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2018 REQUEST FOR PROPOSALS

SMALL BUSINESS INNOVATION RESEARCH (SBIR) ASSISTANCE PROGRAM

RFP Number: 18-6134
RFP Released: August 15, 2018
PROPOSALS DUE: November 30, 2018 BY 2:00 P.M.

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I. Program Overview and Requirements

A. Program Goals and Objectives

Empire State Development (ESD) anticipates designating three Small Business Innovation Research (SBIR) Centers (“Center”) under this RFP. The SBIR program is designed to increase the number of New York State SBIR and Small Business Technology Transfer (STTR) awards. Empire State Development’s (ESD) Division of Science, Technology & Innovation (NYSTAR) offers programs which assist companies from start-up through maturity, leveraging the state's unparalleled investment in world-class technology assets and expertise.

Under the SBIR program, eleven federal agencies set aside a percentage of their extramural budget so small businesses can engage in research and development (R&D) that has a strong potential for technology commercialization. This program has the following objectives:

- Stimulate technological innovation;
- Meet federal research and development needs;
- Increase private sector commercialization of innovations developed through federal R&D funding; and
- Foster and encourage participation in innovation and entrepreneurship by socially and economically disadvantaged persons and women-owned small businesses.

The SBIR Program is structured in three phases:

Phase I. The objective of Phase I is to establish the technical merit, feasibility, and commercial potential of the proposed R&D efforts and to determine the quality of performance of the small business awardee organization prior to providing further Federal support in Phase II. SBIR Phase I awards normally do not exceed \$150,000 total costs for 6 months.

Phase II. The objective of Phase II is to continue the R&D efforts initiated in Phase I. Funding is based on the results achieved in Phase I and the scientific and technical merit and commercial potential of the project proposed in Phase II. Only Phase I awardees are eligible for a Phase II award. SBIR Phase II awards normally do not exceed \$1,000,000 total costs for 2 years.

Phase III. The objective of Phase III, where appropriate, is for the small business to pursue commercialization objectives resulting from the Phase I/II R&D activities. The SBIR program does not fund Phase III. Some Federal agencies, Phase III may involve follow-on non-SBIR funded R&D or production contracts for products, processes or services intended for use by the U.S. Government.

STTR is a similar program designed to facilitate cooperative R&D between small business concerns and U.S. research institutions – with potential for commercialization. Each federal

agency administers its own individual SBIR/STTR program within guidelines established by Congress, designates R&D topics in their solicitations, and accepts proposals from small businesses.

Each of these programs offer a tremendous opportunity for New York State small businesses to develop and advance promising emerging technology.

Over the past five years, New York State has ranked seventh in the number of awards nationally. Through this program, ESD intends to support activities that assist New York State small businesses in securing more SBIR/STTR awards.

2017 Top Ten SBIR Awarded States			2013-2017 Top Ten SBIR States		
State	Awards	Amount	State	Awards	Amount
CA	1,183	\$539,448,227	CA	5,567	\$2,418,434,959
MA	607	\$270,969,255	MA	2,896	\$1,299,161,819
VA	322	\$121,612,569	VA	1,530	\$610,412,914
MD	275	\$123,195,982	MD	1,297	\$579,944,102
CO	265	\$101,097,000	CO	1,197	\$466,643,267
TX	245	\$107,532,688	TX	1,192	\$471,952,872
NY	240	\$113,888,090	NY	1,153	\$522,201,385
PA	216	\$95,800,634	PA	1,033	\$440,015,675
OH	214	\$86,473,673	OH	980	\$403,707,489
FL	161	\$61,985,448	FL	721	\$291,985,542

Not only does ESD seek to increase the awards generally, but also the number of Phase II (concept is closer to commercialization and awards are larger) and MWBE awards.

Breakdown of NY Awards	2013	2014	2015	2016	2017	Total
Phase I	143	152	176	137	149	757
Phase II	74	74	78	82	88	396
Total	217	226	254	219	237	1153
MWBE	27	27	41	44	44	183

The Center shall also collaborate with ESD and other economic development organizations to promote the growth and development of industries in New York State. ESD's investment in SBIR is designed to significantly expand available resources to contribute to economic growth in New York State and assist industry in becoming more competitive. Allowable uses of ESD funds are presented in Section I.F., and are expected to include substantial investments in each Center's outreach capabilities.

B. Designation Period, Contract Period, and Anticipated Funding

All proposals should reflect ESD funding in the amount of up to that detailed below. Up to three awards may be made in this competition; regional coverage and funding amounts for each award is highlighted below. The organization awarded a Center designation under this competition shall be designated/funded for a period of up to three years, provided the Center’s performance is deemed satisfactory by ESD at each annual evaluation. The contract is anticipated to commence on January 1, 2019. The Center will be eligible to receive **ESD funding in the amount of up to that detailed below**, subject to the availability of State funds, to support those allowable activities described in Section I.F. **Proposals submitted for greater than the allowed amount for the respective region will be rejected without review. If funding availability increases or decreases during the designation period, ESD will work with designees to adjust budgets accordingly.**

Territory	Regions Covered	Funding Amount (Over 3-Year Period)
Downstate	New York City, Long Island & Mid-Hudson	\$200,000
Eastern NY	Capital Region, North Country & Mohawk Valley	\$150,000
Western NY	Southern Tier, Central NY, Finger Lakes & Western NY	\$150,000

The amount of ESD funds reimbursed to the award recipient will be based on the amount of eligible matching funds expended (see Section 1.E.). ESD reserves the right to adjust the amount of an award recipient’s funding based upon the availability of State funds, the Center’s performance on assistance to New York State companies, and the Center’s ability to meet the matching funds requirements.

C. Grants Gateway

In 2013, New York State launched Grants Gateway, a web-based grants management system designed to improve the way grants are administered by the state. Grants Gateway allows not-for-profit organizations to browse, search and review anticipated grant opportunities and apply for available grant opportunities. Before applying for an ESD grant, not-for-profits should have been prequalified in the Grants Gateway. Prequalification is a system that allows organizations to complete many of the administrative tasks that are included in applying for grants prior to the actual grant application process. Prequalification allows for the early identification and correction of any deficiencies or gaps in materials before responding to an RFP. Once organizations are registered in the Grants Gateway, they can begin the prequalification process.

Once prequalified, not-for-profits can store all of their documents and information in a secure data vault. Only the not-for-profit and other state agencies will have access to the information. This will eliminate redundant submission of this data for each New York State (NYS) grant opportunity. All prequalification application information will be maintained in the vault for up to three years.

Registration and prequalification instructions are provided on the following pages. Additional registration and prequalification information, including a video tutorial, is available on the Grants Reform website at <http://grantsreform.ny.gov>.

GRANTS GATEWAY REGISTRATION AND PREQUALIFICATION

All NYS grant applicants must be registered in the NYS Grants Gateway to be eligible to:

- Apply for a NYS grant opportunity;
- Enter into a grant contract, an amendment to an existing contract or a letter of agreement; and,
- Apply for future grant payments.

In addition to registering, not-for-profit organizations must also complete the Vendor Prequalification process in the Grants Gateway to be considered eligible to apply for this grant opportunity. Government entities and public authorities are currently not required to complete the Vendor Prequalification process.

GRANTS GATEWAY REGISTRATION INSTRUCTIONS

Registration is NOT an online process. Register now to allow time for processing.

1. On the Grants Reform website at <http://grantsreform.ny.gov>, download a copy of the Registration Form for Administrator.
2. Complete the form according to the instructions provided. You must sign and notarize the completed form.
3. Mail the signed and notarized original form to:
NYS Grants Reform
99 Washington Avenue
Room 1530
Albany, NY 12210-2814
4. After the form is received and reviewed, you will be provided with a username and password allowing you to access the Grants Gateway.
5. Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your password at the bottom of your profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page. If you have previously registered and do not know your username, please email grantsgateway@its.ny.gov. If you do not know your password, please click the *forgot password* link from the main login page and follow the prompts.

CREATING ROLES IN THE GRANTS GATEWAY SYSTEM

Once your organization is registered and prequalified in the Grants Gateway, the user with the delegated administrator role must create additional roles to initiate, complete and submit the application in the Grants Gateway. Refer to Section 4.2 of the “Grantee User Guide” located on the Grants Reform website at <http://grantsreform.ny.gov> for instructions on creating user roles in the Grants Gateway system. This step MUST be completed to submit an application in the Grants Gateway.

NOT-FOR-PROFIT PREQUALIFICATION INSTRUCTIONS

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reforms to the grant application and contract processes. These initiatives require not-for-profit organizations to complete the vendor prequalification process to be considered eligible to apply for a grant. Below is a summary of the steps to complete the prequalification requirements. The Vendor Prequalification Manual on the Grants Reform website at <https://grantsgateway.ny.gov> provides additional information and instruction.

1.) **Complete** your Prequalification Application.

- Log in to Grants Gateway at <https://grantsgateway.ny.gov>. If this is your first time logging in, you will be prompted to change your password at the bottom of your profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the *Required Forms* and upload the *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposals.
- Specific questions about the prequalification process should be referred to your agency representative or to the Grants Reform team at grantsgateway@its.ny.gov.

2.) **Submit** your Prequalification Application.

- After completing your Prequalification Application, click the *Submit Document Vault* button located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted, the status of the Document Vault will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes, you will receive an email notification from the Gateway system.

Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

D. Eligibility and Program Requirements

For purposes of this RFP:

- Only non-profit organizations; or consortia thereof, are eligible to apply.

E. Matching Funds Requirements

The requirement for matching funds serves two purposes: It serves as an indicator of industry support and economic impact potential; and, it expands the service delivery capacity of each

Center. ESD funds must be matched with an equal amount of funding (i.e., 1:1) from eligible matching funds sources as defined below. Matching funds must be expended during the contract period and Award Recipients must expend all Matching Funds demonstrated in the Proposal.

There are two general categories of eligible matching funds with specific thresholds and limits that must be met:

1. **New York State Company Cash**: Cash provided to the Center by New York State companies (as defined in Appendix A) to support the Center's ESD-approved activities must constitute at **least 50 percent** of the total required matching funds. Small New York State company cash will be credited at a 2:1 ratio (\$2 match credit for every \$1 of small New York State company cash).
2. **Other Sources of Support**: **Up to 50 percent** of the total required matching funds may be from this category and may include:
 - **Federal cash**: Cash provided by a federal agency to support a project conducted with a specific company or companies where the company is identified in the proposal. In addition, the project must be conducted under the guidance of the Center director.
 - **Applicant support**: Salaries and fringe benefit costs paid by the Applicant, not reimbursed by other New York State government sources, for the portion of time Center dedicated staff work on Center activities. Dedicated staff is defined as Center management, business outreach, and/or support staff who spend at least 25 percent of his or her time on Center activities. Dedicated staff does not include shared services of staff that work on general contract activities and whose services are designed to be recovered under the Center's indirect cost rate.

Limitations and Exceptions:

- No other New York State government funds are eligible for use as matching funds for this program. This prohibition does not restrict an individual campus or university-affiliated research institute of the State University of New York or City University of New York systems from providing a portion of its operating funds to the Center for use as applicant support.
- No funds used as matching funds in any other ESD program are eligible for use as matching funds in the SBIR program.
- Matching funds contributions must be provided in return for, and be traceable to, allowable SBIR objectives as defined in Section I.A.
- The Center is not permitted to deliver credit-bearing college courses nor include such tuition as matching funds.
- Indirect costs are limited to 25 percent of direct personnel costs (salaries plus fringe benefits) on matching funds that will be recognized under the SBIR program.

F. Activities to Be Supported With ESD Funds

1. **General Provisions:**

The purpose of ESD's investment in the SBIR Center is to enhance its ability to contribute to economic growth in New York State. ESD funds may only be used to support outreach and administrative assistance with industry and industry-oriented education and training as defined in Section I.A; including but not limited to:

- Determining potential uses/markets for technologies developed by New York State small businesses;
- Identifying which federal agencies are the most appropriate for the identified technologies and are most likely to support related R&D;
- Holding workshops designed to work directly with applicants to improve and/or finalize SBIR/STTR applications;
- Training individuals from other entities on effective methods/strategies to improve success rate of NYS SBIR/STTR applicants and increase SBIR/STTR awards in NYS; and
- Capturing metrics to determine the effectiveness of various activities supported under this program.

The best available price for the type and quality of products or services required must be sought for any ESD-funded expenditure. The applicant must retain documentation to support the solicitation process and/or choice of vendor for ESD expenses at an established threshold. Applicants procuring services must follow [New York State's Competitive Bid Requirements](http://www.osc.state.ny.us/localgov/pubs/lmgmg/seekingcompetition.pdf) (<http://www.osc.state.ny.us/localgov/pubs/lmgmg/seekingcompetition.pdf>). In pursuit of the specific goals and objectives of the SBIR program, allowable uses of ESD funds include:

- Employment of professional and support staff;
- Purchase of equipment and/or fixtures;
- Purchase of materials and supplies;
- Travel to a company location for project-related activities, travel by the Center staff for outreach activities, or travel to an ESD meeting or SBIR Center-hosted event;
- Services subcontracted to partner organizations to assist the Center in conducting the activities outlined in its proposal; and
- Other purposes explicitly approved by ESD **prior** to being incurred.

2. Limitations/Prohibitions:

- Indirect costs are PROHIBITED.
- No ESD funds may be used for capital construction, rehabilitation, or renovation.
- No ESD funds may be expended on basic research.
- No ESD funds may be expended on salaries for university faculty, staff or administration that have a vested and/or financial interest in any company benefiting from the Center. Conflict of interest statements will be required by Center employees after designations are awarded and prior to establishing contracts under this program.

G. Reporting and Monitoring Requirements

The award recipient is expected to:

- Maintain an accounting system in accordance with generally accepted accounting principles (GAAP) that identifies all expenditures and revenues for activities supported by ESD and matching funds. All expenses must be auditable to their original source, and supporting documentation in conformance with GAAP must be maintained by the award recipient.
- Implement a project management system that allows for tracking the status of all projects and gathering economic impacts resulting from the Center's assistance to New York State companies. ESD requires award recipients to report on New York State company and applicant impacts (delineated below) according to a format and standards established by ESD.

New York State Company Impacts:

The impact must result from the Center's collaborative support with and/or industry-oriented education and training for a company, and must be substantiated by documentation (e.g., a signed letter from an executive officer of the company). ESD requires a "cause and effect" relationship that reasonably correlates the Center's work to the impacts reported. Impacts that must be captured and tracked include:

- Companies participating in workshops and events, receiving SBIR/STTR assistance, awarded grants, and other methods of tracking the potential effectiveness of this program.
- Jobs created and jobs retained. In the case of retained jobs, ESD requires documentation demonstrating that the jobs were at risk in order to assess crediting the economic impact. Multiple categories will be used to track types of jobs such as management, scientific/engineering, administrative, and manufacturing;
- Increased company revenues;
- Cost savings;
- Government funds acquired (e.g., Small Business Innovation Research [SBIR] or Small Business Technology Transfer [STTR] funds);
- Non-government funds (e.g. venture capital) acquired;
- Capital improvements (purchases of new equipment or construction/rehabilitation of facilities at the company); and,
- New companies created/spun-off.

H. Sample Contract

A sample contract can be found at the [Grants Reform Webpage](http://www.grantsreform.ny.gov/) (<http://www.grantsreform.ny.gov/>). Terms and conditions of an executed contract may vary.

II. Submission Information

A. Timetable

2018 Competition Timetable	
Written questions on proposals accepted through	September 5, 2018; 5:00
Proposals received by ESD	November 30, 2018; 2:00
Contract start date	January 1, 2019

B. Questions on the RFP

All questions must be submitted in writing via email to rpfag@esd.ny.gov with “**SBIR Assistance Program**” in the subject line. **Please do not contact ESD by telephone.** Questions must be received by ESD no later than **September 5, 2018, 5:00 p.m.** All inquiries must cite the particular RFP section in question. All questions and answers will be uploaded in the Grants Gateway for all applicants to view.

C. Submission Instructions

Grant applications must be electronically submitted in the NYS Grants Gateway no later than **2:00 p.m. U.S. Eastern Standard Time, on November 30, 2018**. The Grants Gateway will not allow an application to be submitted after the 2:00 p.m. deadline. Applicants will be unable to make changes to a submitted application after the deadline has passed. Applicants are encouraged to finish the online application at least one week prior to the deadline, allowing time to double check that all mandatory documents have been completed and to address any technical errors. Additionally, once the application is complete, applicants are **strongly encouraged** to submit their application at least **48 hours prior to the deadline**. This will allow sufficient opportunity for the applicant to obtain assistance and take corrective action should there be a technical issue with the submission process. Both ESD and Grants Reform staff are available to answer applicant’s technical questions and provide technical assistance prior to the application due date and time. Paper applications are no longer accepted by ESD.

NOTE: Although ESD and the Grants Reform staff will do their best to address concerns that are identified less than 48 hours prior to the due date and time, there is no guarantee that they will be resolved in time for the application to be submitted and considered for funding.

To apply for this opportunity:

1. Log into the Grants Gateway as either a “Grantee” or “Grantee Contract Signatory.”
2. Click on the “View Opportunities” button under “View Available Opportunities.”
3. In the Search Criteria, enter the Grant Opportunity name “Centers for Advanced Technology” and select the Department of Economic Development as the funding agency.
4. Click on “Search” button to initiate the search.
5. Click on the name of the grant opportunity from the search results grid and then select the “APPLY FOR GRANT OPPORTUNITY” button located bottom left of the main page

of the grant opportunity.

The Grants Gateway will always notify applicants of successful submission. If a prospective grantee does not receive a successful submission message assigning their application a unique ID number, it has not successfully submitted an application. During the application process, please pay particular attention to the following:

- Not-for-profit applicants must be prequalified by the due date for this application submission. Be sure to maintain prequalification status between funding opportunities. Three of a not-for-profit’s essential financial documents—the IRS990, Financial Statement, and Charities Bureau filing—expire on an annual basis. If these documents are allowed to expire, the not-for-profit’s prequalification status expires as well, and it will not be eligible for State grant funding until its documentation is updated and approved, and prequalified status is reinstated.
- Only individuals with the roles “Grantee Contract Signatory” or “Grantee System Administrator” can submit an application.
- Prior to submission, the system will automatically initiate a global error checking process to protect against incomplete applications. Be sure to allow time after pressing the submit button to clean up any global errors that may arise. You can also run the global error check at any time in the application process. (See p.66 of the Grantee User Guide.)
- Grantees should use numbers, letters and underscores when naming their uploaded files. There cannot be any special characters in the uploaded file name. Also be aware of the restriction on file size (10 MB) when uploading documents.

The following table provides a snapshot of which roles are allowed to initiate, complete and submit the grant application(s) in the Grants Gateway.

Role	Create and Maintain User Roles	Initiate Application	Complete Application	Submit Application	Only View the Application
Delegated Admin	X				
Grantee		X	X		
Grantee Contract Signatory		X	X	X	
Grantee Payment Signatory		X	X		
Grantee System Administrator		X	X	X	
Grantee View Only					X

D. Proprietary Information

Some information contained in a proposal may be considered sensitive and the applicant institution may wish it not to be disclosed if possible. If this is the case, the applicant institution must identify the information it wishes to protect and request that it be protected.

ESD will take efforts to safeguard proprietary, confidential and sensitive information as allowed under the law, including the Freedom of Information Law (FOIL) (see Article 6 of the Public

Officers Law). However, all information will be made available to those who are conducting the review of the proposals.

To request confidential treatment of any portions of a proposal, an applicant institution must submit a letter with the proposal as **Appendix 3** specifically identifying the sensitive information and reasons it should be protected. The applicant institution must identify the information with a CONFIDENTIAL, PROPRIETARY or SENSITIVE stamp in the margin of each paragraph containing proprietary information and check the appropriate box on the cover page. An entire proposal cannot be excepted; only the paragraphs that contain confidential proprietary information.

III. Proposal Components

Applicant institutions are to ensure that proposals have been thoroughly reviewed for clarity and professional presentation. If proposals exceed the page limits and/or include materials not requested by the RFP, ESD will remove the extra pages and/or materials prior to the review. During the review process, applicant institutions may be requested to submit additional written documents to answer questions or provide clarification of issues raised during the review process.

Assemble the proposal in the following order:

A. Proposal Cover Page, Checklist, and Certification(s)

Complete the proposal cover page, checklist and certification(s) as indicated on the template (see Appendix B to the RFP; all three forms are contained in one electronic document entitled "Proposal Cover Page, Checklist, and Certification").

B. Table of Contents

A table of contents must be included delineating all major headings, sub-headings, and required appendices.

C. Glossary of Terms Used

Include an alphabetized glossary of technical terms and acronyms used in the proposal along with a **brief** definition of each item. **Include this glossary after the table of contents.**

D. Executive Summary (Maximum of 1 Page)

Include a non-proprietary executive summary, prepared in layman's terms, that describes the activities and benefits that would result if the proposal were funded. This summary is **not to be** an abstract of information contained verbatim in the proposal narrative.

The executive summary must not contain any proprietary information and must be suitable for publication.

E. Proposal Narrative (12 Page Limit)

Address the specific review criteria presented below. All visual materials (such as charts, graphs, maps, photographs, and other pictorial presentations), footnotes, endnotes and citations must be included within the 12-page proposal narrative. All information provided in the proposal, taken as a whole, will be used in evaluating the proposal in accordance with the review criteria. If applicable, include the pertinent information below for any

consortium members and/or partner organizations and specifically indicate which portions relate to each.

For the proposal narrative, follow the outline presented below:

1. Organization Experience and Qualifications
 - a. Explanation of knowledge and experience in SBIR/STTR services and activities - limit 1 (one) page
 - b. Work/action plan including measurable deliverables and completion dates - limit 2 (two) pages
 - c. References – 2 (Two) references – submit a single-sided 1 (one) page letter of support per reference.
 - Information provided by references may be used by ESD for proposal evaluation purposes. ESD may seek additional information from references regarding subjects that include, but are not limited to, the quality of services provided, anticipated ability to perform the services required in this RFP, and the responsiveness of the bidder to the client during the engagement. ESD reserves the right to deploy, at its sole discretion, a variety of methods and communication approaches to contact references, depending on what ESD deems to be the most effective and efficient manner.
2. Project Readiness, team qualifications and team capacity
 - a. Demonstrate staff proposed have the knowledge and ability to perform the services described in the RFP. Explain the staff member roles in the project and how well they meet the qualification requirements addressed in the RFP. Explain when (number of days after award) activities will begin. – limit 2 (two) pages.
 - Include Resumes or Bios of staff - knowledge, experience and skills of the staff proposed to perform the scope of services. Include in **Appendix 1** to the proposal a brief biographical sketch (using the “Biographical Sketch Form” provided in Appendix B to this RFP) for **each staff member** who will participate in the Center’s activities.
3. Plan to train other entities in building SBIR/STTR awareness and providing assistance to increase SBIR/STTR applicants’ likelihood of success
 - a. Description of plan to train other individuals, groups and/or organizations with the intent to scale this effort and grow the SBIR/STTR support network in New York – limit 1 (one) page.
4. Ability to provide services across the territory applicant is applying for
 - a. Identify planned services/activities and use of third-party subcontractors (if applicable). List partner organizations and their role (i.e., meeting space, accessibility to students/companies, promotion, etc.) – limit to three (3) pages.

5. Use of Funds

- a. Discuss in the narrative the manner in which ESD funds will be used with other funds provided to the Center to expand the applicant's ability to deliver services.

F. Budget

Applicants must use the budget forms provided in Appendix B of this RFP. Complete the budget forms following the directions included with the forms and submit them as **Appendix 2** to the proposal.

- Budget Form One – Projected Budget: Total Amount of ESD Funding Requested and Matching Funds Demonstrated.
 - Eligible Costs Include:
 - Equipment;
 - Materials;
 - Contractual costs (e.g. consultant fees);¹
 - Personnel (e.g. salaries);²
 - Fringe Benefits; and
 - Other direct costs directly related to executing the defined project.
 - Ineligible Costs Include:
 - Overhead or administrative rate;
 - Indirect costs, that is, operational expenses that are not directly related to executing the project, for example office rent, utilities, non-project-specific personnel costs (a limited amount of indirect costs can be included as matching funds);
 - Basic/scientific research (as opposed to applied research);
 - Capital construction, rehabilitation, or renovation; and
 - Other costs not related to the purpose of this funding.

¹ Consultants and vendors should be located in New York State unless the applicant demonstrates that the products, services, or expertise being procured are not available in the state. Many Empire State Development-supported innovation assets can assist with eligible project types. These include Centers for Advanced Technology, Centers of Excellence, New York Manufacturing Extension Partnership Centers, the New York State Science + Technology Law Center, Innovation Hot Spots, and Certified Business Incubators. For more information, visit <https://esd.ny.gov/doing-business-ny/innovation-development-support>

² Personnel costs may only be included for personnel directly involved in executing the project. In cases where the Bidder receives separate ESD funding for such personnel, the Bidder is advised to contact ESD in advance of responding to this RFP to discuss compliance with these guidelines.

G. Appendices to the Proposal

Include the following appendices:

Appendix 1: Center director's curriculum vitae (CV), resume or job description with qualifications. Brief resume, or job descriptions with qualifications, for each member of the management team. "Biographical Sketch Form" for each staff member who will participate in the Center's activities

Appendix 2: Budget Form One

Appendix 3: Proprietary information exception request (if applicable)

No sections, appendices, and/or supporting information of the proposal beyond those items required by ESD in this RFP will be accepted or reviewed.

III. Review Criteria and Process

For the review of eligible proposals, ESD has established the following criteria to be applied in accordance with the review process set forth in Section IV.B. In addition to addressing the review criteria stated below, refer to the proposal instructions in Section III of this RFP for specific items that must also be addressed.

A. Review Criteria

1. Organization Experience and Qualifications (25 points)
 - a. Adequate explanation of knowledge and experience in SBIR/STTR services and activities. (10 Points)
 - b. Adequate Work/action plan including measurable deliverables and completion dates. (10 Points)
 - c. Adequate references citing Center's physical and intellectual capacity; for and relevant to, supporting goals and objectives of the proposed Center. (5 Points)
2. Project Readiness, team qualifications and team capacity (20 points)
 - a. Adequate demonstration staff proposed have the knowledge and ability to perform the services cited.
3. Plan to train other entities in building SBIR/STTR awareness and providing assistance to increase SBIR/STTR applicants' likelihood of success (20 points)
 - a. Adequate description of plan to train other individuals, groups and/or organizations with the intent to scale this effort and grow the SBIR/STTR support network
4. Ability to provide services across the territory applicant is applying for (25 points)
 - a. Adequate identification of planned services and activities; use of third-party subcontractors (if applicable); and partner organizations and their role.
5. Use of Funds (10 points)
 - a. Quality of the applicant institution's justification/rationale for the use of the requested funds. Quality of the applicant institution's matching fund expenditure plan. (10 Points)

B. Review Process

Reviewers may include ESD staff, staff from federal or other State agencies, and individuals selected from the science, business, and academic communities. The reviewers will adhere to the process described in this section and will apply the review criteria detailed above. ESD may limit the number of proposals a reviewer is required to evaluate. Each proposal will be reviewed and scored by at least three reviewers.

Scoring: Reviewers will independently evaluate and assign a preliminary score to proposals that have been accepted by ESD. The *preliminary scores* for a proposal will be combined to provide an *initial average score* for that proposal.

After the initial average scores are calculated, reviewers will convene as a group to review these

preliminary scores and discuss the proposals in accordance with the review criteria. At the conclusion of the discussions, each reviewer will individually provide a *final score* for each proposal based upon the panel's discussions.

In the event that two or more proposals have the same final score and the score is high enough for the applicants to be considered for funding, but there is not enough funding to designate all the applicants with the same score, the review panel will hold an additional session to review only those affected proposals. The review panel will deliberate until there is a consensus regarding the selection.

ESD reserves the right to reject any and all proposals. ESD may recall this RFP at any time prior to award announcement and may also reject proposals for deficiencies; waive technicalities, irregularities, and omissions; or solicit new proposals. ESD reserves the right to act in accordance with the best interests of the people of New York in its interpretation of this RFP.

Applicants and/or their surrogates are prohibited from contacting any ESD staff to advocate on behalf of a proposal submitted in response to this RFP. Violation of this restriction will disqualify an applicant's proposal from the competition.

C. Protests and Appeals

1. Protests

Any interested party may file a protest with the director of ESD's Division of Science, Technology & Innovation within fifteen business days from the date of the notice of the contract award, except:

- where a protest concerns the terms and conditions of the solicitation (or other matters that would be apparent to an interested party prior to the date set in the solicitation for the receipt of bids), in which case that protest must be filed on or before the date set in the solicitation for the receipt of bids or proposals; or
 - where ESD determines that sufficient circumstances exist and has set forth a different time period for filing protests.
- a) The director of ESD's Division of Science, Technology & Innovation shall refer any protest either to an individual employee or group of employees of ESD. No such employee will have been actively involved in the procurement process being protested. ESD will provide a copy of any protest filed to the successful bidder.
 - b) ESD may summarily deny a protest that fails to contain specific factual or legal allegations, or where the protest raises only issues of law that have already been decided.
 - c) ESD shall issue a determination within ten (10) business days of the filing of the protest. The answer to the protest should address all the factual and legal allegations contained in the protest. A copy of the answer shall be simultaneously delivered to the protester and the successful bidder.
 - d) During the time period in which a protest may be filed, or during the resolution of a pending protest, ESD may negotiate terms and conditions of the contract or grant award with the successful bidder. However, a contract or grant award will not be approved by the ESD prior to the expiration of the time period for filing a protest, or, if a protest has been filed, before the ESD issues a determination of the protest.

- e) The person or persons designated by ESD to consider the protest shall prepare a written recommendation addressing all of the issues that have been raised by the protest.
- f) ESD may accept, modify or reject such recommendation.
- g) In making his or her determination with regard to the protest, the ESD designee may, in his or her sole discretion, consider any additional information from any source relating to the allegations set forth in the protest.
- h) All parties that have participated in the protest, as well as the original successful bidder, shall be provided with a copy of the final determination of ESD. The determination shall be made part of the procurement or grant award record.

- **Appeals**

All parties receiving a copy of the ESD final determination will also receive a copy of the current [“Contract Award Protest Procedure For Contract Awards Subject To The Comptroller’s Approval.”](#) This document explains the time periods and procedure for filing a protest with the Office of the State Comptroller.

An interested party has ten (10) business days from the date it receives ESD’s determination to file an appeal with the Bureau of Contracts in the Office of the State Comptroller.

v. Appendices to this RFP

Appendix A – Glossary of Terms Used

Appendix B – Required Forms

Appendix A

Glossary of Terms Used Throughout the RFP

The following definitions apply to the terms used in this RFP. Terms defined herein are capitalized throughout the text of the RFP. Terms used within a definition that are also defined in this appendix are noted in italics.

Applicant: An eligible Partner, Partner Organization, University, or University-Affiliated Research Institute, or a collection of such institutions requesting designation as an SBIR Center under this RFP.

Authorized Organizational Representative: The institution's duly authorized representative with authority to enter legal agreements on behalf of, and commit resources of, the institution.

Award Recipient: An Applicant that receives SBIR Center designation by ESD under this RFP.

Center Director: The individual responsible for the day-to-day overall management of the Center and for directing the Center's activities.

Committed Matching Funds: Funds associated with a specific project that has been accepted by the Matching Funds sponsor and in which the amount of Matching Funds support and Center deliverables are defined.

ESD: Empire State Development is the umbrella organization for economic development activity in New York State involving both Department of Economic Development (DED) and a public authority in the form of Empire State Development Corporation; however, awards (contracts) through this competition will be administered by (through) DED.

Indirect Cost(s) or Indirect Cost Rate: Defined by Federal OMB Circular A-87 as the rate used for allocating those common costs that cannot be specifically allocated to a particular project or activity. A cost may not be allocated as an Indirect Cost if any other cost incurred for the same purpose in like circumstances has been assigned as a direct cost.

Matching Funds: A non-reimbursable component of a project's total cost that is reflective of the Applicant's and industry's commitment to the Center. Refer to Section I.E. of this RFP for specific Matching Funds requirements.

New York State Company, New York Company or Company in New York: A for-profit enterprise with a permanent place of business located in New York State employing a full-time workforce. The company's New York facility must either be (1) the intended recipient of the Center's assistance or (2) directly benefit from the Center's assistance. The Center's assistance must also demonstrably enhance the company's economic activity in New York.

Partners or Partner Organizations: Those organizations that will assist the Applicant in achieving its mission. Subject to the limitations of Section I.D. of the RFP, Partner Organizations may include, but are not limited to, other schools or departments within the Applicant, Manufacturing Extension Partnership centers, NYS Certified Business Incubators and Innovation Hot Spots, Centers of Excellence, other Centers for Advanced Technology, technical and community colleges, Small Business Development Centers, Empire State Development programs, and other similarly focused not-for-profit organizations and programs.

Proposal: A response to this Request for Proposals submitted by an Applicant.

Small New York State Company: A New York State Company with its principal place of business in New York that employs 100 or fewer persons in total, including any parent companies or subsidiaries.

APPENDIX B: Required Forms

- Request for Proposals Response Form
- RFP Proposal Coversheet and Checklist
- Biographical Sketch Form
- Proposal Budget Forms (PDF for reference only; applicant must provide an Excel file)