

DOCKETED

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Comment Received From: bohdan fedyk

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NEBB ATTCP Rules change proposal April 19 2018 letter

Additional submitted attachment is included below.



NEBB

8575 Grovemont Circle, Gaithersburg MD 20877-4121

• TEL (301) 977-3698 • FAX (301) 977-9589

www.nebb.org



April 19, 2018

California Energy Commission
1516 9th Street
Sacramento, CA 95814

Attn: Dockets Office (MS-4)

Re: Docket (13-ATTCP-01)

This is a resubmission based upon the lack of acceptance of the July 31, 2017 letter regarding our Quality Assurance Program as well as the addition of the Mech 4H training program per our application dated June 16, 2015, Technician Certification, Prequalification Criteria. Mech 4H was listed as part of our application at that time and we will submit our training materials for Mech 4H under the confidential submission process.

QUALITY ASSURANCE PROGRAM

This is our current Quality Assurance Program:

Amendment of 2016 Quality Control Process

Major Changes:

1. The 2013 process focused on the Acceptance Test Technician (ATT) whereby an onsite audit of 1% of all acceptance tests conducted by the ATT would be performed. Prior notification of an onsite audit was provided to the ATT.
2. The 2016 process focuses on the Acceptance Test Employer (ATE) whereby the performance of an onsite audit of 1% of each ATE's projects per calendar year, is required. Onsite audits will be conducted on a random basis without prior notification to the ATE or ATT.
3. NEBB has contracted the ESCO Group to provide third party independent onsite audits.

NEBB Quality Control Process:

Audit Frequency and Triggers

Paper Audit of Acceptance Test Employer (ATE)

Required: 1% of ATE's Acceptance Test forms completed per calendar year.

The Non-Residential Mechanical Document Registry (escodocreg.com) uses “Trip Wires” and certain algorithms within each form to analyze every form for anomalies. The Registry notifies NEBB of those forms that have been earmarked as anomalous so that they may be reviewed. This process reviews 100% of the completed forms exceeding the 1% review requirement.

Complaint Generated Audit of an ATE’s Project

A complaint must be initiated by a party with standing. e.g. the project’s property owner, commissioning agent, installing contractor, etc. NEBB, upon investigation, may choose to order a partial or complete onsite audit of the project in question.

Complaints

The scope of reviewable complaints is limited to actions directly related to the knowledge or technical performance of the non-residential mechanical certified acceptance test technician or certified employer. The building owner or the party who engaged the Certified Employer may file the complaint. Any other complainant will be considered outside the scope of NEBB’s Oversight and Accountability Program.

Acknowledgement of receipt of a reviewable complaint will be sent to the complainant within seven days. Notice that a complaint is not within the scope of the T24 O&A will be sent to the complainant within seven days.

Sources of Complaint: A project’s owner, his representative, general contractor, mechanical contractor, engineer, or a representative of the Permit Issuing Authority (PIA) may initiate a complaint.

Process Options: A complaint is initiated by completing the complaint form on the Registry to NEBB. The Registry will forward a copy of the complaint to the Northern and Southern NEBB Chapters and the NEBB Office. A majority of the T24 O&A and the NEBB leadership committee will review the complaint.

Valid Complaint: Limitation of complaints will cover forms only. No contractual issues will be reviewed.

Format for Complaint: Fill out a complaint form found on the Registry, www.escodocreg.com . This form will include:

Complainant’s: Name, Title, Company, Mailing Address, Contact information, and a description of Complainant’s Role in Project.

Project: Project Registry Number, Project name, Street Address, City, State, ZIP Code, Contact Name, Contact Title, Company, Contact information, and description of Project

Certified Employer: Company, Certified Employer Number, Contact Name, Title, Mailing Address, Contact information and description of Certified Employer's role in the Project.

Certified Mechanical Acceptance Technician: Certified Technician Number, Name, Title, Mailing Address, Contact information and Description of Certified Technician's role in Project.

Complaint Detail: Summary of Complaint, Details, Evidence of Complaint (including PDF and JPG files), Requested Resolution.

Electronic: Signature and date.

Complaint Filing Process: Upon receipt of a complaint, NEBB will conduct an investigation of the complaint. A decision will be made relative to any necessary corrections for additional training or decertification. Upon determination that either action or no action is required, all parties involved will be notified in a timely manner as to the disposition of the complaint.

Onsite Audit of ATE

Required: 1% of each ATE's Projects per calendar year

General Overview

NEBB has contracted the ESCO Group to provide, independent third party, onsite audit services. ESCO Group will perform onsite audits of no less than 1% of each Acceptance Test Employer's (ATE) calendar year projects. Whenever feasible, onsite audits will be performed across multiple projects at various building-sites and include multiple Acceptance Test Technicians (ATT) employed by the ATE.

Onsite audits shall be performed on or before each ATE's 50th project within a calendar year. *

*Some ATEs, due to the infrequency of their projects, may require audits after as few as 10 projects. ATEs performing less than 10 projects per calendar year may not have an onsite audit until the following calendar year.

The IQAP shall submit a report to the CEC no later than January 31, of each year. The report shall contain a list of ATEs that did not receive an onsite audit during the previous calendar year. The IQAP will make a good faith effort to audit all ATEs listed in the annual unaudited ATE report on a priority basis (as early in the calendar year as possible).

ESCO Group performs onsite audits utilizing the “job shadow” method conducted by trained and credentialed Quality Assurance Inspectors (QAI).

NEBB will record and make available to the California Energy Commission (CEC) all remedial actions resulting from an audit. This record will include but shall not be limited to remediation and/or discipline actions such as; retraining, suspension, or revocation of an ATE’s or ATT’s certification.

General Responsibilities

Responsible Person Requirements

A Responsible Person¹ must initiate the acceptance testing job opportunity in the Non-Residential Mechanical Document Registry at www.escodocreg.com . The Responsible Person may then put the job out to bid generally or select and assign an ATE of their choice. Once the ATE is accepted by the Responsible Person, it is the ATE’s responsibility to insure that the ATT completes all necessary inputs for the acceptance testing job.

ATT Requirements

During an audit, all ATT’s certified by NEBB must provide documentation of their test instruments calibration to any QAI upon request. Therefore, it is a requirement of certification that all ATTs have such documents available, at the jobsite, while performing Acceptance Tests.

ATE Requirements

All ATEs certified by NEBB are required to register and maintain their projects in the online Non-Residential Mechanical Document Registry at www.escodocreg.com .

All ATEs are required to provide to their Independent Quality Assurance Provider (IQAP) a list of Acceptance Testing Projects (jobs) a **minimum** of 2 weeks in advance of the scheduled Acceptance Test and notify the IQAP of all date changes. This is will be accomplished via the Non-Residential Mechanical Document Registry.

General Onsite Audit Procedural Outline

Acceptance forms are procured by the ATE through the Document Registry by use of a valid ATT identification code and the entry of an expected date the acceptance test(s) is to be performed.

¹ Responsible Person as defined by Title 24, Part 1, Section 10-103(a)4 is a person who is eligible under Division 3 of the Business and Professions Code to accept responsibility for the building design. This is most typically an Architect or Engineer of record, but may also be a contractor or building owner (typically for smaller jobs).
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At the time of procurement from the Document Registry, the use of each compliance document requires the assignment of an ATT and the date that the acceptance test will be performed. The ATT cannot be assigned to an acceptance form without also assigning the date the test is to be performed. In case of a schedule and / or ATT change, the date must be changed by the ATE.

NEBB has access to the audit schedule report, which is filtered by date range. The report includes (by ATE, by ATT) the Project name, forms, and quantity of each form scheduled within the specified date range.

The expected date of the acceptance test must be no less than two weeks from the date of the procurement of the compliance document from the Document Registry and can be updated at any point by the ATE as needed. The ATE must also confirm (or extend, if necessary) the expected date of the acceptance test no less than 24 hours prior to the expected date (this is a simple check box on the Document Registry system). The Document Registry will send an automated alert to the ATE of all acceptance test dates that require 24-hour confirmation at least two days prior to the expected date, as well as, an alert for any acceptance test dates that have not been confirmed on the day of the expected date.

1. The IQAP shall assign and schedule a QA Inspector (QAI) to perform an audit of an ATE's project (jobsite).

A list of ATTs assigned to the project will be provided via the Document Registry. The QAI will attempt to monitor and audit as many of the ATTs as practical. The QAI may audit as little as a single form per ATT. Multiple QAIs may be assigned to a given project.

Neither the ATE or ATT shall be notified of any pending audit. The audit process is intended to be random and without notice.

- a. The IQAP will select at random a list of projects for the QAI to inspect. The IQAP will take into consideration the estimated time for a QAI to observe at least one acceptance test at each jobsite and the distance traveled between project sites to the best of their abilities. The IQAP will select project sites from a list of available jobsites provided by ESCO Group in general compliance with the following criteria:
 - i. Onsite audits will be performed on or before each ATE's 50th project within a calendar year.
 - ii. In the event that an ATE works on less than 50 projects within a single year, the project count will be added to the following year.

- b. Prior to beginning an audit, the QAI will present their credentials to the ATT and the project site control authority.
 - c. The ATT shall provide valid proof of identity such as a driver's license or other Government issued picture ID, as well as documentation of test instrument calibration to the QAI. Calibration certificates must be dated less than one year prior to using the test instrument in completing an acceptance test.
 - d. The QAI shall conduct the audit and submit their completed audit forms and notes to the IQAP.
 - e. The IQAP shall enter all completed audit forms and notes into the Document Registry.
 - f. Upon completion of an audit day, the QAI will enter the completed audit forms, along with all recommendations relative to any suggested additional training into the Registry. The report may include suggested remediation and / or commendations for excellence or indicate that the ATT could not complete a specific Acceptance Test.
 - g. The IQAP will determine if each audit performed is a pass, a pass with minor infraction, or a fail. The IQAP may rely on the recommendations of the QAI.
 - h. The IQAP shall notify by email NEBB, the ATE, and the ATT of the audit results.
2. Based on the audit results, NEBB shall notify the ATE, and the ATT by email of what, if any, remedial actions are required.
- a. (Insert ATTCP name here) will take the following actions upon receipt of a quality assurance report from the IQAP. .
 - i. Minor infraction; warning issued (ATE and ATT)
 - ii. First Failure; Targeted retraining and retesting (ATE or ATT)
 - iii. Second Failure; Decertification (ATE or ATT) with the option to restore certification with the successful completion of the full training and testing requirements.
 - b. NEBB will maintain a record of all remedial actions for any ATE or ATT for no less than five years and will submit a descriptive report annually to the Energy Commission of all quality assurance activities with the assistance of ESCO Group.

3. **QAI quality verification process**, in an effort to maintain the quality of the audit verification process, several special auditors will provide oversight of the QAIs. They will, without prior notification provide onsite monitoring of the QAIs. They will monitor a minimum of 1% of the QAIs assigned projects.

Abbreviations:

ATE	Acceptance Test Employer
ATT	Acceptance Test Technician
ATTCP	Acceptance Test Technician Certification Provider
CARB	California Air Resources Board
IQAP	Independent Quality Assurance Provider
QAI	Quality Assurance Inspector

Please do not hesitate to contact us if you have any questions.

Best regards,



Bohdan Fedyk,

NEBB Technical Director/Title 24 Program Director