**Proposed Contract Language for the use of ePX to be added to ESPC project RFP and Contract.**

**Data Collection and Reporting by ESCO – Using eProject eXpress (ePX)**

ESCO shall collect and report project data, at specified times, on behalf of the District and with approval by District personnel, using eProject eXpress as the pathway into eProject Builder as provided on the LBNL website (http://eprojectbuilder.lbl.gov).

eProject Builder ("ePB") is a web-based tool managed on behalf of the Department of Energy by The University of California/Lawrence Berkeley National Laboratory (LBNL). eProject eXpress (ePX) provides a streamlined, tailored pathway for state and local governments to document, track, and demonstrate the ongoing value of their energy project retrofits. ePX enables the ESCO and their contracting agencies or other entities to:

(1) upload and track project-level information;

(2) generate basic project reporting materials and

(3) aggregate project files with the summary project information.

All data fields of the ePX data entry template shall be required to be reported to eProjectBuilder using the eProject eXpress pathway. Failure to adhere to this minimum reporting requirement may constitute a material breach of the ESPC Contract, which shall be at the sole discretion of the District.

Within 30 calendar days after the execution of the ESPC contract authorizing implementation, the ESCO shall populate for the District’s review and approval, the project data including supporting files to be stored within ePB/ePX as directed by the District. All projects shall further name the State Energy Office as a Project Viewer so as to grant viewing and reporting rights access to all submitted project information.

As a part of the annual (M&V) Report to the District, each year for the full term of the agreement, the ESCO shall populate the appropriate ePX M&V Data Entry Template and upload to ePB all project data fields indicating the actual savings achieved and the guaranteed annual savings achieved for that year noting all adjustments, routine and non-routine to the baseline and any and all other M&V fields as directed by the District.

Other information, files, forms and worksheets may be identified and required to be uploaded to ePB by the District in order to meet the requirements of the District, legislation, supervising authorities or other initiatives.

(The suggested language proposed above should be reviewed and adapted as necessary by District legal counsel and in coordination with the District Board’s review and approval of all ESPC contracts and other binding affiliated instruments.)