

EPC SCHEDULE I:
RECORD OF REVIEWS (STATE & LOCAL GOVERNMENTS)

This review process is required for all Energy Performance Contract (EPC) work with any state agencies or local jurisdictions participating in the Colorado Energy Performance Contracting Program (CEPCP). This document outlines and tracks selected items reviewed by the Colorado Energy Office and/or its Consultants and the Office of the State Architect (as applicable) of the Investment Grade Audit (IGA) and EPC Project Proposal contract, the IGA Audit Report and EPC Project Proposal, and the EPC documents. It shall be noted that these reviews are not a legal review of the documents by any members of the CEPCP and thus, do not replace the client's legal review. The financing proposal (bank loan, bonds, internal funds, or other financing method) are not included in the CEO/OSA review. State agencies shall consult with the State Treasury's office for any financial review/reporting requirements. Local jurisdictions shall perform their own review of the financing proposal.

INVESTMENT GRADE AUDIT CONTRACT (this review shall be completed by a CEPCP member, the client, and, as necessary, the OSA, prior to the ESCO signing the IGA contract)

The IGA Contract review includes;

- Confirmation that the CEPCP provided IGA contract and exhibits are being used;
- Scope of Work (IGA Exhibit A) if modified, was only modified within the generally historically allowed changes with approval of the client, the CEPCP reviewer, and OSA;
- ESCO cost and pricing elements are within the boundaries of their EPC base agreement contract with CEPCP program; and
- No additions, subtractions, or changes have been made to the IGA contract without notifying and receiving approval from the client, the CEPCP reviewer, and OSA.

CEPCP Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____

Client Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____

INVESTMENT GRADE AUDIT REPORT AND PROJECT PROPOSAL (this review shall be completed by a CEPCP member, the client, and, as necessary, OSA, prior to finalizing the EPC Project Proposal for an EPC contract)

IGA report review includes;

- IGA has met the minimum requirements as outlined in the CEPCP IGA Exhibit A, Scope of Work;
- Verifies compliance with all applicable legislation for state governments;
- Review existing operational assumptions and adds notes as necessary to the client and ESCO verifying assumptions are confirmed by the facility Principal Representative (client);
- Confirm that adequate technical details follow appropriate methodologies and assumptions used to calculate savings (utility usage reduction) for each ECM;
- Confirm costs document: engineering/design costs, contractor/vendor estimates, fees, estimated code compliance cost, etc;
- Client confirms that any operation and/or maintenance (O&M) savings proposed by the ESCO are acceptable. The sufficiency of O&M savings are not reviewed by the CEPCP;

Client Signature: _____ Date Completed: _____

- Client confirms that presented operations, schedules, setpoints, etc. are acceptable.

Client Signature: _____ Date Completed: _____

- Client confirms commissioning, M&V plans, and any non-verified calculated savings, are in compliance with the CEPCP and that the client understands and accepts these items and schedules.

Client Signature: _____ Date Completed: _____

- Client confirms, when applicable, the client's annual or one-time monetary contributions are included in the financial performance schedule. The sufficiency of such contributions is not reviewed by the CEPCP.

Client Signature: _____ Date Completed: _____

- Client confirms acceptance of presented annual utility and inflation escalation rates.

Client Signature: _____ Date Completed: _____

CEPCP Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____

Client Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____

ENERGY PERFORMANCE CONTRACT (this shall be completed by a CEPCP member, the client, and as necessary, OSA, prior to the ESCO signing the contract)

The EPC review includes;

- Confirmation that the CEPCP provided EPC contract and schedules are being used;
- ESCO cost and pricing elements are within the boundaries of their EPC base agreement contract with CEPCP;
- No additions, subtractions, or changes have been made to the contract without notifying and receiving approval from the client, the CEPCP reviewer, a client legal review, and client Controller (or equivalent);
- If modified, all modifications, updates, additions to the schedules and exhibits are within the generally historically allowed changes. All changes are tracked until accepted by CEPCP reviewer and OSA; and
- Confirm the pro-forma schedule includes all known client funds, utility rebates, other grant funds, and all potential cost through the length of the loan.

CEPCP Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____

Client Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____

OFFICE OF THE STATE ARCHITECT REVIEW

For all State Agency Contracts (Executive Departments and Institutions of Higher Education)

As indicated in the Letter of Delegation State Buildings Programs/Office of the State Architect to executive departments and institutions of higher education, OSA requires a review of the EPC contract and all its attached documents prior to the client signing the EPC contract. The State Personnel Director or the State Personnel Director's designee (Office of the State Architect) has authorized the State to enter into a contract for energy analysis and recommendations pertaining to measures that would significantly increase utility and operations cost savings in the Premises, pursuant to **§24-30-2002, C.R.S.**

The OSA review includes;

- Confirmation that the CEPCP reviewer has completed and accepted the IGA Project Proposal, the utility savings guarantee, the measurement and verification plan, and all appropriate schedules;
- All additions, subtractions, or changes that were proposed to the contract have been tracked for review by the State Controller's Office and the State Attorney General's Office; and
- Modification of such agreements shall be limited to modifications historically permitted by OSA/State regarding project description; scope of work, payment provisions, etc., and does not include modification of standard "boilerplate" language in the contract except as otherwise agreed as between the parties.

OSA Reviewer: _____ **Date Completed:** _____

Reviewers Comments: _____