

RFP Title: Downwind NYC Ozonesondes
Request for Proposals (RFP)
\$75,000 Available

Proposals Due: November 16, 2018 by 5:00 PM Eastern Time*

The Northeast States for Coordinated Air Use Management (NESCAUM) is soliciting proposals for the launch of ozonesondes downwind of New York City (NYC) during the 2019-2020 warm weather ozone seasons. The purpose of this project is to characterize ozone pollution at different levels of the troposphere being transported through and out of the NYC metropolitan region. A successful proposer will demonstrate the ability to launch and analyze collected ozonesonde data during the project period.

Funding for this Request for Proposals (RFP) is provided to NESCAUM by the New York State Energy Research and Development Authority (NYSERDA) as part of its Environmental Program, which supports research to improve the scientific and technical foundation for addressing key energy policy-relevant questions related to air quality and health effects.

\$75,000 is available under this RFP. Available funding under this RFP is limited to no more than \$75,000 in a single award. Project duration is expected to be in the range of two (2) years. Total funds available may not be sufficient to fund all associated costs. Cost-sharing by proposers of at least 25% is preferred. Leveraging of other research funding is strongly encouraged. In-kind cost-sharing is acceptable.

Proposal submission. Email submission is preferable. NESCAUM will also accept proposals by mail or hand-delivery if received at NESCAUM by 5:00 PM on the day of the submission deadline. If submitting via email, proposers may submit in Word or PDF files, and can be sent as zip files. Proposals must be submitted as a single file, inclusive of all supporting documents. 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. Emailed proposals should be sent to Paul J. Miller, NESCAUM pmiller@nescaum.org.

If mailing or hand-delivering, proposers must submit (2) paper copies of their, along with a CD or DVD containing both a PDF or MS Word digital copy of the proposal, following the above guidelines. Mailed or hand-delivered proposals must be clearly labeled and submitted to:

Paul J. Miller, re: Ozonesondes
NESCAUM
89 South St., Suite 602
Boston, MA 02111

If you have technical or contractual questions concerning this RFP, contact Paul J. Miller at 617-259-2016 or pmiller@nescaum.org.

* **ALL PROPOSALS MUST BE RECEIVED BY 5:00 PM EASTERN TIME ON THE DATE NOTED ABOVE.** Late or faxed proposals will not be accepted. Incomplete proposals may be subject to disqualification. It is the bidder's responsibility to ensure that all pages have been included in the proposal. Proposals will not be accepted at any other NESCAUM location other than the address above. If changes are made to this RFP, notification will be posted on NESCAUM's website at www.nescaum.org/activities/requests-for-proposals.

No communication intended to influence this procurement is permitted Any contacts other than technical or contractual questions made in an attempt to influence this procurement (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf): (1) may result in a proposer being deemed a non-responsible offeror, and (2) may result in the proposer not being awarded a contract.

I. Introduction

In May 2017, NESCAUM with support from NYSERDA organized the “New York City Metro Area Energy & Air Quality Data Gaps Workshop” at Columbia University’s Lamont-Doherty Earth Observatory. The workshop brought together energy and air quality planners, researchers, non-profits, and industry to share information on current activities at the interface of New York’s air quality and energy programs. The workshop’s goal was to identify data gaps that hinder informed decision making aimed at improving air quality and public health in the greater NYC urban area, as well as in downwind areas affected by air pollution transported from and through the NYC area. Topics included data gaps that present challenges for air quality planning in the New York City metro region and a discussion of energy programs underway or planned in New York City and State that have implications for future air quality.

The workshop participants identified the following key data gaps: 1) understanding changes in atmospheric chemistry over time and relating the changes to energy and air quality programs, 2) better understanding of the dynamics of air pollution transported over Long Island Sound, 3) improving transportation emission estimates (e.g., on-road mobile source nitrogen oxides (NOx) inventories), 4) improving emissions and activity profiles of distributed generation sources (e.g., stationary diesel generating units), and 5) understanding public exposure to air pollutants at local scales (e.g., neighborhood).

With the workshop laying the groundwork, NYSERDA has provided additional funding for field investigations during 2018, and NESCAUM has been able to attract significant in-kind research resources to the region from investigators in academia and at state/federal agencies. These collective efforts are part of what is now called the “Long Island Sound Tropospheric Ozone Study” (LISTOS),¹ which was launched in early 2018 and is currently on-going through the summer into fall.

With additional NYSERDA support, NESCAUM seeks to leverage current momentum from the 2018 field campaign into future years that will focus on the special characteristics of the New York City air pollution problem and its downwind impact over Long Island Sound and into New England. This RFP seeks to support the measurement of vertical ozone profiles in the troposphere at sites downwind of NYC (e.g., along the Long Island Sound coastline) during episodic high ozone events.

II. Project Objectives

Problem Statement: The NYC region contains a dense and diverse grouping of air pollution sources that, depending on wind direction, collectively contributes to downwind levels of ozone pollution in southern New York State (NYS), Long Island, and New England. While the NYC region generates a significant share of this air pollution, it also at times suffers from transported pollution into the region from upwind

¹ For more background information, see “Long Island Sound Tropospheric Ozone Study,” <https://www.nescaum.org/documents/listos>.

source areas within the Northeast Corridor as well as long-range transport from farther west. Air quality modeling used by state planners seeks to account for the myriad sources and source regions through simulations of air pollution transport occurring at the surface and at higher altitudes. Regulatory-based ozone monitoring in the NYC region, however, is at the surface, and is not capable of detecting ozone layers transported at higher altitudes that may periodically mix down and contribute to the local air pollution burden. Ozonesondes provide snapshots of vertical ozone concentration profiles during episodic ozone events that can be used to compare to air quality models and better inform planners on the scale of pollution contributions to the NYC region's air quality problems.

Research Focus:

- Develop with NESCAUM and state air quality planners a strategy for identifying candidate ozonesonde launch sites relevant to NYC regional air quality planning needs, with an emphasis on downwind locations along the Long Island Sound shoreline.
- Working with NESCAUM and state air quality forecasters, develop a process for identifying days and times for launching ozonesondes (e.g., during potential overnight low-level nocturnal jets, before and after mixing height rise during the day, timing with satellite overpasses, etc.)
- Coordinate where possible with ozonesonde launches that may occur in upwind regions, such as the Chesapeake Bay area.
- Launch and collect data from ozonesondes downwind of NYC during the 2019 and 2020 warm weather ozone seasons over a sufficiently long time period capable for collecting a robust dataset of vertical ozone profiles.
- Compare collected vertical profiles with ozonesonde information collected during previous periods (e.g., LISTOS efforts during summer 2018) and in upwind regions (e.g., Chesapeake Bay area).
- Appropriately QA/QC collected ozonesonde data and make publicly available as a resource for air quality modeling comparisons and other air quality planning needs.

III. Proposal Requirements

Proposers must submit a complete proposal in either PDF or MS Word format as a single file, inclusive of all supporting documents. The file 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, rather than scanning. For ease of identification, all electronic files must be named using the proposer's entity name in the title of the document. Proposals may be submitted electronically as email attachments sent to Paul J. Miller, pmiller@nescaum.org.

If mailing or hand-delivering, proposers must submit (2) paper copies of their proposal, along with a CD or DVD containing both a PDF or MS Word digital copy of the proposal, following the above guidelines. Mailed or hand-delivered proposals must be clearly labeled and submitted to the attention of Paul J. Miller at the NESCAUM address given in this RFP.

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer and the page number.

Proposals should follow the format below and provide sufficient and succinct information to complete the required descriptions and answer the questions described in the Proposal Evaluation criteria listed in Section IV. The preferred length of each proposal section is shown. Proposals are subject to return without evaluation if more than 16 pages are submitted (not including budget documents, one-page letters of commitment, and resumes), or if a font smaller than 11 point is used. Proposers may contact Paul J. Miller at 617-259-2016 before preparing a proposal to discuss proposal requirements.

Proposers must submit the appropriate number of copies of the completed proposal to the attention of Paul J. Miller at the NESCAUM address in this RFP. Late or incomplete proposals will be returned. Faxed copies will not be accepted.

Proposal Format:

PART 1: Project Summary (Four pages total)

- A. Proposal Summary and Policy Relevance: Detail the proposal goals and major objectives. Clearly indicate how each of the main goals of the proposal relates to the project objectives. Describe any energy, air quality, or public health policy issues this proposal would potentially inform. Explain how the proposal results will address, in a timely manner, a problem/opportunity facing New York State with respect to pollutants associated with the generation, use, storage or distribution of energy. Coordination with other national, state or local cooperative environmental research initiatives is desirable, particularly in integrating the LIDAR site into TOLNet. Explain how the project will make use of other relevant data and coordinate with other initiatives where possible to provide maximum value to New York State. (Two pages)
- B. Summary of Project Methods: Summarize the proposed project methods and overall research design. Explain why the equipment, models, methods, and other aspects of the work are expected to be capable of meeting objectives. Describe the extent to which these have been accepted by the scientific community and policy making organizations, or otherwise demonstrated to be valid. The methods must be outlined in detail and clearly designed to meet the project objectives. The methodology for statistical analysis of the data from all aspects of the project must be clearly presented. (Two pages)

PART 2: Statement of Work (Seven to nine pages total + budget documents not included in page count)

- A. Tasks: The Statement of Work is the primary contractual document that identifies the task sequence, deliverables, and provides the basis for progress payments. It is an action document, divided by the individual tasks or procedures required to accomplish the project objectives. Each task should be identified with a description of its objective, how it will be performed, and the anticipated deliverables and milestones. As appropriate, tasks should include a clear description of general operating procedures, quality control and quality assurance measures, analytical procedures, data analysis, evaluation, and statistical analysis to be used to optimize the quality of the data and project results. (Five to seven pages)
- B. Information Transfer and Dissemination Plan: The Statement of Work must include a task for reporting and information transfer. The following baseline reporting and information transfer work will be required and should be considered in allocating resources for this task: presentations at

meetings and completing monthly progress reports including a substantive description of project progress and of successful data capture and quality control, a comprehensive final technical report, and articles for submission to peer-reviewed journals. In addition, principal investigators will be required to prepare a short paper summarizing the usefulness of the research findings for environmental policy formulation. Principal investigators are strongly encouraged to collaborate with social scientists/policy analysts in preparing these policy papers and a technical editor for all final documents. Findings-to-date shall be presented to NYSERDA's Environmental Research Program Advisory Group and invited guests at annual meetings (in Albany, NY) arranged by NYSERDA staff.

Additional methods of information transfer and reporting may be proposed for involving pertinent policy makers or regulators and other target audience representatives during the project and for using the anticipated project results to achieve projected public benefits. Efforts to increase access to, or use of data collected, is encouraged. Outreach or education about project findings is also encouraged. (One page)

In considering whether to submit a proposal in response to this RFP, a prospective proposer should be aware that the funds for this Agreement were provided to NESCAUM under an agreement between NESCAUM and NYSERDA. The NYSERDA agreement places certain requirements on NESCAUM that are also binding on NESCAUM's subcontractors. These terms and conditions include a requirement that all data collected under this project shall be archived and made publicly available through NESCAUM's website (<http://www.nescaum.org/documents/listos>) with links to data archives maintained by the principal investigator or an appropriate publicly accessible site. Proposers must be able to accept these terms and conditions.

- C. Master Schedule: Complete a schedule showing start and completion times for all major tasks, in terms of months after project initiation. Include major milestones and meetings, tests, demonstrations, reports, and other key deliverables. The Schedule should be realistic and reflect the nature of environmental research. (One page)
- D. Budget Form: Complete the attached Budget Form (Attachment A) for the entire project, including any in-kind contributions and other cost-sharing. The degree of cost-sharing will be considered in the evaluation of proposals. **Cost-sharing of at least 25% is preferred.** Leveraging of other research funding is preferable. In-kind cost-sharing is acceptable. Proposers must provide sufficient detail in the supporting schedule for each cost element, its description, and amount to justify the budget and allow for evaluation. (Not included in page count)

PART 3: Supporting Documentation (Three pages total, + supporting documents not included within the page count)

- A. Management Plan and Qualifications:
 - Organizational Chart – Prepare an organizational chart listing all key personnel by name. The role for each of the team members must be clearly described in the proposal. Include any subcontractors, postdoctoral or graduate students if known, and other sponsors involved in the project, showing their roles and responsibilities. (One page)
 - Tasking Chart – Prepare a tasking chart, describing approximately in hours or days the effort contributed by each of the key personnel to each task and the total effort. (One page)

- Related Projects – Provide a sample of related projects that have been undertaken by the proposer and/or subcontractors. For each project, provide a brief summary, describing its title, scope, funding amount and client contact numbers. NESCAUM may contact listed clients. (One page)
- Resumes – Submit relevant portions of resumes of all key project personnel, including those of proposed subcontractors, and postdoctoral or graduate students if known. Include education and experience that are relevant to the proposed work. (One page each - not included in page count)

B. Letters of Commitment or Support: If you are relying on other organizations or businesses to do work, provide services, equipment, or data, or share in the non-NESCAUM cost, include a letter from that organization or business describing its commitment. If the use of unpublished data from other researchers is necessary for the project to be successful, letters of support showing the availability of these data must be included. **Absence of letters of commitment or support will be interpreted as the proposer not having commitment/support from those parties.** (One page each - not included in page count)

C. Cost Sharing: A cost-share of at least 25% of the total project cost is preferred. Cost sharing can be from the proposer, other team members, and 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 other general overhead may be considered "in-kind" contributions. NESCAUM will not pay for efforts that have already been undertaken. The proposer or proposing team cannot claim as cost-share any expenses that have already been incurred. If applicable, show the cost-sharing plan in the following format (expand table as needed, maximum one page).

	Cash	In-Kind Contribution	Total
NESCAUM	\$	\$	\$
Proposer	\$	\$	\$
Others (list individually)	\$	\$	\$
Total	\$	\$	\$

Attach supporting documentation to support indirect cost (overhead) rate(s) included in your proposal as follows:

- Describe the basis for the rates proposed (i.e., based on prior period actual results; based on projections; based on federal government or other independently-approved rates).
- If rate(s) are approved by an independent organization, such as the federal government, provide a copy of such approval.
- If rate(s) are based on estimated costs or prior period actual results, include calculations to support proposed rate(s). Calculations should provide enough information for NESCAUM to evaluate and confirm that the rate(s) are consistent with generally accepted accounting principles for indirect costs.
- Provide a detailed budget for the overall project.
- Include a detailed budget for each of the subcontractors/consultants that justifies the amount proposed.

NESCAUM reserves the right to audit any indirect rate presented in the proposal and to make adjustment for such difference. Requests for financial statements or other needed financial information may be made if deemed necessary.

IV. Proposal Evaluation Criteria for Proposals Addressing Targeted Research Areas

Proposals that meet Proposal requirements will be reviewed by a Technical Scoring Committee using the Evaluation Criteria below. The Committee shall be composed of at least one representative each from NYSERDA and NESCAUM. If an investigator(s) identified in a proposal is an investigator on one (1) or more current NYSERDA- or NESCAUM-funded projects, performance on these projects will be considered in the evaluation of the current proposal.

A. Technical Evaluation Criteria: (listed in order of importance)

- a. **Usefulness and Value of Project Results** – Does the proposal indicate how each of the main goals of the proposal relate to the project objectives? How useful are the project results expected to be in validating or improving New York State policies, regulations, impact assessments, models, or mitigation methods? Will the results be available in a timely manner? To what extent will the project use and integrate other relevant data and coordinate with other efforts (e.g., air quality modeling) to provide maximum value to New York State? Are a sufficient number of ozonesonde launches being proposed to meet project objectives?
- b. **Soundness of Project Methods and Research Design/Statement of Work and Schedule** – How suitable are the proposed project methods and overall research design for meeting the project objectives and yielding accepted results? How comprehensive, realistic, and explicit is the Statement of Work with respect to the project objectives and proposal requirements? Are specific measurable targets of success provided where applicable? Are the tasks reasonable and clearly described? Are the methods outlined in detail and clearly designed to meet the project objectives? Does the proposal commit to a sufficient number of operating hours to meet the project's objectives? Are the deliverables for each task clearly presented? Is there a coherent approach for synthesizing the data set? Is there a clear plan for publicly archiving the data set?
- c. **Management Plan and Qualifications** – How well has the proposer organized a management plan and a project team with the necessary educational, technical, operations, technology transfer, financing, and administrative experience for successfully completing the project? Are all roles clearly defined? How many of the team members are located in New York State? Have letters of support demonstrating the availability of data and agreement to participate been included?
- d. **Communication of Results** – How promising is the reporting and information transfer plan for successfully using project results to realize the potential benefits of the project? Has the proposer described a comprehensive final technical report, and articles for submission to peer-reviewed journals? Does the proposer have a well-crafted plan and partnerships to prepare a short paper summarizing the usefulness of their research findings for environmental and or energy policy formulation and identified an interested audience? Has the proposer included a review of the draft final report by a technical editor? Has the proposer planned to present results to NYSERDA's Environmental Research Program Advisory Group and invited guests at annual meetings (in Albany, NY) arranged by NYSERDA staff?
- e. **Cost Criteria** – How justifiable and reasonable are the overall costs compared to the expected usefulness of the project results and the level of effort and duration of the project? How justified and reasonable are the proposer's cost allocations and co-funding contributions (cash,

in-kind services, etc.)? To what degree does the proposal include meaningful cost-sharing from other key organizations important for the success of the project? Is there a detailed budget provided for the overall project including sufficient detail in the supporting schedule for each cost element, its description, and amount to justify the budget?

B. Other Considerations: Projects will also be reviewed to determine whether they reflect the overall mission of the funding agency NYSERDA, including:

- The ways in which the proposed project fits with activities under the Long Island Sound Tropospheric Ozone Study (LISTOS), <https://www.nescaum.org/documents/listos>.
- The ease of measuring project success in quantifiable ways.
- If applicable, the responsiveness of the proposer in conducting other NYSERDA- or NESCAUM-funded work.

V. GENERAL CONDITIONS

Proprietary Information – Careful consideration should be given before confidential information is submitted to NESCAUM 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. Funds for this project are provided by NYSERDA, a New York State (NYS) government agency, and the Technical Scoring Committee for all submitted proposals may include NYSERDA agency staff. 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 via NESCAUM that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 <http://www.nyserda.ny.gov/About/-/media/Files/About/Contact/NYSERDA-Regulations.ashx>. However, NESCAUM and NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 – Funds for this RFP are provided by NYSERDA, a New York State government agency. 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 funded procurement Agreements.

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

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

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

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

State Finance Law sections 139-j and 139-k – NESCAUM, through NYSERDA, is required to comply with NY 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>. As part of their proposal, proposers must submit Attachment B to make the 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 – NESCAUM, through NYSERDA, is required to comply with the provisions of NY State Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with funding from 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 NESCAUM, the prospective contractor must also certify 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 NESCAUM. 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 – NESCAUM anticipates making one award under this solicitation with a contract duration of two years, unless NESCAUM 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. NESCAUM may request additional data or material to support applications. Proposers also need to be aware that under its funding agreement with NYSERDA, NESCAUM and its subcontractors are subject to the standard conditions in the attached Sample Agreement (Attachment C) used by NYSERDA. These conditions will be passed through to the successful proposals in their agreements with NESCAUM. NESCAUM may at its discretion elect to extend and/or add funds to any project funded through this solicitation. NESCAUM 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. NESCAUM expects to notify proposers in approximately 12 weeks from the proposal due date whether your proposal has been selected to receive an award. NESCAUM may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NESCAUM or NYSERDA agreement.

Accessibility Requirements – NYSEDA requires that contractors under NYSEDA-funded projects 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 [NYSEDA's Accessibility Requirements](#).

Annual Metrics Reports – If awarded, the proposer will be required to submit to NESCAUM 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. Publications, presentations, posters, and briefings are common metrics for projects supported by this RFP. Reporting shall commence the first calendar year after the contract is executed. Reports shall be submitted by January 31st for the previous calendar year’s activities (i.e., reporting period). Please see Attachment: Sample Metrics Reporting Guides (Attachment D) for the metrics that you will be expected to provide and the reporting duration. NESCAUM may decline to contract with awardees that are delinquent with respect to metrics reporting for any previous or active NESCAUM or NYSEDA agreement.

Limitation – This solicitation does not commit NESCAUM to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NESCAUM 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 NESCAUM's best interest. NESCAUM 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. NESCAUM 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 NESCAUM after the award of a contract, NESCAUM 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 that 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:

Attachment A: Budget Form

Attachment B: Disclosure of Prior Findings of Non-Responsibility Form

Attachment C: Sample Agreement with Standard Terms and Conditions

Attachment D: Sample Metrics Reporting Guide