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# State of Wyoming



## Wyoming Energy Conservation Improvement Program

For State Agencies, County & Municipal Governments,  
Higher Education Facilities, Public School Districts,  
Hospitals, and other Public Entities

### PROGRAM MANUAL Appendix 1G

### WYECIP CONTRACT ATTACHMENT C COST and PRICING ELEMENTS

## APPENDIX 1G – WYECIP CONTRACT ATTACHMENT C

### Attachment C Cost and Pricing Elements

**1. Costs, Markups, and Fees.** Cost for performing the Investment Grade Audit and maximum project markups and fees for pre-defined categories to be used in analyses for the Investment Grade Audit shall be per the following schedules. Fees shall not be added to items on which markups are applied as listed in mark up Schedule C-1 below. Markups on fees in Schedule C-2 below are not allowable under the WYECIP. All costs, markups and fees shall be fully negotiable prior to execution of an Energy Performance Contract.

<b>SCHEDULE C-1 MARK-UPS</b>		
<i>CATEGORY OF MARK-UP</i>	<i>MARK-UP APPLICATION</i>	<i>% MARK-UP</i>
Overhead	Approved Mark-up Categories Below	
Profit	Approved Mark-up Categories Below	
Labor - Internal	OH&P above-no additional mark-up	N/A
Equipment Purchased	OH&P above-no additional mark-up	N/A
Materials Purchased	OH&P above-no additional mark-up	N/A
Subcontract Labor	OH&P above-no additional mark-up	N/A
Subcontract Material	OH&P above-no additional mark-up	N/A

<b>FEES</b>		
<i>CATEGORY OF FEE</i>	<i>FEE AMOUNT</i>	<i>YEARS APPLIED (One-time, Annual, etc.)</i>
Investment Grade Audit and Project Development	\$ per Square Foot	One time
Solicit & Evaluate Project Financing Proposals	Included in IGA & Project Development Fee above	N/A
Design	_____ % of total construction cost	One time
Project Management	_____ % of total construction cost	One time
Contingency	_____ % of total construction cost	One time
Permits	Actual Cost – No Mark-up	One time
Performance Bond	Actual Cost – No Mark-up	One time
Commissioning	_____ % of total construction cost	One time
Initial Training on Installed Measures	_____ % of total construction cost	One time
Additional Training	Per Training Plan Proposed	
Monitoring and Verification	Per M&V Plan Proposed	Annual
Warranty Service	_____ % of total construction cost	One time
Maintenance on Installed Measures	Per Maintenance Plan Proposed	

Fee amounts shall be developed from Contractor's anticipated effort and cost associated with each allowable fee listed. These fee amounts are expressed in Schedule C-2 as a percentage of construction cost only for the purposes of establishing the maximum total dollar amount that can be billed for each fee under the Open Book Pricing requirement of the contract. Billing under the contract payment schedule for the fee amounts illustrated in Schedule C-2 shall reflect the effort and costs actually expended for fee items during each billing period and shall not be calculated as a flat percentage of construction cost applied to the purchased equipment, materials, subcontract services, etc. listed in Schedule C-1. Markup percentages from the Schedule C-1 shall not be applied on top of the fee amounts illustrated in Schedule C-2.

**2. Open Book Pricing.** Open Book Pricing is full disclosure by Contractor to Facility Owner of all costs and markups for materials, labor, and services received during the project development, implementation, and performance period phases. Open Book Pricing will be required such that Contractor will fully disclose all costs, including all costs incurred by subcontractors and subconsultants at any tier, vendors, and internal resources. Contractor shall also provide full disclosure of all costs associated with fees illustrated in Schedule C-2. Contractor shall maintain cost accounting records on authorized work performed under actual costs for labor and material, or other basis requiring accounting records.

Contractor will afford Facility Owner access to these records and preserve them for a period of three (3) years after final payment. Costs will be evaluated through price analysis to compare costs with reasonable criteria such as established catalog and market prices or historical prices to ensure Contractor's prices are reasonable and acceptable and that markups are being properly applied.

Full Open Book Pricing requirements for full disclosure of all costs shall also apply to each of Contractor's subcontractors and subconsultants at any tier, and Contractor shall be responsible for including these requirements in any bid documents, contracts, invoicing requirements, etc. with subcontractors and subconsultants at any tier.

**3. Invoice Documentation Requirements.** Open Book Pricing documentation will be required by Facility Owner for all invoices submitted by Contractor to provide full disclosure by Contractor to Facility Owner of all costs and markups for materials, labor, and services received during the period covered by each Contractor invoice, including all costs incurred by subcontractors and subconsultants at any tier, vendors, and internal resources. In addition, Contractor shall also provide full disclosure of all costs associated with fees illustrated in **Schedule C-2** above during the period covered by each Contractor invoice. Contractor shall provide the following to Facility Owner:

*(Facility Owner shall provide requirements for documentation of open book pricing requirements to be included with Contractor's project invoices for inclusion in the Energy Performance Contract.)*