# **Attachment 4: Contractor Conflict of Interest Certification**

# Definitions

**CONFLICT OF INTEREST:**A Conflict of Interest (COI) shall mean any financial interest or contractual relationship that may impair the ability of the undersigned Contractor to be impartial in the manner with which they conduct business related to the Contract and to deliver impartial and unbiased work.

**COVERED ENTITIES*:***Entities which are covered by this Certification (Covered Entity) include without limitation, 1) Pacific Gas & Electric (PG&E), Southern California Edison (SCE), San Diego Gas & Electric (SDG&E) and Southern California Gas (SCG) (collectively referred to as IOU) 2) any California municipal utility, 3) a)any industry association whose members could be materially affected by the Market Transformation Initiatives work or b)any non-profit organization advocating for energy-efficient technologies (unless pre-approved by the CPUC Contract Manager), and/or 4) any manufacturer, distributor, and/or retailer, a) bidding to provide any product or service associated with the market transformation initiative, b) whose product and/or service is subject to the Contractor's review, c) in which Contractor currently has or formerly had a financial interest, or any publicly known parent thereof. Covered Entities do not include manufacturers, distributors or retailers that are providing products or services as part of ratepayer-funded energy efficiency program implementation contracts with the Contractor.

**MARKET:**Generally, a market is defined as a set of entities that supply a product or service and the buyers of that product or service. While there is no universally accepted taxonomy of energy efficiency markets, there is consensus about the characteristics that delineate and define markets. If a clean energy technology or practice share the following list of characteristics, they are likely in the same market:

* Same or similar product functions or categories of functions (for example, HVAC, water heating, appliances, and energy management systems)
* Overlapping distribution chains
* Same or competing manufacturers
* Same or competing service providers
* Demographically or firmographically similar buyers.

## COI Disclosure Questions

To complete this form, answer the following questions, complete Table A if required, and complete the Certifications and Signature section.

1. Are you under contract or currently bidding to perform energy efficiency program impact-related studies for the CPUC, including embedded measurement and verification work, that produces impact findings on program or portfolio accomplishments for programs that target the same markets as the MTI? (check one)  
     
    No  Yes (If yes, add the projects to Table A)
2. Are you under contract or currently bidding on energy efficiency implementation work for any Covered Entity in the same markets as the MTI?  
     
    No  Yes (If yes, add the projects to Table A)
3. Do you have other financial or contractual relationships to disclose that could potentially be perceived as presenting a COI as defined above? If yes, describe them below.  
     
   Click or tap here to enter text.
4. If you answered yes to any of the above, tell us why you believe the financial or contractual relationships either would not qualify as a conflict of interest, or what steps you would take to prevent a conflict?  
     
   Click or tap here to enter text.

**Table A: Disclosure of Implementation and Evaluation Work Being Done in Same Markets as the MTI**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Ref #** | **Status of Contract** *(dropdown)* | **Covered Entity Type** *(dropdown)* | **Type of Contract** *(dropdown)* | **Ratepayer Program Type** *(dropdown)* | **Contract  Value** *(dropdown)* | **Contract Start Date1** | **Contract  End Date** |
| 1 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 2 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 3 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 4 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 5 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 6 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 7 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 8 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 9 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |
| 10 | Choose an item. | Choose an item. | Choose an item. | Choose an item. | Choose an item. |  |  |

1 Estimate dates if not yet under contract.

**Definitions in Support of Table A:**

**Covered Entity types:**

* **IOU**: CA IOU per Covered Entity Definition
* **Muni**: California Municipal Utility
* **Association**: Industry Association whose members could be impacted by the MTI work and Non-profits advocating for energy-efficient technologies/services which have become part of the MTI review process.
* **Mnf/Dist/Retail**: Any manufacturer, distributor, and/or retailer seller seeking a) bidding to provide any product or service associated with the MTI, b) whose product and/or service is subject to the Contractor’s review, c) in which Contractor currently has or formerly had a financial interest, or any parent, subsidiary or affiliate thereof. *Organizations that provide products and services as part of ratepayer funded energy efficiency programs are excluded.*

**Contract types:**

* **Ratepayer Program**: Ratepayer-funded Program Implementation
* **EM&V**: Evaluation, Measurement and Verification of ratepayer funded program(s)
* **Non-Ratepayer Market Support**: Non-ratepayer funded market intervention or market support
* **Investment**: Investment in Manufacturer, distributor or seller of an energy-using product
* **Software**: Software as product sales/accompanying consultation services, could include software used on an EE program, used for grid management, or other corporate needs.
* **Consulting Other**: Other types of consulting contracts that do no fit into the above categories.

**Certifications and Signature**

The undersigned Contractor certifies that the information provided in this form is complete and accurate.  
  
The Contractor certifies that except as disclosed above, its circumstances are not likely to raise the appearance of a disqualifying financial conflict of interest, impropriety, or the appearance of impairment of objectivity with respect to the Scope of Work.

For purposes of this Certification, the Contractor understands that an appearance of impairment of objectivity could result from an organizational conflict of interest where, because of other activities or relationships with other persons or entities, the Contractor is unable or potentially unable to render impartial assistance or advice with regard to the Scope of Work.  It could also result from a non-financial gain to the Contractor or other persons or entities, such as an improper benefit to reputation or prestige in a professional field.

The Contractor certifies that it has not discussed within the past 12 months, and is not currently discussing contracts, employment or investment opportunities which would present a Conflict of Interest with its involvement in the Scope of Work, except as disclosed above.

If the Contractor discovers that it might have a conflict of interest or might have an appearance of impairment of objectivity regarding the Scope of Work, the Contractor will immediately inform the appropriate individuals.

**Certification and Signature by an Authorized Representative of Contractor:**

Contractor Company Name:

Signature:

Printed Name:

Title:

Date: