

MPOWER New Home

New Home Construction Program Terms and Conditions

Program Requirements

To qualify, each home must:

1. Be pre-approved by Modesto Irrigation District (MID) for eligibility to receive funds through this program.
2. Be a new construction home receiving electric distribution from MID.
3. Be either a single family detached or single family attached unit of any number of stories and on a utility residential rate. (The following facilities do not qualify: high-rise apartments, remodels, additions, manufactured housing, mobile homes, residential care facilities, and dormitories. All dwellings are subject to review and approval by MID.)
4. Be permitted, installed, and certified under the 2008 Energy Efficiency Standards for Low-Rise Residential Buildings (Title 24) effective October 1, 2008.
5. Meet guidelines for California ENERGY STAR® Qualified New Homes:
 - a. Designed to achieve compliance exceeding 15 percent over Title 24 requirements using a CEC-approved computer method. (The Prescriptive Compliance Method is not eligible.) Project must meet or exceed CEC and ENERGY STAR® installation and field verification requirements.
 - b. Outfitted with mechanical equipment sized to meet ASHRAE, ACCA Manual J and S, or equivalent computation procedure.
 - c. HERS-verified adherence to Quality Insulation Installation and Thermal Bypass Checklist Procedures as amended for California (QII/TBC).
 - d. HERS-verified Duct Testing - maximum 6% leakage.
 - e. HERS requirements must be entered into the approved HERS provider's registry by a certified HERS rater prior to payment of incentives.
 - f. Builder-signed ENERGY STAR Partnership Agreement.
6. Have a 14 SEER/12 EER HVAC Unit with an electronically commutated motor.

Program References

Home Energy Rating System (HERS) Providers:

CHEERS: www.cheers.org or call 800-424-3377
CBPCA: www.cbpc.org
CalCERTS: www.calcerts.com or call 916-985-3400

ENERGY STAR:

General Information: www.energystar.gov or call 888-782-7937

Partnership Agreement:

www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_join

Program Information

How to Apply

Submit the following to the Energy Services Department at MID (contact information listed at bottom of Page 2):

1. A completed MPower New Home program application (if production home project, submit one application per community).
2. An electronic copy of the Title 24 report including CF-1R as approved for the building permit. **
3. A subdivision lot map and list of lots with addresses (for production home projects). **
4. A site plan with North arrow (for custom homes). **
5. A completed HVAC Equipment Schedule (for each phase). ** MID may request Specification sheets on equipment.
6. A copy of the signed EPA ENERGY STAR Partnership Agreement.

** This document is not required at time of application; however, all documents are required prior to program approval.

A MID representative will contact the applicant and/or the Title 24 documentation author for any necessary clarifications or corrections. Once the project meets all program requirements, the applicant will be sent a Builder Agreement to sign and return for final approval. Once received, MID will sign, copy, and return the Agreement. MID will reserve incentive funds for the applicant at this time.

After MID Approval - Before Construction

Appoint an independent, certified HERS Rater to verify all program compliance measures requiring third-party verification. Develop thorough understanding of MPower New Home program standards and notify your crew and subcontractors that the home(s) must conform to them.

During Construction

Notify MID of any changes that will affect the total energy use of the home such as added/relocated windows, addition of areas not shown on the Title 24 submittal, and/or changes in proposed HVAC equipment, windows, or insulation. These changes may require a new Title 24 report and/or MPower New Home application.

Schedule HERS inspections as required for field verification. Projects with "failures" are subject to CEC retesting procedures.

MID may perform inspections and tests to verify proper installation and performance of energy efficiency measures.

After Construction And Prior To Payment

Builder must ensure all applicable compliance certificates are available for inspection by MID representatives including the CF-1R1 and CF-6R.

Incentive

\$500 per approved single family residence

\$250 per approved multi-family residence

(Multi-family residence defined as a multi-family building containing multiple dwelling units sharing common walls and may also share common floors / ceilings.)

Additional Terms

1. Funds are limited and will be reserved on a first-come first-served basis to projects that meet the program requirements.
2. IRS form W-9 is required for rebates totaling \$600 or more.
3. This program will end, or be revised, when ENERGY STAR® and/or 2008 Title 24 Standards change, or sooner if budgeted funds have been expended.
4. The Builder Agreement shall remain in effect for twelve (12) months from the effective date, which shall be the date MID approves the application or until ENERGY STAR and/or 2008 Title 24 Standards change, whichever comes first, and may be extended at MID's discretion. Applicant's other Agreements will expire based on the effective date of those Agreements.
5. If this program is terminated for any reason, MID shall not be liable to the applicant for any damages or compensation.
6. MID reserves the right to determine eligibility for the life of this program. All applications are subject to MID's verification of eligibility and compliance with supplemental program descriptions and requirements to applicant. MID retains final authority to calculate incentive payments under this program.
7. Specifications and verification services provided by MID will not be a replacement for HERS or local building official inspections. MID verification inspections only evaluate compliance with the specific project requirements set forth by MID.
8. To show a commitment to timely construction, the builder may be asked to supply documents such as the Grading Permit, Building Permit, and/or Approved Construction Schedule from the governing entity. (If these documents are not available, the applicant must demonstrate the project is in the process of obtaining them.) If, after review of these documents, MID determines the project is not progressing, MID reserves the right to void the application. If MID voids the application, the applicant may reapply at a later date. Applications will be accepted and incentives committed based upon the funds available at the time of reapplication.
9. MID makes no representation or warranty, and assumes no liability with respect to quality, safety, performance, or other aspect of any design, system, or appliance installed pursuant to this program; and expressly disclaims any such representation, warranty, or liability. Applicant agrees to indemnify MID agents and employees against all loss, damage, expense, and liability arising from any measures installed.
10. Funds received from sources other than MID rebate programs that lower the cost of the project may affect the incentive amount applicants receive. These sources include all third-party energy efficiency programs offering direct funding, financing or rebates (other than tax credits). The funded amount(s) will be deducted from the actual and documented Project Cost as it relates to the MID criteria and the maximum accrued rebate will not exceed 50% of net Project Costs. Applicants are required to inform the District

of any other incentives for which they have applied and/or may receive.

MID Agrees To:

1. Review submitted application forms, reserve funds as per the program guidelines, and pay incentive(s) for completed home(s) pre-approved for the program described herein. Incentive payments will be paid to applicant only.
2. Provide general program material highlighting the features and benefits of the MPower New Home program to homebuyers.
3. Promote builder as an MPower New Home program builder. does not guarantee any particular level, type, or frequency of advertising.
4. Provide builder with a certificate indicating the dwelling is a certified MPower New Home.

Applicant Agrees To:

1. Comply with the terms specified in this MID New Home Construction Program - MPower New Home – Terms and Conditions document.
2. Notify MID in writing, prior to construction, of any changes that will affect the number of units, energy use, performance of the units, overall HERS rating, and/or the requirements included in the Builder Agreement. In every case, applicant agrees to make this notification before requesting the incentive payment for affected units.
3. Schedule and incur costs for all onsite requirement verifications (except those performed by MID staff) including utilizing an independent, certified HERS Rater as required.
4. Submit documentation verifying compliance with CEC and ENERGY STAR requirements to MID's satisfaction.
5. Allow MID access to each dwelling unit, during construction and prior to occupancy, to verify program compliance and/or to perform on-site diagnostic testing and verification.
6. Not refer to any dwellings as MPower New Home unless those dwellings qualify as such under the conditions specified in this document. References include advertising copy, other promotional material, or verbal representation.
7. Provide homebuyer with the MPower New Home certificate provided by MID.
8. Make good-faith effort to promote the program by displaying the provided MPower New Home / ENERGY STAR material(s) at the participating project. If dwelling does not meet MPower New Home specifications, remove all reference(s) to MPower New Home. (Please do not use program name and logo unless reviewed by MID staff.)
9. Not state or imply to homebuyers or others that he/she is an agent, employee, or representative of MID.

Application Submission and Contact Information

Visit: www.mid.org Call: Energy Services (209) 526-7345
US Mail or Delivery: Modesto Irrigation District
1231 11th Street
P.O. Box 4060
Modesto, CA 95352
Attn: Energy Services Dept

MPOWER New Home

New Home Construction Application

| Builder Information (Builder or Owner) | | | |
|--|--|----------------|----------------|
| Name | | License Number | |
| Address | | City | State Zip Code |
| Office Contact Name | | Phone Number: | |

| Project Information | | |
|---|--------------------------------|----------------------|
| Subdivision Name | | Subdivision Location |
| Development Type: <input type="checkbox"/> Tract <input type="checkbox"/> Semi-custom / Custom | Construction Site Contact Name | Phone Number |

| Project Details | | Number of Qualifying Homes |
|---|-------|----------------------------|
| The scope of this Agreement includes the home(s) described below. Complete all sections that apply. Attach a current subdivision map that shows block and lot numbers and the homes included in this Agreement. | | |
| Entire Subdivision(s) | List: | |
| Specific Phase(s) | List: | |
| Model Home(s) | List: | |
| Specific Home(s) | List: | |
| Total Estimated Number of Qualifying Homes: | | |

I have read and understand the program requirements set forth in the MPower New Home Terms and Conditions and attest that all given information is correct. I agree to provide MID with 100% of the energy savings for the rated life of the project.

| | |
|-------------------|--------------|
| Builder Signature | Date |
| Builder Job Title | Phone Number |



Questions? Contact Energy Services
(209) 526-7345
 MID web site: www.mid.org