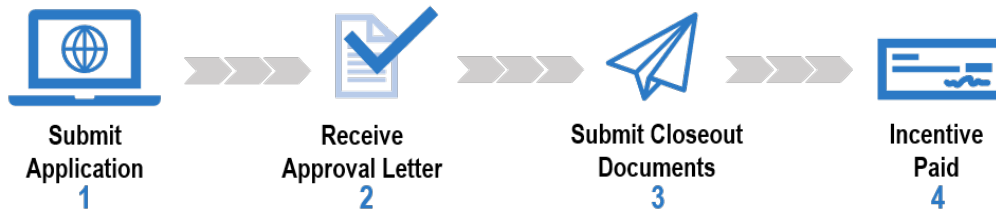


Application Process



1. **Submit Application** – Please submit the application through a single method (online, email, mail, or fax).
 - Ensure that the facility is eligible for participation in the program by reviewing a recent electric or gas utility bill or confirming utility services (depending on savings type applicable to the project) to confirm that Societal Benefits Charges will be paid to an investor-owned utility under a commercial rate code. Download the SmartStart Program Guide or contact us at (866) NJSMART (866-657-6278) with questions.
 - **All custom measure applications must be submitted prior to installation to remain eligible for incentives.**
 - Review all measure requirements to verify that the equipment you are purchasing is eligible for an incentive.
 - Submit the signed, completed form along with all supporting documentation listed on the Application Checklist below to the program for review.

| Online Application Portal | Email |
|--|--------------------------|
| njcleanenergy.com/smartstart-new-construction-buildings | NJApps@NJCleanEnergy.com |

2. **Receive Approval Letter**
 - The program will review the submittal for completeness and contact you and your contractor (if listed) via email to retrieve any missing information or documentation.
 - An approval letter will be emailed to you and your contractor (if listed), indicating the approval date and estimated incentive amount set aside for your project.
3. **Submit Closeout Documents** - The following documentation is required to issue payment
 - Project Invoice
 - i. The invoice should include a description of the equipment installed, quantity, and unit price.
 - ii. Labor/installation price must be listed separately from material price.
 - iii. Equipment may be purchased up to one year prior to TRC’s receipt of the application, however equipment must be installed after the date of either: the notification of a successful pre-inspection, or the waiver of pre-inspection, from the Program Manager.
 - iv. For projects that were self-installed by the participating customer, a signed letter on participating customer letterhead attesting to the start and end dates of the self-installation should be provided.
 - Tax Clearance Certificate obtained from NJ Division of Taxation
 - i. Instructions on applying for the certificate can be found at www.njcleanenergy.com/TCC.
 - ii. No incentive will be paid without receipt of a valid Tax Clearance Certificate. Certificates are valid for 180 days and must be valid on the date TRC signs off on the incentive.
 - W9 form, ST-4 or ST-5 Form – This form must be completed by the entity receiving incentive payment. Certain private business entities may hold a “Sales Tax Exempt Organization Certificate (Form ST-5).” This form does not exempt the entity from providing a valid
 - Established utility bill from a participating electric/gas provider (all pages) showing payment of the Societal Benefits Charge
4. **Incentive Paid**
 - The incentive check will be mailed after review and post-inspection are completed.

Application Checklist

- Completed Excel Custom Measure Worksheet.
- Supporting calculations for both Energy Savings and Energy Cost Savings, as well as Operation & Maintenance savings (if applicable).
- Quote or proposal showing project cost
- Supporting documentation showing the proposed equipment exceeds (new construction) ASHRAE 90.1-2019 minimum requirements or applicable industry standards.
- Manufacturer's specification sheets for proposed equipment.
- A recent copy of a full utility bill from a participating electric and/or gas utility for the service address indicated on the application showing payment of the Societal Benefits Charge and commercial billing code. Corresponding third party supply bill should be submitted as well.
 - Name and account number of the customer listed on the application must match the name of the customer and account number listed on the utility bill.
 - Utility bills must be relevant and representative of the facility/project. For example, if the project impacts multiple utility accounts, please submit one bill for each account. Note, additional bills may be requested by the Program Manager as needed.
 - For projects where a utility account has not yet been established, the utility bill is not required with the initial application submission, however the customer will be required to submit a utility bill prior to incentive payment.

Custom Measure Requirements

➔ In addition to the requirements listed below, please refer to the Program Guide for additional guidance.

1. Proposed measures will not be eligible for Custom Measure incentives if a Prescriptive incentive is available.
2. All custom projects must establish a baseline from which energy and energy cost savings are measured.
 - a. Energy and Cost baselines will be established using ASHRAE 90.1-2019. Proposed measure must **exceed** the established baseline.
 - b. In cases where ASHRAE 90.1-2019 does not apply, other applicable standard will be used, such as the Consortium for Energy Efficiency (CEE), EPA ENERGY STAR, or other established resources such as: current New Jersey baseline studies and other market research; the program experience of the Commercial/Industrial Program Manager; experience of the New Jersey utilities; or utility/public program experience from other comparable jurisdictions.
 - c. Information supporting the proposed project exceeding ASHRAE 90.1-2019 or applicable industry standard must be provided in the application submission.

Please consult the Program Manager if additional assistance is required to determine the applicable baseline for your project.

3. All custom projects must establish the *incremental cost* of the project. Incremental cost is defined as the difference in material and/or labor costs between the proposed equipment and its respective baseline component, whose specifications only meet ASHRAE 90.1-2019 (or other industry standard).
 - a. Projects must provide both a total proposed cost, as well as a corresponding baseline cost, to calculate the project's total incremental cost.

- b. The Program Manager reserves the right to determine whether an incremental cost is required for a retrofit project, or alternatively not required for a new construction project, where the above situations do not strictly apply or where special circumstances prevail.
 - c. The Partner may estimate costs using cost estimation manuals, vendor quotes, design team calculations, online pricing, or other reasonable methods. Project cost should include, at a minimum, relevant material and labor/installation costs. Sales tax should be excluded from these figures.
4. All energy and cost savings as compared to baseline figures must be explicitly defined and referenced in the application package. Any prescriptive or ineligible measure energy savings and cost should be excluded from the application.
 5. The Program allows a single facility with multiple utility accounts to submit a proposed custom project under one application. Projects at multiple facilities may not be submitted under one application.
 6. Certain measures may require post-installation metering, trending analysis, and/or a Statement of Substantial Completion by the installing contractor. This will be requested by the Program Manager during application review.

Custom Measure Incentive Rates

Project incentives will be based on the lesser of the three calculations as shown below.

| Incentive Cap | Incentive Amount |
|--------------------|--|
| First-Year Savings | Electric Savings: \$0.16/kWh |
| | Gas Savings: \$1.60/therm |
| Project Cost | 50% of Total Installed Project Cost/Incremental Cost |
| Buy-Down | Amount to buy-down to 1- year payback |



Customer Information

| | | | | |
|--|------------|---------------------------|-------------------------------|-----|
| Company Name (as listed on utility bill) | | Formal Legal Company Name | | |
| Company Type | NAICS Code | Federal Tax ID# | State Tax ID # (if Different) | |
| Customer Contact Name | Title | Phone | Email | |
| Mailing Address | Apt/Suite# | City | State | ZIP |
| How did you hear about the program? | | | | |

Facility and Project Information

| | | | | |
|-----------------------------------|-------------------------|----------------------------------|----------------------------|-----|
| Facility Address | | City | State | ZIP |
| Electric Utility Serving Facility | Electric Account Number | Gas Utility Serving Facility | Gas Account Number Project | |
| Facility Type | | Project Start Date (Anticipated) | Target Completion Date | |
| Facility Contact for Inspection | Title | Phone | Email | |

Contractor/Vendor Information

| | | | | |
|-------------------------|------------|-------|-------|-----|
| Contractor Company Name | | | | |
| Contractor Contact Name | Title | Phone | Email | |
| Mailing Address | Apt/Suite# | City | State | ZIP |

Payee Information

| | | | | |
|--------------------|------------|-----------------------|-----------------------|-----|
| Payee Company Name | | Payee Federal Tax ID# | Payee Tax Information | |
| Payee Contact Name | Title | Phone | Email | |
| Mailing Address | Apt/Suite# | City | State | ZIP |

Customer Authorization and Signature

- I agree to the terms and conditions of the SmartStart Buildings Program and the specific program requirements for this measure.
- I agree that this document and all notices and disclosures made or given relating to this document may be created, executed, delivered and retained electronically and that the electronic signatures appearing on this document and any related documents shall have the same legal effect for all purposes as a handwritten signature.
- The information, statements and documents I have provided in and with this document are true and accurate to the best of my knowledge. I am aware that if any of them are willfully false, I am subject to punishment.
- By signing this application, the signatories agree to comply with the provisions of the New Jersey Prevailing Wage Act, N.J.S.A. 24: 11-56.26 et seq., (Act), if and to the extent that Act may apply to the work covered by this application.
- If applicable, I authorize payment of the incentive to the third party listed in the Payee Information field of this application.

Customer Signature _____ Date _____
 Printed Name _____ Title _____

NJ SmartStart Buildings Program Terms and Conditions - New Construction

FY24 July 1, 2023 – June 30, 2024

Eligibility

1. Construction Type – The new construction component will accept both new construction and substantial renovation (i.e., gut rehabilitation), as defined below:

- New Construction: Defined as a new building.
- Substantial Renovations (Gut Rehab): Defined as one of the following types of projects:
 - Change of use and reconstruction of an existing building.
 - Construction work of a nature requiring that the building or portion of the building within be out of service for at least 30 consecutive days; or
 - Reconstruction of a vacant structure or a portion of the building within.

1. This application package must be received by the Program Manager on or before *June 30, 2024*, in order to be eligible for the fiscal year program (*July 1, 2023 – June 30, 2024*) incentives. All participating customers are required to submit the most current application form. All submissions will be reviewed based on the current program requirements and incentive levels approved by the Board of Public Utilities.

2. Program Incentives are available to non-residential retail electric and/or gas service participating customers of New Jersey Utilities. A participating customer must pay Societal Benefits Charges under a New Jersey Utility account serving the fuel type (electric or gas) applicable to the specific Energy-Efficient Measure. Participating customers who have not contributed to the Societal Benefits Charge of the applicable New Jersey Utility are not eligible for incentives offered through this program. New Jersey Utilities include Atlantic City Electric, Jersey Central Power & Light, Rockland Electric Company, New Jersey Natural Gas, Elizabethtown Gas, PSE&G and South Jersey Gas.

3. Each utility account requires a complete, separate application. Projects for the same utility account and the same technology being done at the same time should be submitted on one application.

4. Requirements regarding initial applications, pre-installation approvals, and pre-inspections:

Before commencing installation or construction of equipment that will be the subject of a New Construction SmartStart application, applications for the following types of projects must be submitted to the Program Manager

- Custom measures; and
- Performance Lighting seeking incentives \geq \$100,000
- Prescriptive Horticultural Lighting seeking incentives \geq \$100,000

Further, and for the avoidance of doubt, the above requirement does not apply to any other SmartStart application types. However, to be eligible for incentives related to those other application types (i.e., types that are not identified in the bullets immediately above), the application must be submitted to the Program Manager within 12 months of equipment purchase. Sufficient documentation must be provided to the Program Manager confirming date of equipment purchase (material invoice, purchase order, etc.). Despite the flexibility provided above, **all applicants are nonetheless strongly encouraged to obtain the Program Manager's approval and an incentive commitment prior to commencing installation or construction. Customers implementing projects without the Program Manager's approval do so at their own risk, including, among other things, the risk of having their project deemed ineligible for incentives.**

5. In order to be eligible for program incentives, a participating customer or an agent (contractor/vendor) authorized by a participating customer, must submit a properly completed application package that is signed by the participating customer. A complete application package should include all documentation listed in the checklist section of the application.

6. Applications signed by someone other than the customer require a letter of authorization.

7. Project invoices should list both the *labor and material costs separately*. The invoice should include a description of the equipment installed, quantity, and unit price.

8. For projects that are self-installed by the participating customer, in addition to the material invoices listing the equipment installed, quantity, and unit price, written documentation from the participating customer must be provided in lieu of a labor invoice attesting to the start and end dates of the self- installation.

9. Energy-Efficient Measures must be installed in buildings located within New Jersey Utilities' service territory and designated on the participating customer's incentive application.

10. Program Incentives are available for qualified Energy-Efficient Measures as listed and described in the Program materials and incentive applications.

11. The participating customer must ultimately own the equipment through an up-front purchase. Equipment procured by participating customers through another program offered by New Jersey's Clean Energy Program or the New Jersey Utilities, as applicable, are not eligible for incentives through this program.

12. Incomplete application submissions, applications requiring inspections and unanticipated periods of high volume may cause processing delays.

Incentive Amounts

1. Program Incentives will not exceed the lesser of:

- a. the approved Program incentive amount, or
- b. the total project cost of the Energy-Efficient Measure.
 - i. Project cost is the expense directly associated with the Energy Efficient Measure, excluding NJ state sales tax.

2. **Products offered at no direct cost to the participating customer are ineligible.**

3. Program Incentives are limited to \$500,000 per utility account in a fiscal year.

Inspections

1. Pre-Inspection: See Eligibility, Section 4, above.

2. Post-Inspection: These projects are subject to the Program's random inspection selection process. The Program must have reasonable access

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to participating customer's facility to post inspect the Energy-efficient measures installed under this Program.

Tax Clearance Certificate Requirements

1. Participating customers must provide a Tax Clearance Form (entitled "Business Assistance or Incentive Clearance Certificate") for Board of Public Utilities use.
2. The name of the customer listed on the certificate must match the participating customer name listed on the utility bill and the application.
3. The participating customer tax ID listed on the application must agree with the tax ID listed on the Certificate.
4. Certificates are valid for 180 days and must be valid on the date the Program Manager signs off on the incentive.

Deficient Applications

1. If an application package is incomplete, information is missing or deemed insufficient, a deficiency notice will be sent to the participating customer requesting additional information via e-mail. The information or documentation requested on the email must be received by the Program Manager within 30 days of the date of the request. If additional deficiencies are still noted, there will be up to two additional notifications issued with the same time frames.
2. If a participating customer fails to respond to a deficiency request within 30 days or exceeds the three attempts provided, the application will be rejected. If an application is rejected, participating customers may re-apply under the program incentives and requirements in place at the time of re-application.

Expirations

1. Pre-approved projects are given a one-year approval in which the proposed measure is to be installed and operational. When a project has expired the participating customer will have 30 days to either submit a request for an extension OR submit final project paperwork. If no response is received within 30 days of expiration, the project will be cancelled.
2. Extension requests must be in writing from the participating customer and include the circumstances that led to the extension request, and the percentage of the project completed.
3. Extension requests may be granted for a period no longer than six (6) months. The Program Manager may provide up to two six-month extensions from the original approval expiration date.
4. Upon expiration, if the project has not started and the participating customer is still interested in installing the equipment, the existing application will be cancelled and a new application package must be submitted, which will be reviewed under the program incentives and requirements in place at the time of re-submittal.

Change in participating customer name/payee after pre-approval

To initiate a change to the participating customer name or payee on an approved application, the following documentation must be provided:

1. Documentation from the participating customer authorizing the change
2. A new, fully signed application reflecting the updated participating customer or payee name.
3. For name change of the applicant/customer, a utility bill in the name of the new participating customer is required.
4. All such changes requests are subject to Program Manager approval.
5. Certain requests may require additional information to be submitted as defined by the Program Manager.

Tax Liability

The Program Manager will not be responsible for any tax liability that may be imposed on any participating customer as a result of the payment of Program Incentives. All Participating Customers must supply their federal tax identification number or social security number to the Program Manager on the application form in order to receive a Program Incentive.

Prevailing Wage

Participating projects with a contract at or above current prevailing wage contract threshold amount set pursuant to the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.) are required to pay no less than prevailing wage rate to workers employed in the performance of any construction undertaken in connection with Board of Public Utilities financial assistance, or undertaken to fulfill any condition of receiving Board of Public Utilities financial assistance, including the performance of any contract to construct, renovate or otherwise prepare a facility, the operations of which are necessary for the receipt of Board of Public Utilities financial assistance. By submitting an application, or accepting program incentives, applicant agrees to adhere to New Jersey Prevailing Wage requirements, as applicable. By signing the application, the signatories agree to comply with the provisions of the New Jersey Prevailing Wage Act, N.J.S.A. 34: 11-56.25 et seq., (Act), if and to the extent that Act may apply to the work covered by the application. More information can be found at https://www.nj.gov/labor/wagehour/regperm/public_contracts_general.html

Endorsement

The Program Manager and Administrator do not endorse, support or recommend any particular manufacturer, product or system design in promoting this Program.

Warranties

THE PROGRAM MANAGER AND ADMINISTRATOR DO NOT WARRANT THE PERFORMANCE OF INSTALLED EQUIPMENT, AND/OR SERVICES RENDERED AS PART OF THIS PROGRAM, EITHER EXPRESSLY OR IMPLICITLY; AND, EACH OF THE FOREGOING PARTIES SPECIFICALLY DISCLAIMS ANY AND ALL IMPLIED OR STATUTORY WARRANTIES, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

Limitation of Liability

By virtue of participating in this Program, Participating Customers agree to waive any and all claims or damages against the Program Manager, the Administrator, and both of them, as well as each and all of their subcontractors, agents, and employees (collectively the Program Parties), except for claims regarding the receipt of the Program Incentive. Participating Customers agree that the Program Parties' liability, in connection with this Program, is limited to paying the Program Incentive specified. Under no circumstances shall any of the Program Parties be liable for any lost profits, special, punitive, consequential, or incidental damages or for any other damages or claims connected with or resulting from

NJ SmartStart Buildings Program Terms and Conditions - New Construction

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participation in this Program. Further, any liability attributed to any of the Program Parties under this Program shall be individual, and not joint and/or several.

Termination

The New Jersey Board of Public Utilities reserves the right to extend, modify (this includes modification of Program Incentive levels) or terminate this Program without prior or further notice.

Participating Customer's Certification

Participating Customer certifies that he/she purchased and installed the equipment listed in their application at their defined New Jersey location. Participating Customer agrees that all information is true and that he/she has conformed to all of the Program and equipment requirements listed in the application.

Acknowledgement

The applicant hereby permits the Program Manager and the administrator of the New Jersey Board of Public Utilities (BPU) New Jersey's Clean Energy Program (NJCEP) to share any and all information the applicant submits to NJCEP, including, but not limited to, the applicant's electric and natural gas utility billing information, with BPU NJCEP contractors (including, without limit, those contractors who administer, manage, coordinate, or evaluate all or part of NJCEP) and his/her electric and natural gas utilities and the contractors who administer, manage, coordinate, or evaluate all or part of the utilities' programs that succeed and/or are similar to NJCEP. The applicant hereby acknowledges that the Program Manager and administrator may disclose to the public any of my information that is not exempt from public disclosure pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

Definitions

- Energy-Efficient Measures – Any device eligible to receive a Program Incentive payment through the Program. New Jersey Utilities – The regulated electric and/or gas utilities in the State of New Jersey:
 - Atlantic City Electric; Jersey Central Power & Light; Rockland Electric Company; New Jersey Natural Gas; Elizabethtown Gas; PSE&G; South Jersey Gas
- Administrator – New Jersey Board of Public Utilities, Division of Clean Energy.
- Participating Customers – Those non-residential electric and/or gas service customers of the New Jersey Utilities who participate in this Program. Product Installation or Equipment Installation – Installation of the Energy-Efficient Measures.
- Program – The Commercial and Industrial Energy-Efficient Construction Program (New Jersey SmartStart Buildings) offered herein by the New Jersey Board of Public Utilities, Office of Clean Energy pursuant to state regulatory approval under the New Jersey Electric Discount and Energy Competition Act, NJSA 48:3-49, et. seq.
- Program Incentives – Refers to the amount or level of incentive that the Program provides to Participating Customers pursuant to the Program offered herein (see description under "Incentive Amount" heading).
- Program Manager – TRC