



Program Guidelines Version 6 – (ASHRAE 2007)

# NEW CONSTRUCTION



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# Introduction

## MULTIFAMILY ENERGY PERFORMANCE PORTFOLIO OVERVIEW

NYSDERDA's Multifamily Energy Performance Portfolio (MEPP) consists of two programs; the Multifamily Performance Program and the Advanced Submetering Program. These programs are designed to provide technical and financial assistance to multifamily building owners, managers, and developers to improve the energy performance of their multifamily buildings. Buildings that consist of five (5) or more units (apartments) are typically eligible to participate in these programs. These programs require participants to contribute to the NYS System Benefits Charge fund on either their electric or gas utility bill. These participants are customers of the six (6) investor-owned utilities in New York. Other programs (or certain elements of some programs) are available to multifamily buildings throughout the entire state.

This document pertains specifically to the Multifamily Performance Program – New Construction Component (MPP-NC) and presents the Program Rules for participation in this component following the ASHRAE 90.1-2007 baseline Compliance Pathway. MPP-NC follows the national ENERGY STAR® standard for high-rise multifamily buildings, which is based on a performance target of 15% above ASHRAE 90.1 2007; however, the target for participation in MPP-NC will be either 15% or 20%, depending on which Compliance Pathway applies to your project. Please refer to the Compliance Pathway Chart on the Partner Portal to see which pathway applies to your project. MPP-NC requires some additional work on top of what is necessary to achieve the ENERGY STAR label. There are three pathways to achieve the goals of MPP-NC including:

- Performance Path with ENERGY STAR – This option requires the Partner to create a model of the designed building to compare to a baseline model based on ASHRAE standards. The difference in the energy costs of the two models must equal or exceed your performance target. The Performance Path with ENERGY STAR follows the standards developed by the EPA and may lead to the ENERGY STAR label for the building or the building's units. See Application Section 1.1.1.F for more information on the ENERGY STAR label.
- Prescriptive Path with ENERGY STAR – This option follows the standards developed by the EPA and may lead to the ENERGY STAR label for the building or the building's units.
- Modified Prescriptive Path – This option provides developers with a specific set of improvements that must be installed in their buildings. Inclusion of these improvements is considered to equal or exceed the energy performance target. The Modified Prescriptive Path provides some exceptions to the ENERGY STAR standards, particularly for gut rehabs and historical buildings. This pathway does not result in an ENERGY STAR label for the final project, but may earn the Energy Smart label.

# Program Rules

## REQUIREMENTS FOR PARTICIPATING IN THE NEW CONSTRUCTION COMPONENT, THE DEVELOPMENT OF THE ENERGY REDUCTION PLAN, AND THE IMPLEMENTATION & SITE INSPECTION OF MEASURES.

The New Construction component serves multifamily buildings that meet the criteria outlined in the EPA ENERGY STAR Multifamily New Construction Program Decision Tree. This Component addresses the needs of new construction and gut rehabilitation projects by providing assistance to improve the energy efficiency, health, safety, and security of these projects as they are planned, designed, and constructed. This Component uses a set of protocols that lead a multifamily project to achieve a predetermined energy performance target. Following these protocols entitles the Participant to receive NYSERDA incentives and may entitle the building to receive the ENERGY STAR label from the U.S. Environmental Protection Agency (EPA) or the New York Energy Smart label from NYSERDA. The EPA ENERGY STAR Multifamily New Construction Program Decision Tree can be found at the following link: [http://www.energystar.gov/ia/partners/bldrs\\_lenders\\_raters/downloads/mfhr/MFHR\\_Flowchart\\_v1.1.pdf?5546-0786](http://www.energystar.gov/ia/partners/bldrs_lenders_raters/downloads/mfhr/MFHR_Flowchart_v1.1.pdf?5546-0786)

The following Program Rules must be adhered to by all projects accepted into this Program. This list focuses on programmatic requirements and is not intended to cover all Program eligibility requirements as listed in the remainder of this document, the Terms and Conditions and/or the Partnership Agreement.

1. When assembling the set of measures to be included in the list of recommended Energy Reduction Measures, the following criteria must be met:
  - a. **Performance Target:**

When following the Performance Path, your project's performance target is determined by the Compliance Pathway. The performance target, which is reported as energy cost reduction, must be achieved in comparison to Appendix G. The target will either be 15% or 20% above ASHRAE 90.1-2007. However, if a complete Energy Reduction Plan is submitted that does not meet the required performance target, the Participant may still be eligible for the Stage 1 incentive.
  - b. **Total Resource Cost:**
    - i. Only measures that pass the Total Resource Cost test may receive Energy Efficient Portfolio Standard (EEPS) funding and;
    - ii. The total scope of EEPS-eligible measures must also pass the TRC test when program costs are added (\$0.30 per EEPS Incentive \$).

c. **Savings-To-Investment Ratio:**

The entire scope of work must have an SIR  $\geq 1.0$ . The project cost used in this cost effectiveness evaluation includes the incremental costs of the proposed measures and the Partner Fees.

d. **Pathway Requirements:**

All projects must at least comply with the Program's Performance Standards applicable to the pathway the project is following.

2. **Pathways:**

At time of application, projects must choose to adhere to one of the following three paths. Projects applying after beginning construction are not eligible for the Performance Path with ENERGY STAR and are only eligible for the Prescriptive Path with ENERGY STAR or the Modified Prescriptive Path. The projects must still be able to meet the Open-Wall Inspection requirements described in this document.

a. **Performance Path with ENERGY STAR:**

- i. An improvement analysis, including incremental cost and savings projections, must be performed with approved modeling software so as to form a whole-building analysis of the proposed building in comparison to a reference building based on ASHRAE Standard 90.1-2007 Appendix G and EPA's *Simulation Guidelines*.
- ii. Projects following the Performance Path are required to adhere to all *ENERGY STAR Multifamily High Rise Performance Path Prerequisites\**, EPA's *Testing & Verification Protocols*, and *MPP-NC Technical Requirements*.\*
- iii. All EPA ENERGY STAR referenced documentation can be obtained from:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

b. **Prescriptive Path with ENERGY STAR:**

- i. If the project is following the Prescriptive Path, it will not be required to model the building to prove compliance with the 15% or 20% performance target.
- ii. Projects following the Prescriptive Path are required to adhere to all *ENERGY STAR Multifamily High Rise Prescriptive Path requirements\**, EPA's *Testing & Verification Protocols* and *MPP-NC Technical Requirements*.\*
- iii. All EPA ENERGY STAR referenced documentation can be obtained from:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

c. **Modified Prescriptive Path:**

- i. If the project is following the Modified Prescriptive Path, it will not be required to prove compliance with the 15% performance target.
- ii. Projects following the Modified Prescriptive Path are required to adhere to all of the *Modified Prescriptive Path Requirements\** and the EPA's *Testing & Verification Protocols*.  
\*these requirements are formerly known as the Minimum Performance Standards.
- iii. Projects following the Modified Prescriptive Path will not be eligible for the ENERGY STAR label but may be eligible for the New York Energy Smart label from NYSERDA.

3. **Deadlines:**

For projects following the Performance Path, the proposed *Energy Reduction Plan* must be submitted no later than 30 days after the Department of Buildings' final New Building approval of Architectural, Mechanical, and Plumbing plans. For projects following the Prescriptive Path with ENERGY STAR or Modified Prescriptive Path, the proposed *Prescriptive Path Calculator* or *Modified Prescriptive Path Calculator* must be submitted prior to, or with, the Open-Wall Submittal.

4. **Incentive Caps:**

- a. NYSERDA will not provide incentives that exceed 100% of the estimated project work scope cost, as indicated in the most recent, approved *Energy Reduction Plan Tables*, *Prescriptive Path Calculator*, or *Modified Prescriptive Path Calculator*, as appropriate. These estimated project work scope costs are based on the incremental costs of the proposed measures and may include all or some portion of the fees charged by the Partner to provide the Program services.
- b. Maximum incentives may also be capped based on the specific sources of funding for which the project is eligible. EEPS sources of funding are limited by the cost of the measures that pass the TRC test.
  - i. EEPS electric funds are limited to only electric measures that pass the TRC test.
  - ii. To be eligible to receive gas funds, the project must be designed and built to use firm gas. EEPS gas funds are limited to only gas measures that pass the TRC test. EEPS sources of funding are limited by the cost of the measures that pass the TRC test.

# 1. Application

## APPLYING TO THE PROGRAM

Prior to submitting an Application Package to NYSERDA, Partners are required to work with the potential Participant to determine eligibility and incentives as outlined in the following section. The Partner is expected to take the leading role in this process.

### 1.1. Establishing a Project

At the onset of their relationship with a potential Program Participant, Partners should determine whether a property is eligible for the Program and which incentive is applicable (affordable vs. market-rate). This section provides the requirements for establishing a project and defining its market status.

#### 1.1.1. Eligibility Requirements

The primary use of the building must be for residential purpose. Participation in the Program is based on the EPA ENERGY STAR Multifamily New Construction Program Decision Tree, which can be obtained from the following link:

[http://www.energystar.gov/ia/partners/bldrs\\_lenders\\_raters/downloads/mfhr/MFHR\\_Flowchart\\_v1.1.pdf?5546-](http://www.energystar.gov/ia/partners/bldrs_lenders_raters/downloads/mfhr/MFHR_Flowchart_v1.1.pdf?5546-)

#### A. Project Size

The project must be a multifamily, residential building(s) with five (5) or more units. Projects larger than 500 units require pre-approval from NYSERDA. Pre-approval can be obtained by emailing a request with the following information to [MultifamilyPrograms@nysesda.ny.gov](mailto:MultifamilyPrograms@nysesda.ny.gov):

- a. Project Name
- b. Project Address or Utility Territory
- c. Number of Buildings
- d. Number of Units
- e. Proposed Heating Fuel
- f. Market status

#### B. Building Characteristics

Low-Rise buildings as defined on the EPA ENERGY STAR Multifamily New Construction Program Decision Tree shall apply to the Low-Rise Residential New



Construction Program. For Additional Information on the Low-Rise Residential New Construction Program, please visit:

<http://www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs/Residential/Energy-Efficiency-Programs/Low-Rise-Residential.aspx>

Low-Rise Residential New Construction Program - Program Specific Questions can be directed to:

Patrick Fitzgerald  
518-862-1090 Extension: 3385  
pgf@nyserda.ny.gov

Low-Rise Residential New Construction Program - Project-Specific Questions can be directed to:

Conservation Services Group  
<http://contractorsupport.csgrp.com/NYSNCON/index.htm>

#### C. Construction Type

Buildings may contain non-residential (commercial and/or retail) space if that space does not consist of more than 50% of the occupiable square footage of the entire building.

#### D. Extent of Renovation

The New Construction component will accept both new construction and substantial renovation, or gut rehabilitation, as defined below:

**NEW CONSTRUCTION:** Defined as a new building, or portion within a new building where a licensed professional architect or engineer has prepared and certified the building plans.

**SUBSTANTIAL RENOVATIONS (GUT REHAB):** Defined as one of the following types of projects where a licensed professional architect or engineer has prepared and certified the building plans:

- Change of use and reconstruction of an existing building or space within;
- Construction work of a nature requiring that the building or space within be out of service for at least 30 consecutive days;
- Reconstruction of a vacant structure or space within.

#### E. Intended Use

The intended use of the building must be for residential purposes. Commercial facilities, such as motels/hotels, group homes, dormitories, shelters, monasteries, nunneries, assisted living facilities and nursing homes are typically not eligible for the Program. Supportive Housing, Single Room Occupancy (SRO) facilities and senior living residences that do not include nursing or hospitalization amenities are typically eligible for the Program. This is not a comprehensive list of property types that are eligible for the Program. Special circumstances may be reviewed on a case-by-case basis.

Supportive Housing is defined as residences that are owned and operated by non-profit organizations. Tenants are individuals and families who require *both* affordable permanent housing and support services, have leases agreements, pay rent (often times a percentage of their income) and abide by the terms of their lease. This includes people who have been homeless, have histories of substance abuse, are coping with mental illness, have chronic illnesses like HIV/AIDS, are young adults aging out of foster care, are homeless veterans, are grandparents raising grandchildren.

#### F. ENERGY STAR Eligibility

Projects that have applied to MPP prior to January 1, 2015 and meet the program requirements are eligible to earn the ENERGY STAR label for the building from the US EPA. The label is awarded directly to the building owner from NYSERDA; no separate application to the US EPA for the label is required.

Projects that have applied to MPP on or after January 1, 2015 and meet the program requirements are eligible to apply for the ENERGY STAR label for the building's units directly with the US EPA. Please refer to the following link for more information on the US EPA Certification Process:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_certification](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_certification)

#### 1.1.2. Definition of a Project

For the New Construction component of this Program, a project is defined as a building or group of identical buildings. The Partner will develop one Energy Reduction Plan or complete one Prescriptive Path Calculator or Modified Prescriptive Path Calculator per project. Each building in a project must adhere to the requirements of one of the approved Paths (Performance, Prescriptive, or Modified Prescriptive) and require separate Open Wall Inspections, As-Built

Inspections, and Testing & Verification. Any group of buildings that includes more than one type of building requires a separate model or Calculator for each type. Such projects should submit an Application Package which includes a separate Terms and Conditions for each building type.

### 1.1.3. Determining Market Type

NYSERDA defines Affordable Housing as projects in which at least 25% of the units are or are expected to be occupied by households earning no more than 80% of the State or Area Median Income. All other properties are considered Market Rate.

A. **Affordable Housing** - Affordable housing documentation must be submitted as soon as possible and prior to the first incentive payment the project is eligible for, which is dictated by the Path selected. There are three ways to qualify a project for Affordable Housing incentives:

- i. **Proxy** – NYSERDA allows certain proxies to represent compliance with this definition. Please see the Table 1.1 for approved proxies.
- ii. **Rent Roll** – *This applies only to gut-rehab, Affordable Housing projects that do not meet the proxy requirements.* The Rent Roll method may not be combined with the Resident Income method. Applicants must submit the annual rent, size and occupancy for each apartment in the property. Twenty-five percent of the units must have a calculated household income no more than 80 percent of the State or Area Median Income based on the assumption that 30 percent of household income is applied to housing costs (i.e. rent). A calculation spreadsheet tool is available on the Partner Portal for determining Rent Roll income eligibility.
- iii. **Resident Income** – *This applies only to gut-rehab, Affordable Housing projects that do not meet the proxy requirements.* This method requires the submission of signed Resident Income Certification forms with supporting documentation for 25% of a project's units. See the *Resident Income Certification Instructions* & related forms (available on the Partner Portal). The Resident Income method may not be combined with the Rent Roll method.

B. **Market-Rate Housing**

Projects that do not qualify for Affordable Housing incentives as outlined above are considered Market-Rate.

**Table 1.1 Affordable Housing Proxies**

ELIGIBILITY PROXY	DETAILS	TYPE OF DOCUMENTATION
1. HUD-Regulated Affordable Housing	Properties that receive one of the following subsidies from HUD are defined as low-income: <ul style="list-style-type: none"> <li>• Section 8 Contract</li> <li>• Sections 202, 236, 811</li> <li>• Public Housing Authorities</li> </ul>	Provide a copy of the HUD contract or contract award notice.
2. DHCR-Regulated Affordable Housing	Buildings with subsidized mortgages or contracts that place them under the regulatory control of DHCR may be defined as low-income.	Provide a copy of DHCR contract or contract award notice.
3. Low Income Housing Tax Credits	Properties that receive tax credits for at least 50% of its units are defined as low-income.	Submit a copy of tax credit award notice from DHCR or HPD.
4. HPD-Regulated Affordable Housing (or other local housing agency)	Properties with loans, mortgages, or deeds of purchase (HDFC incorporation) from HPD or other local housing agencies may be defined as low-income.	Provide documentation of current mortgage, loan closing, HDFC incorporation, or deeds.
5. SONYMA mortgage insurance	Properties subsidized for low- to moderate-income multi-family residents with SONYMA subsidized financing through the HFA are defined as low-income.	Provide a copy of loan closing/mortgage insurance award documents.
6. Participation in the Weatherization Assistance Program	Properties that have fulfilled the eligibility requirements for the Weatherization Assistance Program are defined as low-income.	Provide a copy of a letter from the Weatherization Agency confirming the project's income eligibility.
7. Participation in HFA's 80/20 Program	Properties that have been accepted into the Housing Finance Agency's 80/20 Program are defined as low-income.	Provide a copy of the award letter or HFA contract documents.
8. Participation in HDC's 80/20 or Mixed Income Programs	Properties that have been accepted into the New York City Housing Development Corporation's 80/20 Program or Mixed Income Program are defined as low-income.	Provide a copy of the award letter or HDC contract documents.

## 1.2. Incentives

Every project in the Multifamily Performance Program is eligible to receive financial assistance through an Incentive Schedule. This schedule is dependent upon what Phase the program is in. The current Phase of the program, as well as the Incentive Schedules can be found on the Partner Portal. The incentives are divided into *Affordable Housing* or *Market-Rate Housing* incentive schedules. Projects that meet the Affordable Housing criteria are eligible for the Affordable Housing incentive schedule. All other projects would be eligible for the Market-Rate Housing incentive schedule.

In no case shall the NYSERDA incentive exceed 100% of the total project work scope cost minus the costs of any measures not passing the TRC test (for EEPS funded projects).

### 1.2.1. Advanced Measure Incentives

The Program does not offer advanced measure incentives. Projects may be able eligible to participate in other NYSERDA programs that provide incentives for advanced measures.

Advanced measures, including cogeneration, photovoltaics, wind, and submetering (or other measures that generate electricity or re-allocate electricity use), may not contribute to the 15% energy cost reduction target.

Geothermal measures may contribute to the 15% energy cost reduction target and can be incentivized provided it passes the measure level TRC Test.

## 1.3. Application Documents and Processing

Upon identifying an eligible project, the Partner (in consultation with the Participant) should submit an Application to the Program.

### 1.3.1. Application Package Contents

A *complete* Application Package for the New Construction component consists of the following documents:

- *Project Information Form* - identifies basic information about the project. Although this document is not required as an upload as part of the online application process, the form has been provided to assist the Partners in collecting the information required to be submitted into the online application on the CRIS database.
- *Terms and Conditions* – an acknowledgement by the Program Participant of the rules and requirements of the program.
- *W-9* – required document for payment.
- *Affordability Housing Documentation* (if applicable)
- *Electronic Funds Transfer (EFT) Form* – required document for payment.
- *EPA Multifamily High Rise Developer Partnership Agreement (if not previously submitted and required only for projects pursuing the ENERGY STAR label)* – to be completed by the developer/owner responsible for the design, financing and construction of multifamily mid- or high-rise projects. For more information or a copy of the agreement, please visit the following website:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_dev\\_partners](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_dev_partners)

Upon receipt and review of the Application, NYSERDA will schedule a Scoping Session with the Participant and their Partner.

### 1.3.2. Completion Instructions

This Section assists Partners in completing the Application Package. Please use the following process and requirements for completing and submitting the Application Package. A checklist for the Application process is also available for your use on the Partner Portal.

1. *Review the Participant's documentation for completeness.* Check the Project Information Form, Terms and Conditions, W-9, and Affordable Housing documentation (if applicable), and EFT Form for completeness and accuracy.
2. *Start an electronic application.* Log into the CRIS database using your Partner login and password. Enter Project information from the *Project Information Form*.
3. *Complete your electronic application.* Upload the *Terms and Conditions*, W-9, Affordable Housing documentation (if applicable), the *EPA MFHR Developer Partnership Agreement*, and *EFT Form*.
4. *The CRIS database will acknowledge your complete application via email.*
5. *NYSERDA will review the application.* NYSERDA will contact you and the Participant to confirm application receipt and schedule a scoping session.

Please note the following requirements:

- The Participant on the *W-9* must be consistent with the *Online Application, Terms and Conditions* agreement and *EFT Form*.
- The name of the Participant must be complete, including the company designation (Inc., Co., LLC, LP, etc.).
- A legal signatory for the Participant must sign the *Terms and Conditions* agreement.

### 1.3.3. Application Package Submission

The Application Package must be submitted online via the CRIS Database. **Submission of a completed application does not entitle the Participant to program participation.**

### 1.3.4. Contact Information

Specific procedures are in place to field questions regarding all aspects of the Program. Please see below for contact information.

#### A. Eligibility, Intake and Application Inquires

A team of individuals review applications and respond to application-, eligibility- and intake-related inquiries. These types of inquiries should be directed to NYSERDA at [MultifamilyPrograms@nyserda.ny.gov](mailto:MultifamilyPrograms@nyserda.ny.gov).

## B. Project Inquiries

The Case Manager coordinates all project related responsibilities and is assigned upon application approval. All correspondence about a project after an Application Approval Letter has been received must be directed to the project's Case Manager. Contact information will be provided upon assignment.

### 1.4. Scoping Session

Upon acceptance into the Program, the NYSERDA Project Manager will schedule a scoping session with the Participant, the Design Team, and Partner. The intent of the Scoping Session is to establish Participant interest, identify likely energy efficiency measures, review program requirements and responsibilities, and determine sources of potential funding. The Scoping Session will also identify additional documents which may need to be completed in order to establish the project in NYSERDA's financial systems. The baseline Compliance Pathway must be identified at the Scoping Session. **Knowledgeable representatives from both the Partner and Participant are required to attend the scoping session.**

## 2. Performance Path

### REQUIREMENTS

The following section describes the requirements of the Performance Path for the New Construction component. Please reference Appendix A of this document for the Performance Path Process Flow Chart.

#### 2.1 Submittal Requirements

For each project, the Partner is required to submit documentation to their Case Manager in order for the Participant to get paid NYSERDA incentives. These submittals will be reviewed by the Program Implementer and NYSERDA and the incentives will only be paid if these submittals are approved by NYSERDA. There are three main submittals that are detailed below. All documents listed below must be submitted and approved for the Stage to be considered complete.

##### 2.1.1 Stage 1: Modeling Incentive

The first NYSERDA incentive is available to the Participant when the project has reached design completion. The submittal must show that the project achieves the 15% or 20% performance target. If the model does not project the performance target, please discuss this with the Case Manager prior to submittal. Additionally, the project must meet the requirements of the *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* and the *MPP-NC Technical Requirements*

The Modeling Submittal must be submitted within 30 days after the Department of Buildings' final New Building approval of Architectural, Mechanical and Plumbing plans. The Department of Buildings approval shall be submitted to the project's Case Manager upon receipt, but no later than with the Open-Wall Submittal.



Deliverables

✔	Document	Document Obtained From
<input type="checkbox"/>	Participant-Partner Contract <i>(signed by both parties)</i>	Partner Created Document
<input type="checkbox"/>	Affordability Documentation (if not previously submitted)	See Proxy Chart in Section 1.1.3
<input type="checkbox"/>	Department of Buildings' final New Building approval of Architectural, Mechanical, and Plumbing plans <i>(if available at the time of submittal)</i>	Permitting Office that Approved the Construction Documents
<input type="checkbox"/>	<i>Testing &amp; Verification Worksheets</i>	EPA
<input type="checkbox"/>	<i>Baseline Cost Estimator (if used)</i>	Partner Portal
<input type="checkbox"/>	<i>Proposed ERP Tables</i>	Partner Portal
<input type="checkbox"/>	Statement of Energy Design Intent*	EPA (*only needed for projects that applied to MPP-NC on or after 1/1/15)
<input type="checkbox"/>	Modeling files*	Partner Created Documents

\*For eQUEST models, please submit the .inp, .pd2, and .prd files

**2.1.2 Stage 2: Open Wall Incentive**

The second NYSERDA incentive is available to the Participant when the project has a NYSERDA approved Open-Wall Site Inspection performed by Program staff. The Partner is to notify the Case Manager that construction is approaching this milestone at least two weeks ahead of time; three weeks notification is preferred, in order to properly schedule an inspection. The Open-Wall phase is post- insulation and pre-drywall and is used to ensure proper air sealing, insulation installation, and window installation. Additionally, the project must meet the requirements of the *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* and the *MPP-NC Technical Requirements*.

Deliverables

✔	Document	Document Obtained From
<input type="checkbox"/>	<i>Inspection Request Form</i>	Partner Portal
<input type="checkbox"/>	<i>Photo Template</i>	EPA
<input type="checkbox"/>	<i>Open-Wall Checklist</i>	Partner Portal
<input type="checkbox"/>	Department of Buildings' final New Building approval of Architectural, Mechanical, and Plumbing plans <i>(if not previously submitted)</i>	Permitting Office that Approved the Construction Documents

**2.1.3 Stage 3: As-Built and DRAF Incentive**

The third NYSERDA incentive is available to the Participant when the building has been built, the Partner has submitted deliverables, and they have been approved by NYSERDA.

The submittal must show that the project has achieved the project’s Compliance Pathway performance target. If the as-built project does not achieve the performance target, please discuss this with your Case Manager prior to submittal. The project must also meet the requirements of the *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* and the *MPP-NC Technical Requirements*. Additionally, in order to complete the third Stage, the project must have a NYSERDA approved As-Built Inspection performed by Program staff.

The *Data Release Authorization Forms* shall include all common areas of the building and a representative sample of apartments. The apartment sample shall consist of at least 10% of the apartments with no fewer than five (5) apartments. Of the 10% sample, at least one of each apartment type (e.g. studio, large 1 bedroom) must be represented. Along with the *Data Release Authorization Forms*, a list of all apartment numbers and their corresponding apartment type (e.g. studio, large 1 bedroom) must be provided. Alternatively, eligible projects may follow the Addendum #4 process as outlined in Appendix B. All data is strictly confidential and only used to estimate the energy performance of the building as a whole, not of individual apartments.

Deliverables

✓	Document	Document Obtained From
<input type="checkbox"/>	<i>As-Built ERP Tables</i>	Partner Portal
<input type="checkbox"/>	<i>Testing &amp; Verification Worksheets</i>	EPA
<input type="checkbox"/>	<i>Photo Template</i>	EPA
<input type="checkbox"/>	<i>Baseline Cost Estimator (if used)</i>	Partner Portal
<input type="checkbox"/>	Modeling files*	Partner Created Documents
<input type="checkbox"/>	<i>Inspection Request Form</i>	Partner Portal
<input type="checkbox"/>	<i>Common Area Data Release Authorization Forms (executed)</i>	Partner Portal
<input type="checkbox"/>	<i>Apartment Data Release Authorization Forms (executed)</i>	Partner Portal
<input type="checkbox"/>	List of each apartment number and type (e.g., studio, large 1 bedroom)	Partner Created Document

\*For eQUEST models, please submit the .inp, .pd2, and .prd files

**2.2 Energy Reduction Plan Tables**

The *Energy Reduction Plan Tables* spreadsheet is a comprehensive tool detailing the information regarding the recommended scope of work and the achievement of the Performance Target. This Excel spreadsheet incorporates the *Simulation Guidelines Appendix* and also includes additional tabs to report information to NYSERDA and the EPA and to assist the Partner in analyzing model inputs. There is extensive linking

between the tabs in this document to reduce the amount of data entry required of the Partner. Because of this, completion of all tabs is required to ensure the spreadsheet works properly.

### 2.2.1. ERP Table Tabs

- All cells that require the Partner to input information are colored **blue**.
  - Complicated tabs have numbered instructions on how to properly fill in the required information. Additionally, there are instruction tabs with further information.
  - For the Stage 1 and Stage 3 submittals, the **grey** and **green** tabs, as indicated below, must be completed. Exception: If the project uses software tool other than eQUEST, the *Results from eQUEST* tab need not be completed.
- A. *Introduction Tabs (yellow)*: Provides general information on completing the ERP Tables spreadsheet.
  - B. *Version History Tab (yellow)*: Provides information about the changes made in this version of the ERP Tables spreadsheet.
  - C. *Basic Info Tab (grey)*: This tab is used to report basic building information. This tab should be filled out first and is linked elsewhere in the spreadsheet.
  - D. *Model Inputs Tab (grey)*: This tab is used to report how the baseline and proposed buildings were modeled. Follow the formatting guidelines presented as comments (red corners) where available.
  - E. *Reporting Summary Tab (grey)*: Enter general information about the project, the model and specifics about the ASHRAE compliant components of the Baseline Building and the energy efficient components in the Proposed Design.
  - F. *Detailed Measures Tab (grey)*: This worksheet should be a summary of all Energy Reduction Measures, their savings and their costs. It is used to determine the cost effectiveness for each recommended measure and for the project as a whole.
  - G. *Results from eQuest Tab (grey)*: For eQuest users only, this worksheet is based upon the Parns.csv file that is generated upon simulation of your building. If those results are pasted into this worksheet according to the directions, a significant amount of this workbook will autofill.

- H. *Simulation Guidelines Appendix Tabs (green)*: These worksheets assist the Partners in calculating the inputs needed to model their projects in eQUEST or similar modeling tools. These tabs are required to be completed for the Stage 1 and Stage 3 submittals.

## 2.3 Testing & Verification

The *Testing & Verification Protocols* are mandatory requirements for the inspection, testing, and verification of components related to the building's energy performance. All inspections and diagnostic tests described within these protocols are required for each of the components and systems that exist in the participating building. Results of inspections must be documented in the *Testing & Verification Worksheets* and *Photo Template*. The *Testing & Verification Worksheets* must be provided to your Case Manager with each submittal. The *Photo Template* must be provided to your Case Manager with Open-Wall and As-Built submittals. The *Testing & Verification Protocols*, *Worksheets*, and *Photo Template* can be obtained from the following website:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

## 2.4 ENERGY STAR Multifamily High Rise Performance Path Prerequisites

The *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* must be followed for all projects following the Performance Path. In addition to the Performance Path Prerequisites, there are requirements specific to this program included in the *MPP-NC Technical Requirements* document. Though this Program is performance-based and does allow trade-offs between various building components, these *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* and *MPP-NC Technical Requirements* provide a lower limit to the trade-offs for many building components.

The *MPP-NC Technical Requirements* can be found on the Partner Portal. The *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* can be obtained from the following website:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

## 2.5 Gut-Rehab Projects

Gut rehabs following the Performance Path must meet **all** of the requirements in both the *MPP-NC Technical Requirements* **and** the *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* for **all** systems and components.

## 2.6 Software Requirements

Modeling software used to determine the performance rating for projects in the New Construction component must satisfy the requirements outlined in ASHRAE 90.1-2007 Appendix G simulation and documentation requirements, as modified in the *Simulation Guidelines*. Please refer to the EPA *Simulation Guidelines* document for a current list of approved simulation programs. The *Simulation Guidelines* can be obtained from the following website:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

Partners or software vendors who believe that they have an analytical tool that satisfies the requirements above but that is not yet approved for use in the program should submit a *Multifamily Performance Program Modeling Software Tool Accreditation Application* to the Pipeline Manager describing the tool capabilities and demonstrating compliance with the listed program requirements. This document is available on the Partner Portal. If the software is to be used for New Construction projects only, the Partner or software vendor need only complete Appendix A of the application.

## 2.7 Simulation Guidelines

The *Simulation Guidelines* is a companion document to ASHRAE 90.1 and Appendix G and contains program requirements to assist Partners in developing the Baseline Building Design, Proposed Building Design, and As-Built models for each project. The *Simulation Guidelines* can be obtained from the following website:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

## 2.8 Estimated Incremental Cost Guidelines

The *Estimated Incremental Cost Guidelines* are meant to assist the Partner in calculating the incremental costs of the project's recommended measures. This document presents a comprehensive methodology to determine the incremental costs between the proposed design and the established baseline using generally accepted costing approaches (e.g. cost-estimating manuals such as RS Means) for the baseline buildings.

### 2.8.1 Baseline Cost Estimator (optional)

The Program also provides the *Baseline Cost Estimator* spreadsheet to assist the Partner in calculating the baseline costs of each Energy Reduction Measure. The

*Estimated Incremental Cost Guidelines* explains how and when to use this spreadsheet.

## 2.9 Site Inspections

In addition to the inspections required to be performed by the Partner per the *Testing & Verification Protocols*, site inspections are also performed by a Program Site Inspector. This Site Inspector may be a staff member of the Program Implementation Team, the Quality Assurance Contractor, or NYSERDA.

Partner and Participant representatives are required to attend these site inspections. These representatives must have detailed knowledge of the project and must also be prepared to answer any project-related questions that arise.

During these inspections, the Program Site Inspector will be verifying that the work meets all *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* and *MPP-NC Technical Requirements* along with verifying the work matches the information presented in the *ERP Tables*.

The results of these inspections, including any issues or concerns, will be documented in a Site Inspection Report by the Program Site Inspector and will be returned to the Partner.

For Performance Path projects, if the inspection identifies inconsistencies between the building construction and the information provided in the project's Energy Reduction Plan, but all *ENERGY STAR Multifamily High Rise Performance Path Prerequisites* are still met, the Partner will be required to update their model to reflect the actual building construction to ensure Program compliance is still being met. NYSERDA has the right to either release payment prior to the updates, or to withhold payment until the model is updated and compliance is shown.

### 2.9.1 Open-Wall Site Inspection

Partners must submit their Open Wall submission documents to their Case Managers at least two weeks prior to 30% of the interior insulation being installed and the walls being closed to allow for the inspection to be scheduled and completed. If the building has ICF, EIFS and exterior insulation, the inspection should occur when approximately 30% of the windows have been installed. In addition, the majority of the components listed on the Open-Wall Checklist should be available for inspection. During this two- to three-week period, the Partner must maintain knowledge of open-wall status to ensure that a compliant open wall inspection can be conducted. Specifically, the Partner should remain in communication with the lead construction person regarding the anticipated construction schedule, any changes to the construction schedule, and any deviations that the construction management team may see as forthcoming.

For any component listed on the Open-Wall Checklist that cannot be seen during an inspection because it is covered or hasn't yet commenced, the NYSERDA/TRC inspector will ask to see the construction drawings while on site. For any completed measure no longer visible during the inspection (below-grade exterior insulation, roof insulation, pre-fabricated assembly items, etc), the Partner must submit photographs before the inspection is approved. Ideally these photos should be submitted with the Open-Wall Submittal using the Photo Template. Any component included on the Open-Wall Checklist that has not commenced at the time of inspection must be documented in the As-Built Testing & Verification Worksheets and Photo Template.

The primary focus of the Open-Wall inspection is for Program Staff to inspect the above-grade wall insulation. Secondary items of interest include pipe insulation, below-grade insulation, roof insulation, duct insulation, and air sealing details. Each component on the Open-Wall Checklist that can be inspected will be inspected to ensure it meets both the ENERGY STAR Multifamily High Rise Performance Path Prerequisites and MPP-NC Technical Requirements along with verifying the work matches the information presented in the project's ERP Tables. Refer to the Tech Tip issued March 2014 titled "NC Open Wall Inspection" for further guidance.

If severe violations are discovered during this inspection, NYSERDA and its representatives reserve the right to request that the partner instruct the construction team to remove sections of previously sealed walls or cut open sections of these walls in order to fully inspect insulation and air sealing measures. Additionally, NYSERDA and its representatives have the right to require that a second open-wall inspection be conducted once all of the required corrections have been made and are ready for re-inspection.

If insufficient notice is provided to schedule and perform the open-wall inspection, or if the Partner does not inform their Case Manager of the open-wall phase at all, or if the Partner/Participant is unresponsive to attempts to schedule the open-wall inspection, the project will be required to expose sections of walls for inspection and all remaining incentive payments will be in jeopardy. Failure to meet the requirements of this Open-Wall Site Inspection will result in termination of the project.

### **2.9.2 As-Built Site Inspection**

The *Inspection Request Form* must be submitted along with the other required documentation for the As-Built Submittal. As-Built Inspections will not normally

be performed prior to the submittal of the *Energy Reduction Plan Table* and the *Testing & Verification Worksheets*.

## 2.10 ENERGY STAR Benchmarking

Although eligible buildings that have applied to MPP-NC prior to 1/1/2015 may earn ENERGY STAR after successfully participating in the program based on the requirements of the New Construction component, building performance is as much a function of proper building management as the energy conservation measure incorporated into the structure. Therefore, after earning the ENERGY STAR for the project, the developer/manager must commit to benchmarking their building in Portfolio Manager for a period of two years in order to maintain their listing on the ENERGY STAR website.

*Portfolio Manager* is an online, interactive energy management tool that allows Participants to measure and track their building's energy and water consumption, identify investment priorities, and verify improvements over time. Multifamily housing communities can use Portfolio Manager to track weather-normalized energy use intensity (EUI), energy costs, greenhouse gas emissions, and water consumption. For more information on how to use Portfolio Manager, see the [Portfolio Manager-Multifamily Housing Quick Reference Guide](#) document.

To accomplish this goal the developer/manager or an entity working on their behalf, must be capable of evaluating the utility consumption of the residential-associated spaces independent of any commercial/retail space. These nonresidential associated parts of the building shall be separately metered (or sub-metered) for electricity, gas, fuel oil, water, steam, and hot water for domestic and/or space heating purposes. Also, they should work with tenants to secure consumption information. If the building is direct-metered for utilities to the apartments, the building owner must secure signed releases from individual apartment occupants to allow for benchmarking. In addition, the building owner must provide a signed release for the common area/whole-building utility meters. All data uploaded to Portfolio Manager is strictly confidential and only used to estimate the energy performance of the building as a whole, not of individual apartments.

**NOTE: Receipt of NYSERDA incentives and the ENERGY STAR will not be delayed due to this requirement by the EPA.**



# 3. Prescriptive Path and Modified Prescriptive Path

## REQUIREMENTS

The following section describes the requirements for both the Prescriptive Path and the Modified Prescriptive Path for the New Construction component. The Modified Prescriptive Path is not eligible to earn the EPA ENERGY STAR label. Please reference Appendix A of this document for the Prescriptive Path and Modified Prescriptive Path Process Flow Charts.

### 3.1 Prescriptive Path

#### 3.1.1 Prescriptive Path Submittal Requirements

For each project, the Partner is required to submit documentation to their Case Manager in order for the Participant to get paid NYSERDA incentives. Projects following this path must comply with the *ENERGY STAR Multifamily High Rise Prescriptive Path* document and *MPP-NC Technical Requirements*. These submittals will be reviewed by the Program Implementer and NYSERDA and the incentives will only be paid if these submittals are approved by NYSERDA. There are three submittals that are detailed below. All documents listed below must be submitted and approved for the Stage to be considered complete.

##### 3.1.1.1 Stage 1: Prescriptive Path Calculator

###### Deliverables

✓	Document	Document Obtained From
<input type="checkbox"/>	Participant-Partner contract <i>(signed by both parties)</i>	Partner Created Document
<input type="checkbox"/>	Affordability Documentation	See Proxy Chart in Section 1.1.3
<input type="checkbox"/>	<i>Prescriptive Path Calculator</i>	Partner Portal
<input type="checkbox"/>	<i>Statement of Energy Design Intent*</i>	EPA (*only needed for projects that applied to MPP-NC on or after 1/1/15)

##### 3.1.1.2 Stage 2: Open Wall Incentive

For the Prescriptive Path, the first NYSERDA incentive is available to the Participant when the project has an approved Open-Wall Site Inspection

to be performed by NYSERDA or Program Implementation staff. The Partner is to notify their Case Manager that construction is approaching this milestone at least two weeks ahead of time, three weeks notification is preferred, in order to properly schedule an inspection. The Open Wall phase is post-insulation and pre-drywall and is used to insure proper air sealing, insulation installation, and window installation. The project must meet the requirements of the *ENERGY STAR Multifamily High Rise Prescriptive Path* document and *MPP-NC Technical Requirements*.

Deliverables

✓	Document	Document Obtained From
<input type="checkbox"/>	Affordability Documentation (if not previously submitted)	See Proxy Chart in Section 1.1.3
<input type="checkbox"/>	<i>Photo Template</i>	EPA
<input type="checkbox"/>	<i>Inspection Request Form</i>	Partner Portal
<input type="checkbox"/>	<i>Open-Wall Checklist</i>	Partner Portal

**3.1.1.3 Stage 3: As-Built and DRAF Incentive**

The second NYSERDA incentive is available to the Participant when the building has been built, the Partner has submitted the deliverables, and they have been approved by NYSERDA.

The submittal must show that the project has complied with all Prescriptive Path requirements including the *ENERGY STAR Multifamily High Rise Prescriptive Path* document and the *MPP-NC Technical Requirements*. Additionally, in order to complete the As-Built Incentive Milestone, the project must have an approved As-Built Inspection performed by Program staff.

The *Data Release Authorization Forms* shall include all common areas of the building and a representative sample of apartments. The apartment sample shall consist of at least 10% of the apartments with no fewer than five (5) apartments. Of the 10% sample, at least one of each apartment type (e.g. studio, large 1 bedroom) must be represented. Along with the *Data Release Authorization Forms*, a list of all apartment numbers and their corresponding apartment type (e.g. studio, large 1 bedroom) must be provided. Alternatively, eligible projects may follow the Addendum #4 process as outlined in Appendix B. All data is strictly confidential and only used to estimate the energy performance of the building as a whole, not of individual apartments.

Deliverables

✓	Document	Document Obtained From
<input type="checkbox"/>	<i>As-Built Prescriptive Path Calculator</i>	Partner Portal
<input type="checkbox"/>	<i>Testing &amp; Verification Worksheets</i>	EPA
<input type="checkbox"/>	<i>Photo Template</i>	EPA
<input type="checkbox"/>	<i>Inspection Request Form</i>	Partner Portal
<input type="checkbox"/>	<i>Common Area Data Release Authorization Forms (executed)</i>	Partner Portal
<input type="checkbox"/>	<i>Apartment Data Release Authorization Forms (executed)</i>	Partner Portal
<input type="checkbox"/>	List of each apartment number and type (e.g., studio, large 1 bedroom)	Partner Created Document

**3.1.2 Prescriptive Path Calculator**

In lieu of submitting the ERP Tables, Prescriptive Path projects must submit the *Prescriptive Path Calculator*. This calculator includes a checklist where the Partner and Participant confirm that all Prescriptive Path Requirements are met. It also calculates estimated savings and costs based on project-specific data.

**3.1.2.1 Prescriptive Path Calculator Tabs**

*A. Prescriptive Path Checklist:* This tab outlines the Prescriptive Path Requirements in checklist form. In addition to checking each box to indicate that the requirement has been met, certain components require basic information be entered. These cells are colored blue.

*B. Savings:* This tab calculates the savings, costs, and cost effectiveness of each measure and the project as a whole, based on Program-wide assumptions. With the exception of the blue cells (mostly for uncommon HVAC measures), no information should be changed in this sheet, and is for informational purposes only. If one of the measures is proposed and has a blue cell in this tab, please enter the appropriate costs.

**3.1.3 Testing & Verification**

The *Testing & Verification Protocols* are mandatory requirements for the inspection, testing, and verification of components related to the building’s energy performance. All inspections and diagnostic tests described within these protocols are required for each of the components and systems that exist in the

participating building. Results of inspections must be documented in the *Testing & Verification Worksheets* and *Photo Template*. The *Testing & Verification Worksheet* must be provided to your Case Manager with the Stage 1 and Stage 3 submittals. The *Photo Template* must be provided to your Case Manager with Open Wall and As-Built submittals. The *Testing & Verification Protocols, Worksheets, and Photo Template* can be obtained from the following website:

[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_mfhr\\_guidance](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_mfhr_guidance)

### **3.1.4 Site Inspections**

In addition to the inspections required to be performed by the Partner per the *Testing & Verification Protocols*, site inspections are also performed by a Program Site Inspector. This Site Inspector may be a staff member of the Program Implementation Team, the Quality Assurance Contractor, or NYSERDA.

Partner and Participant representatives are required to attend these site inspections. These representatives must have detailed knowledge of the project and must also be prepared to answer any project-related questions that arise.

During these inspections, the Program Site Inspector will be verifying that the work meets all *ENERGY STAR Multifamily High Rise Prescriptive Path* requirements, *MPP-NC Technical Requirements*, and the information matches the information presented in the *Prescriptive Path Calculator*.

The results of these inspections, including any issues or concerns, will be documented in a Site Inspection Report by the Program Site Inspector and will be returned to the Partner.

#### **3.1.4.1 Open-Wall Site Inspection**

Partners must submit their Open Wall submission documents to their Case Managers at least two weeks prior to 30% of the interior insulation being installed and the walls being closed to allow for the inspection to be scheduled and completed. If the building has ICF, EIFS and exterior insulation, the inspection should occur when approximately 30% of the windows have been installed. In addition, the majority of the components listed on the Open-Wall Checklist should be available for inspection. During this two- to three-week period, the Partner must maintain knowledge of open-wall status to ensure that a compliant open wall inspection can be conducted. Specifically, the Partner should remain in communication with the lead construction person regarding the anticipated construction schedule, any changes to the construction schedule, and any deviations that

the construction management team may see as forthcoming.

For any component listed on the Open-Wall Checklist that cannot be seen during an inspection because it is covered or hasn't yet commenced, the NYSERDA/TRC inspector will ask to see the construction drawings while on site. For any completed measure no longer visible during the inspection (below-grade exterior insulation, roof insulation, pre-fabricated assembly items, etc), the Partner must submit photographs before the inspection is approved. Ideally these photos should be submitted with the Open-Wall Submittal using the Photo Template. Any component included on the Open-Wall Checklist that has not commenced at the time of inspection must be documented in the As-Built Testing & Verification Worksheets and Photo Template.

The primary focus of the Open-Wall inspection is for Program Staff to inspect the above-grade wall insulation. Secondary items of interest include pipe insulation, below-grade insulation, roof insulation, duct insulation, and air sealing details. Each component on the Open-Wall Checklist that can be inspected will be inspected to ensure it meets both the ENERGY STAR Multifamily High Rise Performance Path Prerequisites and MPP-NC Technical Requirements along with verifying the work matches the information presented in the project's ERP Tables. Refer to the Tech Tip issued March 2014 titled "NC Open Wall Inspection" for further guidance.

If severe violations are discovered during this inspection, NYSERDA and its representatives reserve the right to request that the partner instruct the construction team to remove sections of previously sealed walls or cut open sections of these walls in order to fully inspect insulation and air sealing measures. Additionally, NYSERDA and its representatives have the right to require that a second open-wall inspection be conducted once all of the required corrections have been made and are ready for re-inspection.

If insufficient notice is provided to schedule and perform the open-wall inspection, or if the Partner does not inform their Case Manager of the open-wall phase at all, or if the Partner/Participant is unresponsive to attempts to schedule the open-wall inspection, the project will be required to expose sections of walls for inspection and all remaining incentive payments will be in jeopardy. Failure to meet the requirements of this Open-Wall Site Inspection will result in termination of the project.

### 3.1.4.2 As-Built Site Inspection

The *Inspection Request Form* must be submitted along with the other required documentation for the As-Built Submittal. As-Built Inspections will not normally be performed prior to the submittal of the entire As-Built Submittal package.

### 3.1.5 ENERGY STAR Benchmarking

Although eligible buildings that have applied to MPP-NC prior to 1/1/2015 may earn ENERGY STAR after successfully participating in the program based on the requirements of the New Construction component, building performance is as much a function of proper building management as the energy conservation measure incorporated into the structure. Therefore, after earning the ENERGY STAR for the building, the developer/manager must commit to benchmarking their building in Portfolio Manager for a period of two years in order to maintain their listing on the ENERGY STAR website.

Portfolio Manager is an online, interactive energy management tool that allows Participants to measure and track their building's energy and water consumption, identify investment priorities, and verify improvements over time. Multifamily housing communities can use Portfolio Manager to track weather-normalized energy use intensity (EUI), energy costs, greenhouse gas emissions, and water consumption. For more information on how to use Portfolio Manager, see the [Portfolio Manager- Multifamily Housing Quick Reference Guide](#) document.

To accomplish this goal, the developer/manager, or an entity working on their behalf, must be capable of evaluating the utility consumption of the residential-associated spaces independent of any commercial/retail space. These nonresidential associated parts of the building shall be separately metered (or sub-metered) for electricity, gas, fuel oil, water, steam, and hot water for domestic and/or space heating purposes. Also, they should work with tenants to secure consumption information. If the building is direct-metered for utilities to the apartments, the building owner must secure signed releases from individual apartment occupants to allow for benchmarking. In addition, the building owner must provide a signed release for the common area/whole-building utility meters. All data uploaded to Portfolio Manager is strictly confidential and only used to estimate the energy performance of the building as a whole, not of individual apartments.

**NOTE: Receipt of NYSERDA incentives and the ENERGY STAR will not be delayed due to this requirement by the EPA.**

**3.1.6 Gut-Rehab Projects**

Gut rehabs following the Prescriptive Path must meet **all** of the requirements in both the *ENERGY STAR Multifamily High Rise Prescriptive Path* document **and** the *MPP-NC Technical Requirements* on all systems and components.

**3.2 Modified Prescriptive Path**

**3.2.1 Modified Prescriptive Path Submittal Requirements**

For each project, the Partner is required to submit documentation to their Case Manager in order for the Participant to get paid NYSERDA incentives. Projects following this path must comply with the *Modified Prescriptive Path Requirements* document. These submittals will be reviewed by the Program Implementer and NYSERDA; the incentives will only be paid if these submittals are approved by NYSERDA. There are three submittals that are detailed below. All documents listed below must be submitted and approved for the milestone to be considered complete.

**3.2.1.1 Stage 1: Modified Prescriptive Path Calculator**

Deliverables

✓	Document	Document Obtained From
<input type="checkbox"/>	Participant-Partner contract <i>(signed by both parties)</i>	Partner Created Document
<input type="checkbox"/>	Affordability Documentation	See Proxy Chart in Section 1.1.3
<input type="checkbox"/>	<i>Modified Prescriptive Path Calculator</i>	Partner Portal

**3.2.1.2 Stage 2: Open Wall Incentive**

For the Modified Prescriptive Path, the first NYSERDA incentive is available to the Participant when the project has an approved Open-Wall Site Inspection to be performed by NYSERDA or Program Implementation staff. The Partner is to notify the Case Manager that construction is approaching this milestone at least two weeks ahead of time, three weeks notification is preferred, in order to properly schedule an inspection. The Open Wall phase is post-insulation and pre-drywall and is used to insure proper air sealing, insulation installation, and window installation. The project must meet the requirements outlined in the *Modified Prescriptive Path Requirements* document.

Deliverables

✓	Document	Document Obtained From
☐	Affordability Documentation (if not previously submitted)	See Proxy Chart in Section 1.1.3
☐	<i>Photo Template</i>	EPA
☐	<i>Open-Wall Checklist</i>	Partner Portal
☐	<i>Inspection Request Form</i>	Partner Portal

**3.2.1.3 Stage 3: As-Built and DRAF Incentive**

The second NYSERDA incentive is available to the Participant when the building has been built and the Partner’s submitted deliverables have been approved. In addition the required *Data Release Authorization Forms* and a list of all apartments and apartment types have been submitted.

The submittal must show that the project has complied with all *Modified Prescriptive Path Requirements*. Additionally, in order to complete the As-Built Incentive Milestone, the project must have an approved As-Built Inspection to be performed by Program staff.

The *Data Release Authorization Forms* shall include all common areas of the building and a representative sample of apartments. The apartment sample shall consist of at least 10% of the apartments with no fewer than five (5) apartments. Of the 10% sample, at least one of each apartment type (e.g. studio, large 1 bedroom) must be represented. Along with the *Data Release Authorization Forms*, a list of all apartment numbers and their corresponding apartment type (e.g. studio, large 1 bedroom) must be provided. Alternatively, eligible projects may follow the Addendum #4 process as outlined in Appendix B. All data is strictly confidential and only used to estimate the energy performance of the building as a whole, not of individual apartments.



Deliverables

✓	Document	Document Obtained From
<input type="checkbox"/>	<i>As-Built Prescriptive Path Calculator</i>	Partner Portal
<input type="checkbox"/>	<i>Testing &amp; Verification Worksheets</i>	Partner Portal
<input type="checkbox"/>	<i>Photo Template</i>	EPA
<input type="checkbox"/>	<i>Inspection Request Form</i>	Partner Portal
<input type="checkbox"/>	<i>Common Area Data Release Authorization Forms (executed)</i>	Partner Portal
<input type="checkbox"/>	<i>Apartment Data Release Authorization Forms (executed)</i>	Partner Portal
<input type="checkbox"/>	List of each apartment number and type (e.g., studio, large 1 bedroom)	Partner Created Document

**3.2.2. Modified Prescriptive Path Calculator**

In lieu of submitting the ERP Tables, Modified Prescriptive Path projects must submit the *Modified Prescriptive Path Calculator*. This calculator includes a checklist where the Partner and Participant confirm that all *Modified Prescriptive Path Requirements* are met. It also calculates estimated savings and costs based on project-specific data.

**3.2.2.1 Modified Prescriptive Path Calculator Tabs**

- A. *Modified Prescriptive Path Checklist*: This tab outlines the Prescriptive Path Requirements in checklist form. In addition to checking each box to indicate that the requirement has been met, certain components require basic information be entered. These cells are colored blue.
  
- B. *Savings*: This tab calculated the savings, costs, and cost effectiveness of each measure and the project as a whole, based on Program-wide assumptions. No information should be changed in this sheet, and is for informational purposes only.
  
- B. *Testing & Verification Worksheets (Remainder of the tabs)*: After the final plan review confirms all recommendations have been integrated into the construction documents, the *T&V Worksheets* are intended to be printed and brought to the field. They list the measures and building components to be inspected, mandatory requirements to be confirmed, and any additional relevant information identified during the plan review. Once completed, they are used to document that each Prescriptive Path requirement and each measure included in the As-Built Building meets all requirements and follows *T&V Protocols*.

### 3.2.3 Testing & Verification Protocols

Must comply with Section 3.1.3. Where this path has less restrictive requirements or does not require a component (i.e. WaterSense® toilets) a project following this path need not meet these requirements.

### 3.2.4 Site Inspections

Must comply with Section 3.1.4.

### 3.2.5 ENERGY STAR Benchmarking

Although this is not a requirement of this component, it is strongly recommended that the building be benchmarked in accordance with Section 3.1.5.

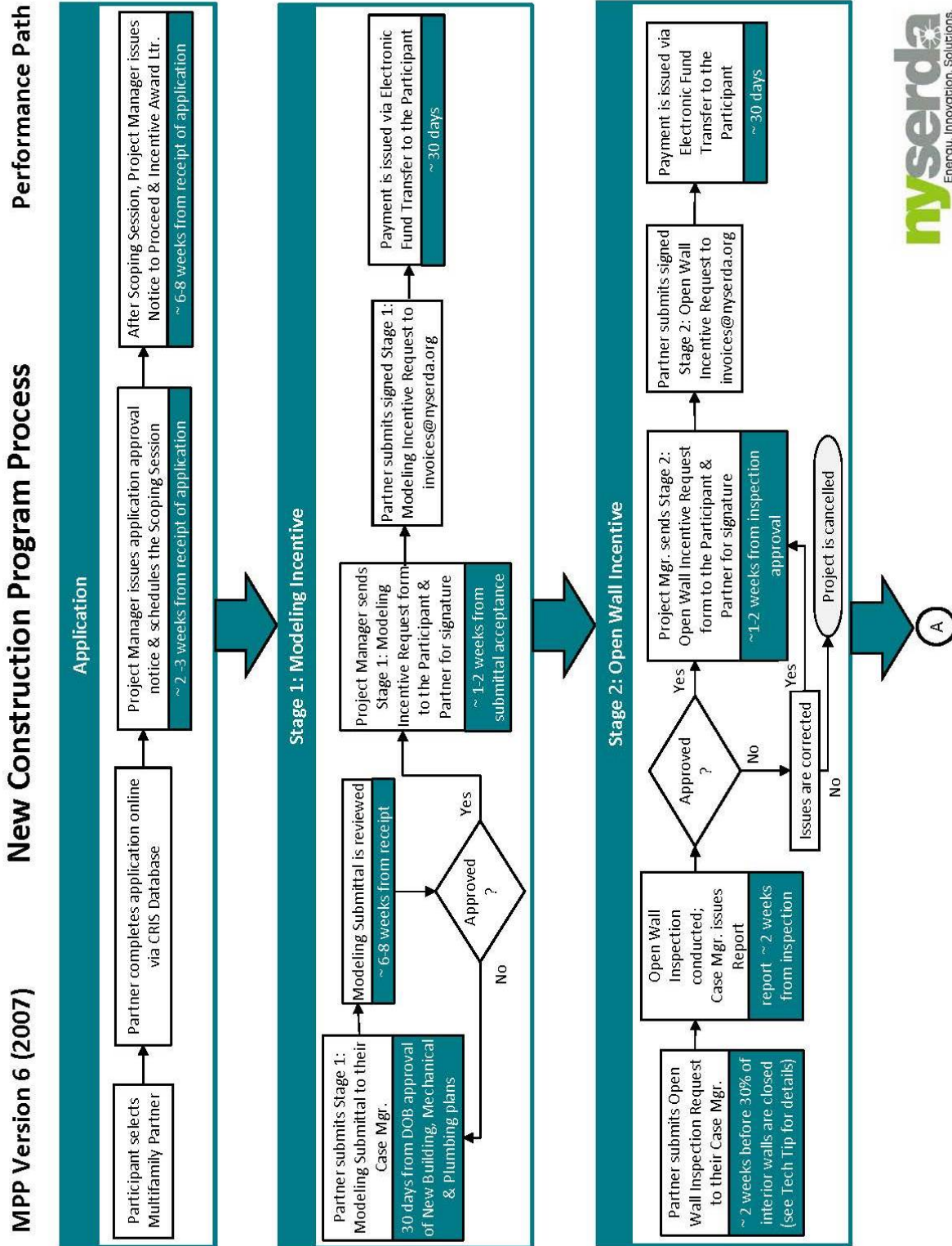
### 3.2.6 Gut-Rehab Projects

Gut rehabs following the Modified Prescriptive Path must meet the requirements listed in the *Modified Prescriptive Path Requirements* document, with the following exceptions:

- Gut Rehab projects are excluded from complying with the Envelope Section and all compartmentalization requirements of the table in the *Modified Prescriptive Path Requirements* document provided the assembly is not included within the scope of work nor modified in any way during construction.
- Buildings that are considered to be Historic Buildings according to the NYS ECCC 2010 Section 101.4.2, need not comply with the Envelope Section nor the compartmentalization requirements listed in the table provided in the *Modified Prescriptive Path Requirements* document.

## Appendix A: Program Process Flow Charts

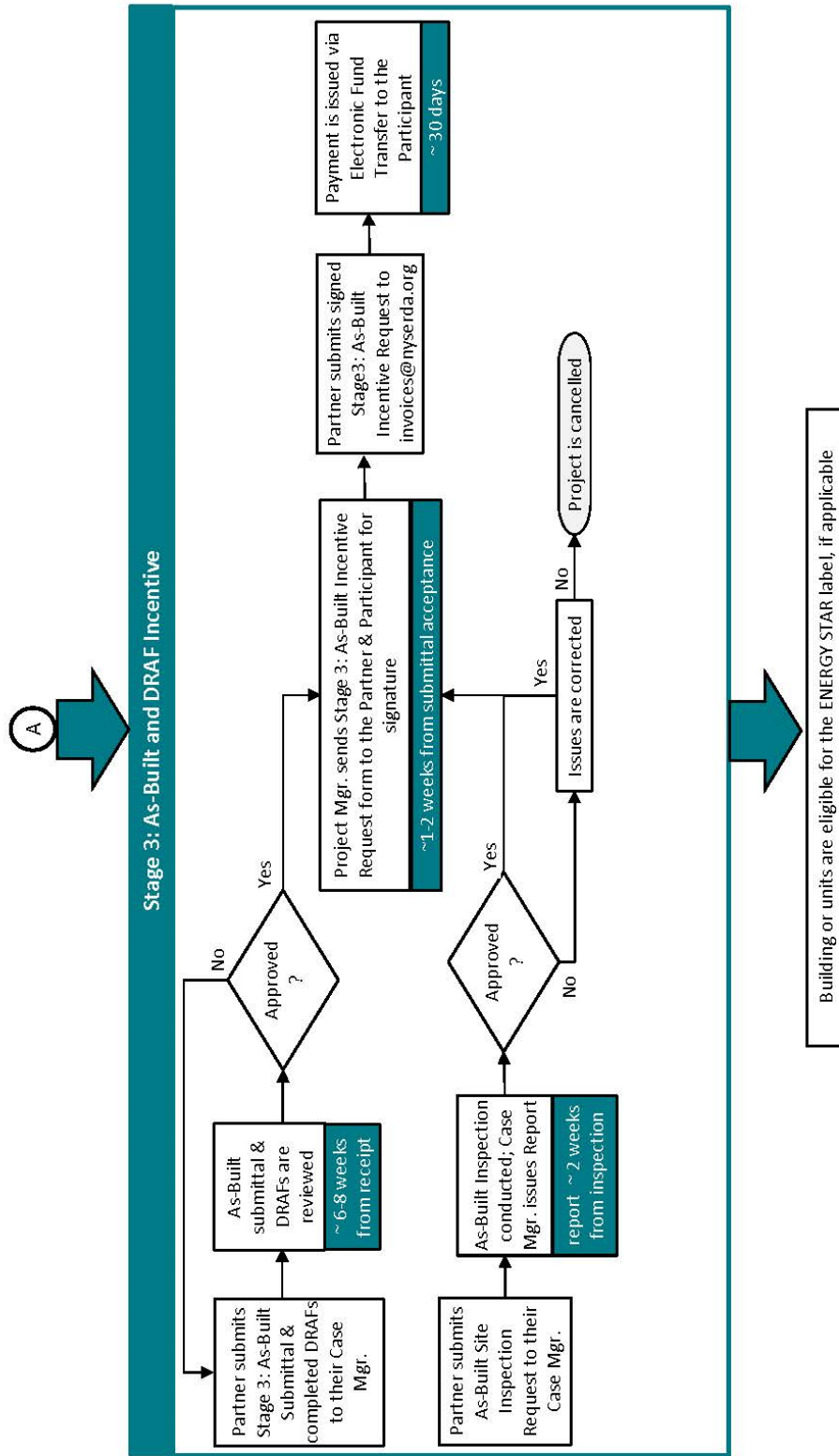
### A.1 – Performance Path with ENERGY STAR Process Flow Chart



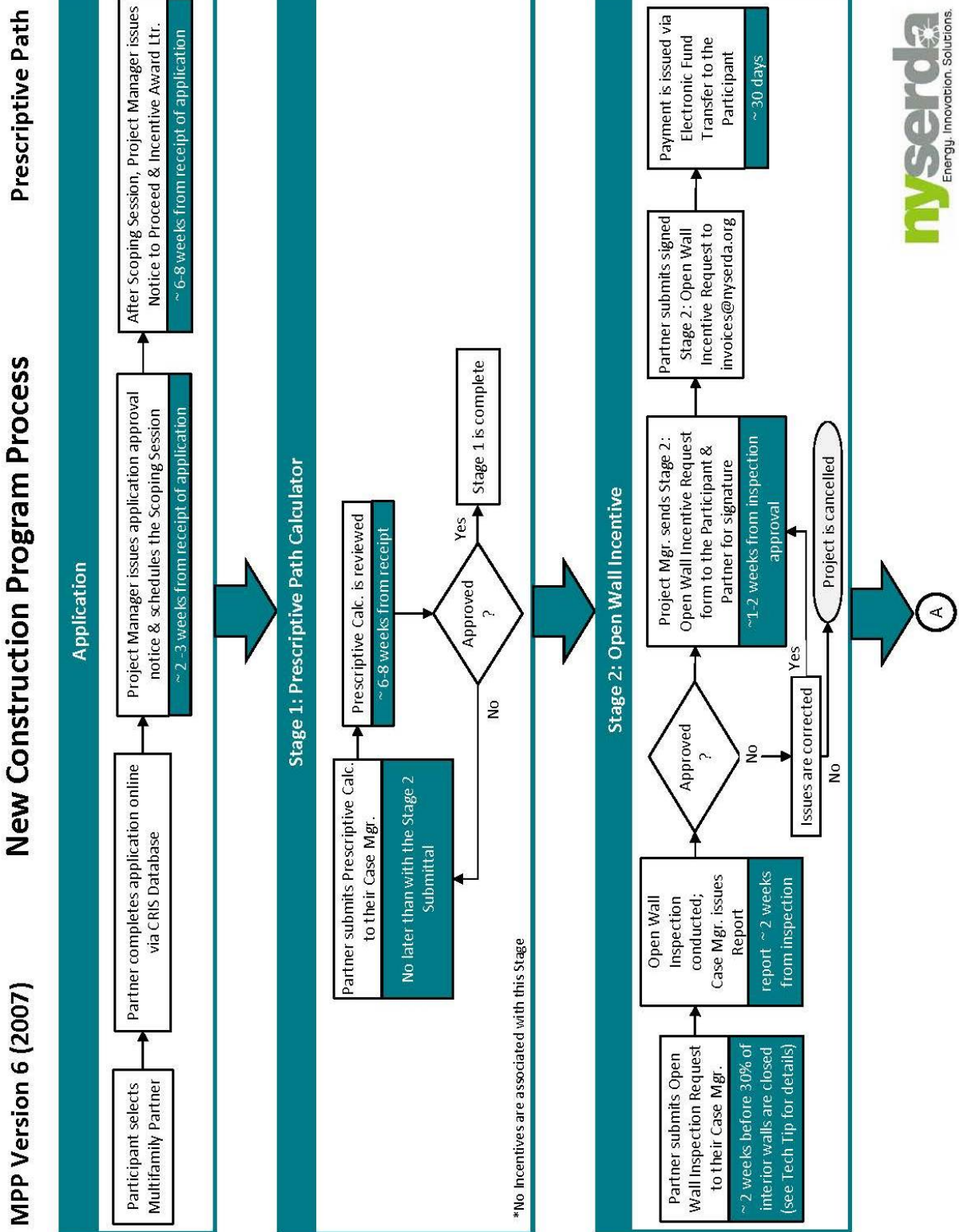
MPP Version (2007)

New Construction Program Process

Performance Path



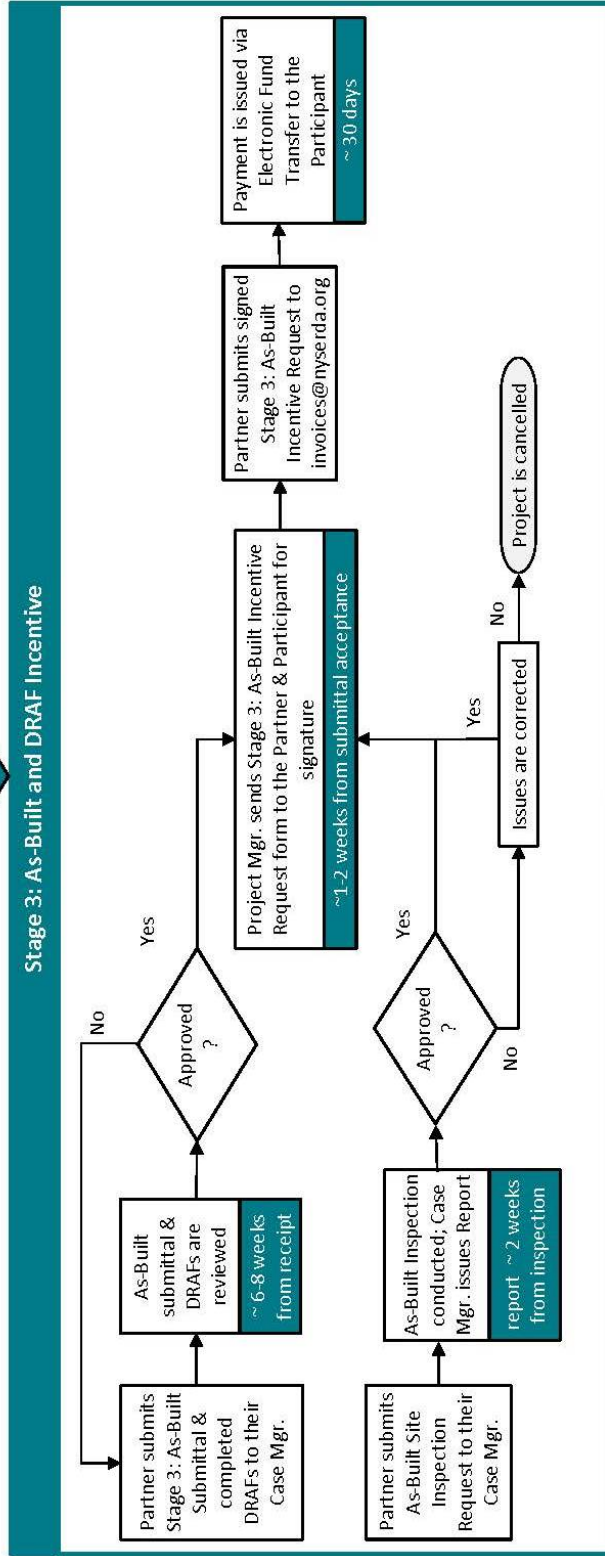
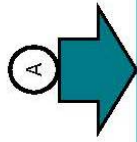
A.2- Prescriptive Path with ENERGY STAR Process Flow Chart



**Prescriptive Path**

**New Construction Program Process**

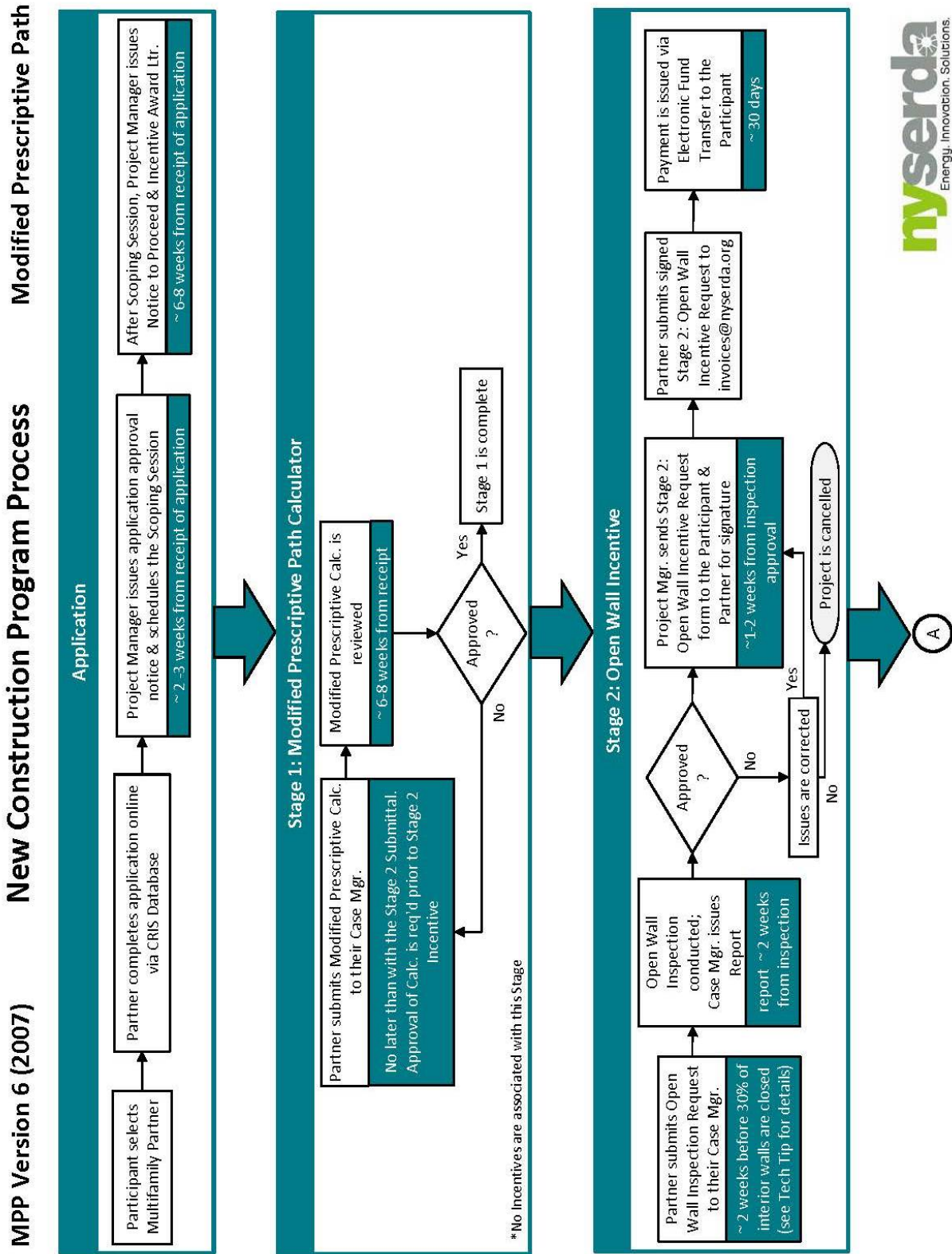
**MPP Version 6 (2007)**



Building or units are eligible for the ENERGY STAR label, if applicable



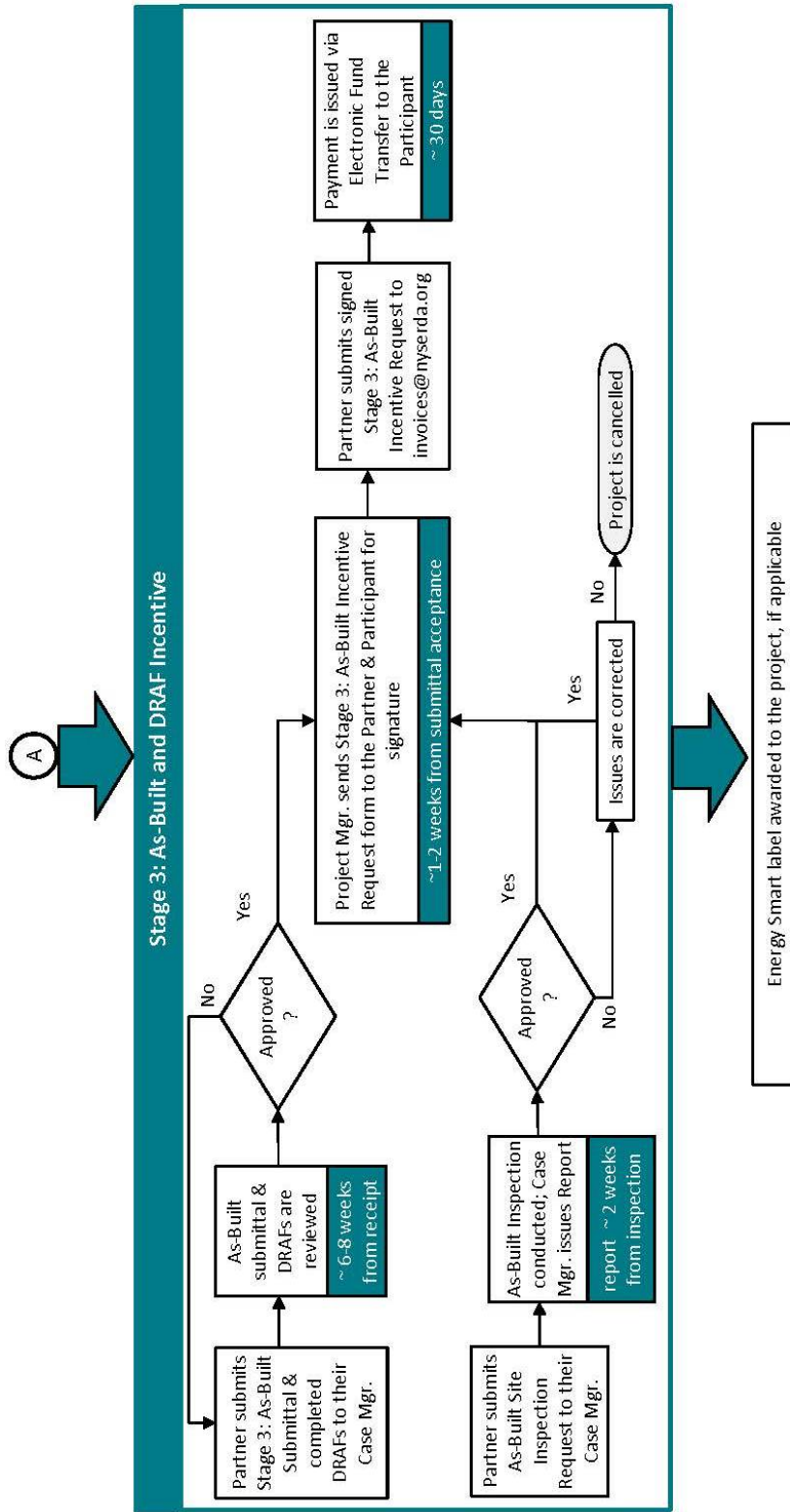
### A.3 - Modified Prescriptive Path Process Flow Chart



New Construction Program Process

Modified Prescriptive Path

MPP Version 6 (2007)





## Appendix B: Addendum 4 Alternative

This process is available to all New Construction buildings who are served by ConEd for both Gas and Electric and it replaces the need for *Resident Data Release Authorization Forms*. By opting to follow this alternative, the Participant authorizes NYSERDA to withhold \$307.50\* per BIN# from the final payment via an Addendum #4. The money withheld from the final payment will be used by the program implementer to obtain the data from ConEd.

### Addendum #4 Process:

The Partner will request a drafted Addendum #4 from their TRC Case Manager and will forward this Addendum to the Participant for signature.

The Participant signs the Addendum #4, completes the Common Area (Owner) Data Release Authorization Form, and completes and signs the Standard ConEd Authorization form\*\* from the ConEd website (see screenshot below.)

The Partner will then collect this information from the Participant and complete the ConEd Aggregated Consumption Request Form Application tab from the ConEd website (see screenshot below) and submit all these documents to the TRC Case Manager.

[http://www.coned.com/energyefficiency/city\\_benchmarking.asp](http://www.coned.com/energyefficiency/city_benchmarking.asp)

The screenshot shows a web browser window with the URL [http://www.coned.com/energyefficiency/city\\_benchmarking.asp](http://www.coned.com/energyefficiency/city_benchmarking.asp). The page content includes:

- Header: CITY BENCHMARKING, GREENTEAM 1-877-870-6118, Follow us: Facebook Twitter LinkedIn
- Email us: citybenchmarking@coned.com
- Click Here to access Project Center
- 2014 Aggregated Consumption Application request form (circled in red)
- Standard Con Edison Authorization form (circled in red)
- Project Center Upload Instruction Guide
- Aggregated Building Consumption frequently asked questions
- Greener Greater Buildings Plan - Benchmarking
- How to request Aggregated Building Consumption Data
- Con Edison is currently accepting requests for complete 2013 aggregated consumption data. To request aggregated consumption data, please download and complete the [2014 Aggregated Consumption Application Request form](#). Once the form is completed, customers must register within Project Center and upload their request form(s). Additionally all applicable Letters of Authorization (LOA) are to be sent in PDF format to [citybenchmarking@coned.com](mailto:citybenchmarking@coned.com).
- Please note:** Con Edison will not process a request without a valid LOA.
- Any request applications that are directly submitted to [citybenchmarking@coned.com](mailto:citybenchmarking@coned.com) will be returned to the customer.
- Please review our Project Center Upload Instruction Guide for guidance on how to complete the request form and upload your request(s) into Project Center.
- For further assistance, please view our webinar of the request process: <http://engage.vevent.com/rt/consolidatededisonco~020514>
- Upon receipt of a valid LOA and successful upload of request application, an invoice will be sent via

\*The number of BIN#'s are determined by the Department of Buildings

\*\*The signatory of this Authorization Form must be the ConEd utility account holder