

2009 New York ENERGY STAR[®] Homes HERS Provider Partnership Agreement:

(Funded by New York Energy \$martSM)



EFFECTIVE THROUGH JUNE 30, 2011

In New York State, HERS Raters who choose to participate in the NYESH Program must be certified through a Residential Energy Services Network (RESNET)-accredited New York HERS Provider. RESNET is a national organization affiliated with the Mortgage Bankers Association of America. Participating Providers shall ensure that their affiliated Raters fulfill all NYESH Program participation requirements, including submitting an EPA Agreement and a signed New York State Addendum. Additional information on the New York ENERGY STAR Homes Program can be found at www.GetEnergySmart.org.

RFQ 1287 is designed to enhance the services offered by HERS Raters in NYS and bolster the credibility of RESNET-accredited HERS Providers. Among other things, a stronger quality control system and more effective dispute resolution process are desired outcomes.

NYSERDA COMMITMENT:

For providing the services outlined below, NYSERDA is offering an incentive of \$75 per approved rating, payable to the HERS Provider. Incentives will be paid in accordance with NYSERDA's Prompt Payment Policy after receipt and review of the REM/Rate files, verification that required monthly and quarterly reporting is up to date, and is contingent upon successful completion of all requirements of RFQ 1287.

HERS PROVIDER COMMITMENT:

A. Administrative Tracking:

1. **Building File Upload.** For every home Rated through the NYESH Program, affiliated Raters shall be required to upload complete building files to their Provider, as well as to the Program Implementer (currently Conservation Services Group (CSG)). CSG will provide, within reason, technical support to assist Raters and Providers in fulfilling the upload and data collection requirements.

2. **Rater Status Updates.** HERS Providers participating in the NYESH Program must immediately notify NYSERDA, in writing, of any change in an affiliated Raters participation status (i.e. new Certification in Process Rater, a Rater becoming fully certified, any Rater leaving Provider oversight, or any Rater/company losing certification).

B. Reporting:

1. **Monthly Reporting.** The Provider must submit a monthly report to NYSERDA and NYSERDA's Program Implementer which includes the following:

- List of all Certification in Process (CIP) Raters
- List of all supervised ratings that have been completed for each affiliated CIP rater (data to include Supervisor name, CIP Rater name, builder name, home address, date of supervised rating, status of project)
- List of all Certified Raters affiliated with applicant
- List of all Plan Reviews conducted during month (data to include Certified Rater name, builder name, home address, date of review)
- List of all EPA Thermal Bypass Checklist inspections conducted during month (data to include Certified Rater name, builder name, home address, date of inspection)
- List of all Final Ratings completed during month (data to include Certified Rater name, builder name, home address, date of final rating, pass/fail score)
- List of QA inspections conducted during month (data to include Certified Rater name, builder name, home address, QA inspector name, date of inspection, pass/ fail score)

Monthly Reports shall be provided to NYSERDA and its Program Implementer by the 15th day of the following month.

2. **Quarterly Reporting.** The Provider must submit quarterly activity reports to NYSERDA's Program Implementer. The quarterly report shall contain, but is not limited to:

- a) Identification of all Plan Reviews, EPA Thermal Bypass Inspections that affiliated raters have performed during the reporting period (data to include Certified Rater name, builder name, home address, date of review/ inspection)
- b) List and description of all Quality Assurance activity during the reporting period. This shall include, at a minimum: Certified Rater name, Participating Builder name, QA inspector name, home address, inspection date and outcome
- c) Quality Control: This information shall include a synopsis of all activities resulting from deficiencies uncovered during field QA inspections. A description of all technical support provided to Raters through QC processes shall also be reported.
- d) Dispute Resolution Activity: This shall include a description of any issues that arose during the reporting period, or that began before the reporting period and are ongoing, and their relevant statuses. For every ongoing dispute, an outline of the process being followed to resolve the issue shall be clearly identified.
- e) Copies of all field inspection reports and outcomes occurring during the reporting period. Volume reported must coincide with inspection levels defined in the Provider Solicitation Package
- f) List of all Ratings completed in the reporting period and all REM/Rate files pertaining to those ratings

Quarterly Reports shall be delivered to NYSERDA's Program Implementer by the 30th day of the following month.

C. Home Energy Rating Certificate (HERC). The Provider shall ensure that their affiliated Raters provide to builders a *Home Energy Rating Certificate (HERC)* for every home rated through the Program. Providing a HERC to builders is a RESNET accreditation requirement.

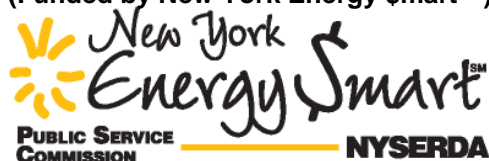
D. Program Rule Compliance. Providers shall ensure that all projects submitted to the Program on behalf of their affiliated Raters abide by all NYESH Program standards. This includes technical specifications, health and safety testing, and verification that the project has not has a Certificate of Occupancy for more than 30 days.

Failure to fulfill any requirements of RFQ 1287 may result in loss of Provider Incentives and/or termination of Partnership Agreement.

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Signature Page

I have read, understand, and agree to comply with, all partnership commitments described in the 2009 HERS Provider Partnership Agreement, including all supporting policies described or referenced therein. The provisions of this agreement are effective from January 1, 2009 through June 30, 2011. NYSERDA reserves the right to modify, at any time during this agreement term, the provisions of this agreement. I certify that, under penalty of law that the statements made in this Agreement, have been examine by me and are true and complete. I understand that by signing this Agreement, I consent to any other inquiry to verify or confirm the information I have given.

NOTE: If the authorized company representative is different for business and consumer affairs, please complete the consumer contact information below. Unless otherwise indicated, the official company information will be posted on NYSERDA's website, www.GetEnergySmart.org. Please verify the information on the Get Energy Smart web site for accuracy.

Company Information

	Official Business
Company Name:	
Authorized Company Contact:	
Physical Company Address:	
City, State & Zip Code:	
Phone:	
Fax:	
E-Mail:	
Website Address:	
Tax ID: REQUIRED	

Participant's Signature

Authorized Company Contact Signature: _____ Date: _____

NYSERDA Authorized Signature: _____ Date: _____

(New York State Energy Research and Development Authority)

NYSERDA will not accept faxed, copied, or e-mailed documents.

Please mail the *original completed and signed* signature page to:

New York State Energy Research and Development Authority (NYSERDA)

17 Columbia Circle, Albany, NY 12203 -- ATTN: Residential Efficiency and Affordability Program

Please take a moment to indicate, by selecting the appropriate box(es), which counties within New York State your organization (_____) plans to offer services.

NOTE: The number of counties or region in which your organization plans to service is not limited to one region. You may choose one or more counties which your organization plans to offer services. If you fail to identify counties your organization wishes to provide services, your organization will only be posted in the county of the physical company address listed above.

Capital District / Saratoga Region

- Albany
- Fulton
- Montgomery
- Rensselaer
- Saratoga
- Schenectady
- Schoharie

Central New York Region

- Cayuga
- Cortland
- Herkimer (South)
- Madison
- Oneida
- Onondaga
- Oswego

Downstate – East

- Kings
- Queens

Downstate – North

- Westchester
- Bronx

Downstate – South

- New York
- Richmond

Finger Lakes Region

- Genesee
- Livingston
- Monroe
- Ontario
- Orleans
- Seneca
- Wayne
- Wyoming
- Yates

Mid Hudson Region

- Columbia
- Delaware
- Dutchess
- Greene
- Orange
- Putnam
- Rockland
- Sullivan
- Ulster

North Country Region

- Clinton
- Essex
- Franklin
- Hamilton
- Herkimer (North)
- Jefferson
- Lewis
- St. Lawrence
- Warren
- Washington

Southern Tier Region

- Broome
- Chemung
- Chenango
- Otsego
- Schuyler
- Steuben
- Tioga
- Tompkins

Western New York Region

- Allegany
- Cattaraugus
- Chautauqua
- Erie
- Niagara