



Georgia Chapter Energy Services Coalition

**Thursday
January 27, 2011 2- 4 pm**

**AGL Resources
10 Peachtree Place
Atlanta, GA 30309**

**David Godfrey – Public Co Chair
404.584.1091**

**Kathy Robb - Private Co Chair
404.584.4372**



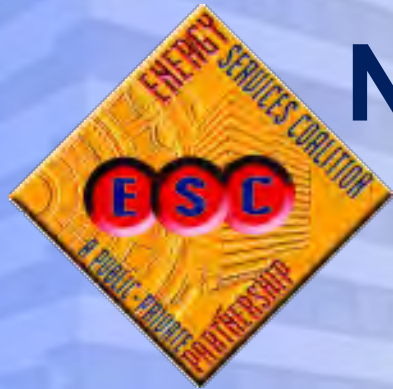
Agenda

- **Update from GEFA**
- **New Regulations for Vendor Lobbyist**
- **Advisory Team Report**
- **Committee Sign-up/Committee Chairs**
 - Reserved for current ESC membership, all others may observe



Update from GEFA

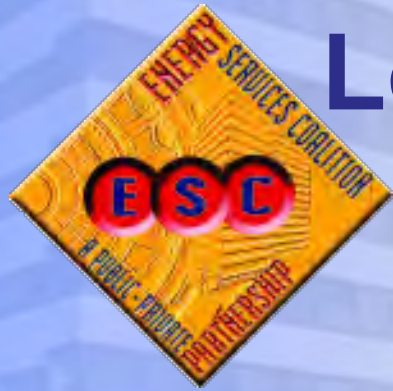
- **Convene State Advisory Committee: Law, DOAS, GSFIC Finance & Construction, SAO, Regents and Corrections**
 - **Critical Document Review**
 - **Contract Value Definition/Survey Data**
- **EPC Advisory Committee: K. Robb, M. Otani, C. Griffith and J. Dunne**
- **Gantt Chart Preparation (underway)**
- **Ed. Program: Feb. 23 in Decatur by E-Ace**



New Vendor Lobbyist Regulations

Please contact your legal counsel

- **Anyone selling to the following must register: city, county, k-12, state agency, board of regents. Administrative staff not required to register. Who is a vendor Lobbyist?**
Any natural person who, for compensation, either individually or as an employee of another person is hired specifically to undertake influencing a public officer or state agency in the selection of a vendor to supply any goods or services to any state agency but does not include any employee of the vendor solely on the basis that such employee participates in soliciting a bid or in preparing a written bid, written proposal, or other document relating to a potential sale to a state agency.
- **Fees required: \$300 per individual; plus \$20 for badge that is required to be worn whenever on government property. \$10 additional per client represented.**
- **Electronic reporting process required; late fees can be substantial.**
- **Compensation: currently individual success fees are not allowed. Company success fees are.**
- **Having a registered lobbyist with you doesn't count as being covered under the new regulation. Ex: SE Regional Sales Manager or National Sales Manager visits the GA Governor or member of the Legislature or local government or state entity– they must also be registered as a vendor lobbyist.**
- **GA Ethics Commission Website: <http://www.ethics.ga.gov/lobbyists/lobbyist.aspx>**



Lobbyist Disclosure Report Filing Schedule

Report Period	Report Due On:
JANUARY 1 - JANUARY 31 (In Session)	2/5/2011
FEBRUARY 1 - FEBRUARY 28 (In Session)	3/5/2011
MARCH 1 - MARCH 31 (In Session)	4/5/2011
APRIL 1 - APRIL 30 (In Session)	5/5/2011
MAY 1 - MAY 31	6/5/2011
JUNE 1 - JUNE 30	7/5/2011
JULY 1 - JULY 31	8/5/2011
AUGUST 1 - AUGUST 31	9/5/2011
SEPTEMBER 1 - SEPTEMBER 30	10/5/2011
OCTOBER 1 - OCTOBER 31	11/5/2011
NOVEMBER 1 - NOVEMBER 30	12/5/2011
DECEMBER 1 - DECEMBER 31	1/5/2012

Late Fees

1 day late \$275 per report

7 day after (in session) 15 day after (not in session) \$1,000 per report

21 day after (in session) 45 day after (not in session) \$10,000 per report



Advisory Team Report

- **Goals**
- **Concerns**
- **Preliminary Audit Phase**
- **RFP**
- **Finance**



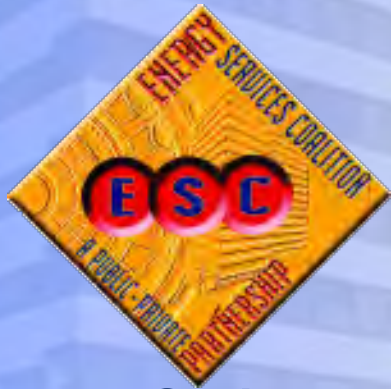
Goals – To Assist GEFA

- **RFQ Process**
 - Determine a process to select a pool of prequalified ESCOs.
 - Agreement to T&C's in finance document by all parties.
- **Request for Proposals – “Best Value” Choice allowed.**
 - Process to short list preapproved ESCO's for specific projects.
 - Determine a process for the Preliminary Audit.
 - Help determine a selection process to be used by the evaluation committee.
 - Assist in M & V Guidance.



Concerns

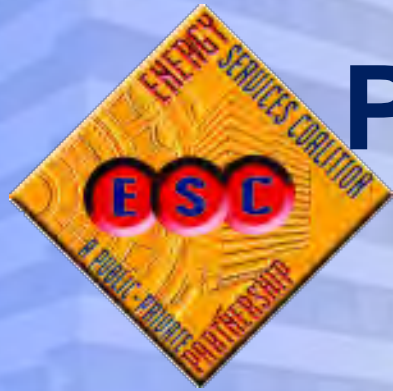
- **Prevent unrealistic Savings in preliminary audit.**
- **Keep cost reasonable; State needs infrastructure.**
- **Adhering to timelines created by GEFA and RFP Agency.**
- **How to help GEFA/State Committee during evaluation process to compare proposals.**
- **Do not turn the Preliminary Audit into a Investment Grade Audit.**



Preliminary Audit Phase

Facility Request Form

- Option to create a form that each facility completes that includes: baseline data, rate information, scope request, escalation allowance, M & V request, etc.
 - Each shortlisted ESCO would have the same base information to begin the facility preliminary audits.
 - Allows for creativity of scope by each ESCO.
 - Fulfills the request of facility for specific scope to be addressed.
 - Alleviates the need for 3rd party engineering unless requested by facility.
 - Gives the evaluation committee a checklist of information to verify within the ESCO proposal.
- GEFA would require use of a standard form to show a summary of ECM savings to assist in evaluation.



Preliminary Audit Phase

Owner's Representative Engineering Services

- **As an option, a 3rd party Engineering Firm could be hired to work with facility personnel to quantify scope and baseline data for the preliminary audit.**
 - **Eliminates variables in savings calculations and scope that can lead to difficulty in evaluation process. (example: rates, efficiency factors, escalation factors, hours of operation)**
 - **Allow a second alternative proposal to be submitted by ESCO that demonstrates creativity in their ECM recommendations.**
 - **Must qualify 3rd party engineering firms by expertise in ESPC.**
 - **Consider implementation of term limits for firm hired to avoid future conflict of interest, biases, etc.**
 - **Must determine how the State would pay for 3rd party engineering firm.**



Request for Proposal

- **State chosen Pre Qualified ESCO's will go through a process to be shortlisted for facility project RFP. Method is yet to be determined.**
- **Requirements should include: financial strength, performance guarantee history, years of experience on similar projects, strength of development team, etc.**
- **Shortlisted Esco's will participate in a preliminary audit of the facility that released the RFP.**
- **Potential evaluation criteria of Preliminary Audit: quantify cost & savings, savings calculations & methodologies, M & V strategies, etc.**
- **Set timeline for project to move through each step of the process based on factors such as: sq footage, application, etc.**



Financial Documents & Processes

- **Develop a standard set of financing documents acceptable to all market participants and the State of GA's current financing statutes.**
- **Create a standard format to be used in the contract for cash flows, rates and cost escalations.**
- **Allow flexibility of term in years allowed under the Georgia law and best method of repayment, consider rebates.**
- **Issue an RFQ for Finance Companies?**



GA Chapter ESC Member Committees

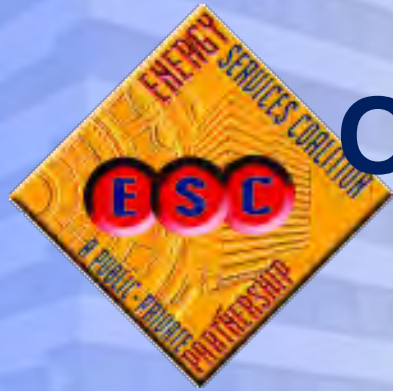
- **Membership**
- **Outreach**
- **Workshop**
- **Documents**
- **Resource**

Election of a chair for each committee, Co-chairs of Chapter plus chair for each committee could make up a Board.



Membership

- **Recruit members for the GA State Chapter.**
- **Gather contact information of interested persons (e.g., attendee lists from conferences and other events attended by chapter members) and e-mail this contact information to the national ESC.**
- **Work with Outreach Committee to identify organizations that would benefit from membership.**



Outreach/Communications

- **Identify organizations whose members would benefit from learning about performance contracting; arrange to have articles in newsletters and ESC speakers at their meeting.**
- **Work with National ESC to prepare and submit news releases describing ESC GA chapter's achievements.**
- **Prepare and keep a calendar of upcoming state chapter events.**
- **Prepare articles on state chapter events that have occurred (with pictures if possible).**
- **Submit calendar and articles to the National ESC for posting on the ESC web site.**



Workshop

- **Hold performance contracting workshops each year.**
- **Coordinate workshop logistics with the National ESC.**
- **National ESC can provide attendee registration through the ESC web site.**



Documents

- **Prepare a short summary of the laws/rules relating to ESPC in GA.**
 - **Cover each vertical market.**
 - **Include contacts and web links for rules applying to each vertical market.**
 - **An ESC template is available.**
- **Prepare a GA guide to ESPC.**
- **Prepare quarterly and annual summaries of new ESPC projects in GA.**
 - **Project address, contact information, square feet, expected energy savings.**
 - **Submit to the State Chapter Outreach Committee and the National ESC so they can work together to promote recognition.**
- **Submit prepared documents to the national ESC Documents Committee for review, approval, and inclusion on the ESC web site.**



Resource

- **Work with Co-Chairs to design meeting topics.**
- **Develop member interaction to educate all performance contract entities to “Best Practices”.**
- **Develop an agenda to coordinate interaction and information exchanges between all performance contracting participants.**
- **Promote advancement of processes and procedures.**
- **Provide updates of new:**
 - **Laws or Acts**
 - **Resources**
 - **Technology**



Questions?

- **Next Meeting - Date/time/location**
- **Agenda requests**