

**Energy Savings Performance Contracts**  
**STATE AGENCY CHIEF FINANCIAL OFFICER CHECKLIST**

State Agency/Owner: \_\_\_\_\_

ESCO/Contractor : \_\_\_\_\_

Contract Name/Number: \_\_\_\_\_

Date of Review: \_\_\_\_\_

SECO requires that a State Agency Chief Financial Officer (CFO) 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 by the CFO and approved by the State Energy Conservation Office.

At the minimum, have the following requirements been met in the Energy Savings Performance Contract?

Yes      No  
            1) Does the Energy Savings Performance Contract specifically identify the Utility Cost Reduction Measures (UCRMs) that will be installed and accurately identify the types and amounts of equipment to be installed?  
  
Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
            2) Accurately identifies the total contractual payment obligation incurred by the state agency under the contract?  
  
Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
            3) Accurately identifies the payments to the Contractor, and the time period covered by the financial guarantee?  
  
Contractor payment: Document: \_\_\_\_\_  
Page reference(s): \_\_\_\_\_  
  
Guarantee: Document \_\_\_\_\_  
Page reference(s): \_\_\_\_\_

Yes      No  
        4) Does the contract or accompanying documents guarantee the amount of savings to be realized by the state agency?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
        5) Does the amount of the guarantee cover the total costs related to the contract incurred by the state agency for the term of the contract?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
        6) Does the contract or accompanying documents have an agreed method for determining the amount of actual savings achieved by the UCRMs including the time period for determining the savings?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
        7) Does the contract or accompanying documents have a specified time for payment of any difference between the guarantee and the actual savings?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
        8) If the contractor is required to submit to the agency a legally adequate performance bond, has the contractor submitted the performance bond?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
        9) If a performance bond is required, is the amount sufficient to cover the total cost of installing all the UCRMs under the contract?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No  
        10) If the contractor is required to submit to the agency a legally adequate payment bond, has the contractor submitted the payment bond?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

Yes      No

- 11) If a payment bond has been provided, is it in the amount of the cost of the installation of all the UCRMs under the contract?

Document: \_\_\_\_\_ Page reference(s): \_\_\_\_\_

| Summary of Total Project Costs, Total Guaranteed Savings and Project Payback |  |    |                   |      |
|--|--|----|-------------------|------|
|  |  |    | Source References |      |
|  |  |    | Totals            |      |
|  |  |    | Document          | Page |
| A  | Contract Term (years)                            |    |                   |      |
| B  | Total Third Party Review Costs                   | \$ |                   |      |
| C  | Total Utility Assessment Report and Design Costs | \$ |                   |      |
| D  | Total Costs of UCRMs                             | \$ |                   |      |
| E  | Total Cost of Project Financing                  | \$ |                   |      |
| F  | Total Payment and Performance Bond Costs         | \$ |                   |      |
| G  | Total Financed Costs (B+C+D+E+F)                 | \$ |                   |      |
| H  | Total Measurement and Verification Fees          | \$ |                   |      |
| I  | Total Project Costs Contracted (G+H)             | \$ |                   |      |
| J  | Total Guaranteed Savings Over Contract Term      | \$ |                   |      |
| K  | Payback (years) (I/J)                            |    |                   |      |

I have reviewed the above referenced contract in my capacity as Chief Financial Officer for the above referenced state agency. 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)

\_\_\_\_\_  
(City, TX)

\_\_\_\_\_  
(office telephone number)

\_\_\_\_\_  
(email address)

|                                |
|--------------------------------|
| <b>FOR SECO USE ONLY</b>       |
| Date Received: _____           |
| Approved By: _____             |
| Date Approved: _____           |
| OR                             |
| Date Returned to Agency: _____ |
| Comments: _____                |
| _____                          |