Financing for Home Performance with ENERGY STAR®
Request for Proposal (RFP) No.1235

Proposals Due: March 3, 2009 by 5:00 PM Eastern Time*

Program Summary: The New York State Energy Research and Development Authority (NYSERDA) is seeking proposals from qualified organizations, including teaming arrangements, to provide the following services: (1) Subsidized reduced interest rate financing to borrowers to finance energy efficiency improvements through the Home Performance with ENERGY STAR® (HPwES) program; (2) Review and approval of incentive applications from income eligible households; and (3) Coordination between the borrower, the Participating Home Performance Contractor, and the HPwES Implementation Contractor.

The Program Lender selected through this RFP is responsible for providing loans for energy efficient home improvements for a term of up to ten (10) years to qualified households across New York State, with NYSERDA subsidizing the interest rate. The Program Lender will also be responsible for determining the income eligibility for an incentive in accordance with program guidelines. The program guidelines are currently set as lower than 80% of State Median Income (SMI) or Area Median Income, whichever is greater, by household size.

Proposal Submission: Proposers must submit eight (8) copies of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFP 1235
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

If you have technical questions concerning the solicitation, contact David Friello at (518) 862-1090, ext. 3355 or daf@nyserda.org. If you have contractual questions concerning the solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507 or vwf@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting David Friello (Designated Contact) at (518) 862-1090, ext. 3355 or daf@nyserda.org. Contacting anyone other than this Designated Contact (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

***Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's Web site at www.nyserda.org.**

I. Introduction

The New York State Energy Research and Development Authority (NYSERDA) is a public benefit corporation established pursuant to Title 9 of Article 8 of the Public Authorities Law of the State of New York (State). NYSERDA's principal mission is to develop innovative solutions to some of the State's most difficult energy and environmental problems.

Pursuant to a January 30, 1998 Order of the New York State Public Service Commission (PSC), NYSERDA became the administrator of statewide public benefit programs funded by the system benefits charge (SBC). In Opinion No. 98-3, the PSC established a system for funding public benefit programs for energy efficiency, research, demonstration and development, low-income services, and environmental protection. The PSC issued an *Order Continuing and Expanding the System Benefits Charge for Public Benefits Programs* on January 26, 2001. On December 21, 2005, the PSC issued the *Order Continuing the System Benefits Charge (SBC) and the SBC-Funded Public Benefits Programs.* NYSERDA's SBC-funded programs, known collectively as the **New York Energy $mart℠** program, are currently funded through June 30, 2011.

NYSERDA currently offers two financing programs to support Home Performance with ENERGY STAR® (HPwES): the HPwES Financing Program and the Residential Loan Fund.

- The HPwES Financing Program currently offers low-interest rate, unsecured financing to residential customers.
- The Residential Loan Fund provides residential customers of participating lenders with an interest rate reduction (currently 4%, except up to 6.5% in ConEdison service territory) for eligible energy saving improvements.
- Income eligible customers may also qualify for an incentive to offset the cost associated with qualified energy efficiency measures, in combination with either loan option or as a stand-alone incentive without a loan.

This RFP seeks to continue and expand upon the HPwES Financing Program only.

Definitions of common terms used in this RFP

Home Performance with ENERGY STAR (HPwES): NYSERDA's energy efficiency program targeting one-to-four family residential buildings. The Program includes a component offering a financial incentive to income eligible customers, commonly referred to as Assisted Home Performance with ENERGY STAR or simply Assisted Home Performance.

Program Lender: The contractor responsible for the HPwES Financing Program.

Participating Home Performance Contractor : Building Performance Institute (BPI) accredited contractors participating in NYSERDA's Home Performance with ENERGY STAR program.

HPwES Implementation Contractor: The program implementor for the Home Performance with ENERGY STAR program.

II. Background

HPwES Financing Program

The program began with a competitive solicitation process in 2001. The Program Lender currently offers unsecured loans to homeowners with a minimum credit score of 640 for amounts of up to $20,000 for terms of up

to 10 years and, to homeowners with a minimum credit score of 550 for amounts of up to $10,000 for terms of up to five (5) years. In the existing program, NYSERDA buys down the interest rates to 5.9% and 4.9% respectively. Many HPwES customers requiring financing prefer this product because they can apply over the phone or via fax and receive a decision within 24 hours.

Additionally, the Program Lender determines a customer's income eligibility for the incentive and pays the Participating Home Performance Contractor for completed work from the proceeds of the approved loan and incentive. NYSERDA then reimburses the Program Lender in full and pays an agreed-to fee for these services. The table below outlines the number of loans closed, HPwES incentives, and their value.

Table 1: *ENERGY STAR Financing Program Metrics through September 30, 2008*

Period	# Loans Closed	Total Loan Amounts
YTD 08	453	$ 3,493,882
2007	541	$ 4,229,137
2006	654	$ 4,882,835
2005	504	$ 3,774,518
2004	589	$ 4,273,838
2003	945	$ 6,528,671
2002	832	$ 5,846,525
2001	303	$ 2,843,904
Program to Date	**4,821**	**$ 35,813,310**
	# of Incentives	**Total Incentive**
HPwES Incentive Applications Reviewed to Date	13,397	$ -
HPwES Incentives Completed to Date	7,030	$ 27,675,007

Home Performance with ENERGY STAR (HPwES)

HPwES began in 2001 as an effort to transform the New York existing homes energy-efficiency marketplace through a comprehensive "house-as-a-system" concept, supported by a growing infrastructure for contractor training and certification. In addition, NYSERDA provides a comprehensive consumer and contractor marketing campaign and incentives aimed at overcoming market barriers.

All contractors who participate in the Home Performance with ENERGY STAR® must become certified and accredited through the Building Performance Institute (BPI), a national resource for building science technology that sets the standards for assessing and improving the energy performance of homes (www.bpi.org). Participating contractors must maintain BPI certification and accreditation to continue to participate in the program. The program places a strong emphasis on building science technology, health and safety, utilizing energy analysis software, and tailoring sales and marketing techniques to the residential contracting business.

This program is designed to create a "one-stop" shopping experience for New Yorkers who are considering energy-efficiency improvements for their existing one-to-four family homes. The same contractor who performs the Comprehensive Home Assessment also schedules and completes the work; however portions of the job scope may also be sub-contracted. The Comprehensive Home Assessment is designed to promote cooperation between trades through an incentive system that rewards contractors who partner outside of their trades in delivering

optimum energy-efficiency services to New York homeowners. Over 21,500 households have been served to date.

An innovative element to the HPwES Program is the availability of Home Performance incentives for households with income below 80% of the State Median Income (SMI) or Area Median Income (AMI), whichever is greater. The federally funded Weatherization Assistance Program (WAP), administered in New York by the Division of Housing and Community Renewal, provides free services to households with income below 60% of SMI. Households with income below 60% of SMI and eligible for WAP may elect to participate in HPwES after acknowledging that this is their choice.

Currently, income eligible households receive HPwES incentives totaling 50% of the project cost up to $5,000 for single-family homes and up to $10,000 for two-to-four unit buildings with two or more eligible households. Under agreements between NYSERDA and certain natural gas utilities, customers may be eligible for incentives covering a higher percentage of the project cost through HPwES. The Program Lender pays the incentive directly to the participating contractor upon completion of the work.

Table 2: *Program Availability by Income Level*

Program	Less than 60%	Greater than 60%, but Less than 80%	Greater than 80%
Weatherization Assistance Program	YES	NO	NO
Home Performance Incentive	YES, at Customer option	YES	NO
Home Performance Financing	YES, at Customer option	YES	YES

Additional information on HPwES, including Assisted Home Performance and the financing programs, is available at our Web site www.GetEnergySmart.org.

III. Program Requirements

NYSERDA is seeking proposals from qualified organizations, including teaming arrangements, to provide the following services: (1) Subsidized reduced interest rate financing to borrowers to finance energy efficiency improvements through the HPwES program; (2) Review and approval of incentive applications from income eligible borrowers; and (3) Coordination between the borrower, the Participating Home Performance Contractor, and the HPwES Implementation Contractor, currently the Conservation Services Group (CSG).

It is estimated that in 2009 and 2010, project financing will be required for 1,250 projects and incentives paid on 2,000 projects annually. As a result of the New York State 15-by-15 initiative, and other efforts to reduce energy use, these targeted project numbers are likely to increase. NYSERDA may seek to modify the contract with the selected contractor to include these additional efforts.

Proposals must address the following minimum program requirements, subject to change with written notification by NYSERDA:

- Only 1-4 family dwellings are eligible for financing. While renters are eligible for the Home Performance incentive, lenders may restrict loans to homeowners and owner occupied homes of two or fewer units.
- Non-energy related measures may be financed, but at current market rates. In such instances either: (1) separate notes can be written - one for the energy related work at the reduced rate, and one for the non-energy related work at the market rate; or (2) one loan with a blended interest rate may be written.

- Provide consumer financing throughout the areas of New York State served by NYSERDA.
- Provide rapid credit pre-approval and loan approval to participants through toll free telephone, Web site, and/or facsimile access.
- Provide through-the-mail loan closing and hold the documents in escrow until such time as the work has been completed and payment to the Participating Home Performance Contractor is authorized.
- Proposers must be aware that a timing difference will occur between the funding of a loan and the receipt of the interest subsidy and incentive payment from NYSERDA. NYSERDA's prompt payment regulations apply to all contracts.
- Coordinate and communicate effectively with NYSERDA, the program applicants (borrowers), Participating Home Performance Contractors, and the HPwES Implementation Contractor.
- Provide strong data collection and management capabilities.
- Provide prompt review and approval of incentive applications.

Program Tasks and Deliverables

At a minimum, each proposal shall address the following:

Task 1. **Pre-Contract Meeting**: A kickoff meeting at NYSERDA's Albany office shall be attended by the Program Lender, the HPwES Implementation Contractor, and NYSERDA. The meeting is intended to review all processes, procedures, responsibilities, and reporting requirements.

Task 2. **Loan Application Intake System**: The Program Lender shall establish and implement a loan application intake system. The intake system shall include a toll-free phone number for consumer access, data collection including applicant information; project costs, loan amount, household size, applicant, co-applicant and total household income, loan subsidy eligibility, a brief description of targeted improvements, and utility provider. Customers must have the option to apply for loans using an application form, Web site, fax, or by telephone. Credit pre-approvals must also be available by phone and the Web site.

Deliverable: The Program Lender shall prepare a report verifying that the intake system has been established and is prepared to take applications and shall submit copies of the loan application forms, the Web site, and other materials to NYSERDA for approval. The Program Lender shall address its ability to provide the reasons for loan denial (credit, income, etc).

Task 3. **Loan Processing**: The Program Lender shall process and underwrite the loan applications based on agreed upon underwriting criteria and financing guidelines, and shall accept or deny all applications. The Program Lender shall notify the customer and the Participating Home Performance Contractor of the credit decision. If the loan application is denied, the Program Lender shall notify the customer in writing. Should an applicant be denied a loan, yet would have qualified for an incentive, the Program Lender shall indicate in the loan denial letter to the applicant the maximum incentive, the incentive as a percent of the work scope, if known, or the amount of incentive if known, that the applicant is eligible to receive.

Once a customer has been pre-approved, the customer will be notified by the Program Lender to submit a completed loan application, a copy of the proposed work scope and cost estimate, and proof of income (if required) to apply for the requested energy efficiency loan.

The Program Lender shall allow the customer/Participating Home Performance Contractor 90 days from the signing of the loan agreement to install the eligible measure(s). If a change order is executed that increases the requested loan amount, the customer will be required by the Program Lender to be re-qualified at the new loan amount. The customer or Participating Home Performance Contractor must then submit supporting documentation, i.e., a revised work scope and cost estimate.

Deliverable: The Program Lender shall produce a written weekly report informing the HPwES Implementation Contractor of loan approvals, denials, and the number of applicants that have been denied a loan, but are notified of their incentive eligibility. The reports will include key data to be used for program tracking and evaluation, as mutually agreed by the Program Lender and NYSERDA. At a minimum, the report shall include data on loans approved (based on completed and signed applications) including customer name and address, amount of loan, loan term, income level, credit score, and the interest rate at the time the loan agreement was signed (this rate is locked in for a period of 90 days and should allow sufficient time to complete the installation).

Task 4. **Home Performance Incentive**: For each incentive application received, the Program Lender shall verify household size and income level against income guidelines provided annually by NYSERDA. All households with a total income level at or below 80% of the State Median Income (SMI) or Area Median Income (AMI), whichever is greater, are eligible to receive an incentive for a portion of the work. The homeowner shall then be eligible for financing through the Program for the balance of the cost of qualifying measures.

The Program Lender shall be required to verify the household income of all applicants for an incentive, and inform the HPwES Implementation Contractor of those applicants that qualify for the incentive as outlined in Attachment C - *Home Performance Incentive Application and List of Acceptable Income Documentation*.

If the applicant's household income exceeds 80% of the SMI or AMI, whichever is greater, the applicant is not eligible for a Home Performance incentive.

If the applicant's household income is at or below 60% of the State's median income, then the applicant qualifies for the State's Weatherization Assistance Program (WAP). The Program Lender shall notify the applicant in writing that he or she is eligible for energy efficiency services through WAP at no cost to the applicant. The letter shall explain that the applicant is also eligible for an incentive through the HPwES Program, and should he or she so choose, may have work completed through the HPwES Program but will be responsible for the balance of the project cost and payment to the Home Performance Contractor. The letter shall also refer the applicant to the local WAP office, with a copy delivered to the Participating Home Performance Contractor who originated the lead. Should the applicant choose services through HPwES instead of WAP, then upon the Program Lender's receipt of written confirmation from the applicant, the Program Lender shall process the application for a Home Performance incentive.

Upon determination of income eligibility for a Home Performance incentive, the Program Lender shall notify the customer in writing and the Participating Home Performance Contractor who is proposing work to the customer via fax or e-mail. Proposers are invited to provide alternative communication methods.

Deliverable: The Program Lender shall send invoices to NYSERDA, with a copy to the HPwES Implementation Contractor, no more frequently than twice each month, which shall include any fees or expenses, as approved by NYSERDA, for performing income verification services. The Program Lender shall prepare a monthly report specifying cumulative incentives for that month and year-to-date, with supporting documentation.

Task 5. **Payments to the Participating Home Performance Contractors**: Upon completion of work within the allowed time frame from execution of the loan agreement (90 days), the Participating Home Performance Contractor and the customer must complete, sign and submit a Certificate of Completion to the HPwES Implementation Contractor along with a final invoice and a change order (if needed). Within five days of receiving the Certificate of Completion, the HPwES Implementation Contractor will review the completion documents; conduct a quality control inspection (if appropriate); verify that the installed measures are consistent with the contract that the customer signed; and instruct the Program Lender to close the loan and forward payment to the Participating Home Performance Contractor. The Program Lender shall make every effort to process and mail a check or initiate an ACH (wire transfer) into the Participating Home Performance Contractor’s account within two (2) business days from receipt of the transmittal of Certificate of Completion.

Deliverable: Upon receipt of the Certificate of Completion from the HPwES Implementation Contractor, the Program Lender shall pay the Participating Home Performance Contactor within two (2) business days. The Program Lender may then request reimbursement, no more frequently than twice a month, for the Interest Rate Reduction, Home Performance incentive and any associated fees from NYSERDA.

Task 6. **Income Verification for Loans that have been Denied and for Consumers Paying Cash or using Alternative Financing**: In instances when the applicant has been denied financing or when the applicant will be paying cash or using alternative financing, the Program Lender shall collect all information sufficient to determine if the applicant qualifies for a Home Performance incentive, then inform both the HPwES Implementation Contractor and the applicant of his or her incentive eligibility, and amount of incentive if known. The applicant will then be required to pay the Participating Home Performance Contractor the un-subsidized portion of the agreed upon work scope.

Deliverable: No less than on a weekly basis, the Program Lender shall provide the HPwES Implementation Contractor with the name of each applicant, address, incentive amount (if known), and name of the Participating Home Performance Contractor via fax or e-mail. This report shall be forwarded to NYSERDA on a monthly basis by the Program Lender.

Task 7. **Reporting**: The Program Lender shall compile concise monthly progress reports throughout the course of the project to highlight the status of loans and incentives. The progress reports shall be submitted to NYSERDA's Project Manager no later than the 10th of each month. An annual report shall include a performance analysis of loans closed, including the number of non-performing loans and defaults, if any.

The monthly report shall include but may not be limited to the following information for the month, year-to-date, and program-to-date: a). Number of applicants; b). Number of loans made; c). Number of households qualifying for incentives; d). Dollar value of interest rate reduction by utility service territory; and e) Dollar value of incentives by utility service territory. The Program Lender shall also coordinate with NYSERDA and the HPwES Implementation Contractor to ensure that tracking mechanisms are in-place to capture and quantify loan project impacts, such as energy savings.

Deliverable: The Program Lender shall submit monthly and annual reports to NYSERDA's Project Manager.

Contract Term
Program implementation is scheduled to begin by the end of the second calendar quarter of 2009, and the initial contract term will be for two years. At NYSERDA's discretion, annual extensions for up to three (3) additional years may be executed, subject to availability of funding and contractor performance.

IV. Proposal Requirements

Proposals must meet the following minimum requirements, subject to change with written notification by NYSERDA. Proposers must demonstrate a thorough understanding of the goals and objectives of this RFP. Successful experience in the implementation, coordination, and management of similar financing programs is preferred.

Proposers must submit eight (8) copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Proposal. A completed and signed Proposal Checklist must be attached as the front cover of the proposal, one of which must contain an original signature. **Proposals should be no more than 20 pages** excluding appendices for resumes and summaries of prior work. NYSERDA may request additional data or materials to support proposals. **Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned.** Faxed or e-mailed copies will be not be accepted.

Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the RFP number, and the page number. The proposal must be in the following format:

Proposal Checklist: The Proposal Checklist to be completed is attached to this RFP. The checklist must be attached to all eight (8) copies of Part I of the proposal. At least one (1) copy must contain an original signature.

Section 1. Introduction and General Information: Proposers should summarize their understanding of the objectives and requirements of this RFP. Proposers should *briefly* identify key information about their organization. Proposers should describe why they feel they are uniquely qualified to perform and complete the services requested under this RFP.

Section 2. Statement of Work: The Statement of Work is a detailed plan of how the Proposer will accomplish the Program's objectives. The Statement of Work should clearly articulate strategies consistent with the requested Tasks and Deliverables, and Program Requirements sections of this solicitation. Describe your approach/methodology and define your rationale for the proposed approach. Describe the actions you will take to complete each task. The Statement of Work is the primary contractual document that identifies the deliverables and provides a basis for payment. It is an action document that specifically delineates each step or procedure required to accomplish the Program's objectives. The Statement of Work must be prepared as an order of set tasks, including subtasks if necessary. Therefore, each action item should be identified, indicating who will perform it, how it will be performed, when it will be performed, and its anticipated deliverables. In addition to responding to the tasks defined for the requested services (Tasks 1 through 7), proposers are invited to present additional tasks as long as they promote, or are consistent with, the goals and objectives of the Program.

Proposers must identify their ability to provide adequate lending services for various credit scores and the underwriting guidelines and process they propose to use in approving loan applications and credit pre-approvals through the program. Underwriting guidelines may be modified over the term of the program upon mutual agreement between NYSERDA and the Program Lender.

Proposers must provide acceptable terms for calculating the lump sum payment for providing reduced interest rate financing through the program.

Proposers must indicate their willingness and ability to offer unsecured loans up to $30,000 for energy efficiency measures eligible through HPwES and to determine the borrower's eligibility for the incentive. In addition, Proposers are asked to indicate their willingness and ability to offer secured loans up to $60,000 for work performed through a residential remodeling program currently being developed by NYSERDA. It is anticipated NYSERDA will offer low-interest rate financing to owners of one-to-four family households that include energy efficiency measures while remodeling an existing structure. Only energy efficiency work would be eligible for the interest rate reduction. The interest rate on the balance of the loan will be at market rates. Proposers are also asked to indicate their willingness and ability to expand the services provided upon request by NYSERDA.

Section 3. Management structure: Proposals should identify all team members, including the program director, who will be responsible for ensuring that the duties of the Program Lender are carried out properly and in a timely manner. Provide a clear description of the roles and responsibilities of each key person in completing the work plan. Provide an organization chart. Resumes of all team members should be provided as an appendix.

Section 4. Qualifications: Describe how the proposer meets the experience, skills and abilities, and financial capacity criteria. State the individual and combined expertise that would enable successful completion of this Program. Describe how the proposer will deliver services to customers in New York State. List and briefly explain relevant programs that have been completed by the proposer. Indicate which team members were responsible for each program described. Include the name and telephone number of at least three (3) references for whom your

organization has completed projects. Summaries of prior work requested in this RFP may be submitted as an appendix. Proposers are required to determine the economic benefits to New York State that would result from their selection.

Section 5. Cost Proposal: a.) Proposals must provide a detailed fee schedule (fee assessed per applicant or based on loan amounts up to $30,000) for the services to be performed in completing the tasks outlined in the Statement of Work and costs associated with reducing the market interest rate to rates between 5% and 10% for up to five (5) and up to ten (10) year terms. For the purpose of the proposal, assume 1,250 loans and 2,000 incentives funded annually. b.) Proposals must include the current and if different, the historic costs for a minimum of one (1) year for writing down the market interest rate to various interest rates between 5% and 10%. c.) Proposals must describe the basis for future adjustments to the market interest rate. d.) Proposals should describe variables that affect the cost of the interest rate reductions. e.) Describe whether fees are paid for applicants who are denied or who elect not to pursue financing/payments, or is a fee earned only on closed loans and incentives. f.) Proposers are asked to describe fees and costs associated with secured loan amounts up to $60,000).

Proposal Evaluation

All proposals received by the due date, and meeting the submission requirements established in this RFP will be reviewed by a Technical Evaluation Panel (TEP) consisting of NYSERDA staff and selected outside reviewers. Final rankings and contract award to one contractor will be based on the following criteria:

Cost: How cost effective is the proposal? What is the Proposer's market interest rate(s) for similar loans and what is the cost of the interest rate reduction on loans? How does the cost of the interest rate reduction and fees compare to other proposals?

Responsiveness to the Program Components and Requirements of the RFP: Has the Proposer demonstrated a clear understanding of the program goals and objectives? Is there clear evidence that the Proposer possesses the financial capacity to implement, coordinate and monitor the Program? Is the Statement of Work thorough, specific, and consistent with the stated objectives? Are deliverables clearly stated and consistent with the Proposer's activities?

Relevant Experience and Qualifications: Are key personnel's education, skills, abilities, and experience relevant to the program's needs? Does the Proposer have adequate capacity to handle the Program? Does the Proposer demonstrate recent experience in the conduct of similar programs? Has the Proposer demonstrated strong management and data collection capabilities? What is the quality of the Proposer's performance on existing or past programs, or their achievement related to the proposed work? Are there aspects of the Program that are unacceptable? Is the Proposer authorized to make consumer loans in New York State? Does the Proposer demonstrate the ability to serve customers across New York State?

Comprehensiveness of Approach and Management Plan: Does the proposer demonstrate the ability to complete all aspects of the Program? Has the proposer demonstrated the ability to institute appropriate data collection and monitoring procedures? Are appropriate management and coordination strategies articulated? Is the Program organization, including staffing plan and schedule, clear and well-defined? Does the proposal include a strategy for coordination and interaction with all relevant parties, including NYSERDA, the Program Implementation Contractor, and Home Performance Contractors? For Program Lenders, is the proposed underwriting criteria acceptable and will it maximize the effectiveness of the financing program to consumers?

Economic Benefits to New York State: Does the proposal describe the economic benefits to New York State that would result from their selection?

Other: Is the proposal well organized, well written and complete?

V. General Conditions

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to except it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 www.nyserda.org/nyserda.regulations.pdf. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
30 South Pearl Street
Albany, NY 12245

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html
The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the Program Lender, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. *See,* ST-220-TD (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220td_606_fill_in.pdf). Prior to contracting with NYSERDA, the

prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a perspective contractor prior to contacting and filed with NYSERDA. *See,* ST-220-CA (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220ca_606_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.state.ny.us/pdf/publications/sales/pub223_606.pdf.

Contract Award - NYSERDA anticipates making one award under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA expects to notify proposers in approximately eight (8) weeks from the proposal due date whether your proposal has been selected to receive an award.

Limitation - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the Program Lender may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

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VI. Attachments

Attachment A – Proposal Checklist
Attachment B – Disclosure of Prior Findings of Non-Responsibility
Attachment C – Home Performance Incentive Application and List of Acceptable Income Documentation
Attachment D – Home Performance Incentive Income Guidelines
Attachment E – Home Performance with ENERGY STAR Eligible Measures

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

ATTACHMENT A – RFP 1235 PROPOSAL CHECKLIST (MANDATORY)

Proposal Title		Due Date	
Primary Contact (Prime Contractor)		Title	
Company		Phone	Fax
		e-mail	
Address	City	State or Province	Zip
Secondary Contact		Title	
Company		Phone	Fax
		e-mail	
Address	City	State or Province	Zip

THE PRIME CONTRACTOR MUST SIGN THIS FORM BELOW and ANSWER THE FOLLOWING QUESTIONS:

Do you accept all Terms & Conditions in the Sample Agreement? (if no, explain on separate pg) __ Yes __ No

Have you been indicted/convicted for a felony within the past 5 years? (if yes, explain on separate pg) __ Yes __ No

Are you a Minority or Women-Owned Business Enterprise? __ Yes __ No

Does your proposal contain Minority or Women-Owned Business enterprises as subcontractors? __ Yes __ No

Are you submitting the required number of copies? (See proposal instructions.) __ Yes __ No

Is other public funding pending/awarded on this and/or very similar topic (prior and/or competing proposals)? __ Yes __ No
(if yes, explain on separate page)

PLEASE CHECK IF INCLUDED

The Proposal Checklist with original signature	_____	Indictment/Conviction of Felony (if applicable)	_____
Disclosure of Prior Findings of Non-responsibility Form	_____	NYSERDA Contracts Awarded (if applicable)	_____
Introduction and General Information	_____	Exceptions to Terms & Conditions (if applicable)	_____
Statement of Work	_____		
Management Structure	_____		
Qualifications	_____		
Cost Proposal	_____		

AUTHORIZED SIGNATURE & CERTIFICATION

I certify that the above information, and all information submitted in connection with State Finance Law §139-j and §139-k, is complete, true, and accurate, and that the proposal requirements noted have been completed and are enclosed. I affirm that I understand and will comply with NYSERDA's procedures under §139-j(3) and §139-j(6)(b) of the State Finance Law. I understand that this proposal may be disqualified if the solicitation requirements are not met. I the undersigned am authorized to commit my organization to this proposal.

Signature	Name
Title	Organization
Phone	

NOTE: This completed form **MUST** be signed and attached to the front of all copies of your proposal.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

Attachment B
Disclosure of Prior Findings of Non-responsibility Form

(Mandatory)

Name of Individual or Entity seeking to enter the procurement contract:		
Address:		
Date:		
Solicitation or Agreement Number: Name and Title of Person Submitting this Form:		
Has any Governmental Entity made a finding of non-responsibility regarding the Individual or Entity seeking to enter the Procurement Contract in the last four years? (Please indicate with an "X")		Yes
		No
Was the basis for the finding of non-responsibility due to due to a violation of §139-j of the State Finance Law? (Please indicate with an "X")		Yes
		No
Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please indicate with an "X")		Yes
		No
If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.		
Government Agency or Authority:		
Date of Finding of Non-responsibility:		

Basis of Finding of Non-responsibility: (Add additional pages as necessary)

Has any Government al Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named Individual or Entity due to the intentional provision of false or incomplete information ? (Please indicate with an “X”) (Please indicate with an “X”)		Yes
		No
If you answered yes, please provide details below.		
Government Agency or Authority:		
Date of Termination or Withholding of Contract:		
Basis of Termination or Withholding: (Add additional pages as necessary) Offerer certifies that all information provided to NYSERDA with respect to State Finance Law §139-k is complete, true, and accurate. By:_____ Date:_____ Signature Name:_____ Title:_____		

Home Performance with ENERGY STAR®
Incentive Application

To be eligible for the Home Performance with ENERGY STAR incentive, applicants must fully complete this application and provide the requested documentation.

APPLICANT NAME			**Project #**		
APPLICANT ADDRESS	Street	City	County	Zip Code	Apt# or Floor
TELEPHONE NUMBERS Day ( )		Evening ( )			
DIRECTIONS TO THE HOME					
TYPE OF RESIDENCE	❑ Owner Occupied	❑ Single Family Home	❑ Mobile Home	❑ Rental Unit	
	# of units _____	Age of Home_____	If Rental Unit, Electricity Paid By: ❑ Owner	❑ Tenant	
OWNER'S NAME Owner's Address (if different from address listed above)					

Total Number of Household Members:_____	TOTAL INCOME: Complete the following table listing the income received by each household member 16 or older who is not a full-time student; and the names and ages for all members of the household.

Name	SEX	AGE	SOURCE(S) OF INCOME	AMOUNT IN DOLLARS		
				WEEKLY	MONTHLY	YEARLY
			TOTALS			

Salaried Applicants and Salaried Household Members

- Copy of 1st two pages of previous year's Federal Income Tax Return (Tax Returns must be signed). If previous year's Federal Income Tax Return have not been completed, please submit prior year's W2's.
- Copy of most recent paycheck stub indicating year-to-date income.
- Proof of Social Security/Disability/Pension (Award Letters), Child Support, Alimony

Applicants/Household Members who are Self-Employed or Receive Rental Income

- Copy of previous year's Federal Income Tax Return, (signed) including all schedules and attachments. If previous year's Federal Income Tax Return have not been completed, please submit a signed year to date Profit and Loss Statement.

HOMEOWNER CONTRIBUTION

The maximum incentive available from Assisted Home Performance with ENERGY STAR is 50% of the approved work scope. The maximum incentive is $5,000 for a single family home and $10,000 for 2-4 family residences. Where other public funds are available to defray the homeowner's contribution, the homeowner's contribution must not be less than 10% of the approved Home Performance with ENERGY STAR work scope or $500 whichever is less. The Home Performance with ENERGY STAR incentive may not be combined with the federally funded Weatherization Assistance Program.

Identify the source and amount of the homeowner contribution:

_____

_____

ENERGY SUPPLIER INFORMATION RELEASE AUTHORIZATION

I hereby authorize the energy suppliers named below to release information on my energy use to NYSERDA for two years prior to and two years after completion of the work.

Electricity Supplier: _____ Account Number: _____

Heating Fuel Supplier: _____ Account Number: _____

SITE VISITS

NYSERDA reserves the right to make a reasonable number of visits during the installation and for up to 24 months following project completion. Such visit(s) will be at a time convenient to the Applicant. The purpose of the visit(s) is to provide NYSERDA with an opportunity to assess the energy savings and to ensure that the eligible energy efficient measures are installed consistent with the program standards.

APPLICANT AFFIRMATION

I certify, under the penalties of law, that the statements made in this application (including statements made in any accompanying papers) have been examined by me and are true and complete. I understand that by signing this application, I consent to any other inquiry to verify or confirm the information I have given.

I understand that this application does not guarantee that assistance will be granted but will be used in determining eligibility for the program. Whether or not an eligible applicant will be provided assistance will depend in part upon the number of applications received, the remaining funds available and the priorities to be met by the program.

Applicant's Signature_____ Date_____

Co-Applicant's Signature_____ Date_____

OFFICE USE ONLY

INCOME GUIDELINES FOR A HOUSEHOLD OF MEMBERS: $ ❑ DOCUMENTATION ATTACHED

ON THE BASIS OF THE ABOVE INFORMATION, HOUSEHOLD ❑ IS ❑ IS NOT INCOME ELIGIBLE

Intake Worker's Signature: Date

INCOME SOURCE	ACCEPTABLE DOCUMENTATION
Alimony	Court order; pertinent pages of separation agreement or divorce decree that identify client and amount of alimony. (If court ordered payments are not being received by the client, a notarized statement to this effect will be accepted.)
Annuities	Statement from issuing organization.
Child Support	Court order; pertinent pages of agreement that identify the client and amount of support. (If court ordered payments are not being received by the client, a notarized statement to this effect from the Court, the Child Support Collection Unit, or the spouse required to pay will be accepted.)
Direct Deposits	Copy of two or more bank statements listing the date and amount of deposit; letter from local bank stating source and amount of direct deposit income; verification of income from benefit source.
Dividends and Interest, as Regular Source of Income	Statement from bank or brokerage firm.
Estates and Trusts, as Regular Source of Income	Fiduciary statement or current statement from bank or brokerage firm.
Insurance Proceeds or Dividends, as Regular Source of Income	Statement from insurance company.
Joint Legal Custody	In cases where a divorce decree establishes true-shared legal and physical custody of the minor children of the marriage (i.e., sole custody or a custodial parent was not established) the minor children are to be included as members of both households for the purpose of establishing eligibility for the incentive.
HUD FORM 50059	Copy of the current form for the tenant.
Pensions, Government or Private	Award letter; copy of checks; a letter from administrative agency.
Rents	Income tax form; rent receipts; notarized statement from applicant listing each apartment and the rent received per month, as well as the description and amount of deductible expenses. When the tenant is a family member and is paying no rent to the owner, a notarized statement should be received from the tenant and signed by the owner stating that no rents are being collected.
Royalties	Income tax return; current statement from organization issuing Royalty payments.
Self Employment Income	Business records for three months prior to the date of application; IRS form for income from previous year notarized statement of gross adjusted income, including list of deductions and amounts for previous three months. **Note**: Losses incurred in the pursuit of income cannot be deducted from your adjusted gross household income.

Social Security Benefits	Award letter; checks; statement from bank or brokerage firm (if direct deposit); SSA form 2458 (Report of Confidential Social Security Benefit Information.)
Strike Benefits	Award letter; copy of checks; letter from union.
Training	Award letter, copy of checks; letter from appropriate administrative agency.
Unemployment	Notice of Benefit Rate letter (Form Benefits L0403x).
Veterans Benefits	Award letter from Veterans Administration or Department of Defense; copy of check.
Wages and Salaries Before Deduction	Letter from employer on employer's stationary; wage, earnings, or pay stubs; any combination of the above to document total earnings for the 4 weeks prior to date of application.
Workers Compensation	Award letter from Workers Compensation Board; current check.

ELIGIBILITY- INCOME EXCLUSIONS

The following income sources should not be included in total monthly income for purposes of determining eligibility:

Cash Over Which the Household Has No Control:

Cash including, but not limited to, reimbursement for expenses incurred in connection with employment (e.g., gas mileage provided), and reimbursement for medical expenses (e.g., Medicare payment for doctor bills.)

Loans:

All except reverse-annuity mortgage and home-equity conversion payments.

Dependent Student Income:

Earnings of full-time high school students aged 18 or younger should not be included in the household's income, however, the income of dependent students over the age of 18 and enrolled for at least 12 credit hours in an institution of higher education should be treated in the following manner.

- Income received by students from State and/or Federal grants and/or loans is excluded as income (e.g., TAP, Pell, NYSHEA).

- Earnings of a student living at home are excluded as income in determining a household's eligibility; however, students living at home are included in the household count.

- Earnings of a student enrolled at an institution of higher education and living away from home during normal periods of class attendance and recess are excluded as income in determining a household's eligibility. Such students are, however, included in the household count. A student's status may be further tested by whether the student lives at home during normal vacation periods, or is claimed as a deduction on the household's income tax.

Farm and Business Expenses:

Allowable deductions for farms and businesses include only the cost of doing business. If the enterprise is a partnership, the percentage owned by the applicant should be established by documentation. The adjusted gross income figure listed on an applicant's income tax return should not be used in determining income from small businesses/farms since the IRS allows deductions for depreciation, personal business and entertainment expenses, income tax, personal transportation, purchase of capital equipment, and payments on the principal of loans. Business records required by law should be used to document gross income and business costs for the three calendar months prior to the month of application and pro-rated for an average gross monthly income.

Note:
Losses incurred in the pursuit of income cannot be deducted from your adjusted gross household income.

Rental Property Costs:

The following costs for rental property may be deducted from the owner's income, if documented:

- Interest paid to purchase income-producing property.
- Insurance premiums.
- Taxes paid on income-producing property.
- Heating and/or utility costs paid for income-producing property where rent includes heat and/or utilities.
- Improvements and/or repairs necessary to maintain the property as income producing.

Note: To determine the allowable deduction for an improvement, use the life expectancy of the improvement and pro-rate the cost (e.g., a new roof costs $5,000 and has a life expectancy of 15 years). The $5,000 roof would be pro-rated at $333 per year or $27.75 per month. To determine the allowable deduction for a repair, divide the cost of the necessary repair by 12 months, e.g., a $500 repair to a roof would be $41.67 per month.

If the owner/applicant also resides in the income-producing property, the applicant's allowable costs should, also, be prorated. For example, an applicant with a three-unit dwelling who resides in one of the units would receive two thirds of the allowable costs deducted from his/her gross rental income. Applicants who do not reside in the income-producing property would have 100 percent of their documented allowable costs deducted from their gross rental income.

Depreciation, payments on the principal of income-producing property, and net loses are not allowable deductions in determining income for eligibility.

Lump Sum Payments;

Non-recurring lump-sum payments which are to be excluded from income in determining eligibility include, but are not limited to: income tax refunds, rebates, or credits; retroactive lump-sum insurance settlements; and lump-sum income from the sale of property.

Special Energy Assistance Payments:

Home energy assistance, either in cash or in-kind, provided by a private non-profit organization or by an entity whose revenues are primarily derived on a rate of return basis and regulated by a State of Federal government body, is not to be considered as income.

Payment for Foster Children and Foster Care Adults:

Payments provided for care and maintenance of foster children or adults are not considered income. Foster children and foster-care adults (e.g., individuals 18 years of age or older, who are socially, physically, or mentally handicapped and placed in a community-based care setting approved by appropriate State agencies or local social services agencies) are not counted as members of an applicant's household.

Roomer and/or Boarder Payments:

Roomers and Boarders are not counted as household members, and their gross income is excluded from the household's income. However, payments made by the Roomer/Boarder to the household are included in the household income.

The eligibility of Roomers or Boarders as a household memeber is dependent upon whether the building in which they live is a commercial enterprise, or a non-commercial enterprise, however, in no case is the spouse of an applicant or a dependent child under the age of 18 to be considered a lodger/boarder.

Individuals residing in a non-commercial enterprise (private home) are not eligible to apply for HPwES as individuals apart from the host household. This applies to relatives and children over the age of 18, as well as to non-related individuals who pay for room only, board only, or room-and-board in private homes. If the host household applies for Home Performance, the roomer/boarder's weekly or monthly payments to the household must be included in the household's income, however, the roomer/boarder is not included in the household count, and the roomer/boarder's income is not included in the household's income.

Holocaust Survivors Payment:

Restitution payments from foreign governments to survivors of the Holocaust are excluded as income.

Income Committed to Health Care/ Homemaker Services:

The amount which an applicant pays an employee for household work or health care is not an allowable deduction from gross income except in the following cases:

- *Health Care Services*: Income used to pay for in-patient hospital care, in-patient care in a skilled nursing facility, or home health care, which is also counted toward Medicaid eligibility, is exempted as income.

- For income exclusion purposes, home health care means payments made for home nursing services rendered by a person (other than a family member) who is qualified to provide services such as assistance with personal hygiene, dressing, feeding or household tasks, and who has been appropriately trained and is supervised by a registered professional nurse.

- *Housekeeper/ Homemaker Services*: Reimbursements for housekeepers or homemakers under Title XX of the Social Security Act are not considered as income for eligibility purposes. Those services include assessing the need for, arranging for, providing and evaluating the provision of personal care, home management and incidental household tasks by a professionally trained homemaker.

- *In-Kind Services*: When an applicant has an employee residing in the household to assist in household work and health care, the employee's income should not be considered in determining the household's eligibility nor is the employee included in the household count. No monetary value may be attached to any in-kind contribution which the employee provides to the household.

Student Head of Household:

For the purpose of receiving aHome Performance incentive in his/her own right, a "student" shall mean a person who has completed his/her K-12 education, and who is now enrolled for at least 12 credit hours in an institution of higher education, and is living separate and apart from his/her family, and is not claimed by his/her family as a dependent. In the case of students age 21 and under, documentation (such as the income tax form of the applicant's parents) must be obtained to establish financial independence. No student living in a dormitory is eligible for HPwES.
Gifts, scholarships, grants and loans, which are used specifically for tuition and other educational expenses, are excluded from income in determining eligibility for the Home Performance incentive. Income from any source which is used for living expenses must be included in the household's income. Documentation of student status will be collected and kept in the client file.

Dependent Students:

Full-time college students who remain dependents are counted as members of their family's household, regardless of their temporary absence during school terms. Their income (except Social Security Income or Veteran's Survivor's Benefits) is exempted from consideration in determining the family's total income. Full time high school student's age 18 or younger and who is temporarily living away from their principal residence in order to attend school should be included in their family's household count. Documentation of student status will be collected and kept in the client file.

Unemployed, Strikers, Seasonal Workers:

For applicants whose regular, recurring income would render them ineligible for Assisted Home Performance, but who are laid off or unemployed for three months or less during the year, eligibility for Assisted Home Performance subsidies would be based upon this average monthly income amount. The applicant's total annual income should be divided by 12 to yield an average monthly income figure. Examples of this type of worker are those workers who have a reasonable expectation of returning to work within a three-month period and include but are not limited to, seasonal construction employees, teachers and other contract employees, and strikers. This provision does not apply to individuals who have been fired from their jobs, or whose jobs have been abolished, or who are in a permanent lay-off status.

Self-Employed:

In determining income eligibility for self-employed applicants, "earned income" means the net profit from a business enterprise, a business operated from out of the home, or farming. Net profit is the gross income received, less the business expenses (e.g., total cost of the production of the income). To compute income eligibility, this net profit should be averaged for the three calendar months prior to the month of application.

Such income includes earnings over a period of time for which settlement is made at one given time, as in sales of farm crops, livestock or poultry, or lump sum payments for services rendered over a period of more than one month. Such income should be pro-rated over the period covered by the income, (e.g., sale of an annual farm crop should be divided by 12 to yield an average monthly figure, and this amount added in to each of the three months used to determine average monthly income).

Those expenses directly related to producing the goods or services and without which the goods or services could not be produced, must be deducted from the total income. However, depreciation, personal business, entertainment expenses, income tax, personal transportation, purchase of capital equipment and payments on the principal of loans must not be deducted.

Losses incurred in the pursuit of income cannot be deducted from your adjusted gross household income.

Attachment D
HPwES Grant Income Guidelines
June 1, 2008

Household Size	1	2	3	4	5	6	7	8	9	10	11
State Median Income	**$ 30,016**	**$ 39,264**	**$ 48,496**	**$ 57,744**	**$ 66,976**	**$ 76,208**	**$ 77,936**	**$ 79,680**	**$ 81,408**	**$ 83,136**	**$ 90,016**
WESTERN NEW YORK ENERGY SMART COMMUNITY											
Allegany County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Cattaraugus County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Chautauqua County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Erie County	$ 34,100	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Niagra County	$ 34,100	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
FINGER LAKES ENERGY SMART COMMUNITY											
Genesee County	$ 34,800	$ 39,750	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Livingston County	$ 35,900	$ 41,050	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Monroe County	$ 35,900	$ 41,050	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Ontario County	$ 35,900	$ 41,050	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Orleans County	$ 35,900	$ 41,050	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Seneca County	$ 31,800	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Wayne County	$ 35,900	$ 41,050	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Wyoming County	$ 31,550	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Yates County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
CENTRAL NEW YORK ENERGY SMART COMMUNITY											
Cayuga County	$ 32,150	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Cortland County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Herkimer County (South)	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Madison County	$ 34,150	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Oneida County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Onondaga County	$ 34,150	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Oswego County	$ 34,150	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
SOUTHERN TIER ENERGY SMART COMMUNITY											
Broome County	$ 32,550	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Chemung County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Chenango County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Otsego County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Schuyler County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Steuben County	$ 32,100	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Tioga County	$ 32,550	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Tomkins County	$ 40,200	$ 45,950	$ 51,700	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 85,026	$ 90,016

Attachment D
HPwES Grant Income Guidelines
June 1, 2008

Household Size	1	2	3	4	5	6	7	8	9	10	11
State Median Income	**$ 30,016**	**$ 39,264**	**$ 48,496**	**$ 57,744**	**$ 66,976**	**$ 76,208**	**$ 77,936**	**$ 79,680**	**$ 81,408**	**$ 83,136**	**$ 90,016**
NORTH COUNTRY ENERGY SMART COMMUNITY											
Clinton County	$ 32,850	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Essex County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Franklin County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Hamilton County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Herkimer County (North)	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Jefferson County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Lewis County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
St. Lawrence County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
CAPITAL ENERGY SMART COMMUNITY											
Albany County	$ 39,550	$ 45,200	$ 50,850	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,620	$ 90,016
Fulton County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Montgomery County	$ 35,550	$ 40,650	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Rensselaer County	$ 39,550	$ 45,200	$ 50,850	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,620	$ 90,016
Saratoga County	$ 39,550	$ 45,200	$ 50,850	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,620	$ 90,016
Schenectady County	$ 39,550	$ 45,200	$ 50,850	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,620	$ 90,016
Schoharie County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Warren County	$ 32,850	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Washington County	$ 32,850	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
MID-HUDSON ENERGY SMART COMMUNITY											
Columbia County	$ 34,600	$ 39,550	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Delaware County	$ 30,016	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Dutchess County	$ 43,050	$ 49,200	$ 55,350	$ 61,500	$ 66,976	$ 76,208	$ 77,936	$ 81,200	$ 86,100	$ 91,020	$ 95,940
Greene County	$ 31,100	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Orange County	$ 43,050	$ 49,200	$ 55,350	$ 61,500	$ 66,976	$ 76,208	$ 77,936	$ 81,200	$ 86,100	$ 91,020	$ 95,940
Putnam County	$ 43,000	$ 49,150	$ 55,300	$ 61,450	$ 66,976	$ 76,208	$ 77,936	$ 81,100	$ 86,030	$ 90,946	$ 95,862
Rockland County	$ 43,050	$ 49,200	$ 55,350	$ 61,500	$ 66,976	$ 76,208	$ 77,936	$ 81,200	$ 86,100	$ 91,020	$ 95,940
Sullivan County	$ 32,150	$ 39,264	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
Ulster County	$ 37,350	$ 42,700	$ 48,496	$ 57,744	$ 66,976	$ 76,208	$ 77,936	$ 79,680	$ 81,408	$ 83,136	$ 90,016
DOWNSTATE- NORTH ENERGY SMART COMMUNITY											
Westchester County	$ 56,900	$ 65,000	$ 73,200	$ 81,300	$ 87,800	$ 94,300	$ 100,800	$ 107,300	$ 113,800	$ 120,300	$ 126,800
Bronx County	$ 43,000	$ 49,150	$ 55,300	$ 61,450	$ 66,976	$ 76,208	$ 77,936	$ 81,100	$ 86,030	$ 90,946	$ 95,862
DOWNSTATE- EAST ENERGY SMART COMMUNITY											
Kings County	$ 43,000	$ 49,150	$ 55,300	$ 61,450	$ 66,976	$ 76,208	$ 77,936	$ 81,100	$ 86,030	$ 90,946	$ 95,862
Queens County	$ 43,000	$ 49,150	$ 55,300	$ 61,450	$ 66,976	$ 76,208	$ 77,936	$ 81,100	$ 86,030	$ 90,946	$ 95,862
DOWNSTATE- SOUTH ENERGY SMART COMMUNITY											
New York County	$ 43,000	$ 49,150	$ 55,300	$ 61,450	$ 66,976	$ 76,208	$ 77,936	$ 81,100	$ 86,030	$ 90,946	$ 95,862

Attachment D
HPwES Grant Income Guidelines
June 1, 2008

Household Size	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**
State Median Income	**$ 30,016**	**$ 39,264**	**$ 48,496**	**$ 57,744**	**$ 66,976**	**$ 76,208**	**$ 77,936**	**$ 79,680**	**$ 81,408**	**$ 83,136**	**$ 90,016**
Richmond County	$ 43,000	$ 49,150	$ 55,300	$ 61,450	$ 66,976	$ 76,208	$ 77,936	$ 81,100	$ 86,030	$ 90,946	$ 95,862

Home Performance with ENERGY STAR®
Eligible Measures and Accessories-June 2008

Home Performance with ENERGY STAR® (HPwES) is designed to transform the way energy efficiency services are delivered to existing 1-4 family homes. To qualify for financing options offered through the Program, the energy efficiency improvements must be installed by a contractor participating in the HPwES Program, must meet the minimum efficiency requirements listed below and, one measure must be a major ENERGY STAR Qualified measure (boiler, furnace, etc.).

		Minimum Efficiency Requirements
Primary Heating System [1,2]	Furnace – Natural Gas or LP [3]	AFUE 90% (as long as not prohibited by local codes)
	Furnace – Fuel Oil [3]	AFUE 84% (below 85% AFUE, and not ENERGY STAR Qualified, requires that another major measure have the ENERGY STAR label)
	Boiler – Hot Water	AFUE 85%
	Boiler – Steam	AFUE 81% (size must be matched to cumulative capacity of connected radiators, per Institute of Boilers & Radiator Mfrs (IBR) standards
	Air Source Heat Pump (electric split systems)[3]	14 SEER / 11.5 EER / 8.5 HSPF
	Air Source Heat Pump (gas-fired) [3]	1.2 COP (h) / 1.25 COP (c)
	Ground Source Heat Pump[3]	ENERGY STAR Qualified (closed-loop, open-loop, or direct expansion)
	Wood/or Solid Fuel Pellet Stove	EPA phase 2 (Solid fuel pellet stoves are exempt from EPA Phase 2)
	Distribution Replacement or Improvements	Installed in accordance with all applicable state and local codes
	Duct Sealing	UL 181B Mastic or other permanent sealant; use of duct tape is disallowed
Cooling Equipment	Central Air Conditioner (split system) [4]	14 SEER // 11.5 EER
	Room Air Conditioner	ENERGY STAR Qualified
Water Heater	Natural Gas, Propane or Oil	<51 gallon EF.63 / >51 gallon EF.53
		<51 gallon EF.63 / >51 gallon EF.53
		Instantaneous: EF .78
	Electric	EF .93
	Indirect-Fired Tank	UL Approved
	Solar	Solar Rating Certification Corp. Certified, with an OG-300 rating from Solar Rating and Certification Corporation and an SF of 0.5 or higher.
	Wood Pre-Heat	Installed to National Plumbing Code
Building Shell	Insulation (attic, wall, floor, band joist, basement, crawl space)	NYS Energy Conservation Code compliant, or to the Program Technical Specifications, or limits of construction
	Air Sealing	Conducted by professional; blower door guided strongly recommended
	Replacement Windows or Glazing	ENERGY STAR (NFRC rated U-value of .35 or less) for climate/region
	Replacement Skylights	ENERGY STAR (NFRC rated U-value of .60 or less) for climate/region
	Storm Windows and Storm Doors	No minimum efficiency requirement
	Movable Window Insulation	R-3
	Exterior Doors	R-4.4
Renewable Electricity Producing Systems	Photovoltaic Solar Electric Systems[4]	Refer to www.powernaturally.org/programs/solar/installerpv_all.asp for eligible PV installers
	Wind Turbines	Refer to www.powernaturally.org/programs/solar/installerpv_all.asp for eligible PV installers

		Minimum Efficiency Requirements
Appliances & Lighting	Refrigerator, Freezer, Dishwasher, Clothes Washer, Dehumidifier (must be combined with at least 1 major measure installed by the contractor, such as air sealing, insulation, a heating system, or water heater).[5,6]	ENERGY STAR Qualified
	Heat/Energy Recovery Ventilator	No minimum efficiency requirement
	Light Fixtures	ENERGY STAR Qualified for compact fluorescent, or electronic ballast for fluorescent tubes
	Thermostats	ENERGY STAR Qualified
Health and Safety Measures	Smoke Detectors, Radon Detectors, and Carbon Monoxide Detectors	These measures can be either hard wired or battery operated
	Ventilation Fans (Whole house fans or similar attic exhaust fans are not eligible)	ENERGY STAR Qualified (must vent to exterior of building shell)
	Repairs/upgrades to venting systems and power venting kits	Per code and/or manufacturer specifications, as appropriate
	Measures to provide sufficient combustion air and prevent Combustion Appliance Zone (CAZ) depressurization, spillage or inadequate draft	Allowed when BPI-required combustion safety tests indicate problem(s) with CAZ depressurization, draft or spillage, per BPI standards
	Gas Oven Replacements[7]	UL Listed Gas Ovens

[1] Defined as the "primary heating system for the space being conditioned".
[2] Addition/replacement of secondary heating systems are not eligible for Assisted Home Performance.
[3] Duct systems for warm air furnaces, heat pumps and central air conditioners should be tested and sealed to reduce leakage. This will help ensure that the total system will operate efficiently.
[4] Non-eligible measure under Assisted Home Performance.
[5] Maximum Assisted Subsidy for each appliance is: $300 for refrigerators & freezers; $200 for clothes washers; $250 for dishwashers; and $75 for dehumidifiers
[6] Only the base price of the appliance plus applicable tax is eligible—delivery, set-up, warranties or appliance accessories, and any associated taxes on these items are not eligible for incentives.
[7] Assisted incentive available: 50% of the cost.- maximuum $300 and only if replacement is required to meet BPI standards.

Note: NYSERDA reserves the right to modify the MER for any measure during the term of the Home Performance with ENERGY STAR Partnership Agreement.

FINANCING OPTIONS

The New York **Energy $mart[SM] Loan Fund** and Home Performance with ENERGY STAR Financing are each designed to support Home Performance with ENERGY STAR. Both offer interest rate reductions but specific features and requirements vary. For more information call 1-877-NY-SMART.

ADDITIONAL SUPPORT

Assisted Home Performance with ENERGY STAR offers a 50% work scope incentive of up to $5,000 for a single family home and $10,000 for a 2-4 family home. The balance of the cost can be financed through either the Loan Fund or Home Performance with ENERGY STAR Financing. Assisted Home Performance follows the same minimum efficiency requirements and measure eligibility except as noted in the list above. The Assisted Home Performance work scope must be cost-effective with a savings to investment ratio not less than 1.1 for the recommended package of improvements in the Comprehensive Home Assessment.

QUALIFIED ACCESSORIES

- The costs associated with the installation of qualified accessories for Eligible Measures are eligible for incorporation into a reduced interest rate loan offered through the Program. These costs can also be included in the portion of the work scope being subsidized through the Assisted Home Performance Work scope subsidy. Qualified Eligible Measures accessories include: grills, diffusers, chimney liners, air cleaners, furnace humidifiers, thermostats, moisture barriers and attic venting. Service contracts and extended warranties are **not eligible for Assisted Work scope subsidies**, but are eligible for incorporation into a reduced interest rate loan offered through the Program.
- Accessory items included in workscopes that involve fuel switching (for example, electric baseboard heating to natural gas furnace) are eligible for incorporation into a reduced interest rate loan offered through the Program, provided the new heating system is installed through the HPwES Program, is an eligible measure and, if installed under Assisted HPwES meets the cost-effectiveness requirement. Examples of these fuel-switching accessories are: gas main extensions, new oil tanks, service laterals, and piping.
- *Services* associated with the eligible improvements (Home Energy Rating, blower door test, Comprehensive Home Assessment or construction management) are eligible for incorporation into a reduced interest rate loan offered through the Program and the Assisted work scope subsidy incentives. A participating Home Performance with ENERGY STAR Contractor must perform services.

The first $2,000 of costs associated with any combination of the following measures is eligible for incorporation into a reduced interest rate loan offered through the Program. However, these measures are not eligible Assisted Home Performance work scope subsidies:

- Asbestos abatement or electrical service upgrade necessary when installing a new heating /cooling unit.
- Upgrade of knob and tube wiring in order to install insulation.
- Radon and lead abatement work.
- The cost of removing an oil tank when done in connection with a heating system replacement.
- Repairs to the home due to water damage, molds and mildew, ice dams or other symptoms of poor building performance, as long as the cause(s) of building performance-related damage are addressed.
- Measures/Repairs that exceeding the $2,000 cap, including cosmetic shingle and siding replacements, are eligible for non-subsidized financing through Fannie Mae, in accordance with the guidelines for Additional Measures, below.

ADDITIONAL MEASURES

The measures below are eligible for financing through Fannie Mae at their current interest rate and are not eligible for the interest rate subsidy or work scope incentive through NYSERDA. *To qualify for the loan, 50% of the total improvements to be financed must be eligible energy efficient measures. The remaining 50% of the improvements may not include energy consuming products or equipment, but may include the following:*

- Sunrooms with a southern exposure
- Kitchen and bathroom remodeling
- Siding, roofing and other repairs not covered by subsidy under **Eligible Accessories**, above.

For further information please call:
Tel: 518-207-4500
Fax: 518-207-4550

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