

HB 2854 -- GUARANTEED ENERGY COST SAVINGS CONTRACTS

SPONSOR: Gragg

Currently, no governmental unit is permitted to enter into a guaranteed energy-cost-savings contract until competitive proposals meeting specified requirements have been solicited. The government is required to award contracts to the qualified provider that provides the lowest and best proposal.

This bill adds that the provisions of the energy cost savings statute do not replace, modify, or otherwise supersede any statutory, constitutional or regulatory bidding requirements applicable to construction, construction manager-at-risk, or design-build contracts.

The bill does not authorize any governmental unit to undertake any new construction, substantial renovation, or remodeling outside the defined scope of energy cost savings measures.

Contracts awarded under the bill must not be construed to waive, circumvent, or otherwise exempt the governmental unit from complying with any other procurement requirements, including competitive sealed bidding, construction manager-at-risk, or design build contracts.