



Material Purchase Deadlines

To be eligible for SmartStart Existing Buildings incentives, an applicant must have purchased the subject equipment on or prior to the relevant date set forth below, which is determined based upon which utility is providing the energy saved by the equipment.

Utility Provider	Material Purchase Deadline
PSE&G	5/31/2021
All Other Investor-owned Utilities	6/30/2021

If your equipment is not eligible according to the above, visit www.NJCleanEnergy.com/Transition for instructions regarding how to find a Utility-sponsored energy efficiency program that may suit your needs.

Inspections Prior to Installation

- Incentives < \$100,000: These projects do not require pre-approval prior to installation.
- Incentives ≥ \$100,000: These projects are subject to pre-inspection. The application must be submitted prior to installation and work must not begin prior to formal notice by the Program Manager of a successful pre-inspection or waiver.

Application Instructions

1. New to SmartStart? Download the SmartStart Program Guide or contact us at (866) NJSMART with questions.
2. Ensure that the facility is eligible for participation in the program by reviewing a recent electric utility bill to confirm that Societal Benefits Charges are paid to an investor-owned utility under a commercial rate code.
3. Review all measure requirements to confirm that the equipment you are purchasing meets efficiency requirements and is eligible for an incentive.
4. If you need assistance with the development of a scope of work or do not know what type of equipment you need, consult the [Trade Ally List](#) to find a contractor who can assist you.
5. You or your contractor must complete the Prescriptive Lighting application and the Excel incentive worksheet.
6. Submit the signed, completed form along with all supporting documentation listed in the Application Checklist to the program for review. An electronic version of this application is available through the online application portal. Please submit the application through a single method (online, email, mail, or fax).
7. We will review the submittal for completeness and contact you and your contractor (if listed) via email to retrieve any missing information or documentation.
8. An approval letter will be emailed to you and your contractor (if listed) indicating the approval date and estimated incentive amount set aside for your project.

Online Application Portal www.NJCleanEnergy.com/

Email *for new application submissions only. Call (866) NJSMART with questions* NJApps@NJCleanEnergy.com

Mail
New Jersey's Clean Energy Program c/o TRC
900 Route 9 North
Suite 404
Woodbridge, NJ 07095

Fax (732) 855-0422

Prescriptive Lighting Application

FY22 July 1, 2021 – June 30, 2022



Multi-Site Submittals

Prescriptive Lighting applicants may submit a single application to apply for projects occurring at multiple locations or buildings through the Multi-Site Submittal path. To apply, check the box on the form indicating Multi-Site Submittal within the Facility and Project Information section and attach the separate Multi-Site Incentive worksheet.

This path is a good fit for initiative-based lighting retrofits in chain retail locations and schools or business on campuses with multiple buildings.

A Multi-Site Prescriptive Lighting submittal is defined as two (2) or more Prescriptive Lighting projects with similar project scope occurring at roughly the same time in different buildings owned by a single entity.

- (a) An entity is defined as a company with a single tax ID number.
- (b) A building is defined as a separate and distinct electric utility account.
- (c) The name on each utility bill must align with the name of the main entity.

Application Checklist

The following documentation must be attached to all completed, signed applications: ***Material purchase deadlines apply.**

- Excel Prescriptive Lighting measure worksheet as provided on the NJ Clean Energy SmartStart program website.
- A recent copy of a full utility bill from a participating electric utility showing Societal Benefits Charge and commercial billing code.
 - Name and account # of the customer listed on the application must match the name of the customer and account # listed on the utility bill.
 - For projects where a utility account has not yet been established, the utility bill is not required with the initial application submission, however the customer will be required to submit a utility bill prior to incentive payment.
- Manufacturer's specification sheets for proposed lighting equipment. For specification sheets with multiple model numbers or configurations, please circle or highlight the specific model number that you plan to install.
- Proof of applicable qualified product listing for all eligible fixtures. Attach a printout or screenshot from the Design Lights Consortium® or ENERGY STAR® qualified product list showing the specific manufacturer name and model number that you plan to install. The DLC®/ENERGY STAR® logo appearing on a specification sheet is not considered sufficient proof of current listing.

For Multi-Site Submittals Only:

- Download and complete the separate Excel Multi-Site Prescriptive Lighting measure worksheet in place of the Prescriptive Lighting Incentive worksheet.
- Attach a site map, building layout lighting plan or other supporting documentation to assist an inspector with locating areas where work will be performed.

Application Process for Payment

➔ *Certain applications are subject to inspection prior to installation. Please refer to the instructions on Page 1.*

After project completion, please be advised that the following documentation will be required in order to issue payment. You will be advised in the form of an emailed approval letter that your project has been approved and the incentive amount that has been set aside for your project. Instructions for where to submit this documentation will be provided directly on the project approval letter. A post-installation inspection may occur prior to approval of the payment.

- If the project “as built” is different than what was approved, please include an explanation and revised documentation as appropriate (e.g. manufacturer specification sheets, revised application worksheets, lighting plan, etc.).
 - For projects that require pre-approval, please be aware, any work not pre-approved by the program will be ineligible for incentives.
 - Changes to equipment manufacturer/model are permitted with accompanying documentation confirming the equipment meets the program requirements. Increases in equipment counts within a specific area or overall will not be eligible for incentives unless pre-approved by the program before installation.
- Material invoice
 - The invoice should include the model number of the equipment installed, quantity, and unit price.
 - Sufficient documentation must be submitted with the material invoice demonstrating the date of equipment purchase, such as a purchase order, if it is not clear on the material invoice.
- Labor Invoice
 - Labor/installation price must be listed separately from material price.
 - For projects that were self-installed by the participating customer, a signed letter on participating customer letterhead attesting to the start and end dates of the self-installation should be provided.
- Tax Clearance Certificate obtained from NJ Division of Taxation
 - Instructions on applying for the certificate can be found at www.njcleanenergy.com/TCC.
 - No incentive will be paid without receipt of a valid Tax Clearance Certificate. Certificates are valid for 180 days and must be valid on the date TRC signs off on the incentive. The name of the customer and tax ID number appearing on the tax clearance must align with the customer name listed on the provided utility bill and application.
- W9 form, ST-4 or ST-5 Form. This form must be completed by the entity receiving incentive payment.
 - Certain private business entities may hold a “Sales Tax Exempt Organization Certificate (Form ST-5).” This form applies solely to purchases of tangible personal property or services and does not exempt the entity from the requirement to submit the Application for Tax Clearance.

Incentive Rates and Requirements

Eligibility Requirements

- The Prescriptive Lighting application path, *with the exception of Horticultural LED incentives*, is intended only for simple, one-for-one replacements of existing fixtures in existing commercial and industrial buildings only. See *Horticultural LED requirements below*.
- Gut-rehab projects and ground-up new construction do not qualify for Prescriptive Lighting incentives.
- LED installations must result in energy savings on a one-for-one replacement basis. Each line item in the Prescriptive Lighting Survey Worksheet must result in energy savings to be eligible for an incentive.

General LED Requirements (non-Horticultural Measure Codes)

- Incentives for LED measures are available for replacements of existing HID, incandescent/halogen or fluorescent lighting only.
- Each LED fixture, bulb or lamp must appear on either the *most current* Design Lights Consortium® (DLC®) or ENERGY STAR® product list **and** be categorized under one of the Primary Use Categories or Fixture Types in the Incentive Rates section of this application in order to be eligible to receive an incentive.
- Design Lights Consortium Qualified Products List: www.designlights.org/search
- ENERGY STAR® Certified Fixtures List: <https://www.energystar.gov/productfinder/product/certified-light-fixtures/results>
- ENERGY STAR® Certified Bulbs List: <https://www.energystar.gov/productfinder/product/certified-light-bulbs/results>
- The manufacturer name and model number listed on the specification sheet must be an exact match to the DLC or EnergyStar listing for the product.
- LED products which are listed by DLC® or ENERGY STAR® under a category *not* appearing on this application form may be eligible for Custom Electric incentives. Please contact us to discuss the Custom application for these fixture types.
- Products listed by DLC under a Specialty category do not qualify for the Primary Use designation.
- The Primary Use Category of the fixture must align with the way the product is installed as per the category definitions set by DLC® found on <https://www.designlights.org/solid-state-lighting/qualification-requirements/producteligibility/>. For example, a fixture designated by DLC® under the primary use category Outdoor Full-Cutoff Wall-Mounted Area Luminaires will not receive an incentive when installed in an interior space.

Horticultural LED Requirements

- Incentives are available for LED lighting used for indoor horticultural growing in existing facilities.
- LED products must be listed on the DLC® Horticultural Lighting qualified products list available at <https://www.designlights.org/horticultural-lighting/search/>.
- Prescriptive incentive rates are based on the hours of operation and the quantity and wattage of installed LEDs.
 - Annual hours of operation must be provided on the incentive worksheet.
 - Wattage and $\mu\text{mol/J}$ must be entered matching the DLC® certificate for the LED fixture.

Ineligible Measures

- LED screw-in/plug-in bulb incentives are available for replacement of, CFL, incandescent or halogen bulbs only. When replacing HID bulbs, LED screw-in or plug-in bulbs are not eligible for incentives.
 - Exemptions: Pin-based CFL to DLC qualified pin-based LEDs and HID to Mogul-based LED lamps.
- Incentives will not be provided for the installation of screw-in or plug-in lighting measures in non-permanent and non-hardwired fixtures. For example, screw-in or plug-in lamps installed in refrigerator, oven, floor or desk lamps are not eligible for incentives.
- Lighting measures installed for use as retail display lighting do not qualify for incentives.
- Additional fixture or lamp installations which are not a direct, one-for-one replacement are not eligible for incentives.

Prescriptive Lighting Application

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Incentive Rates

LED TUBES	Design Lights Consortium® Qualified Products		Measure Code	Incentive Rate
	2' Linear Replacement Lamps (UL Type A, Type B, Type C)		PL1	\$3/tube
	3' Linear Replacement Lamps (UL Type A, Type B, Type C)		PL2	\$5/tube
	4' Linear Replacement Lamps (UL Type A, Type B, Type C)		PL3	\$5/tube
	8' Linear Replacement Lamps (UL Type A, Type B, Type C)		PL4	\$10/tube
	U-Bend Linear Replacement Lamps (UL Type A, Type B, Type C)		PL5	\$5/tube

INTERIOR LIGHTING	Design Lights Consortium® Qualified Products		Measure Code	Incentive Rate
	1x4 Luminaires for Ambient Lighting of Interior Commercial Spaces	<i>Includes Integrated-Style Retrofits and Linear-Style Retrofits</i>	PL6	\$15/fixture
	2x2 Luminaires for Ambient Lighting of Interior Commercial Spaces		PL7	\$15/fixture
	2x4 Luminaires for Ambient Lighting of Interior Commercial Spaces		PL8	\$25/fixture
	High-Bay or Low-Bay Luminaires for Commercial and Industrial Buildings <i>- Incentive is based on LED fixture wattage</i>	≤125 Watt	PL9	\$50/fixture
		>125W to ≤250W	PL10	\$75/fixture
		>250 Watt	PL11	\$150/fixture
	High-Bay Aisle Luminaires <i>- Incentive is based on LED fixture wattage</i>	≤125 Watt	PL12	\$50/fixture
		>125W to ≤250W	PL13	\$75/fixture
		>250 Watt	PL14	\$150/fixture
	Linear Ambient Luminaires <i>- Includes Indirect, Indirect/Direct, Direct/Indirect and Direct</i>	2' Length	PL15	\$15/fixture
		3' Length	PL16	\$20/fixture
		4' Length	PL17	\$25/fixture
		6' Length	PL18	\$30/fixture
		8' Length	PL19	\$40/fixture
	Retrofit Kit for Direct Linear Ambient Luminaires	2' Length	PL20	\$15/fixture
		4' Length	PL21	\$15/fixture
		8' Length	PL22	\$25/fixture
	Stairwell/Passageway Luminaires		PL23	\$45/fixture
	Track or Mono-Point Directional Luminaires		PL24	\$30/fixture
Wall-Wash Luminaires		PL25	\$55/fixture	
4-Pin Based LED Lamps replacing 4-Pin CFL Lamps		PL26	\$5/lamp	

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EXTERIOR LIGHTING	Design Lights Consortium® Qualified Products		Measure Code	Incentive Rate
	Architectural Flood and Spot Luminaires		PL27	\$50/fixture
	Bollards		PL28	\$50/fixture
	Fuel Pump Canopy Luminaires <i>(Includes new and Retrofit Kits)</i>		PL29	\$100/fixture
	Landscape/Accent Flood and Spot		PL30	\$25/fixture
	Outdoor Wall-Mounted Area Luminaires <i>(Includes Full-Cutoff, Non-Cutoff and Semi-cutoff)</i>		PL31	\$50/fixture
	Outdoor Pole/Arm-Mounted Area and Roadway Luminaires <i>(Includes new and Retrofit Kits)</i>		PL32	\$100/fixture
	Outdoor Pole/Arm-Mounted Decorative Luminaires <i>(Includes new and Retrofit Kits)</i>		PL33	\$50/fixture
	Parking Garage Luminaires <i>(Includes new and Retrofit Kits)</i>		PL34	\$100/fixture
	Large Outdoor Pole/Arm-Mounted Area and Roadway Retrofit		PL35	\$150/fixture

MOGUL (E39)	Design Lights Consortium® Qualified Products		Measure Code	Incentive Rate
	Mogul (E39) Screw-Base LED Lamps for existing HID Retrofit (Exterior/Interior) <i>- Incentive is based on new LED lamp wattage</i>	≤125 Watt	PL36	\$50/lamp
		>125 W to ≤250 W	PL37	\$75/lamp
		>250 Watt	PL38	\$150/lamp

REFRIGERATION	Design Lights Consortium® Qualified Products		Measure Code	Incentive Rate
	Display Case Luminaires		PL39	\$15/fixture
	Refrigerated Case Luminaires (Horizontal or Vertical)	4' Fixture	PL40	\$15/fixture
		5' Fixture	PL41	\$20/fixture
		6' Fixture	PL42	\$25/fixture

HORTICULTURAL	Design Lights Consortium® Qualified Products		Measure Code	Incentive Rate
	Indoor Horticultural Facilities Operating ≥ 3000 hours/year	≥ 500 Watt	PL43	\$250/fixture
		< 500 Watt	PL44	\$150/fixture
	Indoor Horticultural Facilities Operating < 3000 hours/year	≥ 500 Watt	PL45	\$200/fixture
		< 500 Watt	PL46	\$50/fixture

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LED BULBS	ENERGY STAR® Certified LED Light Bulbs	Measure Code	Incentive Rate
	All other ENERGY STAR® Certified LED Light Bulb Types not listed in PL48 or PL49	PL47	\$1/bulb
	Bulb Types: R14, R16, G16.5, G25, PAR16, PAR20, R20, BR20	PL48	\$2/bulb
	Bulb Types: G30, G40, PAR30, PAR40, R30, BR30, BR40	PL49	\$3/bulb

ENERGY STAR®	ENERGY STAR® Certified LED Fixtures	Measure Code	Incentive Rate
	Accent Line Voltage	PL50	\$15/fixture
	Bath Vanity	PL51	\$5/fixture
	Ceiling Mount	PL52	\$5/fixture
	Close to Ceiling Mount	PL53	\$5/fixture
	Cove Mount	PL54	\$5/fixture
	Decorative Pendant	PL55	\$5/fixture
	Downlight Pendant	PL56	\$5/fixture
	Downlight Recessed	PL57	\$5/fixture
	Downlight Solid State Retrofit	PL58	\$5/fixture
	Downlight Surface Mount	PL59	\$5/fixture
	Linear Strip	PL60	\$10/fixture
	Other	PL61	\$5/fixture
	Outdoor (Various Types)	PL62	\$5/fixture
	Outdoor Post-Mount	PL63	\$5/fixture
	Porch (Wall Mounted)	PL64	\$5/fixture
	Pendant	PL65	\$5/fixture
	Security	PL66	\$5/fixture
	Post	PL67	\$5/fixture
	Under Cabinet	PL68	\$10/fixture
Wall Sconces	PL69	\$5/fixture	
Wrapped Lens	PL70	\$5/fixture	

SmartStart Existing Buildings Program

Prescriptive Lighting Application

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Customer Information

Company Name as listed on utility bill		Formal Legal Company Name		
Company Type	NAICS Code	Federal Tax ID #	State Tax ID # (if different)	
Customer Contact Name	Title	Phone	Email	
Customer Mailing Address	Apt/Suite #	City	State	ZIP
How did you hear about this program?		For indoor horticultural lighting, enter type of product grown		

Facility and Project Information

Facility Address	City	State	ZIP
Electric Utility Serving Facility	Electric Account Number		
Facility Type	Material Purchase Date	Installation Start Date	
Site Contact Name <i>(if different)</i>	Title	Phone	Email

Contractor/Vendor Information

Contractor Company Name	Contact Person Name and Title			
Email Address	Phone Number			
Contractor Mailing Address	Apt/Suite #	City	State	ZIP

ESIP Declaration

Check this box if an Energy Savings Improvement Program (ESIP) is a source of funding. ESIP allows government agencies to pay for energy related improvements using the value of the resulting energy savings.

SmartStart Existing Buildings Program

Prescriptive Lighting Application

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Payee Information

Form fields for Payee Information including: Payee Company Name, Contact Name and Title, Email Address, Phone Number, Incentive Check Mailing Address, Apt/Suite #, City, State, ZIP, Payee Federal Tax ID, and Payee Tax Information.

Customer Authorization and Signature

- 7 bullet points regarding agreement to terms, electronic signatures, accuracy of information, and authorization of payment.

Customer Signature _____ Date _____

Printed Name _____ Title _____

Applications signed by someone other than the customer require a letter of authorization.

NJ SmartStart Buildings Program Terms and Conditions – Existing Buildings

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Eligibility

1. This application package must be received by the Program Manager on or before *June 30, 2022* in order to be eligible for the fiscal year program (*July 1, 2021 – June 30, 2022*) incentives. All participating customers are required to submit the most current application form. All submissions will be reviewed based on the current program requirements and incentive levels approved by the Board of Public Utilities.
2. Program Incentives are available to non-residential retail electric and/or gas service participating customers of New Jersey Utilities. A participating customer must pay Societal Benefits Charges under a New Jersey Utility account serving the fuel type (electric or gas) applicable to the specific Energy-Efficient Measure. Participating customers who have not contributed to the Societal Benefits Charge of the applicable New Jersey Utility are not eligible for incentives offered through this program. New Jersey Utilities include Atlantic City Electric, Jersey Central Power & Light, Rockland Electric Company, New Jersey Natural Gas, Elizabethtown Gas, PSE&G and South Jersey Gas.
3. Each utility account requires a complete, separate application. Projects for the same utility account and the same technology being done at the same time should be submitted on one application.

4. **Requirements regarding applications for existing buildings measures:**

- To be eligible for SmartStart Existing Buildings incentives, an applicant must have purchased the subject equipment on or prior to the relevant date set forth below, which is determined based upon which utility is providing the energy saved by the equipment.

Project Type and Utility Provider	Material Purchase Deadline	
Gas-only or electric-only savings projects:	PSE&G Customers:	5/31/2021
	All Other Investor-owned Utilities:	6/30/2021
Both gas and electric savings and one of the relevant Utilities is not PSE&G	6/30/2021	
Both gas and electric savings and PSE&G is both the relevant gas and the relevant electric Utility	5/31/2021	

- If your equipment is not eligible according to the above, you may visit (www.njcleanenergy.com/Transition) for instructions regarding how to find a Utility-sponsored energy efficiency program that may suit your needs.
 - Before commencing installation or construction of equipment that will be the subject of a SmartStart application, applicants for the following types of projects must receive either a notification of a successful pre-inspection or a waiver of pre-inspection from the Program Manager:
 - Custom measures; and
 - Prescriptive Lighting seeking incentives ≥ \$100,000; and
 - Lighting Controls seeking incentives ≥ \$100,000; and
 - Further, and for the avoidance of doubt, the above requirement does not apply to any other SmartStart application types. However, to be eligible for incentives related to those other application types (i.e., types that are not identified in the bullets immediately above), the application must be submitted to the Program Manager within 12 months of equipment purchase. For example, an application for refrigeration equipment may be submitted at any time up to 12 months after equipment purchase and without any pre-inspection or prior approval from the Program Manager. Sufficient documentation must be provided to the Program Manager confirming date of equipment purchase (material invoice, purchase order, etc.). Despite the flexibility provided above, **all applicants are nonetheless strongly encouraged to obtain the Program Manager’s approval and an incentive commitment prior to commencing installation or construction. Customers implementing projects without the Program Manager’s approval do so at their own risk, including, among other things, the risk of having their project deemed ineligible for incentives.**
5. In order to be eligible for program incentives, a participating customer or an agent (contractor/vendor) authorized by a participating customer, must submit a properly completed application package that is signed by the participating customer. A complete application package should include all documentation listed in the checklist section of the application.
 6. Applications signed by someone other than the customer require a letter of authorization.
 7. Project invoices should list both the *labor and material costs separately*. The invoice should include a description of the equipment installed, quantity, and unit price.
 8. For projects that are self-installed by the participating customer, in addition to the material invoices listing the equipment installed, quantity, and unit price, written documentation from the participating customer must be provided in lieu of a labor invoice attesting to the start and end dates of the self- installation.
 9. Energy-Efficient Measures must be installed in buildings located within New Jersey Utilities’ service territory and designated on the participating customer’s incentive application.
 10. Program Incentives are available for qualified Energy-Efficient Measures as listed and described in the Program materials and incentive applications.
 11. The participating customer must ultimately own the equipment through an up-front purchase. Equipment procured by participating customers through another program offered by New Jersey’s Clean Energy Program or the New Jersey Utilities, as applicable, are not eligible for incentives through this program.
 12. Incomplete application submissions, applications requiring inspections and unanticipated periods of high volume may cause processing delays.

NJ SmartStart Buildings Program Terms and Conditions – Existing Buildings

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Incentive Amounts

1. Program Incentives will not exceed the lesser of:
 - a. the approved Program incentive amount, or
 - b. the total project cost of the Energy-Efficient Measure.
 - i. Project cost is the expense directly associated with the Energy Efficient Measure, excluding NJ state sales tax.
2. Products offered at no direct cost to the participating customer are ineligible.
3. Program Incentives are limited to \$500,000 per utility account in a fiscal year.
4. Buildings (a) owned or operated by Municipalities, Counties, K-12 Public Schools, (b) located in UEZs or OZs zones or (c) that constitute Affordable Housing may be eligible for an enhanced incentive but are subject to a cap of the applicant's cost for the project (material and labor). Neither Performance Lighting, Prescriptive Lighting, Lighting Controls are eligible for Enhanced Incentives.

Inspections

1. Pre-Inspection: See Eligibility, Section 4, above.
2. Post-Inspection: These projects are subject to the Program's random inspection selection process. The Program must have reasonable access to participating customer's facility to post inspect the Energy-efficient measures installed under this Program.

Tax Clearance Certificate Requirements

1. Participating customers must provide a Tax Clearance Form(entitled "Business Assistance or Incentive Clearance Certificate") for Board of Public Utilities use.
2. The name of the customer listed on the certificate must match the participating customer name listed on the utility bill and the application.
3. The participating customer tax ID listed on the application must agree with the tax ID listed on the Certificate.
4. Certificates are valid for 180 days and must be valid on the date the Program Manager signs off on the incentive.

Deficient Applications

1. If an application package is incomplete, information is missing or deemed insufficient, a deficiency notice will be sent to the participating customer requesting additional information via e-mail. The information or documentation requested on the email must be received by the Program Manager within 30 days of the date of the request. If additional deficiencies are still noted, there will be up to two additional notifications issued with the same time frames.
2. If a participating customer fails to respond to a deficiency request within 30 days or exceeds the three attempts provided, the application will be rejected.

Expirations

1. Pre-approved projects are given a one-year approval in which the proposed measure is to be installed and operational. When a project has expired the participating customer will have 30 days to either submit a request for an extension OR submit final project paperwork. If no response is received within 30 days of expiration, the project will be cancelled.
2. Extension requests must be in writing from the participating customer and include the circumstances that led to the extension request, and the percentage of the project completed.
3. Extension requests may be granted for a period no longer than six (6) months. The Program Manager may provide up to two six- month extensions from the original approval expiration date.
4. Upon expiration, if the project has not started and the participating customer is still interested in installing the equipment, the existing application will be cancelled.

Change in participating customer name/payee after pre-approval

To initiate a change to the participating customer name or payee on an approved application, the following documentation must be provided:

1. Documentation from the participating customer authorizing the change
2. A new, fully signed application reflecting the updated participating customer or payee name.
3. For name change of the applicant/customer, a utility bill in the name of the new participating customer is required.
4. All such changes requests are subject to Program Manager approval.
5. Certain requests may require additional information to be submitted as defined by the Program Manager.

Tax Liability

The Program Manager will not be responsible for any tax liability that may be imposed on any participating customer as a result of the payment of Program Incentives. All Participating Customers must supply their federal tax identification number or social security number to the Program Manager on the application form in order to receive a Program Incentive.

Prevailing Wage

Participating projects with a contract at or above current prevailing wage contract threshold amount set pursuant to the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.) are required to pay no less than prevailing wage rate to workers employed in the performance of any construction undertaken in connection with Board of Public Utilities financial assistance, or undertaken to fulfill any condition of receiving Board of Public Utilities financial assistance, including the performance of any contract to construct, renovate or otherwise prepare a facility, the operations of which are necessary for the receipt of Board of Public Utilities financial assistance. By submitting an application, or accepting program incentives, applicant agrees to adhere to New Jersey Prevailing Wage requirements, as applicable. By signing the application, the signatories agree to comply with the provisions of the New Jersey Prevailing Wage Act, N.J.S.A. 34: 11-56.25 et seq., (Act), if and to the extent that Act may apply to the work covered by the application.

More information can be found at https://www.nj.gov/labor/wagehour/regperm/public_contracts_general.html

Endorsement

The Program Manager and Administrator do not endorse, support or recommend any particular manufacturer, product or system design in promoting this Program.

NJ SmartStart Buildings Program Terms and Conditions – Existing Buildings

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Warranties

THE PROGRAM MANAGER AND ADMINISTRATOR DO NOT WARRANT THE PERFORMANCE OF INSTALLED EQUIPMENT, AND/OR SERVICES RENDERED AS PART OF THIS PROGRAM, EITHER EXPRESSLY OR IMPLICITLY. NO WARRANTIES OR REPRESENTATIONS OF ANY KIND, WHETHER STATUTORY, EXPRESSED, OR IMPLIED, INCLUDING, WITHOUT LIMITATIONS, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE REGARDING EQUIPMENT OR SERVICES PROVIDED BY A MANUFACTURER OR VENDOR QUALIFY. CONTACT YOUR VENDOR/SERVICES PROVIDER FOR DETAILS REGARDING PERFORMANCE AND WARRANTIES.

Limitation of Liability

By virtue of participating in this Program, Participating Customers agree to waive any and all claims or damages against the Program Manager or the Administrator, except the receipt of the Program Incentive. Participating Customers agree that the Program Manager's and Administrator's liability, in connection with this Program, is limited to paying the Program Incentive specified. Under no circumstances shall the Program Manager, its representatives, or subcontractors, or the Administrator, be liable for any lost profits, special, punitive, consequential or incidental damages or for any other damages or claims connected with or resulting from participation in this Program. Further, any liability attributed to the Program Manager under this Program shall be individual, and not joint and/or several.

Termination

The New Jersey Board of Public Utilities reserves the right to extend, modify (this includes modification of Program Incentive levels) or terminate this Program without prior or further notice.

Participating Customer's Certification

Participating Customer certifies that he/she purchased and installed the equipment listed in their application at their defined New Jersey location. Participating Customer agrees that all information is true and that he/she has conformed to all of the Program and equipment requirements listed in the application.

Acknowledgement

The applicant hereby permits the Program Manager and the administrator of the New Jersey Board of Public Utilities (BPU) New Jersey's Clean Energy Program (NJCEP) to share any and all information the applicant submits to NJCEP, including, but not limited to, the applicant's electric and natural gas utility billing information, with BPU NJCEP contractors (including, without limit, those contractors who administer, manage, coordinate, or evaluate all or part of NJCEP) and his/her electric and natural gas utilities and the contractors who administer, manage, coordinate, or evaluate all or part of the utilities' programs that succeed and/or are similar to NJCEP. The applicant hereby acknowledges that the Program Manager and administrator may disclose to the public any of my information that is not exempt from public disclosure pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

Enhanced Incentive

The Enhanced Incentive does not apply to Prescriptive Lighting, Performance Lighting or Lighting Controls. See details and eligibility requirements on the applications.

Definitions

- Energy-Efficient Measures – Any device eligible to receive a Program Incentive payment through the Program.
- New Jersey Utilities – The regulated electric and/or gas utilities in the State of New Jersey:
 - Atlantic City Electric; Jersey Central Power & Light; Rockland Electric Company; New Jersey Natural Gas; Elizabethtown Gas; PSE&G; South Jersey Gas
- Administrator – New Jersey Board of Public Utilities, Division of Clean Energy.
- Participating Customers – Those non-residential electric and/or gas service customers of the New Jersey Utilities who participate in this Program. Product Installation or Equipment Installation – Installation of the Energy-Efficient Measures.
- Program – The Commercial and Industrial Energy-Efficient Construction Program (New Jersey SmartStart Buildings) offered herein by the New Jersey Board of Public Utilities, Office of Clean Energy pursuant to state regulatory approval under the New Jersey Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49, et. seq.
- Program Incentives – Refers to the amount or level of incentive that the Program provides to Participating Customers pursuant to the Program offered herein (see description under "Incentive Amount" heading).
- Program Manager – TRC.