

2022 El Paso Electric Letter of Intent

Residential & Income Qualified Solutions Programs



El Paso Electric is committed to providing our customers with assistance in reducing their energy costs and consumption. El Paso Electric is proud to sponsor the **Residential and Income Qualified Solutions Programs** (the Program) to improve the energy efficiency of residential homes located within EPE's Texas service territory. El Paso Electric has contracted with CLEAResult (the Program Implementer) to promote and administer the Program.

This Letter of Intent confirms that _____ (the Participating Contractor) is a willing participant of this **no-cost** Program. This Letter of Intent reflects a voluntary collaborative effort between the Participating Contractor and EPE detailing the commitments to project energy and/or peak demand savings.

The Program is designed to leverage the greater El Paso contracting industry in order to:

- Market the Program
- Provide EPE customers with point-of-sale incentives to make energy efficiency upgrades
- Build consumer awareness of the availability and value of energy efficiency services provided by the Programs
- Provide direct support, tools, and training necessary for Participating Contractors to successfully participate in the Program

The Program may provide, cash and non-cash incentives. Participating Contractor may terminate participation in the Program by providing the Program Implementer a written statement that is signed and dated by the Participating Contractor stating their intention to terminate their participation in the Program. By executing this Letter of Intent, the Participating Contractor agrees to the following elements of the Program:

PROGRAM EXCLUSIVITY

A Participating Contractor will not submit projects for the facilities and projects identified in the Program to other energy efficiency programs offered by EPE within the same calendar year.

PROGRAM OVERSUBSCRIPTION OR CANCELLATION

El Paso Electric strives to achieve a diversified participant and measure mix within its program portfolio. The Program reserves the right to distribute funds based on program funding and cost effectiveness constraints. The incentives (cash and non-cash) offered through the Program are limited. It is possible that the program budgets might not accommodate the number of projects submitted by Participating Contractors. Program Incentives will be approximated and reserved for 45 days on a first-come, first-serve basis, determined by the date the Program Implementer receives an approved signed and completed EPE Customer Acknowledgement Form.

DISCLAIMER OF WARRANTIES

The Participating Contractor acknowledges and agrees that any review or inspection by EPE or the Program Implementer of a customer's premises or of the design, construction, installation, operation or maintenance of the energy efficiency equipment installed or to be installed in connection with the Program is solely for the information of EPE. In performing any such inspection or review or in accepting the installed equipment for the award of incentives, the Participating Contractor acknowledges and agrees that EPE or the Program Implementer makes no guarantee, representation or warranty whatsoever as to the economic or technical feasibility, capability, safety or reliability of the equipment, its installation by a project contractor or its compatibility with customer's facilities.

PROGRAM IMPLEMENTER IS AN INDEPENDENT CONSULTANT

The Program Implementer is an independent consultant and is not authorized to incur obligations on behalf of EPE.

The Residential and Income Qualified Solutions Programs are provided by EPE as part of the company's commitment to reduce energy consumption and demand. CLEAResult implements the Programs as an independent contractor.



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BENEFIT ELEGIBILITY REQUIRES ADDITIONAL ACTIONS

By executing this Letter of Intent, the Participating Contractor understands that in order to receive any benefits from the Program, they must complete the following steps:

- **Project Identification-** The Participating Contractor may work with the Program Implementer to identify project opportunities for the Customer that may improve the energy efficiency of buildings or operations. The Participating Contractor may use any reasonable means it chooses to identify the opportunities and the Program Implementer can provide assistance at the Participating Contractor's request.
- **Project Selection & Program Funds Reservation-** If the Participating Contractor proceeds with the energy efficiency improvement project identified, available cash incentives will be reserved upon receipt of a signed and approved by Program Implementer EPE Customer Acknowledgement form for 45 days. This is a non-binding form to the Participating Contractor.
- **Pre-Inspection-** To receive cash incentives the Participating Contractor must allow for a pre-installation inspection and/or provide additional verifying information before installing the project. The Participating Contractor agrees to provide the independent measurement and verification expert with full and complete access to the project site for any purpose related to the Program. The right of access will be subject to the customer's reasonable access requirements and, unless otherwise agreed, must occur during the normal business hours. The Participating Contractor must communicate with the Program Implementer and have their approval to receive the incentives offered under the Program.
- **Project Installation-** After the pre-installation inspection the Participating Contractor will install eligible energy efficiency measures to qualify for incentives. Neither EPE nor the Program Implementer will sell, provide, or warrant any materials or installations services for the project. Neither EPE nor the Program Implementer make any guarantee, representation or warranty whatsoever as to the economic or technical feasibility, capability, safety or reliability of the equipment, installation, or its compatibility with customer's facilities.
- **Post-Inspection-** In order to receive any available cash incentives under the Program, the Participating Contractor will collaborate with the Program Implementer to permit a post-installation inspection and/or provide other verifying information after installing the projects. The amount of any incentive will be for eligible energy efficiency measures that are completed and verified.
- **Payment Process-** Following project completion and energy savings verification, EPE will issue a one-time payment to the Participating Contractor for the cash incentive. The Program requires the following documentation be submitted for each project for the Program Implementer to verify the savings estimates:
 - Customer Signed and Completed EPE Incentive Form (Income Eligibility Form if Income Qualified)
 - Applicable Photos (when photos are required)
 - Project Invoice (with "El Paso Electric Incentive" or similar noted)
 - Affidavit (if the Participating Contractor is using a subcontractor)

PRINCIPLES OF AGREEMENT

This Letter of Intent constitutes the complete agreement between the Parties and supersedes any agreements, oral or written, made or dated prior hereto.

This Letter of Intent may not be modified, amended or supplemented absent a written instrument executed by both Parties and EPE.

This Letter of Intent does not create and is not intended to create a joint venture, association, agency, partnership, or other business entity among the Parties or between EPE and third Parties.

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PROGRAM COMPLIANCE

Participating Contractors may be placed on probation if they do not comply with program rules, consistently submit projects with discrepancies, or if issues remain unresolved. The duration and specific nature of the probationary period will be determined on a case by case basis, at the discretion of the Program.

ACCEPTANCE OF AGREEMENT

By endorsing below, the Participating Contractor accepts this agreement with the Residential and Income Qualified Solutions Programs, sponsored by El Paso Electric. Individuals signing for the Participating Contractor represent that they have legal authority to act on behalf of their organization and will represent said organization during the term of this agreement. Projects being submitted to the Programs must be completed by November 30th of the program year to allow time for post-installation inspections to occur before the end of the calendar year. All participating contractors must provide evidence of general liability insurance of at least \$1 million and must demonstrate evidence of licensing for any contracting work being performed. **For your convenience, your organization's participation in the Residential & Income Qualified Solutions Programs will continue from year to year via this Letter of Intent.**

Please indicate which measures you will be installing:

- | | | |
|--|---|---|
| <input type="checkbox"/> Air Infiltration | <input type="checkbox"/> Energy Star® Windows & Sliding Glass Doors | <input type="checkbox"/> Insulation |
| <input type="checkbox"/> Attic Encapsulation | <input type="checkbox"/> Energy Star® Storm Windows | <input type="checkbox"/> LEDs |
| <input type="checkbox"/> Duct Sealing | <input type="checkbox"/> Evaporative Cooling | <input type="checkbox"/> Solar Screens |
| <input type="checkbox"/> Energy Star® Cool Roofs | <input type="checkbox"/> Faucet Aerators & Low Flow Showerheads | <input type="checkbox"/> Water Heater Pipe Insulation |
| <input type="checkbox"/> Energy Star® Pool Pumps | <input type="checkbox"/> HVAC/Heat Pumps/Mini Splits | |

PARTICIPATING CONTRACTOR

Signature: _____	Address: _____
Printed Name: _____	_____
Title: _____	Phone: _____
Company: _____	Email: _____
License Type: _____ Number: _____	Date: _____
License Type: _____ Number: _____	Date: _____

Please sign and mail, email or fax to:

CLEARResult
Attn: Ivan Faudoa
5822 Cromo Dr., Suite 201
El Paso, TX 79912

Email: Ivan.Faudoa@CLEARResult.com
Fax: (866) 379-5583
Phone: (915) 255-4285

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