

Facilities Planning and Design**Guaranteed Energy Cost Savings Accounts**

The Board of Education may elect to enter into one or more Guaranteed Energy Cost Savings Contracts. Such contracts are considered public works contracts as they provide for capital improvements to existing District facilities.

Prior to entering into a guaranteed energy cost savings contract, the Board will solicit competitive proposals as specified in Policy 7210 – Construction Bidding and Awards as well as mail solicitations, electronic mail, and public announcements. The request for proposals will include the following:

1. District's name and address.
2. Name, address, title and phone number of the District's contract person.
3. Date, time and place where proposals will be received.
4. Evaluation criteria for assessing the proposals.

Upon review of the submitted proposals, the Board will award a contract to the proposer providing the lowest and best proposal. However, in making a contract award, the Board will determine that the cost of the energy savings measures does not exceed the amount of energy or operational savings within a 15-year period from the date installation is complete. As with other District bid considerations, the Board reserves the right to reject any and all bids.

Upon proposal acceptance, the Board will negotiate the terms of the contract. However, the contract must include a guarantee that either or both the energy or operational cost savings measures will meet or exceed the costs of the energy savings measures, adjusted for inflation, within (15) fifteen years. The contractor will reimburse the District for any shortfall of guaranteed energy costs savings on an annual basis. The contract may also provide for payments over a period of time, not to exceed (15) fifteen years.

Definitions

"Energy costs savings measure," a training program or facility alteration designed to reduce energy consumption or operating costs, and may include one or more of the following:

- a) Insulation of the building structure or systems within the building.
- b) Storm windows or doors, caulking or weather stripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption.
- c) Automated or computerized energy control system.
- d) Heating, ventilating or air conditioning system modifications or replacements.

- e) Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made.
- f) Indoor air quality improvements to increase air quality that confirm to the applicable state or local building code requirements.
- g) Energy recovery systems.
- h) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings.
- i) Any life safety measures that provide long-term operating cost reductions and are in compliance with state and local codes.
- j) Building operation programs that reduce the operating costs; or
- k) Any life safety measures related to compliance with the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., which provide long-term operating cost reductions and are in compliance with state and local codes.

“Guaranteed energy cost savings contract,” a contract for the implementation of one or more such measures. The contract shall provide that all payments except obligations on termination of the contract before its expiration, are to be made over time and the energy cost savings are guaranteed to the extent necessary to make payments for the systems.

“Operational savings,” expenses eliminated, and future replacement expenditures avoided as a result of new equipment installed or services performed.

“Qualified provider,” a person or business experienced in the design, implementation and installation of energy cost savings measures.
