

DOCKETED

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In the matter of 2028 Building Energy Efficiency Standards Pre-Rulemaking

Docket No. 25-BSTD-03

Supersedes TN#269866

Proposed Measure Name: Mechanical ATT and ATE Equitable Audit Process

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Submitted to: California Energy Commission Docket Unit

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Summary Table

Required Summary Element	Response
Measure Name & Proponent	Mechanical ATT and ATE Equitable Audit Process
Building Type	Nonresidential
Building System	HVAC
Measure Description	This measure proposes three modifications to Section 10-103.2(c)3F: (1) correcting the Desk Audit reference from ATT to ATE; (2) clarifying that ATTCPs may use either site or training facility audits for shadow auditing at their discretion; and (3) replacing the per-ATE Training Facility Audit obligation with a minimum five percent (5%) sampling rate of all active ATEs per code cycle. For each selected ATE, the ATTCP randomly designates one ATT from that ATE's projects to be shadow audited, with new requirements for facility setup and recertification separation.
Justification	The current language requires one shadow audit per ATE, which at scale creates a disproportionate logistical burden on ATTCPs, technicians, contractors, and JATCs. A five percent sampling rate achieves equivalent quality oversight while distributing the audit burden equitably across all participants.
Data Needs	Review of modification to 10-103.2(c)3F
Key Stakeholders	ATTCPs, ATTs, ATEs, AHJs, and Construction Teams

Required Summary Element	Response
Estimated Energy Savings	N/A
Estimated Costs	There is no cost increase in the measure proposal.
Economic Impacts	There is no economic impact.
Consideration for Readiness	High

Proposed Measure

This measure proposes three modifications to the shadow audit requirements under Section 10-103.2(c)3F. First, it corrects a drafting error in the Desk Audit provision, replacing the reference to ATT’s with ATE’s to accurately reflect the party whose completed compliance forms are being reviewed. Second, it adds explicit language to the Shadow Audit provision clarifying that ATTCPs may use either site audits or training facility audits, or may restrict shadow auditing to one format for all ATTs under their certification. Third, it replaces the Training Facility Audit requirement of one shadow audit per ATE with a minimum five percent (5%) sampling rate of all active ATEs per code cycle. For each selected ATE, the ATTCP randomly designates one ATT from that ATE’s projects to be shadow audited at an ATTCP training facility.

Building Types

All nonresidential and multifamily housing taller than 4 stories, including schools (excluding buildings affected by AB-130).

Building Systems

Compliance requirements for installation and verification of HVAC systems related to Title 24 energy compliance for nonresidential buildings.

Key Stakeholders

CEC, ATTCPs, ATTs, ATEs, AHJs, and construction teams.

Measure Summary

This measure proposes three modifications to Section 10-103.2(c)3F. First, it corrects a drafting error in the Desk Audit provision, replacing the reference to ATT’s with ATE’s to accurately reflect the party whose completed compliance forms are being reviewed. Second, it adds explicit language to the Shadow Audit provision clarifying that ATTCPs may use either site audits or training facility audits at their discretion, or may restrict shadow auditing to one format for all ATTs under their certification. Third, it replaces the Training Facility Audit requirement of one shadow audit per ATE with a minimum five percent (5%) sampling rate of all active ATEs per code cycle - at 70 active ATEs, that is 4 audits rather than 70. For each selected ATE, the ATTCP randomly designates one ATT from that ATE’s projects to be shadow audited at an ATTCP training facility. Two additional requirements are introduced: the ATTCP training facility must be configured to support auditing of all functional tests for which the ATT is certified, and shadow audits must be conducted separately from any testing used for ATT recertification.

Equitable Program Audit

Program Audit: The ATTCPs shall include quality assurance and accountability measures, including but not limited to independent oversight of the certification materials, processes and procedures, visits to building sites where certified technicians are completing acceptance tests, certification process evaluations, and expert review of the training curricula developed for Building Energy Efficiency Standards, Section 120.5 and 160.3(d). Independent oversight may be demonstrated by accreditation under the ISO/IEC 17024 standard.

Desk Audit: The ATTCP shall review a random sample of no less than 1 project of each ATE's completed project compliance forms within one code cycle. The ATE must have performed a minimum of 5 projects to meet the desk audit requirements. The ATTCP may engage in additional checks at its discretion.

Shadow Audit: The ATTCP shall perform shadow audits by meeting either of the following options.

Site Audit: The ATTCP shall randomly select and shadow audit no less than 1 project of each ATE's overseen projects within one code cycle. The ATTCP shall follow the ATT assigned to that project and observe their performance on the job site.

Training Facility Audit: The ATTCP shall randomly select a minimum of five percent (5%), rounded up to the nearest whole number, of all active ATEs per code cycle. For each selected ATE, the ATTCP shall randomly designate one ATT from that ATE's projects to be shadow audited at an ATTCP training facility at least once per code cycle. The ATTCP shall observe the performance of the ATT on at least five functional tests for which the ATT is certified. To the extent possible, the shadow audit must replicate field conditions for installed equipment and controls in a building.

Justification

The current shadow audit requirement - one audit per ATE per code cycle - creates a significant and disproportionate logistical burden at scale. Coordinating 70 or more individual facility audits within a single code cycle strains ATTCP resources, disrupts project schedules for employing contractors, and places accommodation and coordination demands on JATCs. A five percent sampling rate achieves meaningful quality oversight and maintains program integrity while distributing the audit burden equitably. The added clarifications around ATTCP discretion and facility configuration further strengthen the consistency and fairness of the quality assurance process across all audit tracks.

Data Needs

Review of modification to 10-103.2(c)3F.

Estimated Energy Savings

Not applicable.

Estimated Cost

There is no cost increase in the measure proposal.

Economic Impacts

There is no economic impact.

Market Readiness and Support

This proposal assumes high market readiness. California's Title 24 compliance infrastructure - including ATTCP oversight systems, ATT and ATE networks, and enforcement workflows - already supports desk audits and site audits. The modifications proposed here clarify and streamline existing obligations rather than introduce new systems or processes, making implementation straightforward for all parties.

Code Language Proposed

Section 10-103.2(c)3F

- F. Quality Assurance and Accountability. The ATTCP shall describe in its applications to the Energy Commission procedures for conducting quality assurance and accountability activities, including but not limited to the following:
- i. **Program Audit:** The ATTCPs shall include quality assurance and accountability measures, including but not limited to independent oversight of the certification materials, processes and procedures, visits to building sites where certified technicians are completing acceptance tests, certification process evaluations, and expert review of the training curricula developed for Building Energy Efficiency Standards, Section 120.5 and 160.3(d). Independent oversight may be demonstrated by accreditation under the ISO/IEC 17024 standard.
 - ii. **Desk Audit:** The ATTCP shall review a random sample of no less than 1 project of each ATE's completed project compliance forms within one code cycle. The ATE must have performed a minimum of 5 projects to meet the Desk Audit requirements. The ATTCP may engage in additional checks at its discretion.
 - iii. **Shadow Audit:** The ATTCP shall perform shadow audits by meeting either of the following options: The ATTCP may use either site or training facility audits for shadow auditing ATT at its discretion or may restrict the shadow audit to either site or training facility audit for all ATTs under its certification.
 - a. **Site Audit:** The ATTCP shall randomly select and shadow audit no less than 1 project of each ATE's overseen projects within one code cycle. The ATTCP shall follow the ATT assigned to that project and observe their performance on the job site.
 - b. **Training Facility Audit:** The ATTCP shall randomly select and shadow audit one ATT from each ATE a minimum of five percent (5%), rounded up to the nearest whole number, of all active ATEs. For each randomly selected ATE, the ATTCP shall randomly designate one ATT from that ATE's projects to be shadow audited at an ATTCP training facility at least once per code cycle. ~~where~~ The ATTCP shall observe the performance of the ATT on at least five functional tests for which the ATT is certified. To the extent possible, the shadow audit must replicate field conditions for installed equipment and controls in a building. The ATTCP training facility shall be setup to allow auditing of all functional tests for which the ATT is certified. The shadow audits must be in addition to any testing used for ATT recertification.