



New Jersey Housing and Mortgage Finance Agency
Requirements and Documentation
for Low-Income Housing Tax Credit Green Point

2010 Green Point Guidance

The following document goes through the requirements for each of the Green Point options provided within the Low Income Housing Tax Credit Program's Qualified Allocation Plan – found at:

**SUBCHAPTER 33. LOW INCOME HOUSING TAX CREDIT QUALIFIED
ALLOCATION PLAN
5:80-33.15 (a) 13.**

9% LIHTC GREEN POINT OPTIONS

Green Future – Page 2
Solar PV - Page 7
LEED - Page 11
Microload - Page 14

ENERGY STAR

4% & 9% LIHTC ENERGY STAR Letter of Intent – Page 17

IMPORTANT NOTE:

Per legislation signed on 1/17/2010 all Board of Public Utilities funding triggers a Prevailing Wage requirement. See Appendix A (*page 18*) for the NJ Attorney General's guidance on this ruling.

FOR MORE INFORMATION & TO APPLY FOR THE GREEN POINT:

Mary Sheehy
Green Homes Administrator
NJ Housing and Mortgage Finance Agency
msheehy@njhmf.state.nj.us
Phone: 609.278.7408
Fax: 609.278.1754

Gabriel Nathanson
Green Homes Coordinator
NJ Housing and Mortgage Finance Agency
gnathanson@njhmf.state.nj.us
Phone: 609.278.7370
Fax: 609.278.1754

For U.S. Post Office:
P.O. Box 18550
Trenton, NJ 08650-2085

For Fed Ex, UPS, Visitors, etc:
637 S. Clinton Ave.
Trenton, NJ 08611



New Jersey Housing and Mortgage Finance Agency
Green Future
Requirements and Documentation
for Low-Income Housing Tax Credit Green Point

2010 QAP

IMPORTANT NOTES:

- The “Green Future Checklist – for LIHTC” must be approved by NJHMFA prior to signing loan or grant agreements! Final checklist will be attached to loan and grant agreements and will be considered a contractual obligation.
- NJHMFA must receive and approve the ENERGY STAR Builder Upgrade Packet for the project, including equipment-sizing calculations, prior to construction.
- Changes and Substitutions to the Requirements in the ”Green Future Checklist – for LIHTC” due to extenuating circumstances must be submitted in writing to the Green Homes Office. Changes must have approval prior to implementation.
- NJHMFA does not provide additional, set-aside funding for Green Items covered by this program.

SUBMIT ALL REQUIRED DOCUMENTATION AFTER A TAX CREDIT ALLOCATION TO:

Please send all required documents to:

Pam DeLosSantos, AIA
NJ Housing and Mortgage Finance Agency
Technical Services – Green Technical Advisor
PDeLossantos@njhmfa.state.nj.us
Phone: 609.278.7627
Fax: 609.278.0207

Except for Homeownership projects, send to:

Bob Bonsignore
NJ Housing and Mortgage Finance Agency
Technical Services – Single-Family
Robert.Bonsignore@njhmfa.state.nj.us
Phone: 609.278.7593
Fax: 609.278.1720

For U.S. Post Office:
P.O. Box 18550
Trenton, NJ 08650-2085

For Fed Ex, UPS, Visitors, etc:
637 S. Clinton Ave.
Trenton, NJ 08611

WHAT TO SUBMIT WITH LIHTC APPLICATION

- Completed and Signed ‘Green Future Letter of Intent – for LIHTC’

WHAT TO SUBMIT PRIOR TO START OF CONSTRUCTION

Mail hard copies of the following to the Green Technical Advisor:

- 95% Complete set of Plans and Specifications
- All submittal requirements as indicated in the ‘Green Future Submittal Checklist’
 - in a tabbed binder with the approved ‘Green Future Checklist – for LIHTC’ in front
- ‘Green Future Checklist – for LIHTC’ with location of items indicated
- Complete and Signed Energy Star Builder Upgrade Packet (or equivalent)

FINAL SUBMISSION & PROJECT TIMELINE:

- a. Have an initial informational session with NJHMFA Green Homes Office and Green Technical Advisor within three (3) months of the Tax Credit Award Date – to address questions and discuss implementation.
- b. Submit the ‘Green Future Checklist – for LIHTC’ with all items as indicated in the ‘Green Future Submittal Checklist’.
- c. HMFA Green Technical Advisor reviews and approves plans.
- d. The approved and co-signed ‘Green Future Checklist – for LIHTC’ becomes part of HMFA Construction Loan Closing Documents and/or HMFA/Developer Memorandum Agreement¹
- e. Any proposed changes to green worksheet made by the developer/architect to be clearly documented in writing and approved by NJHMFA Green Homes Office and the Green Technical Advisor prior to implementation
- f. Sites will be inspected by NJHMFA Tech Services to ensure that green features have been included, as part of the regular inspection process for Tax Credit and/or loan disbursements
- g. Developer is responsible for submitting all items as indicated in the ‘Green Future Submittal Checklist’ to the NJHMFA Green Technical Advisor.
- h. Submit copies of the ENERGY STAR ‘Thermal Bypass Inspection’ and ‘Blower Door Test’ (conducted during the “Pre-drywall Inspection”); the results of the HERS / RESNET certified Home Energy Rater’s final testing and verification (conducted before certificates of occupancy are issued); and the ENERGY STAR Homes Certificate(s) issued by the EPA (or equivalent).
- i. Final approval of Green Future program completion provided by the NJ Green Homes Office
- j. Receipt of the Tax Credit Program’s Form 8609 is dependent upon successful completion of ENERGY STAR Certification, the Green Future Program, and a signed letter from the NJ Green Homes Office.

¹ The ‘Green Future Checklist – for LIHTC’ becomes part of HMFA Permanent Financing & Tax Credit Agreements and developer/ sponsor is held accountable for the complete and correct implementation of the features stated in the final Worksheet as reviewed and approved by the NJHMFA.

GREEN FUTURE LETTER OF INTENT – for LIHTC:



**New Jersey Housing and Mortgage Finance Agency
Low-Income Housing Tax Credit Green Point 2010
GREEN FUTURE**

Please include this signed document in your LIHTC application package.

By signing this document, I certify the following (“we” refers to the applicant organization):

1. We have received and reviewed the Program’s materials, consisting of the ‘2010 LIHTC Green Point Requirements’ and ‘2010 Green Future Guidelines’ word documents, which includes a list of requirements, an application timeline, the ‘Green Future Checklist – for LIHTC’, ‘Green Future Submittal Checklist’ and related informational material.
2. We understand that a meeting with the NJ Green Homes Office and Green Technical Advisor is required within three (3) months of the Tax Credit Award Date.
3. We understand that ENERGY STAR certification is a prerequisite to participation in the LIHTC program and a required item in the Green Future program. I will comply with ENERGY STAR requirements as indicated in the LIHTC QAP section (c)8 and ENERGY STAR letter of intent.
4. We understand the Program material, and more specifically I have read and understand the process and procedures set forth in the ‘2010 LIHTC Green Point Requirements’ and ‘2010 Green Future Guidelines’ word documents.
5. We understand that if our project’s application for Low-Income Housing Tax Credits is accepted, we will be required to commit to those items in the Green Worksheet that are to be integrated into the project, as well as to State mandated reporting requirements, all of which will be reflected in terms of the Grant, Loan or/and Mortgage Agreements.
6. If requested we will allow NJHMFA staff access to the project site pre, during and post construction for the purpose of but not limited to: project monitoring, performance testing, interviews, surveys and photographs.
7. We agree that project signage will include language stating the project is a ‘NJHMFA – Green Future project - Integrating Green High Performance Features’.
8. I am an authorized representative of the organization.

Signature: _____ Date: _____

Name of signer: _____

Title: _____

Project Name: _____

Organization: _____

GREEN FUTURE CHECKLIST – for LIHTC

Complete and submit for Green Future Review

To be signed once finalized by the either the MF Green Technical Advisor or the SF Technical Advisor

Green Future Checklist– for LIHTC		
Dev. Name		
Project Name		
Item #	Green Feature	Location in Plans & Specs
Siting & Land Use		
SL-1	PASSIVE SOLAR, VENTILATION & SHADING DESIGN	
SL-2a	PRESERVATION PLAN	
SL-2b	HISTORIC PRESERVATION (<i>alternative to SL-2a</i>)	
SL-3	FOLLOW STATE PLAN & SMART GROWTH PRINCIPLES	
SL-3a	PEDESTRIAN PATHS & BIKE TRAILS	
SL-3b	SECURE AND SAFE BIKE RACKS	
SL-3c	SAFE SHELTER FOR COMMUTERS	
SL-3d	ACCESS TO NEIGHBORHOOD OR PROJECT PARK	
SL-3e	ACCESS TO PUBLIC TRANSPORTATION WITH ¼ MILE	
Indoor Air Quality		
IA-1	DUCTS & HVAC PROTECTED FROM DUST	
IA-2	LOW VOC INTERIOR PAINTS & FINISHES	
IA-3	LOW VOC ADHESIVES & SEALANTS	
IA-4	DURABLE, HEALTHY FLOORING	
IA-5	MERV 8 OR HIGHER AIR FILTERS	
IA-6	COMBUSTION DEVICES	
IA-7	AUTOMATIC BATHROOM VENTILATION	
IA-8	DIRECT VENT OF KITCHEN	
IA-9	ENCAPSULATION OF NON-UF-FREE CABINETS	
IA-10	INSULATION WITH LOW FORMALDEHYDE CONTENT	
IA-11	OPERABLE WINDOWS	
IA-12	ACCESS TO DAYLIGHTING & VIEW FROM EACH BEDROOM	
IA-13	SMOKE-FREE BUILDING (<i>optional</i>)	
Building Durability & Moisture Control		
DM-1	EXTERIOR WALL DRAINAGE PLANE	
DM-2	WINDOW FLASHING DETAILS	
DM-3	GUTTER DOWNSPOUTS DISCHARGE 3' FROM FOUNDATION	
DM-4	INSTALL 30-YR FOR PITCHED & 20-YR FOR FLAT ROOF	
Energy Efficiency		
EE-1	ALL UNITS ENERGY STAR CERTIFIED	
EE-2	ENERGY STAR APPLIANCES	
EE-3	ENERGY STAR LIGHTING FIXTURES	
EE-4	WINDOWS WITH LOW-E COATING	
EE-5	INSULATION OF BASEMENT CEILING	
EE-6	DUCTWORK IN CONDITIONED SPACE	
EE-7	OCCUPANCY & DAYLIGHTING CONTROLS	
EE-8	HIGH-ENERGY FACTOR WATER HEATER	
EE-9	EASY TO USE PROGRAMMABLE THERMOSTATS	
Resource Efficiency		
RE-1	RECYCLE / SALVAGE CONSTRUCTION DEBRIS	

RE-2	RECYCLING CENTERS IN COMMON AREAS	
RE-3	RECYCLING PLAN FOR EACH UNIT	
Water Conservation		
WC-1	LOW-FLOW FIXTURES	
WC-2	HIGH-EFFICIENCY TOILETS	
WC-3	WATER EFFICIENT LANDSCAPING	
WC-4	HIGH-EFFICIENT IRRIGATION	
Operations & Maintenance		
OM-1	PROPERTY MANAGEMENT O&M MANUAL & TRAINING	
OM-2	TENANT O&M MANUAL & TRAINING	
OM-3	INTEGRATED PEST MANAGEMENT	

Acknowledgement of Green Future Checklist – for LIHTC
DEVELOPER

Signed: _____ Date: _____

Name: _____ Title: _____

Acknowledgement of Green Future Checklist – for LIHTC
ARCHITECT

Signed: _____ Date: _____

Name: _____ Title: _____

Acknowledgement of Green Future Checklist – for LIHTC
GENERAL CONTRACTOR

Signed: _____ Date: _____

Name: _____ Title: _____

Approval of Checklist Completion
FOR AGENCY USE ONLY

Signed: _____ Date: _____

Name: _____ Title: _____



New Jersey Housing and Mortgage Finance Agency
Solar Photovoltaic
Requirements and Documentation
for Low-Income Housing Tax Credit Green Point

2010 QAP

IMPORTANT NOTES:

- Please keep in mind that this document is for the Solar PV Green Point, not for any solar program promoted by the NJHMFA. For more information on solar programs available to you, contact Mary Sheehy at the NJ Green Homes Office, msheehy@njhmfa.state.nj.us.
- Changes to the minimum requirements of the solar photovoltaic green point, due to extenuating circumstances must be submitted in writing to the NJHMFA Green Homes Office. Changes must have written approval prior to implementation.

WHAT TO SUBMIT WITH TAX CREDIT APPLICATION

Attach hard copies of the following with application.

- Completed and signed Developer's Solar Affidavit
- Written proposal from Solar Installer indicating the following:
 1. Location of system – via site plan and indicated in quote (roof or stand)
 2. Size of system – indicated in quote
 3. Type of system – indicated in quote
 4. Cost of system – indicating whether expecting a solar rebate, taking the federal tax incentive, and/or any other incentives or available programs in the state.
 5. Expected energy output of system – indicated in quote
- If applicable, letter indicating participation in a solar financing program outside of Tax Credits so that the NJ Green Homes Office can assist in coordinating financing.

FINAL SUBMISSION & PROJECT TIMELINE:

- a. Prior to start of construction submit the following:
 - i) Completed and signed Solar Installer Affidavit
 - ii) Expected energy output of system compared to expected energy usage of common areas
 - iii) Final signed contract with Solar Installer including items 1-5 from Page 7

- b. If receiving NJHMFA financing:
 - i) Submit the items under a/i – iii
 - ii) Approved Green Homes Office Solar Underwriting

- c. For 8609 package and sent to Mary Sheehy:
 - i) Copy of dated utility interconnection letter
 - ii) Copies of final inspection by utility company, final local building inspector and NJ BPU – Clean Energy Program final inspection (or waiver).
 - iii) Confirmation letter from NJ Green Homes Office - that it meets the LIHTC requirements

FOR MORE INFORMATION & TO APPLY:

Please send all required documents within 'FINAL SUBMISSION & PROJECT TIMELINE' to:

Mary Sheehy
Green Homes Administrator
NJ Housing and Mortgage Finance Agency
msheehy@njhmfa.state.nj.us
Phone: 609.278.7408
Fax: 609.278.1754

For U.S. Post Office:
P.O. Box 18550
Trenton, NJ 08650-2085

For Fed Ex, UPS, Visitors, etc:
637 S. Clinton Ave.
Trenton, NJ 08611

DEVELOPER’S SOLAR AFFIDAVIT – for LIHTC:



**New Jersey Housing and Mortgage Finance Agency
Low-Income Housing Tax Credit Green Point 2010
SOLAR PHOTOVOLTAIC SYSTEM**

By signing this document, I certify the following (“we” refers to the applicant organization):

1. We have received and reviewed the '2010 LIHTC Green Point Requirements' document, which includes a list of requirements, an application timeline, forms and related informational material.
2. We understand that if our project’s application for Low-Income Housing Tax Credits is accepted and awarded, we will be required to install a Solar Photovoltaic system that covers at least 75% of the common area load and is at least 20kW in size.
3. We will submit requested documentation as outlined within the ‘2010 LIHTC Green Point Requirements’ document.
4. **We will purchase, own and maintain the solar electric power system as outlined in the agreement with our solar installer for a period of at least 20 years.**
5. We understand that ENERGY STAR certification is a prerequisite to participation in the LIHTC program. I will comply with ENERGY STAR requirements as indicated in the LIHTC QAP section (c)8 and ENERGY STAR letter of intent.
6. I am an authorized representative of the development organization, project, and ownership entity.

Signature: _____ Date: _____

Name of signer: _____

Title: _____ Phone: _____

Organization: _____

Project Name: _____

Project Address: _____

Type of Building: _____

Type of Roof: _____ No. Units: _____

SOLAR INSTALLER'S AFFIDAVIT – FOR LIHTC:



**New Jersey Housing and Mortgage Finance Agency
Low-Income Housing Tax Credit Green Point 2010
SOLAR PHOTOVOLTAIC SYSTEM**

Solar PV Company Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

AFFIDAVIT FROM SOLAR INSTALLER

Project Name: _____

Location: _____

I HEREBY CERTIFY that within the proposed scope of work for the above named project's solar photovoltaic system that, to the best of my ability, it will meet the following:

A photovoltaic system that conforms with the requirements of the 2010 New Jersey Qualified Allocation Plan, N.J.A.C. 5:80-33.15(a)14(ii). The photovoltaic system is sized to cover at least 75% of the project's common area electrical expense and will be at least a 20 kilowatt system.

Signed this _____ day of _____, 2010.

Signed: _____

By: _____

Name, Title

For: _____

Name of Solar Photovoltaic Company



New Jersey Housing and Mortgage Finance Agency
LEED Certification
Requirements and Documentation
for Low-Income Housing Tax Credit Green Point

2010 QAP

IMPORTANT NOTES:

- Once you have selected LEED Certification for your LIHTC Green Point, you cannot change to another Green Point. The Green Future program requires review and oversight by the NJHMFA Green Technical Advisor – switching later (especially once construction has started) will not allow the Green Technical Advisor to confirm compliance with Green Future.
- LEED experience will give the team the best opportunity to actually get certified.
- LEED was provided as a Green Point option for those developers who would like more flexibility in order to comprehensively design the project and for projects that have other funding or incentives based on LEED Certification. We advise to looking into certification costs prior to committing to this point.
- If you are also applying for Balanced Housing or Home Express funding, please ensure that you have met the Appendix M minimum green building requirements.
- You can choose between LEED for Homes, LEED for Existing Buildings: Operations and Maintenance or LEED for New Construction and Major Renovation, as applicable.

WHAT TO SUBMIT WITH TAX CREDIT APPLICATION

Attach hard copies of the following with application.

- Completed and signed LEED Letter of Intent
- Written proposal from a LEED for Homes Program Provider (“Provider”) or LEED Accredited Professional (“LEED AP”) and including:
 - The Provider’s ‘Provider Agreement’, or LEED AP’s ‘Accreditation Certificate’, LEED program indicated.
 - The LEED Provider’s, or LEED AP’s, experience.

FINAL SUBMISSION & PROJECT TIMELINE:

- a. Prior to start of construction, or closing on construction financing, submit the following to the NJ Green Homes Office:

LEED for Homes

- i) Signed contract with your LEED Provider, who will review the project and approve.
- ii) Preliminary LEED Checklist, reviewed and approved by your LEED for Homes Provider.
- iii) Project's registration with USGBC.

LEED for New Construction

- i) LEED Scorecard.
- ii) On-line Design Review print-out.
- iii) Contact information of your USGBC LEED contact, who will review the project and approve.
- iv) Project's registration with USGBC.

- b. Prior to closing on permanent financing, submit the following to the NJ Green Homes Office:

- i) Copy of Certification Package submitted to LEED upon completion of project.
- ii) Copy of email from USGBC certifying LEED level achieved by project.

- c. For 8609 package and sent to NJ Green Homes Office:

- i) Copy of LEED Certificate

FOR MORE INFORMATION & TO APPLY:

Please send all required documents to:

Gabe Nathanson
Green Homes Coordinator
NJ Housing and Mortgage Finance Agency
gnathanson@njhmfa.state.nj.us
Phone: 609.278.7370
Fax: 609.278.1754

For U.S. Post Office:
P.O. Box 18550
Trenton, NJ 08650-2085

For Fed Ex, UPS, Visitors, etc:
637 S. Clinton Ave.
Trenton, NJ 08611

LEED LETTER OF INTENT – FOR LIHTC:



**New Jersey Housing and Mortgage Finance Agency
Low-Income Housing Tax Credit Green Point 2010
USGBC LEED Certification**

By signing this document, I certify the following (“we” refers to the applicant organization):

1. We have received and reviewed the ‘LIHTC Green Point 2010’ document, which includes a list of requirements, an application timeline, forms and related informational material.
2. We understand that if our project’s application for Low-Income Housing Tax Credits is accepted and awarded, we will be required to receive a USGBC Leadership in Energy & Environmental Design Certificate prior to release of the LIHTC 8609 Letter.
3. We will submit requested documentation as outlined within the ‘LIHTC Green Point 2010’ document.
4. We understand that ENERGY STAR certification is a prerequisite to participation in the LIHTC program. I will comply with ENERGY STAR requirements as indicated in the LIHTC QAP section (c)8 and ENERGY STAR letter of intent.
5. I am an authorized representative of the development organization, project, and ownership entity.

Signature: _____ Date: _____

Name of signer: _____

Title: _____ Phone: _____

Organization: _____

Project Name: _____

Project Address: _____

Type of Building: _____

No. Units: _____



New Jersey Housing and Mortgage Finance Agency
Microload
Requirements and Documentation
for Low-Income Housing Tax Credit Green Point

2010 QAP

IMPORTANT NOTES:

- Once you have selected Microload for your LIHTC Green Point, you cannot change to another Green Point. Designing for Microload requires input from a qualified professional from the very beginning of the design process.
- Prior experience with the ENERGY STAR Homes program is helpful to applicants participating in this program.
- For this option, you must be accepted into the NJ ENERGY STAR Homes Microload (NJ Climate Choice) pilot program.
- Microload was provided as a Green Point option for those developers who would like to maximize the energy efficiency of their development, but who may not choose to meet all of the criteria in the Green Future, Solar Photovoltaic or LEED options.
- For the purposes of this program, Microload is defined as a project that achieves a Final HERS Index Rating of 45 or below – including plug loads.
- If you are also applying for Balanced Housing or Home Express funding, please ensure that you have met the Appendix M minimum green building requirements.

WHAT TO SUBMIT WITH TAX CREDIT APPLICATION

Attach hard copies of the following with application.

- Completed and signed ‘Microload Letter of Intent’.
- Completed and signed ENERGY STAR Partnership Agreement.
- Signed letter from MaGrann Associates confirming acceptance into New Jersey Climate Choice Home (Microload) Pilot Program.

FINAL SUBMISSION & PROJECT TIMELINE:

- a. Prior to start of construction, or closing on construction financing, submit the following to the NJ Green Homes Office:
 - i) Copy of your ENERGY STAR “Builders Upgrade Package”.
 - ii) Signed letter confirming completion of design modeling from MaGrann Associates.
- b. During construction:
 - i) Copy of signed “Pre-drywall Inspection Report”.
- c. Upon completion of construction, or prior to closing on permanent financing:
 - i) Copy of ENERGY STAR Certificate for each unit indicating a HERS Index of 50 or below.
 - ii) Copy of ENERGY STAR Rebate Check for each dwelling unit.

FOR MORE INFORMATION & TO APPLY:

Please send all required documents to:

Gabe Nathanson
Green Homes Coordinator
NJ Housing and Mortgage Finance Agency
gnathanson@njhmf.state.nj.us
Phone: 609.278.7370
Fax: 609.278.1754

For U.S. Post Office:
P.O. Box 18550
Trenton, NJ 08650-2085

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Trenton, NJ 08611

MICROLOAD LETTER OF INTENT – FOR LIHTC:



**New Jersey Housing and Mortgage Finance Agency
Low-Income Housing Tax Credit Green Point 2010
MICROLOAD**

By signing this document, I certify the following (“we” refers to the applicant organization):

1. We have received and reviewed the '2010 LIHTC Green Point Requirements' document, which includes a list of requirements, an application timeline, forms and related informational material.
2. We understand that to apply for this option, we must be previously accepted into the NJ ENERGY STAR Microload (NJ Climate Choice) Homes Pilot Program.
3. We understand that if our project's application for Low-Income Housing Tax Credits is accepted and awarded, we will be required to receive a HERS Index under 45 for each dwelling unit prior to release of the LIHTC 8609 Letter.
4. We will submit requested documentation as outlined within the '2010 LIHTC Green Point Requirements' document.
5. We understand that ENERGY STAR certification is a prerequisite to participation in the LIHTC program and that successful completion of the NJ ENERGY STAR Microload Homes (NJ Climate Choice) Pilot Program will meet this requirements - however, I will comply with ENERGY STAR submission requirements as indicated in the LIHTC QAP section (c)8 and ENERGY STAR letter of intent.
6. I am an authorized representative of the development organization, project, and ownership entity.

Signature: _____ Date: _____

Name of signer: _____

Title: _____ Phone: _____

Organization: _____

Project Name: _____

Project Address: _____

Type of Building: _____

No. Units: _____

ENERGY STAR LETTER OF INTENT – for LIHTC:



**New Jersey Housing and Mortgage Finance Agency
Low-Income Housing Tax Credit Green Point 2010
ENERGY STAR**

By signing this document, I certify the following (“we” refers to the applicant organization):

1. We understand that ENERGY STAR certification is a prerequisite to participation in the LIHTC program, we agree to complete the ENERGY STAR certification process, and will comply with the submission requirements listed in the ‘Guide to NJHMFA ENERGY STAR Requirements’ document.
2. We understand that no projects are exempt from this requirement and have reviewed the documentation as applicable in the ‘Guide to NJHMFA ENERGY STAR Requirements’ document. More specifically, we understand that (a) we must first look to participate in the ‘ENERGY STAR Homes’ or ‘NJ ENERGY STAR Homes’ program and (b) if not able to participate in said program, will select an applicable program as stated within the ‘Guide to NJHMFA ENERGY STAR Requirements’.
3. If requested we will allow the NJHMFA Green Homes Office, or designee, access to the project site pre-, during and post-construction for the purpose of but not limited to confirming ENERGY STAR compliance.
4. I am an authorized representative of the organization.

Signature: _____ Date: _____

Name of signer: _____

Title: _____

Project Name: _____

Organization: _____

NJHMFA ENERGY STAR Requirement Program we are participating in:

APPENDIX A – Board of Public Utilities Prevailing Wage Requirements

Please find attached a public notice regarding the new prevailing wage law. There have been some questions about prevailing wage and BPU incentives - and this notice has been published by NJ BPU in cooperation with the Attorney General's office to address some of the initial questions about what the law says and how it impacts the rules proposed by the BPU. Additionally, the applicable legislation is A4293 / S3028 (http://www.njleg.state.nj.us/2008/Bills/AL09/203_.PDF).



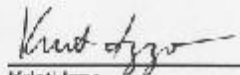
STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

NOTICE¹

Please take notice that P.L. 2009, c. 203 (the "Act") was signed into law on January 14, 2010. The Act amends P.L. 2009, c. 89 and provides that, effective immediately, "[n]ot less than the prevailing wage rate shall be paid to workers employed in the performance of any construction undertaken in connection with Board of Public Utilities financial assistance, or undertaken to fulfill any condition of receiving Board of Public Utilities financial assistance, including the performance of any contract to construct, renovate or otherwise prepare a facility, the operations of which are necessary for the receipt of Board of Public Utilities financial assistance." The phrase "Board of Public Utilities financial assistance" is defined in the Act as inclusive and exclusive of certain forms of financial assistance.

The prevailing wage rate required by the Act shall be determined by the Commissioner of Labor and Workforce Development. The prevailing wage rate requirements of the Act "shall not apply to any contract which is less than the prevailing wage contract threshold amount for municipalities." The contract threshold for municipalities is currently set at \$14,187.00 pursuant to N.J.S.A. 34:11-56.26(11)(a) and N.J.A.C. 12:60-1.4(b). For the purpose of implementing the Act, the Commissioner of Labor and Workforce Development "shall exercise all powers and duties granted by P.L. 1963, c. 150 (C. 34:11-56.25 et seq.) regarding payment of the prevailing wage, and any worker employed in the performance of construction work subject to this section, and the employer or any designated representative of the worker, may exercise all rights granted to them by that act."

The Board had proposed regulations regarding the prevailing wage requirements of P.L. 2009, c. 89. Currently, those regulations have been frozen pursuant to Governor Christie's Executive Order No. 1. In amending P.L. 2009, c. 89 to remove any reference to rules or regulations, the Act "affirms that it is the intent of the Legislature" to enact these prevailing wage rate requirements "whether or not the [B]oard adopts rules and regulations regarding that requirement." Therefore, the prevailing wage rate requirements set forth above became effective on January 14, 2010.


Kristi Izzo
Secretary of the Board

Dated: February 2, 2010

¹ Not a Paid Legal Advertisement