

ENERGY SAVINGS PERFORMANCE CONTRACTING STATUTES

PENNSYLVANIA (as of June 24, 2010)

	Statute	Procurement Method	Competitive Bidding/ Selection Requirements	Term of Contract	Guarantee Requirement	Restrictions/ Miscellaneous
State	62 Pa.C.S. § 3751 <i>et seq.</i> <i>See also</i> 73 P.S. § 1646 (older version of Guaranteed Energy Savings Act)	RFP. 62 Pa.C.S. § 3753(c).	Exempt. The governmental unit shall select the qualified provider that <u>best meets the needs of the governmental unit in accordance with criteria established by the governmental unit.</u> 62 Pa.C.S. § 3753(d).	15 years. 62 Pa.C.S. § 3753(d).	Savings must meet or exceed the cost of the contract. 62 Pa.C.S. §§ 3753(d), 3754(b). Additionally, if payments are made over a period of time, then the savings in any year must be guaranteed to the extent necessary to make payments under the contract during that year. 62 Pa.C.S. § 3754(a).	Contracts extending beyond 1 year are subject to appropriation of funds. 62 Pa.C.S. § 3755(a). Improvements not related to energy conservation may be included in a guaranteed energy savings contract in certain conditions. 62 Pa.C.S. § 3754(d).
Counties	Same as above. <i>See</i> 62 Pa.C.S. § 3751 for definitions.	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.
Municipalities	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.
Townships/ Villages	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.
School Districts	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.
State Universities	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.	Same as above.