

REQUEST FOR PROPOSAL
FOR
Financial Audit Consulting Services

Long Island Power Authority
333 Earle Ovington Boulevard
Uniondale, New York 11553



April 15, 2019

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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 financial audit services referenced in Article V below to the Authority. The Authority’s reporting entity is comprised of itself and (i) its operating subsidiary the Long Island Lighting Company (LILCO), a wholly owned subsidiary of the Authority doing business as LIPA and Power Supply Long Island, the Utility Debt Securitization Authority (UDSA) and the Long Island Power Authority OPEB Trust.

The selected firm will perform audits of the financial statements of the Authority primarily for the purpose of rendering an independent opinion to the Board of Trustees of the consolidated financial statements of the Authority for each of the following years:
2019, 2020, 2021, 2022 and 2023.

LIPA will select one firm to provide the services requested herein but is not obligated to select any firm.

I. CALENDAR OF EVENTS

Issuance of RFP	April 15, 2019
Deadline for Questions	April 22, 3PM
Deadline for Posting Answers	April 29, 3PM
Deadline to submit intent to respond	May 1, 2019, 3PM
Proposal Due Date	May 15, 2019, 3PM

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, mgomes@lipower.org. 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/> no later than 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 the technical portion of your proposal in a sealed package or packages 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. Two copies of 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 proposers 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 a five-year engagement covering annual independent audits of the Authority's accounts and business practices for the fiscal years ending December 31, 2019, December 31, 2020, December 31, 2021, December 31, 2022 and December 31, 2023.

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.

IV. BACKGROUND

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’s reporting entity is comprised of itself and (i) its operating subsidiary the Long Island Lighting Company (LILCO), a wholly owned subsidiary of the Authority doing business as LIPA and Power Supply Long Island and (ii) the Utility Debt Securitization Authority (UDSA). The Authority and its blended component units are referred to collectively as the Authority. The Authority also established a legally separate trust under Section 115 of the internal revenue code known as the Long Island Power Authority OPEB Trust.

The Authority provides management support to the 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 is the service provider (“PSEG LI”) pursuant to a twelve-year Amended and Restated Operations Services Agreement (the “Amended OSA”).

PSEG LI maintains the books and records for all services under the Amended OSA under a separate enterprise resource planning system (ERP) and are consolidated in the standard annual financial audit of the Authority.

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 an amended and restated 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 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.

V. SCOPE OF SERVICES

An examination of the Authority's financial statements must be made in accordance with generally accepted auditing standards and should include a review and evaluation of the Authority's system of accounts, its accounting procedures, internal controls, and business practices to determine their adequacy and compliance with applicable provisions of the Laws of the State of New York. The financial audit report should also include recommendations of possible improvements to internal controls and provide periodic advice to the Authority on accounting matters. The audit report must conform to the requirements of Public Authorities Law Section 2802. Audit reports on the Authority's financial statements for recent years are available at: <https://www.lipower.org/investors/>.

1. Services Required

The selected firm must be available to provide “Standard Annual Financial Audit Services” to the Authority, as follows:

1. Annual audit of consolidated financial statements;
2. Reviews of quarterly financial information;
3. Performance of procedures in accordance with attestation standards established by the American Institute of Certified Public Accountants to evaluate compliance with the Authority’s Rate Covenant Calculation and to ascertain the appropriateness of amounts held in the Authority’s Rate Stabilization Fund;
4. Preparation and execution of a management letter at the conclusion of the year-end audit;
5. An annual audit of the compliance with the Authority’s Investment Guidelines; and
6. Consultation with accounting staff regarding accounting issues on an as-needed basis throughout the term of the agreement.

It will be necessary for the auditor to make itself available to the audit committee of the Authority throughout the term of this contract.

2. Additional Financial Audit Services

In addition, the successful proposer should make itself available for “Additional Financial Audit Services”, which cannot reasonably be anticipated by the Authority in advance of the RFP, including, but not limited to, A-133 Single Audits and public financing transactions (e.g., audit work related to the issuance of long-term debt).

3. Audit Method and Programs

The nature and extent of the work to be carried out in the annual examination of the Authority’s financial statements will be agreed on by the auditor and the Authority. It will include such tests of the accounting records and procedures as are deemed necessary, including but not limited to, the examination of supporting evidentiary material, the observation or written confirmation of selected assets, confirmation of certain liabilities and observation and discussion of operating practices. Appropriate techniques should be used to accomplish an effective and efficient audit.

D. Description of Positions/Titles

The following represents the general duties and descriptions for the staffing categories to be included in the Proposals. Please note all staff assigned to this engagement must be available to meet with Authority staff in Uniondale, NY.

Partners

Individuals named to this title must have significant recent direct experience in providing independent auditing services to an electric retail utility, including but not limited to those services specifically outlined in the Scope of Services of the RFP, as well as a thorough understanding of GASB. Partner(s) will have full responsibility for work performed, including overall project management and final review.

Senior Managers

The Senior Managers will serve as the project manager for this engagement. They will be responsible for developing an audit plan and a schedule for deliverables, coordinating and delegating the assignments for audit staff, and serving as the point of contact for the Authority regarding new issues, engagement status, meetings, and deliverables. The Senior Managers must have at least five years of experience in financial auditing, with a minimum of two years' experience in utility audits, and have a thorough understanding of GASB.

Managers

The Managers will be responsible for assisting in the planning, review and performance of specified assignments under the engagement, as well as supervision of audit staff. These assignments will include but are not limited to those outlined in this section of the RFP. The Managers must have at least four years of experience in financial and governmental auditing, with a minimum of one year in utility audits.

Senior Accountants

Senior Accountants will work under the Manager and the Senior Managers and will be responsible for assisting in the planning, review and especially performance of specified assignments under the engagement. Senior Accountants must have at least three years of experience in financial auditing (utility experience preferred).

Staff Accountants

Staff Accountants will be responsible for performance of specific engagement assignments as directed. Minimum qualification is a Bachelor's degree in Accounting.

4. Contract Term

The term of the contract will be a five-year engagement covering annual independent audits of the Authority's accounts and business practices for the fiscal years ending December 31, 2019, December 31, 2020, December 31, 2021, December 31, 2022 and December 31, 2023.

VI. THRESHOLD CRITERIA

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

1. Proposers must have experience with public financing and electric utility accounting. For a firm to qualify as “experienced” as required by this RFP, they will need to have independent auditing experience in the public power and/or electric utility industry within the last five years.
2. Proposers’ staff must have the required experience for their position as outlined in the Scope of Services of this RFP.
3. Proposers must be a nationally recognized independent certified public accountant (or firm thereof). A nationally recognized firm is one that is considered an expert in the industry that is licensed to practice in a substantial majority of the states in the US and whose audit reports are accepted by financial institutions throughout the nation.
4. Proposer’s lead audit partner (having primary responsibility for the audit) cannot have previously performed audit services for the Authority as lead audit partner in each of the five previous fiscal years of the Authority.
5. Proposers are prohibited from performing any non-audit services contemporaneously with its audit of a public authority in New York State. These prohibited services include such activities as (a) bookkeeping and related services, (b) design and implementation of financial information systems, (c) appraisals, (d) actuarial services, (e) internal auditing, (f) investment banking or broker services, and (g) legal services unrelated to the audit. Proposers must indicate that they are not currently performing these services and that they will not be performing these services if they are awarded a contract as a result of this RFP.

VII. PROPOSAL REQUIREMENTS

The following is a list of the information to be provided by the Proposer for the financial audit services sought.

A. Management and Qualifications

Cover Letter (2 pages)

A cover letter, which shall be considered an integral part of the proposal, shall be signed by the individual 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 D.5.

B. Firm Qualifications and Experience (3 Pages)

Proposers should have significant experience in providing the Services Required in RFP section V Scope of Services and must meet the Threshold Criteria as stated in section VI of the RFP. The proposers should demonstrate relevant experience by providing the following:

1. Describe the proposer’s level of experience in conducting successful projects similar to that described in the Scope of Services, adding relevant facts it believes would qualify it for this engagement, such as the size and ability of its governmental audit staff, the location of the office from which work on this engagement is to be accomplished, and any efficiencies and economies that can be realized using its audit approach.

2. Provide three other entities for whom the Proposer has provided services within the last five years that are comparable in size, scope, and complexity to this effort, and that are for services comparable to the requirements described in this RFP. Where applicable, include public authorities and retail electric systems with which individuals to be assigned to this audit have worked. Each example should include:
 - a) Name of client organization.
 - b) Type of client (e.g. public authority, retail electric system, etc.).
 - c) Project description.
 - d) Project budget.
 - e) Project duration including start/end dates.
 - f) Number of proposer’s staff (FTEs).
 - g) Project team members proposed to work on Authority project.
 - h) Any other information regarding the project that would assist the Authority in determining the success experienced by the client.

3. Proposer’s references: For the entities outlined in Section VII.B.2, the proposer should provide references for the auditing projects. For each reference, provide the following information in the format below:

Client Reference			
Name of the Client Firm:			
Engagement term:	Start Date: (Month/Year)		End Date: (Month/Year)
Client Contact Name and Title:			
Phone Number:		E-mail:	
Alternate Client Contact Name and Title:			
Phone Number:		E-mail:	

C. Staff Qualifications and Experience (3 Pages)

In this section of the Technical Proposal, the proposer should demonstrate that the staff proposed has the knowledge and ability to perform the services described in this RFP. The proposer is requested to provide the following information:

1. A project organization chart, with names and titles, showing the individuals to be assigned to the project with a specific indication of what role the individual will have on this project.
2. Identify the Partner, Senior Managers, Managers, Senior Accountants, Staff Accountants and other supervisors to be assigned to the engagement, consistent with the title definitions in Attachment F, Cost Proposal of the RFP. Indicate how the staff competency level over the term of the contract will be assured. As an appendix, Proposers must submit resumes for all members of the financial audit team, including subcontract personnel who are likely to work on the engagement, and the New York State CPA licensure status of each staff person. These resumes should include their experience and familiarity with any of the following: public power agencies, retail electric utilities, energy companies, and accounting and auditing principles, practices, procedures, and methods of NYS. This appendix does not count against the page limit.
3. Staff References: The proposer should provide three (3) references for the staff members proposed in the Partner and Senior Manager titles.

References should detail projects currently in progress or completed within the last five years that are comparable in size, scope and complexity to this effort, and that are for services comparable to the requirements described in this RFP.

Partner Reference			
Name of the Proposer:			
Staff Member Name:		Title:	
Name of the Client:			
Client Contact Name:			
Client Contact Title:			
Phone Number:		E-mail:	
Briefly describe the type and scope of services of the engagement.			
Engagement term:	Start Date (Month/Year)		End Date (Month/Year)

Senior Manager Reference			
Name of the Proposer:			
Staff Member Name:		Title:	
Name of the Client:			
Client Contact Name:			

Client Contact Title:			
Phone Number:		E-mail:	
Briefly describe the type and scope of services of the engagement.			
Engagement term:	Start Date (Month/Year)		End Date (Month/Year)

- Proposers are to include a statement certifying their acknowledgement that, if selected, the staff proposed in the Technical Proposal will be available for the duration of the engagement. If a staff replacement is necessary, the replacement staff must meet the qualifications of the position, and the Authority reserves the right to approve any changes in project staff.

The Authority reserves the right to reject any proposed staff member’s participation in the engagement.

D. Technical Questions (7 Page Limit)

- Describe the recommended technical approach including explanation of the financial audit methodology to be followed in the performance of the services required in this RFP. The approach should demonstrate how the firm intends to organize its personnel and manage its activities, including any work to be carried out by a subcontractor, during the engagement. This section should also demonstrate the Proposer’s understanding of the Authority’s needs and operations.
- Set forth a preliminary work plan including tasks and projected timetable highlighting critical dates such as a schedule for review of financial statements, draft, and finalization of the financial annual audit report.
- Include a list of deliverable items and estimated submission dates based on the requirements that the examination for the year ending December 31, 2019.

In order to complete the annual report, LIPA requests that field work be substantially complete by February 28 after calendar year end. All firm reviews (i.e. concurring partner, national office, etc.) should be complete with such documents reflected in the report.
- Provide a summary of other client experiences that receive federal grants subject to the US Office of Management and Budget “OMB” Uniform Guidance Single Audit (formerly A-133).
- Identify the nature of any potential conflict of interest your firm might have in providing services to LIPA:
 - Discuss fully any conflicts of interest, actual or potential, which might arise in connection with your firm's involvement with LIPA. If the proposer believes that a conflict of interest might arise, please describe how such conflict would be resolved.

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

- (b) 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.
- (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.

E. Cost (no page limit)- Attachment F- Cost Proposal

The Cost Proposal is an integral component of a Proposer' submission. Proposers should take particular care to ensure the Cost Proposal is completed fully and in complete accordance with the instructions.

The Cost Proposal Form must be completed in its entirety according to the following instructions:

1. The Cost Proposal Tables should include the hourly rate (U.S. dollars) for each person and title performing the services described in the Scope of Services section of the RFP. Please specify each person by name next to the corresponding title provided on the Form. Proposers are required to use the titles provided, even if these titles are not consistent with the proposer's existing titles. Do not leave blanks or enter a zero-dollar amount for any rate. Do not fail to provide a rate for each title in each audit period.
2. The cost proposal must include only one rate for each title in each audit year.
3. The Cost Proposal must include the hourly rate (U.S. dollars) for each title described in attachment F. Do not leave blanks or enter a zero-dollar amount for any rate. Do not fail to provide a rate for each title in each audit period.
4. Hourly fees shall be exclusive of personnel, travel, computer charges, postage and all other expenses related to each audit period. It is expected that the firm selected will comply with GSA (General Services Administration) standards for personnel expenses during the engagement.
5. The Cost Proposal must include the total estimated number of hours to complete the audit for each Audit Year. For each title, proposers must indicate the estimated number of hours to be performed for the Audit Year.

6. To calculate the not-to-exceed total for each audit year: Multiply the Hourly Rate proposed by the Estimated Number of Hours for each Title. Add the subtotal of each Title to calculate the Not-to-Exceed Total for each Audit Year.
7. Compensation shall not exceed the total amount for the corresponding audit period. Payments to the selected proposer will only be made for actual hours worked and will not exceed the proposed total cost for each audit year.
8. Proposers are to submit their costs using the tables in Attachment F, Cost Proposal. **NOTE: Failure to provide your cost proposal using the fee structure in the tables in Attachment F- Cost Proposal will be grounds for determining a proposal to be non-responsive.**
9. **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.

F. 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

A Selection Committee consisting of LIPA staff will evaluate the proposals. The Selection Committee will make its recommendations to the LIPA Board of Trustees for final approval. The Selection Committee will consider the following factors, not necessarily listed in the order of importance:

1. The firm's demonstrated record of experience in public finance and electric utility accounting and independent audits of financial statements similar to the Authority.
2. The firm's project approach and work plan to complete independent annual audits of the Authority.
3. The qualifications, experience and availability of the lead Partner and Senior Manager and the other individuals to be assigned to the Authority's work.
4. Overall organization, completeness, and quality of proposal, including cohesiveness, conciseness, clarity of response.
5. The firm's overall diversity and commitment to equal opportunity programs, including status as a certified MWBE.
6. The fee schedule and total cost of services to the Authority. (Although the proposed cost will be considered in the selection process, the Authority reserves the right to negotiate fees with any firm selected to provide service).
7. 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 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 Vendor Responsibility Questionnaire to assist the Selection Committee in making such a determination.

All Proposers will be notified in writing once a firm 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 proposer and/or will not prejudice other proposers or potential proposers.

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 Appendix A, 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 6% New York State Service-Disabled Veteran-Owned Business goal. Proposers should identify ways that they may 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 General Services webpage <http://www.ogs.ny.gov/Core/SDVOBA.asp>.

For purposes of this solicitation, LIPA hereby establishes an overall subcontracting goal of 6%. Proposers 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 Anna Chacko, 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 web site. 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 Proposers 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.