ESPC ESA Toolkit Checklist

| Phase and Recommended Steps | Responsible Team Member(s) | Notes |
| --- | --- | --- |
| Phase 1: Forming a Strong Project Team |
|  | Hold kickoff meeting.  | Energy champion |  |
|  | Develop charter and/or project plan. | Energy champion |  |
| Phase 2: Project Validation |
|  | Ensure that third party power sales are allowed in state and the utility service territory. | Energy champion, Legal |  |
|  | Check on applicable agency policies. | Energy champion, Legal |  |
|  | Review OMB requirements. | Energy champion, Legal |  |
|  | Review ESPC savings and other requirements. | Energy champion, Contracting officer, Legal |  |
|  | Review IRS Revenue Procedure 2017-19. | Contracting officer, Legal, Energy champion |  |
|  | Ensure that the competitive electric contract does not have provisions that will impact project viability. | Energy champion |  |
|  | Complete project cost effectiveness analysis. | Energy champion |  |
|  | Determine optimal solar PV project size. | Energy champion |  |
|  | Ensure solar project is compatible with mission and site plans. | Energy champion, Leadership |  |
|  | Determine land/building ownership and obtain approvals. | Real property, Leadership |  |
|  | Obtain approval for project from entity that pays the utility bills. | Energy champion, Leadership |  |
|  | Coordinate with tenants about solar project. | Energy champion, Leadership |  |
|  | Obtain agency approval for project at required levels. | Energy champion, Leadership |  |
|  | Set up meeting with utility to discuss the Utility Coordination Topics described in Phase 2, Project Validation. | Energy champion |  |
|  | Determine available incentives. | Energy champion |  |
|  | Determine applicable policies such as net metering. | Energy champion |  |
|  | Address the question: Is there a possible tariff change and/or standby charge? | Energy champion |  |
|  | Investigate interconnection processes and requirements. | Energy champion, Electrical engineer |  |
|  | Determine who signs the interconnection agreement (ICA). | Energy champion |  |
|  | Conduct legal review of the ICA. | Energy champion, Legal |  |
|  | Discuss Site Access Agreement options with real property staff. | Energy champion, Real property |  |
|  | Consult with electrical engineer – discuss electrical considerations and develop solar project electrical connection plan. | Energy champion, Electrical engineer |  |
|  | Discuss NEPA, stormwater management, erosion/sediment control and other environmental requirements with environmental staff or other appropriate staff. | Energy champion, Environmental |  |
|  | Determine applicable National Historic Preservation Act (NHPA) and other historic preservation requirements. | Environmental |  |
|  | Check agency glare policy. | Energy champion |  |
|  | Complete glare study if necessary. | Energy champion |  |
|  | Ensure agency and/or FAA review of glare study. | Energy champion |  |
|  | Determine applicable construction and operating permits. | Energy champion, Site operations |  |
| Phase 3: Acquisition Planning |
|  | Discuss small business requirements with agency small business staff. | Contracting officer, Legal |  |
|  | Conduct small business market research. | Contracting officer, Energy champion |  |
|  | Complete necessary small business paperwork and obtain all approvals. | Contracting officer |  |
|  | Finalize acquisition plan. | Contracting officer |  |
| Phase 4: RFP Development |
|  | Complete NEPA. | Environmental  |  |
|  | Review contractual issues. | Contracting officer |  |
|  | Make decisions on various contractual issues: | Contracting officer |  |
|  | Termination for convenience clause(s). | Contracting officer |  |
|  | Buy American Act. | Contracting officer |  |
|  | Davis Bacon and Services Contract Act. | Contracting officer |  |
|  | Fair market value purchase and ESCO’s reserve account requirement language. | Contracting officer |  |
|  | Develop source selection plan (may also be done in Phase 3). | Contracting officer |  |
|  | Discuss project with site security staff. | Energy champion |  |
|  | Discuss project with safety staff. | Energy champion |  |
|  | Discuss cybersecurity requirements. | Energy champion, Computer services |  |
|  | Assemble RFP. | Contracting officer |  |
|  | Compile exhibits. | Energy champion |  |
|  | Develop Site Access Agreement. | Contracting officer, Real property, legal |  |
|  | Obtain final RFP, Site Access Agreement, and Source Selection Plan approvals. | Contracting officer, Legal, Real property |  |
| Phase 5: Procurement  |
|  | Plan pre-proposal conference/site visits. | Contracting officer |  |
|  | Issue solicitation. | Contracting officer |  |
|  | Hold pre-proposal conference/site visits. | Contracting officer, Energy champion |  |
|  | Post amendments (as needed). | Contracting officer |  |
|  | Post Q&A document. | Contracting officer, Energy champion |  |
| Phase 6: Proposal Evaluation and Contract Award |
|  | Evaluate proposals. | Evaluation team |  |
|  | Conduct negotiations, if needed. | Contracting officer |  |
|  | Obtain all required agency approvals. | Contracting officer |  |
|  | Review congressional notification requirements for your agency.  | Contracting officer |  |
|  | Award contract[[1]](#footnote-1) and notify other offerors | Contracting officer |  |
| Phase 7: Construction and Performance Period |
|  | Conduct a post award orientation conference.  | Energy champion |  |
|  | Obtain required plans from contractor. | Contracting officer |  |
|  | Review PV system design. | Energy champion |  |
|  | Confirm interconnection requirements & submit application. | Energy champion |  |
|  | Complete project inspection, commissioning and acceptance based on agency requirements. | Energy champion |  |
|  | Obtain utility interconnection approval. | Energy champion |  |
|  | Sign interconnection agreement. | Contracting officer |  |
|  | Pay invoices. | Finance/Accounting |  |
|  | Review and approve annual M&V report. | Contracting officer |  |
|  | Conduct periodic FMV re-evaluations and adjust the government’s reserve account payment (if needed). | Contracting officer, Energy champion |  |
|  | Request official solar project FMV assessment. | Contracting officer |  |
|  | Purchase equipment at FMV. | Contracting officer |  |
|  | ESCO should apply remaining reserve account funds (if any) to remaining ESPC balance. | Contracting officer |  |
|  | Close out the contract. | Contracting officer |  |

1. A NOITA is an optional step before contract award. See Process Diagram, Phase 6 footnote. [↑](#footnote-ref-1)