



KATHY HOCHUL
Governor
RICHARD L. KAUFFMAN
Chair
DOREEN M. HARRIS
President and CEO

January 16, 2025

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Dear Governor Hochul, Comptroller DiNapoli, Speaker Heastie, Majority Leader Stewart-Cousins and leaders of the Legislature:

The New York State Energy Research and Development Authority (NYSERDA) is pleased to submit this letter as required by Executive Law 170 in response to the Comptroller’s Audit of NYSEDA and the Public Service Commission’s Planning, Procurements, and Progress Tracking as relevant to the Climate Leadership and Community Protection Act. This audit assessed, in relevant part, NYSEDA’s Clean Energy Standard suite of competitive solicitations, and found that NYSEDA’s procurements had been conducted in alignment with all Public Service Commission Orders. The audit made three recommendations of NYSEDA:

- (1) Thoroughly document the scoring process.
- (2) Require all scorers to provide detailed justification if and when they deviate from the scoring guidelines.
- (3) Develop expanded and specific scoring guidelines for evaluators.

NYSERDA is pleased to report that it has addressed all three recommendations, and that there are no recommendations made in the audit report that NYSEDA has not implemented. In fact, as NYSEDA discussed in its response to the audit report, these recommendations had been proactively implemented prior to the issuance of the Final Report; they have been carried forward in all competitive solicitations issued in the last 180 days as well, as discussed below.

In response to the audit, NYSEDA has implemented the following changes to its Clean Energy Standard program processes:

- Utilized an aggregation of the scorers’ individual preliminary score sheets to populate the scoring rubric used for consensus scoring.
- Procured an external auditor firm, as well as worked with a separate New York State certified Minority and Women-Owned Business Enterprise auditor firm, to evaluate alignment among all RFP documentation and processes for the 2022 and 2023 Offshore Wind solicitations, and the 2023 Renewable Energy Standard solicitation. The auditors found that NYSEDA evaluated the proposals in line with the relevant solicitations and scoring guidance, and where appropriate, made recommendations for program enhancements, that NYSEDA fully addressed. Additionally, NYSEDA is in the process of engaging these same auditors for the current 2024 Offshore Wind and Tier 1 RFPs.
- Along with external auditors, reviewed preliminary scores and consensus scores for all RFPs listed above to verify that evaluators adhered to scoring guidelines, justified deviations, and only awarded points for eligible economic benefits.
- Included and expanded specific language, as part of or in an appendix to the Offshore Wind RFP, providing additional details for eligible economic benefits, and confirmed that appropriate economic benefits language

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was used in other solicitations. During scoring, NYSERDA designated contacts also posed questions to proposers where any ambiguity was present in the proposal regarding economic benefits, as allowed by the solicitation itself.

- Required detailed consensus meeting notes describing all discussions for each project viability criteria.
- Hired a dedicated Contracts Manager exclusively for the large-scale renewables portfolio.
- Contracted with an external consulting firm to review large scale renewable projects due to large volume and a need for a dedicated reviewer.

Additionally, since the Final Report was released, NYSERDA management has approved necessary conforming changes to NYSERDA’s Operations and Procedures Manual, where needed, to reflect the above considerations.

NYSERDA would like to recognize and thank the audit team for their patience, persistence, and diligence in reviewing a high volume of complex procurement documents.

Respectfully yours,

Doreen M. Harris
President and CEO

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