

Performance Lighting Application

FY21 October 1, 2020 – June 30, 2021



MEASURE DESCRIPTION



Performance Lighting incentives are available for installation of new lighting in ground-up new construction, additions, and gut-rehabilitation projects within existing buildings. Incentives are calculated based on the difference between the proposed lighting design versus the currently recognized energy code: ASHRAE 90.1-2016. New, qualified equipment must be specified and in the program documents; please review the application checklist and specific program requirements for further details.

INSPECTIONS PRIOR TO INSTALLATION

Applicants eligible for Enhanced Incentives (existing buildings only):

➔ Projects do not require pre-approval or pre-inspection. These applications must be received by the Program Manager within one year of material purchase. Applicants may choose to install at their own risk. Customers may submit applications prior to installation to receive an incentive commitment letter.

Applicants **not** eligible for Enhanced Incentives (existing buildings only):

➔ *Incentives < \$100,000*: These projects do not require pre-approval and must be received by the Program Manager within one year of material purchase. Applicants may choose to install at their own risk. Customers may submit applications prior to installation to receive an incentive commitment letter.

➔ *Incentives ≥ \$100,000*: These projects are subject to the Program's random inspection selection process. The application must be submitted prior to installation and work must not begin prior to formal notice by the Program Manager of a successful pre-inspection or waiver.

APPLICATION INSTRUCTIONS

1. New to SmartStart? Download the [SmartStart Program Guide](#) or contact us at (866) NJSMART with questions.
2. Ensure that the facility is eligible for participation in the program by reviewing a recent electric utility bill to confirm that Societal Benefits Charges are paid to an investor-owned utility under a commercial rate code.
3. Review all measure requirements to verify that the equipment you are purchasing is eligible for an incentive.
4. If you need assistance with the development of a scope of work or do not know what type of equipment you need, consult the [Trade Ally List](#) to find a contractor who can assist you.
5. You or your contractor must complete the application and the Excel incentive worksheet.
6. Submit the signed, completed form along with all supporting documentation listed on the Application Checklist to the program for review. An electronic version of this application is available through the online application portal.
7. Please submit the application through a single method (online, email, mail, or fax).
8. 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.
9. 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.

Online application portal:

njcleanenergy.com/forms

Email for new application submissions only.
Call (866) NJSMART with questions.

NJApps@njcleanenergy.com

Mail:

New Jersey's Clean Energy Program c/o TRC
900 Route 9 North
Suite 404
Woodbridge, NJ 07095

Fax:

(732) 855-0422

ENHANCED INCENTIVES



Measure incentive rates listed on this form are doubled for equipment installed in existing buildings that meet at least one of the eligibility criteria listed below. All projects are subject to an incentive cap equal to the applicant's cost for the project (material and labor). To qualify for an enhanced incentive, documentation must be provided with the application package demonstrating that the entity or building location meets at least one of the eligible categories listed in the table below.

Enhanced incentives do not apply to new construction.

Eligibility Basis	Criteria
Located in an Urban Enterprise Zone (UEZ)	<p>The building where equipment is or will be installed must be located within the bounds of an Urban Enterprise Zone (UEZ). Please follow the steps below to confirm your facility is within the qualifying zone. The building location must be checked against the NJ Community Asset Map.</p> <ol style="list-style-type: none"> 1. Enter the address of your building in the field at the top of the map. 2. Under the Layers menu on the left side of the screen, scroll down to Urban Enterprise Zones and <i>check</i> to enable the layer. 3. Print or save a screenshot of the page to include with your submission. <p>For the avoidance of doubt, companies do not need to become a Certified UEZ Business to be eligible for enhanced incentives from NJCEP.</p>
Located in an Opportunity Zone (OZ)	<p>The building where equipment is or will be installed must be located within the bounds of an Opportunity Zone (OZ). Please follow the steps below to confirm your facility is within the qualifying zone. The building location must be checked against the NJ Community Asset Map.</p> <ol style="list-style-type: none"> 1. Enter the address of your building in the field at the top of the map. 2. Under the Layers menu on the left side of the screen, scroll down to Opportunity Zones and <i>check</i> to enable the layer. 3. Print or save a screenshot of the page to include with your submission.
Affordable Housing	<p>Any multifamily housing that an official document identifies as participating in a federal, state, or local affordable housing program. This includes, by way of example only, the New Jersey Department of Community Affairs listing of Affordable Housing available here https://www.state.nj.us/dca/divisions/codes/publications/developments.html as well as official documents showing identification by the documents regarding New Jersey Housing and Mortgage Finance Agency, United States Low Income Housing Tax Credit (LIHTC), and United States Housing and Urban Development (HUD).</p>
Owned or operated by a Municipal Entity	<p>The building must be owned or operated by a Municipal Entity as evidenced by the name listed on the utility bill(s) for the building. If the name as shown on the utility bill(s) does not clearly delineate a Municipal Entity, other documentation may be accepted to demonstrate ownership on a case-by-case basis. Please contact the Program Manager for specific guidance.</p> <p>The Municipal Entity name must be recognized on the New Jersey Municipalities Search tool available at: https://www.nj.gov/nj/gov/direct/municipality.html or be listed here: https://nj.gov/comptroller/news/docs/authoritiescommission.pdf.</p>
Owned or operated by a County Entity	<p>The building must be owned or operated by a County Entity as evidenced by the name listed on the utility bill(s) for the building. If the name as shown on the utility bill(s) does not clearly delineate a County Entity, other documentation may be accepted to demonstrate ownership on a case-by-case basis. Please contact the Program Manager for specific guidance.</p> <ul style="list-style-type: none"> • Enhanced incentives for Counties apply to buildings owned or operated by one of the counties listed here: https://www.state.nj.us/nj/gov/county/counties.html • This includes, among other things, buildings owned or operated by any "community college" listed here: https://www.nj.gov/highereducation/colleges/schools_sector.shtml • And authorities and commissions listed here: https://nj.gov/comptroller/news/docs/authoritiescommission.pdf
Owned or operated by K-12 Public School	<p>The building must be owned or operated by a K-12 Public School as evidenced by the name listed on the utility bill(s) for the building. If the name as shown on the utility bill(s) do not clearly delineate a K-12 Public School, other documentation may be accepted to demonstrate ownership on a case-by-case basis. Please contact the Program Manager for specific guidance.</p> <p>The K-12 Public School name must be recognized on the New Jersey School Directory available at: https://homeroom5.doe.state.nj.us/directory/pub.php</p>

APPLICATION CHECKLIST

➔ **Certain applications are subject to inspection prior to installation. Please refer to the instructions on Page 1.**

For projects requesting enhanced incentives: Attach documentation demonstrating eligibility as described in the Enhanced Incentives section of this application.

Excel [Performance Lighting Worksheet](#).

For projects using the *Building Area Method* for interior lighting calculation: Lighting plan and schedule must be submitted.

A recent copy of a full utility bill from a participating electric utility for the service address indicated on the application showing payment of the Societal Benefits Charge and commercial billing code.

- 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.
- 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.

Manufacturer's specification sheets for all proposed lighting equipment, regardless of DesignLights Consortium® or ENERGY STAR® listing status. For specification sheets with multiple model numbers or configurations, please circle or highlight the specific model number that you plan to install. Please label according to luminaire tag, if possible.

Proof of applicable qualified product listing for eligible fixtures. Attach a printout or screenshot from the DesignLights Consortium® or ENERGY STAR® qualified product list showing the specific manufacturer name and model number that you plan to install. The DLC®/ENERGY STAR® logo appearing on a specification sheet is not considered sufficient proof of current listing.

APPLICATION PROCESS FOR PAYMENT

➔ ***Certain applications are subject to inspection prior to installation. Please refer to the instructions on Page 1.***

After project completion, please be advised that the following documentation will be required in order to issue payment. You will be advised in the form of an emailed approval letter that your project has been approved and the incentive amount that has been set aside for your project. Instructions for where to submit this documentation will be provided directly on the project approval letter. A post-installation inspection may occur prior to approval of the payment.

If the project “as built” is different than what was approved, please include an explanation and revised documentation as appropriate (e.g. manufacturer specification sheets, revised application worksheets, lighting plan, etc.).

- For projects that require pre-approval, please be aware, any work not pre-approved by the program will be ineligible for incentives.
- Changes to equipment manufacturer/model are permitted with accompanying documentation confirming the equipment meets the program requirements. Increases in equipment counts within a specific area or overall will not be eligible for incentives unless pre-approved by the program before installation.

Material invoice

- The invoice should include the model number of the equipment installed, quantity, and unit price.
- Equipment may be purchased up to one year prior to TRC's receipt of the application. Sufficient documentation must be submitted with the material invoice demonstrating the date of equipment purchase, such as a purchase order, if it is not clear on the material invoice.

Labor Invoice

- Labor/installation price must be listed separately from material price.
- 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

- Instructions on applying for the certificate can be found at www.njcleanenergy.com/TCC.
- 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. The name of the customer and tax ID number appearing on the tax clearance must align with the customer name listed on the provided utility bill and application.

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 applies solely to purchases of tangible personal property or services and does not exempt the entity from the requirement to submit the Application for Tax Clearance.

GENERAL REQUIREMENTS

- 1) Performance Lighting incentives are available for new lighting designs in ground-up new construction, ground-up additions to existing buildings, or gut-rehab renovations of existing buildings only.
 - For renovations of existing buildings, all lighting within the entire building or a defined space must be completely removed and replaced in order to be eligible for Performance Lighting incentives.
 - Projects in existing buildings that are not gut-rehabs should pursue incentives through the Prescriptive Lighting application.
- 2) All fixtures and lamps must be new to be eligible for incentives. Designs, including retrofits of existing fixtures, are not eligible.
- 3) Interior lighting may be evaluated using either the Building Area Method or Space-by-Space calculation method as per ASHRAE 90.1-2016. The applicant selects the calculation method best suited to their project and available documentation:

Calculation Type	Eligible Project Types	Description	Requirements
Building Area Method	<ul style="list-style-type: none"> ○ Ground-up new construction ○ Gut-rehab of entire building interior 	Total interior square footage and fixture counts are provided at the building level.	Applicant must attach <i>fixture schedule</i> and <i>lighting plans</i> .
Space-by-Space Method	<ul style="list-style-type: none"> ○ Ground-up new construction or addition ○ Gut-rehab of entire building interior ○ Gut-rehab of defined room(s) within a building 	Square footage and fixture count are provided for each interior room.	Lighting plans are not required. Applicant must provide a breakdown of fixtures per room and square footage per room on the program worksheet.

- 4) Exterior lighting is evaluated based on pre-defined space types defined in ASHRAE 90.1-2016.
- 5) Performance lighting applications are for general building interior and exterior lighting only. Other non-general lighting types such as display or accent lighting, refrigeration lighting, food preparation lighting, horticultural lighting, lighting that is for sale, and integral equipment lighting are among fixture types that should not be included on the calculation worksheet for incentive calculation. Please contact the program to discuss alternative incentive paths for those fixture types.
- 6) All exterior lighting fixtures must be attached to the Applicant's meter to qualify for Performance Lighting incentive.
- 7) Customers may submit multiple applications for phased projects but may not duplicate the same spaces between applications.
- 8) Lighting installed under the Performance Lighting path should comply with the following minimum light levels:
 - Lighting level requirements as specified by New Jersey's non-residential construction code, or
 - For publicly supported schools, minimum lighting levels as specified in the New Jersey Administrative Code Title 6-NJAC 6:22-5.4, g1-h1.

PERFORMANCE LIGHTING INCENTIVE RATES

The incentive for the lighting design is calculated based on the difference between the allowed wattage per ASHRAE 90.1-2016 Tables 9.4.2-2, 9.5.1, 9.6.1 and the applicant's adjusted design wattage:

Performance Lighting Calculation	Incentive Amount
Savings [Watts] = Allowed Wattage - Adjusted Design Wattage	\$1/Watt savings under the LPD baseline per qualified area

- **Allowed Wattage** is calculated using Lighting Power Density (LPD) defined by ASHRAE 90.1-2016 for the applicable area type. For interior spaces, LPD is determined at building level for Building Area Method, and per room for the Space-by-Space method. Exterior lighting LPD is determined for each pre-defined space type.
- **Adjusted Design Wattage** is calculated from the actual design wattage and based on the percentage of total connected wattage in the room or building (as applicable based on the selected calculation method) from LED fixtures listed by either DLC® or ENERGYSTAR®. In cases where
 - For rooms or buildings with 100% connected load from DLC® or ENERGYSTAR® listed LEDs: Adjusted design wattage equals the applicant's raw total connected load.
 - For rooms or buildings with 0% connected load from DLC® or ENERGYSTAR® listed LEDs: Adjusted design wattage equals allowed wattage and there is no incentive for this room or building.
 - For rooms or buildings with a mix of qualified and non-qualified fixtures: Adjusted design wattage is calculated by determining the percentage of connected load from qualified fixtures, and setting the same percent of square footage to LPD baseline in order to be energy neutral.

Please see the example below:

Example: A 1,000 SqFt sales area has a lighting design consisting of 200 W of non-qualified lighting and 400 W of qualified (DLC® or ENERGYSTAR® listed) lighting.

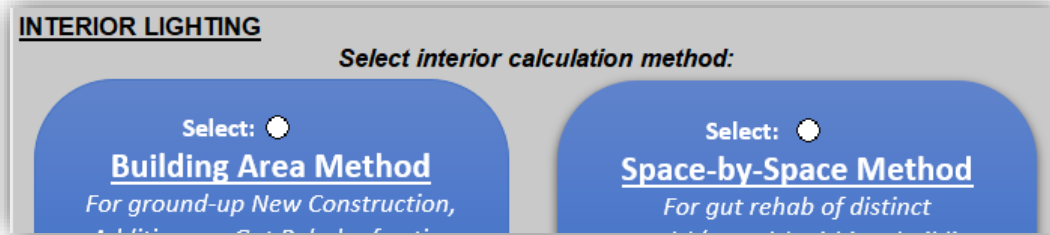
The **Adjusted Design Wattage** for the space will be calculated as follows:

- (A) Area of Space: 1,000 SqFt
- (B) Total Wattage: 600 W
- (C) Wattage that does not qualify: 200 W
- (D) Wattage that does qualify: 400 W
- (E) Percentage of lighting power that does not qualify: 33.3% (200 W / 600 W)
- (F) Area of space associated with non-qualifying lighting: 333 SqFt (1,000 SqFt x 33.3%)
- (G) Based on 90.1-2016 Table 9.6.1, the LPD of a Sales Area is 1.22 W/SqFt, and 333 [SqFt] x 1.22 [W/SqFt] = 406 [W]. This is greater than 200 W specified non-qualifying wattage, thus 406 [W] must be used for this portion of the space in the calculation.
- (H) The Adjusted Design Wattage will be calculated as 400 [W] + 406 [W] = 808 [W], which equates to 0.81 [W/SqFt].

CALCULATION WORKSHEET INSTRUCTIONS

Start Tab

1. Enter basic project information in the *Building and Project Details* section.
2. Use the radio buttons to select the interior calculation method for the project. Refer to the General Requirements section above for requirements of each calculation method:



Fixture Schedule Tab

Complete the table on this tab with information on each fixture type. Each fixture should be entered on its own row.

Fixture Designation	<ul style="list-style-type: none"> • A unique fixture identifier, typically found in the lighting plans on the Fixture Schedule or assigned by a lighting designer.
Interior or Exterior?	<ul style="list-style-type: none"> • Indicate whether the fixture is used in the building interior or will be installed on the exterior. • For fixtures to be used in both interior and exterior applications, enter the fixture once as interior and once as exterior.
Manufacturer/Model Number	<ul style="list-style-type: none"> • Enter the full and complete manufacturer name and model number for the product to be installed. • The model number should align with the fixture/lamp specification sheet and/or ENERGYSTAR® or DLC® product listing.
Wattage	<ul style="list-style-type: none"> • For LED Complete Fixtures and other lighting types, enter the Fixture Wattage for the complete fixture, including consideration for ballast factor, if applicable. • For LED Lamp/Retrofit Style fixtures, enter the # of lamps per fixture and the wattage of each individual lamp. • In cases of DLC® or ENERGYSTAR® listed fixtures and lamps, the wattage entered on the worksheet should match the rated wattage on the certificate exactly.
QPL Information <i>For LEDs only</i>	<ul style="list-style-type: none"> • <i>These cells require entry for LED fixture types only.</i> • Use the first dropdown field to indicate whether the LED fixture or lamp is listed by DLC®, ENERGYSTAR®, or neither. • If the fixture is listed by either DLC® or ENERGYSTAR®, use the second dropdown field to select the LED Primary Use Category. This can be found directly on the listing for the product.

If the Building Area Method is selected:

1. Go to the Building Area Method tab.
2. The ASHRAE 90.1-2016 building type and total building square footage are pre-populated from the START tab. If these do not populate, go back to the START tab and make these selections. LPD allowance and Building Wattage Allowance also auto-populate from selections.
3. Fixtures from the Fixture Schedule marked as Interior appear in columns in light blue on this tab. Enter the total quantity of each fixture type found in the building.

Enter total quantity of each fixture type in the building:

Building Wattage Allowance	A1: Fixture1... - 33.01W	A4: Fixture2... - 20W	A5: Fixture3... - 100.12W	A6: Fixture4... - 50W	A8: Fixture6... - 650W	Total Design Connected Load Watts	Space Design Watts
39,500	4	55	6	15	3	1	3,622.76

4. The Total Design Connected Load, Design LPD will automatically calculate based on the quantity of fixtures and wattage per fixture.
5. Compliance to ASHRAE 90.1-2016 baseline and any necessary adjustment based on fixture QPL listing will automatically calculate.

If the Space-by-Space Method is selected:

1. Go to the Space-by-Space Method tab.
2. Enter the following information for each interior room on its own row:
 - Location:
 - o Floor Number
 - o Specific Room Name/Number: *a descriptive name for the room. Include room number if applicable.*
 - o Room Square Footage: *The square footage of the specific room. Do not enter square footage for multiple rooms; square footage must be entered on an individual, per-room basis.*

Floor Number	Specific Room Name/Number	Room Square Footage	Multiplier	ASHRAE 90.1-2016 Common/Building-Specific Space Type <small>Select most appropriate description from dropdown</small>
2	Office 201	500	1	Office - Enclosed and more than 250 sq.ft.
2	Office 202	200	1	Office - Enclosed and less than or equal to 250 sq.ft.
2	Restroom - 203	250	1	Restroom - All other

- Multiplier: *The Multiplier column should be used for rooms with identical square footages, space types and lighting designs only (Example: identical classrooms, offices or hotel rooms). To use, enter Room Square Footage of one individual room. Enter the total number of this room type in the building.*

Floor Number	Specific Room Name/Number	Room Square Footage	Multiplier	ASHRAE 90.1-2016 Common/Building-Specific Space Type <small>Select most appropriate description from dropdown</small>
3	Double Rooms - 3rd floor west	325	10	Guest Room

- ASHRAE 90.1-2016 Common/Building-Specific Space Type: Use the dropdown to select the most appropriate space type applicable to the space. Common space types are listed first, followed by building-specific space types. When a building-specific space type is available, it must be selected over the common space type.
 - Atrium Height: When Atrium space type is selected, enter the height of the atrium in this cell.
- Fixtures from the Fixture Schedule tab marked as Interior appear in columns in light blue on this tab. Enter the total quantity of each fixture type found in the specific room.
 - For spaces using the Multiplier field, enter the total quantity of each fixture type found in *only one* room of this type.

Enter Quantity of each fixture type in the room

	A1: Fixture1... - 33.01w	A4: Fixture2... - 26w	A5: Fixture3... - 100.12w	A6: Fixture4... - 50w	A7: Fixture5... - 20w	A8: Fixture6... - 650w	Total Connected Load
00	1					1	
00	1	3				1	
50						1	
50		1				1	

- The Total Design Connected Load, Design LPD will automatically calculate based on the quantity of fixtures and wattage per fixture.
- Compliance to ASHRAE 90.1-2016 baseline and any necessary adjustment based on fixture QPL listing will automatically calculate.

Exterior Lighting

- Go to the Exterior Lighting tab.
- Exterior locations as defined by ASHRAE 90.1-2016 are pre-populated in individual rows. The LPD allowance is calculated based on the Exterior Lighting Zone selected from the dropdown on the START tab.
- For applicable spaces only, enter the size of the space in terms of the unit identified to the left.
 - *Certain exterior areas use a metric other than typical square footage to determine lighting power density, such as linear feet. Read the tool-tip note that appears when you click the cell and make sure you are entering a number in terms of the specific units requested.*

Building Facades	Sq.Ft.:	400	0.10 W/sqft
Entrances and night depositories	Quantity of ATMs:	2	M
Entrances at guarded facilities	Sq.Ft.:		
Fire, ambulance, and other emergency service vehicles	Sq.Ft.:		
...	Quantity of drive...		... watts per drive

Building Facades
Enter total area in square feet of the illuminated facade(s).

4. Fixtures from the Fixture Schedule marked as Exterior appear in columns in light green on this tab. Enter the total quantity of each fixture type found in the specific area:

Area or Location	Size of Space <i>Enter size size of the location in the specified units identified to the left.</i>		LPD Allowance	Exterior Lighting Power Allowance (Watts)	Fixture Schedule				Total Design Connected Load for Space (Watts)
					A2: Fixture 1... - 12.2W	A3: CPT01A-040-4... - 12.6W	A9: CC/LED/100W/... - 20W	A10: BT-TR75W-50... - 60W	
Parking Areas and drives	Sq.Ft.:	25,000	0.04 W/sqft	1,000.00	15	10			383
walkways/ramps less than 10 ft wide	Linear foot:		0.50 W/linear ft.	-					
Walkways/ramps 10 ft wide or greater	Sq.Ft.:	500	0.10 W/sqft	50.00	2	2			65

- The Total Design Connected Load, Design LPD will automatically calculate based on the quantity of fixtures and wattage per fixture.
- Compliance to ASHRAE 90.1-2016 baseline and any necessary adjustment based on fixture QPL listing will automatically calculate.

Summary Tab

- Total Wattage Allowance and Total Adjusted Proposed Watts automatically carry over from the applicable tabs where fixture quantities were entered.
- The incentive is calculated as \$1/Watt between the difference of allowed and proposed watts.
- Estimated energy savings over baseline are provided per program protocols.

SmartStart Buildings Program

Performance Lighting Application

FY21 October 1, 2020 – June 30, 2021



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 _____ Customer Contact Title _____ Customer Phone Number _____

Customer Mailing Address _____ Apt/Suite # _____ City _____ State _____ ZIP _____

Type of Project _____ How did you hear about the program? _____ Customer Email Address _____

*Retrofit /Existing Building – Energy efficiency retrofits or replacements in existing facilities
 **New construction- Energy efficiency installations in New building development (New steel, concrete, etc.)

FACILITY AND PROJECT INFORMATION

Facility Address _____ City _____ State _____ ZIP _____

Electric Utility Serving Facility _____ Electric Account Number _____

Facility Type _____ Anticipated Installation Start Date _____

Site Contact for Inspection Scheduling (Name/Title)* _____ Site Contact Phone _____

Site Contact Email Address _____

**On-site contact will be notified via email of any proposed inspection date/time.*

ENHANCED INCENTIVES



Buildings owned or operated by Municipalities, Counties, K-12 Public Schools, located in a UEZ or OZ zone, or that constitute Affordable Housing may be eligible for an enhanced incentive. Details are provided on page 2 of this application.

Check the appropriate box(es) to identify which designations, if any, are applicable to your facility:

Owned or operated by a Municipality

Owned or operated by a County

Owned or operated by a K-12 Public School

Located in a UEZ Zone

Located in an OZ Zone

Affordable Housing

CONTRACTOR/VENDOR INFORMATION

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

PAYEE INFORMATION

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

ESIP DECLARATION

- Check this box if an Energy Savings Improvement Program (ESIP) is a source of funding. ESIP allows government agencies to pay for energy related improvements using the value of the resulting energy savings.

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. 34: 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 _____

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

NJ SmartStart Buildings® Program Terms and Conditions FY21 October 1, 2020 – June 30, 2021

Eligibility

1. This application package must be received by the Program Manager on or before *June 30, 2021* in order to be eligible for the fiscal year program (*October 1, 2020–June 30, 2021*) 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 SmartStart application, applicants for the following types of projects must receive either a notification of a successful pre-inspection or a waiver of pre-inspection from the Program Manager:
 - Custom measures; and
 - Prescriptive Lighting seeking incentives \geq \$100,000; and
 - Prescriptive Lighting Controls seeking incentives \geq \$100,000; and
 - Performance Lighting seeking incentives \geq \$100,000 (existing buildings only) (the three Lighting project types, collectively “Inspected Lighting Projects”).

Notwithstanding the foregoing, the above requirement does not apply to any Inspected Lighting Project for which the associated application includes Enhanced Incentives, nor does it apply to any SmartStart application types that are not identified in the bullets immediately above. 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. For example, an application for refrigeration equipment may be submitted at any time up to 12 months after equipment purchase and without any pre-inspection or prior approval from the Program Manager. 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 a 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.
4. Buildings (a) owned or operated by Municipalities, Counties, K-12 Public Schools, (b) located in UEZs or OZs zones or (c) that constitute Affordable Housing may be eligible for an enhanced incentive equal to an additional 100% of the incentive values set forth in the incentive table for each technology, but subject to a cap of the applicant’s cost for the project (material and labor). The foregoing does not include new construction.

Inspections

Pre-Inspection:

See Eligibility, Section 4, above.

Post-Inspection:

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

1. To initiate a change to the participating customer name or payee on an approved application, the following documentation must be provided:
 - a. Documentation from the participating customer authorizing the change
 - b. A new, fully signed application reflecting the updated participating customer or payee name.
 - c. For name change of the applicant/customer, a utility bill in the name of the new participating customer is required.
 - d. All such changes requests are subject to Program Manager approval.
 - e. 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. NO WARRANTIES OR REPRESENTATIONS OF ANY KIND, WHETHER STATUTORY, EXPRESSED, OR IMPLIED, INCLUDING, WITHOUT LIMITATIONS, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE REGARDING EQUIPMENT OR SERVICES PROVIDED BY A MANUFACTURER OR VENDOR. CONTACT YOUR VENDOR/SERVICES PROVIDER FOR DETAILS REGARDING PERFORMANCE AND WARRANTIES.

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 or the Administrator, except the receipt of the Program Incentive. Participating Customers agree that the Program Manager's and Administrator's liability, in connection with this Program, is limited to paying the Program Incentive specified. Under no circumstances shall the Program Manager, its representatives, or subcontractors, or the Administrator, be liable for any lost profits, special, punitive, consequential or incidental damages or for any other damages or claims connected with or resulting from participation in this Program. Further, any liability attributed to the Program Manager 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 gives the Program Manager permission to share records with the New Jersey Board of Public Utilities, and contractors it selects to manage, coordinate or evaluate the New Jersey SmartStart Buildings Program including the release of electric and natural gas utility billing information, as well as make available to the public any and all information required by the Open Public Records Act and/or other applicable laws.

Enhanced Incentive

Details listed in the Enhanced Incentive section of each application.

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, NJS 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.