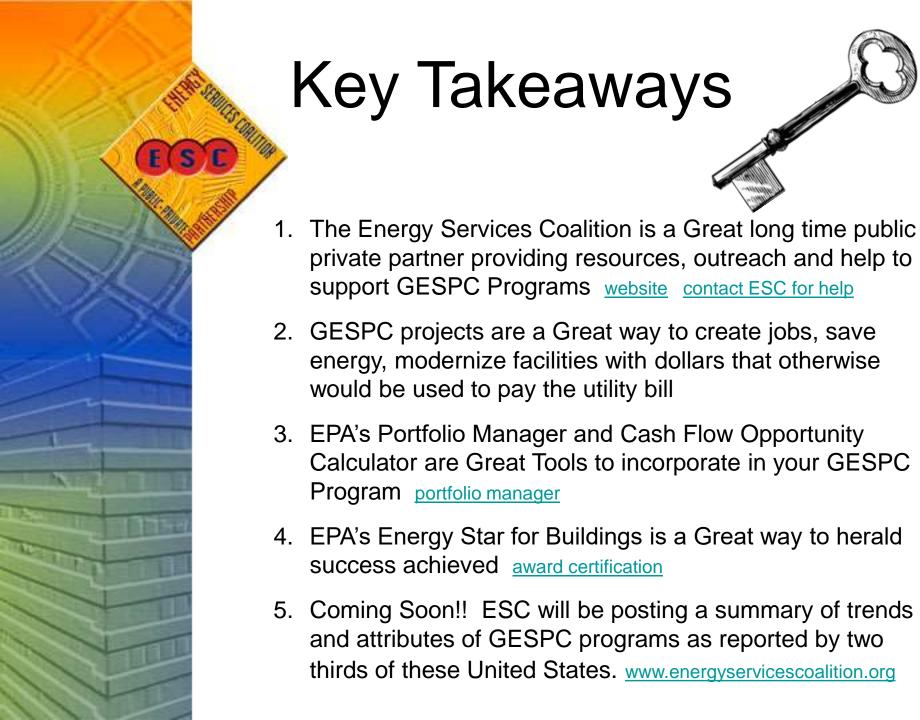


# Leveraging ENERGY STAR Tools in Performance Contracting



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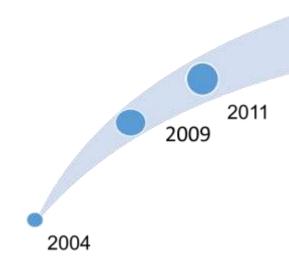






## Key Attributes for GESPC Program Readiness

2016



| 100     |         |          |         | UN200000 19 |          |        | 731        |
|---------|---------|----------|---------|-------------|----------|--------|------------|
| Engrav  | Ctaurar | dahin Ch | amaiana | Adant:      | an af EC | CVOIL  | Attributes |
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| ESC     | Leg. | Strong<br>Gov.<br>Support | Consensus<br>Finance | Consensus<br>Legal | Consensus<br>Procure | Pgr<br>Adm. | Standard<br>Contracts | App'd<br>ESCOs | ESC<br>Chpt | Funding | Awards | Bench-<br>mark | \$\$<br>lox's |
|---------|------|---------------------------|----------------------|--------------------|----------------------|-------------|-----------------------|----------------|-------------|---------|--------|----------------|---------------|
| 2016*** | X    | X                         | X                    | X                  | X                    | X           | X                     | X              | Χ           | X       | -      | Х              |               |
| 2011**  | х    | х                         | х                    | х                  | х                    | х           | х                     | х              | х           | х       |        |                |               |
| 2009*   | х    | х                         | х                    | х                  | Х                    | х           | х                     | х              | Х           | х       |        | Ī              |               |

<sup>\*</sup> The 2009 information was obtained through one-on-one discussions with ESC members active in the state.

<sup>\*\*</sup> The 2011 information was obtained as part of a survey of state energy offices on their GESPC program design.

\*\*\* The 2016 information was obtained through a Needs Assessment administered by the ESC.



Enabling Legislation

#### **GESPC**

Guaranteed Energy Savings Performance Contracting

All respondents have legislation.

- 57% cover schools
- 57% cover local govt.
- 47% cover universities
- 43% one statute covers all markets

- Definitions
- Authorization
- Lead Agency
- Selection of Qualified Energy Services
   Providers
- ✓ Investment Grade Audit and Contract Execution
- ✓ Installment Payment and Lease-Purchase Agreements.
- ✓ Payment Schedule and Savings.
  - Term of Contracts.
- Allocation of Obligations
- ✓ Use of 
  Moneys/Reconciliation
- Monitoring and Reports.
- ✓ Contingency Provisions.
- ✓ Use of Savings from Performance Contracts.
- Repeal of Prior Conflicting Statutes
- Balance of Capital Contributions vs Savings



#### **Gubernatorial Support**

- 37% Knows benefits
- 7% Attend dedication
- 17% Issued press release
- 10% Receives reports
- 30% No response

Enabling Legislation

**GESPC** 

Guaranteed Energy Savings Performance Contracting Established Gubernatorial Support

- ✓ Leadership
- √ Agency Directives
- ✓ Executive Orders
- ✓ GESPC First



Enabling Legislation

**GESPC** 

Guaranteed Energy Savings Performance Contracting Established
Gubernatorial
Support

Consensus Decision Makers

- ✓ Legal
- ✓ Procurement
- ✓ Finance and Budgeting
- ✓ Landlord Agency



63% of states responding have prequalified providers

> Enabling Legislation

**GESPC** 

**Guaranteed Energy Savings Performance Contracting** 

Established Gubernatorial Support

> Consensus **Decision** Makers

- Experience
- **Expertise**
- ✓ Financial wherewithal to support guarantees
- ✓ Managed information distribution
- ✓ Program commitment

Prequalified **Providers** 



#### 87% states have one or more standardized document

Enabling Legislation

#### **GESPC**

**Guaranteed Energy Savings Performance Contracting** 

Established Gubernatorial Support

> Consensus **Decision** Makers

Prequalified **Providers** Standardized **Documents** 

- Agreements
  - RFQ for Providers
  - RFQ for Projects
  - Selection Guides
  - Interview Concepts and Questions
- Legal Instruments
  - Vetted to abide by state statute and practices
  - Resolves terms and conditions completely
  - Schedules for completeness
- **Guidance Documents**
- **Reporting Templates**



- 32% of states responding have adequate and continuous program funding
- 47% report sporadic program funding
- 20% have a self-funding mechanism

Enabling Legislation

**GESPC** 

Guaranteed Energy Savings Performance Contracting Established Gubernatorial Support

> Consensus Decision Makers

Program
Funding
Standardized
Providers

**Documents** 

- Stable funding from the state
- Self funding support from projects
   full term support

Solicitation
IGA Development
Construction
Measurement and
Verification



73% of states have oversight

#### **Program Administrator Training**

- 39% CEM trained
- 9% ESC trained
- 52% No formal training

Enabling Legislation

#### **GESPC**

Program
Administration
and Technical
Support

Guaranteed Energy Savings Performance Contracting

Program
Prequalified
Funding
Standardized
Providers

**Documents** 

Established
Gubernatorial
Support

Consensus
Decision
Makers

- ✓ Program Oversight
- ✓ Interagency Coordination
- ✓ Project Oversight
- ✓ Technical Ally

  Reasonability

  Risk Mitigation

  Rigor



70% of the Energy Stewardship Champion States have ESC Chapters

> Enabling Legislation

Prequalified

**Providers** 

**ESC** Chapter

Program

Support

**GESPC** 

**Guaranteed Energy Savings Performance Contracting** 

Program Funding

Standardized Documents

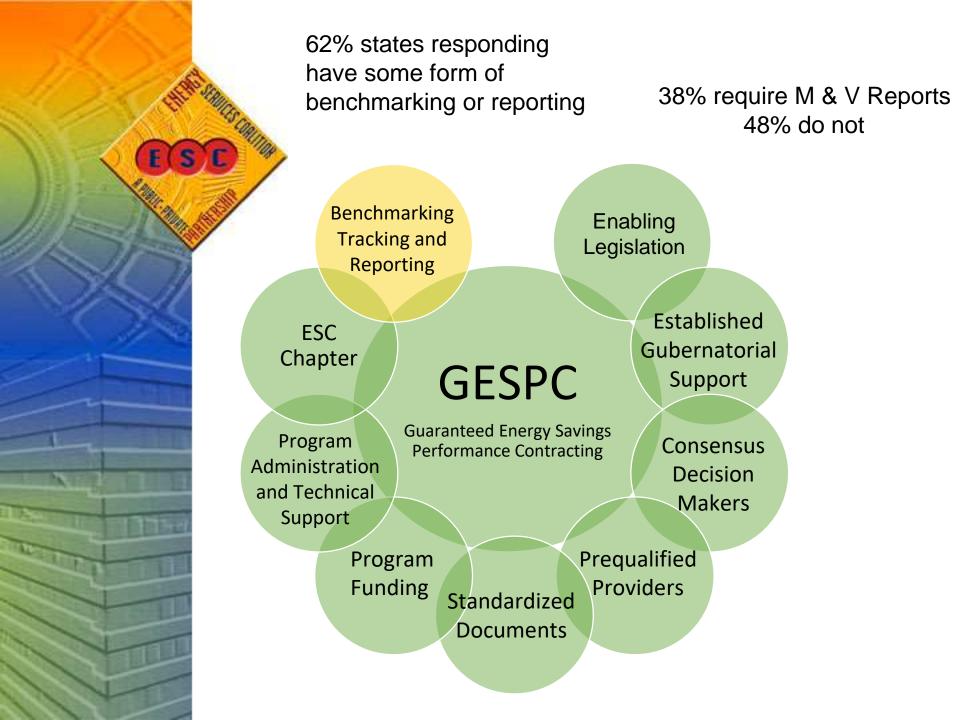
Established Gubernatorial Support

Consensus Decision Makers

> **Public Private** ✓ Stakeholder Group

Forum for Open Exchange

Outreach and Education

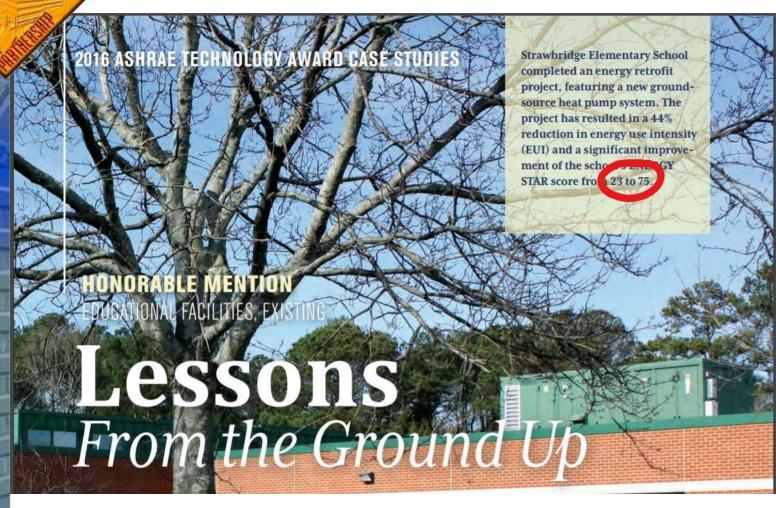


48% do not

## One Example

ESC

Virginia Beach City Public Schools



http://files.noresco.com/energy-services/en/us/contentimages/TechAward\_Yang.pdf



## A Couple More

#### Connecticut

- 4.6 Energy Star Portfolio Manager Describe your approach to using Energy Star Portfolio Manager to benchmark buildings, assess building opportunity, and aid in measurement and verification. Note the required use in the ESPCP.
- 10) Energy Star Ratings and Cash Flow Opportunity Calculator

Develop a EPA Energy Star Cash Flow Opportunity Calculator spreadsheet for the total project (including all facilities to be improved), with variables inserted that represent the most likely financing options available to the Department. This will enable the QESP and the Department to have an agreed-upon format for discussing project financing options and the potential costs of project delays.

#### Washington State

a) Scope of the IGA: Include: (1) a list of any facilities that will be investigated in the audit. Energy consuming systems in a given facility need to be clearly defined directly or by exclusion of systems not to be investigated; (2) the area, in square feet, of the facilities to be investigated; (3) any additional deliverables beyond the ESP, (e.g., Greenhouse Gas Inventory creation or Energy Star Benchmarking establishment).





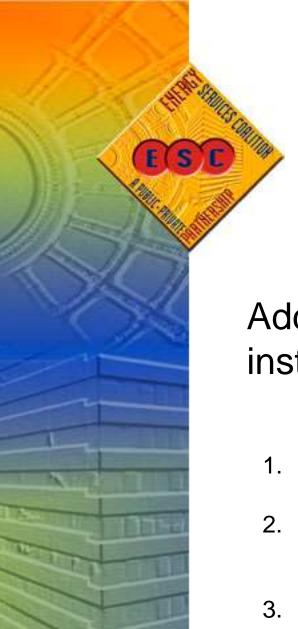
#### ENERGY STAR® CASH FLOW OPPORTUNITY CALCULATOR

U.S. Environmental Protection Agency

Version 2.0 - 2009

Please send any comments to Katy Hatcher, ENERGY STAR National Manager, Public Sector at Hatcher.Caterina@epamail.epa.gov.

Developed by The Cadmus Group, Inc. and Catalyst Financial Group, Inc., under contract with the U.S. EPA, 2009



## What Does it Do?

Addresses three critical questions about installing energy efficiency projects:

- 1. How much new energy efficiency equipment can be purchased from the anticipated savings?
- Should this equipment purchase be financed now or is it better to wait and use cash from a future budget? (avoid paying interest)
- 3. Is money being lost by waiting for a lower interest rate?





#### Attachment F – Investment Grade Audit & Project Proposal Contract

This document is part of a collection of model procurement and contracting documents that represent best practices for state energy offices (SEOs) to launch and administer programs to increase energy efficiency through Energy Savings Performance Contracting. The documents draw from successful programs in various states and are continually updated to incorporate the latest strategies. They can be easily customized to meet the needs of any SEO or similar government department. It should be noted that these instruments do not constitute legal advice or legal opinion but are provided as samples for adaptation to the laws and regulations of the user.

#### **DESCRIPTION – Investment Grade Audit and Project Proposal Contract:**

This Contract for Investment Grade Audit & Project Proposal is the first of two contracts with the

m. <u>Utilize ENERGY STAR Tools</u> ESCO shall provide a Portfolio Manager rating and performance target score estimate. For each eligible building, ESCO shall provide retrofit Energy Performance Rating using EPA ENERGY STAR's Portfolio Manage weather normalized energy intensity in kBtu/SF, and an estimated post-retrofit Performance Rating. If the building type is not eligible for rating in Portfolio Manage the normalized source EUI will suffice. ESCO shall provide a completed Cash Opportunity Calculator (CFO Calculator) for the project, with variables inserted represent the most likely options available to the customer. This will enable the ESC the customer to have an agreed-upon format for discussing project financing options a potential costs of project delays. The CFO Calculator will be provided in both hard concelectronic format, so that the agency can run its own analyses on financing options agreed format. ESCO will submit a completed Cash Flow Opportunity spreadsheet us Cash Flow Opportunity Calculator (CFO Calculator) for the total project which shall all facilities to be improved.

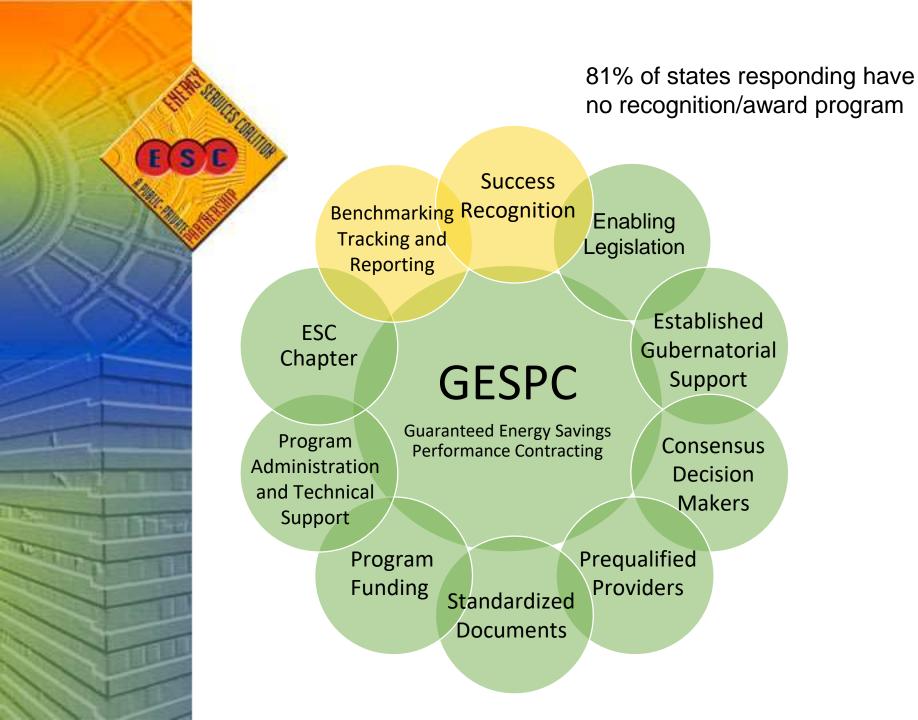
http://energyservicescoalition.org/attributes/standardized-documents





| ENERGY | STAR | Labeled | Buildings | as of January 2  | 3, 2017 11:47:09 AM |  |
|--------|------|---------|-----------|--|---------------------|--|
|        |      |         |           | THE RESERVE OF THE PARTY OF THE |                     |  |

| B_ID+A2:A2:N1 |  |                     |               |                |
|---------------|--|---------------------|---------------|----------------|
| 3             | Building Name                                  | Building Type       | Label Year(s) | Rating(s)      |
| 1836293       | East Rochester School                          | K-12 School         | 2009          | 91             |
| 1836292       | Rochester Middle School                        | K-12 School         | 2009          | 77             |
| 1800284       | Adlai E. Stevenson High School                 | K-12 School         | 2009, 2001    | 79, 79         |
| 1151559       | Blue Earth County Courthouse                   | Courthouse          | 2007, 2006    | 77, 78, 81, 75 |
| 1261718       | Blue Earth County Government Center            | Office              | 2009, 2008,   | 79             |
| 21269         | Central Office                                 | Office              | 2012, 2002    | 75, 87         |
| 6813          | Centre Ave. Elementary School                  | K-12 School         | 2003, 2001    | 86, 89, 85, 79 |
| 6807          | Mt. Pleasant Elementary School                 | K-12 School         | 2001          | 79             |
| 21263         | Oak Grove Elementary School                    | K-12 School         | 2012, 2002    | 77, 75         |
| 6766          | Rhame Ave. Elementary School                   | K-12 School         | 2003, 2001    | 77, 81, 75, 77 |
| 6711          | Smithtown Elementary School                    | K-12 School         | 2002, 2001    | 83, 84         |
| 1054269       | One Union Square                               | Office              | 2009, 2005    | 92, 76         |
| 2664584       | Alanton Elementary                             | K-12 School         | 2013, 2012    | 85, 75, 82, 87 |
| 1469178       | Rachel Carson State Office Building            | Office              | 2009, 2008    | 88, 87         |
| 2813833       | Bob Lanier Building                            | Office              | 2012          | 77             |
| 2403770       | Chicago Public Schools Administration Building | Office              | 2010          | 83             |
| 12500         | Allegheny Clarion Valley High School           | K-12 School         | 2002          | 91             |
| 1286793       | The Towers at Wildwood Plaza                   | Office              | 2012, 2011,   | 79, 87         |
| 20350         | VA Ann Arbor Healthcare System                 | Medical & Surgical) | 2007, 2006    | 82, 82, 81, 84 |
| 20335         | <u>Tucson</u>                                  | Medical & Surgical) | 2002          | 80             |









## An Aha or 3!

The more Key Attributes a state has achieved the more prepared a state is for success; added with time these attributes have been in place, the higher reported amounts of project implementation (measured in dollars).

Many of the people who are supporting GESPC today, were not in place prior to programs being created and therefore have little contrast of how tools and processes have helped or hindered project development.

The rigor of tracking the receipt of project success as reported in annual measurement and verification reports has fallen off dramatically over time. Some programs report that they have succumbed to ignoring the requirement altogether even though it remains a legislative requirement and perhaps an obvious component of supporting a guarantee of savings achieved.

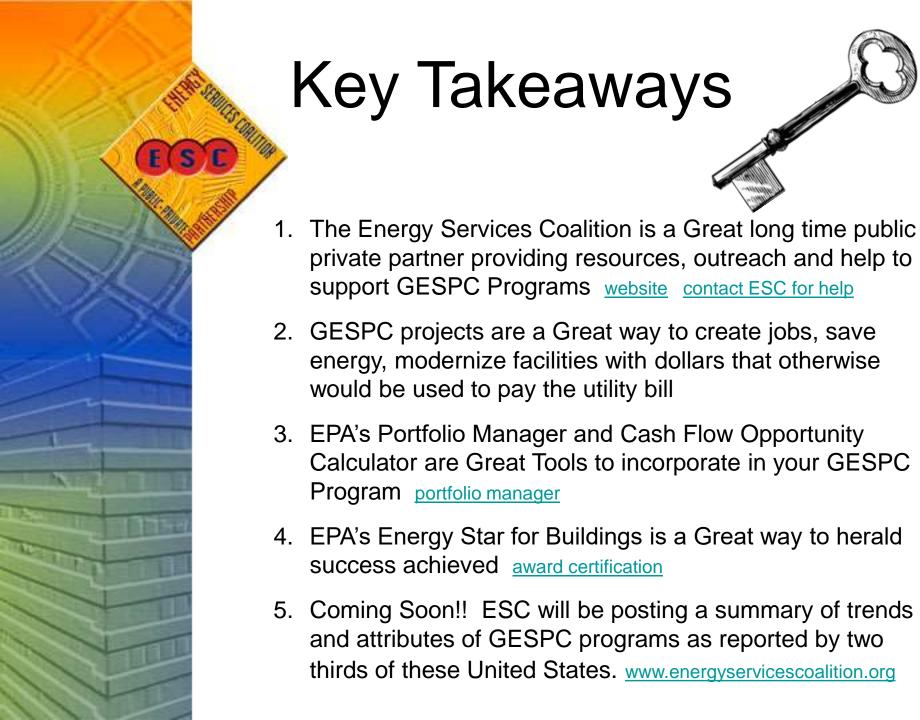


### Or 4 or 5!

There is a significant disconnect between State Programs and local units of government with influencing success and tracking achievement.

Tools and resources can be put in place – but people make the difference. We recognize that the Energy Stewardship Champion states all have well known and respected program administrators with the background skills and experience to assist project participants in achieving the highest value while supporting a fair and equitable working business model for the providers.







## Questions?

or

How Do I Find Out More About . . .



Thank you!