REQUEST FOR PROPOSAL

FOR

Co-Sourcing of Internal Audit Services

Long Island Power Authority

333 Earle Ovington Boulevard

Uniondale, New York 11553

Released on: July 24, 2017
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The Long Island Power Authority (“Authority”) invites proposals from experienced firms in response to this Request for Proposals (“RFP”) to provide internal audit services referenced in Article V below, to the Authority and its wholly-owned subsidiary, Long Island Power Authority d/b/a LIPA (collectively referred to as “LIPA”). LIPA may select one or more law firms to provide the services requested herein but is not obligated to select any firms.

**I. CALENDAR OF EVENTS**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Issuance of RFP</td>
<td>July 24, 2017</td>
</tr>
<tr>
<td>Deadline for Questions</td>
<td>July 31, 2017, 3PM</td>
</tr>
<tr>
<td>Deadline for Posting Answers</td>
<td>August 4, 2017, 3PM</td>
</tr>
<tr>
<td>Deadline to submit intent to respond</td>
<td>August 9, 2017, 3PM</td>
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<tr>
<td>Proposal Due Date</td>
<td>August 23, 2017, 3PM</td>
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**II. CONTACT INFORMATION**

Pursuant to State Finance Law sections 139-j and 139-k, this RFP includes and imposes certain restrictions on communications between LIPA and Proposers during the procurement process. A Proposer is restricted from making “Contacts” (i.e., any oral, written or electronic communications which a reasonable person would infer as an attempt to influence the award, denial, or amendment of a contract) from issuance of the RFP through final award and approval of the resulting Procurement Contract by LIPA and the Office of the State Comptroller (“restricted period”) to any LIPA staff or Trustee (or consultants) other than as designated herein, unless it is a contact that is included among certain statutory exemptions as set forth in State Finance Law section 139-j(3)(a). LIPA’s designated contact for this RFP, as of the date hereof, is Maria Gomes, Director of Procurement, (516) 719-9235. LIPA staff and Trustees (and consultants) are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Proposer pursuant to statutory provisions. Certain findings of non-responsibility can result in rejection for contract award, and in the event of two findings within a four (4) year period, the Proposer is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found in the Authority’s Lobbying Guidelines Regarding Procurements, Rules, Regulations or Ratemaking which is posted on the web site for this RFP.

Questions regarding this RFP should be sent to Procurement1@lipower.org, on or before the Deadline for Questions noted in Article I above. Responses to any questions received will be posted on LIPA’s web site at http://www.lipower.org/proposals/ the Deadline for Posting Answers noted in Article I above. No other communication of questions and answers will be made.

Other than as provided for in this RFP, any contact with LIPA Board members, staff or LIPA consultants during the pendency of this RFP may be grounds for disqualification from the RFP process.
Six (6) bound paper copies of your proposal and an electronic version on a flash drive or similar device are due no later than the Proposal Due Date noted in Article I above, in a sealed package or packages. The cost portion of the proposal should be in a sealed envelope separate from the technical portion of the proposal, but may be contained in the same shipping package as the technical portion. All proposals should be delivered to:

Long Island Power Authority  
333 Earle Ovington Boulevard, Suite 403  
Uniondale, NY 11553  
Attention: Maria Gomes

Proposals received after the Proposal Due Date will not be considered, nor will faxed or e-mailed proposals, whenever received.

LIPA will not provide reimbursement for any costs or expenses incurred in connection with this RFP, including the costs of preparing and submitting a response, providing any additional information or attending an interview. All material that is submitted in response to this RFP will become the sole property of LIPA. LIPA expressly reserves the right to utilize any and all ideas submitted in the proposals received unless covered by legal patent or proprietary rights which must be clearly noted in the proposal submitted in response to the RFP.

Interviews of the top-qualifying firms may be conducted at LIPA’s discretion on a specific day or days to be disclosed later in the RFP process. All top-qualifying Proposers will be notified of the exact interview date(s) in advance.

III. CONTRACT PERIOD

The term of the contract will be for a period of five years. LIPA may terminate the contract, or postpone or delay all, or any part of the contract, at any time, in its sole discretion, upon written notice.
The Authority, acting through LIPA, provides electric service in its service area (the “Service Area”) which includes two counties on Long Island — Suffolk County (“Suffolk County”) and Nassau County (“Nassau County”) — and a portion of the Borough of Queens of The City of New York known as the Rockaways. The Authority is a corporate municipal instrumentality and a political subdivision of the State of New York (the “State”), exercising essential governmental and public powers. The Authority was created by the State Legislature under and pursuant to the Long Island Power Authority Act, being Title 1-A of Article 5 (§ 1020 et seq.) of the Public Authorities Law of the State of New York, as amended (the “Act”), including as amended by certain provisions of the LIPA Reform Act (defined below). The Authority is comprised of itself, LILCO, (a wholly owned subsidiary of the Authority, dba LIPA) and provides management support to the Utility Debt Securitization Authority (“UDSA”) (a special purpose corporate municipal instrumentality of the State that has a governing body separate from that of the Authority). LIPA is a stock corporation formed and existing under the Business Corporation Law of the State of New York and pursuant to LIPA’s organizational documents, the Authority conducts and manages LIPA’s business and affairs. Accordingly, LIPA is controlled by the Authority, which is governed by a Board of Trustees (the “Trustees”).

The Authority assumed responsibility as the retail supplier of electric service in the Service Area (with the exception of the villages of Freeport, Greenport and Rockville Centre, each of which has an individually owned municipal electric system) on May 28, 1998 by acquiring LILCO as a wholly-owned subsidiary of the Authority through a merger (the “LIPA/LILCO Merger”). Since the LIPA/LILCO Merger, LILCO has done business under the name LIPA. In order to assist LIPA in providing electric service in the Service Area, the Authority and LIPA have generally entered into operating agreements the purpose of which is to provide the Authority and LIPA with the operating personnel and a significant portion of the power supply resources necessary for LIPA to continue to provide electric service in the Service Area. As of January 1, 2014, the Authority has transitioned to a new business model first adopted by the Board in late 2011 and more recently modified in response to the requirements of the LIPA Reform Act. The Authority’s principal operating agreements now include:

T&D System management including, among other functions, the day-to-day operation and maintenance, customer service, billing and collection and meter reading:

- As of January 1, 2014, a wholly-owned subsidiary of Public Service Enterprise Group Incorporated (“PSEG”) dedicated to LIPA’s operations (“PSEG LI”) is the service provider pursuant to a twelve-year Amended and Restated Operations Services Agreement (the “Amended OSA”).

Power Supply Management (including capacity and related energy) from the existing oil and gas-fired generating plants on Long Island owned by a subsidiary of National Grid plc (“GENCO”) that were formerly owned by LILCO (“GENCO Generating Facilities”):

- Since the LIPA/LILCO Merger, GENCO has furnished electric capacity and energy from GENCO Generating Facilities to LIPA. The initial Power Supply Agreement (“PSA”) between LIPA and GENCO expired on May
28, 2013. In 2012, LIPA and GENCO entered into a new PSA that commenced in May 2013 for a term of 15 years, which provides for LIPA’s purchase of capacity and related energy from the GENCO facilities.

Energy and Fuel Management:

- Pursuant to the Amended OSA and in furtherance of the objectives of the LIPA Reform Act, beginning on January 1, 2015, affiliates of PSEG, PSEG Services and PSEG Energy Resource & Trade (“PSEG ER&T”) have entered into agreements with LIPA to provide all energy and fuel management services.

The LIPA Reform Act

- The LIPA Reform Act, enacted on July 29, 2013, brought greater accountability and transparency to the delivery of electricity in LIPA’s Service Area by: (i) authorizing the reformulation of the relationship between LIPA and PSEG LI such that PSEG LI assumes responsibility related to utility operations in the Service Area; (ii) creating a new Long-Island-based office in the Department of Public Service (“DPS”), which is the staff arm of the New York Public Service Commission; and (iii) authorizing the retirement of a portion of the Authority’s outstanding debt from the proceeds of the UDSA’s Bonds at lower interest rates than existing indebtedness and capping or eliminating certain categories of payments in lieu of taxes, with savings passed onto ratepayers.

Among other things, the LIPA Reform Act addressed a variety of matters relating to the restructuring of the Authority and LIPA. It established a new office within DPS to review and make recommendations to the Authority and/or PSEG LI related to core utility functions including capital expenditures, the methods employed by PSEG LI for safe and adequate service and the emergency response plans of PSEG LI. The LIPA Reform Act gave DPS the responsibility to investigate and mediate customer complaints. Upon notification to the Authority, DPS may undertake a comprehensive and regular management and operations audit.

Under LIPA’s current agreements, internal audit services related to the day-to-day operations of the T&D system are performed, either directly or indirectly, by the service provider. For LIPA’s internal needs, a small, in-house legal staff is available, that is supplemented by several outside law firms to provide advice, assistance and representation related to certain, discrete practice areas. LIPA draws upon these resources as needed.

V. SCOPE OF SERVICES

In addition to auditing services related to the examination of the Authority’s annual financial statements, which services are currently being provided under a separate contract, the Authority has the need for internal audit co-sourcing services.

LIPA selected a co-sourced model for the internal audit function. The co-source model is intended to build upon the accomplishments of the existing internal audit function, while providing additional subject matter expertise or resources, when necessary.
The Authority has an internal audit department under the management of the Director of Audit. The department has a small audit staff and requires assistance. Specifically, the assistance requested will fall into the following areas:

The types of services and work requested may include a variety of internal audit staffing and services for a variety of projects including operational, financial, information technology, and compliance audits, risk assessments, fraud investigations, advisory and consulting, data analytics, and professional training.

The Authority anticipates that third party internal audit services of up to 3,000 hours will be required annually.

The scope of these services will include LIPA’s own operations headquarters in Uniondale, NY, PSEG Long Island’s operations supporting LIPA on Long Island and in Newark, NJ.

LIPA may select one or more Proposers for award of a contract in connection with this RFP. Selection and award of a contract as a result of this RFP does not guarantee firm(s) any work over the term of the contract. In the event more than one contract is awarded, when the need arises LIPA will provide each selected contractor with a description of the services required and/or project and the scope of services and experience necessary. Each contractor will be requested to provide resumes of available candidates, a plan for completing the work and an estimate of each consultant’s time. LIPA will review the plan, the resumes and the estimated cost of the work (based on the estimate of consultant time multiplied by the hourly billing rate) to determine which contractor offers the most practical and economical solution. The work will be placed with the contractor offering the most practical and economic solution.

VI. THRESHOLD CRITERIA

Only Proposals submitted from Proposers who meet the following minimum threshold requirement, will be considered by the Authority:

At least ten (10) years of experience in providing internal audit services for a company or companies with review in excess of $500 million.

VII. PROPOSAL REQUIREMENTS

The following is a list of the information to be provided by the Proposer for the internal audit services sought.
A. Management and Qualifications

1. Cover Letter
   A cover letter, which shall be considered an integral part of the proposal, shall be signed by the individuals or individuals authorized by the Proposer contractually. In signing the cover letter, the Proposer agrees to be bound by the terms of this RFP and its submission hereunder for 180 days from the stated proposal due date. The cover letter shall also contain a statement that the Proposer’s work for the Authority will not create a conflict of interest. If the proposer believes that a conflict of interest may arise, the nature of the conflict should be described – see Section 8 below.

2. State the internal audit co-sourcing services which your firm is proposing to provide to LIPA in response to this RFP. State whether your firm can provide all of the services in each of the Scope of Service(s) being proposed and if not, clearly outline which portions you can provide services in. Provide information that demonstrates your firm meets the threshold criteria described in Section VI above.

3. Provide a summary of your firm’s experience in the electric utility industry and with clients which are investor-owned electric or other utilities, public power authorities, or other municipal/governmental and other pertinent clients, including independent power producers, natural gas suppliers or transmission companies, etc. Please describe the nature of the work performed and the name of each such client.

4. Describe the team that would be assigned to this engagement and by specific scope(s) of services. Identify the individuals who would be involved and the primary role and responsibilities of each member. Describe their experience with large internal audit co-sourcing engagements. Provide resumes of these individuals (including years of employment in your organization and total years of experience) in an appendix that will not count against the proposal page limit. Also, include the physical location (i.e., the office location(s)) that the proposed team members work out of.

5. LIPA has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of respondents to this RFP is practical, feasible, and appropriate. Accordingly, respondents to this RFP shall be required to include as part of their response to this RFP, as described in Section IX.A.4 herein, a completed copy of the Diversity Questionnaire posted on the RFP website.

6. Identify any sub-consultants that may be utilized as part of your firm’s proposed team. Provide comparable information as requested above in items (1) through (8) for any proposed sub-consultants.

7. Identify the nature of any potential conflict of interest your firm might have in providing services to LIPA:

   (a) State whether your firm has ever represented or currently represents National Grid plc, Public Service Enterprise Group (PSEG), Lockheed Martin Corporation, or any of their respective affiliates or subsidiaries, specifically including PSEG Long Island, and if so, in what capacity. Additionally, state
whether your firm represents any publicly-owned or investor-owned electric utility, independent power producer, natural gas supplier, or natural gas transmission company. If so, state the name of each such client and the nature of your representation.

(b) Discuss fully any conflicts of interest, actual or potential, which might arise in connection with your firm's involvement with LIPA. If your firm believes that a conflict of interest might arise, please describe how such conflict would be resolved.

Each firm must certify in writing that its representation of LIPA will not create any conflict of interest involving that firm.

(c) Identify any past, pending or threatened litigation or administrative or state ethics board or similar body proceedings to which you or any of your partners are a party and which would either materially impair your ability to perform the services enumerated herein, or, if decided in an adverse manner, materially adversely affect the financial condition of your firm.

B. Cost

Proposals shall include the following:

1. State the proposed hourly rates at which the services would be provided to LIPA for the first two years* of the contract term. To the extent your firm does not bill for a specific category, please so indicate by inserting $0 in the table and NOT by noting “N/A” or “not applicable” or similar terms.

*Any rate increase for years three through five of the contract shall not exceed the lesser of five (5%) percent or the percent increase in the “National Consumer Price Index for All Urban Consumers (CPI-U)”, as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington D.C. 20212, for each of the previous contract years (years 2, 3 and 4). The Proposer has the sole responsibility to submit to LIPA a service rate adjustment request thirty (30) days prior to the effective date of the price increase, providing a copy of the index and other supporting documentation necessary to support the request. Any rate increase will be granted at LIPA’s sole discretion.

2. The proposed hourly billing rates shall be inclusive of all auxiliary costs, such as printing, copying, secretarial, typing, program entry, etc. In addition, for resources provided to LIPA within a 100-mile radius of LIPA’s Offices, the hourly billing rates shall be inclusive of expenses for travel, meals and lodging. Reimbursement of travel, meals and lodging costs will be provided by LIPA in accordance with the GSA rates for Nassau and Suffolk Counties if the resource is located outside a 100-mile radius of LIPA’s Offices. Proposers are advised that consultants will not be reimbursed by the Authority for “commuting time” - time spent getting to and from the “work site”. All of the above costs, if applicable, will need to be factored into the proposed hourly billing rates.
3. In responding to this item, provide the following fee structure using the tables listed below. 
   Please provide hourly rates for (i) Partner/Directors, (ii) Senior Managers, (iii) Managers, (iv) Seniors and (V) Staff.

<table>
<thead>
<tr>
<th>Co-Sourcing of Internal Audit Services</th>
<th>Rates</th>
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<tbody>
<tr>
<td>Single hourly rate- Partners/Directors</td>
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<tr>
<td>Single hourly rate –Senior Managers</td>
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<tr>
<td>Single hourly rate - Manager</td>
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<tr>
<td>Single hourly rate - Senior</td>
<td></td>
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<tr>
<td>Single hourly rate- Staff</td>
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<tr>
<td>Single hourly rate for all other classes of staff</td>
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A schedule of all out-of-pocket disbursements which you anticipate would result in a charge to LIPA and the rate for each. Note that LIPA expects that disbursements would be charged at the firm’s actual out-of-pocket cost, without mark-up, and in accordance with LIPA’s policies and Article VI of the Standard Consulting Agreement.

NOTE: Failure to provide your cost proposal as requested in item VII.B above may be grounds for determining a proposal to be non-responsive. Please remember to provide the Cost Proposal in a separate sealed envelope from the Technical Proposal. It may be in the same shipping package.

4. State any special considerations with respect to billing or payment of fees and expenses that your firm offers and that you believe would differentiate it from other Proposers and make your firm's services more cost effective for LIPA.

5. LIPA expects to receive the lowest rates charged by your firm for its governmental clients. Please provide a statement affirmatively stating whether the rates proposed for the Authority are the lowest rates charged by your firm for its governmental clients. If for any reason your firm is not prepared to do so, please indicate your reasons.

Any contract(s) awarded pursuant to this RFP may have a Not-to-Exceed dollar cap as determined by LIPA, which may not be exceeded without the prior written authorization of LIPA. In addition, firms will be required to track their spend and provide LIPA with written notice when they have incurred fees and expenses totaling 75% of any Not-to-Exceed dollar cap.

C. Other

1. Provide a copy of your firm’s affirmative action policy and submit the information requested in the Diversity Questionnaire posted on the RFP web site. These may be provided in an appendix that will not count against the page limit.

2. Proposers must either provide a statement accepting the terms and conditions in LIPA’s Standard Consulting Agreement posted on the RFP web site, or must alternately identify
any exceptions taken to the terms and conditions. If exceptions are taken, the Proposer must clearly identify the language that is being taken exception to and provide the suggested alternate language for each such exception. The nature and extent of exceptions, if any, taken by the Proposer to LIPA’s terms and conditions will be a factor considered in evaluating proposals. Proposers that demonstrate a willingness to accept LIPA’s terms and conditions will be given more favorable consideration by LIPA.

3. Proposers shall indicate in their proposals what information, if any, they consider to be proprietary and confidential. Proposers are hereby advised that LIPA is subject to the New York State Freedom of Information Law (“FOIL”). Material marked “Confidential and Proprietary” will be treated as such to the extent consistent with LIPA’s obligations under FOIL, other applicable law, regulation or legal process, and will not be disclosed by LIPA except as necessary for the evaluation of proposals or as may be required pursuant to applicable law, including FOIL.

VIII. EVALUATION AND SELECTION

A. Evaluation Criteria

Proposals will be evaluated based on the following factors, not necessarily listed in the order of importance:

1. The Firm’s experience providing the scope of service(s) proposed in response to this RFP. Please include client list representing electric utilities.

2. Qualifications of the Staff proposed to serve LIPA’s account and the commitment of time and other resources to LIPA.

3. Cost of internal audit co-sourcing services, including such factors as hourly rates, discounts and cost-effectiveness. (Although proposed cost will be given significant consideration in the selection process, LIPA reserves the right to negotiate lower fees with any firm selected, or a different fee structure than proposed.)

4. Overall organization, completeness, and quality of proposal, including cohesiveness, conciseness, clarity of response, demonstrated understanding of LIPA and responsiveness to the requirements of this RFP.

5. The firm’s overall diversity and commitment to equal opportunity programs and MWBE Diversity Practice Questionnaire.

6. Interviews, if conducted.

The non-cost criteria listed above will be given more consideration than the cost criteria in LIPA’s evaluation of proposals.
B. Selection Process

The Selection Committee will initially review all proposals to determine responsiveness. Any proposal that does not address all requested requirements or is incomplete will be rejected.

The Selection Committee will evaluate all responsive and responsible proposals based on the criteria enumerated in Section VIII (A), as referenced above. The Selection Committee may, at its discretion, afford firms the opportunity to clarify proposals for the purpose of assuring a full understanding of their responsiveness to the RFP.

The Selection Committee may also conduct interviews of Proposers found to be most qualified to perform the services required, based upon the criteria listed in this RFP. If so, Proposers will be notified in advance of the exact interview date.

Prior to award of any contracts(s), the Selection Committee will conduct a vendor responsibility determination and may require eligible Proposers to answer questions and provide additional information to supplement the information provided in the NYS Vendor Responsibility Questionnaire to assist the Selection Committee in making such a determination.

All Proposers will be notified in writing once one or more firms have been selected.

IX. PROPOSAL INSTRUCTIONS AND CONDITIONS

A. Limitations

1. This RFP does not commit LIPA to award a contract, pay any costs incurred in the preparation of a response, or procure or contract for services of any kind whatsoever. LIPA reserves the right, in its sole discretion, to accept or reject any or all responses as a result of the RFP, to negotiate with any or all firms considered, or to cancel this RFP in whole or in part. LIPA reserves the right to request additional information from all Proposers.

2. Proposers may be requested to clarify the contents of their proposal. Other than to provide such information as may be requested by LIPA, no Proposer will be allowed to alter its proposal or to add new information after the RFP due date.

3. Proposers may be required to participate in negotiations and to submit any price, technical or other revisions to its proposal which may result from such negotiations.

4. Proposers must fully execute the following forms (posted on the RFP web site) and submit with its proposal: 1). MacBride Fair Employment Principles; 2). Non-Collusive Bidding Certification; 3). Contractor Disclosure of Prior Non-Responsibility Determinations; 4). Contingent Fee Certification; 5). NYS Vendor Responsibility
Questionnaire (please find the form here http://www.osc.state.ny.us/vendrep/ and include a copy in your firm’s proposal); 6) Diversity Questionnaire; (7) Workforce Employment Utilization and (8) EEO Forms.

5. All material submitted in response to this RFP will become the sole property of LIPA, except as noted in Section II above.

B. Proposal Submission

1. Responses shall be limited to twenty five (25) single-sided pages (not including the table of contents, resumes or the cost portion of the proposal which may be included in the same shipping package as the technical proposal but should be in a separate sealed envelope marked “cost proposal”) and shall be prepared on 8 ½ x 11-inch paper using at least 12-point type with standard margins. Resumes may be provided in brief summary form in the body of the proposal, with extensive resumes in an appendix. Each firm is requested to provide a copy of its Affirmative Action Policy as an appendix to its proposal. This appendix will not count against the page limit restriction.

2. Proposals must include a cover letter indicating the mailing address of the office from which the proposal is submitted, the name and email address of the individual who will represent the firm as the primary contact person for the proposal, and the telephone and facsimile numbers of the primary contact person.

3. Non-responsive proposals include, but are not limited to, those that:
   
   (a) are not in conformance with RFP requirements and instructions;
   
   (b) are conditional; or;
   
   (c) contain a material omission(s).

4. Joint proposals will not be accepted.

   LIPA reserves the right to waive non-material deviations in a proposal. Non-material deviations are deviations and/or omissions the waiving of which, at LIPA’s sole discretion, do not disadvantage LIPA, do not provide a competitive advantage to the Respondent and/or will not prejudice other Respondents or potential Respondents.

C. Participation of Minority and Women-Owned Business Enterprises (MWBE)

The Authority is committed to diversity and equal employment opportunities among the contractors it engages.

Please note that all MWBE firms identified as subcontractors for this RFP should be registered and certified as such with the New York State Department of Economic Development. For firms that are not certified but have applied for certification, please provide evidence of filing, including filing date.
For purposes of this solicitation, LIPA hereby establishes an overall MWBE subcontracting goal of 30%; for Minority-Owned Business Enterprises (“MBE”) 15% participation and for Women-Owned Business Enterprises (“WBE”) 15% participation.

For additional information regarding the instructions for the MWBE forms, requirements and procedures please see Standard Contract Clauses for LIPA’s Contracts, Attachment B PARTICIPATION BY MINORITY GROUP MEMBERS AND WOMEN WITH RESPECT TO STATE CONTRACTS: REQUIREMENTS AND PROCEDURES.

D. **Participation of Service Disabled Veteran Owned Businesses (SDVOB)**

New York State has established a state-wide goal of 6% New York State Service-Disabled Veteran-Owned Business goal. Proposers should identify ways that they might be able to assist the Authority by subcontracting or other means to help achieve the New York State Service-Disabled Veteran-Owned Business goal of 6%. For more information regarding New York State Service-Disabled Veteran-Owned Businesses, please visit the New York State Office of Generals Services webpage [http://www.ogs.ny.gov/Core/SDVOBA.asp](http://www.ogs.ny.gov/Core/SDVOBA.asp).

For purposes of this solicitation, LIPA hereby establishes an overall subcontracting goal of 6%. Respondents are encouraged to use SDVOBs in connection with their proposed project.

E. **Administrative Specifications**

1. All proposals must be irrevocable for 180 days and signed by an authorized officer of the firm.

2. The successful Proposer(s) must agree to provide LIPA with audit access on request during the term of the contract and for 7 years thereafter.

3. LIPA at any time, in its sole discretion, may terminate its contract with the successful Proposer(s), or postpone or delay all or any part of the contract, upon written notice.

4. All Proposers are obligated to update any changes in their proposal prior to the proposal due date.

F. **Addenda: Errors and Omissions**

1. If a Proposer discovers any ambiguity, conflict, discrepancy, omission or other error in this RFP, immediately notify Jon R. Mostel, LIPA’s General Counsel, in writing, of such error and request clarification or modification to the document.

2. Should LIPA find it necessary, modification to the RFP will be made by addenda. Such modifications will be posted on the RFP website. Proposers are responsible to check the website for any changes in this solicitation. Separate notification may not be provided.
3. If a Proposer fails to notify LIPA of a known error or an error that reasonably should have been known prior to the final filing date for submission, the Proposer shall assume the risk of such error. If awarded the contract, the Proposer(s) shall not be entitled to additional compensation or time by reason of the error or its later correction.

G. Debriefing of Unsuccessful Proposers

Upon written request, a debriefing will be scheduled with an unsuccessful Proposer after LIPA has provided notice of its selection of one or more successful Proposer(s). Discussion will be limited to a critique of the proposal submitted by the Proposer requesting the debriefing. Comparisons between proposals or evaluations of the other proposals will not be discussed. Debriefings may be conducted in person or by telephone, at LIPA’s discretion.

X. CONTRACT APPROVAL

LIPA’s selection of one or more successful Proposer shall not be binding until it has been approved by LIPA’s Board of Trustees. In addition, any contracts issued pursuant to this RFP shall not be valid, effective or binding until approved by the New York Office of State Comptroller and filed in his office, in accordance with Section 112 of the New York State Finance Law.