

## New Home Construction Program

# Builder Trade Ally Participation Agreement



## Together We Can Help Customers Save Energy and Money!

Consumers Energy offers a portfolio of programs that promote energy efficiency, incorporating both rebates and energy education. The residential Consumers Energy New Home Construction program offers financial incentives to participating Trade Allies for achieving ENERGY STAR® certification or a HERS Index Score of 56 or lower in eligible new homes.

Builders interested in participating in the residential Consumers Energy New Home Construction Rebate program must complete this Trade Ally Participation Agreement.

## Getting Started

To participate in this program, builders have to follow these steps:

1. Submit this Trade Ally Participation Agreement. You will only need to do this once.
2. Work with a local Home Energy Rater. Your Home Energy Rating System (HERS) Rater will submit rebate applications on your behalf.
3. We recommend that you incorporate ENERGY STAR considerations in your build as early as possible to qualify for the ENERGY STAR rebate or to ensure you achieve a HERS Index Score of 56 or lower. This would ideally start in the planning and design phase. You will need to work with a Home Energy Rater and an ENERGY STAR certified mechanical contractor. If this is your first ENERGY STAR certification, your Consumers Energy New Home Account Manager can help you get started.

### Important:

The information completed in the “Builder Information” section of the Trade Ally Participation Agreement will be the information included in the Trade Ally Directory. By signing this Trade Ally Agreement, you are agreeing that you have been trained on the program and will offer it to your customers. Trade Allies will be removed from the program for non-compliance.

## Trade Ally Participation Terms and Conditions

This Trade Ally Participation Agreement is between the listed Trade Ally and Consumers Energy. This agreement defines the terms under which the Trade Ally agrees to participate in the New Home Construction program.

### Home Eligibility

Homes must have a residential account in the Consumers Energy electric, natural gas or combination (natural gas and electric) service territory as evidenced by the city/town, ZIP code and ultimately a Consumers Energy meter number.

Qualifying structures include:

- Site-built single-family residential homes.
- Modular homes
- Detached condominiums.
- Townhomes — defined as a single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides.
- Connected housing with individual meters for natural gas and/or electricity, individual heat and domestic hot water equipment, and individual entrances to each unit. Additionally, the connected housing must be four units or fewer.
  - Condominiums, apartments, duplexes, flats, row houses, cooperatives.
- Manufactured homes are not eligible.

### Financial Incentives

All homes must meet ENERGY STAR requirements to be eligible for the ENERGY STAR rebate, or meet a Home Energy Rating System (HERS) Index score of 56 or lower. After that prerequisite is met, participating builders are eligible for a performance incentive based on the fuel that Consumers Energy provides the home. Up to date rebate incentive structure is available on [ConsumersEnergyTradeAlly.com](http://ConsumersEnergyTradeAlly.com)

### Consumers Energy Agrees to Offer the Following:

- Information sessions for participating Trade Allies on program procedures, requirements and qualifying equipment specifications.
- Rebates to eligible Trade Allies as filed with the Michigan Public Service Commission (and as funds are available).

Through a Consumers Energy sponsored website, [consumersenergyeed.com](http://consumersenergyeed.com), Trade Allies can have their company name and certain information linked to an approved website directory ("Web Directory") of residential builders. This is subject to the terms and conditions herein. Therefore, in consideration of the mutual promises contained and the mutual benefit to be obtained, the parties agree as follows:

- Trade Allies' contact information will be placed on the participating Trade Ally list on the Consumers Energy New Home Construction program website for customers once the Trade Ally Participation Agreement is complete.
- All Trade Allies acknowledge and agree that Consumers Energy provides the list of ENERGY STAR providers solely for informational purposes. Consumers Energy makes no warranty of any kind whatsoever, including, without limitation, the warranty of merchantability or fitness for a particular purpose.
- Under no circumstance or legal theory, whether as a result of a breach of contract, warranty or tort (including negligence, strict liability or otherwise), will Consumers Energy be liable to any Trade Allies for any indirect, special, consequential, punitive or exemplary damages. License,

insurance and bonding shall remain the sole responsibility of the Trade Allies.

- The relationship between Consumers Energy and the Trade Ally shall be that of owner and independent contractor, and all Trade Allies agree that nothing shall operate to change or alter such relationship. Trade Allies shall have no actual or apparent authority to bind, represent or work on behalf of Consumers Energy and may not represent or imply such authority through word or use of any Consumers Energy logo, trademark or service mark (including logos, trademarks or service marks of Consumers Energy's parent or affiliates).
- Trade Allies shall comply with all applicable laws and codes. Failure of any Trade Ally to comply with applicable laws, codes or Consumers Energy guidelines or any failure to resolve customer concerns may (in the sole discretion of Consumers Energy) lead to such Trade Ally's removal from the program.

Trade Ally status does not imply a utility endorsement of the contractor in any way; rather, it simply provides a way to identify those contractors who have completed the required program training and are committed to offer high efficiency homes to their customers as well as actively promote the program.

### Trade Ally Agrees to Perform the Following:

- Follow all directives as outlined in the Trade Ally Participation Agreement.
- Hold and maintain required licenses and insurance coverage while participating in the program.
- Install all qualifying equipment for which incentives are provided in a professional manner, consistent with industry standards and in accordance with all applicable building codes, zoning laws, local, state and federal requirements and other relevant requirements.
- Certify that the Consumers Energy New Home Construction program assistance is the only way that the builder can afford to increase the efficiency of each home submitted for a rebate. The builder must increase the efficiency of participating homes above and beyond what would have taken place without the support of the Consumers Energy New Home Construction program.
- Maintain and retain accurate business records relating to the installation of qualifying equipment according to customary industry practice for at least one year following home completion.
- Contractor may not use the Consumers Energy New Home Construction program promotional materials (including the Consumers Energy logo) without the express written consent of Consumers Energy.
- Use a RESNET® approved HERS Rater(s) to provide testing and certification of program homes. Trade Ally's chosen Rater(s) must be registered with – and approved by – the program in order to be eligible to submit rebate applications on behalf of the Builder. If the Builder is working with a Rater that is not already on the program's list of participating Raters, the Builder's Rater must complete the Rater Program Participation Agreement.
- Prior to any payment of Builder incentives, Consumers Energy reserves the right to verify the completion of homes for the requested incentive, as well as other applicable program requirements.

### Confidentiality Agreement

All information, including invoicing data to Consumers Energy, will be kept confidential within the Consumers Energy New Home Construction program and will only be used in aggregate form, as required, by the Michigan Public Service Commission and for associated evaluation, measurement and verification purposes.

## Builder Information

Company Name:		
Michigan Builder License #:		Federal Tax Identification #: Nonprofit    Self-Build (Use SS#)
Office Address:		City:
State:	ZIP:	Primary Contact Name:
Phone:		Fax:
Email (primary program contact):		Website:

## Mechanical/HVAC Provider Information

Please Select One: <input type="checkbox"/> I use this mechanical contractor for all residential projects. <input type="checkbox"/> I use multiple mechanical contractors, and this is my primary. <input type="checkbox"/> I have not yet selected a mechanical contractor.		
Company Name of Primary HVAC Provider:		Michigan Mechanical License #:
Address:		Email:
State:	ZIP:	Primary Contact Name:
Phone:	Fax:	Does this company carry ENERGY STAR for New Homes credentials? Yes    No*    Not Sure* <i>*If you select No or Not Sure, we may reach out with resources on becoming accredited.</i>

## Rater Information

Please Select One: <input type="checkbox"/> I use this rater for all residential projects. <input type="checkbox"/> I use multiple raters. <input type="checkbox"/> I have not yet selected a rater.		
Name of Primary Energy Rater:		Rater's Company:
RESNET ID #:		Address:
Phone:	Fax:	Email:

### RESNET Provider Info (Optional)

Name:	Provider ID #:	Phone:
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## Sales and Marketing Information

Is sales contact for homeowner inquiries the same as the primary builder contact? <input type="checkbox"/> Yes (Skip to Home Characteristics section) <input type="checkbox"/> No (Continue below)	
Name:	
Email:	Phone:

Home Characteristics (Note: This section is optional. However, providing this information will help us understand your business better and improve our program offerings. If you provide this information, it may be included on the web directory.)

How many homes do you expect to build next year? <input type="checkbox"/> Gas Only <input type="checkbox"/> Electric Only <input type="checkbox"/> Combined	What regions of Michigan do you build in?	What other green, sustainable or high-performance building features do you offer (in addition to ENERGY STAR certification)?
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## Trade Ally Signature

Trade Ally has read, understood and agreed to all the definitions, terms and conditions that are a part of this Trade Ally Participation Agreement and the referenced New Home Construction Rebate Application form.

By signing below, Trade Ally agrees: (1) It has been trained on the program and will offer the program to its customers; (2) Consumers Energy reserves the right to end Trade Ally participation in this program at any time; (3) It does not have any unresolved or outstanding complaints before the Michigan Department of Licensing and Regulatory Affairs or any other applicable regulatory agency, or a pattern of outstanding litigation that involves their work; and (4) It shall indemnify and hold harmless Consumers Energy from and against losses, liabilities, expenses, attorney fees, damages and injury to persons (including death) arising out of or in any manner connected with its participation in this program.

Trade Allies found in violation of any of the terms of the agreement and/or policies and procedures will be subject to removal or restricted program participation.

## Company Representative

Printed Name:	
Title:	
Signature:	Date:

**Please email this agreement to  
CENewHomes@icf.com**

**For questions, please contact:**

866-234-0445  
CENewHomes@icf.com  
ConsumersEnergy.com/builder

For more information about the **Consumers Energy New Home Construction Rebate program**, visit **ConsumersEnergyTradeAlly.com**