



# **Energy Master Planning and Consulting Services**

## **Request for Proposal RFP #7574**

**Date: December 21, 2022**

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Attachments:

- a. Sample Contract
- b. Omnibus Certification
- c. W-9 Form
- d. Classification and Rate Form
- e. DASNY Multiplier Form
- f. Sample Insurance Certificate & Requirements
- g. MWBE + SDVOB Utilization Plan
- h. Diversity Questionnaire
- i. DASNY Regional Map

## **Section 1 - General Information:**

### **1.1 Introduction to DASNY**

The Dormitory Authority State of New York (DASNY) is a public benefit corporation of the State of New York empowered by Titles 4 and 4-B of the Public Authorities Law (the “Act”), to provide design and project management services to, and to issue its bonds, notes and other obligations, for a wide variety of public purposes. Under the Act, DASNY provides a multitude of services in various forms in connection with the design, construction and financing of capital facilities for State University of New York, including dormitories and educational facilities; City University of New York Senior Colleges; Community Colleges; Boards of Cooperative Educational Services; Cities and Counties with respect to Court Facilities and combined occupancy structures, as defined by law; the Department of Education of the State of New York with respect to certain facilities under its jurisdiction; other State and local governmental entities; independent colleges and universities; facilities for the aged; certain not-for-profit hospitals and nursing homes, as well as a wide variety of other not-for-profit organizations specifically described in the Act.

### **1.2 Purpose**

DASNY seeks proposals from consulting firms to provide diverse energy consulting services at various client facilities throughout New York State in order to support goals for the state such as the greenhouse gas emission reduction levels defined by The Climate Leadership and Community Protection Act, energy performance goals established in existing laws and Executive Orders, and the variety of sustainability goals established by specific client. As a member of the Advisory Council on State Energy Efficiency, DASNY is committed to implement directives outlined in Executive Order No. 22, as well as, promoting sustainability and industry Green Building Standards.

The types of assignments will vary and may include but not be limited to: energy master planning, energy and utility management, operation and maintenance management, energy audits, energy conservation measure and O&M review, research and development, implementation prioritization and planning, electrification, greenhouse gas reduction, and carbon reduction planning, energy efficiency, O&M, and sustainability best practices review/training, energy modeling, project energy savings calculations for reporting and project scope and budget planning for project funding application purposes, and select professional services implementations as applicable.

Services are to be utilized on a variety of DASNY programs and/or projects including but not limited to projects for mental health, hospital, and educational facilities of a variety of scale and complexity. The objective of this procurement is to establish term contracts with consultants to provide required services for multiple assignments with a wide range of clients and facilities for projects throughout New York State. It is DASNY’s intent to contract with multiple firms Statewide. Services will be requested and authorized on an as-needed basis and the type and value of each project will vary. Assignments may be made on a geographic basis. Individual firms are not required to provide services Statewide to qualify for a contract. Please note, the form of Contract that is attached as part of this RFP is a representative sample of the terms and conditions that the firm should expect to execute. DASNY reserves the right to modify, amend, or change the terms and provisions of the Contracts as may be required.

### 1.3 Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFP	12/21/2022
Deadline for RFP Questions	01/06/2022 (3:00 PM)
Post Responses to RFP Questions	01/13/2022
Proposal Due Date	01/20/2023 (3:00 PM)
Notice of Award (not earlier than)	02/22/2023

### 1.4 Term of Engagement

The term of the contract shall be four (4) years with an automatic two (2) year extension provided neither party gives written notice of non-renewal. Services extending beyond the contract expiration date are expected to continue to move forward until completion as long as services were authorized under an original work authorization prior to contract expiration.

## **Section 2 - Engagement Requirements:**

### 2.1 Scope of Services

The scope of services to be provided for this engagement is included within Appendix A of the attached Sample Contract.

### 2.2 Qualifications and Certification Requirements

- New York State licensed engineer;
- Experience with similar scopes of services;
- Experience with projects/programs that include energy efficient design, O&M best practices, and carbon reduction;
- Experience with sustainability and green building guidance/rating systems, such as LEED;
- Extensive experience with energy evaluations and assessments;
- Experienced staff with thorough knowledge of their area(s) of expertise;
- LEED Accredited Professional or similar certifications; and
- Certified Energy Manager (CEM) or similar certifications.

**Section 3 - Content of Technical Proposal:**

**3.1 Information to be Provided by Proposers**

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested using numbered side tabs that correspond with each of the numbered tabs below. Your technical proposal must contain sufficient information to assure DASNY of its accuracy.

**Failure to meet or to provide the required information in this Section 3 may result in a proposal being rejected and a consultant disqualified from further consideration.**

**Tab 1. Cover Letter**

Include a cover letter with the following items:

- a. The name, title, telephone number, and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
- b. The identities of the primary staff proposed to provide services relating to this RFP.
- c. A statement to the effect that your firm is willing to perform all services identified in Section 2.1 above and will abide by the terms of the RFP, including all attachments.
- d. Identification of your firm's main office, other office locations, and the geographical areas in which your firm is willing and able to perform the required services. See DASNY Regional Map provided as Attachment (j.).
- e. The submitted proposal must include a statement confirming the proposer is willing and ready to provide any services requested or required in a timely manner.
- f. A statement that the Proposer understands selection does not guarantee that any services will be requested from your firm.
- g. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a technical proposal that contains an unsigned cover letter. If the proposer is a joint venture, the proposal shall be signed by the joint venture. Anyone signing the proposal as an agent shall file with it, legal evidence of his or her authority to execute such proposal.

**Tab 2. Firm and Proposed Team**

Provide the following information related to your firm and proposed team:

- a. An overview of your firm’s organization and team makeup including key sub-consultants and subcontractors (if applicable).
- b. An organization chart describing the organization structure of the proposed team and their intended roles and responsibilities.
- c. Resumes of Proposers’, Sub-consultants’, and Sub-contractors (if applicable) key personnel, including partners, principals, associates, and other key staff, demonstrating each person’s experience and ability to provide services to DASNY, with particular emphasis on energy master planning and consulting services.
- d. Identification of past working experience of team, including sub-consultants and sub-contractors (if applicable).
- e. Provide license numbers or copies of registration certificates, as appropriate.

**Tab 3. Project/Program Experience**

Demonstrate your firm and team’s experience by providing the following:

- a. Provide a description of your firm’s experience providing similar services, particularly services to move a project to ultra-low energy performance, ZNE, or ZNC achievement, including recent relevant project experience, to the public and private sector.
- b. Five (5) project examples, within the past five (5) years, illustrating the team’s experience providing services for a wide variety of project types and for a variety of project phases.

Project examples must include the following information:

- Official project name and address;
- Summary of the scope of services provided;
- Explanation of challenging, complex, or unique aspects of the projects in relation to the services provided;
- Identification of whether your firm served as the prime or sub on the project;
- Identification of team members involved and their role on the project;
- Description of the relationship with the project team;
- The timeframe in which your firm’s work was performed;

- Overall project monetary value;
  - Value of services provided by your firm, sub-consultant(s), and sub-contractor(s);
  - Name and contract information of owner; and
  - Identification of a project contact with knowledge of the services provided by your firm (if different than owner) excluding DASNY employees with their name, title, and phone number.
- c. Provide at least one example in which services provided were in relation to the following programs and/or projects. Include project name, overall value of work, time frame in which services were performed, and a brief narrative.
- Energy efficiency programs and defining of appropriate EUI targets;
  - Sustainability projects including the use of existing rating/guidance systems and any ratings received;
  - Fuel and utility metering and the collection and analysis of metering data;
  - Evaluation of mechanical systems specifications and efficiency;
  - Grant and program opportunity (NYSERDA, DCAS, etc.,) notices application and administration;
  - Air permitting assistance and evaluation of compliance with applicable EPA and NYSDEC regulations; and
  - Energy Master Planning and Energy Management Programs.
- d. Provide a summary identifying any projects where your firm recommend strategies to provide measures and developed procedures that reduced energy consumption and related costs, including analysis of fuel source alternatives such as, renewable energy sources, energy purchasing strategies and evaluation of utility costs.
- e. A minimum of three (3) additional references excluding DASNY employees with their name, title, email address and phone number.

**Tab 4. Firm and Team Approach**

Describe your firm and team’s approach to providing the required services by providing the following:

- a. Provide a detailed description of your firm’s approach to providing the requested scope of services.

- b. A detailed statement as to how your firm would provide cost effectiveness to our clients if your firm was asked to provide services for a project located outside of your region and/or outside of where your firm's office(s) are located.

**Tab 5. M/WBE and SDVOB Utilization**

Illustrate your firm's commitment to utilizing M/WBE and SDVOB subconsultants by providing the following:

- a. A description of how your firm approaches M/WBE and SDVOB utilization by providing a detailed narrative on how your firm utilizes M/WBE and SDVOB firms and any programs your firm has implemented to promote the use of M/WBE and SDVOB firms.
- b. A completed Utilization Plan, included in this RFP as an attachment, listing all proposed ESD Certified M/WBE sub-consultants, sub-contractors, and suppliers and Non-M/WBE sub-consultants, sub-contractors, and suppliers you "may" use if selected for this contract. **No dollar amounts should be entered at this time.** With each project assignment, a new plan with dollar amounts will be required. The goals for this contract are 11% MBE and 7% WBE. The goals refer to the percentage of utilization of your M/WBE sub-consultants, sub-contractors, and suppliers.
- c. A completed Use of Service-Disabled Veteran-Owned Businesses Plan, included in this RFP as an attachment listing all proposed sub-consultants, sub-contractors, and suppliers including OGS Certified Service-Disabled Veteran-Owned Businesses (SDVOB) that are of equal quality to those that may be obtained from non-SDVOBs if selected for this contract. Certified SDVOBs can be identified at [Office of General Services \(ny.gov\)](http://Office of General Services (ny.gov)). **No dollar amounts should be entered at this time.** With each project assignment, a new plan with dollar amounts will be required. The SDVOB goal for this contract is 2%. The goal refers to the percentage of utilization of your SDVOB sub-consultants, sub-contractors, and suppliers.

**Tab 6. Firm Diversity**

Disclose information regarding the diversity within your firm by providing the following:

- a. A completed Diversity Questionnaire included in this RFP as an attachment. This questionnaire elicits information about each responding firm to verify that its work environment demonstrates a strong commitment to diversity.

DASNY is committed to diversity and equal employment opportunities among its contractors and consultants. This procurement is conducted in accordance with Article 15-A and 17-B of the Executive Laws. It is the policy of DASNY to maximize opportunities for the participation of MWBE/SDVOBs as bidders, subcontractors, subconsultants, and suppliers on projects.

It is the goal of DASNY to utilize qualified vendors that have a demonstrated history of hiring, training, developing, promoting, and retaining minority and women staff.



By responding to this RFP, each firm acknowledges that:

- The Firm will submit their equal employment opportunity policy statement to DASNY.
- The Firm will not discriminate against any employee or applicant for employment because of race, creed, color, sex, religion, national origin, military status, sexual orientation, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts with DASNY.
- The Firm will state in all solicitations or advertisements for employees that, in the performance of this Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, sex, religion, national origin, military status, sexual orientation, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status.
- The Firm will submit to DASNY, a completed Diversity Questionnaire provided by DASNY, which includes information on the firm's total work force, broken down by specific ethnic background and gender, and also a staffing plan of the anticipated work force to be utilized on the engagement with DASNY. The Firm should also include information on its current programs in diversity/inclusion.

**Tab 7. Additional Information**

The proposer must also provide statements regarding the following:

- a. The proposer must agree to provide DASNY with pre- and post-audit access to documents, personnel, and other information necessary to conduct audits on request during the term of the Contract and for six years thereafter.
- b. The proposal submitted must contain a representation that the proposer is willing and ready to provide any services requested or required in a timely manner.
- c. Provide a description of how your firm will monitor the allotment and performance of work in order to achieve an efficient administration of the project.
- d. Disclose any potential conflicts of interest (refer to the "Code of Business Ethics - Certification" attached).

## **Section 4 - Content of Cost Proposal:**

### **4.1 Information to be Provided by Proposers**

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested using numbered side tabs that correspond with each of the numbered tabs below. Your cost proposal must contain sufficient information to assure DASNY of its accuracy.

#### **Tab 1. Cover Letter**

Include a cover letter with the following items:

- a. The name, title, telephone number, and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
- b. A statement to the effect that the price quoted is an irrevocable offer good for 120 days.
- c. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a cost proposal that contains an unsigned cover letter.

#### **Tab 2. Overhead and Profit Multiplier**

Provide documentation indicating your firm's Overhead and Profit Multiplier and that of your sub-consultants (if any) by using **one** of the following methods:

- a. Submit an approved Standard Cost Proposal Form or a previously approved multiplier from another State Agency.
- b. Submit a request for a multiplier 2.5 or less on your firm's letterhead.
- c. Submit the attached DASNY Multiplier Form with a current financial statement for a multiplier greater than 2.5.
- d. Submit an approved FARs audited financial statement from your firm's most recent year-end.

#### **Tab 3. Classifications and Rates**

Complete the attached Classification & Rate Form to support the unloaded salaries and rates of your employees under this contract. If submitting an approved Standard Cost Proposal Form a Classification & Rate Form is not required.

**Tab 4. Insurance Requirements**

Provide a statement indicating your firm is able to obtain the required insurances as listed in the attached Sample Insurance Certificate & Requirements and Article XI of the attached Sample Contract.

**Section 5 – Content of Administrative Proposal:**

The following is a list of required information that must be provided by the proposer **as separate, individual electronic files**. The forms must contain sufficient information to assure DASNY of its accuracy.

- a. Proposers shall submit a Vendor Responsibility Questionnaire (“VRQ”) in accordance with Section 12 of this RFP. DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). Proposers must provide a copy of the certification page to DASNY. To enroll in and use the System, see the System Instructions at [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm) or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.
- b. A completed Omnibus Certification form included in this RFP as an attachment.
- c. Provide a completed W-9 Form, included in this RFP as an attachment. If the proposer is a joint venture, provide a W-9 in the name of the joint venture and provide a copy of the executed joint venture agreement.
- d. Identify any questions, comments, and objections to the Scope of Services outlined in Appendix A of the attached Sample Contract, for DASNY’s review and consideration.
- e. Provide a one-page profile of your firm. The firm profile should summarize the following: core competencies, number of employees, firm’s office locations, and staff by office and discipline. The purpose of this vendor profile is to provide the Client and DASNY staff a clear and concise document to review the background of the firm.

**Section 6 - Evaluation of Proposals:**

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFP; (2) to identify the complying firms that have the highest probability of satisfactorily performing the scope of services. The evaluation process will be conducted in a comprehensive and impartial manner. The evaluation will be conducted as set forth herein.

## **6.1 Preliminary Review**

DASNY reserves the right to reject and return to the proposer all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in Sections 3 and 4. Incomplete proposals may be rejected.

## **6.2 Evaluation**

Proposals will undergo an evaluation process conducted by a Committee selected by DASNY. The Committee will evaluate the proposals based upon the criteria for selection set forth below.

## **6.3 Criteria for Selection**

The criteria for selection shall be the qualifications required by Section 2 and Section 3.

## **6.4 Interviews**

DASNY reserves the right to determine whether interviews will be necessary. The purpose of the interview is to further document the proposer's ability to provide the required services and to impart to the Committee an understanding of how specific services will be furnished. The proposed lead principal, as well as all other key personnel proposed to provide the services must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

## **Section 7 - Submission of Proposals:**

### **7.1 Submission of Technical and Cost Proposal**

DASNY will be accepting electronic proposals only.

#### **To Submit Electronically:**

Follow the directions below to upload your proposal electronically. Any technical issues or questions should be directed to the Designated Representative for the Project via email prior to the due date of the RFP. **It is strongly encouraged to request access to the site before the due date.** DASNY may not be able to assist proposers with troubleshooting errors if submissions are not made in a timely manner.

1. You will receive an email from the Designated Representative with a link to a Microsoft SharePoint site: "Energy Master Planning and Consulting Services RFP."
  - a. Please provide the name and email address of any additional contacts from your firm that may require access to submit the RFP responses through the SharePoint site.

- b. Please confirm receipt of this email and ability to access the SharePoint site.
2. Click on the link. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the Energy Master Planning and Consulting Services RFP “Documents” page.
  - a. If you do not have a Microsoft account, you will need to register for a Microsoft account before you can access the link.
3. Upload all required documents in PDF Format. Please save each proposal as follows to the applicable subfolder:
  - a. Technical Proposal:
    - i. Save file as: RFP Energy Master Planning and Consulting Services -Tech-firm name
    - ii. Click “Upload” or drag and drop
  - b. Cost proposal:
    - i. Save file as: RFP Energy Master Planning and Consulting Services -Cost-firm name
    - ii. Click “Upload” or drag and drop
  - c. Administrative Proposal:
    - i. Save file as: RFP Energy Master Planning and Consulting Services -VRQ-firm name
    - ii. Click “Upload” or drag and drop
4. Once your documents are uploaded, DO NOT OPEN. The document submitted must be your final submission and cannot be modified.
  - a. If you open your documents after they are submitted, the system will show it as “modified”.
  - b. The submitted document will remain private and will not be visible to the other proposers throughout the procurement process.
5. The Energy Master Planning and Consulting Services RFP site will close at 3:01 PM on January 20, 2023 Any questions or issues on submitting must be addressed to the Designated Representative for the Project before that time using the email in Bullet 1. Please ensure you give yourself enough time for uploading all files.

## **Section 8 - Important Information Affecting Proposers:**

### **8.1 Proposal Requirements**

1. All inquiries regarding this RFP should be addressed to the following individual:

Chris Currey  
Designated Representative  
Email: [DownstateRFPCoordinator@dasny.org](mailto:DownstateRFPCoordinator@dasny.org)

All questions must be submitted in writing to the RFP Coordinator by email, citing the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions, including those related to the terms and conditions of the contract are to be resolved prior to the submission of a proposal. A list of all substantive inquiries received with relevant responses will be posted on DASNY's website, [www.dasny.org](http://www.dasny.org).

2. A proposer may withdraw a proposal anytime prior to the final due date and time by written notification, signed by an authorized agent, to the contact person identified in Section 8.1.1 above. The proposal may thereafter be resubmitted, but not after the final due date and time. Modifications offered in any other manner, oral or written, will not be considered.
3. If a proposer discovers an ambiguity, conflict, discrepancy, omission or other error in this RFP, the proposer should immediately notify the contact person identified in Section 8.1.1 above. Notice of such error or omission should be submitted prior to the final due date and time for submission of proposals. Modifications shall be made by addenda to this RFP. Such clarifications will be given by written notice to all parties who have received this RFP.
4. If a proposer fails, prior to the final due date and time for submission of proposals, to notify DASNY of a known error or an error that reasonably should have been known, the proposer shall assume the risk of proposing. If awarded the contract, the proposer shall not be entitled to additional compensation or time by reason of the error or its late correction.
5. A proposer indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal.

### **8.2 DASNY Requirements**

1. By submitting a proposal, the proposer covenants that the proposer will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.
2. DASNY shall not be liable for any cost incurred by the proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.

3. Other than the contact person identified in Section 8.1.1 above, or their designee(s), prospective proposers shall not approach DASNY employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

### **8.3 DASNY Rights and Prerogatives**

DASNY reserves the right to exercise the following prerogatives:

1. To accept or reject any or all proposals and amend, modify or withdraw this RFP.
2. To correct any arithmetic errors in the proposals.
3. To change the final due date and time for proposals.
4. To accept or reject any of the firm's employees or proposed sub-consultants assigned to provide services on this project and to require their replacement at any time. The proposer shall obtain the written approval of DASNY of changes to the technical proposal after it is submitted, including any changes with respect to sub-consultants. DASNY shall have the right to reject any proposed change to the proposer's technical proposal.
5. To waive or modify any irregularities in proposals received after prior notification to the proposer. This will in no way modify the RFP documents or excuse the proposer from full compliance with its requirements.
6. To consider modifications to proposals at any time before the award is made, if such action is in the best interest of DASNY.
7. To request a revised cost proposal from firms selected as finalists.
8. To accept a proposal for the engagement containing other than the lowest cost proposal.
9. To interview proposers prior to selection.
10. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the proposer.
11. To begin negotiations with the next most responsive proposer to this RFP should DASNY be unsuccessful in negotiating a contract with the selected proposer within a reasonable time frame.
12. To contract with more than one firm.

### **8.4 Contractual Requirements**

1. Contract

- a. By submitting a proposal, the successful proposer agrees to reference the RFP as part of the resulting contract.
- b. DASNY may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet client program requirements consistent with the RFP.
- c. Award of a contract is subject to contract negotiation and approval of such contract by the appropriate DASNY authorities.

2. Modification of Contract

- a. Any modification to the original contract signed between the successful proposer and DASNY will require the mutual consent of the successful proposer and DASNY.
- b. Any contract or amendments thereto will be considered effective only after approval by the appropriate DASNY authorities.

3. Interpretation

The contract shall be construed and interpreted in accordance with the laws of New York State. New York State shall be the forum for disputes.

4. Public Announcements

Upon selection of the successful proposer and contract execution, public announcements or news releases pertaining to the contract shall not be made without prior written consent of DASNY.

**Section 9 – Negotiation:**

After completion of the selection process, DASNY will commence finalization of the project scope and fee negotiations with the selected firm(s).

**Section 10 – Notification:**

Upon completion of the selection process, DASNY will notify all firms of its decision. Notification will be sent to the primary contact only. Shortly after notification the selected firm(s) will be posted on DASNY's website.

**Section 11. Insurance**

The successful proposer will be required to comply with the Insurance requirements located in Article XI of the attached Sample Contract.

**Section 12. Vendor Responsibility and Executive Order 16**

Vendor Responsibility

As a public entity, DASNY may only contract with entities that are determined to be responsive and responsible and said entities are required to maintain responsibility throughout the term of the



services being provided. Proposers shall submit a Vendor Responsibility Questionnaire (“VRQ”) which is designed to provide information to assess a proposed vendor’s responsibility to conduct business in New York State. All VRQs shall be reviewed in accordance with applicable law, policy, rules, regulations and guidelines, including without limitation Executive Order Nos. 125, 170.1 and 192.

DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). To enroll in and use the System, see the System Instructions at [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm) or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. Proposers must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for System assistance, contact the Office of the State Comptroller’s (“OSC”) Help Desk at 866-370-4672 or 518- 408-4672 or by email at [ciohelpdesk@osc.state.ny.us](mailto:ciohelpdesk@osc.state.ny.us).

### Executive Order 16

On March 17, 2022, Governor Kathy Hochul issued Executive Order No. 16 (EO 16), which states: “All Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” Pursuant to EO 16, the Professional is required to certify that the Professional is not an ‘entity conducting business operations in Russia.’ Please confirm by completing and signing the Omnibus Certification included in this RFP as Attachment I. The complete text of EO 16 can be found [here](#).

### **Section 13 – Freedom of Information Law and Public Disclosure**

This RFP and all information submitted in response to this RFP constitute “records” subject to disclosure pursuant to the New York State's Freedom of Information Law (Public Officers Law, Article 6, § 84-90, the “FOIL Law” or “FOIL”). FOIL reaffirms the public’s right to know how government operates and requires that DASNY make its records available for public inspection or copying, except to the extent that records or portions thereof fall within one or more grounds for denial set forth in the §87(2) of the FOIL Law.

Should you feel your firm’s proposal contains any such trade secrets, other confidential or proprietary information or is otherwise exempt from disclosure pursuant to FOIL, you must submit a request to exclude such information from disclosure. Such request must be in writing, must detail the information that should be exempt from disclosure, and must state the reasons why such information should be excepted from disclosure. DASNY will not honor any attempt, by a firm, to omit its entire proposal from disclosure.