CENTRAL UNIFIED SCHOOL DISTRICT

REQUEST FOR QUALIFICATIONS

RFQ # 2223-01-7600
CalSHAPE Assessment and Implementation Consultant Services

CENTRAL UNIFIED SCHOOL DISTRICT
4200 N. GRANTLAND AVE.
FRESNO, CA 93723
(559) 274-4700

REQUEST FOR QUALIFICATIONS

NOTICE IS HEREBY GIVEN THAT THE CENTRAL UNIFIED SCHOOL DISTRICT of Fresno County, California, acting by and through its Governing Board, is requesting qualifications proposals for consultant services to assist the District with the design, assessment, implementation, documentation, and reporting requirements for the Assembly Bill 841 California Schools Healthy Air, Plumbing, and Efficiency Ventilation (CalSHAPE) Program.

RFQ # 2223-01-7600
CalSHAPE Assessment and Implementation Consultant Services

The Request for Qualifications (RFQ) may be obtained in person from the Director of Maintenance, Operations, and Transportation, Central Unified School District, 4200 N. Grantland Ave, Fresno, CA 93723, or may be downloaded from the District's website at: https://www.centralunified.org/apps/pages/index.jsp?uREC_ID=741479&type=d&pREC_ID=1153044. It is the Proposer's responsibility to check the website for notification of clarification and/or responses to questions. Questions regarding this RFQ shall be directed in writing to Jesse Bath via email at jbath@centralunified.org no later than 2 p.m. on May 1, 2023. Responses to questions or clarifications will be posted on the above website by May 4, 2023, by 2 p.m.

Qualifications proposals must be received via email by the Director of Maintenance, Operations, and Transportation, Central Unified School District, 4200 N. Grantland Ave, Fresno, CA 93723, up to but no later than 2 p.m. on May 9, 2023.

The Central Unified School District reserves the right to reject any or all qualifications proposals, to accept or to reject any one or more items of a proposal, or to waive any irregularities or informalities in the qualifications proposals or in the bidding.

Dated the 20th day of April 2023.

Publication Dates: April 20, 2023
April 27, 2023

NOTICE REGARDING DISCLOSURE

OF

CONTENTS OF DOCUMENT

All responses to this Request for Qualifications (RFQ) accepted by the Central Unified School District (District) shall become the exclusive property of the District. Upon opening, all qualifications proposals accepted by the District shall become a matter of public record and shall be regarded as public information, with the exception of those elements of each proposal which are identified by the preparers as business or trade secrets and plainly marked as “trade secret,” “confidential” or “proprietary.” Each element of a proposal that an applicant desires not to be considered a public record must be clearly marked as set forth above, and any blanket statement (i.e., regarding entire pages, documents, or other non-specific designations) shall not be sufficient and shall not bind the District in any way whatsoever. If disclosure is required under the California Public Records Act or otherwise by law (despite the preparer’s request for confidentiality), the District shall not in any way be liable or responsible for the disclosure of any such records or part thereof.

REQUEST FOR QUAILIFICATIONS

RFQ # 2223-01-7600
CalSHAPE Assessment and Implementation Consultant Services

SECTION I: INTRODUCTION

The Central Unified School District (District) is soliciting qualifications proposals for qualified Firms to provide design, assessment, implementation, documentation, and reporting services required for award and administration of funds under the AB 841 CalSHAPE program. The purpose of this RFQ it to find a qualified firm to complete all necessary steps under AB841 CalSHAPE guidelines, this includes but not limited to the installation of all necessary equipment. This RFQ describes the background and services needed, the selection process and the minimum information that must be included when responding to this RFQ. The District expects all proposing Firms to be familiar with the CalSHAPE program and supporting Guidelines prepared by the California Energy Commission.

The District has applied and received Round 1 and Round 3 grant awards for 22 school sites. The grant award funding project costs are $1,876,525, total funding with project contingency is $2,232,814. For the complete list of schools and grant amounts, please see exhibit A.

The selected firm will be awarded the contract to complete the scope of work included in Round 1 and Round 3, for the amount awarded in the grant.

Section 1.01

Selected firm will be expected to enter into a contract for the work. The firm will be required to carry bonds and insurance for the project. Retention in the amount of 5% of contract value will be held by District until project completion and Notice of Completion is filed. The District must approve all equipment prior to installation, see exhibit B for recommended devices. Pre-qualification of subcontractors for mechanical, electrical and plumbing disciplines will be required. Day, swing, evening and weekend work will be expected to complete scope of project.

A. <u>Proposal Submittal Due Date</u>

Complete responses to this RFQ must be submitted by email no later than **May 09, 2023 at 2 p.m**. at the email address listed below. Email subject title should read "**RFQ# 2223-01-7600 Proposal Submission**".

In order to control information disseminated regarding this Request for Qualifications, interested Firms are directed not to make personal contact with members of the School Board and/or District Administration with the exception of the individual listed below:

Jesse Bath
jbath@centralunified.org

All questions must be submitted in writing via email no later than **May 1, 2023.** Responses to questions will be posted on the District's website, https://www.centralunified.org/apps/pages/index.jsp?uREC_ID=741479&type=d&pREC_ID=1153044 no later than **May 4, 2023**.

Incomplete submittals, incorrect information, or late submittals may be cause for immediate disqualification. Issuance of this RFQ does not commit District to award a contract, or to pay any costs incurred in the preparation of a response to this request. District reserves the right to request additional information or clarification during the evaluation process. District retains the right to reject any or all submittals. All respondents should note that the execution of any contract pursuant to this RFQ is dependent upon the approval of the Central Unified School District in its sole discretion.

SECTION II: BACKGROUND AND PROJECT DESCRIPTION

A. Background and Project Description

The District is requesting that qualified and experienced Firms submit Statements of Qualifications (SOQ) to provide consultant services for design, assessment, implementation, documentation, and reporting services required for award and administration of funds under the AB 841 CalSHAPE program. AB 841 provides grants to school districts to, among other things, assess, maintain, adjust, repair, or upgrade heating, ventilation, and air-conditioning (HVAC) systems in schools and replace noncompliant plumbing fixtures and appliances. The District is seeking proposals for the implementation of the following:

1. **Post-Grant Funding Award**. Provide project management under the CalSHAPE Ventilation and/or Plumbing Programs, including, but not limited to, the HVAC assessments, general maintenance, assessment reports, adjustment of ventilation rates, filter replacements, carbon dioxide monitor installation, and documentation for reporting under the requirements of the CalSHAPE Ventilation and/or Plumbing Programs as described in the current Program Guidelines (see exhibit C and exhibit D), as may be updated on an ongoing basis, available here: https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program.

The District is seeking SOQs for interested firms that are capable of providing design, assessment, implementation, documentation, and reporting services in accordance with the AB 841 Program Guidelines and within the timeframe set by the Program Guidelines. In addition, proposing Firms are expected to comply with all Division of State Architect (DSA), California Environmental Quality Act (CEQA), and Public Works project requirements, as applicable, including payment of a prevailing wage and related reporting requirements.

SECTION III: SUBMITTAL FORMAT AND CONTENT

A. General

The qualifications proposal should show that the Firm possesses the demonstrated skill and professional experience and qualifications to provide the services requested. Interested Firms must possess the required certifications set forth in the CalSHAPE Program Guidelines.

B. Contents

Qualifications proposals must contain sufficient detail to enable the District to determine the merits of the Firm. Qualifications proposals should address all elements requested below. The proposal shall not exceed 20 pages, excluding front and back covers, tabs, appendices (unlimited number of

pages) and supporting documentation.

1. **Cover Letter: (Limit: 2 pages)** Firm's complete name, business address, telephone number, email address, and the name and contact information, including email address of the individual the District should contact regarding this qualifications proposal. Include the signature(s) of the company officer(s) empowered to bind the Firm, with the title of each (e.g., president, general partner). Generally, this can be a part of the front page or cover letter of the proposal.

2. **Firm and Consultants (if any), Organization, Credentials, Background (Limit: 5 pages):** Briefly describe your Firm's organization structure and consultants and its history describing its credentials and background, number of years in business, Department of Industrial Relations Public Works registration number, maximum Bonding Capacity, location of offices that will perform the work, number of employees company-wide and locally in Fresno County.

3. **Resumes, Relevant Experience and Expertise of Project Team Members who would be assigned to this Project (Limit: 5 pages):** Names and biographies of the proposed Project Team members and an indication of their proposed roles. The District's evaluation will consider the entire team. No changes in the successful Firm's team composition will be allowed without prior written approval of the District.

4. **Project Experience and References (Company Employees and Individuals) (Limit: 5 pages):**
   - Provide information regarding experience with K-12 schools and success in similar energy efficiency projects. Include for each project:
     - Total project cost;
     - A summary of the scope of the project;
     - Whether the project was completed over or under budget; and
     - Funding sources identified and utilized.
   - A summary of other relevant professional expertise and experience
   - Provide a list of at least three (3) recent public school district client references for which your firm has performed CalSHAPE or similar services within the last three (3) years. References should include:
     - District name and address, contact name and phone number, identification of the project.

5. **Fee Proposal (Limit: 2 pages). The fee proposal should be broken down by costs and clearly identify any proposed ineligible costs, as defined in the CalSHAPE Guidelines.**

   The District will not pay for services before it receives them. Therefore, do not propose contract terms that call for up-front payments or deposits. The District reimburses direct expenses only at actual cost.

Firms should indicate an understanding of the "maximum award" amounts provided in the Guidelines and an intent to estimate the project at or under these maximums.

6. **Litigation/Arbitration/Termination (Limit: 1 page):** If the Firm or any designated project team member has been a party to any litigation, mediation, arbitration related to a prior Public Works project in the past ten (10) or has been terminated for cause in any Public Works project in the past ten (10) years, describe each event in detail and indicate the final results.

SECTION IV: PRE-SUBMITTAL ACTIVITIES

A. Questions Concerning Request for Qualifications

All questions, interpretations, or clarifications, either administrative or technical must be requested in writing by 2 p.m. on May 1, 2023, and directed Jesse Bath at jbath@centralunified.org

B. Revision to the Request for Qualifications

The District reserves the right to revise the RFQ until the date specified in the Schedule of Events. The District expressly reserves the right to alter the Schedule of Events.

SECTION V: EVALUATION OF QUALIFICATIONS PROPOSALS

Qualifications proposals will be evaluated on a variety of criteria as described below, which includes, but is not limited to, professional qualifications and experience of the submitting entity, the specific team proposed, and the proposed fees. Based on this review of the qualifications proposals, and any potential interviews, the District shall rank the proposals, with the top-ranking going to the proposal deemed most advantageous to the District. The District will award a contract to the Firm or Firms with the most advantageous qualifications proposal based on this evaluation. This means the lowest cost proposal may not be selected. The District may, at its sole discretion, award to a Firm based on their proposal and interview alone without further consideration or the District may interview several Firms.

Evaluation Criteria

The District will evaluate all qualifications proposals submitted and select the successful firm from the contents of the RFQ responses based on the following criteria including, but not limited to:

- Proposal Completeness (10%)
- Experience and Technical Experience of Firm/Individual Team Members to be assigned to the Project, particularly as it relates to K-12 Education and the CalSHAPE Assessment and Implementation Services (30%)
- Record of Past Performance (20%)
- Cost Control (30%)
- References (10%)

SECTION VI. CONTRACT AWARD

The District reserves the right to make an award of contract or multiple awards of contracts for this work. The District may select a Firm or Firms based on the highest proposal, or proposals and interview without further discussion or interviews with other Firms. The District is not obligated to invite any or all finalist for an interview.

SECTION VII. REJECTION AND WAIVER OF QUALFICATIONS PROPOSALS

This request for qualifications does not commit the District to award a contract or to pay any costs incurred in the preparation of a proposal in response to this request.

The District reserves the right to accept or reject any or all proposals received, to negotiate with qualified Firm(s) or cancel the request, and to waive any minor irregularities in the proposal or proposal process.

The District may require the Firm to submit additional data or information the District deems necessary to substantiate information presented by the Firm. The District may also require the Firm to revise one or more elements of its qualifications proposal in accordance with contract negotiations.

The District reserves the right to evaluate qualifications proposals for a period of sixty (60) days before deciding which proposal, if any, to accept.

SECTION VIII. SCHEDULE OF EVENTS

The District anticipates the following timeline for the process of selecting a Firm and project development:

Action	Date
Release of Request for Qualifications	04/20/23, 04/27/23
Deadline for Submission of Questions	05/01/23
Revisions/Clarifications/Questions Answered Posted on Website	05/04/23
Deadline for Receipt of Qualifications	05/09/23
Interviews (if necessary)	05/10/23
Select and Notify Recommended Firm	05/11/23
Recommendation to the Board of Education	05/23/23

SECTION IX. GENERAL PROVISIONS

Limitation on Costs

For purposes of this RFQ, any selected Firm(s) shall complete ventilation and plumbing work for cost equivalent to, or less than, the "maximum award" amounts provided in CalSHAPE Grant funds received for the particular scope of work. Firms(s) will be solely responsible for any costs in excess of CalSHAPE Grant funds received by the District.

Compliance with CalSHAPE Guidelines

The District expects all proposing Firms to have read and to be familiar with the CalSHAPE Ventilation and Plumbing Program Guidelines established by the California Energy Commission. In the event of a negative audit finding arising from noncompliance with these Guidelines, or any other procurement procedures or other obligations of the California Energy Commission related to AB 641, the selected Firm(s) will be required to reimburse the District for funds flagged as a part of any such negative audit finding.

Insurance

A selected Firm shall maintain insurance that is sufficient to protect the Firm's business against all applicable risks, and such coverage shall meet, at a minimum, the District's insurance requirements provide proof that your firm is capable of meeting the following insurance limits:

Automobile Liability	$1,000,000
General Liability	$2,000,000
Professional Liability	$1,000,000
Workers Compensation	$1,000,000

Insurance companies must be lawfully authorized to do business in California as admitted carriers, have an "A" policy holders rating and a financial size rating of at least Class VII in accordance with the most current Best's Key Rating Guide, Property-Casualty.

Central Unified School District shall be listed as additional insured under Commercial General Liability and Auto Liability policies. General Liability and Auto Liability Policy shall be named Primary and Non Contributory coverage for Central Unified School District. Carrier agrees to waive their rights to subrogate against Central Unified School District under their GL, AL and WC policies. Central Unified School District shall be made certificate holder.

Proof of insurance coverage must be provided for any consultant or sub-consultant personnel.

Non-Collusion

By submittal and signing the qualifications proposal, the Firm is certifying that the qualifications document is genuine and not a sham or collusive, and not made in the interest of any person not named and that the Firm has not induced or solicited others to submit a sham offer, or to refrain from proposing.

Compliance with Laws and Regulations

The Firm shall comply with federal, state and local laws, regulations, and industry standards, including the most up to date California Energy Commission CalSHAPE Ventilation and Plumbing Program Guidelines. The Firm shall also comply with the Drug Free Workplace Act requirements of California Government Code Sec 8350 et. seq.

Withdrawal of RFQ

The Proposer may withdraw its qualifications proposal by submitting a written or email request signed by the Proposer's authorized representative, prior to the time and date specified for proposal submission to the District contact person identified in this RFQ

Qualifications proposals may be withdrawn and resubmitted in the same manner if done so before the proposal submission deadline. Withdrawal or modification offered in any other manner will not be considered.

Reservations

The District reserves the right to cancel this RFQ at any time prior to contract award without obligation in any manner for qualification proposal preparation, fee negotiation or other marketing costs associated with this RFQ. The District further reserves the right not to contract for the services described in the RFQ.

District may reject any or all qualifications proposals and may waive any immaterial deviation(s) in a qualifications proposal. District's waiver of an immaterial deviation shall in no way modify the RFQ documents or excuse the Proposer from compliance with the other provisions of this RFQ.

Confidentiality and Disposition of Qualifications Proposals

Qualifications proposals become the property of District and may be returned only at District's option and at the Proposer's expense. Information, excluding Proposer's financial information and proprietary information, as clearly marked by Proposer, contained therein shall become public documents subject to the Public Records Act. Proposer must notify the District in advance of any proprietary or confidential materials contained in the proposal and provide justification for not making such material public. The District shall have sole discretion to disclose or not disclose such material subject to any protective order which proposer may obtain.

Costs

Costs of preparing a Response/SOQ in response to this RFQ are the sole responsibility of the respondent.

Fingerprinting and Drug-Free Policy

The successful firm shall be required to complete any and all fingerprinting requirements and criminal background checks required by State law and shall also be required to complete a Drug-Free Workplace Certificate.

Non-Discrimination

District does not discriminate on the basis of race, color, national origin, religion, age, ancestry, medical condition, disability or gender in consideration for an award of contract.

RFQ Certification

I certify that I have read the attached **REQUEST FOR QUALIFICATIONS FOR CALSHAPE ASSESSMENT AND IMPLEMENTATION CONSULTANT SERVICES,** the instructions for providing a response and the most up to date CalSHAPE Guidelines, available here: https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program, and that I agree to all certifications made therein.

Signature	**Type or Print Name**
Title	**Company**
Address	
Telephone	**Email**
Date	

If you are responding as a corporation, please provide your corporate seal here:

All materials submitted in response to this RFQ shall become the property of the Central Unified School District and may be subject to disclosure under the California Public Records Act (Gov. Code, §§ 6500, et seq.)

EXHIBIT A

Site Code	Site Name	Status	Category	Project Cost	Requested Funding
10739650106476	James K. Polk Elementary	Submitted	PGE 1	$89,140.00	$106,962.00
10739650113993	Harvest Elementary	Submitted	PGE 1	$74,830.00	$89,796.00
10739650114751	Pathway Community Day	Submitted	PGE 1	$24,620.00	$29,544.00
10739650123943	Glacier Point Middle	Submitted	PGE 1	$107,500.00	$129,000.00
10739650130690	Hanh Phan Tilley Elementary	Submitted	PGE 1	$92,650.00	$111,180.00
10739651030386	Central Unified Alternative/Opportunit	Submitted	PGE 1	$34,470.00	$41,364.00
10739651035112	Pershing Continuation High	Submitted	PGE 1	$37,020.00	$44,424.00
10739656005789	Biola-Pershing Elementary	Submitted	PGE 1	$35,760.00	$42,906.00
10739656006654	Herndon-Barstow Elementary	Submitted	PGE 1	$80,660.00	$96,792.00
10739656006662	Houghton-Kearney Elementary	Submitted	PGE 1	$39,430.00	$47,316.00
10739656006910	Madison Elementary	Submitted	PGE 1	$81,940.00	$98,322.00
10739656006936	El Capitan Middle	Submitted	PGE 1	$130,290.00	$156,348.00
10739656006944	McKinley Elementary	Submitted	PGE 1	$63,360.00	$76,026.00
10739656006951	Roosevelt Elementary	Submitted	PGE 1	$70,330.00	$84,396.00
10739656007389	Teague Elementary	Submitted	PGE 1	$90,950.00	$109,134.00
	Total Awarded Round 1 HVAC			$1,052,950.00	$1,263,510.00
10739650125682	Pathway Elementary Community Day	Submitted	PGE 1	$25,200.00	$30,240.00
10739651030626	Central East High	Submitted	PGE 1	$254,175.00	$305,010.00
10739656112023	William Saroyan Elementary	Submitted	PGE 1	$72,000.00	$86,400.00
10739656115521	Norman Liddell Elementary	Submitted	PGE 1	$82,975.00	$99,570.00
10739656120521	River Bluff Elementary	Submitted	PGE 1	$91,925.00	$110,310.00
10739656120539	Rio Vista Middle	Submitted	PGE 1	$127,800.00	$153,360.00
	Total Awarded Round 3 HVAC			$654,075.00	$784,890.00
	Total Awarded Round 1 and 3 HVAC			$1,707,025.00	$2,048,400.00
Site Code	**Site Name**	**Status**	**Category**	**Project Cost**	**Requested Funding**
10739651035112	Pershing Continuation High	Submitted	PGE 1	$8,220.00	$8,220.00
10739656005789	Biola-Pershing Elementary	Submitted	PGE 1	$14,995.00	$14,995.00
10739656006654	Herndon-Barstow Elementary	Submitted	PGE 1	$47,375.00	$47,375.00
10739656006910	Madison Elementary	Submitted	PGE 1	$2,690.00	$2,690.00
10739656006944	McKinley Elementary	Submitted	PGE 1	$4,035.00	$4,035.00
10739656006951	Roosevelt Elementary	Submitted	PGE 1	$17,585.00	$17,585.00
	Total Awarded Round 1 Plumbing			$94,900.00	$94,900.00
	Total Awarded CalShape HVAC and Plumbing			**$1,801,925.00**	**$2,143,300.00**

Exhibit B

Data Sheet / TC3

PELICAN touch

TC3 Commercial Connected Thermostat with Integrated CO^2 Sensor

The Pelican Commercial Connected Thermostat with an integrated CO^2 sensor provides customers with virtual indoor climate and ventilation management. The TC3 delivers on leading edge energy efficiency, built-in notifications, and fine tuned comfort. Coupled with the Pelican Web App, the TC3 tracks space temperature, CO^2 levels, and HVAC operational data in real-time and historically.

MESH WIRELESS NETWORK
The TC3 communicates over Pelican's wireless. Install a Pelican Gateway to connect the wireless network to the Internet. Each TC3 has built-in state-of-the-art wireless mesh network auto-healing and repeating capabilities.

FAULT ALARMING
Built-in equipment fault, temperature, and CO^2 analytics with automated email or text message alerts when a fault is detected.

WEB APP
Virtual and central management of TC3 provided for free on all smart phones, tablets, and PCs. Directly manage thermostat temperature and CO^2 levels through the web-app. Designed for intuitive control over multiple thermostats.

HISTORICAL TREND DATA
Online viewable historical data of space temperature, set-points, HVAC operation, CO^2 level, and fan.

INSTALLATION
Industry standard HVAC terminals utilize existing thermostat wire. Included with the TC3 is Pelican's innovative limited wiring relay pack used in applications where there are only three (3) wires to the HVAC unit.

SCHEDULING
Through the Pelican Web App you can schedule the TC3 thermostat for daily, 5-2, or 7-day schedules. Thermostats can also be scheduled as groups, for simple multi-thermostat management.

SLIM AND SLEEK
The TC3 design provides both a simple touch interactive experience while disappearing on the wall.

Designed and assembled in the USA
5-Year Limited Warranty

CONTAINS FCC ID OA3MRF24J40MA

Air Quality Management

Meets California Title 24 and (AB) 841

Specifications

POWER	
Hardwire	24VAC, 60Hz; 105 mA
Voltage Range	23 - 30VAC
Relay Current	2.0A running
COMPATIBILITY	
24VAC Conventional, Heat Pump, 4-Pipe, 2-Pipe, and Pelican zone damper control.	
WIRING	
Conventional	R, C, W, W2, Y, Y2, G
Heat Pump	R, C, O/B, AUX, Y, Y2, G
SYSTEM PROTECTION	
Four-Minute Compressor Short-Cycle Protection	
Temporary Schedule Override	
Auxiliary/Emergency Heat Efficiency Algorithm	
Keypad Lockout	
Trend Data Analytics and Fault Monitoring	
Integrated CO^2 sensor, in-room display and alarm	
THERMOSTAT RANGE	
Operating Range	-20°F to 122°F
Operating Humidity (%RH)	5 to 90% RH; non-condensing
Integrated Room CO^2 Sensor	400 – 2000 PPM; +/- 50ppm accuracy
Storage Temperature	-20°F to 160°F
SIZE	
Inch	H 5.2" x W 3.9" x D 0.75"
mm	H 132 x W 99 x D 19
Vertical Mounting. Mounts on vertical single gang ring.	

Pelican Wireless Systems | 2655 Collier Canyon Road, Livermore CA 94551
(888) 512-0490 | sales@pelicanwireless.com

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Exhibit C

DOCKETED	
Docket Number:	20-RENEW-01
Project Title:	California Schools Healthy Air, Plumbing, and Efficiency
TN #:	239307
Document Title:	California Schools Healthy Air, Plumbing, and Efficiency Ventilation Program Revised Commission Guidelines
Description:	California Schools Healthy Air, Plumbing, and Efficiency Ventilation Program Revised Commission Guidelines
Filer:	Theresa Daniels
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	8/13/2021 12:38:31 PM
Docketed Date:	8/13/2021

CALIFORNIA
ENERGY COMMISSION

California Energy Commission

REVISED COMMISSION GUIDELINES

California Schools Healthy Air, Plumbing, and Efficiency Ventilation Program Guidelines

Gavin Newsom, Governor
August 2021 | CEC-300-2021-007-REV-CMF

California Energy Commission

David Hochschild
Chair

Karen Douglas, J.D.
Siva Gunda
J. Andrew McAllister, Ph.D.
Patty Monahan
Commissioners

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ABSTRACT

The School Reopening Ventilation and Energy Efficiency Verification and Repair Program is one of the two grant programs under the School Energy Efficiency Stimulus Program, established by Assembly Bill 841 (Ting, Chapter 372, Statutes of 2020). The program authorizes funding to local educational agencies for assessing, maintaining, and repairing or upgrading school ventilation systems to ensure that systems meet certain classroom ventilation requirements. These guidelines provide requirements for program participation including eligible applicants and projects, the application process, funding awards and distribution, as well as project documentation and reporting requirements. For the purposes of administering the program, the program will be referred to as the California Schools Healthy Air, Plumbing, and Efficiency Program. The California Energy Commission envisions rolling out the program in phases to ensure prioritization of schools in Underserved Communities. The first edition of these guidelines addresses the initial phase of program awards, which are limited to assessment and maintenance projects for schools in an Underserved Community as defined in California Public Utilities Code, section 1601. Additional eligibility under the program guidelines may be addressed in updates to these guidelines.

Keywords: CalSHAPE, School Energy Efficiency Stimulus, SEES, School Reopening Ventilation and Energy Efficiency Verification and Repair Program, grant, energy efficiency, school, local educational agency, Underserved Community, HVAC, ventilation, assessment

Please use the following citation for this report:

Bennet, O'Shea, Theresa Daniels, and Ryan Kastigar. 2021. *California Schools Healthy Air, Plumbing, and Efficiency Ventilation Program Guidelines.* California Energy Commission. Publication Number: CEC-300-2021-007-REV-CMF.

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CHAPTER 1:
Program Overview

A. Introduction

The School Energy Efficiency Stimulus (SEES) Program, established by Assembly Bill (AB) 841 (Ting, Chapter 372, Statutes of 2020) provides grants to local educational agencies (LEAs) as defined in Table 1 to, among other things, assess, maintain, adjust, repair, or upgrade heating, ventilation, and air conditioning (HVAC) systems in schools. The SEES Program also provides grants to LEAs and California state agencies to replace noncompliant plumbing fixtures and appliances. AB 841 requires the California Energy Commission (CEC) as the program administrator to design, administer, and implement the program in collaboration with the utilities funding the program. The SEES Program consists of the School Reopening Ventilation and Energy Efficiency Verification and Repair (SRVEVR) Program and the School Noncompliant Plumbing Fixture and Appliance (SNPFA) Program. For administering these programs, the SRVEVR Program will be referred to as the California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Ventilation Program. The SNPFA Program will be referred to as the CalSHAPE Plumbing Program.

These guidelines describe the program design, application process, and reporting requirements for the CalSHAPE Ventilation Program. The requirements of the CalSHAPE Plumbing Program are provided in separate guidelines.

These program guidelines provide potential applicants with information on how the program will be structured, who is eligible to apply for funding, and program requirements. All grant applicants and recipients are required to follow all program requirements, including those outlined in Public Utilities Code (PUC) Division 1, Part 1, Chapter 8.7, and as further outlined in these guidelines.

The CalSHAPE Program is established as part of each of the utilities' energy efficiency portfolios as a joint program among all the participating utilities and shall be consistent across the utility territories. The CalSHAPE Ventilation and Plumbing Programs are separate programs, and grant awards will be made specific to each program.

The CEC is rolling out the CalSHAPE Ventilation Program in phases to ensure prioritization of schools in Underserved Communities, as defined in Table 1 below. These guidelines address the initial phase of program awards, which are limited to projects for schools identified as being in an Underserved Community as defined. The CEC will continually evaluate the effectiveness of the program guidelines in achieving the purposes of AB 841 and publish new editions to update eligibility and prioritization as funding is available.

Future editions of the program guidelines will include updates necessary to prioritize schools with a boundary within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor or within 1,000 feet of a Clean Air Act (42 U.S.C. Section 7661 et seq.) Title V permit facility, as well as incorporate schools outside Underserved Communities. Furthermore, this first edition addresses only Assessment and Maintenance Grants to perform

assessments, assessment reports, general maintenance, adjustments of ventilation rates, filter replacements, and carbon dioxide monitor installation. An additional 20 percent of the requested amount is provided for repairs, upgrades, or replacements necessary to make the HVAC systems functional or more energy-efficient.

The continued evaluation of program guidelines will also examine potential updates to address repairs, upgrades, or replacements that are greater than the contingency amount provided in the Assessment and Maintenance Grants. While not covered by this first edition of the guidelines, grants for work in excess of the 20 percent contingency will be referred to as HVAC Upgrade and Repair Grants.

B. Keywords/Terms

Table 1 identifies the key words or terms used in the program guidelines.

Table 1: Key Words and Terms

Word/Term	Definition
AB	Assembly Bill
ASHRAE	American Society of Heating, Refrigerating and Air-Conditioning Engineers
Assessment and Maintenance Grant	A grant provided as part of the program to improve the energy efficiency and performance of school ventilation systems and support the safety of schools through one of three grant pathways: the HVAC Assessment and Maintenance Pathway, Scheduled for Replacement Pathway, or the Limited or No Mechanical Ventilation Pathway.
ATTCP	Acceptance Test Technician Certification Provider. The ATTCP Program was developed to support the California Building Energy Efficiency Standards. The requirements for ATTCPs can be found on the ATTCP webpage: https://www.energy.ca.gov/programs-and-topics/programs/acceptance-test-technician-certification-provider-program.
CalSHAPE Plumbing Program	The CalSHAPE Plumbing Program administers the requirements of the School Noncompliant Plumbing Fixture and Appliance Program as specified in Article 4 of Chapter 8.7 (commencing with Section 1630) of Part 1 of Division 1 of the PUC.
CalSHAPE Program	California Schools Healthy Air, Plumbing, and Efficiency Program, which includes two grant programs: CalSHAPE Ventilation Program and CalSHAPE Plumbing Program.
CalSHAPE Ventilation Program	The CalSHAPE Ventilation Program administers the requirements of the School Reopening Ventilation and Energy Efficiency Verification and Repair Program as specified in Article 3 of Chapter 8.7 (commencing with Section 1620) of Part 1 of Division 1 of the PUC.

Word/Term	Definition
CalSHAPE Ventilation Program Guidelines	California Schools Healthy Air, Plumbing, and Efficiency Ventilation Program Guidelines
CEC	California Energy Commission
CEQA	The California Environmental Quality Act found in California Public Resources Code Section 21000 et seq., and the CEQA Guidelines, promulgated by the California Natural Resources Agency, California Code of Regulations, Title 14, Section 15000 et seq. CEQA generally requires state and local government agencies to identify and consider potential environmental impacts of proposed projects, and to reduce or avoid those impacts to the extent feasible.
Certified TAB Technician	A technician certified to perform testing, adjusting, and balancing of HVAC systems by the Associated Air Balance Council (AABC), the National Environmental Balancing Bureau (NEBB), or the Testing, Adjusting and Balancing Bureau (TABB).
Contractor	A person or company with the appropriate license classification, as determined by the Contractors State License Board.
CPUC	California Public Utilities Commission
DIR	California Department of Industrial Relations
HVAC	Heating, ventilation, and air conditioning
HVAC Assessment and Maintenance Pathway	One of the three grant pathways for sites receiving an Assessment and Maintenance Grant. This pathway requires an HVAC Assessment and Maintenance, completion of an HVAC Assessment Report, carbon dioxide monitor installation, and completion of an HVAC Verification Report as described in Chapter 2. The grant pathway includes an additional 20 percent of the requested amount as a contingency fund for repairs, upgrades, or replacements necessary to make the system functional or more energy-efficient.
HVAC Assessment and Maintenance	An assessment of and adjustments to an HVAC system as described in Chapter 2.B. These include, as applicable, filtration, economizer dampers, ventilation, coil condition, and other requirements.
HVAC Assessment Report	A report prepared by a Qualified Testing Personnel or Qualified Adjusting Personnel as described in Chapter 2.F of these guidelines for review by a Licensed Professional. The HVAC Assessment Report must be submitted to the CEC as part of the final document package as specified in Chapter 4.C of these guidelines.

Word/Term	Definition
HVAC system	Any air-handling units, rooftop units, and unitary and single-zone equipment in the HVAC system or systems of a site, as described in PUC Section 1622.
HVAC Verification Report	A report prepared by an LEA upon completion of all work funded by an Assessment and Maintenance Grant as described in Chapter 2.G of these guidelines. The HVAC Verification Report must be submitted to the CEC as part of the final document package as specified in Chapter 4.C of these guidelines.
LEA	Local educational agency. A school district as defined in Section 41302.5 of the Education Code, a charter school that has been granted a charter pursuant to Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code, or a regional occupational center established pursuant to Section 52301 of the Education Code that is operated by a joint powers authority and that has an active career technical education advisory committee pursuant to Section 8070 of the Education Code.
Licensed Professional	A professional eligible under Division 3 (commencing with Section 5000) of the Business and Professions Code in the applicable classification to perform system design, construction, or installation of features, materials, components, or manufactured devices for mechanical systems.
Limited or No Mechanical Ventilation Pathway	One of the three grant pathways for sites receiving an Assessment and Maintenance Grant. This pathway requires a modified assessment, completion of a modified HVAC Assessment Report, installation of carbon dioxide monitors in each classroom, and completion of an HVAC Verification Report as described in Chapter 2.
MERV	Minimum efficiency reporting value
Notice of proposed award	CEC notification to the LEA following approval of a grant application.
Notice of funding availability	A notice issued by the CEC to identify anticipated funding that will be made available in each round of CalSHAPE Program grants. The notice will provide relevant application dates and any funding restrictions applicable to that funding round.
PPM	Parts per million
Project	"Project" refers to all assessments, HVAC general maintenance, adjustments of ventilation rates, filter replacements, carbon dioxide monitor installations, repairs, upgrades, and replacements that are funded by an Assessment and Maintenance Grant.

Word/Term	Definition
PUC	Public Utilities Code
Qualified Adjusting Personnel	Means either of the following: (1) A certified TAB technician. (2) A Skilled and Trained Workforce under the supervision of a TAB Technician.
Qualified Testing Personnel	Means either of the following: (1) An HVAC acceptance test technician certified to complete the forms set forth in subparagraph (B) of paragraph (1) of subdivision (b) of Section 10-103.2 of Part 1 of Title 24 of the California Code of Regulations by an Acceptance Test Technician Certification Provider (ATTCP) that is approved by the CEC to provide that certification. (2) A certified TAB technician.
Scheduled for Replacement Pathway	One of the three grant pathways for sites receiving an Assessment and Maintenance Grant. This pathway allows for filter replacement and requires the installation of carbon dioxide monitors, completion of a modified HVAC Assessment Report, and completion of an HVAC Verification Report as described in Chapter 2.
SEES Program	School Energy Efficiency Stimulus Program established in Chapter 8.7 Article 1 of the PUC. For program administration purposes, the SEES Program will be referred to as the CalSHAPE Program.
Service territory requirement	Sites must be located in a participating utility's service territory to receive a CalSHAPE Program grant. PUC Section 1615(c) requires the CEC to ensure that moneys from each utility are used for projects in the service territory of that utility from which the moneys are received.
Site	School where Assessment and Maintenance Grant work will be performed.
Skilled and Trained Workforce	Has the same meaning as set forth in Section 2601 of the Public Contract Code.
TAB	Testing, adjusting, and balancing
Underserved Community	A community that meets one of the following criteria: (1) Is a "disadvantaged community" as defined by subdivision (g) of Section 75005 of the Public Resources Code. (2) Is included within the definition of "low-income communities" as defined by paragraph (2) of subdivision (d) of Section 39713 of the Health and Safety Code. (3) Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental

Word/Term	Definition
	Protection Agency and based on the most recent California Communities Environmental Health Screening Tool, also known as CalEnviroScreen. (4) Is a community in which at least 75 percent of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program. (5) Is a community located on lands belonging to a federally recognized California Indian tribe.
HVAC Upgrade and Repair Grant	A category of potential awards for a future phase of the CalSHAPE Ventilation Program for HVAC repairs, upgrades, or replacements.
Utility or utilities	Means both of the following: (1) An electrical corporation with 250,000 or more customer accounts within the state. (2) A gas corporation with 400,000 or more customer accounts within the state. This definition currently includes Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SCG).
UVGI	Ultraviolet germicidal irradiation is an established means of disinfection and can be used to prevent the spread of certain infectious diseases. Low-pressure mercury (Hg) discharge lamps are commonly used in UVGI applications and emit shortwave ultraviolet-C radiation.

C. Budget

Funding for the CalSHAPE Program comes from the energy efficiency budgets of California's large electric and gas investor-owned utilities. Specifically, this includes electrical corporations with 250,000 or more customer accounts within the state and gas corporations with 400,000 or more customer accounts within the state as determined by the California Public Utilities Commission (CPUC). These utilities are Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SCG).

The program will accumulate funding in 2021, 2022, and 2023. The annual funding for the program is derived from a combination of current year available funds and prior year unspent and uncommitted energy efficiency funds as described in PUC Section 1615(a). Each year, from 2021 through 2023, it is expected that the utilities will be required to prepare a joint advice letter detailing that year's budget for CPUC approval. Funding awards must be distributed proportionally to each utility area based on program funds contributed by that

utility and used for projects located in the utility's service territory. PG&E has both electric and gas service territories, and the available funding attributed to each service territory will be in accordance with the energy efficiency portfolio budget recovery electric and gas funding percentages provided by PG&E in the utilities' joint advice letter to the CPUC.

CEC will allocate the available funding contributed by each utility using five funding categories. The funding category available to each eligible school site is determined based on the utility service territory in which the site is located. Table 2 identifies the funding categories and the associated utility service territories from which an award will be made. All projects funded by a program grant must meet the same requirements, as described by these guidelines, regardless of funding category.

CEC will provide notices of annual budget accrual, total program funding, and available funds for each funding category at least once per year. Funds are allocated to the two grant programs per PUC Section 1616, with 75 percent to CalSHAPE Ventilation and 25 percent to CalSHAPE Plumbing.

Table 2: Utility Service Territory Funding Categories

Funding Category	Utility Service Territories
PG&E Electric	PG&E electric/PG&E gas PG&E electric/Nonparticipating utility gas PG&E electric/SCG gas
PG&E Gas	Nonparticipating utility electric/PG&E gas
SCE	SCE electric/Nonparticipating utility gas SCE electric/SCG gas
SCG	Nonparticipating utility electric/SCG gas
SDG&E	SDG&E electric/SDG&E gas SDG&E electric/ Nonparticipating utility gas SDG&E electric/SCG gas

Source: California Energy Commission

Following PUC Section 1615(e), the CEC shall return all unused funds to each utility by December 1, 2026. To accomplish this, all projects, reporting, and reconciliation must be completed and any unused funds returned to the CEC as described in Chapter 4. LEAs will be provided instructions for returning any unused funds to the CEC.

D. CalSHAPE Ventilation Eligibility

1. Eligible Applicants

California LEAs are the eligible applicants for grants. An LEA is defined as any of the following:

a. A school district as defined in Section 41302.5 of the Education Code, which includes:

1. County boards of education.
2. County superintendents of schools.
3. Direct elementary and secondary level instructional services provided by the state, including the Diagnostic Schools for Neurologically Handicapped Children as established under Article 1 (commencing with Section 59200) of Chapter 3 of Part 32 of the Education Code.

b. A charter school that has been granted a charter following Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code.

c. A regional occupational center established pursuant to Section 52301 of the Education Code that is operated by a joint powers authority and that has an active career technical education advisory committee pursuant to Section 8070 of the Education Code.

California LEAs may apply for funding to be used for projects at schools that are in the service territory of utilities as defined herein. LEAs must demonstrate that each site meets service territory requirements. CEC staff will verify submitted information as needed to ensure compliance with the service territory requirements.

Authorized third parties may complete applications on behalf of LEAs but may not sign or enter into agreements on behalf of LEAs. A letter of authorization from the LEA, specifying any authority or responsibility delegated to the third party, is required as part of the application package. No funding will be provided for the costs of completing an application for funding or for third-party consultant fees for application or project-related work.

2. Utility Service Territories and Application Tiers

PUC Section 1615(c) states that CEC shall ensure that funds from each utility are used for projects located in the utility service territory from which the money is received; for example, the funds collected from PG&E will be distributed in PG&E territory.

For implementing the program, CEC has established an approach based on the method employed for the CEC's Energy Conservation Assistance Act — Education Subaccount (ECAA-Ed) Competitive Loan Program to ensure that program funds are available to a range of LEAs within each utility service territory. LEAs in each utility service territory funding category are divided into three tiers based on LEA student enrollment. LEA tiers are detailed in Table 3.

Table 3: LEA Tier by Enrollment Numbers

Tier	Number of Students
1	Less than 1,000
2	Between 1,000 and 5,000
3	More than 5,000

Source: California Energy Commission

LEAs will be included in one or more of the application tiers as detailed in Table 4 corresponding to a utility service territory funding category and the size of the LEA.

Table 4: LEA Application Tiers

Tier	PG&E Electric	PG&E Gas	SCE	SDG&E	SCG
1	PG&E-E1	PG&E-G1	SCE1	SDG&E1	SCG1
2	PG&E-E2	PG&E-G2	SCE2	SDG&E2	SCG2
3	PG&E-E3	PG&E-G3	SCE3	SDG&E3	SCG3

Source: California Energy Commission

3. Allocation of Funds Method

To allocate program funds for each program year, CEC will calculate the available funds by tiers presented in Table 4 for each utility service territory funding category. The calculation will be based on the final budget for each utility as approved by the CPUC for each program year as described in PUC 1615(a)(1).

CEC will allocate funds by application tier for each utility service territory funding category using the percentages shown in Table 5.

Table 5: Available Funds by Application Tier

Tier	PG&E Electric	PG&E Gas	SCE	SDG&E	SCG
1	PG&E-E1: 10%	PG&E-G1: 10%	SCE1: 10%	SDG&E1: 10%	SCG1 10%
2	PG&E-E2: 10%	PG&E-G2: 10%	SCE2: 10%	SDG&E2: 10%	SCG2 10%
3	PG&E-E3: 80%	PG&E-G3: 80%	SCE3: 80%	SDG&E3: 80%	SCG3 80%

Source: California Energy Commission

CEC will provide the amount of funds available for each utility service territory funding category and the funds available in each application tier in the notice of funding availability as described in Chapter 3.A, which will be issued for each funding round.

4. Funds Not Used in an Application Tier

If all funding originally allocated to a particular application tier is not disbursed at the conclusion of the applicable funding round, undisbursed funds may be reallocated to one or more other application tiers, or reserved for a future funding round depending on current and projected applicant demand. Consistent with PUC Section 1615(c), funds cannot be reallocated to fund projects from one utility service territory to another.

5. Eligible Schools

LEAs may apply for grants to conduct activities at schools that:

a. Are on a site owned by the LEA.

b. Are on a publicly owned site, such as a site owned by a school district or other public entity, whether the LEA has a lease with that entity.

c. Are on a privately owned site, for which there is a lease with a term that exceeds the program duration, ending after December 1, 2026.

LEAs must provide proof of ownership or complying leases. Charter schools will be required to submit a current Certificate of Good Standing with the application package.

Sites that are located within the service territory of a community choice aggregator (CCA) or local publicly owned electric utility (POU) are not prohibited from participating in the program. School sites located within a CCA or POU that meet the underserved community criteria, as specified in Section E, may be eligible for funding based on the appropriate utility service territory funding category as described in Section C and Table 2.

6. Number of Applications

An LEA may submit up to three applications for program funds in each funding round. For the initial phase of program awards, only sites meeting one or more of the definitions of an Underserved Community may be included. There is no restriction on how many sites an LEA can include in a single application. A site can be included only once and cannot be included in multiple applications.

7. Relationship to CalSHAPE Plumbing Applications and Awards

CalSHAPE Ventilation and CalSHAPE Plumbing are separate programs. LEAs are required to submit separate applications specific to each program.

8. Multiple Sources of Funding

Participation in another program does not prevent participation in the program. However, an LEA receiving program funding may not receive additional funds from another program that, when combined with program funding, exceed the total cost of the project. Furthermore, program funds shall be used only for distinct, eligible costs described in these guidelines that are not funded by another funding source. CEC reserves the right to review and audit all grant and funding award documents to ensure compliance with this requirement.

E. Priority Awards

PUC Section 1612 requires that the program offer funds to schools that are in an Underserved Community before schools that are not in an Underserved Community. The program defines an Underserved Community as meeting one of the following criteria:

1. Is a "disadvantaged community" as defined by Public Resources Code Section 75005(g)[1]

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1 Public Resources Code Section 75005(g) currently defines "disadvantaged community" as a community with a median household income less than 80 percent of the statewide average.

2. Is included within the definition of "low-income communities" as defined by Health and Safety Code Section 39713(d)(2)[2]
3. Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental Protection Agency and based on the most recent California Communities Environmental Health Screening Tool, also known as CalEnviroScreen
4. Is a community in which at least 75 percent of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program
5. Is a community located on lands belonging to a federally recognized California Indian tribe

PUC Section 1612 requires that at least 25 percent of program projects be in Underserved Communities.

To meet the statutory requirement that schools meeting one or more Underserved Community criteria be offered funding before other schools, CEC is limiting applications and awards for the initial funding round of Assessment and Maintenance Grant Awards to schools meeting one or more of the Underserved Community criteria referenced in PUC Section 1601(e) and described in these guidelines.

These guidelines may be updated, and additional notice provided as necessary, including the possibility of addressing additional eligibility.

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2 Health and Safety Code Section 39713(d)(2) defines "low-income communities" as census tracts with median household incomes at or below 80 percent of the statewide median income or with median household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted under Health and Safety Code Section 50093.

CHAPTER 2:
Project Requirements

A. Assessment and Maintenance Grants

An LEA may apply for a grant to improve the energy efficiency and performance of school ventilation systems and support the safety of schools through one of three grant pathways: (1) HVAC Assessment and Maintenance Pathway, (2) Scheduled for Replacement Pathway, and (3) Limited or No Mechanical Ventilation Pathway. Each grant pathway has specific requirements, which are provided in this chapter.

Each site awarded grant funding will follow only one grant pathway and must complete the process and meet the requirements as described for that grant pathway. The grant pathway and qualification criteria for each pathway are as follows:

1. HVAC Assessment and Maintenance Pathway — A site has at least one HVAC system, as defined in Table 1, that is not scheduled for replacement within two years of the application submittal date. An HVAC system is deemed scheduled for replacement if the LEA can provide the supporting documentation specified in Chapter 3.B for a site to qualify for this pathway. The project requirements specific to this pathway are provided in Section B.
2. Scheduled for Replacement Pathway — A site where all the HVAC systems at the site are scheduled for replacement within the two years of the application submittal date. The LEA must provide the supporting documentation specified in Chapter 3.B for the site to qualify for this pathway. The project requirements specific to this pathway are provided in Section D.
3. Limited or No Mechanical Ventilation Pathway — A site does not have an HVAC system, as defined by these guidelines in Table 1. The LEA must provide the supporting documentation specified in Chapter 3.B for the site to qualify for this pathway. The project requirements specific to this pathway are provided in Section E.

The project requirements that must be met for each grant pathway are shown in Table 6.

Table 6: Project Requirements by Grant Pathway

Assessment and Maintenance Grant Requirements	**HVAC Assessment and Maintenance Pathway**	**Scheduled for Replacement Pathway**	**Limited or No Mechanical Ventilation Pathway**
Filter Installation	Yes	Yes	No
HVAC Assessment	Yes	No	No
HVAC Maintenance	Yes	No	No
CO2 Monitor Installation	Yes	Yes	Yes
20% Contingency Fund for Repairs/Additional Maintenance	Yes	No	No
Limited or No Mechanical Ventilation Assessment	No	No	Yes
HVAC Assessment Report	Yes	Yes	Yes
HVAC Verification Report	Yes	Yes	Yes
Eligible for HVAC Upgrade and Repair Grant	Yes	No	Yes
Justification for Grant Pathway	No	Yes	Yes

Source: California Energy Commission

Grant applications must specify the details of each site and provide contractor estimates for costs specific to complete the project requirements at each site. Awards will be made based on contractor estimates not to exceed the maximum award amount as described in Section H. Additional details on application requirements are provided in Chapter 3.

Certain work must be done by Qualified Personnel, and certain other work must be done by Licensed Professionals. An LEA receiving a grant must ensure that Qualified Personnel and Licensed Professionals, as defined in Table 1, perform their respective required work as set forth below. Moreover, the results and findings from assessments must be recorded in the HVAC Assessment Report as described in this chapter.

B. HVAC Assessment and Maintenance Pathway Requirements

The HVAC Assessment and Maintenance Pathway requires an HVAC Assessment and Maintenance, as defined in Table 1 and described in this section; completion of an HVAC Assessment Report; and carbon dioxide monitor installation. The grant award includes an additional 20 percent of the requested amount as a contingency fund for repairs, upgrades, or replacements necessary to make the system functional or more energy-efficient.

The prescriptive process for HVAC Assessment and Maintenance described in this section must be completed for all HVAC system units at the site that are not scheduled for replacement. Sites awarded a grant for this pathway must also complete the requirements of Section C, as well as Sections D and E to the extent applicable, and complete the HVAC Assessment Report and HVAC Verification Report as specified in Sections F and G, respectively.

As mentioned above, the Assessment and Maintenance Grant includes a 20 percent contingency fund that may be used for repairs, upgrades, or replacements necessary to make the HVAC system functional or more energy-efficient. Any additional repairs, upgrades, or replacements determined to be necessary during the assessment may be funded using the 20 percent contingency fund. These repairs, upgrades, or replacements must be documented as necessary to make the HVAC system functional or more energy-efficient in the HVAC Assessment and Verification Reports to be determined as an eligible use of the contingency funds.

Deficiencies in the HVAC system operation or ability to meet ventilation requirements or complete the HVAC Assessment and Maintenance process must be documented in the HVAC Assessment Report for review by a Licensed Professional as described in this chapter. Grant funding for repairs and replacements identified in the HVAC Assessment and Verification Reports in excess of the 20 percent contingency amount might be eligible for an award in a future phase of program awards as part of an HVAC Upgrade and Repair Grant.

1. Filtration

The LEA receiving a program grant shall install filtration with a minimum efficiency reporting value (MERV) of 13 or better in the HVAC system where feasible. If MERV 13 is not feasible, then the highest MERV filtration that can be used in the HVAC system without adversely impacting the equipment shall be installed. The expected cost of filter replacement or upgrade must be included in the cost estimate provided with the grant application. The purchase of additional replacement filters is not an eligible cost and may not be included in the contractor estimate.

a. Qualified Testing Personnel shall test system capacity and airflow to determine the highest MERV filtration that can be installed without adversely impacting equipment, shall replace or upgrade filters where needed, and shall verify that those filters are installed correctly. The cost associated with any additional repairs such as adjustments or repairs to increase fan capacity is not an eligible cost as part of the Assessment and Maintenance Grant but may be funded by the 20 percent contingency fund.

b. If a system uses ultraviolet germicidal irradiation (UVGI) to disinfect the air, the UVGI lamp shall be checked for proper operation, replacing bulbs as needed and verifying that the ultraviolet light does not shine on filters. The expected cost of a UVGI lamp replacement must be included in the cost estimate provided with the grant application. The purchase of additional UVGI lamps is not an eligible cost and may not be included in the contractor estimate. The cost associated with any additional repairs and replacements is not an eligible cost as part of the Assessment and Maintenance Grant but may be funded by the 20 percent contingency fund.

c. For systems with economizers, Qualified Testing Personnel shall test system economizer dampers pursuant to Section B of CEC form CEC-NRCA-MCH-05-A–Air Economizer Controls

(https://energycodeace.com/download/39547/file_path/fieldList/2019-NRCA-MCH-05-A-AirEconomizerControls.pdf).

1. Economizer dampers and controls that are not properly functioning shall be repaired by a Skilled and Trained Workforce. The cost associated with any additional repairs and replacements is not an eligible cost as part of the Assessment and Maintenance Grant but may be funded by the 20 percent contingency fund.

d. Recommendations for additional maintenance, replacement, or upgrades to the above shall be recorded in the HVAC Assessment Report required under PUC Section 1626 and these guidelines.

2. Ventilation

After completing the filtration requirements described above, a Qualified Testing Personnel shall verify the ventilation rates in the facility classrooms, auditoriums, gymnasiums, nurses offices, restrooms, and other occupied areas to assess whether they meet the minimum ventilation rate requirements set forth in Table 120.1-A of Part 6 (commencing with Section 100.0) of Title 24 California Code of Regulations. The assessment shall include:

a. Calculation of the required minimum outside air ventilation rates for each occupied area based on the anticipated occupancy and the minimum required ventilation rate per occupant set forth in Table 120.1-A. Calculations shall be based on maximum anticipated classroom or other occupied area occupancy rates and determined by the performing technician. Natural ventilation shall be designed in accordance with Section 402.2 of the California Mechanical Code (Part 4 [commencing with Section 1.1.0] of Title 24 of the California Code of Regulations) and shall include mechanical ventilation systems designed in accordance with Section 403.0, Section 404.0, or both sections of the California Mechanical Code.

b. Measurement of outside air under Section B of CEC form CEC-NRCA-MCH-02-A–Outdoor Air Acceptance (https://energycodeace.com/NonresidentialForms/2019) and verification of whether the system provides the minimum outside air ventilation rates calculated in subparagraph a) directly above.

c. Survey readings of inlets and outlets to verify all ventilation is reaching the served zone and there is adequate distribution. Verify if inlets and outlets are balanced within tolerance of the system design. Document read values and deficiencies. If the original system design values are not available, document available information and note unavailability of system design values in the assessment report.

d. Verification of building pressure relative to the outdoors to ensure positive pressure differential and ensure the building is not over-pressurized.

e. Verification of coil velocities and coil and unit discharge air temperatures required to maintain desired indoor conditions and avoid moisture carryover from cooling coils.

f. Verification that separation between outdoor air intakes and exhaust discharge outlets meet requirements of the California Building Code, including Section 120.1.

g. Confirmation that the air-handling unit is bringing in outdoor air and removing exhaust air as intended by the system design.

h. Measurement of all exhaust air volume for exhaust fans, including restrooms. Document any discrepancies from system design.

i. If the system does not meet the minimum ventilation rate requirements set forth in Table 120.1-A, the system shall be adjusted to the highest minimum ventilation possible without adversely impacting equipment performance. This deficiency should be documented in the HVAC Assessment Report along with the actual ventilation rate and the occupancy it can serve. A Licensed Professional or Qualified Adjusting Personnel, as defined in Table 1, shall review the system airflow and capacity to determine if additional ventilation can be provided.

   1. If additional ventilation can be provided, a Qualified Adjusting Personnel must adjust ventilation rates to meet the minimum ventilation rate requirements set forth in Table 120.1-A to the extent feasible. After the adjustment, the measurement and verifications required by b., d., and e., in the section above must be repeated. The costs of the adjustment of ventilation rates to meet the minimum ventilation rate requirements with existing equipment shall be included in the contractor estimate.

   2. If minimum ventilation rate requirements set forth in Table 120.1-A cannot be met, this deficiency shall be reported in the HVAC Assessment Report and the HVAC Verification Report (outlined in Section E below) and addressed by a Licensed Professional as required by this chapter.

3. Demand Control Ventilation

a. If a demand control ventilation is installed, it must be adjusted to a carbon dioxide set point of 800 parts per million (ppm) or less and tested by Qualified Testing Personnel pursuant to Section B of CEC-NRCA-MCH-06-A–Demand Control Ventilation Systems Acceptance (https://energycodeace.com/NonresidentialForms/2019).

   1. If the demand control ventilation system does not maintain average daily maximum carbon dioxide levels below 1,100 ppm, it must be disabled until such time as the LEA determines that the COVID-19 crisis has passed unless disabling the control would adversely affect operation of the overall system.

   2. When disabling a demand control ventilation system, the system must be configured to meet the minimum ventilation rate requirements and tested and adjusted to provide a notification through a visual indicator on the monitor, such as an indicator light or other alert system, including but not limited to an electronic mail, text, or cellular telephone application, when the carbon dioxide levels in the classroom have exceeded 1,100 ppm.

b. Recommendations for additional maintenance, replacement, or upgrades for the demand control ventilation shall be recorded in the HVAC Assessment Report, described in Section D. The cost associated with the additional maintenance, replacements, or upgrades is not an eligible cost as part of the Assessment and Maintenance Grant but may be funded by the 20 percent contingency fund.

4. Coil Condition

a. A Qualified Testing Personnel or a Skilled and Trained Workforce shall verify:
   1. Coil condition.
   2. Condensate drainage.
   3. Cooling coil air temperature differentials (entering and leaving dry bulb).
   4. Heat exchanger operation.
   5. Drive assembly.

b. If repairs, replacement, or upgrades are necessary, these deficiencies shall be reported in the HVAC Assessment Report and the HVAC Verification Report and addressed by the Licensed Professional pursuant to PUC Sections 1626–1627, as described in Section D. The cost associated with the repairs, upgrades, or replacements is not an eligible cost as part of the Assessment and Maintenance Grant but may be funded by the 20 percent contingency fund.

5. Additional Requirements

a. A Qualified Testing or Adjusting Personnel shall review control sequences to verify systems will maintain intended ventilation, temperature, and humidity conditions during school operation.
   1. For previously unoccupied buildings, perform the recommended practices of reopening a building as covered in the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Building Readiness document — Restarting a Building. Additional information can be found on ASHRAE's webpage for Building Readiness (https://www.ashrae.org/technical-resources/building-readiness).
   2. Verify a daily flush is scheduled per ASHRAE Guidance for Reopening and Operating Schools and Buildings or otherwise applicable local or state guidance. Additional information can be found on ASHRAE's webpage for Reopening of Schools and Universities (https://www.ashrae.org/technical-resources/reopening-of-schools-and-universities).
   3. Verify that HVAC system operational times, exhaust fans operation times, setpoints, and enabled features meet ASHRAE Guidance for Reopening and Operating Schools and Buildings or otherwise applicable local or state guidance.

b. If installed HVAC systems or system components are broken, fail to meet minimum ventilation requirements, or are unable to operate to the original design and intent, this information will be included in the HVAC Assessment Report prepared pursuant to PUC Section 1626, and described in Section D, which will be provided to a

Licensed Professional for determination of appropriate corrective measures pursuant to PUC Section 1626. Repairs, upgrades, or replacements shall be performed by a Skilled and Trained Workforce. The cost associated with the repairs, upgrades, or replacements will be limited to the contingency fund.

c. Requirements for filtration levels, ventilation rates, and ventilation schedules may be amended by the CEC based on the latest COVID-19 or other applicable guidance.

C. Carbon Dioxide Monitoring

1. Installation

To ensure proper ventilation is maintained throughout the school year, all classrooms in schools receiving a program grant shall be equipped with a carbon dioxide monitor that meets all the following:

a. The monitor is hard-wired or plugged-in and mounted to the wall between three and six feet above the floor and at least five feet away from the door and operable windows.

b. The monitor displays the carbon dioxide readings to the teacher through a display on the device or other means such as a web-based application or cellular phone application.

c. The monitor provides a notification through a visual indicator on the monitor, such as an indicator light or other alert system, including but not limited to an electronic mail, text, or cellular telephone application, when the carbon dioxide levels in the classroom have exceeded 1,100 ppm.

d. The monitor maintains a record of previous data that includes at least the maximum carbon dioxide concentration measured.

e. The monitor has a range of 400 ppm to 2,000 ppm or greater.

f. The monitor is certified by the manufacturer to be accurate within 75 ppm at 1,000 ppm carbon dioxide concentration and is certified by the manufacturer to require calibration no more frequently than once every five years.

g. The monitor and installation and initial adjustment of the monitor are the only costs eligible for grant funding and the only costs that shall be included in the contractor estimate. The total cost for all three of these items must not exceed the maximum award for monitor installation as specified in Section K.

2. Continued Monitoring of Classroom Carbon Dioxide Level

If a classroom carbon dioxide concentration exceeds 1,100 ppm more than once a week as observed by the teacher or the facility staff, the classroom ventilation rates shall be adjusted by Qualified Testing or Adjusting Personnel, as defined in Table 1, to ensure that peak carbon dioxide concentrations in the classroom remain below the maximum allowable carbon dioxide ppm set point.

The LEA is responsible for continued monitoring. The requirement for future adjustments by a Qualified Testing or Adjusting Personnel shall not be included in the contractor estimate.

Verification of the installation of carbon dioxide monitors in all classrooms shall be included in the HVAC Assessment Report, described below.

D. Scheduled for Replacement Pathway Requirements

The Scheduled for Replacement Pathway allows filter replacement as described below and requires the installation of carbon dioxide monitors in each classroom consistent with the requirements of Section C, completion of an HVAC Assessment Report as specified in Section F, and an HVAC Verification Report as specified in Section G. This pathway does not include an assessment. As such, sites that receive grant funding for this pathway will not be eligible for the 20 percent contingency funds nor additional funding through an HVAC Upgrade and Repair Grant should funding become available for such purposes.

Filtration

The LEA receiving a grant for the Scheduled for Replacement Pathway may replace or upgrade system filtration as needed. If filtration is replaced or upgraded, the LEA shall install filtration with a MERV of 13 or better in the HVAC system where feasible. If MERV 13 is not feasible, then the highest MERV filtration that can be used in the HVAC system without adversely impacting the equipment shall be installed.

Qualified Testing Personnel shall test system capacity and airflow to determine the highest MERV filtration that can be installed without adversely impacting equipment, shall replace or upgrade filters where needed, and shall verify that those filters are installed correctly. The expected cost of filter replacement or upgrade shall be included in the cost estimate provided with the grant application. The purchase of additional replacement filters is not an eligible cost and must not be included in the contractor estimate. The cost associated with any additional repairs or adjustments will not be funded by a program grant.

E. Limited or No Mechanical Ventilation Pathway Requirements

The Limited or No Mechanical Ventilation Pathway requires an assessment as described in this section, completion of an HVAC Assessment Report as specified in this section and in Section F, installation of carbon dioxide monitors in each classroom consistent with the requirements of Section C, and completion of an HVAC Verification Report as specified in Section G.

A Qualified Testing or Adjusting Personnel must complete the following assessment requirements and HVAC Assessment Report. The HVAC Assessment Report will provide the Licensed Professional with documentation to provide mechanical ventilation options to the LEA with limited assumptions.

1. Assessment Requirements

a. Verify the functionality and document nameplate data on any existing HVAC equipment (that is, heating only units, exhaust fans, and so forth), if any.

b. Verify and document the location of windows and doors that can be opened.
   1. Verify if windows have any switches or controls that initiate exhaust fans, motorized dampers or other devices.
c. Verify if any existing mechanical, architectural, structural drawings match current conditions.
d. Provide a sketch of actual roof penetrations, penetration type (that is, vent pipe) and approximate locations if different from drawings.
e. Document locations of any vents that could contaminate outside air intake locations.
f. Document locations for potential installation of mechanical ventilation
g. Photograph existing building, existing mechanical equipment (if applicable) and potential locations for mechanical ventilation equipment.
h. Document roof and wall type/material to the best of the technician's ability.
i. Document if existing mechanical equipment can be altered to provide outside air or if a dedicated outside air system is required.
j. Obtain information on central plant capacity (if applicable)
k. Document whether outside air conditions may make reliance on windows or other sources of nonfiltered outside air potentially hazardous to occupants.
l. Document recommendations for adding mechanical ventilation and filtration where none exists or for replacing a mechanical ventilation system where the current system is nonoperational.

2. Limited or No Mechanical Ventilation Assessment Report Requirements

A Qualified Testing Personnel or Qualified Adjusting Personnel shall prepare a HVAC Assessment Report for review by a Licensed Professional, as defined in Table 1, based on the requirements specified in the Assessment Requirements section above. The HVAC Assessment Report shall include all the information described below. Additional requirements for the HVAC Assessment Report that must be completed for the Limited or No Mechanical Ventilation Pathway are provided in Section F and Appendix B.

a. Name and address of school facility and person or contractor preparing and certifying HVAC Assessment Report.
b. Documentation of existing HVAC infrastructure, including the functionality and nameplate data.
c. Documentation of the location of windows and doors that can be opened and windows with any switches or controls that initiate exhaust fans, motorized dampers or other devices.
d. The verified existing mechanical, architectural, structural drawings match current conditions.
e. The sketch of actual roof penetrations, penetration type (that is, vent pipe) and approximate locations if different from drawings.

f. Documentation locations of any vents that could contaminate outside air intake locations.
g. Photographs of existing building, existing mechanical equipment (if applicable), and potential locations for mechanical ventilation equipment.
h. Documentation roof and wall type/material.
i. Documentation of existing mechanical equipment can be altered to provide outside air or if a Dedicated Outside Air System is required.
j. Information on central plant capacity (if applicable).
k. Documentation of whether outside air conditions may make reliance on windows or other sources of nonfiltered outside air potentially hazardous to occupants.
l. Documentation of recommendations for adding mechanical ventilation and filtration where none exists or for replacing a mechanical ventilation system where the current system is nonoperational.
m. Monthly electricity meter data, if requested by CEC program staff.
n. LEAs may be required to submit additional information as described or otherwise required by these guidelines, including but not limited to the information described in Appendix B.

F. HVAC Assessment Report

A Qualified Testing Personnel or Qualified Adjusting Personnel shall prepare an HVAC Assessment Report based on the requirements specified for each pathway in Sections B, C, D, and E above. The HVAC Assessment Reports completed for sites following the HVAC Assessment and Maintenance and Limited or No Mechanical Ventilation Pathways shall be reviewed by a Licensed Professional, as defined in Table 1, as described in this section. The HVAC Assessment Report completed for the Scheduled for Replacement Pathway is not required to be reviewed by a Licensed Professional because this pathway does not require an assessment and is not eligible for additional funding through an HVAC Upgrade and Repair Grant should funding become available for such purposes.

The HVAC Assessment Report completed for each pathway shall include the following information as specified in Table 7, below, in the required form or formats.

1. Name and address of school facility and person or contractor preparing and certifying HVAC Assessment Report.
2. Documentation of HVAC equipment model number, serial number, general condition of unit, and any additional information that could be used to assess replacement and repair options given potential for increased energy efficiency benefits.
3. Either verification that MERV 13 filters have been installed or verification that the maximum MERV-rated filter that the system is able to effectively handle has been installed and what that MERV rating is.
4. The verified ventilation rates for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, offices, and other occupied areas, and whether those rates meet the requirements set forth in Table 120.1-A. If ventilation rates do not meet applicable

requirements, then an explanation for why the current system is unable to meet those rates shall be provided.

5. The verified exhaust for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, and other occupied areas and whether those rates meet the requirements set forth in the design intent.
6. Documentation of system deficiencies and recommendations for additional maintenance, replacement, or upgrades to improve energy efficiency, safety, or performance.
7. Name of the utility that provides electricity service and monthly electricity meter data.
8. Documentation on existing HVAC infrastructure to assist the Design Professional in determining ventilation options, as described in Section E for the Limited or No Mechanical Ventilation Pathway.

LEAs may be required to submit additional information as described or otherwise required by these guidelines, including but not limited to the information described in Appendix B.

The HVAC Assessment Report Worksheets will be made available for use in developing the report on the program webpage (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program).

The HVAC Assessment Report Worksheets includes 10 worksheets as described in Appendix B and listed in Table 7, below. Table 7 provides information on which worksheets of the HVAC Assessment Report must be completed and submitted with the final reporting for each of the three grant pathways.

Table 7: HVAC Assessment Report Requirements by Grant Pathway

HVAC Assessment Report Required Information	**HVAC Assessment and Maintenance Pathway**	**Scheduled for Replacement Pathway**	**Limited or No Mechanical Ventilation Pathway**
1. System Overview	Yes	No	No
2. Filtration System	Yes	Yes	No
3. Ventilation Rate	Yes	No	No
4. Economizer Operation	Yes	No	No
5. Demand Control Ventilation	Yes	No	No
6. Air Distribution and Building Pressure	Yes	No	No
7. General Maintenance	Yes	No	No
8. Operational Controls	Yes	No	No
9. CO2 Monitoring	Yes	Yes	Yes
10. Limited or No Existing Mechanical	No	No	Yes

Source: California Energy Commission

1. Review of HVAC Assessment Report

A Licensed Professional shall review the HVAC Assessment Report completed for sites following the HVAC Assessment and Maintenance Pathway and:

a. Determine what, if any, additional adjustments or repairs would be necessary to meet the minimum ventilation and filtration requirements.

b. Determine whether any cost-effective energy efficiency upgrades or replacements are warranted or recommended.

c. Provide an estimated cost for all identified work.

If the cost of recommended repairs, upgrades, or replacements are greater than the 20 percent contingency amount provided in the grant, then the Licensed Professional and the LEA may apply for additional funding through an HVAC Upgrade and Repair Grant, should funding become available for such purposes.

The provision of any additional funding for repairs, upgrades, or replacements shall be conditioned on the applicant ensuring that all construction work funded, in whole or in part, by the additional funding is performed by a Skilled and Trained Workforce.

2. Review of Limited or No Mechanical Ventilation HVAC Assessment Report

A Licensed Professional shall review the HVAC Assessment Report completed for sites following the Limited or No Mechanical Ventilation Pathway and:

a. Determine recommendations for adding mechanical ventilation and filtration where none exists or for replacing a mechanical ventilation system where the current system is nonoperational.

b. Provide an estimated cost for all identified recommendations.

The LEA may apply for funding for this work through an HVAC Upgrade and Repair Grant should funding become available for such purposes. The provision of any additional funding for repairs, upgrades, or replacements shall be conditioned on the applicant ensuring that all construction work funded, in whole or in part, by the additional funding is performed by a Skilled and Trained Workforce.

G. HVAC Verification Report

Upon completion of all work funded by a program grant, the LEA shall prepare and submit an HVAC Verification Report for each site included in the grant. The HVAC Verification Report must include the following information as specified for each grant pathway in Table 8, below, in the required form or formats.

1. Name and address of school facility and person or contractor preparing and certifying report.
2. Description of assessment, maintenance, adjustment, repair, upgrade, and replacement activities and outcomes.

3. Verification that the LEA has complied with all applicable program requirements, including Article 3 of Chapter 8.7 of Part 1 of Division 1 starting with Section 1620 of the PUC and as described in these guidelines
4. Verification that either MERV 13 filters have been installed or that the maximum MERV-rated filter that the system is able to effectively handle has been installed and what that MERV rating is.
5. The verified ventilation rates for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, offices, and other occupied areas and whether those rates meet the requirements set forth in Table 120.1-A. If ventilation rates do not meet applicable guidance, then an explanation for why the current system is unable to meet those rates shall be provided.
6. The verified exhaust for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, and other occupied areas and whether those rates meet the requirements set forth in the design intent.
7. Documentation of system deficiencies and recommendations for additional maintenance, replacement, or upgrades to improve energy efficiency, safety, or performance, or for additions of mechanical ventilation and filtration where none exists.
8. Documentation of initial operating verifications, adjustments, and final operating verifications, and documentation of any adjustments or repairs performed.
9. Verification of installation of carbon dioxide monitors, including make and model of monitors.
10. Verification that all required work has been performed by Qualified Testing or Adjusting Personnel or other qualified technician as specified by the program guidelines, including the provision of the contractor's name and license; acceptance test technician name and certification number, where applicable; TAB technician name and certification number, where applicable; and verification that all construction work has been performed by a Skilled and Trained Workforce.

Table 8: HVAC Verification Report Requirements by Grant Pathway

HVAC Verification Report Required Information (Items 1–10 listed above)	**HVAC Assessment and Maintenance Pathway**	**Scheduled for Replacement Pathway**	**Limited or No Mechanical Ventilation Pathway**
1	Yes	Yes	Yes
2	Yes	Yes	Yes
3	Yes	No	No
4	Yes	No	No
5	Yes	No	No
6	Yes	No	No
7	Yes	No	No
8	Yes	No	No
9	Yes	Yes	Yes
10	Yes	Yes	Yes

Source: California Energy Commission

The HVAC Verification Report form will be made available for use in developing the report on the program webpage (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program).

LEAs may be required to submit additional information as described or otherwise required by these guidelines.

The LEA must maintain a copy of the HVAC Verification Report for at least three years from the grant award date and make it available to anyone upon request.

H. Reimbursement of Work Already Performed

Under PUC Section 1621(c)(3), LEAs may submit grant applications for reimbursement of assessment and maintenance projects where the work was **contracted and performed** after August 1, 2020, and the project meets the requirements of PUC Sections 1622 to 1627, inclusive. Any projects seeking reimbursement must also meet all requirements as specified in these guidelines. Any grant applications for reimbursement of work contracted and performed after August 1, 2020, shall make clear which work is being requested to be paid on a reimbursement basis.

The LEA must also provide documentation or a certification that the work was **contracted and performed** after August 1, 2020 and provide a description of the documentation supporting this certification. CEC retains the right to request copies of all referenced documentation. PUC Section 1621(c)(3) requires both the work contract and performance to occur after August 1, 2020. If the LEA contracted for the work **before** August 1, 2020, but the work was performed after August 1, 2020, it is not eligible for funding.

Grant applications for work contracted and performed after August 1, 2020, must also include all final reporting information as described in Chapter 4. All estimates, assessment, and

verification reports must be dated and indicate that all work was completed after August 1, 2020.

The applicant must provide the required documentation confirming that all grant work was done by Qualified Personnel, Licensed Professionals and a Skilled and Trained Workforce as required and defined in these guidelines.

I. Skilled and Trained Workforce Requirement

All repair, upgrade, replacement, or other technical work completed as part of the Assessment and Maintenance Grant must be performed by a Skilled and Trained Workforce, which has the same meaning as in Section 2601 of the Public Contract Code, and meet all other labor requirements as described in these guidelines. LEAs may use in-house staff or contractors to complete the work as long as all staff meet applicable Skilled and Trained Workforce requirements and all other labor requirements as described in these guidelines appropriate to each activity completed.

J. Grant Budget

The budget for each LEA grant award will be equal to the sum of approved individual site budgets for all eligible sites included in the LEA grant application. Each site budget will be equal to the amount of the contractor estimate for eligible work to be completed at that site not to exceed the maximum award as specified in Section K. CEC program staff will review the contractor estimate and determine the approved site budget based on program requirements, including eligible cost requirements in these guidelines and SEES Program statutes.

The approved site budget for a site in the HVAC Assessment and Maintenance Pathway will include a 20 percent contingency fund for repairs, upgrades, or replacements necessary to make the system functional or more energy-efficient. The 20 percent contingency fund will be calculated by taking 20 percent of the total approved budget for all eligible items in the HVAC Assessment and Maintenance Pathway. Table 9 provides a description and calculation of an example site's approved site budget following the HVAC Assessment and Maintenance Pathway's formula for maximum award amounts. The calculation of an actual approved site budget will use the amounts requested in the application and verified by a contractor estimate not to exceed the maximum award amounts.

Table 9: Example of Approved Site Budget for HVAC Assessment and Maintenance Pathway

Example Site: School with 50 HVAC system units, 50 filters, and 20 classrooms	
Calculation Description	Calculation Example
HVAC Assessment and Maintenance and HVAC Assessment Report — Approved budget	$10,000 + ($1,000 x 50) = $60,000
Filter Replacement — Approved budget for purchase and installation	$75 x 50 = $3,750
Carbon Dioxide Monitors — Approved budget for purchase and installation	$600 x 20 = $12,000
20 Percent Contingency Fund = 20 percent of sum of approved budgets for: • HVAC Assessment and Maintenance • HVAC Assessment Report • Filter Replacement • Carbon Dioxide Monitors	0.20 x ($60,000 + $3,750 + $12,000) = $15,150
Approved Site Budget = Sum of 20 Percent Contingency Fund and approved budgets for: • HVAC Assessment and Maintenance • HVAC Assessment Report • Filter Replacement • Carbon Dioxide Monitors	$15,150 + $60,000 +$3,750 + $12,000 = $90,900

Source: California Energy Commission

The 20 percent contingency fund will be added to the approved site budget and will be part of the total grant award. The approved site budget for sites following the Scheduled for Replacement and Limited or No Mechanical Ventilation Pathways will not include a 20 percent contingency fund.

Approved budgets are site-specific, and the 20 percent in contingency funds must be spent for the site for which the 20 percent is allocated. The 20 percent contingency awarded for one site may not be used to complete work at another site, even within the same LEA. No additional funding will be awarded if costs exceed the applied and approved site budget, so applicants are encouraged to prepare their application accordingly.

Any grant award funding, including any 20 percent contingency awarded funds, shall be returned to the CEC if not used for eligible purposes as specified in these guidelines. See Chapter 3 for more information.

K. Maximum Award

The approved site budget will not exceed the following maximum award amounts for each of the items specified:

1. $10,000 plus $1,000 per HVAC system unit for the HVAC Assessment and Maintenance, as defined in Table 1, and completion of the HVAC Assessment Report in the HVAC Assessment and Maintenance Pathway
2. $4,000 for the modified assessment and completion of the HVAC Assessment Report in the Limited or No Mechanical Ventilation Pathway
3. $2,000 for the completion of the HVAC Assessment Report for the Scheduled for Replacement Pathway
4. $75 for the purchase and installation of each filter replacement
5. $600 for the purchase and installation of carbon dioxide monitors in each classroom

L. Payment of Prevailing Wage

The applicant shall ensure, to the extent applicable, the budget considers the payment of prevailing wages. These grants may be subject to public works requirements (Labor Code Section 1720 et seq.), a requirement of which is to pay prevailing wages. Applicants are responsible for complying with all applicable laws, which can include public works requirements.

Only the California Department of Industrial Relations (DIR) and courts of competent jurisdiction may issue legally binding determinations that a project is or is not a public works project. Applicants shall assume their projects are public works unless they obtain a determination to the contrary from DIR or an appropriate court. As such processes can be time-consuming, please plan accordingly given the application deadline. Without such a determination, applicants shall explain how they have included appropriate budgets for prevailing wages.

M. Project Term

For each Assessment and Maintenance Grant project, the LEA will have up to 24 months to complete all work and submit the final reporting documentation described in Chapter 4.

CHAPTER 3:
Grant Applications and Awards

This chapter provides information for participation in the initial phase of program awards including the application process, required application forms and supporting documentation, a description of the process used by the CEC to approve applications and determine grant awards, payment of funds, and project and reporting requirements.

As described, PUC Section 1612 requires that schools in Underserved Communities be offered funding before schools that are not in an Underserved Community. Consistent with the statute and anticipated funding availability, CEC will only offer funding in this initial phase of program awards for projects for an assessment, completion of an HVAC Assessment Report, general HVAC maintenance, adjustment of ventilation rates, filter replacement, and carbon dioxide monitor installation. Depending on the pathway, some or all of these elements comprise an Assessment and Maintenance Grant. The funding award amounts will be made based on a contractor's site-specific estimate for the eligible work not to exceed the maximum award plus an additional 20 percent contingency fund for the HVAC Assessment and Maintenance Pathway. CEC will not award funds for upgrade, repair or replacement costs above the 20 percent contingency amount in this initial phase of program awards.

CEC anticipates that in subsequent phases of program awards, LEAs may be able to submit applications for grants addressing upgrade, repair, or replacement costs above the 20 percent contingency amount, referred to as HVAC Upgrade and Repair Grants. These guidelines will be updated to address additional program requirements specific to these awards if and when appropriate.

CEC will issue a notice of funding availability identifying the anticipated funding to be made available in each round of grants. The notice of funding availability will identify any relevant application dates including the first and last date applications can be submitted and any funding restrictions applicable to that funding round. Dates may be adjusted by the CEC through the issuance of a notice updating information.

A. Application Process

The application process has been designed to simplify the submission of an initial application and to provide access to funding for projects that have been contracted and performed after August 1, 2020, seeking reimbursement or for projects that are planned. For planned projects, upon request by an LEA and pursuant to the program requirements, CEC will also provide an option for the LEA to receive a portion of funds in advance of work being completed.

The application and award process is expected to generally follow the following steps.

1. CEC issues a notice of funding availability with details of the total funding available, start and end dates for application acceptance, and the breakdown of funds by funding category and by tiers, as described in these guidelines.

2. LEAs submit grant applications electronically as required in the notice of funding availability.
3. CEC will begin to review applications in the order that complete applications are received.
   a. CEC staff will accept and review all applications submitted by the posted deadline.
   b. At any time, should the CEC determine that all funds in a single funding category and tier have been reserved, the CEC may provide public notification of that determination but will continue to accept applications and identify LEAs that may be funded should additional funding become available.
4. CEC will grant funding awards for complete applications, at which time funds will be reserved for the LEA for approved projects.
5. Incomplete applications and applications deemed not to have met the application requirements (collectively referred to as "noncompliant" applications) will not be considered.
   a. CEC will notify applicants if an application is noncompliant, and the applicant may reapply during the open application period. Depending on the volume and timing of applications received, the CEC may not always be able to review and notify applicants of noncompliant applications during the open application period. Accordingly, applicants are encouraged to apply as early in the process as possible.
6. CEC will issue a notice of proposed award to an LEA with a complete application. The LEA will be required to submit the additional required documents and complete a grant agreement to reserve the grant award funding.
7. If the project has already been contracted and performed after August 1, 2020, and the LEA is seeking reimbursement, the LEA will be instructed on how to complete and submit final project reporting and invoicing for review and payment.
8. The LEA will automatically receive a funding advance of 50 percent of the overall grant award after completion of the grant agreement.
9. All planned projects will also receive additional guidance on project completion, reporting, and invoice submittal.
10. All projects must adhere to the requirements provided in these guidelines and must use all required forms to receive a grant award and funding.

B. Application Package

Eligible applicants must submit a complete application package for an Assessment and Maintenance Grant using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The application package must include the following in the required form or formats. The information required in the application form is listed in Appendix A of these guidelines and all forms will be made available for use in developing the application package on the program webpage (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program)

1. Applicant Details (Ventilation-1): LEA information including official name, address, responsible parties, contact information, description of LEA territory, schools, and specific site information to determine the applicable grant pathway.
2. Overall Grant Request Summary (Ventilation-2): Grant site and budget summary page and status of all site-specific work including start date and projected end date. Identification of whether the grant application is seeking reimbursement for work contracted for and completed after August 1, 2020, or for work planned to be completed. The status will be entered individually for each site. Only applications with all sites completed are considered for reimbursement grants.
3. Site-Specific Details (Ventilation-3): Detailed information identifying all sites to be addressed by the grant, general site information, identification of the number and type of HVAC units on site, number of buildings for carbon dioxide monitoring, project completion status, and total site-specific estimate for assessment and maintenance project.
4. The LEA self-certifies:
    a. It will follow the program guidelines.
    b. The information included in the application package is true and correct to the best of the LEA's knowledge.
    c. It will obtain Division of the State Architect (DSA) project approval as applicable under California Code Regulations, Title 24.
    d. It acknowledges that the expended funds may be subject to audit, including a financial audit.
    e. It will comply with all reporting requirements.
    f. It will comply with all Assessment and Maintenance Grant terms and conditions.
    g. It will comply with all Skilled and Trained Workforce requirements.
    h. All applicable DIR and Labor Code requirements on public works, including the payment of prevailing wage, will be followed.
    i. It acknowledges that it may be subject to a post-program site visit and measurement and evaluation study conducted by the CEC or its delegate.
5. Supporting documentation:
    a. Site-specific contractor estimate supporting each site-specific amount requested.
        1. To be deemed complete, a contractor estimate must be itemized and include all required details.
    b. Certificate of Good Standing for Charter School Applicants.
    c. Letter of authorization for third-party applicants.
    d. Required documentation for the Scheduled for Replacement Pathway:
        1. A facility master plan, or similar document, showing a plan for the system to be replaced within two years. Documentation should also identify funding reserved for the proposed project; and

2. An executed contract for the system replacement.

e. Required documentation for the Limited or No Mechanical Ventilation Pathway:

1. Documentation that confirms the site does not have an HVAC system, as defined in Table 1. Documentation may include site photographs, or mechanical/ site drawings.

C. Contractor Estimates

The amount requested in the application package may only be for reasonable costs to complete the work and requirements of the site's grant pathway, as described in Chapter 2, which includes:

1. HVAC Assessment and Maintenance Pathway:
   a. Assessments and general maintenance as specified in Chapter 2.B - HVAC Assessment and Maintenance Pathway Requirements
   b. Carbon Dioxide monitor installation or replacement as specified in Chapter 2.C – Carbon Dioxide Monitoring
   c. HVAC Assessment reports as specified in Chapter 2.F – HVAC Assessment Report
   d. Review of HVAC Assessment Report as specified in Chapter 2.F – HVAC Assessment Report
2. Scheduled for Replacement Pathway:
   a. Filter replacement as specified in Chapter 2.D – Scheduled for Replacement Pathway Requirements
   b. Carbon Dioxide monitor installation or replacement as specified in Chapter 2.C – Carbon Dioxide Monitoring
   c. Modified HVAC Assessment Report as specified in Chapter 2.F – HVAC Assessment Report
3. Limited or No Mechanical Ventilation Pathway:
   a. Modified assessment as specified in Chapter 2.E – Limited or No Mechanical Ventilation Pathway Requirements
   b. Carbon Dioxide monitor installation or replacement as specified in Chapter 2.C – Carbon Dioxide Monitoring
   c. Modified HVAC Assessment Report as specified in Chapter 2.F – HVAC Assessment Report
   d. Review of Limited or No Existing Mechanical Ventilation Assessment Worksheet as specified in Chapter 2.F – HVAC Assessment Report

The contractor estimate must include a detailed site-specific budget, timeline, and a clear and accurate description of the work that will be provided. The site-specific budget needs to show line item cost estimates for materials, labor, and other costs. Any amount included as other costs must include a brief narrative explaining the use of these funds.

The LEA will be required to submit the original contractor estimate as part of the application package to demonstrate that all costs are reasonable for the work to be completed. The contractor estimate should include supporting documentation demonstrating that the scope of work is consistent with the requirements of these guidelines, as listed in Chapter 2.

Ineligible costs, as described in Chapter 3.I, cannot be included as part of the contractor estimate. Additional information consistent with these guidelines may be required from applicants to complete the grant agreement after notification of the grant award. Additional costs not provided for in applicable program statute or these guidelines will not be approved as part of the grant award. As noted, grants can be provided on a reimbursement basis for work **contracted for and completed** after August 1, 2020. The contractor estimate provided in support of a reimbursement grant must indicate that the estimate was completed after the August 1, 2020, date. Projects that have completed an estimate prior to August 1, 2020, will still be eligible to apply for an award, but funding will cover only work completed after that date.

The CEC does not have authority to authorize LEAs to use a particular procurement method for use of these funds. LEAs will have to rely on their own existing authority and shall comply with applicable law.

D. Application Review

Applications will be accepted only electronically through the CEC's electronic submission system, and all applications submitted will be identified by the date and time received. Any applications received after the noticed deadline will not be accepted, and a notice of rejection will be sent to the applicant. Any application forms or links and deadlines shall be described in the notice of funding availability. The CEC will not accept applications via email or fax. Applications must use the CEC's electronic submission system.

The CEC will review each submitted application package to ensure all the required information has been provided. An application with minor errors or inconsistencies that do not affect the completeness of the package may still be considered for funding. If an applicant or the CEC discovers any minor errors or inconsistencies, the applicant will be given 10 calendar days or until the application deadline, whichever is occurs first, to resubmit the application to resolve any errors or inconsistencies. If the application is resubmitted, but there are remaining or additional errors or inconsistencies discovered in the application, the applicant will be given an additional 10 calendar days or until the application deadline, whichever occurs first, to resubmit the application to resolve the errors or inconsistencies. If the applicant does not resubmit the application in the allowed time frame, the application will be rejected.

If an application is rejected during the open application period, the LEA may revise and resubmit the application during the open application period. Depending on the volume and timing of applications received, the CEC may not always be able to review and notify applicants of errors during the open application period. If the applicant does resolve the errors or inconsistencies before the application deadline, the application will be approved or not approved accordingly pursuant to program requirements.

CEC staff will rank all approved applications by the date and time the final approved application was received. Grant applications will be processed until all available funds within each funding category and tier are awarded. Any approved grant applications received that exceed the amount of funds available in the current funding round for the funding category and application tier will be placed in order of date and time received on a priority list for funding if and when additional funds are made available.

E. Notice of Proposed Award and Completion of Grant Agreement

Following approval of an application, CEC staff will send a notice of proposed award to the successful LEA and will request the following additional information to complete the grant agreement, consistent with these guidelines:

1. Payee Data Record (STD-204): Required for grant award payment.
2. An authorizing document from the governing body, such as a resolution authorizing acceptance of the award and entering award agreement.
3. A signed grant agreement indicating that the LEA has read and accepts the terms and conditions.

Failure to agree to the terms and conditions by taking actions such as failing to sign the grant agreement or indicating that acceptance is based on modification of the terms will result in rejection of the application. CEC reserves the right to modify the terms and conditions prior to executing the grant agreement.

At the time the grant agreement is fully executed and received by the CEC, the grant award funding will be reserved for the LEA. Grantees will receive an advance payment of 50 percent of the total grant award after notification of the funding reservation.

For grants seeking reimbursement for projects contracted for and completed after August 1, 2020, the grantee will first need to enter into a grant agreement with CEC and then provide the final required project reporting and invoicing documentation to receive payment of the full grant award. Additional information on project reporting and invoicing is provided in these guidelines and further guidance will be made available to grantees.

F. Payment of Grant Funds

The CEC expects to receive funding for the program from participating utilities quarterly. Payment to grantees is conditioned on CEC receipt of funding.

The CEC will issue an email notice to approved grant applicants identifying the amount of the award. As noted above, the LEA will be awarded the CEC approved amount requested, which must equal the total of each site-specific budget not to exceed the maximum award, as specified in Chapter 2.K.

The grant award for sites meeting the requirements of the HVAC Assessment and Maintenance Pathway will include a contingency fund of an additional 20 percent of the approved amount for the HVAC assessment, general maintenance, adjustment of ventilation rates, and completion of the HVAC Assessment Report. The 20 percent contingency funds can only be used for HVAC repairs, upgrades, or replacements necessary to make the HVAC system

functional or more energy-efficient as described below. Although not required to be included in the estimate of work to be done, after the project is completed, the LEA will be required to provide documentation demonstrating how the contingency funds were spent.

At the conclusion of the project, all unspent funds including any unspent contingency funds shall be returned to the CEC. Additionally, any grant funds not used in accordance with program requirements, including grant agreement terms and conditions, shall be returned to the CEC.

Contingency Funds Eligible Costs

Only costs required to complete work identified in the HVAC Assessment and Verification Reports as necessary to make the HVAC system functional or more energy-efficient will be deemed eligible costs for purposes of expending the 20 percent contingency funds. The contingency funds may be used to cover cost overruns but cannot be used to pay for consultant fees or any portable equipment not directly connected to the eligible HVAC systems as described in PUC section 1622.

Funds must be used on the specific site for which they were awarded and cannot be transferred or used at another site. In documenting the appropriate use of the funds during final reporting, the LEA will be required to identify specifically where in the HVAC Assessment Report the identified repairs or upgrades are called for and the related expenditures using the contingency funds were spent in accordance with the assessment.

G. Timing of Payment

For projects that have not been completed at time of application (also called planned projects), upon request by the LEA, the CEC will issue a portion of funds in advance equal to 50 percent of the overall grant award. Upon approval of an award, the grantee will receive a notice of proposed award from the CEC and a grant agreement will be executed. After grant agreement execution, the CEC will approve payment of advance funds equal to 50 percent of the overall award for all sites represented in the grant agreement to be issued by the State Controller's Office (SCO). SCO expects to be able to issue payments within four weeks once the LEA completes the grant agreement and all required documentation is reviewed and approved by CEC.

The remaining 50 percent of the grant funds will be issued upon receipt and review of all final required reporting, including complete reporting of how contingency funds were spent on a site-specific level of detail. The LEA shall provide the CEC with additional documentation, as specified in the Reporting section of these guidelines, demonstrating how contingency funds were used.

All project requirements, as specified in Chapter 2, must be completed to receive Assessment and Maintenance Grant funding. There will be no payment issued for the partial completion of the project requirements. If the LEA received advanced funds and does not complete all the project requirements, any grant award funding, including any 20 percent contingency awarded funds, shall be promptly returned to the CEC.

CEC staff will issue payment only for the final invoice once and only when all final reporting is submitted and approved by CEC staff.

H. Additional Funding for Repair or Replacement

A Licensed Professional must review the HVAC Assessment Report and determine what, if any, additional adjustments or repairs would be necessary to meet the minimum ventilation and filtration requirements; determine whether any cost-effective energy efficiency upgrades or replacements are warranted or recommended; and provide an estimated cost for this work. If a Licensed Professional identifies cost-effective energy efficiency upgrades or repairs that would exceed the 20 percent contingency amount awarded, those repairs must be documented as described in the HVAC Assessment Report and HVAC Verification Report sections of these guidelines.

For sites that completed the Limited or No Mechanical Ventilation Pathway, a Licensed Professional must review the Modified HVAC Assessment Report and determine recommendations for adding mechanical ventilation and filtration where none currently exists or replacing a system that is non-operational, and then provide a cost estimate for this work. These recommendations must be documented as described in the modified HVAC Assessment Report and HVAC Verification Report sections of these guidelines.

The ability for LEAs to apply for additional funding for these additionally identified upgrades or a portion thereof will be determined in future program and funding phases as appropriate.

I. Ineligible Costs

Grant award funding can only be used for direct costs and work performed in accordance with the terms of the grant agreement.

Costs that are ineligible to be paid with grant funding include, but are not limited to:

1. Costs, other than those noted above, incurred outside the terms of the grant agreement with the CEC.
2. Costs associated with the use and continuous monitoring of the carbon dioxide monitors, such as electrical improvements, subscription services, storage, and central hubs.
3. Purchase of equipment not an integral part of the project.
4. Replacement of existing funding sources for ongoing programs.
5. Costs stemming from DSA requirements.
6. Consultant fees.

CHAPTER 4:
Project Completion and Reporting

A. Completion of Projects

As noted, grant recipients will have 24 months to complete all Assessment and Maintenance Grant work and final reporting requirements. Although the CEC may issue a reminder of the project deadline, it is the grant recipients' responsibility to monitor project completion and meet all required reporting and invoicing deadlines.

LEAs shall submit final reporting electronically using the system or process required by the CEC at the time the reporting is due. The CEC will provide all forms, formats, and guidance needed to assist in reporting on the CalSHAPE Program webpage.

B. Reporting

PUC Section 1618 states that the reduction in greenhouse gases (GHG) and energy savings attributed to a project funded by the CalSHAPE Program shall be attributed to the utility that provided those funds when determining compliance with applicable GHG or energy efficiency saving mandates. The baseline for determining reductions in emissions of greenhouse gases and energy savings from the program shall be the energy demand and emissions of GHG that would have occurred if ventilation and filtration recommendations for reopening schools were met without the assessment, adjustment, maintenance, repairs, and efficiency upgrades funded under the CalSHAPE Ventilation Program.

Energy and GHG savings are not a required element of the HVAC Assessment or Verification Report. Nonetheless, additional data or information may be requested from the grantee to allow the CEC to determine the GHG reductions and energy savings pursuant to PUC Section 1618. The LEA, contractor, or Licensed Professional, or a combination thereof, shall cooperate with CEC staff or CEC consultants in any assessment of an individual project's energy and GHG savings, including providing access to the project site and providing project and equipment information. The cost associated with any additional reporting or assessment will not be funded by a program grant.

C. Final Reporting and Invoice for Remaining Funds

After the Assessment and Maintenance Grant project has been completed, the applicant will submit a final document package to the CEC that includes:

1. HVAC Assessment Report, as specified in Chapter 2.F.
2. HVAC Verification Report as specified in Chapter 2.G.
3. Site-specific project summary detailing the use of contingency funding.
4. Final invoice and any other supporting documentation for all expended grant funds up to the original grant award amount.

5. Any reporting required to determine compliance with PUC Section 1618 as described in Section B, above, to calculate or confirm energy savings or reduction in greenhouse gas emissions resulting from the project.
6. The LEA self-certifies:
   a. It followed the program guidelines.
   b. The information included in the final document package is true and correct to the best of the LEA's knowledge.
   c. All California Environmental Quality Act (CEQA) requirements are completed.
   d. It has obtained any required DSA project approvals as applicable under California Code Regulations, Title 24.
   e. It acknowledges that the expended funds may be subject to an audit, including a financial audit.
   f. It complied with all reporting requirements.
   g. It complied with all Assessment and Maintenance Grant terms and conditions.
   h. It complied with all Skilled and Trained Workforce and other labor requirements.
   i. It complied with any applicable labor code requirements on the payment of prevailing wage.
   j. All DIR requirements for public works, including payment of prevailing wages, were followed.
   k. It commits to participate with the CEC or its delegate in the assessment of energy savings or GHG emission reductions, including providing access to project sites and project and equipment information.
   l. It acknowledges that it may be subject to a post-program site visit and measurement and evaluation study conducted by the CEC or its delegate.

D. Time Extension Requests

Grant recipients may request a one-time extension to complete final reporting. The extension will be no more than six months and will not exceed the final program reporting deadline date of June 1, 2026.

CHAPTER 5: Administration

A. Guidelines Authority

These program guidelines are adopted under Public Utilities Code Division 1, Part 1, Chapter 8.7 added by AB 841 (Chap. 372, Stats. 2020), which directs the CEC to implement the CalSHAPE Ventilation Program as part of the CalSHAPE Program. Under PUC Section 1614(b), the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) does not apply to the adoption of these guidelines.

B. Effective Date of Guidelines

These program guidelines are not effective until adopted by the CEC at a publicly noticed business meeting. The CEC will post the adopted CalSHAPE Ventilation Program Guidelines on its website: https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program. Applicants may also obtain the program Guidelines by contacting CalSHAPE@energy.ca.gov.

C. California Environmental Quality Act

The CEC must comply with CEQA (Public Resources Code section 21000 et seq.; see also California Code of Regulations Title 14, section 15000 et seq.), which generally requires public agencies to identify and consider potential environmental impacts of proposed projects. Applicants may be required to submit CEQA documentation as part of their application to determine CEQA compliance. Refer to Appendix A: Application and Forms for further information.

D. Division of the State Architect Review

DSA provides design and construction oversight for school districts. To ensure buildings are safe and compliant with accessibility standards, DSA must review and approve public school construction for compliance with the California Code of Regulations, Title 24, the California Building Code (CBC), when alterations or additions are made to existing buildings.

Certain equipment replacements and upgrades funded by the program might be exempt or excluded from DSA review and approval for structural safety, depending on the scope of work and estimated construction cost. To help LEAs determine the various requirements and possible exemptions, DSA provides resources and guidelines on its website at https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Plan-Review-Appointment-Process-for-School-Essential-Services-Construction-Project.

In cases where DSA review is required, DSA will verify that the original building construction was certified before it can issue approval of plans for alterations on that building. DSA regional office staff can help LEAs identify whether a particular building is suitably certified and what steps are required to achieve certification.

LEAs are advised to consider DSA requirements early in their planning for HVAC work and contact the appropriate DSA regional office with jurisdiction over the area in which the project is located.

Visit the DSA Construction Project Submittal webpage for more information regarding plan submission at Plan Review Appointment Process.

E. Enforcement

In addition to any other rights the CEC has, the CEC can take all the following actions necessary to enforce its rights and program requirements:

1. **Recovery of Overpayment**
   The CEC may direct its chief counsel to commence formal legal action against any applicant, former applicant, or recipient to recover any portion of a payment under a grant agreement that the executive director determines the applicant, former applicant, or recipient was not otherwise entitled to receive, retain (that is, advanced funds), or spend in the manner it was spent.

2. **Fraud and Misrepresentation**
   The executive director may initiate an investigation of any applicant that the executive director has reason to believe may have misstated, falsified, or misrepresented information in submitting an application, payment request, or any reporting or other information required under the program. Based on the results of the investigation, the executive director may take any action deemed appropriate, including, but not limited to, cancellation of the reservation of funds, termination of the award or award agreement, recovery of any overpayment, and, with the concurrence of the CEC, recommending the attorney general initiate an investigation and prosecution under Government Code Section 12650, et seq., or other provisions of law.

3. **Noncompliance With Agreement**
   The CEC may seek remedies for noncompliance with agreement terms, work scope, and project milestones including but not limited to stop work, termination, withholding requested payments, recovery of funds, or any other administrative or civil action.

F. Use and Disclosure of Information and Records and Confidentiality

With very few exceptions, documents submitted to the CEC or its technical consultant(s), including as part of any audit, are considered public records subject to disclosure under the California Public Records Act. The CEC or other state agencies may also use any of these documents or information for any purpose, including to determine eligibility and compliance with the CalSHAPE Program, applicable law, or a particular solicitation or guideline document; to evaluate related or relevant programs or program elements; or to prepare reports. These documents and information include but are not limited to applications for funding, the agreement itself, invoices and any documentation submitted in support of applications, all

agreement deliverables, final project report, and documents prepared for other reporting requirements, materials and documents developed as part of technology transfer.

If the CEC requires an applicant or recipient to provide copies of records that the recipient believes contain confidential/proprietary information entitled to an exemption under the California Public Records Act or protection under another law, the recipient may request that such records be designated confidential according to the CEC's regulations for confidential designation, Title 20, California Code of Regulations, Section 2505.

Applicants considering confidentiality should note that CalSHAPE funds are subject to information disclosure requirements to ensure transparency. Information concerning the identity of recipients and the grant amount is public information and will be disclosed according to the California Public Records Act. This information, as well as other public information, may also be disclosed through the CEC's website, another State of California agency website, or through other means.

The CEC can be required by law to disclose confidential information and records to other governmental entities and policing authorities for civil and criminal investigation and enforcement.

G. Substantive Changes in Guidelines

After adoption, substantive changes to the adopted program guidelines may be made with the approval of the CEC at a publicly noticed meeting with no fewer than 15 days' notice. Unless stated otherwise in the resolution approving substantive changes, such changes shall take effect upon adoption by the CEC. Substantive changes to design or requirements include but are not limited to:

1. Program eligibility.
2. Technical requirements.
3. Measurement and verification reporting.

H. Nonsubstantive Changes in Guidelines

If the program guidelines require nonsubstantive changes, including, but not limited to typographical errors, the CEC will provide a notice of the changes to the CalSHAPE list serve (school_ee_stimulus) and post the amended guidelines on the program web page.

APPENDIX A:
Application Information

This appendix describes the information that will be required in the application form. The application will be completed and submitted by the LEA using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The application form will be made available for use in developing the application package on the program webpage (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program).

Refer to Chapter 3.B for more detailed information about the application process.

Assessment and Maintenance Grant Application Form

1. Application Information
    - Applicant name
    - Type of entity/CDS Code
    - Application region
    - Address
    - Contact information
    - Utility provider(s)
2. Project Information (Table format for multiple projects in LEA's application)
    - Type of project (new or reimbursement)
    - School address
    - School size (classrooms/students)
    - Project description
3. Project Schedule
    - Estimated start date
    - Estimated completion date
4. Project Budget
5. CEQA-related information
6. Supporting Documentation
7. Self-Certifications

APPENDIX B:
HVAC Assessment Report Information

This appendix describes the information that will be required in the HVAC Assessment Report. The assessment report form will be completed by Qualified Testing Personnel and submitted using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The assessment report forms will be made available for use in on the program webpage (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program)

Refer to Chapter 2.D for more detailed information about the assessment report requirements.

1. **Overview Form (checklist)**
    - Unit/Model No./Serial No./SEER Rating/Refrigerant
    - Filtration
    - Ventilation rate
    - Ventilation system operation
    - Air distribution
    - Building pressure
    - General maintenance
    - Operational controls
    - CO_2 monitoring
    - HVAC Assessment Report
    - Energy and ventilation upgrades
2. **Filtration Form**
    - Existing filter data
    - Installation audit
    - Frame condition
    - Motor and control type
    - MERV 13 verification
3. **Ventilation Rate Form**
    - Determine minimum required outside air
    - Verify minimum required outside air
    - Increased outside air
4. **Economizer Operation Form**
    - Verify economizer operation
    - Economizer functions as designed Y/N
    - Documentation of adjustments and repairs required

5. **Demand Control Ventilation Operation Form**
    - Verify DCV operation
    - Verify DCV function at setpoint of 800 ppm
    - Document adjustments or repairs required
6. **Air Distribution and Building Pressure Form**
    - Supply outlets measurement
    - Return inlets measurement
    - Exhaust inlets measurement
    - Measured supply air = measured outside air + measured return air determination
    - Measured supply air slightly great than measured return air determination
    - Air distribution notes
    - Document repairs and adjustments required
7. **General Maintenance Form**
    - Verify coil condition
    - Verify condensate drainage
    - Measure and document temperature differential
    - Verify condition of drive assembly
    - Document deficiencies
    - Document required repairs and adjustments
8. **Operational Controls Form**
    - Review control sequences – verify systems will maintain intended conditions during operation
    - Ventilation schedule operation
    - Document deficiencies and recommendations for maintenance, replacement or upgrades.
9. **CO_2 Monitoring Form**
    - Verify installation or install a CO_2 monitor
    - Verify and document CO_2 monitor meets required capabilities
10. **Limited or No Existing Mechanical Form**
    - Verify existing HVAC infrastructure
    - Collect information on the building and potential locations for the installation of mechanical ventilation

APPENDIX C:
Table 120.1-A

Appendix for reference purposes only.

Table 120.1-A – Minimum Ventilation Rates

Occupancy Category	Area Outdoor Air Rate1 Ra	Min Air Rate for DCV2	Air Class	Notes
		fm/ft2	cfm/ft2	
Educational Facilities				
Daycare (through age 4)	0.21	0.15	2	
Daycare sickroom	0.15	3		
Classrooms (ages 5-8)	0.38	0.15	1	
Classrooms (age 9-18)	0.38	0.15	1	
Lecture/postsecondary classroom	0.38	0.15	1	F
Lecture hall (fixed seats)	-	0.15	1	F
Art classroom	0.15	2		
Science laboratories	0.15	2		
University/college laboratories	0.15	2		
Wood/metal shop	0.15	2		
Computer lab	0.15	1		
Media center	0.15	1	A	
Music/theater/dance	1.07	0.15	1	F
Multiuse assembly	0.50	0.15	1	F
Food and Beverage Service				
Restaurant dining rooms	0.50	0.15	2	
Cafeteria/fast-food dining	0.50	0.15	2	
Bars, cocktail lounges	0.50	0.20	2	
Kitchen (cooking)	0.15	2		
General				
Break rooms	0.50	0.15	1	F
Coffee Stations	0.50	0.15	1	F
Conference/meeting	0.50	0.15	1	F
Corridors	0.15	1	F	
Occupiable storage rooms for liquids or gels	0.15	2	B	

Hotels, Motels, Resorts, Dormitories				
Bedroom/living room	0.15	1	F	
Barracks sleeping areas	0.15	1	F	
Laundry rooms, central	0.15	2		
Laundry rooms within dwelling units	0.15	1		
Lobbies/pre-function	0.50	0.15	1	F
Multipurpose assembly	0.50	1	F	

APPENDIX D:
Additional References

Assembly Bill No. 841 Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program. (2019-2020) (Ting)
http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB841

Exhibit D

DOCKETED	
Docket Number:	20-RENEW-01
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TN #:	248133
Document Title:	California Schools Healthy Air, Plumbing, and Efficiency Plumbing Program Commission Guidelines, Third Edition
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CALIFORNIA
NATURAL
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AGENCY

California Energy Commission

COMMISSION GUIDELINES

California Schools Healthy Air, Plumbing, and Efficiency Plumbing Program Guidelines

Third Edition

Gavin Newsom, Governor
December 2022 | CEC-300-2022-010-CMF

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ABSTRACT

The School Noncompliant Plumbing Fixture and Appliance Program is one of the two grant programs under the School Energy Efficiency Stimulus Program, established by Assembly Bill 841 (Ting, Chapter 372, Statutes of 2020). The program authorizes funding to local educational agencies and California state agencies for the replacement of plumbing fixtures and appliances to ensure that systems meet specified ENERGY STAR® and water efficiency requirements. These guidelines provide requirements for program participation including eligible applicants and projects, application process, funding awards and distribution, as well as project documentation and reporting requirements. For the purposes of administering the program, the program is referred to as the California Schools Healthy Air, Plumbing, and Efficiency Program. The third edition of these guidelines expands the eligibility for program awards to include state agencies.

Keywords: School Energy Efficiency Stimulus, CalSHAPE, SEES, School Noncompliant Plumbing Fixture and Appliance Program, grant, energy efficiency, school, local educational agency, underserved community, plumbing, ENERGY STAR®, fixture, assessment, state agency.

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CHAPTER 1: Program Overview

A. Introduction

The School Energy Efficiency Stimulus (SEES) Program, established by Assembly Bill (AB) 841 (Ting, Chapter 372, Statutes of 2020), provides grants to local educational agencies (LEA) as defined in Table 2 to assess, maintain, adjust, repair, or upgrade heating, ventilation, and air-conditioning (HVAC) systems in schools. The SEES Program also provides grants to LEAs and California state agencies to replace noncompliant plumbing fixtures and appliances. AB 841 requires the California Energy Commission (CEC) as the program administrator to design, administer, and implement the program in collaboration with the utilities providing funding for the program. The SEES Program is comprised of the School Reopening Ventilation and Energy Efficiency Verification and Repair (SRVEVR) Program and the School Noncompliant Plumbing Fixture and Appliance (SNPFA) Program. For administering these programs, the SNPFA Program is referred to as the California Schools Healthy, Air, Plumbing, and Efficiency (CalSHAPE) Plumbing Program. The SRVEVR Program is referred to as the CalSHAPE Ventilation Program.

These guidelines describe the program design, application process, and reporting requirements for the CalSHAPE Plumbing Program. The requirements of the CalSHAPE Ventilation Program are provided in separate guidelines.

These program guidelines provide applicants with information on program structure, applicant eligibility, and program requirements. All grant applicants and recipients are required to follow all program requirements, including those outlined in Public Utilities Code (PUC) Division 1, Part 1, Chapter 8.7 (commencing with Section 1600) and as further outlined in these guidelines.

The CalSHAPE Program is established as part of each of the utilities' energy efficiency portfolios as a joint program among all the participating utilities that shall be consistent across the utility territories. The CalSHAPE Ventilation and Plumbing Programs are separate programs, and grant awards will be made specific to each program.

The CEC prioritized schools in underserved communities, as defined in Table 2 below, in the first two funding rounds of the of the CalSHAPE Plumbing Program. The second edition of the guidelines expanded eligibility to all schools located in the service territory of one of the four utilities. This third edition of these guidelines further expands the eligibility for program awards to include state agencies, as defined in Table 2. A list of versions of the CalSHAPE Plumbing Program Guidelines and a summary of the substantive changes made in each version are provided in Table 1. The CEC will continually evaluate the effectiveness of the program guidelines in achieving the purposes of AB 841 and may publish new editions to update eligibility and prioritization as needed.

Table 1: CalSHAPE Plumbing Program Guidelines Version History

Guidelines Version	Date Adopted	Summary of Substantive Changes
CalSHAPE Plumbing Program Commission Guidelines	June 9, 2021	N/A
CalSHAPE Plumbing Program Revised Commission Guidelines	August 11, 2021	• Added regional occupational centers as eligible applicants.
CalSHAPE Plumbing Program Commission Guidelines, Second Edition	June 8, 2022	• Expanded eligibility of program awards to all schools located in the service territory of one of the four utilities. • Removed the limit on sites being included only once in an application. • Clarified the documents that are acceptable for proof of ownership or complying lease. • Added an alternative form of acceptable proof for noncompliant plumbing fixtures and/or appliances. • Clarified the skilled and trained workforce requirements. • Clarified the requirements for reporting costs in contractor estimates submitted with applications. • Changed the application correction period from 10 calendar days to 15 business days. • Clarified the requirements and added the process for the reimbursement of incurred costs • Provided additional detail on the requirements for final reporting.
CalSHAPE Plumbing Program Commission Guidelines, Third Edition	December 14, 2022	• Added state agencies as eligible applicants. • Clarified the notice of funding availability process.

Source: California Energy Commission

B. Keyword/Terms

Table 2 identifies the key words or terms used in the program guidelines.

Table 2: Key Words and Terms

Word/Term	Definition
AB	Assembly Bill
CalSHAPE Plumbing Program	The CalSHAPE Plumbing Program administers the requirements of the School Noncompliant Plumbing Fixture and Appliance Program as specified in Article 4 of Chapter 8.7 (commencing with Section 1630) of Part 1 of Division 1 of the PUC.
CalSHAPE Program	California Schools Healthy Air, Plumbing, and Efficiency Program, which includes two grant programs: CalSHAPE Plumbing Program and CalSHAPE Ventilation Program.
CalSHAPE Plumbing Program Guidelines	California Schools Healthy Air, Plumbing, and Efficiency Plumbing Program Guidelines
CalSHAPE Ventilation Program	The CalSHAPE Ventilation Program administers the requirements of the School Reopening Ventilation and Energy Efficiency Verification and Repair Program as specified in Article 3 of Chapter 8.7 (commencing with Section 1620) of Part 1 of Division 1 of the PUC.
CEC	California Energy Commission
CEQA	The California Environmental Quality Act found in California Public Resources Code Section 21000 et seq., and the CEQA Guidelines, promulgated by the California Natural Resources Agency, California Code of Regulations Title 14, Section 15000 et seq. CEQA generally requires state and local government agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible.
Contractor	A person or company with the appropriate license classification, as determined by the Contractors State License Board.
DIR	California Department of Industrial Relations
LEA	Local educational agency. A school district as defined in Section 41302.5 of the Education Code, a charter school that has been granted a charter pursuant to Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code, or a regional occupational center established under Section 52301 of the Education Code that is operated by a joint powers authority and

Word/Term	Definition
	that has an active career technical education advisory committee pursuant to Section 8070 of the Education Code.
Noncompliant Appliance	Means all the following: (1) Any commercial dishwasher that was manufactured prior to January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR® Product Specification for Commercial Dishwashers, Version 1.1. (2) Any automatic commercial ice maker that was manufactured prior to January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR Product Specification for Automatic Commercial Ice Makers, Version 1.0. (3) Any commercial clothes washer that was manufactured prior to January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR Product Specification for Clothes Washers, Version 5.0.
Noncompliant Plumbing Fixtures	Has the same meanings as set forth in Section 1101.3 of the Civil Code, which is any of the following: (1) Any toilet manufactured to use more than 1.6 gallons of water per flush. (2) Any urinal manufactured to use more than one gallon of water per flush. (3) Any showerhead manufactured to have a flow capacity of more than 2.5 gallons of water per minute. (4) Any interior faucet that emits more than 2.2 gallons of water per minute.
Notice of proposed award	CEC notification to the applicant following approval of a grant application.
Notice of funding availability	A notice issued by the CEC to identify anticipated funding that will be made available in each round of CalSHAPE Program grants. The notice will provide relevant application dates and any funding restrictions applicable to that funding round.
Project	"Project" refers to all replacements of noncompliant plumbing fixtures and appliances that are funded by a Plumbing Fixture and Appliance Replacement Grant at a site.
PUC	Public Utilities Code
Plumbing Fixture and Appliance	A grant provided as part of the CalSHAPE Plumbing Program to fund the replacement of noncompliant plumbing fixtures and appliances.

Word/Term	Definition
Replacement Grants	
SEES Program	School Energy Efficiency Stimulus Program established pursuant to Section 1610 of Chapter 8.7 Article 1 of the PUC. For program administration purposes, the SEES Program will be referred to as the CalSHAPE Program.
Service territory requirement	Sites must be located in a participating utility's service territory to receive a CalSHAPE Program grant. PUC Section 1615(c) requires the CEC to ensure that moneys from each utility are used for projects located in the service territory of the utility from which the moneys are received.
Site	The physical location where the Plumbing Fixture and Appliance Replacement Grant work will be performed.
Skilled and Trained Workforce	Has the same meaning as set forth in Section 2601 of the Public Contract Code.
State agency	Any agency, board, bureau, commission, department, office, or other division of the State of California, including the University of California, California State University, and California Community Colleges and the affiliated foundations acting on their behalf.
Underserved Community	A community that meets one of the following criteria: (1) Is a "disadvantaged community" as defined by subdivision (g) of Section 75005 of the Public Resources Code. (2) Is included within the definition of "low-income communities" as defined by paragraph (2) of subdivision (d) of Section 39713 of Health and Safety Code. (3) Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental Protection Agency and based on the most recent California Communities Environmental Health Screening Tool, also known as CalEnviroScreen. (4) Is a community in which at least 75 percent of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program. (5) Is a community located on lands belonging to a federally recognized California Indian tribe.

Word/Term	Definition
Utility or Utilities	Means both of the following: (1) An electrical corporation with 250,000 or more customer accounts within the state. (2) A gas corporation with 400,000 or more customer accounts within the state. This definition includes Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SCG).
Water-Conserving Appliance	Means any of the following: (1) A commercial dishwasher that meets the criteria of the ENERGY STAR Product Specification for Commercial Dishwashers, Version 2.0, or any revision to those criteria published by the United States Environmental Protection Agency that is adopted by the CEC for the program. (2) An automatic commercial ice maker that meets the criteria of the ENERGY STAR Product Specification for Automatic Commercial Ice Makers, Version 3.0, or any revision to those criteria published by the United States Environmental Protection Agency that is adopted by the Energy Commission for the program. (3) Any commercial clothes washer that meets the criteria of the ENERGY STAR Product Specification for Clothes Washers, Version 8.0, or any revision to those criteria published by the United States Environmental Protection Agency that is adopted by the Energy Commission for the program.
Water-Conserving Plumbing Fixtures	Has the same meanings as set forth in Section 1101.3 of the Civil Code, which is any fixture that complies with current building standards applicable to a newly constructed real property of the same type.

Source: California Energy Commission

C. Budget

Funding for the CalSHAPE Program comes from the energy efficiency budgets of California's large electric and gas investor-owned utilities. Specifically, these utilities include electrical corporations with 250,000 or more customer accounts within the state and gas corporations with 400,000 or more customer accounts within the state, as determined by the California Public Utilities Commission (CPUC). These utilities are Pacific Gas and Electric Company

(PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SCG).

The program will accumulate funding in 2021, 2022, and 2023. The annual funding for the program is derived from a combination of current year available funds and prior year unspent and uncommitted energy efficiency funds as described in PUC Section 1615(a). Each year, from 2021 to 2023, it is expected that the utilities will be required to prepare a joint advice letter detailing that year's budget for CPUC approval. Funding awards must be distributed proportionally to each utility area based on program funds contributed by that utility and used for projects located in the utility's service territory. PG&E has both electric and gas service territories, and the available funding attributed to each service territory will be in accordance with the energy efficiency portfolio budget recovery electric and gas funding percentages provided by PG&E in the utilities' joint advice letter to the CPUC.

The CEC will allocate the available funding contributed by each utility using five funding categories. The funding category available to each site is determined based on the utility service territory in which the site is located. Table 3 identifies the funding categories and the associated utility service territories from which an award will be made. All projects funded by a program grant must meet the same requirements, as described by these guidelines, regardless of funding category.

The CEC will provide notices of annual budget accrual, total program funding, and available funds for each funding category at least once per year. Funds are allocated to the two grant programs per PUC Section 1616, with 75 percent to CalSHAPE Ventilation and 25 percent to CalSHAPE Plumbing.

Table 3: Utility Service Territory Funding Categories

Funding Category	Utility Service Territories
PG&E Electric	PG&E electric/PG&E gas PG&E electric/Nonparticipating utility gas PG&E electric/SCG gas
PG&E Gas	Nonparticipating utility electric/PG&E gas
SCE	SCE electric/Nonparticipating utility gas SCE electric/SCG gas
SCG	Nonparticipating utility electric/SCG gas
SDG&E	SDG&E electric/SDG&E gas SDG&E/Nonparticipating utility gas SDG&E electric/SCG gas

Source: California Energy Commission

Following PUC Section 1615(f), the CEC shall return all unused funds to each utility by December 1, 2026. To accomplish this, all projects, reporting, and reconciliation must be completed, and any unused funds returned to the CEC as described in Chapter 4. Grantees will be provided instructions for returning any unused funds to the CEC.

D. CalSHAPE Plumbing Eligibility

1. Eligible Applicants

California LEAs and state agencies are eligible applicants for grants and include:

a. A school district as defined in Section 41302.5 of the Education Code, which includes:
    1. County boards of education.
    2. County superintendents of schools.
    3. Direct elementary and secondary level instructional services provided by the state, including the Diagnostic Schools for Neurologically Handicapped Children as established under Article 1 (commencing with Section 59200) of Chapter 3 of Part 32 of the Education Code.

b. A charter school that has been granted a charter following Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code.

c. A regional occupational center established pursuant to Section 52301 of the Education Code that is operated by a joint powers authority and that has an active career technical education advisory committee pursuant to Section 8070 of the Education Code.

d. Any agency, board, bureau, commission, department, office, or other division of the State of California, including the University of California, California State University, and California Community Colleges and the affiliated foundations acting on their behalf.

Applicants may apply for funding to be used for projects at sites that are in the service territory of the utilities as defined herein. Applicants must demonstrate that each site meets service territory requirements. CEC staff will verify submitted information as needed to ensure compliance with the service territory requirements.

Authorized third parties may complete applications on behalf of applicants but may not sign or enter into agreements on behalf of applicants. A letter of authorization from the applicant, specifying any authority or responsibility delegated to the third party, is required as part of the application package. No funding will be provided for the costs of completing an application for funding or for third-party consultant fees for application or project-related work.

2. Utility Service Territories and Application Tiers

PUC Section 1615(c) states that CEC shall ensure that moneys from each utility are used for projects within the service territory from which the money is received; for example, the funds collected from PG&E will be distributed in PG&E territory.

For implementing the program, CEC has established an approach based on the method employed for the CEC's Energy Conservation Assistance Act — Education Subaccount (ECAA-Ed) Competitive Loan Program to ensure that program funds are available to a range of LEAs within each utility service territory. LEAs in each utility service territory funding category are divided into three tiers based on LEA student enrollment. The LEA student enrollment criteria for each tier is detailed in Table 4.

Table 4: LEA Tier by Enrollment Numbers

Tier	Number of Students
1	Fewer than 1,000
2	Between 1,000 and 5,000
3	More than 5,000

Source: California Energy Commission

LEAs will be included in one or more of the application tiers as detailed in Table 5 corresponding to a utility service territory funding category and the size of the LEA. State agencies will be included in tier 3 of the utility service territory funding category in which the site is located.

Table 5: Application Tiers

Tier	PG&E Electric	PG&E Gas	SCE	SDG&E	SCG
1	PG&E-E1	PG&E-G1	SCE1	SDG&E1	SCG1
2	PG&E-E2	PG&E-G2	SCE2	SDG&E2	SCG2
3	PG&E-E3	PG&E-G3	SCE3	SDG&E3	SCG3

Source: California Energy Commission

3. Allocation of Funds Method

To allocate program funds for each program year, CEC will calculate the available funds by tiers presented in Table 5 for each utility service territory funding category. The calculation will be based on the final budget for each utility as approved by the CPUC for each program year as described in PUC Section 1615(a)(1).

CEC will allocate funds by application tier for each utility service territory funding category using the percentages shown in Table 6.

Table 6: Available Funds by Application Tier

Tier	PG&E Electric	PG&E Gas	SCE	SDG&E	SCG
1	PG&E-E1: 10%	PG&E-G1: 10%	SCE1: 10%	SDG&E1: 10%	SCG1: 10%
2	PG&E-E2: 10%	PG&E-G2: 10%	SCE2: 10%	SDG&E2: 10%	SCG2: 10%
3	PG&E-E3: 80%	PG&E-G3: 80%	SCE3: 80%	SDG&E3: 80%	SCG3: 80%

Source: California Energy Commission

CEC will provide the amount of funds available for each utility's service territory and the funds available in each application tier in the notice of funding availability as described in Chapter 3, which will be issued for each funding round.

4. Funds Not Used in an Application Tier

If all funding originally allocated to a particular application tier is not disbursed at the conclusion of the applicable funding round, undisbursed funds may be reallocated to one or more other application tiers, or reserved for a future funding round depending on current and projected applicant demand. Consistent with PUC Section 1615(c), funds cannot be reallocated to fund projects from one utility service territory to another.

5. Eligible Sites

Beginning with the start of Funding Round Three, unless otherwise restricted in the notice of funding availability, all sites that meet the requirements for eligible sites in this section and are in the service territory of at least one of the utilities, as provided in Section C, are eligible for a Plumbing Fixture and Appliance Replacement Grant award.

LEAs and state agencies may apply for grants to conduct activities at:

a. A site owned by the LEA or state agency.
b. A publicly owned site, such as a site owned by a school district or other public entity, whether the LEA or state agency has a lease with that entity.
c. A privately owned site for which there is a lease with a term that exceeds the program duration, ending after December 1, 2026.

Applicants must provide proof of ownership or complying leases. Information on the documentation that may be provided as proof of ownership or complying lease is provided in Chapter 3.B. Charter schools will be required to submit a certificate of good standing with the application package.

Sites that are located within the service territory of a community choice aggregator (CCA) or local publicly owned electric utility (POU) are not prohibited from participating in the program. Sites located within a CCA or POU may be eligible for funding based on the

appropriate utility service territory funding category as described in Section C and Table 3.

The CEC reserves the right to limit eligibility to achieve statutory and other goals. The CEC will provide notification of any site eligibility changes or limitations in a funding round in the notice of funding availability or any updates to it.

6. Number of Applications

Applicants may submit up to three applications for program funds in each funding round. There is no restriction on how many sites an applicant can include in a single application. A site can be included only once in an application in each funding round. A site may be included more than once in applications that are submitted in different funding rounds provided each application is for the replacement of different noncompliant plumbing fixtures and appliances at the site.

7. Relationship to CalSHAPE Ventilation Applications and Awards

CalSHAPE Ventilation and CalSHAPE Plumbing are separate programs. LEAs are required to submit individual applications to participate in either program. State agencies are not eligible applicants for the CalSHAPE Ventilation Program.

8. Multiple Sources of Funding

Participation in another program does not prevent participation in the CalSHAPE Plumbing Program. However, an LEA or state agency receiving program funding may not receive additional funds from another program that, when combined with program funding, exceed the total cost of the project. Furthermore, program funds shall be used only for distinct, eligible costs described in these guidelines that are not funded by another funding source. CEC reserves the right to review and audit all grant and funding award documents to ensure compliance with this requirement.

E. Schools in Underserved Communities

PUC Section 1612 requires the program offer funds to schools that are in an underserved community before schools that are not in an underserved community. The program defines an "underserved community" as meeting one of the following criteria:

1. Is a "disadvantaged community" as defined by Public Resources Code Section 75005(g).[1]

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1 Public Resources Code Section 75005(g) defines "disadvantaged community" as a community with a median household income less than 80 percent of the statewide average.

2. Is included within the definition of "low-income communities" as defined by Health and Safety Code Section 39713(d)(2).[2]
3. Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental Protection Agency and based on the most recent California Communities Environmental Health Screening Tool, also known as CalEnviroScreen.
4. Is a community in which at least 75 percent of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program.
5. Is a community located on lands belonging to a federally recognized California Indian tribe.

PUC Section 1612 requires that at least 25 percent of projects to be in underserved communities. To meet the statutory requirement that schools meeting one or more underserved community criteria be offered funding before other schools, CEC limited applications and awards for the first two funding rounds to schools meeting one or more of the underserved community criteria referenced in PUC Section 1601(e) and described in these guidelines.

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2 Health and Safety Code Section 39713(d)(2) defines "low-income communities" as census tracts with median household incomes at or below 80 percent of the statewide median income or with median household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted under Health and Safety Code Section 50093.

CHAPTER 2:
Project Requirements

A. Plumbing Fixture and Appliance Replacement Grants

An LEA or state agency may apply for a grant to fund the replacement of noncompliant plumbing fixtures and appliances with water-conserving plumbing fixtures and appliances.

Grant applications must specify the details of each site and provide contractor estimates for costs specific to each site. Awards will be made based on contractor's estimates. Additional details on application requirements are provided in Chapter 3.

Plumbing Fixture and Appliance Replacement Grant funds can be used only for costs directly related to the replacement of the noncompliant plumbing fixtures and appliances with water-conserving plumbing fixtures and appliances as described in this chapter. More information on ineligible costs can be found in Chapter 3.H.

B. Noncompliant Plumbing Fixtures and Appliances

1. Noncompliant Plumbing Fixtures

Plumbing fixtures exceeding the following water usage levels as set forth in Section 1101.3 of the Civil Code shall be considered noncompliant:

a. Any toilet manufactured to use more than 1.6 gallons of water per flush.
b. Any urinal manufactured to use more than one gallon of water per flush.
c. Any showerhead manufactured to have a flow capacity of more than 2.5 gallons of water per minute.
d. Any interior faucet that emits more than 2.2 gallons of water per minute.

2. Noncompliant Appliances

Noncompliant appliances meeting one of the following conditions shall be considered noncompliant:

a. Commercial dishwasher manufactured before January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR® Product Specification for Commercial Dishwashers, Version 1.1.
b. Any automatic commercial ice maker manufactured before January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR Product Specification for Automatic Commercial Ice Makers, Version 1.0.
c. Any commercial clothes washer manufactured before January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR Product Specification for Clothes Washers, Version 5.0.

C. Application

Applicants will be required to provide documentation showing the existence of noncompliant plumbing fixtures or appliances with the application for a Plumbing Fixture and Appliance Replacement Grant. The documentation must provide a description, list the respective efficiencies, and identify the noncompliant components of the plumbing fixtures and appliances that are included for replacement in the contractor estimate. This documentation will be used to determine which fixtures or appliances meet the noncompliant plumbing fixtures and appliances requirements listed in Chapter 2.B, and are therefore eligible for replacement through the program.

The documentation included with the application shall include:

1. Name and address of site and person or contractor preparing and certifying any documents.
2. Documentation of the plumbing fixture and appliance equipment model number, serial number, general condition of unit, ENERGY STAR rating, and any additional information that could be used to assess replacement options given potential for increased water usage efficiency benefits.
    a. If this information is unknown, the applicant may instead provide a written explanation and additional documentation that confirms the plumbing fixture or appliance qualifies as a noncompliant plumbing fixture or appliance. The documentation may include the following:
        1. A picture or video confirming the Energy Star rating or flow rate.
        2. A written letter stating the date the plumbing fixture or appliance was installed or general information on its approximate age.
3. The contractor-verified cost estimate for the replacement of all noncompliant plumbing fixtures and appliances included in the application.

D. Documentation of Completed Work

Upon completion of all work funded by a grant, the applicant must document the noncompliant plumbing fixture and appliance replacement at each site included in the grant. The documentation of completed work must include:

1. Name and address of site and person or contractor preparing and certifying information.
2. Description of noncompliant plumbing fixtures and appliances.
3. Verification that the applicant has installed water-conserving plumbing fixtures and appliances, as defined in Table 2. This verification must include the minimum water efficiencies for plumbing fixtures and minimum ENERGY STAR ratings for plumbing appliances.
4. The new water-use efficiencies for each of the replaced plumbing fixtures and appliances.

5. Verification that all work was performed by qualified personnel, including the provision of the contractor's name and license, and verification that all construction work has been performed by a skilled and trained workforce.

The respective ENERGY STAR databases can be found at the following locations:

1. ENERGY STAR Requirements for Dishwashers:
   Energy Star Commercial Dishwasher Requirement 1.1
2. Energy Star Requirements for Commercial Ice Makers:
   Energy Star Requirements for Automatic Commercial Ice Makers 1.0
3. ENERGY STAR Requirements for Commercial Clothes Washers:
   Energy Star Requirement for Commercial Clothes Washers Version 5.0

E. Skilled and Trained Workforce Requirement

All construction work completed as a part of the Plumbing Fixture and Appliance Replacement Grant must be performed by a skilled and trained workforce, which has the same meaning as in Section 2601 of the Public Contract Code. LEAs and state agencies may use in-house staff to complete the work if the staff meets all skilled and trained workforce requirements.

F. Proper Disposal/Recycling Requirements

Grant recipients shall dispose or recycle all noncompliant plumbing fixtures, noncompliant appliances, or both in compliance with all local ordinances, standards, and requirements. Noncompliant plumbing fixtures and appliances are to be removed from service as part of this program and are not to be resold or reinstalled.

G. Grant Budget

The budget for each grant award will be equal to the sum of approved individual site budgets for all sites included in the grant application. Each site budget will be equal to the amount of the contractor estimate for eligible work to be completed at that site. CEC program staff will determine the approved site budget based on program requirements, including eligible cost requirements in these guidelines and SEES Program statutes. No additional funding will be awarded for costs that exceed the approved site budgets.

H. Payment of Prevailing Wage

The LEA or state agency shall ensure, to the extent applicable, the budget considers the payment of prevailing wages. These grants may be subject to public works requirements (Labor Code Section 1720 et seq.), a requirement of which is to pay prevailing wages. Applicants are responsible for complying with all applicable laws, which can include public works requirements.

Only the California Department of Industrial Relations (DIR) and courts of competent jurisdiction may issue legally binding determinations that a project is or is not a public works project. Applicants shall assume their projects are public works unless they obtain a

determination to the contrary from DIR or an appropriate court. As such processes can be time-consuming, please plan accordingly given the application deadline. Without such a determination, applicants shall explain how they have included appropriate budgets for prevailing wages.

I. Project Term

For each Plumbing Fixture and Appliance Replacement Grant project, the grantee will have up to 24 months to complete all work and submit the final documentation described in Chapter 4.

CHAPTER 3:
Grant Applications and Awards

This chapter provides information for participation in the initial phase of program awards including the application process, required application forms and supporting documentation, a description of the process used by the CEC to approve applications and determine grant awards, payment of funds, and project and reporting requirements.

The funding award amounts will be made based on a contractor's site-specific estimate for eligible work.

The CEC will issue a notice of funding availability identifying the anticipated funding to be made available in each round of grants. The notice of funding availability will identify any relevant application dates including the first and last date applications can be submitted and any funding restrictions applicable to that round of funding. When issuing a notice of funding availability, CEC reserves the right to limit eligibility, or include a priority application period or other funding restrictions, to achieve the program's statutory or other goals. Dates, eligibility, and other details may be adjusted by the CEC through the issuance of a notice updating information.

A. Application Process

The application process has been designed to simplify the submission of an initial application. CEC will also provide an option for the applicant to receive reimbursement of incurred costs up to 50 percent of the total grant award after the CEC has accepted the application, countersigned the grant agreement, and reserved funds for use based on the costs in the submitted contractor estimate.

The application and award process generally follows the following steps.

1. The CEC issues a notice of funding availability with details of the total funding available, start and end dates for application acceptance, and the breakdown of funds by funding category and by tiers, as described in these guidelines.
2. LEAs and state agencies submit grant applications electronically as required in the notice of funding availability.
3. The CEC will begin to review applications in the order that complete applications are received.
    a. CEC staff will accept and review all applications submitted by the posted deadline.
    b. At any time, should the CEC determine that all funds in a single funding category or tier or both have been reserved, the CEC may provide public notification of that determination but will continue to accept applications and identify projects that may be funded should additional funding become available.

4. The CEC will grant funding awards for complete applications, at which time funds will be reserved for the applicant for approved projects.
5. Incomplete applications and applications deemed not to have met the application requirements (collectively referred to as "noncompliant" applications) will not be considered.
    a. The CEC will notify an applicant if its application is noncompliant, and the applicant may reapply during the open application period. Depending on the volume and timing of applications received, the CEC may not always be able to review and notify applicants of noncompliant applications during the open application period. Accordingly, applicants are encouraged to apply as early in the process as possible.
6. The CEC will issue a notice of proposed award to an applicant with a complete application. The applicant will be required to submit the additional required documents and complete and sign a grant agreement to reserve the grant award funding.
7. Once the CEC accepts the applicant's final application documents, it will countersign the grant agreement and reserve funds for the applicant based on the costs in the submitted contractor estimate.
8. The applicant may thereafter request reimbursement for incurred costs of up to 50 percent of the total grant award. Any incurred costs greater than 50 percent of the total grant award will be included in the final invoice. For these guidelines, the term "incurred costs" is defined as an eligible expense for which the recipient has become liable (legally obligated) to pay.
9. All planned projects will also receive additional guidance on project completion, reporting, and invoice submittal.
10. All projects must adhere to the requirements provided in these guidelines and must use all required forms to receive a grant award and funding.

B. Application Package

Eligible applicants must submit a complete application package for a Plumbing Fixture and Appliance Replacement Grant using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The application package may include the following in the required form or formats. The information required in the application form is listed in Appendix A of these guidelines, and all forms will be made available for use in developing the application package on the program web page (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program).

1. Applicant Details (Plumbing-1): Applicant information including official name, address, responsible parties, contact information, description of applicant territory, and sites.
2. Overall Grant Request Summary (Plumbing-2): Grant site and budget summary page and status of all site-specific work, including start date and projected end date.

3. Site-Specific Details (Plumbing-3): Detailed information identifying all sites to be addressed by the grant, general site information, identification of the number and type of noncompliant plumbing fixtures and appliances on site, project completion status, total site-specific estimate for replacement project.
4. The applicant self-certifies:
   a. It will follow the program guidelines.
   b. The information included in the application package is true and correct to the best of the applicant's knowledge.
   c. It will comply with applicable standards and requirements and obtain any required project plan review, approval, or building permits.
   d. It acknowledges that the expended funds may be subject to audit, including a financial audit.
   e. It will comply with all reporting requirements.
   f. It will comply with all Plumbing Fixture and Appliance Replacement Grant terms and conditions.
   g. All noncompliant plumbing fixtures and appliances will be disposed of or recycled in compliance with its own policies or other applicable state and local end-of-life management and recycling requirements.
   h. It will comply with all skilled and trained workforce requirements.
   i. All applicable DIR and Labor Code requirements on public works, including the payment of prevailing wage, will be followed.
   j. It acknowledges that it may be subject to a post program site visit and measurement and evaluation study conducted by the CEC or its delegate.
5. Supporting documentation:
   a. Site-specific contractor estimate supporting each site-specific amount requested.
      1. To be deemed complete, a contractor estimate must be itemized and include all required details.
   b. Certificate of Good Standing for Charter School Applicants.
   c. Letter of authorization for third-party applicants.
   d. Acceptable documentation for proof of ownership or complying lease includes:
      1. For sites owned by the applicant, a letter signed by an official or authorized staff with a list of the sites and an attestation that the sites are owned by the applicant.
      2. For sites owned by a charter school, a copy of the property deed, county records, or other official public document that confirms the charter school's ownership of the site.
      3. For leased sites, a copy of the lease with a term that exceeds the program duration, ending after December 1, 2026. If the lease term does not end after

December 1, 2026, the applicant may submit a letter of intent signed by the site owner with a statement that the owner intends to renew the lease with the applicant for a term that ends after December 1, 2026.

C. Contractor Estimates

The amount requested in the application package may only be for reasonable costs of the replacement of noncompliant plumbing fixtures and appliances, as described in Chapter 2.

The contractor estimate must include a detailed site-specific budget, timeline, and a clear and accurate description of the work that will be provided. The site-specific budget needs to show cost estimates for the replacement of each plumbing fixture or appliance unit, which includes the materials and labor costs.

The applicant will be required to submit the original contractor estimate as part of the application package to demonstrate that all costs are reasonable for the work to be completed. The contractor estimate must include supporting documentation demonstrating that the scope of work is consistent with the requirements of these guidelines, as listed in Chapter 2.

Ineligible costs, as described in Chapter 3.I, cannot be included as part of the contractor estimate. Additional information consistent with these guidelines may be required from applicants to complete the grant agreement after notification of the grant award.

The CEC does not have authority to authorize applicants to use a particular procurement method for use of these funds. Applicants will have to rely on their own existing authority and shall comply with applicable law.

D. Application Review

Applications will be accepted only electronically through the CEC's electronic submission system, and all applications submitted will be identified by the date and time received. Any applications received after the noticed deadline will not be accepted, and a notice of rejection will be sent to the applicant. Any application forms or links and deadlines shall be described in the notice of funding availability. The CEC will not accept applications via email or fax. Applications must use the CEC's electronic submission system.

The CEC will review each submitted application package to ensure all the required information has been provided. An application with minor errors or inconsistencies that do not affect the completeness of the package may still be considered for funding. If an applicant or the CEC discovers any minor errors or inconsistencies, the applicant will be given 15 business days excluding state and federal holidays or until the application deadline, whichever occurs first, to resubmit the application to resolve the errors or inconsistencies. If the application is resubmitted, but there are remaining or additional errors or inconsistencies discovered in the application, the applicant will be given an additional 15 business days excluding state and federal holidays or until the application deadline, whichever occurs first, to resubmit the application to resolve the errors or inconsistencies. If the applicant does not resubmit the application in the allowed time frame, the application will be rejected.

If an application is rejected during the open application period, the applicant may revise and resubmit the application during the open application period. Depending on the volume and timing of applications received, the CEC may not always be able to review and notify applicants of errors during the open application period. If the applicant does resolve the errors or inconsistencies before the application deadline, the application will be approved or not be approved accordingly following to program requirements.

CEC staff will rank all approved applications by the date and time the final approved application was received. Grant applications will be processed until all available funds within each funding category and tier are awarded. Any approved grant applications received that exceed the amount of funds available in the current round of funding for the funding category and application tier will be placed in order of date and time received on a priority list for funding when funds become available.

E. Notice of Proposed Award and Execution of Grant Agreement

Following approval of an application, CEC staff will send a notice of proposed award to the successful grantee and request the following additional information to complete the grant agreement, consistent with these guidelines:

1. Payee Data Record (STD-204): Required for grant award payment.
2. An authorizing document from the governing body, such as a resolution authorizing acceptance of the award and entering award agreement.
3. A signed grant agreement indicating that the grantee has read and accepted the terms and conditions.

Failure to agree to the terms and conditions by taking actions such as failing to sign the grant agreement or indicating that acceptance is based on modification of the terms will result in rejection of the application. The CEC reserves the right to modify the terms and conditions prior to executing the grant agreement.

At the time the grant agreement is fully executed by the CEC, the grant award funding will be reserved for the grantee.

F. Payment of Grant Funds

The CEC expects to receive funding for the program from participating utilities quarterly. Payment to grantees depends on CEC receipt of funding.

The CEC will issue an email notice to approved grant applicants identifying the amount of the award. As noted above, the grantee will be awarded the amount requested, which must equal the total of each site-specific budget.

G. Timing of Payment

After the grant agreement is fully executed and the CEC has reserved funds for the project, the grantee may request, and the CEC may approve payment of, reimbursement of the grantee's incurred costs of up to 50 percent of the total grant award for all sites included in

the grant agreement. Payment will be issued by the State Controller's Office (SCO). SCO expects to be able to issue payments within four weeks once all required documentation is reviewed and approved by the CEC.

A grantee may submit up to four requests for reimbursement of incurred costs for each grant agreement at any time during the project term. A grantee may only submit one request per month and that request may include any number of sites. The aggregate amount of all requests for reimbursement of incurred costs may not exceed 50 percent of the total grant award, which may be identified as the "initial payment" amount in Exhibit B of grant agreements.

The remaining grant funds will be provided upon receipt and review of all final required documentation. If the grantee does not complete all the project requirements, all grant award funding shall be promptly returned to the CEC.

CEC staff will issue payment for the final invoice once and only when all final reporting is submitted and approved by CEC staff.

H. Reimbursement of Incurred Costs

Incurred costs eligible for reimbursement are costs for which the recipient has become legally obligated to pay and that comply with the terms of an executed grant agreement for a Plumbing Fixture and Appliance Replacement Grant. Grantees will receive a notification after the execution of the grant agreement with specific information on the process to request reimbursement of incurred costs.

Grantees are required to provide proof of incurred costs with any request for reimbursement. The documentation must demonstrate that the costs are eligible for reimbursement, as described in these guidelines, are consistent with the grant agreement and terms and conditions, and qualify as incurred costs, as defined in Section A.

Documentation of incurred costs must provide site-specific information and be itemized to show both the material and labor costs for each plumbing fixture and appliance replacement listed in the grant agreement for which costs have been incurred. In addition, documentation of incurred costs must establish that all work performed complies with any applicable skilled and trained workforce and other labor requirements.

I. Ineligible Costs

Only direct costs and work performed in accordance with the terms of the grant agreement will be eligible for reimbursement. Costs not related to the replacement of the noncompliant plumbing fixtures and appliances, as defined in Chapter 2.B, are not eligible expenses.

Costs that are not reimbursable with grant funding include, but are not limited to:

1. Costs, other than those noted above, incurred outside the terms of the grant agreement with the CEC.
2. Purchase of equipment not an integral part of the project.

3. Replacement of existing funding sources for ongoing programs.
4. Costs stemming from project plan review, approval, or permitting.
5. Consultant fees.

CHAPTER 4:
Project Completion and Reporting

A. Completion of Projects

As noted, grant recipients will have 24 months to complete all replacement work and final documentation requirements. Although the CEC may issue a reminder of the project deadline, it is the grant recipients' responsibility to monitor project completion and meet all required documentation and invoicing deadlines.

Grantees shall submit final documentation electronically using the system or process required by the CEC at the time the documentation is due. The CEC will provide all forms, formats, and guidance needed to assist in documentation on the program web page.

B. Reporting

PUC Section 1618 states that the reduction in greenhouse gases (GHG) and energy savings attributed to a project funded by the CalSHAPE Program shall be attributed to the utility that provided those funds.

Energy and GHG savings are not a required element of the final documentation reporting on grant projects. Nonetheless, additional data or information may be requested from the grantee to allow the CEC to determine the GHG reductions and energy savings under PUC Section 1618. The grantee, contractor, licensed professional, or a combination thereof, shall cooperate with CEC staff or CEC consultants in any assessment of the energy and GHG savings of a project, including providing access to the project site and providing project and equipment information. The cost associated with any additional reporting or assessment will not be funded by a program grant.

C. Final Documentation and Invoice for Remaining Funds

After the project has been completed, the grantee will submit a final document package to the CEC that includes:

1. Detailed noncompliant plumbing fixture and appliance documentation, as specified in Chapter 2.C.
2. Documentation of installed plumbing fixtures and appliances, as specified in Chapter 2.D.
3. Final invoice(s) for all expended grant funds up to the original grant award amount for each site. The invoices must provide site specific information and be itemized to show both the material and labor costs for each plumbing fixture and appliance replacement listed in the grant agreement.

4. Additional reporting detail as required to calculate or confirm water-usage savings, energy-usage savings, or reduction in greenhouse gas emissions resulting from the project.
5. The grantee self-certifies:
   a. It followed the program guidelines.
   b. The information included in the final document package is true and correct to the best of the grantee's knowledge.
   c. All California Environmental Quality Act (CEQA) requirements are completed.
   d. It has complied with applicable standards and requirements and obtained any required project plan review, approval, or building permits.
   e. It acknowledges that the expended funds may be subject to an audit, including a financial audit.
   f. It complied with all reporting requirements.
   g. It complied with all Plumbing Fixture and Appliance Replacement Grant terms and conditions.
   h. All noncompliant plumbing fixtures and appliances have been disposed of or recycled in compliance with its own policies or other applicable state and local end-of-life management and recycling requirements.
   i. It complied with all skilled and trained workforce and other labor requirements.
   j. It complied with any applicable labor code requirements on the payment of prevailing wage.
   k. All DIR requirements for public works, including payment of prevailing wages, were followed.
   l. It commits to participate with the CEC or its delegate in the assessment of energy savings or GHG emission reductions, including providing access to project sites and project and equipment information.
   m. It acknowledges that it may be subject to a post program site visit and measurement and evaluation study conducted by the CEC or its delegate.

D. Time Extension Requests

Grant recipients may request one-time extension to complete final reporting. The extension will be no more than six months and will not exceed the final program reporting deadline date of June 1, 2026.

CHAPTER 5: Administration

A. Guidelines Authority

This program guidelines are adopted under Public Utilities Code Division 1, Part 1, Chapter 8.7 added by AB 841 (Ting, Chapter 372, Statutes of 2020), which directs the CEC to implement the CalSHAPE Plumbing Program as part of the CalSHAPE Program. Under PUC Section 1614(b), the Administrative Procedure Act (Chapter 3.5 [commencing with Section 11340] of Part 1 of Division 3 of Title 2 of the Government Code) does not apply to the adoption these guidelines.

B. Effective Date of Guidelines

These program guidelines are not effective until adopted by the CEC at a publicly noticed business meeting. The CEC will post the adopted CalSHAPE Plumbing Program Guidelines, Third Edition, on its website: https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program. Applicants may also obtain the program guidelines by contacting CalSHAPE@energy.ca.gov.

C. California Environmental Quality Act

The CEC must comply with CEQA (Public Resources Code section 21000 et seq.; see also California Code of Regulations Title 14, Section 15000 et seq.), which generally requires public agencies to identify and consider potential environmental impacts of proposed projects. Applicants will be required to submit CEQA documentation as part of their application to determine CEQA compliance. Refer to Appendix A: Application and Forms for further information.

D. Project Review and Approval

Certain equipment replacements and upgrades funded by the program may require project plan review, approval, and permitting to ensure buildings are safe and compliant with accessibility and other building standards.

Applicants are advised to consider these requirements early in their planning for plumbing fixture and appliance replacements and to contact the appropriate agency with jurisdiction to determine any applicable requirements or possible exemptions. The Division of the State Architect (DSA) and Real Estate Services Division (RESD) have information and resources available at:

1. DSA's Project Submittal Planning page (https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Plan-Review-Appointment-Process-for-School-Essential-Services-Construction-Project).

2. RESD's Construction Inspection and Management Branch page (https://www.dgs.ca.gov/RESD/About/Construction-Inspection-and-Management-Branch).

E. Enforcement

In addition to any other rights the CEC has, the CEC can take any of the following actions necessary to enforce the CEC's rights and program requirements.

1. Recovery of Overpayment

The CEC may direct its chief counsel to commence formal legal action against any applicant, former applicant, or recipient to recover any portion of a payment under a grant agreement that the executive director determines the applicant, former applicant, or recipient was not otherwise entitled to receive, retain (that is, advanced funds), or spend in the manner it was spent.

2. Fraud and Misrepresentation

The executive director may initiate an investigation of any applicant that the executive director has reason to believe may have misstated, falsified, or misrepresented information in submitting an application, payment request, or any reporting or other information required under the program. Based on the results of the investigation, the executive director may take any action deemed appropriate, including, but not limited to, cancellation of the reservation of funds, termination of the award or award agreement, recovery of any overpayment, and, with the concurrence of the CEC, recommending the Attorney General initiate an investigation and prosecution under Government Code Section 12650, et seq., or other provisions of law.

3. Noncompliance With Agreement

The CEC may seek remedies for noncompliance with agreement terms, work scope, and project milestones, including, but not limited to, stop work, termination, withholding requested payments, recovery of funds, or any other administrative or civil action.

F. Use and Disclosure of Information and Records and Confidentiality

With very few exceptions, all project documents submitted to the CEC or its technical consultant(s), including as part of any audit, are considered public records subject to disclosure under the California Public Records Act. The CEC or other state agencies may also use any of these documents or information for any purpose, including to determine eligibility and compliance with the CalSHAPE Program, applicable law, or a particular solicitation or guideline document; evaluate related or relevant programs or program elements; or prepare reports. These documents and information include, but are not limited to, applications for funding, the agreement itself, invoices and any documentation submitted in support of applications, all agreement deliverables, final project report, and documents prepared for

other reporting requirements, materials and documents developed as part of technology transfer activities.

If the CEC requires an applicant or recipient to provide copies of records that the recipient believes contain confidential/proprietary information entitled to protection under the California Public Records Act or other law, the recipient may request that such records be designated confidential according to the CEC's regulations for confidential designation, Title 20, California Code of Regulations, Section 2505.

Applicants considering confidentiality should note that CalSHAPE funds are subject to information disclosure requirements to ensure transparency. Information concerning the identity of recipients and the grant amount is public information and will be disclosed according to the California Public Records Act. This information, as well as other public information, may also be disclosed through the CEC's website, another State of California agency website, or through other means.

The CEC can disclose confidential information and records to other governmental entities and policing authorities for civil and criminal investigation and enforcement.

G. Substantive Changes in Guidelines

After adoption, substantive changes to the adopted program guidelines may be made with the approval of the CEC at a publicly noticed meeting with no fewer than 15 days public notice. Unless stated otherwise in the resolution approving substantive changes, such changes shall take effect upon adoption by the CEC and shall apply to all CalSHAPE Plumbing Program applicants and applications, and existing grant agreements and projects. Substantive changes to design or requirements include, but are not limited to, program eligibility.

H. Nonsubstantive Changes in Guidelines

If the program guidelines require nonsubstantive changes, the CEC will provide a notice of the changes to the CalSHAPE list serve (school_ee_stimulus) and post the amended guidelines on the program web page.

APPENDIX A: Application Forms

This appendix describes the information that may be required in the application form. The Plumbing Fixture and Appliance Replacement Grant Application form will be completed and submitted by the applicant using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The application form will be made publicly available for use in developing the application package on the program web page (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program)

Plumbing Fixture and Appliance Replacement Grant Application Form

- Application Information
  - Applicant name
  - Type of Entity/CDS Code
  - Application Region
  - Address
  - Contact information
  - Utility Provider(s)
- Project Information (Table format for multiple projects in an application)
  - Type of project
  - Site address
  - Site size (classrooms/students)
  - Project description
- Project Schedule
  - Estimated start date
  - Estimated completion date
- Project Budget
- CEQA-related information
- Application Documents
- Self-Certifications

APPENDIX B:
Plumbing Application and Documentation Forms

This appendix describes the information that will be required in the application and final document package. The Plumbing Fixture and Appliance Replacement Grant Application and final document package will be completed and submitted by the applicant using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The documentation forms will be made publicly available for use in developing the application and final document package on the program web page (https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program).

- **Documentation Form for Appliances (checklist)**
  - Unit/Model No./Serial No./ENERGY STAR Rating/Other Information as described in Chapter 2.B
  - Cost to replace
  - Cost to dispose of old equipment
  - Labor cost
- **Documentation Form for Fixtures (checklist)**
  - Unit/Model No./Serial No./Water Usage/Other Information as described in Chapter 2.B
  - Cost to replace
  - Cost to dispose of old equipment
  - Labor cost
- **Documentation of Completed Work Form for Appliances**
  - New Unit/Model No./Serial No./ENERGY STAR Rating
  - Completed invoice
- **Documentation of Completed Work Form for Fixtures**
  - New Unit/Model No./Serial No./Water Usage
  - Completed invoice

APPENDIX C:
Additional References

Assembly Bill No. 841 Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program. (2019-2020) (Ting)

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB841