

ATTACHMENT J-5

DESCRIPTIONS OF CONTRACT SCHEDULES AND PLACEMENT OF PRICING INFORMATION

J-5.1 DESCRIPTIONS OF CONTRACT SCHEDULES (SCHEDULE TEMPLATES ARE PROVIDED IN ATTACHMENT J-6)

J-5.1.1 Schedule TO-1 (Preliminary Assessment - PA) - Proposed Guaranteed Cost Savings and Contractor Payments - Schedule TO-1 (PA) shall be submitted to present the contractor's estimated cost savings, proposed guaranteed cost savings, and contractor payments. TO-1 (PA) values submitted may be in estimated ranges. Based on the preliminary survey and agency discussions, the contractor shall submit a completed Schedule TO-1 (PA) containing:

- A. **Column (a)** - Contractor submits proposed estimated cost savings during the implementation period, prior to full project acceptance (see most recent version of "DOE-FEMP Guidelines Regarding One-Time Payments And One-Time Savings In Energy Savings Performance Contracts"). The DOE-FEMP Guidance allows such energy cost savings as avoided repair or replacement expenses with one-time payment from appropriations available for repair or replacement by contractor; or energy, water, and related cost savings and related payments from selected ECMs accepted by agency prior to full project acceptance.
- B. **Column (b)** - Contractor submits proposed guaranteed cost savings for savings submitted in column (a).
- C. **Column (c)** - Contractor submits proposed contractor payments for proposed guaranteed cost savings during the implementation period.
- D. **Column (d)** - Contractor shall submit in post-acceptance performance period year one, estimated annual cost savings, which reflects the total of estimated annual cost savings in Schedule TO-4. Contractor submits values for column (d) post-acceptance performance period years two through proposed performance period term. Contractor applies escalation rates, per note (7) on Schedule TO-1 (PA).
- E. **Column (e)** - Contractor submits proposed guaranteed annual cost savings for estimated annual cost savings submitted in column (d).
- F. **Column (f)** - Contractor submits proposed annual contractor payments for proposed guaranteed annual cost savings for each year of the proposed performance period.

NOTE: Guaranteed cost savings must exceed contractor payment during the implementation period and each year of the post-acceptance performance period.

J-5.1.2 Schedule TO-1 (final) - Guaranteed Cost Savings and Contractor Payments - Schedule TO-1 (final) shall be submitted to present the contractor's estimated annual cost savings, guaranteed annual cost savings, and annual contractor payments. Based on the IGA results, the contractor shall submit a completed Schedule TO-1 (final). The contractor shall submit a copy of the IGA findings, data, and calculations used to support Schedule TO-1 (final) with the TO-1 (final) submission.

The contractor shall submit a completed Schedule TO-1 (final) with:

- A. **Column (a)** - Contractor submits proposed Estimated Cost Savings during the Implementation Period, prior to full project acceptance from one-time pre-acceptance payments (See most recent version of "DOE-FEMP Guidelines Regarding One-Time Payments And One-Time Savings In Energy Savings Performance Contracts"). This DOE-FEMP guidance allows such energy cost savings as avoided repair or replacement expenses with one-time payment from appropriations available for repair or replacement by contractor; or energy cost savings and related payments from selected ECMs accepted by agency prior to full project acceptance.
- B. **Column (b)** - Contractor submits Guaranteed Cost Savings for savings submitted in Column (a).
- C. **Column (c)** - Contractor submits Contractor Payments for proposed Guaranteed Cost Savings during the Implementation Period.
- D. **Column (d)** - Contractor shall submit in post-acceptance performance period year one, Estimated Annual Cost Savings, which reflects the total of estimated annual cost savings in Schedule TO-4. Contractor submits values for column (d) post-acceptance performance period years two through proposed performance period term, and if applicable, apply escalation rates, per note (6) on Schedule TO-1 (final), accepted by the agency Contracting Officer.
- E. **Column (e)** - Contractor submits Guaranteed Annual Cost Savings for Estimated Annual Cost Savings submitted in Column (d).
- F. **Column (f)** - Contractor submits annual contractor payments for guaranteed annual cost savings for each year of the proposed performance period.
NOTE: Guaranteed annual cost savings must exceed contractor payment during implementation period and each year of the post-acceptance performance period.

J-5.1.3 Schedule TO-2 - Implementation Price by ECM - Schedule TO-2 presents the offeror's total implementation price investment for project development for each ECM included in a specific TO project. It reflects the capacity and M&V expense for equipment proposed for installation of each ECM indicated along with its direct

implementation expense. The sum of project development and ECM direct expenses are then marked up by indirect expenses and profit to calculate the total implementation price, or investment for all proposed ECMs for the contract project. This information is required as a trace to the information provided in Schedule TO-3.

- A.** The contractor shall submit a completed Schedule TO-2 for ECMs as follows:
1. TC for ECMs using Attachment J-3 numbering
 2. ECM numbering (contractor numbering matching technical Proposal ECM numbering)
 3. ECM description
 4. ECM equipment capacity/size (e.g., chillers/packed units – tons, variable frequency drives (VFDs) – hp, etc.)
 5. ECM M&V expense
 6. Implementation Expense Column (a) – direct implementation expenses
 7. Implementation Expense Column (b) – indirect expenses applied to total of project development and ECM direct implementation expenses
 8. Column (c) – profit applied to total direct and indirect expenses
 9. Column (d) – total implementation price for the project (sum of columns (a) + (b) + (c))

The total bonded amount on bottom of Schedule TO-2 shall be submitted and will be used to establish performance and payment bond requirements for the ECM implementation period, if applicable, in accordance with Section H.

J-5.1.4 Schedule TO-3 - Post-Acceptance Performance Period Cash Flow - Schedule TO-3 presents the offeror's proposed project cash flow for a specific TO project. The schedule is divided into two sections.

- A.** The implementation period section pertains to the total implementation price (which should trace back to the Schedule TO-2, column (d) Total Implementation Price) less any one-time savings and/or ECM cost savings during the implementation period, plus the debt service stream on that investment, less any financial or tax incentives or revenues reducing principal repayment or interest.
- B.** The post-acceptance performance period section pertains to the total expenses associated with the services the contractor supplies to manage the project, maintain and verify ECM performance during the post-acceptance performance period of the contract term, and any other applicable expenses. The contractor shall submit a Schedule TO-3 that includes annual or one-time post-acceptance performance period expenses, as applicable to the specific project. The offeror shall propose the contract cash flows for each year of the proposed contract term. Profit will be applied to the sum of post-acceptance performance period expenses, which include direct and indirect expenses.

As required by Schedule TO-3, the offeror shall specify the applicable financial index used with its source and date, the financing term of the project (in years), the index rate (derived for the project's term from the financial index), the added premium being applied to amortize the investment, and the resultant project interest rate. The effective period of the proposed project interest rate is also required to be identified on the Schedule TO-3.

J-5.1.5 Schedule TO-4 - Contract Performance Period First Year Estimated Annual Cost Savings, by Energy Conservation Measure and Technology Category -

Schedule TO-4 shall be submitted for all contract project Proposals. Schedule TO-4 presents a summary of the proposed estimated first year cost savings that will be achieved following the installation of the ECM's included in the contract Proposal. Both the ECM number and TC, per Attachment J-3 numbering, shall be provided. The ECM numbers indicated in this schedule shall be consistent throughout the offeror's Proposal. The annual cost savings shown for each ECM shall be broken down into energy, demand, water and O&M cost savings. The energy savings shall be presented in the energy type consumed by the equipment and also converted to MBTUs (10⁶ BTUs) for a project summary. Energy and water cost savings shall be derived from the utility rates provided in the RFP.

Contractors shall provide adequate supporting documentation for the estimated annual cost savings submitted in Schedule TO-4, to include whatever detail is pertinent to the specific project.

J-5.1.6 Schedule TO-5 - Annual Cancellation Ceiling Schedule - Schedule TO-5 is a presentation of annual cancellation ceilings to establish the maximum termination liability in the event of contract cancellation or termination. Actual termination charges will be negotiated as part of any cancellation or termination settlement, per established FAR requirements.

J-5.2 PLACEMENT OF PRICING INFORMATION

Pricing Element	Implementation expenses (TO-2)	Post-acceptance performance period expenses (TO-3)	Financing procurement price (TO-3)
Pre-Award Project Development Expenses Prior to Notice of Intent to Award Contractor-defined project ONLY			
Develop and submit the Preliminary Assessment Proposal	X		
Pre-Award Project Development Expenses Prior to Notice of Intent to Award Government-initiated Project ONLY			

Pricing Element	Implementation expenses (TO-2)	Post-acceptance performance period expenses (TO-3)	Financing procurement price (TO-3)
Obtain and read the RFP and site data package	X		
Attend the pre-Proposal conference and/or site walk-through survey	X		
Submit written questions, read questions and answers submitted by all	X		
Develop and submit the Proposal (oral or written, as per RFP)	X		
Implementation Period			
These pricing elements apply to the selected contractor only after receiving notice of intent to award a contract from the Contracting Officer.			
Pre-award requirement: perform the IGA	X		
Pre-award requirement: submit revised IGA	X		
Pre-award requirement: negotiate acceptance of report establishing mutual agreement on feasible ECMs, baseline and M&V plan	X		
Pre-award requirement: develop revised proposal including Schedules TO-1 (final), TO-5 and revised TO-2 through TO-4	X		
Pre-award requirement: arrange financing			X
Pre-award requirement: secure payment and performance bonds			X
Preliminary design submittal and review	X		
Final design submittal and backcheck	X		
Request agency approval of equipment schedules, order equipment, pay for it	X		
Direct construction expense including all subcontracts, permits, insurance, construction management and quality control, waste removal, commissioning, training, documentation as per M&V plan and contract, etc.	X		
Construction financing expenses			X

Pricing Element	Implementation expenses (TO-2)	Post-acceptance performance period expenses (TO-3)	Financing procurement price (TO-3)
Request agency inspection, agency acceptance	X		
Contractor indirect labor, i.e., any labor that cannot be directly attributed to a specific task and therefore must be distributed across several tasks or projects as overhead	X		
Overhead costs other than indirect labor -- sales, general and administrative, regional overheads	X		
Contractor profit	X		
Post-Acceptance Performance Period			
Project management and administration		X	
ECM operation and maintenance		X	
ECM repair and replacement		X	
Measurement and Verification		X	
Permits and licenses		X	
Insurance		X	
Property taxes		X	
Contractor indirect labor, i.e., any labor that cannot be directly attributed to a specific task and therefore must be distributed across several tasks or projects as overhead		X	
Overhead costs other than indirect labor (e.g., sales, general and administrative, regional overheads)		X	
Contractor profit		X	