



## Statewide Contract Addendum

*This addendum is added to and is to be considered part of the subject contract.*

**Contract Issuance Date: 01/10/2014**

**Statewide Contract #: SW125**

**Contract Title: Behavior Based Energy Consulting**

**Addendum Date: 02/19/2016**

**Addendum #: Two (2)**

This contract has been renewed for an additional one year period at the same terms and conditions; this is the 2<sup>nd</sup> year renewal of a five (5) year period.

CONTRACT PERIOD: 3/01/2016 THROUGH 2/28/2017

0000315441 Contract ID# 3669  
Engineered Systems & Energy Solutions PC  
Oklahoma City, OK

This addendum has been issued to modify the contract between the contractor and the State of Oklahoma. These amended sections are hereby made a part of the contract.

### **Amend contract – Attachment 1 Project Specifications, Section A.1.2 – State Facility Information**

Existing Language:

ADDING BUILDING SPACE

When an agency adds building space, the Contractor and the State Executive Team Will mutually agree upon a period of time not to exceed one quarter to serve as a temporary baseline. Once the temporary baseline is established, that building space will be considered within the scope of the program and the associated services. The contract will calculate fees based on the temporary baseline until 12 months of utility data has accrued.

Proposed Language:

ADDING BUILDING SPACE, remove the requirement for a temporary base line and insert the following language.

For building space added to an agency's portfolio between January 1, 2012 and January 1, 2013, the Contractor's fees for 2014 will be determined by comparing the total energy consumption in each quarter of 2014 to the same quarter in a previous year. For any quarter in which the building space incurs utility expenses in 2012, that data will be used in the comparison. For each quarter in which the building space did not yet have utility expenses in 2012, the same quarter of 2013 will be used in the comparison to 2014 consumption. The Contractor will be paid a fee equal to 20% of the cumulative energy expenditure savings each quarter when compared to the respective quarter of the prior year.

When the agency adds building space after January 1, 2013, the first 12 months of utility data shall serve as the initial baseline for the purposes of calculating the Contractor's fee. Therefore, the first invoice for the additional building space will be determined by calculating the difference in total energy consumption between the fifth quarter of utility data and the first quarter of utility data.

Add the following language RENOVATED BUILDING SPACE

For those facilities that undergo renovation, it is in the state's best interest to evaluate savings by comparing the building's energy consumption pre-and post-renovation, thereby evaluating the energy costs and benefits of the

renovation. As throughout the program, the agency may request project exemptions to exclude from the calculations the savings due to the renovation.

However, if the organization vacates the facility during the renovations then the Contractor will consider the facility exempt from fees during the period of vacancy. Once the facility is reoccupied, the Contractor's fees would be determined by comparing the energy consumption in the first quarter of reoccupancy to the consumption in the same quarter of the year before the renovation. The Contractor will be paid a fee equal to 20% of the cumulative energy expenditure savings each quarter when compared to the respective quarter of the prior year.

In this circumstance, should the agency choose to pursue a project exemption for the renovation, the agency may use IPMVP Option C (Whole Facility) to document savings due to the renovation by comparing the first quarter post-renovation to the same quarter of the year prior to vacating the building. If the facility uses less energy post-renovation based on that comparison, the facility's savings will be exempt for four quarters. If the facility uses more energy based on that comparison, then the following three quarters will be subject to fees based on the comparison of each quarter to the same quarter in the year preceding the renovation.

Amend contract – Attachment 1 Project Specifications, Section A.3 Cost Proposal,  
Supplementary Service Fee

The quarterly data entry deadlines are as follows:

January through March billing periods - entered by June 30<sup>th</sup>  
April through June billing periods - entered by September 30<sup>th</sup>  
July through September billing periods - entered by December 31<sup>st</sup>  
October through December billing periods - entered by March 31<sup>st</sup>

If you have any questions concerning the addendum contact the contracting officer below.

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