Appendix A: References

(a) 10 U.S. Code § 2667 - Leases: non-excess property of military departments and Defense Agencies

(b) 10 U.S. Code § 2688 - Utility Systems: Conveyance Authority

(c) 10 U.S. Code § 2922a - Contracts for energy or fuel for military installations

(d) DFARS 246.102, Revised October 29, 2010

(e) DFARS 252.227-7013, "Rights in Technical Data - Non-commercial Items"

(f) DODI 4140.01, "Supply Chain Materiel Management Regulation"

(g) DoDI 4170.11, "Installation Energy Management," Change 1, Effective March 16, 2016

(h) DoDI 5010.40 "Managers' Internal Control Program Procedures," Effective May 30, 2013

(i) DoD IG-2015-138 *The Air Force Did Not Monitor the Energy Savings Performance Contract at Joint Base McGuire*, June 29, 2015

(j) DoD IG-2016-087 *Air Force Civil Engineer Center Management of Energy Savings Performance Contracts Needs Improvement*, May 4, 2016

(k) DoD IG-2017-044 *Naval Facilities Engineering Command Management of Energy Savings Performance Contracts Needs Improvement,* January 26, 2017

(l) DoD IG-2017-125 *Naval Facilities Engineering Command Southwest and Marine Corps Base Camp Pendleton Officials' Use of Utility Energy Services Contracts,* September 28, 2017

(m) DoD IG Project No. D2017-D000CI-0037.000 *Naval Facilities Engineering Command Administration of Selected Energy Savings Performance Contracts DRAFT*, September 15, 2017

(n) Energy Savings Performance Contract (ESPC) and Utility Energy Services Contract (UESC) Tracking Guidance, July 3, 2018

(o) GAO 15-432 *Energy Savings Performance Contracts: Additional Actions Needed to Improve Federal Oversight,* June 2015

(p) GAO-17-461 *Defense Infrastructure: Additional Data and Guidance Needed for Alternatively-Financed Energy Projects,* June 2017

(q) GAO-18-558 *Guidance Needed to Develop Metrics and Implement Cybersecurity Requirements for Utilities Privatization Contracts*; September 4, 2018

(r) *Guidance on Development of Energy Projects*; November 3, 2016

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(u) OMB M-12-21: *Addendum to OMB Memorandum M-98-13 on Federal Use of Energy Savings Performance Contracts (ESPCs) and Utility Energy Service Contracts (UESCs);* September 28, 2012

(v) *Operations, Maintenance, & Testing (OM&T) Strategy and Implementation Guidance*; March 17, 2017

(w) *Policy on Energy Savings Performance Contracts and Utility Energy Service Contracts*; November 20, 2018

(x) Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)), "Supplemental Guidance for the Utilities Privatization Program," February 7, 2019

(y) Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)) "Metrics and Standards for Energy Resilience at Enduring Installations" February 25, 2020