

Multifamily Program Participant Handbook

January 2024



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1. Introduction

Program overview

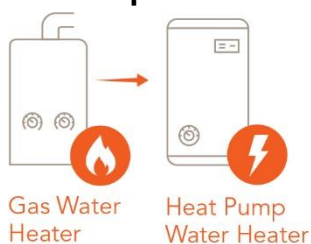
The Sacramento Municipal Utility District (SMUD) Multifamily Program (MFP) promotes and facilitates gas-to-electric equipment and appliance conversions and energy-efficient retrofits of multifamily housing (“projects”), focusing on long term carbon savings and delivering through design assistance, incentives and program coordination (the “program”).

This program is designed for multifamily properties with five or more units. Additional incentives that support holistic property improvements include but are not exclusive of energy efficiency measures, electric vehicle chargers and electric panel and site infrastructure upgrades. Incentives are paid prescriptively based on equipment undergoing gas-to-electric conversions and on equipment measures installed.

Benefits of Going Electric

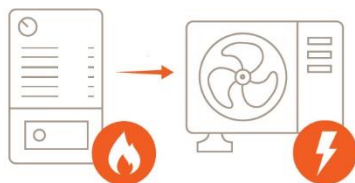
Transitioning from natural gas-fired to electrically powered equipment and appliances can reduce maintenance fees, improve efficiency and improve occupant health. Heat pumps function by moving heat between materials, allowing them to provide either cooling or heating as needed and are much more efficient than products that heat using electric resistance.

Heat Pump Water Heaters



- **Power shifting:** Heat pump water heaters will typically provide less direct heating power than a gas-fired alternative but have significantly more storage. This allows them to use the water storage as a battery of sorts so that, with the correct controls, the water heater can be set to remain off as much as possible during peak load times when electricity is most expensive.
- **Health and safety:** Heat pump water heaters have no pilot lights and no combustion gasses, eliminating the majority of potential health and safety risks for occupants.
- **Construction:** Heat pump water heaters only need electrical power (no gas line). In addition to heated water, they output non-acidic condensate and cool air that is entirely safe but may need to be vented depending on the location of the water heater.

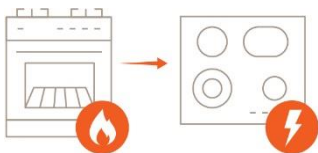
Heat Pump HVAC



Gas Furnace Heat Pump HVAC

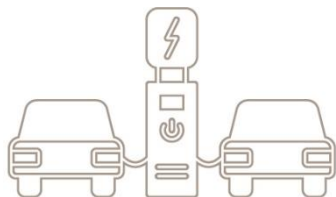
- **Less equipment:** Most buildings in the Sacramento region have air conditioning installed. Heat pumps provide both air conditioning and heating in one unit and can often use the same infrastructure already in place for air conditioning, allowing you to remove the unnecessary dedicated heating systems.
- **Health and safety:** Heat pump HVAC has no pilot lights and no combustion gasses, eliminating the majority of potential health and safety risks for occupants. The compressor that creates the heated or cooled refrigerant will be outside the unit, leaving only an air handler or fan system inside the unit.

Induction Cooktops



Gas Range Induction Cooktop

Induction technology delivers heat directly to the pans instead of heating the surface of the cooktop. This allows for more direct control of the heat for more precise cooking. Since its surface is completely sealed, it's safer because there's no exposed heating element or open flame. And, unless there's cookware on it, the cooktop doesn't heat up—even if it's turned on. Induction cooktops produce zero kitchen pollution. Natural gas stoves can release carbon monoxide, formaldehyde and other harmful pollutants into the air.



Electric Vehicle Charger

Electric Vehicles and EVSE (electric vehicle charging equipment)

Electric vehicles have fewer moving parts and maintenance concerns than gasoline-fired counterparts. They can also be charged onsite, improving convenience for residential owners and eliminating the need for fueling trips and reimbursement for corporate ownership. With California's mandate to eliminate the sale of gasoline-fired vehicles by 2035, there will be far more electric vehicles owned by tenants in upcoming years. On-site electric vehicle charging solutions will become a sought after amenity.

Minimum requirements

There are multiple ways to participate in the MFP but projects must meet the following minimum criteria to qualify:

1. Customer shall agree to a SMUD Tenant Engagement Plan.
2. If there are any natural gas-fired systems at the property, customer shall complete at least one qualifying heat pump measure. If the property is 100% electric and any space heating or hot water systems are electric resistance, customer shall complete at least one qualifying heat pump measure.
3. Any supporting efficiency measures that provide energy savings through reduced domestic hot water (DHW) or HVAC usage must be connected with 100% electric heat pump DHW or HVAC systems.

Interest form

To get started, please visit smud.org/Multifamily to submit an Interest Form prior to the start of construction. Once an interest form has been submitted, a Multifamily Program Advisor (MPA) will be assigned to the project. The MPA will work with the project to develop an optimum scope of work and will assist with the submission of an agreed upon scope for incentive reservation. Only completed applications qualify for the current program year. Funds will be reserved for the following year on a first-come first-serve basis. Any projects not approved due to program funding restriction will be eligible to apply in the next program year, provided funding is available.

SMUD Multifamily program contacts

Any program-related issues and/or questions should be directed to Multifamily@smud.org or 916-732-5905.

Information can also be found at smud.org/Multifamily.

2. Go electric and energy efficiency incentives

Go Electric

All properties that currently utilize natural gas-fired systems on site (water heating and/or HVAC) must replace at least one system with qualifying Go Electric equipment in order to qualify for the MFP. Rebates are prescriptive, based on the equipment installed.

Minimum Go Electric or heat pump equipment requirements

If a property has any natural gas fired systems on site, the total incentives received for Go Electric measures must be equal to or greater than the total incentives received for supporting energy efficiency measures. If an all-electric property has any electric resistance heating or hot water systems, the total incentives received for heat pump measures must be equal to or greater than the total incentives received for the non-heat pump energy efficiency measures. Once a property has no remaining natural gas systems and no remaining electric resistance heating or hot water systems, this requirement is waived.

Improve building efficiency

Projects have the option to install energy efficiency measures that reduce energy usage of all-electric systems – whether directly (installing high efficiency heat pump or induction equipment) or indirectly (installing products that reduce energy usage of all electric mechanical systems). For energy efficiency measures that provide savings indirectly, such as insulation or windows, the “parent” mechanical system must be a 100% electric heat pump system. Rebates are prescriptive, based on the equipment installed and may include a maximum existing system efficiency in order to qualify.

Accessible rebates

The total incentive amount received per property per project cannot exceed the following, unless explicitly approved by SMUD:

- ≤\$300,000 for Go Electric measures; up to the project cost.
- ≤\$50,000 for Go Electric Bonus measures: electrical system upgrades; up to the project cost.
- ≤\$100,000 for energy efficiency measures and incentives; up to the project cost.
- Up to an additional 50% in equity assistance for qualifying multifamily properties.
- Measures that may be incentivized with their associated general requirements are listed below. For full technical requirements/criteria for each measure, please refer to the [“Multifamily Technical Equipment Requirements”](#).

Go electric building upgrade measures & incentives

Heat pump domestic hot water

Measure	Eligibility	Incentive
Apartment HPWH (NEEA Tier 3 or better or 120V)	Natural gas-fired water heater	\$1,800/unit
Common area HPWH (serves communal spaces)	Natural gas-fired water heater	\$1,800/unit
Central HPWH, 100% electric	Natural gas-fired central water heater/boiler	\$1,500/apt served
Central HPWH, 100% electric, no auxiliary electric resistance	Natural gas-fired central water heater/boiler	\$2,000/apt served
Pool HPWH	Natural gas-fired pool heater/boiler	\$1,800/50 kBtu capacity

Heat pump HVAC

Measure	Eligibility	Incentive
Inverter-driven split system: ≥ 17 SEER or ≥ 16 SEER2 single head unit or ducted	Natural gas-fired furnace	\$2,700/compressor
Additional mini-split heads		\$600/head/unit
Inverter-driven, unitary (through-the-wall), ≥ 10.9 EER	Natural gas-fired furnace	\$1,400/compressor
DX heat pump (split or roof top unit): ≥ 16 SEER or ≥ 15.2 SEER2 + smart thermostat	Natural gas-fired furnace	\$1,950/system
Common spaces (commercial size) heat pump system (package & split), single or two-stage compressor	Natural gas-fired furnace or heating boiler	\$1.50/ft conditioned area
Multi-apartment (commercial size) heat pump system (package & split), single or two-stage compressor	Natural gas-fired furnace or heating boiler	\$1,500/unit served
Common spaces (commercial size): Inverter-driven/variable capacity central HVAC system	Natural gas-fired furnace or heating boiler	\$2.50/ft conditioned area
Multi-apartment (commercial size): Inverter-driven/variable capacity central HVAC system serving multiple apartments	Natural gas-fired furnace or heating boiler	\$2,500/unit served

Induction cooktops

Measure Name	Eligibility	Incentive
ENERGY STAR 24" induction cooktop gas to electric induction conversions	Gas cooktop	\$750/unit

Heat pump laundry dryers

Measure Name	Eligibility	Incentive
ENERGY STAR residential heat pump dryer	In-unit gas dryer	\$400/unit

Bonus measures & incentives

Measure	Incentive
Electrical engineering and permitting support for gas-to-electric projects (exclusions apply)	\$3,000/project
Electrical panel, circuit upgrades, 3-phase upgrades, or transformer upgrades for gas-to-electric projects	Up to \$650/unit Capped at \$50,000/project
Natural refrigerant adder: Heat pumps using a natural refrigerant	20% additional/applicable heat pump measure

Energy efficiency measures & incentives

Measure	Eligibility	Incentive
High efficiency heat pumps water heaters or heat pump HVAC	Electric resistance space heating or hot water	Up to 25% Go Electric incentive. For additional incentives, please contact your Multifamily Program Advisor.
	Heat pump space heating (≤ 13 SEER)	Up to 25% equivalent Go Electric incentive. For additional incentives, please contact your Multifamily Program Advisor.
Induction cooktop	Electric resistance cooktop	\$100/unit
Attic cavity insulation: Existing $\leq R19$; Upgrade $\geq R38$	This measure is only eligible when the associated HVAC system is a heat pump (existing or newly installed)	\$0.50/sq. ft
Flat roof rigid insulation: $\geq R12$ added	This measure is only eligible when the associated HVAC system is a heat pump (existing or newly installed)	\$0.40/sq. ft
Wall insulation: existing R0, upgrade $\geq R13$	This measure is only eligible when the associated HVAC system is a heat pump (existing or newly installed)	\$0.40/sq. ft
Duct sealing: $\leq 10\%$ leakage, ducted systems only	This measure is only eligible when the associated HVAC system is a heat pump (existing or newly installed). Existing system must be $>20\%$ leakage to conditioned spaced.	\$100/system
High performance recirculation system: Variable speed pump with return temp ≤ 110 deg F and balanced system	This measure is only eligible when the associated water heating system is a 100% electric heat pump (existing or newly installed)	\$25/apt served / minimum \$1000 per project
Variable speed pool pump (with commissioning). Unheated, solar thermal, or heat pump pool heaters only	This measure is only eligible when the associated pool heating system is a non-gas fired system (existing or newly installed)	\$400/pump

Commercial laundry washer (ENERGY STAR), purchased or ≥5-year lease	This measure is only eligible when the associated water heating system is a 100% electric heat pump (existing or newly installed)	\$100/washer
Common area and exterior LED lighting (non-appt meters only). Must be on Design Light Consortium qualified product list ¹	This measure is only accessible when also meeting the minimum Go Electric or heat pump project scope requirements	\$0.15/annual kWh savings
1. Must be complete fixtures listed on Design Lights Consortium (https://www.designlights.org/).		

3. Electric vehicle charging measures and incentives

Charge up at your multifamily property

Take advantage of electric vehicle charging incentives for your multifamily property with incentives from SMUD.

Save additional time and money by completing the Multifamily Program single application process by bundling electric vehicle charging upgrades into a building upgrade project. Applicants may elect to submit an EV application minus building upgrades.

Electric vehicle charging measures and incentives

Measure	Incentive
Level 2 EVSE	\$4,500/connector
Equipment Requirements	Electrical/Meter Requirements
All qualifying units must be: <ul style="list-style-type: none"> • Hardwired • New and installed for the first time • UL (or equivalent) approved • Equipped with either J1772 or NACS connector types. 	<ul style="list-style-type: none"> • All projects must meet SMUD's Electric Service Requirements (T017 and T004) • For projects with <u>more than 10 handles/ports per interconnection (main service panel)</u>, EV chargers must be installed on a dedicated circuit with a submeter socket, can or panel. SMUD will provide and install the submeter.
Additional Requirements	
<ul style="list-style-type: none"> • Maximum 50 handles/ports can be incentivized per project (site) per year. Note that some EVSE are equipped with more than one handle/port • For new construction projects, please refer to SMUD's commercial EV program here. • See SMUD Commercial EV Procedures Manual for full program details and Terms & Conditions 	
Measure	Incentive
Level 1 or low power Level 2 Smart Outlet	\$1,500/unit
Equipment Requirements	Electrical/Meter Requirements
All qualifying units must be: <ul style="list-style-type: none"> • Hardwired • New and installed for the first time • UL (or equivalent) approved • Designed to fit within a standard duplex receptacle • Able to handle customer payments at the receptacle • Labeled/identified by unique serial numbers on 	<ul style="list-style-type: none"> • All projects must meet SMUD's Electric Service Requirements (T017 and T004) • Each low power Level 2 Smart Outlet must be served by a 208/240V 20A minimum branch circuit

individual units.	
Additional Requirements	
<ul style="list-style-type: none"> • Maximum 50 units can be incentivized per project (site) per year. • For new construction projects, please refer to SMUD’s commercial EV program here. • See SMUD Commercial EV Procedures Manual for full program details and Terms & Conditions 	

Learn more about SMUD’s electric vehicle measures and incentives [here](#).

4. Equity Assistance

When completing an eligible building upgrade, qualifying multifamily properties may receive up to an additional 50% in equity assistance. To qualify, 50% or more of the tenants must be active participants in SMUD’s [Energy Assistance Program Rate \(EAPR\)](#) or the property must provide housing or temporary shelter for low-income residents (exclusions apply).

Help your tenants reduce their monthly electricity costs by referring them to SMUD's Energy Assistance Program Rate (EAPR). EAPR provides a monthly discount for qualified low-income customers. If your tenants meet the following guidelines for household income and the number of people living in their home, please have them fill out the Energy Assistance Program Rate application [here](#) on smud.org.

EAPR income guidelines (Effective February 1, 2024):

Persons in household	Monthly income
1-2	\$3,407
3	\$4,303
4	\$5,200
5	\$6,097
6	\$6,993
Additional members (each)	\$897

Households are eligible for the discounted rate if their income doesn't exceed 200 percent of the federal poverty level. These figures reflect that percentage.

Commercial nonprofit organizations

Nonprofits that provide housing or temporary shelter for low-income residents may be eligible for Equity Assistance through participation in our Energy Assistance Program Rate (EAPR) for nonprofit agencies. You may qualify if the residents you serve would otherwise be eligible for our residential EAPR.

Is your nonprofit eligible? Qualified accounts must meet the following requirements:

- The customer named on the SMUD account must be a nonprofit, IRC 501(c)(3) organization.
- The account must be a nonprofit public (state, county, city, etc.) or private

organization.

- The facility houses people who would otherwise qualify for our normal EAPR program (low-income households).
- Documents to verify the above.

Commercial affordable multifamily housing property

- Have an executed regulatory agreement indicating the complex is qualified as an affordable housing property.
- Documents to verify the above.

4. Program Process



The Multifamily Program participation process includes six steps:

1. Desktop review
2. Site visit
3. Scope of work
4. Reserve funds
5. Implement
6. Submit

Step 1: Desktop review

Interest form submission

The applicant will submit an interest form online at smud.org/Multifamily. A Multifamily Program Advisor from Frontier Energy will review the form and then reach out to the applicant if any additional background information is needed. Within two weeks, a MPA will reach out to complete the intake process and begin scope development with the applicant.

Incentive Reservation Request

The applicant will sign and submit the Incentive Reservation Request (with assistance from the MPA) to the MFP team for review and approval. The incentive reservation request must include the following supporting documentation:

- W-9 for all Incentivized payees
- Rent roll
- Common area gas utility bill
- SMUD Infrastructure Capacity Evaluation form
- Project scope and construction schedule
- Signed contracts/estimated project costs

Within sixty (60) days of Incentive Reservation Request acceptance, the following additional documentation must be submitted to the MFP:

- Copy of Building Permit Application(s) and plan check fee payment receipt(s)
- Single Line electrical drawing including load calculation in the connected service

panel for all existing plus proposed end use loads (i.e. heat pumps, induction, EVSE, if applicable)

- Executed EVSE contract or if a local government or Muni, proof of an RFP being issued (if applicable)
- Site plan calling out the location of ESVE unit locations (if applicable)

Step 2: Site visit

The MPA will complete a site visit to confirm existing equipment and additional opportunities and to determine existing systems and to verify measure viability. The site visit may be in-person or virtual. Rebates can only be issued for improvements when the original conditions were confirmed by MFP staff prior to installation of new equipment.

Step 3: Scope of work

Upon completion of the site visit and documentation submittal, the final scope of work will be reviewed and upon acceptance by the MPA, will initiate the process to reserve funds.

Step 4: Reserve funds

SMUD's MFP staff will review the completed project application to ensure completeness, accuracy, and compliance with program requirements. SMUD staff will identify inaccurate and incomplete projects; any project deemed inaccurate or incomplete must address all issues prior to advancing to construction.

Once a project passes review, SMUD will issue a formal notification indicating approval to proceed, summarizing the approved scope of work, proposed construction schedule, Tenant Engagement Plan and reserved incentive amount(s).

Funding is limited. The program will consider reservations on a first-come, first-served basis and projects must adhere to the limitations of the program. Final incentives are calculated based on verified measures. Changes to the scope of work and the proposed timing of the construction schedule may result in significant changes to the final incentive amount and/or project eligibility. The program will only reserve incentives after a project successfully completes the Incentive Reservation Request.

Projects must complete all enrollment procedures, including the submittal of a complete incentive reservation package. Projects must be completed no later than one (1) year after incentive reservation acceptance to be eligible for incentives. If projects fail to meet the completion deadline identified in the Incentive Reservation notification, or a one-time approved extension deadline, this failure may result in significant changes to the final incentive amount (including void of incentive reservation).

If project milestones and project completion dates are not met, the Reservation of Incentive may be cancelled. Pending budget availability, the project may be issued a new Reservation of Incentive under the rules of the current program year.

Approval

The SMUD authorized Incentive Reservation Request serves as a notice to proceed with

installation of the proposed project scope of work. All projects must receive program approval to proceed before installation commences of any project upgrade measures. All projects must install measures in the approved scope of work to manufacturers' specifications and in accordance with state and local codes. All projects must use licensed contractors to install these measures. Contractors must also participate in SMUD's Commercial Contractor Network. Refer to the Multifamily [Technical Equipment Requirements](#), to ensure the product installed meets minimum program requirements.

Step 5: Implement

Upon completion of project, the MPA will verify that installed measures are consistent with the proposed scope and meet MFP installation standards. At project completion additional documentation will need to be submitted to the MFP including but are not exclusive of:

- Final paid contracts/invoices for all installed building upgrades seeking incentives
- Final paid contracts/invoices for all equipment and/or purchases seeking incentives and must include model and EVSE serial number
- Final installed equipment measures specific documentation (if applicable)
- Completed Rule 16 agreement, (if applicable)
- Updated drawings set (if applicable)
- Building Department Signoffs, and self-certification (PE stamp is required for self-certification)
- Tenant Engagement Plan and delivery
- Program site inspection(s)

The MPA will follow up with the applicant via email and/or phone for any additional information needed to complete installation quality assurance review. A site visit, either in-person or virtual, will also be arranged for confirmation of completed scope.

Tenant Engagement

Participants must agree to a Tenant Engagement Plan which provides education about the installed energy efficient upgrades and commercial electric vehicle measures and SMUD programs and energy saving tips to help reduce energy use and provide bill savings.

Tenant engagement activities may include distribution of SMUD educational materials by:

- Digital delivery (e.g., community newsletter)
- On-site community educational events
- Apartment visits

SMUD's Tenant Engagement team will also coordinate with the MPA and/or Applicant to provide additional knowledge and resources to tenants regarding equipment that was installed as part of the MFP. This may occur during construction or entirely at project verification. Materials provided may include knowledge on the systems being installed, tips for improved energy savings, or resources for making the best use possible of new equipment.

Step 6: Submit

Once the verification process (Step 5: Implement) is completed, the MPA and applicant will complete an Incentive Payment Request form. SMUD MFP staff will email a completion letter to the applicant confirming that the project is complete and payment is being processed. SMUD will only address payments to the Property Owner and/or Authorized Representative or authorized payee as identified on the Incentive Reservation Request and Incentive Claim Request form.

5. Program terms and conditions

Incentive terms and conditions

As a condition of participation in the SMUD Multifamily Program, the Property Owner/Authorized Representative (Applicant) must acknowledge and agree to the following terms and conditions.

1. **Effective Date:** Effective date of this program is January 1, 2024.
2. **Eligibility:** Applicant must be a SMUD commercial customer in good standing. The SMUD Multifamily Program is funded by SMUD utility customers and administered by SMUD for customers within its service territory. Eligible participants in the SMUD Multifamily Program must be current electric distribution customers of SMUD at the facility ("Project Site") where the proposed building upgrades, EVSE will be installed and operated.
3. **Additional documentation:** Applicant agrees that SMUD reserves the right to request additional documentation prior to incentive payment. The incentive may be withheld until additional documentation is received. Upon verification, SMUD reserves the right to adjust and evaluate incentives as new information becomes available.
4. **Program modification/termination:** SMUD expressly reserves the right to modify or terminate the Multifamily Program, in whole or in part, at any time and for any reason without prior notice.
5. **First come - first served:** The Incentive Reservation is not guaranteed, and no incentive is reserved for your project until SMUD provides a signed incentive reservation. The interest form and any resulting incentive estimates are non-binding and do not constitute approval for an incentive. Work started in advance of the SMUD authorized Incentive Reservation Request is at risk of not receiving an incentive. Projects delayed beyond the reserved until date are at risk of reduced or eliminated incentives due to program changes or budgetary considerations.

The Incentive Reservation is subject to the availability of authorized funds. The Applicant understands that the incentive requires inspection and measurements of the performance of the measures. The Applicant agrees to provide access to the Project Site for these purposes to SMUD and/or its agents. Applicant understands that if the incentive is modified in any way or terminated by order of any government entity, then this agreement shall be revised or terminated consistent with that order.

6. **Program incentive funding caps:** The Multifamily program funds are limited to the following incentive caps: Go Electric – up to \$300,000/Project, Energy Efficiency – up to \$100,000/Project, Bonus Go electric: electrical panel, engineering and permitting, and electrical infrastructure upgrades – up to \$50,000/Project, Electric Vehicle charging incentives: max 50 Level 2 handles/ports and 50 low power smart outlets allowed per year. Equity Assistance Incentives – up to 50% match of qualifying program incentives.
7. **Incentive payments:** The incentive payment(s) shall go directly to, and in the name

of, the authorized incentive payee as identified on the Multifamily Program Incentive Payment Request form.

8. **Incentive issuance:** Incentive(s) will be issued upon SMUD approval with payment mailed or submitted electronically via authorized EFT, 8 to 12 weeks after receipt of all required documentation and follow-up project close out activities.
9. **Modify/Cancel of Incentive Reservation:** SMUD reserves the right to modify or cancel the incentive if the installation of the building upgrades, EVSE equipment does not meet the SMUD Multifamily Program guidelines, or if the project fails local agency inspection(s).
10. **Disclosure of other incentives:** The Applicant understands that other program rebates, grants, forgiven loans, financial incentives, post-installation agreements, third party LCFS agreements, and performance payments are “other incentives” and must be disclosed as soon as those agreements or payments are made.
11. **Contractors:** Installations of products/equipment must be performed by contractors in good standing with the California State License Board and holding the appropriate license classification. License status can be checked at [cslb.ca.gov](https://www.cslb.ca.gov). Contractors are required to participate in SMUD’s Contractor Network (<https://smudcontractornetwork.org/login/>).
12. **Inspections and certifications:** SMUD reserves the right to perform inspections for each project at various stages of each project. After the initial site inspection, is conducted to establish the accuracy of the application and physical location, additional inspections may be required after the Incentives Reservation Request and required documents are delivered to Multifamily@smud.org to confirm interconnection suitability. Upon project completion and upon receipt of the Incentive Payment Request, a site inspection will be conducted to document the final installed measures receiving incentives (i.e. building upgrades, EVSE equipment, and equipment characteristics), along with compliance to SMUD’s Electric Service Requirements - [T017](#) and [T004](#).
This is not a formal NEC compliance inspection; however, wiring inconsistencies or electrical connections may be addressed. If a project fails an inspection by either SMUD or the local authority having jurisdiction, the Applicant will have 30 calendar days from date of inspection failure to bring the project into compliance, or the project may lose incentive funding. Upon SMUD inspection approval, and if funds are still available, the project may reapply for an incentive at a future date.
13. **M&V requirement:** Applicant shall cooperate with SMUD or its authorized representative in performing evaluation, measurement, and verification (EM&V) of the program. Information accessed for EM&V may include, but is not limited to functioning hour meter displays, onsite verification of installation and operation, program compliance, and project records. All information collected will be held confidentially and will be used by SMUD or its authorized representative for program analysis purposes only. Applicant shall ensure that SMUD or its authorized agents have access to the Property Owner’s facility at reasonable times, for a period of up to five (5) years from the date of the Applicant’s receipt of incentive payment under this program.
14. **Codes and standards:** The installation must comply with any applicable federal

or state standards, ASHRAE, city and county building codes, ASTM, Uniform Mechanical Code (UMC), National Electric Code (NEC), Uniform Building Code (UBC), California Building Code (CBC) and manufacturer installations specifications, as appropriate. All installations must meet the highest industry standards in terms of safety, workmanship, reliability, and performance.

15. **Permitting:** SMUD requires proof of appropriate City/County/State building permits for all installations of incentivized measures. Installation shall be considered complete when the relevant City/County building permit has been signed off by the relevant authority and submitted to SMUD.
16. **California AB802: building energy use benchmarking and public disclosure:** Applicant hereby authorizes the Association for Energy Affordability, Inc. (AEA) and EEFG (DBA Selling Energy) to act as authorized agents to access utility data from SMUD, PG&E, and/or other utility providers. Applicant agrees to provide a copy of one utility bill for each common area account upon request to facilitate this process. At AEA's discretion or by Applicant request, properties will be benchmarked using aggregated utility data, as made possible by CA AB 802 (2015): Building Energy Use Benchmarking and Public Disclosure Program. Benchmarking assistance is available for projects after the rebate reservation is approved and work has begun. AEA will provide access to data for all benchmarked properties via ENERGY STAR Portfolio Manager, and the Property's Portfolio Manager will be shared with SMUD and AEA. Applicants are responsible for disclosing data as required for compliance with the California Energy Commission's California Building Energy Benchmarking Program or their local jurisdiction.
17. **Tenant Engagement:** Applicant shall participate in SMUD's efforts to engage directly with the building tenants (residents) during various phases of the project. This may include (1) Distribution of SMUD branded collateral and materials via (2) Digital delivery (i.e. community newsletter) (3) On site community educational events (4) Apartment visits.

18. **Withdrawal:** The Applicant agrees to provide written notification of withdrawal from the program for any reason to SMUD. To preserve the reservation, the Applicant must submit a revised Incentives Reservation Request to Multifamily@smud.org. Applicant understands that if all available funds are reserved for other Projects, the Applicant cannot increase the originally reserved incentive amount. Applicant also understands that submitting a revised Incentives Reservation form will not move or alter the project timeline required by SMUD. Applicant further understands that if Applicant fails to resubmit a revised Reservation of Incentives Reservation form at form at the time of Project withdrawal, this application will be terminated in its entirety by SMUD, and any previously reserved incentive funding will be released.
19. **Property owner selection of a contractor:** SMUD does not endorse any contractor or service provider. The Applicant selects a service provider and contractor and may elect to change their choice of vendor at any time. SMUD will not get involved with contractual issues among members of the project team, such as enforcement of financial agreements, etc. SMUD will not release project documents to the public (or to members of the project team) without the explicit consent of the document author.
20. **No endorsement by SMUD:** Applicant and/or Equipment Owner understand that SMUD's review of the project described herein (Project) and Incentive Reservation package shall not be construed as confirming or endorsing the qualifications of the Applicant or any person(s) involved with the project, including but not limited to the Project installer(s), designer(s), or manufacturer(s); endorsing the Project design; or as warranting the economic value, safety, durability or reliability of the project. The Applicant is solely responsible for the project, including the selection of any designer(s), manufacturer(s), contractor(s), or installer(s). Applicant and/or Equipment Owner understand that they, and any third parties involved with the project, are independent contractors and are not authorized to make any representations on behalf of SMUD. Applicant and Equipment Owner shall not use SMUD's corporate name, trademark, trade name, logo, identity, or affiliation for any reason, without the prior written consent of SMUD.
21. **Dispute resolution:** The parties to this agreement shall attempt in good faith to resolve any dispute arising out of or relating to this agreement promptly by negotiations between SMUD or his or her designated representative and an executive of similar authority from Applicant and/or Equipment Owner. Either party must give the other party or parties written notice of any dispute. Within thirty (30) calendar days after delivery of the notice, the executives shall meet at a mutually acceptable time and place and shall attempt to resolve the dispute. If the matter has not been resolved within thirty (30) calendar days of the first meeting, any party may pursue other remedies, including mediation. All negotiations and any mediation conducted pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations, to which Section 1152.5 of the California Evidence Code shall apply, and Section 1152.5 is incorporated herein by reference. Notwithstanding the preceding provisions, a party may seek a preliminary injunction or other provisional judicial remedies if, in its judgment, such action is necessary to avoid irreparable damage or to preserve the status quo. Each party is required to continue to perform its obligations under this

agreement pending final resolution of any dispute arising out of or relating to this agreement.

22. **Assignment:** Neither Applicant and/or Equipment Owner shall assign its rights or delegate its duties without the prior written consent of SMUD or its assignee, if any, except in connection with the sale or merger of a substantial portion of its assets. Any such assignment or delegation without the prior written consent of SMUD or its assignee, if any, shall be null and void. Consent to assignment shall not be unreasonably withheld or delayed. Equipment Owner and Applicant must provide assurance of the success of a Project if assigned by providing any additional information requested by SMUD.
23. **No third-party beneficiaries:** This agreement is not intended to confer any rights or remedies upon any other persons other than the undersigned Parties hereto.
24. **HOV Lane Access:** No additional benefits except as explicitly stated in the Program documents, including HOV lane access or parking privileges, are granted by participation in the SMUD Multifamily Program. Customers must check with state or local jurisdictions regarding those benefits.
25. **Agreement termination:** SMUD may terminate an application for any violation or failure to comply with terms of the program. Notification of termination will be provided in writing. In the event of termination, the Applicant and/or Equipment Owner agrees to waive any claim for damages, including loss of anticipated profit, resulting from agreement termination.
26. **Limitation of liability:** The Applicant has read and understands the terms and conditions on the application and agree to abide by the rules, requirements and terms set forth on the application. In no event shall SMUD be liable to Applicant for any direct, indirect, special, incidental, exemplary, punitive or consequential damages (including loss of business, staff time, goodwill, use or other economic advantage), whether based upon breach of contract, breach of warranty, tort (including negligence), whether or not Applicant has previously been advised of the possibility of such damages, SMUD shall not be liable to the Applicants for damages or compensation of any kind.
27. **Taxable Income:** Applicant understands that for incentive amounts of \$600 or greater per calendar year, SMUD may be required to file (a) form 1099-MISC with the Internal Revenue Service and/or (b) an informational return with the Franchise Tax Board. Note: Neither form 1099-MISC nor an informational return is required to be filed when the recipient is a corporation or public agency. The Internal Revenue Service and California Revenue and Taxation codes are subject to change. Each project must submit a Form W-9 as a part of the complete application package. If company's corporate location is located outside of California, CA form 590 or CA form 587 is also required.
28. **Indemnify:** Applicant shall indemnify, defend, and hold harmless SMUD, its directors, officers, agents, and employees against all claims, loss, damage, expense, and liability asserted or incurred by other parties, including but not limited to SMUD's employees, arising out of or in any way connected with the incentive payment and caused by the acts, omissions, intent or negligence, whether active or passive, of Applicant, its agents, employees, and suppliers,

and excepting only such loss, damage, or liability as may be caused by the intentional act or sole negligence of SMUD.

29. **Disclaimer of Warranties:** SMUD makes no representations, expressed or implied, regarding the design, construction, reliability, efficiency, performance, operation, maintenance, or use of any equipment, or installation discussed, selected, rejected, purchased, or otherwise considered by Applicant. Any decisions regarding the selection, design, purchase, installation, use and operation of any equipment or consideration or selection of any contractor shall be at the sole discretion and are the sole responsibility of the Applicant.

These Terms and Conditions apply for all incentive application packages submitted/postmarked on or after January 1, 2024. If Applicant fails to comply with any of these Terms and Conditions, as determined by SMUD, Applicant agrees to repay the incentive in an amount determined by SMUD within 30 days of written notice by SMUD.

6. Resources

ENERGY STAR

Please visit energystar.gov/products for qualifying lighting and appliance product lists. ENERGY STAR is the government-backed symbol for energy efficiency, providing simple, credible, and unbiased information that consumers and businesses rely on to make well-informed decisions.

DLC

Please visit designlights.org for qualifying lighting product lists. The DLC® is a non-profit organization whose mission is to drive efficient lighting by defining quality, facilitating thought leadership, and delivering tools and resources to the lighting market through open dialogue and collaboration.

SMUD's Commercial EV Program

Take advantage of electric vehicle charger incentives for your Multifamily property. <https://www.smud.org/en/Going-Green/Electric-Vehicles/Business>

Tenant Resources

SMUD is owned by you, our customers, so it's natural that we have your best interests at heart. Help your tenants connect with SMUD services that can save time and money. Learn more at [smud.org](https://www.smud.org).

SMUD low-income assistance

The Energy Assistance Program Rate (EAPR) provides discounts on monthly bills. Customers with the lowest household income, based on the federal poverty level, will receive the largest discount. EAPR customers with a household income between 0% and 100% of the Federal Poverty Level (FPL) would receive the largest monthly discounts. EAPR customers with a household income between 100% and 200% of the FPL would receive smaller discounts. Learn more about SMUD's Energy Assistance Program Rate [here](#).

Commercial nonprofit organizations

Nonprofits that provide housing or temporary shelter for low-income residents may be eligible for Equity Assistance through participation in our Energy Assistance Program Rate (EAPR) for nonprofit agencies. You may qualify if the residents you serve would otherwise be eligible for our residential EAPR.

Is your nonprofit eligible? Qualified accounts must meet the following requirements:

- The customer named on the SMUD account must be a nonprofit, IRC 501 (c) (3) organization.

- The account must be a nonprofit public (state, county, city, etc.) or private organization.
- The facility houses people who would otherwise qualify for our normal EAPR program (low-income households).
- Documents to verify the above.

Commercial affordable multifamily housing property

- Have an executed regulatory agreement indicating the complex is qualified as an affordable housing property.
- Documents to verify the above.

Technical requirements and program measure details

For more details on the technical specifications and requirements for existing and installed equipment, download the [Technical Equipment Requirements](#).