

# Business Rebate Program Terms and Conditions



**Updated November 2024**

PROGRAM RULES AND DETAILS ARE SUBJECT TO CHANGE WITHOUT NOTICE.

## Qualifications for Program

Participant **must be an OPPD business customer with OPPD account(s) in good standing**. A building receiving a custom rebate *may not* qualify for prescriptive rebates or vice versa in the same calendar year. OPPD will exercise its right to limit rebate on any building or project to ensure that kW and kWh results are not counted twice.

## Rebate Funding Requirements

The following project types and rebate amounts require OPPD pre-approval to ensure payment:

1. All CUSTOM projects regardless of rebate dollar amount
2. Building Management System (BMS) \$5,000 and over
3. Building Retro Commissioning \$5,000 and over
4. Small Business Building Management System (BMS) \$5,000 and over
5. HVAC \$5,000 and over
6. ARC \$5,000 and over
7. Lighting (lamp, fixture, controls) \$5,000 and over

Preapproval is to be completed before ordering any material or starting any work at the project site, including demolition work. This is for the protection of the OPPD customer and ensures funding has been set aside and the project meets program requirements.

The following project types and rebate amounts do not require OPPD preapproval to ensure payment:

1. Energy Study
2. ENERGY STAR Benchmarking
3. ENERGY STAR Certification
4. ENERGY STAR Building
5. Building Management System (BMS) less than \$5,000
6. Building Retro Commissioning less than \$5,000
7. Small Business Building Management System (BMS) less than \$5,000
8. HVAC less than \$5,000
9. ARC less than \$5,000
10. Lighting (lamp, fixture, controls) less than \$5,000

Rebates less than \$5,000 are fulfilled on a first come first served basis. Invoices must be submitted within 120 days of date shown on invoice in order to ensure payment.

## General Terms and Conditions

1. This program is subject to change or cancellation without notice.
2. OPPD reserves the right to verify sales transactions and inspect projects prior to and after installation.
3. OPPD reserves the right to install a metering device on existing and new equipment to verify energy savings.
4. Rebates are available on a first come, first served basis.
5. OPPD reserves the right to limit rebates. Refer to [Project Requirements](#) for established rebate limits.
6. Submitting incomplete or missing information will delay processing of the rebate.
7. The customer/contractor certifies that each energy efficiency measure and/or project complies with all federal, state and local safety, building and environmental codes.

8. OPPD is granted the right to publicize your participation in the program, unless you specifically state otherwise in writing.
9. Falsifying any information may lead to cancellation of this and future rebate applications, a claim by OPPD for the return of any rebate payments and/or the exercise by OPPD of available legal remedies.
10. OPPD shall own all rights to existing and future emissions credits, efficiency certificates, renewable energy credits, tradable renewable certificates and/or any and all other environmental benefits associated with the implementation of all projects that receive OPPD rebates.

## **Tax Credits**

Consult your tax advisor for any applicable federal tax incentives available for installation of energy efficient equipment or for energy efficiency projects.

## **Nebraska Department of Environment & Energy (NDEE)**

Consult NDEE regarding their low interest loan program as a financing option.

### **Disclaimers**

1. OPPD does not offer any warranty or guarantee of any kind, express or implied, as to the performance of any equipment installed by or on behalf of customer.
2. OPPD expressly disclaims all warranties, express or implied by law, including but not limited to any warranty of fitness for a particular purpose or warranty of merchantability with respect to equipment installed by or on behalf of customer.
3. OPPD does not endorse any manufacturer, contractor or vendor, or any product or system design. Customer is solely responsible for the contracting of and payment for any equipment installed on the customer's premises. There is no contractual relationship, express or implied, created between OPPD and any vendor, contractor or other person or entity hired by customer to design, install, maintain or repair customer equipment.
4. The customer/contractor is responsible for the proper disposal and/or recycling of any waste generated as a result of this project.
5. OPPD shall not have any liability to customer or to any third party for any injury (including death), loss, damage, cost or expense of any kind ("Liabilities") arising from or related to any equipment on customer's premises for which OPPD pays a rebate under this program. Customer shall indemnify, defend and hold harmless OPPD and its directors, officers and employees from any such Liabilities.
6. OPPD is not responsible for any tax liability imposed on the customer as a result of rebate funding. Consult your tax advisor for more information.

## **Prescriptive Rebate Project Requirements**

1. Projects receiving rebates less than \$5,000 should be completed before applying for any rebate and must be applied for within 120 days of invoice date.
2. Rebates must be \$100 or greater in order to qualify.
3. The maximum rebate amount will be \$100,000 per facility per calendar year (there may be more than one project for a facility provided the calendar year total is less than \$100,000). Specific project rebate limits are shown in the Project Requirements.
4. OPPD reserves the right to limit any prescriptive equipment rebate (HVAC, ARC and Lighting), payment to not exceed 50% of the total material/equipment cost for the project.

## **Additional Project Requirements**

### **HVAC, Heat Pump and Chiller Projects**

1. Replaced equipment must be removed from service.
2. Equipment must be installed and operating prior to submission of an invoice to OPPD.
3. Equipment must be above the current Nebraska Energy Code<sup>1</sup> requirements for cooling efficiency level in order to qualify for energy efficiency rebate.
4. Performance criteria is based upon standard Air-Conditioning, Heating and Refrigeration Institute (AHRI) conditions for the equipment categories listed. The upload of an AHRI certificate or specification sheet(s) showing such are required.
5. Both new construction and replacement cooling and heat pumps are eligible for HVAC rebates.
6. Conversion and new construction heat pumps of any efficiency level qualify for a rebate of \$50 per nominal ton.
7. Conversion and new construction heat pumps above current Nebraska Energy Code requirements will receive a rebate combined of \$50 per nominal ton and the appropriate rebate associated with

the efficiency level.

8. Preapproved new construction rebates will have funding set aside until the date specified by the Trade Ally and noted by the Trade Ally in the project notes located within the application.
9. Itemized invoice variations for projects that are bid as a package may be accepted, provided OPPD is able to obtain all critical invoice information from the Trade Ally.
10. Project completion for replacement and retrofits over \$5,000 shall be within three (3) months of OPPD preapproval and invoice must arrive within one (1) month of completion in order for rebate funding to be available. Any invoice arriving over 120 days from preapproval may no longer be funded.
11. A dated and itemized invoice with quantity, manufacturer, model number and cost for each piece of equipment must be submitted within 30 days of invoice date in order to receive a rebate payment. Labor does not have to be itemized on a per piece of equipment basis.
12. HVAC rebate limit per building per calendar year is \$100,000

<sup>1</sup>The Nebraska Energy Code is currently based on the 2018 International Energy Conservation Code (IECC) and ASHRAE 90.1-2016.

#### Required documentation:

Rebates less than \$5,000:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. AHRI Certificate or Chiller specifications showing kW/ton at AHRI standard conditions
3. Dated Invoice as described above

Rebates \$5,000 and higher:

For preapproval:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. AHRI Certificate or Chiller specifications showing kW/ton
3. For final approval:
4. Dated Invoice as described above. OPPD will provide allowable invoice variations for bid only or new construction installations.

### Advanced Rooftop Unit Controller (ARC) Projects

1. Only retrofit devices/controllers expressly shown on the application form are eligible for any rebate.
2. Retrofit devices/controllers must be installed and operating prior to submission of invoice to OPPD.
3. Retrofit devices/controllers are one to one with the RTU unless specified and preapproved by OPPD.
4. ARC rebates are for existing buildings only. New construction projects do not qualify.
5. OPPD requires a three (3) year service agreement on the RTU in order to qualify for this rebate and reserves the right to request a copy of that service agreement. This service agreement should follow the recommendations of ASHRAE/ACCA Standard 180-2018.
6. Project completion for all rebates over \$5,000 shall be within three (3) months of OPPD preapproval and invoice must arrive within one (1) month of completion in order for rebate funding to be available. Any invoice arriving over 120 days from preapproval may no longer be funded.
7. Once the project over \$5,000 is complete, a dated and itemized invoice with quantity, manufacturer, model number and cost for each piece of equipment must be submitted within 30 days of invoice date in order to receive a rebate payment. Labor does not have to be itemized on a per piece of equipment basis.
8. ACR rebate limit per building per calendar year is \$100,000

#### Required documentation:

Rebates less than \$5,000:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. ARC Cut Sheet(s)
3. Dated Invoice as described above

Rebates \$5,000 and higher:

For preapproval:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. ARC Cut Sheet(s)

For final approval:

3. Dated Invoice as described above.

## Lighting Projects

1. An unlisted lighting rebate cannot be used if a prescriptive lighting option is listed under Lighting Configurations.
2. All LED lamps and fixtures must be currently listed as qualified by [ENERGY STAR, or the Design Lights Consortium \(DLC\)](#).
3. Replaced equipment must be removed from service with any and all hazardous waste components recycled.
4. Equipment must be installed and operating prior to submission of an invoice to OPPD.
5. Parking garage<sup>2</sup> projects are considered interior lighting.
6. Post installation light levels are expected to meet current IESNA recommendations and comply with all applicable electrical, safety and energy codes.
7. Lighting rebates are for existing buildings only. New construction projects and projects that require current energy code compliance standards do not qualify.
8. Replacements are one for one unless specified and preapproved by OPPD<sup>3</sup>.
9. LED refrigerated reach-in case lighting requires that existing linear fluorescent lighting be completely removed, which includes fluorescent end connectors and ballasts.
10. An Occupancy Sensor rebate CANNOT be combined with a Daylight Harvesting Sensor rebate OR an Embedded Fixture Control rebate.
11. Any LED fixture that automatically adjusts illumination due to the effect of daylight qualifies as a Daylight Harvesting Sensor for the purposes of OPPD's Lighting Controls rebate. Daylight Harvesting Sensors CANNOT be combined with an Occupancy Sensor OR an Embedded Fixture Control rebate.
12. A lighting technology that controls individually addressable lamps and/or a digitally adjustable fixture is considered an Embedded Fixture Control for the purposes of OPPD's Lighting Controls rebate. Lamps with embedded control and digitally adjustable fixtures must be DLC approved in order to qualify. Embedded Fixture Controls CANNOT be combined with an Occupancy Sensor or with a Daylight Harvesting Sensor rebate. Embedded Fixture Control must be programmed for energy efficiency in order to qualify for a rebate.
13. Embedded Fixture control rebate cannot be combined with lamp retrofits of 100 watts or less.
14. Project completion for all rebates over \$5,000 shall be within three (3) months of OPPD preapproval and invoice must arrive within one (1) month of completion in order for rebate funding to be available. Any invoice arriving over 120 days from preapproval may no longer be funded.
15. Once the project over \$5,000 is complete, a dated and itemized invoice with quantity, manufacturer, model number and cost for each piece of equipment must be submitted within 30 days of invoice date in order to receive a rebate payment. Labor does not have to be itemized on a per piece of equipment basis.
16. Lighting rebate limit per building per calendar year is \$100,000

<sup>2</sup> Parking garage, for the purpose of this rebate program, is defined as a roofed structure that houses vehicles and due to size and/or shape require that lights are on and operational Monday through Friday during daylight hours.

<sup>3</sup> If a prescriptive retrofit utilizes more or less fixtures than currently installed, a custom rebate may be used even if a prescriptive option is available, provided the custom rebate is preapproved by OPPD.

### Required documentation:

Rebates less than \$5,000:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Lighting and controls cut sheet(s)
3. Dated Invoice as described above

Rebates \$5,000 and higher:

For preapproval:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Lighting and controls cut sheet(s)

For final approval:

3. Dated Invoice as described above

**Projects Less Than \$5,000 do not require a preapproval and the invoice should be uploaded as part of the application process.**

## Lighting, HVAC and ARC Projects over \$5,000 which require preapproval: What to expect after receiving preapproval.

- After the preapproval, the preapproved rebate amount will be reserved for 120 days.
  - Once the project is complete, a dated and itemized invoice with quantity, manufacturer, model number and cost for each piece of equipment must be submitted within 30 days of completion in order to receive a rebate payment. Labor does not have to be itemized on a per piece of equipment basis.
  - You'll be notified via email to remind of the funds' expiration; if an extension is needed, you must notify OPPD and have an extension approved in order for rebate funds to remain reserved. **After the 121st day from the preapproval, funds will no longer be reserved, and the project will need to be resubmitted and approved to ensure funding.**
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### Custom Project Requirements

1. All Custom Rebates must be preapproved regardless of rebate amount.
2. The CUSTOM REBATE PROJECT NOTIFICATION FORM must be provided to OPPD by the Trade Ally and both OPPD and the Trade Ally must approve that form prior to the submission of any Custom Project rebate.
3. The demand reduction must be deemed by OPPD to be sustainable for no less than five (5) years and not be a demand response strategy. The project must also show verified, sustainable, energy saving of at least 5%.
4. The Energy Study Rebate amount will be up to 50% of the cost of the Energy Study with a not to exceed amount of \$10,000
5. An Energy Study is required for all Custom Projects however applying for an Energy Study rebate is not required.
6. The Custom Rebate amount will be \$500 per actual kW of peak demand reduction (see "M&V Guidelines") and cannot exceed 50% of the total project cost with a not to exceed amount of \$100,000\* per project.
7. The Energy Study Rebate payment and 30% of the expected kW peak demand rebate will be made upon OPPD review and approval of the following:
  - a. Custom Rebate Application
  - b. Copy of the Energy Study
  - c. Energy Study invoice
  - d. Commitment to move forward with Custom implementation project upon OPPD's preapproval.
  - e. Written request by the Trade Ally for the advance 30% of expected kW peak demand rebate.
8. The Custom Rebate payment will be made, with amount to vary depending on the peak demand reduction attained, and upon OPPD review and approval. If the peak demand reduction attained is less than what has already been paid OPPD may exercise their right to have the overpayment returned.
9. Eligible Equipment: Equipment must be new, installed and operational at the customer's existing facility. New construction and/or additions do not qualify for the program.
10. The Trade Ally is responsible for producing the final case study documenting kW, kWh and therm reduction.
11. The Custom Rebate is paid post project completion and post OPPD billing months of June through September<sup>4</sup> and pending OPPD case study approval.
12. Proof of Purchase: Sales receipt(s) or invoice(s) itemizing the new equipment and/or labor provided must be submitted to OPPD after installation is completed. Equipment invoices must indicate the size, type, make, model, purchase date, vendor and AHRI Certificate of Product Ratings as applicable.
13. The project must be completed and the required documents (including the case study), submitted by the due date provided on the original application with a maximum of 24 months from the date of preapproval, in order to ensure project rebate funding will be available.
14. A Professional Engineer (PE) will be required for many projects including most optimization projects. For other custom rebates, a Trained Professional in the field of the project will be required. For equipment change outs only, an engineer of record will not be required. If you have questions regarding professional qualifications of the team, please contact us.

<sup>4</sup> For industrial process, lighting and similar projects that generally are steady state throughout the year and NOT affected by seasonal conditions (e.g. unlike thermal conditioning). The average of the peak demand reduction for the four (4) billing months' post project completion may be utilized instead of the billing months of June - September. This exception will be documented in the Custom Rebate Project Notification Form.

### Required documentation for All Custom Project Rebates:

For preapproval:

1. Completed and signed Custom Project Notification Form
2. Energy Study
3. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
4. Confirmation of customer commitment to move forward with the project.

For final approval:

5. Case study showing measured and verified peak kW, kWh and therm reduction.
6. Confirmation of Trained Staff
7. Dated Invoice showing equipment installed, may be listed as a lump sum.
8. Documentation of Customer acceptance that project has been completed

### M&V Guidelines:

1. Sub-meter individual pieces of equipment included in the project and extrapolate those results to be projected to like pieces of equipment if operated with similar load characteristics. (This follows IPMVP Option A). Typically, a short-term sub-meter (including a minimum of 3 weeks of hot weather) is used, peak kW reduction is determined by comparison of kW data trended for baseline and post during the hottest weather conditions.

2. Sub-meter of entire system associated with the Custom measure(s). For permanent sub-meters, a comparison of the months of June, July, August, and September post project completion to the baseline. For short term sub-meters (including a minimum of 3 weeks of hot weather), peak kW reduction is determined by comparison of kW data trended for baseline and post during the hottest weather conditions. (This follows IPMVP Option B)

3. OPPD Bill comparing an average peak demand reduction from the months of June, July, August and September post project completion to the baseline. (This follows IPMVP Option C) weather normalization will not be used at this time for kW savings. This approach may not be approved if it is determined the peak demand reduction is not substantial enough to be accurately captured by bill comparisons (example if the peak demand reduction is expected to be less than 3% of normal annual cyclic variation).

The average peak demand reduction from the months of June, July, August and September will be calculated as follows: Add the peak on the OPPD bill for the 4 months, which the majority of the days of these months are shown. Take that number and divide it by 4 to establish the baseline. Add the same four billing periods post project completion and divide that number by 4. Then, deduct the post completion average from the baseline to determine the peak demand reduction. K-12 school projects to utilize only September data for peak power usage determination.

Assume in both "PRE-CONSTRUCTION" cases below, nominal historic year-to-year variation approximates 5kW.

If there are events that set atypical peaks either pre or post those events will be required to be removed from analysis following common engineering practices to set accurate baselines and results.

Raw M&V data may be required to be submitted to OPPD for audit purposes.

\*Projects with expected rebate amounts above \$100,000 may be approved by OPPD and will be considered on a case-by-case basis.

EXAMPLE: Passes

Bill Dates - Pre	Peak kW
Jun 10 - Jul 8	200
Jul 8 - Aug 9	257
Aug 9 - Sep 9	272
Sep 9 - Oct 10	236
<b>Total Peak</b>	<b>965</b>
Number of Months	4
<b>Ave Peak Pre</b>	<b>241.25</b>

Bill Dates - Post	Peak kW
Jun 8 - Jul 7	187
Jul 7 - Aug 8	220
Aug 8 - Sep 8	241
Sep 8 - Oct 9	210
<b>Total Peak</b>	<b>858</b>
Number of Months	4
<b>Ave Peak Post</b>	<b>214.5</b>
Difference	27
kW reduction in %	11%

EXAMPLE: Fail (percentage savings too low)

Bill Dates - Pre	Peak kW
Jun 10 - Jul 8	200
Jul 8 - Aug 9	257
Aug 9 - Sep 9	272
Sep 9 - Oct 10	236
<b>Total Peak</b>	<b>965</b>
Number of Months	4
<b>Ave Peak Pre</b>	<b>241.25</b>

Bill Dates - Post	Peak kW
Jun 8 - Jul 7	195
Jul 7 - Aug 8	250
Aug 8 - Sep 8	262
Sep 8 - Oct 9	234
<b>Total Peak</b>	<b>941</b>
Number of Months	4
<b>Ave Peak Post</b>	<b>235.25</b>
Difference	6
kW reduction in %	2%

**NOTE: Round the difference up to a whole number.**

What to expect after receiving pre-approval

- After the pre-approval, the remaining Custom Rebate funding will be reserved until the estimated case study/savings report submittal date provided on the initial application, (if there is a need for an extension, you must notify OPPD and have that extension approved to ensure funding).
- Once project is complete, the Custom Rebate payment will be made, with amount to vary depending on the peak demand reduction attained, and upon OPPD review and approval of the following (as applicable):
  - a. Trade Ally generated case study/energy savings report comparing baseline energy consumption to post project consumption following approved M&V method for the project, the OPPD billing months of June – September post project completion as determined necessary by the M&V plan and showing energy saving achieved (see “M&V Guidelines”)
  - b. Project implementation invoice
  - c. Customer’s satisfaction of occupant comfort (as applicable and within the capabilities of the HVAC system for HVAC related projects).
  - d. Customers’ receipt of documentation from the Trade Ally
  - e. Training of customer facility staff

*NOTE: Final payment will be made on actual savings attained NOT on savings projected in the Energy Study.*

- You will be notified via email to remind of the fund’s reservation expiration; unless OPPD is notified of the need for an extension and grants that extension the funds will no longer be available after the due date provided on the original application. You may re-apply for another project at the same building after the existing funds have no longer been reserved and the application has been removed.

## Energy Study Rebate

1. The Energy Study rebate is exclusively for CUSTOM PROJECTS and cannot be combined with any other rebate.
2. In order to receive this rebate the customer must have committed in writing to moving forward with a CUSTOM PROJECT as shown within the ENERGY STUDY.
3. The CUSTOM REBATE PROJECT NOTIFICATION FORM must be provided to OPPD by the Trade Ally and both OPPD and the Trade Ally must approve that form prior to the submission of any Energy Study rebate.
4. An Energy Study rebate is NOT a prerequisite to qualify for a Custom Rebate. Meaning you may still apply for a Custom Project rebate without applying for an Energy Study Rebate.

5. The Energy Study Rebate amount will be up to 50% of the cost of the Energy Study with a not to exceed amount of \$10,000
6. Only one Energy Study Rebate per building per calendar year.

**Required Documentation:**

All rebates:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Invoice showing the cost of the Energy Study
3. Custom Rebate Project Notification Form
4. Energy Study
5. Customer commitment to move forward with the custom project.

## **ENERGY STAR Certification Rebate Requirements**

1. The ENERGY STAR Certification Rebate amount will be up to 50% of the cost of the ENERGY STAR Certification with a not to exceed amount of \$500 per building per calendar year.
2. ENERGY STAR Certification must be applied for by a qualified industry professional.
3. Rebate must be applied for, and invoice uploaded within 120 days of invoice date.
4. Building must attain ENERGY STAR status in order to qualify for this rebate.
5. A building cannot receive the ENERGY STAR Certification rebate AND the ENERGY STAR Benchmarking Rebate in the same calendar year.

**Required documentation:**

All rebates:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Dated Invoice
3. Signed Copy of the ENERGY STAR Certification Application

## **Small Business Building Management System (BMS)**

1. Small Business BMS rebate is for existing buildings only.
2. All applications with projected rebate of \$5,000 or greater must be preapproved.
3. BMS must control a minimum of 1,000 square feet and the space must be conditioned for both heating and cooling.
4. Building must be equal to or less than 20,000 square feet
5. Rebate will be paid based on square feet of fully conditioned space (unconditioned space and heating only space will not be included).
6. BMS must leverage open protocol communication standard: BACnet, Modbus or LonWorks.
7. BMS must be installed, operational and commissioned in order to qualify.
8. Facility staff must be trained prior to any rebate payment being made.
9. The BMS must utilize connected thermostats designed for commercial applications that have the ability to be recruited for demand response activities and do not qualify for any OPPD Residential Thermostat program or are considered for use on residential equipment.
10. The BMS must include the following at a minimum: Individually addressable room controllers and cloud connectivity.
11. A building will not qualify for both a Small Building BMS rebate and a lighting controls rebate if it is determined the energy savings results and demand reduction results would be over counted. These situations will be reviewed on a case-by-case basis and rebate amounts will be adjusted to ensure double counting nor double payment occurs.
12. BMS must be installed within a building not previously controlled, controlled using non-communicating thermostats, controlled via non-communicating electrical controls or as a replacement of pneumatic controls.
13. Any existing controls should be removed as much as practical in order to qualify.
14. Buildings are eligible for a maximum of one BMS rebate per premise every 15 years.
15. An estimate of projected savings in kW, kWh and therms based on the controls implementation and using the existing energy usage and operation as the baseline is required. NOTE: A 10% savings over current baseline, may be used if no formal projection of savings has been developed.
16. BMS must meet all applicable state and local energy and building codes and standards.
17. Building must be benchmarked by an approved Trade Ally in Portfolio Manager, the EPA's free benchmarking tool, and the ENERGY STAR score reported as part of the application process.



18. Savings must be deemed to be sustainable for a period of five years. In order to complete this requirement, the ENERGY STAR rating/Portfolio Account Tracking needs to be maintained for a period of three years by the customer or the Trade Ally (OPPD may also provide this service at a nominal cost to the customer and customer must agree to provide gas or other, non-electric, utility data proactively to OPPD for the three year duration). This tracking must be determined prior to any payment being made.
19. OPPD must be granted Portfolio Manager viewing rights to the building to confirm the score and for a period of up to three years post rebate payment\*.
20. If building ownership changes and the party responsible for paying the OPPD bill at the building changes within the three year follow up period the benchmarking requirement will no longer be enforced however, OPPD will continue to have the right to monitor OPPD bills for the three-year duration.
21. BMS for Small Business rebate amount will be 40% of the total project cost or \$0.75 per square feet of conditioned space whichever is less and with a rebate limit of \$15,000 per building.
22. Project completion for rebates over \$5,000 shall be within three (3) months of OPPD preapproval and invoice must arrive within one (1) month of completion in order for rebate funding to be available. Any invoice arriving over 120 days from preapproval may no longer be funded. Contact OPPD if an extension is needed for project completion.
23. Projects receiving rebates less than \$5,000 should be completed before applying for any rebate and must be applied for within 120 days of invoice date.
24. Projects committed to or completed prior to November 1, 2024 do not qualify for this rebate.

\*18 - This is done to ensure BMS savings results are sustainable for five years and is intended to assist the customer by not requiring they proactively provide that information each year.

#### Required documentation:

Rebates less than \$5,000:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Controls cut sheet verifying compliance
3. Dated Invoice showing itemized list of equipment installed. Total project cost may be listed as a lump sum.
4. Confirmation of Trained Staff

Rebates \$5,000 and higher:

For preapproval:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Controls cut sheet verifying compliance

For final approval:

3. Confirmation of Trained Staff
4. Dated Invoice showing equipment installed, may be listed as a lump sum.

### **Building Management System (BMS) Projects**

1. BMS rebate is for existing buildings only.
2. All applications with projected rebate of \$5,000 or greater must be preapproved.
3. BMS must control a minimum of 10,000 square feet and the space must be conditioned for both heating and cooling.
4. Building must be 20,000 to 300,000 square feet in order to qualify.
5. Rebate will be paid based on square feet of fully conditioned space (unconditioned space and heating only space will not be included).
6. BMS must leverage open protocol communication standard: BACnet, Modbus or LonWorks.
7. BMS must be installed, operational and commissioned in order to qualify.
8. Facility staff must be trained prior to any rebate payment being made.
9. The BMS must utilize direct digital controls.
10. BMS must be installed within a building not previously controlled, controlled using non-communicating thermostats, controlled via non-communicating electrical controls or as a replacement of pneumatic controls.
11. The BMS must include the control of all HVAC equipment and some portion of indoor lighting at a minimum.
12. A building will not qualify for both a BMS rebate and a lighting controls rebate if it is determined the energy savings results and demand reduction results would be over counted. These situations will be reviewed on

a case-by-case basis and rebate amounts will be adjusted to ensure double counting nor double payment occurs.

13. Existing controls must be removed as much as practical in order to qualify.
14. Buildings are eligible for a maximum of one BMS rebate per premise every 15 years.
15. Projected savings in kW, kWh and therms are required to be provided as part of the application process.
16. BMS must meet all applicable state and local energy and building codes and standards.
17. Building must be benchmarked by an approved Trade Ally in Portfolio Manager, the EPA's free benchmarking tool, and the ENERGY STAR score reported as part of the application process.
18. Savings must be deemed to be sustainable for a period of five years. In order to complete this requirement, the ENERGY STAR rating/Portfolio Account Tracking needs to be maintained for a period of three years by the customer or the Trade Ally (OPPD may also provide this service at a nominal cost to the customer and customer must agree to provide gas or other, non-electric, utility data proactively to OPPD for the three year duration). However, this tracking must be determined prior to any payment being made.
19. OPPD must be granted Portfolio Manager viewing rights to the building to confirm the score and for a period of up to three years post rebate payment\*.
20. If building ownership changes and the party responsible for paying the OPPD bill at the building changes within the three year follow up period the benchmarking requirement will no longer be enforced however OPPD will continue to have the right to monitor OPPD bills for the three-year duration.
21. For buildings with over 20,000 square feet of conditioned space the following documentation is required:
  1. Proposed Control System: Submit a detailed scope of work that includes the following information about the proposed BMS:
    - A list of new control points, including all AO, AI, DO and DI.
    - A list or cut sheets of new controls hardware to be installed.
    - Sequences of operation.
    - If available, provide controls diagrams.
    - Provide both material and labor costs to implement the proposed control strategies.
  2. Equipment to be Controlled: Submit documentation of the existing equipment that will be controlled via the new BMS, including:
    - Mechanical schedules, drawings or other technical information for the Air Handlers, Chillers, Pumps, Cooling Towers, Heat Exchangers and other equipment, that includes the capacities, flow rates, etc.,
  3. Energy Study: An engineering analysis of the estimated energy savings based on implementation of the proposed measure. Use the existing system operation as the baseline.
    - In cases where a project includes multiple ECOMs, the engineering analysis must ensure the interactive effects of energy savings measures are accounted for and do not overlap. For example, if one measure is time of day shutdown, and the next measure is static pressure reset, the baseline energy consumption for the static pressure reset measure shall use the reduced hours of time-of-day shutdown.
22. BMS rebate amount will be 30% of the total project cost or \$0.60 per square feet of conditioned space whichever is less and with a rebate limit of \$100,000 per building.
23. Project completion for rebates over \$5,000 shall be within twelve (12) months of OPPD preapproval and invoice must arrive within one (1) month of completion in order for rebate funding to be available. Any invoice arriving over this time limit may no longer be funded.
24. Projects committed to or completed prior to November 1, 2024 do not qualify for this rebate.

\*18 - This is done to ensure BMS savings results are sustainable for five years and is intended to assist the customer by not requiring they proactively provide that information each year.

#### Required documentation:

Rebates less than \$5,000:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Proposed Control System
3. Equipment to be Controlled
4. Energy Study
5. Dated Invoice showing equipment installed, may be listed as a lump sum.
6. Confirmation of Trained Staff

Rebates \$5,000 and higher:

For preapproval:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Proposed Control System
3. Equipment to be Controlled
4. Energy Study

For final approval:

5. Dated Invoice showing equipment installed, may be listed as a lump sum.
6. Confirmation of Trained Staff

## **ENERGY STAR Benchmarking**

1. Can only receive one rebate per building every 5 years.
2. A building cannot receive both a Benchmarking and ENERGY STAR Building, Retro Commissioning, Small BMS or BMS rebate within 5 years.
3. A building cannot receive the ENERGY STAR Benchmarking rebate AND the ENERGY STAR Certification Rebate in the same calendar year.
4. Building must be benchmarked in ENERGY STAR Portfolio Manager, the EPA's free benchmarking tool, by an approved Trade Ally or a company representative who has completed Portfolio Manager Training, also provided free by the EPA's ENERGY STAR program (Portfolio Manager 101, 102).
5. The ENERGY STAR score received must be reported as part of the application process.
6. OPPD must be granted Portfolio Manager viewing rights to the building to confirm score.
7. Rebate maximum will be \$500 and may cover up to 100% of the cost of the benchmark.
8. Benchmarking committed to or completed prior to November 1, 2024 do not qualify for this rebate.

Required documentation:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Dated Invoice showing cost of benchmarking of performed by a Trade Ally. If performed by a company representative the name of the individual must be uploaded with a request for the rebate amount to cover their labor with a not to exceed amount of \$500.00.
3. Proof of Score (screen shot of 1 to 100 score or kBtu per square foot for ineligible space types).

## **Building Retro-Commissioning Projects**

1. Building Retro-Commissioning rebate is for existing buildings only.
2. All applications with projected rebate of \$5,000 or greater must be preapproved.
3. Cannot be combined with a Small BMS rebate, BMS rebate or an ENERGY STAR Building rebate.
4. Must be completed by a licensed Professional Engineer or Certified Commissioning Agent/Professional.
5. For the purposes of this rebate Retro-Commissioning also includes Optimization, Re-Commissioning and Continuous Commissioning.
6. Building must be less than 300,000 square feet
7. Rebate will be paid based on square feet of conditioned space (unconditioned space and heating only space will not be included).
8. Building must have a direct digital control system or connected room controllers for spaces 20,000 and less.
9. Mechanical equipment must be in relatively good condition and properly maintained.
10. Buildings are eligible for a maximum of one Retro commissioning project rebate per premise every 10 years.
11. A retro commissioning rebate cannot be applied for If building has received a Small Business BMS Rebate, a BMS Rebate or an ENERGY STAR Building rebate within 10 years.
12. Projected savings in kW, kWh and therms are required to be provided as part of the application process.
13. Control sequence of operation must be provided for building regardless of size
14. Modeling required for buildings over 20,000 square feet
15. Building must be Benchmarked by an approved Trade Ally in Portfolio Manager, the EPA's free benchmarking tool, and the ENERGY STAR score reported as part of the application process.
16. Savings must be deemed to be sustainable for a period of five years. In order to complete this requirement, the ENERGY STAR rating/Portfolio Account Tracking needs to be maintained for a period of three years by the customer or the Trade Ally (OPPD may also provide this service at a nominal cost to the customer and customer must agree to provide gas or other, non-electric, utility data proactively to OPPD for the three-year duration). However, this tracking must be determined prior to any payment being made.

17. OPPD must be granted Portfolio Manager viewing rights to the building to confirm the score and for a period of up to three years post rebate payment\*.
18. If building ownership changes and the party responsible for paying the OPPD bill at the building changes within the three year follow up period the benchmarking requirement will no longer be enforced however OPPD will continue to have the right to monitor OPPD bills for the three year duration.
19. For buildings with over 20,000 square feet of conditioned space the following documentation is required:
  4. Control System: Submit a detailed scope of work that includes the following information as applicable:
    - A list of existing and new control points, including all AO, AI, DO and DI.
    - A list or cut sheets of existing controls hardware and new controls hardware to be installed.
    - Sequences of operation.
    - If available, provide controls diagrams.
    - Provide both material and labor costs to implement the proposed control strategies.
  5. Equipment to be Retro-Commissioned: Submit documentation of the existing equipment that is being controlled by the existing BMS including:
    - Mechanical schedules, drawings or other technical information for the Air Handlers, Chillers, Pumps, Cooling Towers, Heat Exchangers and other equipment, that includes the capacities, flow rates, etc.,
  6. Energy Study: An engineering analysis of the estimated energy savings based on implementation of the proposed measure. Use the existing system operation as the baseline.
    - In cases where a project includes multiple ECMs, the engineering analysis must ensure the interactive effects of energy savings measures are accounted for and do not overlap. For example, if one measure is time of day shutdown, and the next measure is static pressure reset, the baseline energy consumption for the static pressure reset measure shall use the reduced hours of time-of-day shutdown.
20. Retro Commissioning rebate amount will be \$0.20 per square feet of conditioned space for buildings 20,000 square feet and less and with a rebate limit of \$4,000 and \$0.10 per square feet for buildings 20,000 to 300,000 square feet and with a rebate limit of \$30,000 per building.
21. Project completion for rebates over \$5,000 shall be within twelve (12) months of OPPD preapproval and invoice must arrive within one (1) month of completion in order for rebate funding to be available. Any invoice arriving over this time limit may no longer be funded.
22. Projects committed to or completed prior to November 1, 2024 do not qualify for this rebate.

\*16 - This is done to ensure BMS savings results are sustainable for five years and is intended to assist the customer by not requiring they proactively provide that information each year.

#### Required documentation:

Rebates less than \$5,000:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Detailed Scope of Work
3. Equipment to be Retro-commissioned
4. Energy Study
5. Dated Invoice showing itemized equipment installation and commission services as provided, may be listed as a lump sum.
6. Confirmation of Trained Staff

For preapproval:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. Detailed Scope of Work
3. Equipment to be Retro-commissioned
4. Energy Study

For final approval:

5. Dated Invoice showing itemized equipment installation and commission services as provided, may be listed as a lump sum.
6. Confirmation of Trained Staff

## ENERGY STAR Building Projects

1. ENERGY STAR Building rebate is for existing buildings only.
2. While ENERGY STAR Building rebates do not need to be pre-approved, OPPD will carefully review each application to ensure no other rebates have been paid at the building which would result in paying for energy efficiency and demand reduction results more than once.
3. If the projects completed to attain ENERGY STAR Building status qualify for another prescriptive rebate, those rebates must be applied for in lieu of the ENERGY STAR Building Rebate.
4. Must have previously received the ENERGY STAR Benchmarking Rebate and initial score as provided for that rebate must be less than 75. Can't have ever achieved ENERGY STAR status!
5. Initial score must be submitted from Benchmarking Rebate and rebate paid prior to any submission for an ENERGY STAR Building Rebate. Initial score must be below 75 in order to qualify for this rebate. Meaning if the score comes back over 75 you will get the benchmark rebate and would qualify for the certification rebate but not the energy star building rebate.
6. May be combined with ENERGY STAR Certification rebate.
7. Building must have attained ENERGY STAR Status before application for rebate but after program introduction of January 1, 2025.
8. Buildings are disqualified from receiving this rebate if they have ever attained ENERGY STAR building status in a year(s) previous to 2025.
9. Buildings are eligible for a maximum of one ENERGY STAR Building rebate per premise every 10 years.
10. An ENERGY STAR Building rebate cannot be applied for if building has received a Small Business BMS Rebate, a BMS Rebate, a Retro Commissioning Rebate or a Custom Project Rebate within 10 years.
11. Building must be Benchmarked by an approved Trade Ally in Portfolio Manager, the EPA's free benchmarking tool, and the ENERGY STAR score reported as part of the application process.
12. Savings must be deemed to be sustainable for a period of five years. In order to complete this requirement, the ENERGY STAR rating/Portfolio Account Tracking needs to be maintained for a period of three years by the customer or the Trade Ally (OPPD may also provide this service at a nominal cost to the customer and customer must agree to provide gas or other, non-electric, utility data proactively to OPPD for the three-year duration). This tracking must be determined prior to any payment being made.
13. OPPD must be granted Portfolio Manager viewing rights to the building for a period of up to three years post rebate payment\*.
14. If building ownership changes and the party responsible for paying the OPPD bill at the building changes within the three year follow up period the benchmarking requirement will no longer be enforced however OPPD will continue to have the right to monitor OPPD bills for the three year duration.
15. Energy Star Building rebate amount will be based on the Professional Engineer or Registered Architect verified Portfolio Manager Score. A score of 75 results in a rebate of \$0.25 per square feet of conditioned space each point above 75 increases the rebate per square feet by \$0.02 with a maximum per square feet of \$.75 for a score of 100. Maximum rebate amount for this rebate is \$40,000.
16. Projects committed to or completed prior to November 1, 2024 do not qualify for this rebate.

\*12 - This is done to ensure savings results are sustainable for five years and is intended to assist the customer by not requiring they proactively provide that information each year.

### Required documentation:

1. W-9 (MOST CURRENT YEAR, SIGNED AND DATED)
2. List of energy related projects and invoices showing energy efficiency measures completed since receiving Benchmarking Score and Rebate.
3. Mechanical and lighting equipment schedule(s) (HVAC, lighting, etc.)
4. Control sequence of operation presently being utilized by the BMS
5. Documentation of how Staff is Trained on the existing systems to ensure energy savings in maintained or improved.

<https://www.energystar.gov/buildings/benchmark/understand-metrics/score-criteria>

# SMB Direct Install Rebate Program Terms and Conditions



Updated November 2024

PROGRAM RULES AND DETAILS ARE SUBJECT TO CHANGE WITHOUT NOTICE.

## Qualifications for Program

Participant must be an OPPD business customer on Rate 230 or 231 and have an annual peak demand equal to or less than 100kW. Pres-screening for customer's eligibility will be conducted. Customer must also have OPPD account(s) in good standing. OPPD will exercise its right to limit rebate on any building or project to ensure that kW and kWh results are not counted twice.

## Rebate Funding Requirements

The following project types and rebate amounts ***do not*** require OPPD preapproval to ensure payment:

1. SMB Direct Install
2. SMB Direct Install Energy Audit

However, depending on the equipment installed and total rebate amount a pre-approval for the equipment rebate may be required. Refer to Business Rebates Terms and Conditions for more information.

Rebates are fulfilled on a first come first served basis and program funding is limited. Invoices must be submitted within 120 days of date shown on invoice in order to ensure payment.

## General Terms and Conditions

1. This program is subject to change or cancellation without notice.
2. OPPD reserves the right to verify sales transactions and inspect projects prior to and after installation.
3. OPPD reserves the right to install a metering device on existing and new equipment to verify energy savings.
4. Rebates are available on a first come, first served basis.
5. OPPD reserves the right to limit rebates. Refer to Project Requirements for established rebate limits.
6. Submitting incomplete or missing information will delay processing of the rebate.
7. The customer/contractor certifies that each energy efficiency measure and/or project complies with all federal, state and local safety, building and environmental codes.
8. OPPD is granted the right to publicize your participation in the program, unless you specifically state otherwise in writing.
9. Falsifying any information may lead to cancellation of this and future rebate applications, a claim by OPPD for the return of any rebate payments and/or the exercise by OPPD of available legal remedies.
10. OPPD shall own all rights to existing and future emissions credits, efficiency certificates, renewable energy credits, tradable renewable certificates and/or any and all other environmental benefits associated with the implementation of all projects that receive OPPD rebates.

## Tax Credits

Consult your tax advisor for any applicable federal tax incentives available for installation of energy efficient equipment or for energy efficiency projects.

## Nebraska Department of Environment & Energy (NDEE)

Consult NDEE regarding their low interest loan program as a financing option.

## Disclaimers

1. OPPD does not offer any warranty or guarantee of any kind, express or implied, as to the performance of any equipment installed by or on behalf of customer.
2. OPPD expressly disclaims all warranties, express or implied by law, including but not limited to any warranty of fitness for a particular purpose or warranty of merchantability with respect to equipment installed by or on behalf of customer.
3. OPPD does not endorse any manufacturer, contractor or vendor, or any product or system design. Customer is solely responsible for the contracting of and payment for any equipment installed on the customer's premises. There is no contractual relationship, express or implied, created between OPPD and any vendor, contractor or other person or entity hired by customer to design, install, maintain or repair customer equipment.
4. The customer/contractor is responsible for the proper disposal and/or recycling of any waste generated as a result of this project.
5. OPPD shall not have any liability to customer or to any third party for any injury (including death), loss, damage, cost or expense of any kind ("Liabilities") arising from or related to any equipment on customer's premises for which OPPD pays a rebate under this program. Customer shall indemnify, defend and hold harmless OPPD and its directors, officers and employees from any such Liabilities.
6. OPPD is not responsible for any tax liability imposed on the customer as a result of rebate funding. Consult your tax advisor for more information.

## Prescriptive Rebate Project Requirements

1. Projects receiving rebates less than \$5,000 should be completed before applying for any rebate and must be applied for within 120 days of invoice date.
2. Rebates must be \$100 or greater in order to qualify.
3. The maximum rebate amount will be \$100,000 per facility per calendar year (there may be more than one project for a facility provided the calendar year total is less than \$100,000). Specific project rebate limits are shown in the Project Requirements.
4. OPPD reserves the right to limit any prescriptive equipment rebate (HVAC, ARC and Lighting), payment to not exceed 50% of the total material/equipment cost for the project.
5. Custom projects are **not eligible** for the SMB Direct Install rebate program.

## Additional Project Requirements

### SMB Direct Install Rebate

1. This rebate is for existing buildings only
2. This is a rebate program for **labor installation cost** for energy-efficient measures upgrades.
3. This rebate must be combined with at least one of the following OPPD Business Rebates:
  - Lighting and Lighting Controls
  - HVAC/Chiller/Heat Pump
  - Advanced Rooftop Unit Controller (ARC)
  - Small Business Building Management System (BMS)
4. Customers who are part of a national chain or franchise may only participate with a maximum of 3 premises per calendar year.
6. Each business owner may only participation with a maximum of 3 premises per calendar year.
7. Each interested customer must request a free energy assessment via OPPD website.
8. A free energy assessment must be completed and at least one identified energy efficiency measure installed prior to applying for this rebate.
9. Energy-efficient measure(s) installed **MUST** be measure(s) identified in the energy assessment report.
10. Installation must be carried out by an OPPD Trade Ally. Only OPPD Trade Allies can apply for rebates as part of this program.
11. **Business Rebate(s) applications must be submitted prior to applying for this rebate.**
12. Free (level 1) and Comprehensive (level 2) energy assessment can **ONLY** be conducted and completed by an OPPD Trade Ally which has been approved to submit custom project application in addition to fulfilling and completing the requirements in the statement of work (SOW) with OPPD.
13. All Terms and Conditions and Project Requirements for the accompanying energy efficiency measures must be followed on order to qualify for this rebate.
14. Projects committed to or completed prior to December 1<sup>st</sup>, 2024, do not qualify for this rebate.

## Required Documentation

1. **W-9** (MOST CURRENT YEAR, SIGNED AND DATED)
2. **Invoices:** Detailed, itemized invoices showing the equipment installed, with an itemized costs associated with materials AND an itemized labor cost.
3. **Energy Assessment Report:** An energy assessment report that includes the recommendation of the measures that would improve energy efficiency from the free energy walkthrough need to be uploaded.

## SMB Direct Install Energy Audit Rebate

1. This rebate is for existing buildings only
2. This rebate is for a comprehensive (Level 2) energy assessment which must be completed prior to any energy-efficient measure upgrades.
3. To qualify for this rebate the following must be completed:
  - a. Free (Level 1) energy assessment
  - b. Comprehensive (Level 2) energy assessment
  - c. Customer would need installation of at least one identified measure from the level 2 audit. A customer agreement for installation would be required.
4. Customers who do not proceed with the installation of at least one of the recommended energy-efficient measures are not eligible to receive this rebate and may have to pay in full for the level 2 energy assessment.
5. Customers can receive the SMB Direct Install Rebate and Business Rebate(s) in addition to this rebate, subject to both programs' T&Cs.
6. This rebate must be combined with at least one of the following OPPD Business Rebates:
  - Lighting and Lighting Controls
  - HVAC/Chiller/Heat Pump
  - Advanced Rooftop Unit Controller (ARC)
  - Small Business Building Management System (BMS)
7. Customers who are part of a national chain or franchise may only participate with a maximum of 3 premises per calendar year.
8. Each business owner may only participation with a maximum of 3 premises per calendar year.
9. Each interested customer must request a free energy assessment via OPPD website.
10. Energy-efficient measures installed HAS to be at least one of the recommended measures in the energy assessment report.
11. Installation works and must be carried out by OPPD Trade Ally. Only OPPD Trade Ally can apply the rebate for this program.
12. **Business Rebate(s) application(s) must be submitted prior to applying for this rebate.**
13. Free (level 1) and Comprehensive (level 2) energy assessment can **ONLY** be conducted and completed by an OPPD Trade Ally which has been approved to submit custom project application in addition to fulfilling and completing the requirements in the statement of work (SOW) with OPPD.
14. All Terms and Conditions and Project Requirements for the accompanying energy efficiency measures must be followed on order to qualify for this rebate.
15. Projects committed to or completed prior to December 1<sup>st</sup>, 2024, do not qualify for this rebate

## Required Documentation

1. **W-9** (MOST CURRENT YEAR, SIGNED AND DATED)
2. **Invoices:** Detailed invoices listing the service and scope associated with energy assessment conducted.
3. **Energy Assessment Report:** A detailed energy assessment report that includes the recommendation of the measures, amount of kW and kWh savings, bill reading and other efforts that would improve energy efficiency from the level 2 energy assessment need to be uploaded.
4. **Customer Agreement:** A signed and dated customer agreement to follow up with the installation process after the Energy audit will be required for rebate payment processing.



