Department of the Air Force
Request for Solution(RFS)
Other Transaction Authority (OTA)
Consortium Management Organization (CMO)

Attachment 1: DECo Authorities and Funding Opportunities

The Department of the Air Force (DAF) has several authorities under federal law that authorize it to procure energy commodity and energy services from third-party owned, operated, and maintained energy assets. Below are examples of these authorities, which we are providing for informational purposes only. Contractors will need to leverage one or more of these authorities for follow-on production contracts under 10 U.S.C. § 4022(f), and are responsible for understanding the use, requirements, and limitations of these authorities. Please note, vendors cannot leverage ***10 U.S.C. § 2688, Utility systems: conveyance authority*** *for a follow-on production contract under 10 U.S.C. § 4022.*

• 10 U.S.C. § 2667 - Leases: Non-Excess Property of Military Departments and Defense Agencies
https://uscode.house.gov/view.xhtml?req=(title:10%20section:2667%20edition:prelim)

• 10 U.S.C. § 2695 – Acceptance of funds to cover administrative expenses relating to certain real property transactions
https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section2695&num=0&edition=prelim

• 10 U.S.C. § 2913 - Utility Energy Services Contract (UESC)
https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section2913&num=0&edition=prelim

https://www.energy.gov/eere/femp/utility-energy-service-contracts-federal-agencies

• 10 U.S.C. § 2916 - Purchase of Electricity from Alternate Energy or Cogeneration Production Facilities
https://uscode.house.gov/view.xhtml?req=(title:10%20section:2916%20edition:prelim)

• 10 U.S.C. § 2917 - Development of Geothermal Energy on Military Land
https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section2917&num=0&edition=prelim

• 10 U.S.C. § 2919 - DoD participation in programs for management of energy demand or reduction of energy usage during peak periods (Demand Response)
https://uscode.house.gov/view.xhtml?req=(title:10%20section:2919%20edition:prelim)

• 10 U.S.C. § 2922a - Contracts for Energy or Fuel for Military Installations (Power Purchase Agreements)
https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section2922a&num=0&edition=prelim

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• 40 U.S.C. § 501 - Services for Executive Agencies, FAR Part 41 Acquisition of Utility Services
https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title40-section501&num=0&edition=prelim

• 40 U.S.C. § 591 – Purchase of Electricity
https://uscode.house.gov/view.xhtml?req=(title:40%20section:591%20edition:prelim)

• 42 U.S.C. § 8287 - Energy Savings Performance Contracts (ESPC)
https://uscode.house.gov/view.xhtml?req=granuleid:USC-2000-title42-section8287&num=0&edition=2000

https://www.energy.gov/eere/femp/energy-savings-performance-contracts-federal-agencies

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