

House Bill 934

By: Representatives Parsons of the 42nd, Williams of the 4th, Horne of the 71st, and Baker of the 78th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-37-3 of the Official Code of Georgia Annotated, relating to state
2 agencies entering into guaranteed energy savings performance contracts, so as to change
3 certain provisions relating to the process of implementing guaranteed energy savings
4 performance contracts for governmental units; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Code Section 50-37-3 of the Official Code of Georgia Annotated, relating to state agencies
9 entering into guaranteed energy savings performance contracts, is amended by revising
10 paragraph (1) of subsection (c) as follows:

11 **"(1) Prequalification of qualified energy services providers.** The authority shall be
12 authorized to assemble a list of prequalified energy services providers. The director shall
13 attempt to use objective criteria in the selection process. The criteria for evaluation shall
14 include the following factors to assess the capability of the qualified energy services
15 provider in the areas of design, engineering, installation, maintenance, and repairs
16 associated with guaranteed energy savings performance contracts; post-installation
17 project monitoring, data collection, and verification of and reporting of savings; overall
18 project experience and qualifications; management capability; ability to access long-term
19 sources of project financing; experience with projects of similar size and scope; and other
20 factors determined by the director to be relevant and appropriate and relate to the ability
21 to perform the project. The prequalification term of the established list of qualified
22 energy ~~service~~ services providers shall be three years. The director ~~shall again assemble~~
23 a may add additional qualified energy services providers to the list of ~~prequalified~~
24 qualified energy ~~service~~ services providers ~~every three years from the commencement of~~
25 each at any time during the prequalification term. A qualified energy services provider

26 may be removed from the list upon a determination by the director that said qualified
27 energy services provider fails to meet the criteria for continued inclusion; and"

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.