

ENERGY MANAGEMENT SERVICES CONTRACT COMPLIANCE CERTIFICATE

Name of Local Governmental Authority: _____
 Chief Procurement Officer or official with equivalent responsibilities: _____
 Title: _____
 Email Address: _____
 Phone: _____
 Street Address: _____

 Contact responsible for project: _____

Forms attached **must** include:

INITIAL

| | |
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| | Contract |
| | All attachments and exhibits, including accepted audit report |
| | EMS Annual Report |

| | Y/N INITIAL | |
|---|-------------|--|
| 1. Awarding authority filed a "Notice of EMS Procurement" with the Department of Energy Resources (provide date notice was filed) | | |
| 2. Awarding authority used DOER's model contract as a template (if not, please state the reason for not using the model contract) | | |
| 3. Provided a <u>final copy</u> of EMS contract to Department of Energy Resources <u>at least 15 Business Days</u> prior to execution (DOER does <u>NOT</u> accept draft contracts) | | |
| 4. For RFQ only, provided executed copy of <u>Investment Grade Audit Agreement</u> prior to negotiating contract (please include date contract was filed with DOER) | | |
| 5. Provided public notice of the meeting at which it proposes to award the EMS contract, of the name of the parties to the proposed contract and of the purpose of the contract | | |
| 6. Contract conforms to the terms included in the RFP/RFQ, utilize the terms and conditions set forth in guidelines established by DOER, and conforms to other terms required by law and by the local governmental body | | |
| 7. Contractor is DCAMM certified in Energy Systems | | |
| 8. Contract includes a description of, (a) each required energy conservation measure; (b) each water conservation measure; and (c) each unit producing on-site energy generation (if applicable), to be installed by the contractor including the cost of each measure or unit, the energy savings, or for onsite energy generation the energy to be generated, and the method to be used to measure and verify said Energy Savings or energy generated that conform to the most recent standards established by the FEMP of the United States Department of Energy | | |

9. Contract includes all services provided and the associated costs, including but not limited to, operation and maintenance services (if applicable), measurement and verification services
10. Contract includes payment terms
11. Contract includes guaranteed maximum cost
12. Contract includes the fixed minimum guarantee of savings or in the case of on-site energy generation the guarantee of generation, measured in the appropriate unit of energy
13. Contract requires measurement and verification of actual annual guaranteed energy savings or onsite energy generation
14. Contract includes a written guarantee of the contractor that either the amount of energy savings guaranteed shall be achieved or the contractor shall reimburse the local governmental body for the shortfall amount
15. Contract includes the method to make the local governmental body whole in the case of guaranteed savings or generation shortfall
16. Contract requires 100% performance and payment bonds

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I hereby certify that the information contained herein is, to the best of my knowledge, complete and accurate and complies with statutory and regulatory requirements.

Signature: _____ Date: _____

Email: _____ Phone: _____

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|-------------------------------|------------------|
| For DOER use only: | |
| Acknowledgement of receipt by | _____ |
| DOER | Office Signature |
| | _____ |
| | Title |
| | _____ |
| | Date |