

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 8552. Energy Efficient Purchases.

(a) If an agency determines that initial costs render an otherwise cost-effective energy efficient purchase unaffordable, it shall request that the Department of Finance, Division of Procurement and Supply, solicit the provision of financing agreements with private sector suppliers to provide private funding to offset the higher up-front costs.

(b) Government agencies shall strive to meet the ENERGY STAR building criteria for energy performance and indoor environmental quality in their eligible facilities to the maximum extent practicable by June 30, 2007. Agencies may use private- or public-sector energy-savings performance contracts, utility energy-efficiency service contracts, or other similar financing and delivery means to conduct evaluations and make improvements to facilities. Facilities that rank in the top twenty-five percent in energy efficiency relative to comparable commercial and state buildings shall receive the ENERGY STAR building label or its equivalent as determined by the Secretary of the Department of Public Works.

(c) Agencies shall have the power and authority, subject to lawful procurement, to use energy-savings performance contracts, private sector energy service contracts with energy service companies, or utility energy-service contracts to aid them in constructing, renovating and/or managing facilities.

(d) Government agencies entering into leases, including the renegotiation or extension of existing leases, shall incorporate lease provisions that require energy and water efficiency wherever life-cycle cost-effective. Build-to-suit lease solicitations shall contain criteria encouraging sustainable design and development, energy efficiency, and verification of facility performance. The requirements of this subsection shall conform to the U.S. Green Building Council's LEED rating system, silver level.

(e) All agencies' procurements shall include a preference for facilities having an ENERGY STAR building label in their selection criteria for acquiring leased facilities.

(f) All agencies shall encourage lessors to apply for an ENERGY STAR building label, or the U.S. Green Building Council's LEED rating system, silver level, or its equivalent, for used facilities, and to further explore and implement projects that will reduce costs to the Commonwealth, including projects carried out through the lessors' energy-savings performance contracts or utility energy-efficiency service contracts. Each lease, including lease renewals, shall contain an attachment that explicitly addresses the requirements of this subsection.

(g) All agencies, in their procurements for office space, air conditioning equipment, installed lighting, pumps, motors, or vehicles, shall seek to use renewable energy systems, as defined in this chapter, to power their operations. They shall certify their efforts to the Governor, with an explanation why, or why not, they secured renewable energy.

Source: PL 15-23, § 2(8652); reenacted without change by PL 15-87 § 2(8652), modified.

Commission Comment: The Commission changed "per cent" to "percent" in subsection (b) above and changed "subsections" to "subsection" in the last sentence of subsection (d) above to correct manifest errors pursuant to 1 CMC

TITLE 4: ECONOMIC RESOURCES
DIVISION 8: UTILITIES

§ 3806(g). The Commission substituted “this chapter” for “this Act” in subsection (g) pursuant to 1 CMC § 3806(d).