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“Making Education Work for All Georgians”

**Guideline for Energy Savings Performance
Contracts**

160-5-4-.22

**Guaranteed Energy Savings Performance
Contracts for Public School Facilities**

**State Department of Education
Facilities Services Unit**

Effective Date: September 12, 2012

A. Definitions:

GaDOE	Georgia Department of Education
Entitlement Sheet	A GaDOE prepared annual statement of funds available for a school system to use for state capital outlay applications
LEA	Local Educational Authority
Local Facilities Plan	The State Board of Education Approved local five year facilities plan as defined in O.C.G.A. 20-2-260.

B. State Capital Outlay Funding

Guaranteed Energy Savings Performance Contracts for Public Schools will be eligible for state capital outlay funding if all of the following criteria are met:

1. The equipment and materials needed as part of an energy savings performance contract are listed as a modification in the LEA's current Local Facilities Plan.
2. The facility and buildings where the energy savings performance is to be implemented are eligible for state capital outlay funding.
3. If a guaranteed energy savings performance contract will be issued for multiple facilities or for multiple buildings at one facility, the cost of equipment, materials, and installation must be broken down by facility and building. A copy of that breakdown is to be submitted with the application for state capital outlay funding.
3. The LEA will own all of the equipment and/or materials installed as a part of the energy savings measures at the time the equipment and/or materials are installed.
4. An assurance statement from the LEA will be submitted with the application for capital outlay funding indicating that all of the equipment and/or materials installed as part of the energy savings measures will be owned by the LEA at the time of installation and that such equipment and/or materials are not part of a lease-purchase agreement.
5. The requirements to select an energy performance savings provider as listed in O.C.G.A. § 50-37-3(c)(2) shall be followed and proper documentation of the selection process shall be submitted to the GaDOE along with a copy of the Guaranteed Energy Savings Performance Contract.

C. Limits on State Capital Outlay Funding

1. The LEA must be eligible to submit a state capital outlay application.
2. The application for state capital outlay funding must be submitted and approved prior to the signing of a guaranteed energy savings performance contract.
2. The amount of state capital funds are limited to the funds indicated on the LEA's current Entitlement Sheet unless the project is eligible for advance or low wealth funding.
3. The amount of funding for equipment, materials, and installation cannot exceed the state eligible amount for that building (less required local effort).
4. Fees for ongoing monitoring, maintenance, and/or certifications are not eligible for state capital outlay funding.