**Resolution**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved that the Dayton Independent Local School District Board of Education approve the guaranteed energy savings contract (GESC) project proposed by Energy Optimizers, USA, LLC (EOU) pending the Kentucky Department of Education’s review and approval. The District has utilized the RFQ/RFP selection process required by the state of Kentucky and we acknowledge that the competitive selection process was followed. In addition, Energy Optimizers, USA has agreed to utilize the previously competitively bid Kentucky Educational Development Corporation’s guaranteed energy savings performance contract program in order to ensure the district the most competitive pricing for such a program and project.

This approval is contingent upon the following conditions:

1. The final project cost after the detailed engineering and analysis study is the same as or less than the budgeted cost of $ 958,670.
2. The Kentucky Department of Education reviews and approves all project submittal documents required including, but not limited to;
   1. Detailed scope documents;
   2. Detailed savings documents and calculations;
   3. All permit documents where required;
   4. All contract documents, including AIA contract documents between the District and EOU following state approval of the project
3. The project ***savings shall be guaranteed*** by Energy Optimizers, USA, LLC per the Kentucky Department of Educations’ Guaranteed Energy savings program for a period of 20 years.

If, for any reason, these conditions are not met, Dayton Independent Local School District will not be obligated to implement this project as proposed nor shall they be obligated to pay Energy Optimizers, USA any monetary compensation.

Motion: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Motion #: \_\_\_\_\_\_\_\_\_\_\_\_

Roll Call: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Yes

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Yes

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Yes

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Yes

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,Yes