

**ENERGY SAVINGS PERFORMANCE CONTRACTING STATUTES**

**NEW HAMPSHIRE (as of June 16, 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	NH RSA 21-I:19-d	RFP	The agency “may select <u>the most qualified proposal or proposals</u> on the basis of the experience and qualifications of the proposals, the technical approach, the financial arrangements, the overall benefits to the agency, and other factors determined by the agency to be relevant and appropriate.” NH RSA 21-I:19-d(II)(b).	10 years. NH RSA 21-I:19-d(II)(d).	Contractor is repaid “only to the extent of energy cost savings guaranteed by the contractor to accrue over the term of the contract.” NH RSA 21-I:19-d(II)(f).	Contingent upon appropriation of funds. NH RSA 21-I:19-d(II)(e).  Repayments to contractor are interest-free. NH RSA 21-I:19-d(II)(f).
Counties	None.					
Municipalities	21-I:19-d (2009)	Same as state.	Same as state.	Same as state.	Same as state.	Same as state.
Townships/ Villages	21-I:19-d (2009)	Same as state.	Same as state.	Same as state.	Same as state.	Same as state.
School Districts	None, but school districts may be eligible under 21-I:19-d. <i>See, e.g.,</i> definition of “state agency” under RSA 9-C:2.	(Same as state; but see note in previous column.)	(Same as state; but see note in previous column.)	(Same as state; but see note in previous column.)	(Same as state; but see note in previous column.)	(Same as state; but see note in previous column.)
State Universities	21-I:19-d (2009)	Same as state.	Same as state.	Same as state.	Same as state.	Same as state.