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)