be established professionals with significant experience in corporate management, starting and scaling technology companies, and/or deep subject matter expertise. As such, Innovation Advisors must have the following qualifications:

- Demonstrated ability to develop relationships with key stakeholder groups, including private market actors and governmental agencies at the federal and state levels involved in innovation and research, as needed
- Strong project and people management skills and the ability to successfully multi-task, set priorities, and meet deadlines in a dynamic environment.
- Expertise in writing, presentation, and interpersonal skills that resonate with audiences of different backgrounds; the ability to communicate persuasively, concisely, and unambiguously in speech and in writing.
- Ability to be a self-starter and function well, both independently and in teams.
- Expertise in one or more of the Advisory Areas listed below.

Minimum educational requirements include:

- A Bachelor's degree in engineering or engineering management; physical, chemical, or biological sciences; finance, law, business, economics, or entrepreneurship; and a minimum of 15 years of relevant experience;
- or*
- An unrelated Bachelor's degree and 20 years of relevant experience as noted above.

Preference will be given to those candidates that possess:

- A proven record of experience working with highly technical entrepreneurs and early-stage companies developing disruptive innovations.
- A proven record leading large operational transformation efforts within established organizations.

NYSERDA reserves the right to independently verify any qualifications, experience, or other relevant information provided in the proposal.

### **Range/Scope of Services and Advisory Areas**

Innovation Advisors selected through this solicitation are experts ready to provide both strategic guidance and hands on operational support to the TBI team over the course of their tenure in the program. This work will range from creating multi-year plans to drafting documents and presentations on an as needed basis. All Innovation Advisors will serve as an extension of the TBI team and will work across team functions to train, educate, instruct, support, and operationalize team decisions and goals. An applicant to this RFP will provide advisory services on a part-time basis as an independent contractor and will assist NYSERDA's Innovation team in one of the following Advisory Areas:

### Advisory Areas

#### General Analytical Support

- Provide ongoing programmatic support for various initiatives including assistance in the design, development, launch, and management of Innovation programs
- Research and develop application best practices for Innovation team solicitations, proposal evaluations, and project selection
- Support internal business process improvements and miscellaneous tasks relevant to the Innovation team's ongoing activities and success metrics

#### Metrics and Measurement

- Work with the TBI team to develop optimal metrics for measuring program success across a variety of areas including greenhouse gas impact, environmental justice, impact to disadvantaged communities, commercialization and technology development metrics, etc.
- Develop best practices for the collection of metrics across relevant target areas germane to the CLCPA
- Create educational tools to support NYSERDA's portfolio in understanding and calculating its impact
- Collaborate with TBI's operations team and NYSERDA's performance and measurement team to ensure organizational best practices and standards are being applied to the TBI portfolio
- Inject expertise into TBI's metrics and measurement work and co-create plans for long term tracking and evaluation

#### Climate Resiliency

- Conduct market outreach to understand the best practices used by insurers, financial institutions, utilities, and environmental regulators, among others
- Support the development and implementation of a climate resiliency framework to inform NYSERDA and New York State's investments into energy and climate assets
- Develop best practices for valuing and measuring resiliency for investors and state and local governments
- Support the assessment of innovative methods for pricing resiliency within the context of regulated utility tariffs

#### Climate Risk & Finance

- Facilitate market outreach to determine near and long-term opportunities for NYSERDA to support market adoption of robust frameworks for pricing climate related risks
- Support the development of market interventions that will strengthen New York State's financial and insurance sectors

- Provide insight into our existing initiatives that support the inclusion of greater risk assessments of climate risk
- Determine how to bring additional capital streams into climate-resilient assets
- Assess rules, regulations, policies, and programs designed to support proper risk assessments of climate change in the financial and insurance sector(s)
- Assess methodologies to support the full risk assessment of climate and environmental concerns through the state

#### Circular Economy

- Support NYSERDA in its development and application of definitions and processes for quantifying and valuing circular economy solutions in the context of the state's greenhouse gas reduction goals
- Conduct market outreach to determine near and long-term opportunities and needs for NYSERDA to support market adoption of robust frameworks and standards for circularity
- Identify key barriers to circular economy solutions and opportunities for NYSERDA to offer catalytic support of innovators in this space
- Support the launch of funding opportunities and other initiatives aimed at accelerating and / or supporting circular and regenerative products, companies, or processes

#### Investment

- Educate the NYSERDA team on best practices and critical analyses used by investors such as:
  - Defining the relevant market or industry of interest
  - Developing hypotheses around future expected changes in the market
  - Developing financial forecasts and analyses
  - Defining a Path-to-market
  - Total addressable market assessments
  - Different types of financial products
  - Fundamentals of innovation markets
  - Best practices for company due diligence
- Support the development and use of toolkits, templates, and analyses for use in the development of investment theses such as:
  - Iterative innovation and how to measure it
  - Customer segmentation
  - Planning for an exit
- Provide advice and relevant data to team members for the creation of investment theses rooted in economic context
- Review and guide the development of private-sector style power point (or similar) presentations to appropriately communicate the Investment Plans and Business Cases used by the NYSERDA executive team to define capital deployment opportunities

#### Commercialization

- Support the development of programs that help NYSERDA portfolio companies get to market significantly faster than existing programmatic interventions
- Identify training and education programs to support innovators as they establish first technology and/or solution demonstrations, search for and recruit first customers, and plan expansion into the New York market
- Engage relevant public and private entities interested in demonstrating and/or adopting solutions and assist them in becoming early adopters

- Support NYSERDA staff in identifying barriers to market for innovators across all GHG emitting industries
- Develop communication tools to help NYSERDA portfolio programs prepare their startup participants for company growth and expansion

#### Carbontech / Negative Emissions Technology

- Provide ongoing technical expertise and assist in the evaluation of negative emissions technologies
- Liaise between key research institutions around the world and stakeholders in the New York carbontech innovation ecosystem
- Offer targeted support and guidance to innovators with carbontech solutions within the existing NYSERDA portfolio and/or companies interested in entering the New York market
- Support the development of a strong carbontech cluster that connects investors, founders, customers, and organizations in the carbon to value / negative emissions technologies space(s)
- Develop new initiatives, funding opportunities, and partnerships to support the demonstration and deployment of carbontech across New York state and develop plans for these initiatives in collaboration with the NYSERDA team
- Inform financing and project development approaches for negative emissions projects

Each contract will have an initial term not to exceed 12 months. Awarded contracts may be extended at NYSERDA's sole discretion if significant value is expected. Following the due date, submissions will be assessed by a Scoring Committee based on the evaluation criteria provided in Section IV. . NYSERDA may in exceptional circumstances and in its sole discretion, increase the award amount and adjust required hours of service per week for unique or outstanding applicants with demonstrated qualifications. NYSERDA recognizes that applicants may be seeking assignment as an Innovation Advisor on a sabbatical basis from their current employer. Therefore, consideration will be given to those potential candidates that provide cost share or employer provided sponsorship (e.g., not-for-profit supplemental stipend) that offset total costs to NYSERDA.

#### **Available Funding and Cost Sharing**

Up to \$1,250,000 of NYSERDA funding is available through this RFP. All, some, or none, of the available funds may be awarded through RFP 4441 NYSERDA anticipates making six to ten awards under this solicitation. NYSERDA reserves the right to add or reduce time and/or funding to awarded contract(s). No cost sharing is required for this solicitation.

#### **Other Considerations**

In addition, proposers should note that:

- A proposal may be considered non-responsive if it fails to comply with the requirements above, the Submission Requirements of Section III, or the General Conditions of Section V.
- Performance of awarded projects will be assessed on a continuous basis in order to ensure the Innovation Advisor is meeting their commitments and achieving the milestones laid out in the Statement of Work.

### III. SUBMISSION REQUIREMENTS

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Applicants are encouraged to proactively identify advisory topics (to the best extent possible) that would benefit NYSERDA, portfolio companies, program partners, and other stakeholders in New York State's clean energy market. NYSERDA will identify specific assignments and establish a customized Statement of Work with each Innovation Advisor based on individual qualifications and current organizational needs.

Submissions should concisely and clearly demonstrate the applicant's expertise and accomplishments and how they relate to the requirements of this RFP for the Innovation Advisory Services Program. Submissions should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective proposal may reduce, rather than increase, a submission's standing per the evaluation criteria. The applicant should provide the following:

1. **Narrative Statement of Qualifications (Attachment A; 3-page limit)**

The narrative statement serves as the "cover letter" of the submission and will describe the applicant's professional history, qualifications, accomplishments, and other relevant background information. Applicants should consider TBI's investment approach and strategic priorities and describe how their expertise could be leveraged in pursuit of department goals.

  - a. Professional history and accomplishments to date;
  - b. Motivation and rationale for seeking to serve as a NYSERDA Innovation Advisor;
  - c. How past professional experience or areas of expertise could be leveraged to benefit NYSERDA TBI's strategy and operations; and
  - d. Other relevant information the applicant wishes NYSERDA to consider.
2. **Resume/Curricula Vitae (Attachment B; 2-page limit)**
3. **Cost Proposal (Attachment C; 1-page limit)**
  - a. Applicant availability and proposed hours per week. With respect to physical location, preference is to have all Innovation Advisors awarded through this RFP be physically embedded at NYSERDA's Albany office. However, while the COVID-19 pandemic continues and the offices are closed, Innovation Advisors will be expected to work from locations where they can perform the work expected of an Innovation Advisor. Additionally, after the NYSERDA offices are opened, other arrangements may be considered, including a split between Albany and other locations. Applicants should describe geographic constraints, proposed location of service, and their ability to be equally as effective if not physically embedded at NYSERDA's offices.
  - b. Cost proposal providing proposed hourly billing rate and overall contract value. Billing rates should not exceed the rates charged by the applicant to other existing current clients, and must not exceed \$175 per hour. Applicants will be required to provide justification for proposed hourly billing rates during the contract negotiation period (post award notification).
4. **References and Conflict(s) of Interest (Attachment D)**
  - a. Provide three professional references, with contact information, from current or past colleagues, customers, clients, or others who support the applicant's

submission and have direct experience working with the applicant over a sustained period of time.

- b. For potential conflicts of interest, to the best of the applicant's knowledge, identify any involvement the applicant has or has had with NYSERDA portfolio companies, both direct recipients of funding, or indirect recipients of support (e.g., incubator clients/graduates, proof-of-concept center teams/alumni, entrepreneur-in-residence program clients, 76West winners, etc.) Identify all other potential issues or conflicts of interest.

Attachment C, Project Personnel and Rate Form, is provided to applicants for the Cost Proposal. The other items required for a complete submission – Narrative Statement of Qualifications, Resume/Curricula Vitae, and References and Conflict(s) of Interest – are not provided to applicants by NYSERDA. Applicants should provide their own documentation for these attachments, mark the documents with the appropriate attachment letter (A, B, and D, respectively) for this solicitation, and include them with their submission.

### **Procurement Lobbying Requirements**

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.

## **IV. PROPOSAL EVALUATION**

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Proposals that meet the solicitation requirements will be reviewed by a Scoring Committee and will be scored and ranked according to the following criteria, listed in order of importance. At NYSERDA's discretion, proposers may be requested to interview with all or part of the Scoring Committee to address any potential questions or provide clarifications to information outlined in the proposals. Proposers will be notified if they are requested to attend an interview. After the proposals are reviewed, NYSERDA will issue a letter to each proposer indicating the proposal evaluation results. A proposer receiving a favorable evaluation will be invited to enter into contract negotiations with NYSERDA. The proposer will be required to submit a detailed Statement of Work, schedule, and budget, and may also be asked to address specific questions or recommendations of the Scoring Committee prior to any contract award.

### **Evaluation Criteria**

#### *Experience and Qualifications*

- Does the applicant's training, experience, or qualifications meet the general requirements of the Innovation Advisory Services Program in one or more of the Advisory Areas, as specified in this RFP?
- Has the applicant provided appropriate documentation showing required experience or qualifications?
- Are the applicant's qualifications relevant given the strategic and tactical approach envisioned for NYSERDA's TBI department?
- Does the applicant's qualifications and expertise address NYSERDA's needs and is it likely to help advance the growth of the clean energy market in New York State?

#### *Cost Proposal*



- Is the availability and billing rate reasonable given the applicant's qualifications and current engagements?
- Is the applicant's availability sufficient to accomplish the stated goals of the engagement?

#### *References*

- Are the references from experienced, well-established individuals who understand and are deeply familiar with clean energy innovation and technology commercialization?
- Are the references able to provide clear and compelling examples of the applicant's ability to be an effective Innovation Advisor?

#### *General Criteria*

- Does the submission include all required elements?
- Overall, is the submission professionally prepared, reasonable, and likely to positively impact NYSERDA's strategy and operations?

#### **Other Considerations**

NYSERDA reserves the right to accept or reject proposals – or adjust award amounts – based on the following factor(s):

- The degree to which the proposed project directly addresses NYSERDA's mission and strategic goals.
- The degree to which the applicant has the resources (human and financial) to be able to complete the project.
- Duplication of other proposed or awarded projects.
- The degree to which pricing and hourly rates for services are in line with the rest of the market.
- Track record and previous performance of proposer(s).
- The degree to which the proposer's skills and background align with TBI program needs.

## **V. GENERAL CONDITIONS**

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### **Proprietary Information**

Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to 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  
Division for Small Business  
625 Broadway  
Albany, NY 12207

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

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

### **State Finance Law sections 139-j and 139-k**

NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <https://online.ogs.ny.gov/legal/lobbyinglawfaq/default.aspx>. 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](http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf)). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department.

The Department has created a second form that must be completed by a prospective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at [http://www.tax.ny.gov/pdf/current\\_forms/st/st220ca\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf)). The Department has developed guidance for contractors which is available at <http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf>.

### **Contract Award**

Up to \$1,250,000 of NYSERDA funding is available through this RFP. NYSERDA anticipates making two to six awards under this solicitation. All, some, or none, of the available funds may be awarded through RFP 3859. Contracts will be structured as time-and-materials. NYSERDA anticipates a contract duration of 12 months with the option to add time and/or money to contracts for high-performing Innovation Advisors that exceed expectations. Funding allocated for this RFP may also be used for support services that are directly related to the Innovation Advisory Services Program. 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 may at its discretion elect to extend and/or add funds to any contract 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 eight weeks from the proposal due date whether their 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.

### **Accessibility Requirements**

If awardees from this solicitation will be posting anything on the web, or if the awardee will produce a final report that NYSERDA will post to the web, the following language must be included. 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 the Sample Agreement. NYSERDA reserves the right to disqualify proposers based upon the results of a background check into publicly available information and 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.

## **VI. ATTACHMENTS**

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The following attachments are required for each submitted proposal to be considered complete:

- Attachment A - Narrative Statement of Qualifications (template not provided)
- Attachment B - Resume/Curricula Vitae (template not provided)
- Attachment C - Project Personnel and Rate Form (template provided)
- Attachment D - References and Conflict(s) of Interest (template not provided)

The following attachment is provided as a reference document for applicants:

- Attachment E - Sample Agreement