

Energy Savings Performance Contracts
STATE AGENCY APPROVAL CHECKLIST

State Agency/Owner: _____

ESCO/Contractor: _____

Contract Name/Number: _____

Date of Review: _____

SECO requires that a State Agency complete this checklist in order to fulfill the requirements of Texas Government Code § 2166.406 (i), therefore, a State Agency may not enter into an Energy Savings Performance Contract unless this checklist has been completed and approved by the State Energy Conservation Office.

At the minimum, have the following requirements been met?

Yes No

- 1) The contract documents were reviewed and approved by a Professional Engineer, licensed in the State of Texas, working for a firm licensed in the State of Texas?

Document: _____ Page reference(s): _____

Yes No

- 2) The reviewer has provided a Third Party Reviewer Certification in addition to a summary report of findings?

Document: _____ Page reference(s): _____

Yes No

- 3) The contract document review and report were implemented in accordance with SECO's Energy Savings Performance Contracting Guidelines and include all specified documents?

Document: _____ Page reference(s): _____

Yes No

- 4) All costs associated with the contracted review, financing, verification of savings, provision of bonds, and guarantees are included in the overall project cost as represented in the attached "Project Cost Summary Table?"

Document: _____ Page reference(s): _____

- Yes No 5) The review demonstrated that the savings achieved will be equal to or greater than the cost of the project each year over the life of the Contract?
 Document: _____ Page reference(s): _____
- Yes No 6) A “no-conflict of interest” certification for any third party ESPC reviewer is provided?
 Document: _____ Page reference(s): _____
- Yes No 7) The Contract requires compliance with all applicable federal, state, and local statutes?
 Document: _____ Page reference(s): _____
- Yes No 8) The Contract contains a Utility Assessment Report and a Measurement and Verification Plan that documents current energy consumption and will document future energy and water savings that occur as a direct result of the project?
 Document: _____ Page reference(s): _____
- Yes No 9) The contracting Agency will provide a copy of all Periodic Utility Savings Report Certification Forms upon receipt to SECO?
 Document: _____ Page reference(s): _____
- Yes No 10) The offeror has provided a payment and performance bond?
 Document: _____ Page reference(s): _____
- Yes No 11) A copy of the Third Party Review Certification and Summary of Findings Report has been submitted with this checklist?
 Document: _____ Page reference(s): _____
- Yes No 12) Contract does not include a provision allowing the contractor to limit payments to the amount of debt service or guaranteed savings, whichever is less, when guaranteed energy savings is not achieved?
 Document: _____ Page reference(s): _____

Yes No
 13) Contract has a provision requiring payment and performance bonds as required by statute?

Document: _____ Page reference(s): _____

Yes No
 14) Contract includes the anticipated types and amounts of equipment to be installed?

Document: _____ Page reference(s): _____

Yes No
 15) A copy of the certification by the design architect or engineer will be submitted to SECO (prior to construction) that verifies to the agency or institution that the construction or renovation will comply with the standards that are established under provisions of 34 TAC §19.34?

Document: _____ Page reference(s): _____

I am authorized by the above referenced state agency to review the above referenced contract and the answers I have provided are to the best of my knowledge and in my best professional judgment.

(signature)

(printed name)

(title or position)

(mailing address)

(street address)

(City, TX)

(office telephone number)

(email address)

FOR SECO USE ONLY

Date Received: _____

Approved By: _____

Date Approved: _____

OR

Date Returned to Agency: _____

Comments: _____
