

**ENERGY SAVINGS PERFORMANCE CONTRACTING STATUTES**

**WISCONSIN (as of June 28, 2010)**

	<b>Statute</b>	<b>Procurement Method</b>	<b>Competitive Bidding/ Selection Requirements</b>	<b>Term of Contract</b>	<b>Guarantee Requirement</b>	<b>Restrictions/ Miscellaneous</b>
State	Wis. Stat. §§ 16.847 and 16.858.	Not specified.	Not specified. The Wisconsin Department of Administration Guidelines suggest that the state will select from a list of approved ESCOs through a competitive proposal process. See <a href="http://www.doa.state.wi.us/docview.asp?docid=7388&amp;locid=4">http://www.doa.state.wi.us/docview.asp?docid=7388&amp;locid=4</a> .	Not specified.	Contractor must guarantee that the savings will be realized. Wis. Stat. § 16.847(2)(c).  The state will make payments as the savings are realized, in amounts not to exceed the lesser of the stated or actual savings. Wis. Stat. § 16.858(2)(a).	Payments under the ESPC are contingent upon available appropriations. Wis. Stat. § 16.858(3).
Counties	Wis. Stat. § 66.0133	RFP. Wis. Stat. § 66.0133(3).	The governmental unit may award the contract to “the qualified provider that <u>best meets the needs of the local governmental unit</u> , which need not be the lowest cost provider.” Wis. Stat. § 66.0133(3).	Not specified.	The savings must be guaranteed for the entire term of the ESPC. Payments will be made over time as savings are achieved. Wis. Stat. § 66.0133(5).	Not Specified
Municipalities	Same as for counties.	Same as for counties.	Same as for counties.	Same as for counties.	Same as for counties.	Not Specified
Townships/ Villages	Same as for counties.	Same as for counties.	Same as for counties.	Same as for counties.	Same as for counties.	Not Specified
School Districts	Same as for counties.	Same as for counties.	Same as for counties.	Same as for counties.	Same as for counties.	Not Specified
State Universities	Same as for state.	Same as for state.	Same as for state.	Same as for state.	Same as for state.	Same as for state.