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**CALIFORNIA  
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California Energy Commission

## **REVISED STAFF DRAFT GUIDELINES**

# **School Reopening Ventilation and Energy Efficiency Verification and Repair Program Guidelines**

**Gavin Newsom, Governor**  
**March 2021 | CEC-XXX-XXXX-XXX**



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## ABSTRACT

The School Reopening Ventilation and Energy Efficiency Verification and Repair Program is one of the two grant programs under the School Energy Efficiency Stimulus Program, established by Assembly Bill 841 (Ting, Chapter 372, Statutes of 2020). The program authorizes funding to local educational agencies for assessing, maintaining, and repairing or upgrading school ventilation systems to ensure that systems meet certain classroom ventilation requirements. These guidelines provide requirements for program participation including eligible applicants and projects, the application process, funding awards and distribution, as well as project documentation and reporting requirements. The California Energy Commission envisions rolling out the School Reopening Ventilation and Energy Efficiency Verification and Repair Program in phases to ensure prioritization of schools in Underserved Communities. The first edition of these guidelines addresses the initial phase of program awards, which are limited to assessment and maintenance projects for schools in an Underserved Community as defined. Additional eligibility under the program guidelines may be addressed in updates to these guidelines.

**Keywords:** School Energy Efficiency Stimulus, SEES, School Reopening Ventilation and Energy Efficiency Verification and Repair Program, grant, energy efficiency, school, local educational agency, Underserved Community, HVAC, ventilation, assessment

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# CHAPTER 1: Program Overview

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## A. Introduction

The School Energy Efficiency Stimulus (SEES) Program, established by Assembly Bill (AB) 841 (Ting, Chapter 372, Statutes of 2020) provides grants to local educational agencies (LEAs) as defined in Table 1 to, among other things, assess, maintain, adjust, repair, or upgrade HVAC systems in schools. The SEES Program also provides grants to LEAs and California state agencies to replace noncompliant plumbing fixtures and appliances. AB 841 requires the California Energy Commission (CEC) as the program administrator to design, administer, and implement the program in collaboration with the utilities funding the program. The SEES Program consists of the School Reopening Ventilation and Energy Efficiency Verification and Repair (SRVEVR) Program and the School Noncompliant Plumbing Fixture and Appliance (SNPFA) Program. These guidelines describe the program design, application process, and reporting requirements for the SRVEVR Program. The program requirements of the SNPFA Program are provided in separate guidelines.

These SRVEVR Program Guidelines provide potential applicants with information on how the program will be structured, who is eligible to apply for funding, and program requirements. All grant applicants and recipients are required to follow all program requirements, including those outlined in Public Utilities Code (PUC) Division 1, Part 1, Chapter 8.7, and as further outlined in these guidelines.

The SEES Program is established as part of each of the utilities' energy efficiency portfolios as a joint program among all the participating utilities and shall be consistent across the utility territories. The SRVEVR and SNPFA are separate programs, and grant awards will be made specific to each program.

The CEC is rolling out the SRVEVR Program in phases to ensure prioritization of schools in Underserved Communities, as defined in Table 1 below. These guidelines address the initial phase of program awards, which are limited to projects for schools identified as being in an Underserved Community as defined. The CEC will continually evaluate the effectiveness of the SRVEVR Program Guidelines in achieving the purpose of AB 841 and publish new editions to update eligibility and prioritization as funding is available.

Future editions of the SRVEVR Program Guidelines will include updates necessary to prioritize schools with a boundary within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor or within 1,000 feet of a Clean Air Act (42 U.S.C. Section 7661 et seq.) Title V permit facility, as well as incorporate schools outside Underserved Communities. Furthermore, this first edition only addresses HVAC Assessment and Maintenance Grants to perform assessments, assessment reports, general maintenance, adjustments of ventilation rates, filter replacements, carbon dioxide monitor replacement, and an additional 20 percent of the requested amount for repairs, upgrades, or replacements necessary to make the HVAC systems functional or more energy efficient.



The continued evaluation of SRVEVR Program Guidelines will also include examining potential updates to address repairs, upgrades, or replacements that are greater than the contingency amount provided in the HVAC Assessment and Maintenance Grants. While not covered by this first edition of the guidelines, grants for work in excess of the 20 percent contingency will be referred to as HVAC Upgrade and Repair Grants.

## B. Keywords/Terms

Table 1 identifies the key words or terms used in the SRVEVR Program Guidelines.

**Table 1: Key Words and Terms**

<b>Word/Term</b>	<b>Definition</b>
AB	Assembly Bill
ASHRAE	American Society of Heating, Refrigerating and Air-Conditioning Engineers
ATTCP	Acceptance Test Technician Certification Provider. The ATTCP Program was developed to support the California Building Energy Efficiency Standards. The requirements for ATTCPs can be found on the <a href="https://www.energy.ca.gov/programs-and-topics/programs/acceptance-test-technician-certification-provider-program">ATTCP webpage</a> : <a href="https://www.energy.ca.gov/programs-and-topics/programs/acceptance-test-technician-certification-provider-program">https://www.energy.ca.gov/programs-and-topics/programs/acceptance-test-technician-certification-provider-program</a>
CEC	California Energy Commission
CEQA	The California Environmental Quality Act found in California Public Resources Code Section 21000 et seq., and the CEQA Guidelines, promulgated by the California Natural Resources Agency, California Code of Regulations, Title 14, Section 15000 et seq. CEQA generally requires state and local government agencies to identify and consider potential environmental impacts of proposed projects, and to reduce or avoid those impacts to the extent feasible.
Certified TAB Technician	A technician certified to perform testing, adjusting, and balancing of HVAC systems by the Associated Air Balance Council (AABC), the National Environmental Balancing Bureau (NEBB), or the Testing, Adjusting and Balancing Bureau (TABB).
CPUC	California Public Utilities Commission
DIR	California Department of Industrial Relations
HVAC	Heating, ventilation, and air conditioning. This applies to all air-handling units, rooftop units and unitary and single zone equipment in a site's HVAC system or systems, as described in PUC Section 1622.
HVAC Assessment and	A grant provided as part of the SRVEVR Program to perform HVAC assessments, completion of an HVAC Assessment Report, HVAC general maintenance, adjustments of ventilation rates, filter

<b>Word/Term</b>	<b>Definition</b>
Maintenance Grant	replacements, and carbon dioxide monitor installation. This grant includes contingency funding of an additional 20 percent of the requested amount for repairs, upgrades, or replacements necessary to make the system functional or more energy efficient.
HVAC Assessment Report	A report prepared by a Qualified Testing Personnel or Qualified Adjusting Personnel as described in Chapter 2.D. of these guidelines for review by a Licensed Professional. The HVAC Assessment Report must be submitted to the CEC as part of the final document package as specified in Chapter 4.B of these guidelines.
HVAC Verification Report	A report prepared by an LEA upon completion of all work funded by a SRVEVR grant as described in Chapter 2.E. of these guidelines. The HVAC Verification Report must be submitted to the CEC as part of the final document package as specified in Chapter 4.B of these guidelines.
LEA	Local educational agency. A school district as defined in Section 41302.5 of the Education Code or a charter school that has been granted a charter pursuant to Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code.
Licensed Professional	A professional eligible under Division 3 (commencing with Section 5000) of the Business and Professions Code in the applicable classification to perform system design, construction, or installation of features, materials, components, or manufactured devices for mechanical systems.
MERV	Minimum efficiency reporting value
Notice of award	CEC notification to the LEA following approval of a grant application.
Notice of funding availability	A notice issued by the CEC to identify anticipated funding that will be made available in each round of SEES Program grants. The notice will provide relevant application dates and any funding restrictions applicable to that funding round.
PPM	Parts per million
Project	"Project" refers to all HVAC assessments, HVAC general maintenance, adjustments of ventilation rates, filter replacements, carbon dioxide monitor installations, repairs, upgrades, and replacements that are funded by an HVAC Assessment and Maintenance Grant.
PUC	Public Utilities Code
Qualified Adjusting Personnel	Means either of the following: (1) A certified TAB technician. (2) A Skilled and Trained Workforce under the supervision of a TAB Technician.

<b>Word/Term</b>	<b>Definition</b>
Qualified Testing Personnel	Means either of the following: (1) An HVAC acceptance test technician certified to complete the forms set forth in subparagraph (B) of paragraph (1) of subdivision (b) of Section 10-103.2 of Part 1 of Title 24 of the California Code of Regulations by an Acceptance Test Technician Certification Provider (ATTCP) that is approved by the CEC to provide that certification. (2) A certified TAB technician.
SEES Program	School Energy Efficiency Stimulus Program established in Chapter 8.7 Article 1 of the PUC.
Service territory requirement	School sites must be located in a participating utility's service territory to receive a SEES Program grant. PUC Section 1615(c) requires the CEC to ensure that moneys from each utility are used for projects located in the service territory of that utility from which the moneys are received.
Site	School where HVAC Assessment and Maintenance Grant work will be performed.
Skilled and Trained Workforce	Has the same meaning as set forth in Section 2601 of the Public Contract Code.
SNPFA Program	School Noncompliant Plumbing Fixture and Appliance Program as specified in Article 4 of Chapter 8.7 (commencing with Section 1630) of Part 1 of Division 1 of the PUC.
SRVEVR Program	School Reopening Ventilation and Energy Efficiency Verification and Repair Program as specified in Article 3 of Chapter 8.7 (commencing with Section 1620) of Part 1 of Division 1 of the PUC.
SRVEVR Program Guidelines	School Reopening Ventilation and Energy Efficiency Verification and Repair Program Guidelines
TAB	Testing, adjusting, and balancing
Underserved Community	A community that meets one of the following criteria: (1) Is a "disadvantaged community" as defined by subdivision (g) of Section 75005 of the Public Resources Code. (2) Is included within the definition of "low-income communities" as defined by paragraph (2) of subdivision (d) of Section 39713 of the Health and Safety Code. (3) Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental Protection Agency and based on the most recent California

Word/Term	Definition
	<p>Communities Environmental Health Screening Tool, also known as CalEnviroScreen.</p> <p>(4) Is a community in which at least 75 percent of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program.</p> <p>(5) Is a community located on lands belonging to a federally recognized California Indian tribe.</p>
HVAC Upgrade and Repair Grant	A category of potential awards for a future phase of the SRVEVR Program for HVAC repairs, upgrades, or replacements.
Utility or utilities	<p>Means both of the following:</p> <p>(1) An electrical corporation with 250,000 or more customer accounts within the state.</p> <p>(2) A gas corporation with 400,000 or more customer accounts within the state.</p> <p>This currently includes Pacific Gas and Electric Company (PG&amp;E), Southern California Edison Company (SCE), San Diego Gas &amp; Electric Company (SDG&amp;E), and Southern California Gas Company (SCG).</p>
UVGI	Ultraviolet germicidal irradiation is an established means of disinfection and can be used to prevent the spread of certain infectious diseases. Low-pressure mercury (Hg) discharge lamps are commonly used in UVGI applications and emit shortwave ultraviolet-C radiation.

## C. Budget

Funding for the SEES Program comes from the energy efficiency budgets of California’s large electric and gas investor-owned utilities, specifically electrical corporations with 250,000 or more customer accounts within the state and gas corporations with 400,000 or more customer accounts within the state as determined by the California Public Utilities Commission (CPUC). These utilities are Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SCG).

The SEES Program will accumulate funding in 2021, 2022, and 2023. The annual funding for the SEES Program is derived from a combination of current year available funds and prior year unspent and uncommitted energy efficiency funds as described in PUC Section 1615(a). Each year, from 2021 through 2023, it is expected that the utilities will be required to prepare a joint advice letter detailing that year’s budget for CPUC approval. CEC will provide notices of annual budget accrual, total program funding, and available funds at least once per year.

Funds are allocated to the two grant programs per PUC Section 1616, with 75 percent to SRVEVR and 25 percent to SNPFA.

Funding awards must be distributed proportionally to each utility area based on program funds contributed by that utility and used for projects located in the utility's service territory. Following PUC Section 1615(e), the CEC shall return all unused funds to each utility by December 1, 2026. To accomplish this, all projects, reporting, and reconciliation must be completed, and any unused funds returned to the CEC as described in Chapter 4. LEAs will be provided instructions for returning any unused funds to the CEC.

## **D. SRVEVR Program Eligibility**

### **1. Eligible Applicants**

California LEAs are the eligible applicants for grants. An LEA is defined as either:

- a. A school district as defined in Section 41302.5 of the Education Code, which includes:
  1. County boards of education.
  2. County superintendents of schools.
  3. Direct elementary and secondary level instructional services provided by the state, including the Diagnostic Schools for Neurologically Handicapped Children as established under Article 1 (commencing with Section 59200) of Chapter 3 of Part 32 of the Education Code.
- b. A charter school that has been granted a charter following Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code.

California LEAs may apply for funding to be used for projects at schools that are in the service territory of utilities as defined herein. LEAs must demonstrate that each application site meets service territory requirements. CEC staff will verify submitted information as needed to ensure compliance with the service territory requirements.

Third parties may complete applications on behalf of LEAs but may not sign or enter into agreements on behalf of LEAs. No funding will be provided for the costs of completing an application for funding or for third-party consultant fees for application or project related work.

### **2. Utility Service Territories and Application Tiers**

PUC Section 1615(c) states that CEC shall ensure that funds from each utility are used for projects located in the utility service territory from which the money is received; for example, the funds collected from PG&E will be distributed in PG&E territory.

For implementing the SRVEVR Program, CEC has established an approach based on the method employed for the CEC's Energy Conservation Assistance Act — Education Subaccount (ECAA-Ed) Competitive Loan Program to ensure that program funds are available to a range of LEAs within each utility service territory. LEAs in each utility service territory are divided into three tiers based on LEA student enrollment. LEA tiers are detailed in Table 2.

**Table 2: LEA Tier by Enrollment Numbers**

<b>Tier</b>	<b>Number of Students</b>
<b>1</b>	Less than 1,000
<b>2</b>	Between 1,000 and 5,000
<b>3</b>	More than 5,000

Source: California Energy Commission

LEAs will be included in one or more of the application tiers as detailed in Table 3 corresponding to a utility’s service territory and the size of the LEA.

**Table 2: LEA Application Tiers**

<b>Tier</b>	<b>PG&amp;E</b>	<b>SCE</b>	<b>SDG&amp;E</b>	<b>SCG</b>
<b>1</b>	PG&E1	SCE1	SDG&E1	SCG1
<b>2</b>	PG&E2	SCE2	SDG&E2	SCG2
<b>3</b>	PG&E3	SCE3	SDG&E3	SCG3

Source: California Energy Commission

### 3. Allocation of Funds Method

To allocate program funds for each program year, CEC will calculate the available funds by tiers presented in Table 3 for each utility. The calculation will be based on the final budget for each utility as approved by the CPUC for each program year as described in PUC 1615(a)(1).

CEC will allocate funds by application tier for each utility service territory using the percentages shown in Table 4.

**Table 3: Available Funds by Application Tier**

<b>Tier</b>	<b>PG&amp;E</b>		<b>SCE</b>		<b>SDG&amp;E</b>		<b>SCG</b>	
<b>1</b>	PG&E1:	10%	SCE1:	10%	SDG&E1:	10%	SCG1:	10%
<b>2</b>	PG&E2:	10%	SCE2:	10%	SDG&E2:	10%	SCG2:	10%
<b>3</b>	PG&E3:	80%	SCE3:	80%	SDG&E3:	80%	SCG3:	80%

Source: California Energy Commission

CEC will provide the amount of funds available for each utility’s service territory and the funds available in each application tier in the notice of funding availability as described in Chapter 3.A, which will be issued for each funding round.

### 4. Funds Not Used in an Application Tier

If all funding originally allocated to a particular application tier is not disbursed at the conclusion of the applicable funding round, undisbursed funds may be reallocated to

one or more other application tiers, or reserved for a future funding round depending on current and projected applicant demand. Consistent with PUC Section 1615(c), funds cannot be reallocated to fund projects from one utility service territory to another.

## **5. Eligible Schools**

LEAs may apply for grants to conduct activities at schools that:

- a. Are on a site owned by the LEA.
- b. Are on a publicly owned site, such as a site owned by a school district or other public entity, whether or not the LEA has a lease with that entity.
- c. Are on a privately owned site, for which there is a lease with a term that exceeds the duration of the program, ending after December 1, 2026.

LEAs must provide proof of ownership or complying leases. Charter schools will be required to submit a current Certificate of Good Standing with the application package.

In addition to the criteria above, a site must have an HVAC system to meet the HVAC Assessment and Maintenance Grant requirements specified in Chapter 2. An HVAC system is defined as any air-handling units, rooftop units, and unitary and single zone equipment in a site's HVAC system or systems, as described in PUC Section 1622.

## **6. Number of Applications**

An LEA may submit up to three applications for SRVEVR funds in each funding round. For the initial phase of program awards, only sites meeting one or more of the definitions of an Underserved Community may be included. There is no restriction on how many sites an LEA can include in a single application. A site can be included only once and cannot be included in multiple applications.

## **7. Relationship to SNPFA Applications and Awards**

SRVEVR and SNPFA are separate programs. LEAs are required to submit separate applications specific to each program.

## **8. Multiple Sources of Funding**

Participation in another program does not prevent participation in SRVEVR. However, an LEA receiving SRVEVR Program funding may not receive additional funds from another program that, when combined with SRVEVR Program funding, exceed the total cost of the project. Additionally, SRVEVR funds shall only be used for distinct, eligible costs described in these guidelines that are not funded by another funding source. CEC reserves the right to review and audit all grant and funding award documents to ensure compliance with this requirement.

## **E. Priority Awards**

PUC Section 1612 requires that SRVEVR Program offer funds to schools that are in an Underserved Community before schools that are not in an Underserved Community. The SRVEVR Program defines an Underserved Community as meeting one of the following criteria:

1. Is a “disadvantaged community” as defined by Public Resources Code Section 75005(g)<sup>1</sup>
2. Is included within the definition of “low-income communities” as defined by Health and Safety Code Section 39713(d)(2)<sup>2</sup>
3. Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental Protection Agency and based on the most recent California Communities Environmental Health Screening Tool, also known as CalEnviroScreen
4. Is a community in which at least 75 percent of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program
5. Is a community located on lands belonging to a federally recognized California Indian tribe

PUC Section 1612 requires that at least 25 percent of SRVEVR projects be in Underserved Communities.

To meet the statutory requirement that schools meeting one or more Underserved Community criteria be offered funding before other schools, CEC is limiting applications and awards for the initial funding round of HVAC Assessment and Maintenance Grant Awards to schools meeting one or more of the Underserved Community criteria referenced in PUC Section 1601(e) and described in these guidelines.

These guidelines may be updated and additional notice provided as necessary, including the possibility of addressing additional eligibility.

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1 Public Resources Code Section 75005(g) currently defines “disadvantaged community” as a community with a median household income less than 80 percent of the statewide average.

2 Health and Safety Code Section 39713(d)(2) currently defines “low-income communities” as census tracts with median household incomes at or below 80 percent of the statewide median income or with median household incomes at or below the threshold designated as low income by the Department of Housing and Community Development’s list of state income limits adopted under Health and Safety Code Section 50093.



# CHAPTER 2:

## Project Requirements

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### A. HVAC Assessment and Maintenance Grants

An LEA may apply for a SRVEVR grant to fund HVAC assessment, completion of an HVAC Assessment Report, HVAC general maintenance, adjustment of ventilation rates, filter replacement, and carbon dioxide monitor installation, as well as limited contingency funding for repairs, upgrades, or replacements necessary to make the system functional or more energy efficient.

Grant applications must specify the details of each site and provide contractor estimates for costs specific to each site. Awards will be made based on contractor estimates. Additional details on application requirements are provided in Chapter 3.

Pursuant to PUC Section 1623 and these guidelines, system assessment and maintenance must follow a prescriptive process and meet certain requirements as specified. An LEA receiving a SRVEVR grant must ensure that Qualified Personnel or Licensed Professionals, as required below and defined in Table 1, perform all required project work. Additionally, the results and findings from assessments must be recorded in the HVAC Assessment Report as described in this chapter.

### B. HVAC Assessment and Maintenance Requirements

#### 1. Filtration

The LEA receiving a SRVEVR grant shall install filtration with a minimum efficiency reporting value (MERV) of 13 or better in the HVAC system where feasible.

- a. Qualified Testing Personnel shall review system capacity and airflow to determine the highest MERV filtration that can be installed without adversely impacting equipment, shall replace or upgrade filters where needed, and shall verify that those filters are installed correctly.
- b. If a system uses ultraviolet germicidal irradiation (UVGI) to disinfect the air, the UVGI lamp shall be checked for proper operation, replacing bulbs as needed and verifying that the ultraviolet light does not shine on filters.
- c. For systems with economizers, Qualified Testing Personnel shall test system economizer dampers pursuant to Section B of CEC form [CEC-NRCA-MCH-05-A–Air Economizer Controls](https://energycodeace.com/NonresidentialForms/2019) (<https://energycodeace.com/NonresidentialForms/2019>).
  1. Economizer dampers and controls that are not properly functioning shall be repaired by a Skilled and Trained Workforce.
- d. Recommendations for additional maintenance, replacement, or upgrades to the above shall be recorded in the HVAC Assessment Report required under PUC Section 1626 and these guidelines.

## 2. Ventilation

After completing the filtration requirements described above, a Qualified Testing Personnel shall verify the ventilation rates in the facility classrooms, auditoriums, gymnasiums, nurses offices, restrooms, and other occupied areas to assess whether they meet the minimum ventilation rate requirements set forth in Table 120.1-A of Part 6 (commencing with Section 100.0) of Title 24 California Code of Regulations. The assessment shall include all of the following:

- a. Calculation of the required minimum outside air ventilation rates for each occupied area based on the anticipated occupancy and the minimum required ventilation rate per occupant set forth in Table 120.1-A. Calculations shall be based on maximum anticipated classroom or other occupied area occupancy rates and determined by the performing technician. Natural ventilation shall be designed in accordance with Section 402.2 of the California Mechanical Code (Part 4 [commencing with Section 1.1.0] of Title 24 of the California Code of Regulations) and shall include mechanical ventilation systems designed in accordance with Section 403.0, Section 404.0, or both sections, of the California Mechanical Code.
- b. Measurement of outside air under Section B of CEC form [CEC-NRCA-MCH-02-A- Outdoor Air Acceptance](https://energycodeace.com/NonresidentialForms/2019) (<https://energycodeace.com/NonresidentialForms/2019>) and verification of whether the system provides the minimum outside air ventilation rates calculated in subparagraph a) directly above.
- c. Survey readings of inlets and outlets to verify all ventilation is reaching the served zone and there is adequate distribution. Verify if inlets and outlets are balanced within tolerance of the system design. Document read values and deficiencies. If the original system design values are not available, document available information and note unavailability of system design values in the assessment report.
- d. Verification of building pressure relative to the outdoors to ensure positive pressure differential and ensure the building is not over-pressurized.
- e. Verification of coil velocities and coil and unit discharge air temperatures required to maintain desired indoor conditions and avoid moisture carryover from cooling coils.
- f. Verification that separation between outdoor air intakes and exhaust discharge outlets meet requirements of the California Building Code, including Section 120.1.
- g. Confirmation that the air-handling unit is bringing in outdoor air and removing exhaust air as intended by the system design.
- h. Measurement of all exhaust air volume for exhaust fans, including restrooms. Document any discrepancies from system design.
- i. If the system does not meet the minimum ventilation rate requirements set forth in Table 120.1-A, a Licensed Professional or Qualified Adjusting Personnel, as defined in Table 1, shall review the system airflow and capacity to determine if

additional ventilation can be provided without adversely impacting equipment performance and building indoor environmental quality.

1. If additional ventilation can be provided, a Qualified Adjusting Personnel must adjust ventilation rates to meet the minimum ventilation rate requirements set forth in Table 120.1-A to the extent feasible. After the adjustment, the measurement and verifications required by b), d), and e), directly above must be repeated.
2. If minimum ventilation rate requirements set forth in Table 120.1-A cannot be met, this deficiency shall be reported in the HVAC Assessment Report, the HVAC Verification Report (outlined in Section E below), and addressed by a Licensed Professional as required by this chapter.

### **3. Demand Control Ventilation**

- a. If a demand control ventilation is installed, it must be adjusted to a carbon dioxide set point of 800 ppm or less and tested by Qualified Testing Personnel pursuant to Section B of [CEC-NRCA-MCH-06-A-Demand Control Ventilation Systems Acceptance](https://energycodeace.com/NonresidentialForms/2019) (<https://energycodeace.com/NonresidentialForms/2019>).
  1. If the demand control ventilation system does not maintain average daily maximum carbon dioxide levels below 1,100 ppm, it must be disabled until such time as the LEA determines that the COVID-19 crisis has passed, unless disabling the control would adversely affect operation of the overall system.
  2. When disabling a demand control ventilation system, the system must be configured to meet the minimum ventilation rate requirements and tested and adjusted to provide a notification through a visual indicator on the monitor, such as an indicator light or other alert system, such as an electronic mail, text, or cellular telephone application, when the carbon dioxide levels in the classroom have exceeded 1,100 ppm.
- b. Recommendations for additional maintenance, replacement, or upgrades for the demand control ventilation shall be recorded in the HVAC Assessment Report, described in Section D.

### **4. Coil Condition**

- a. A Qualified Testing Personnel or a Skilled and Trained Workforce shall verify:
  1. Coil condition.
  2. Condensate drainage.
  3. Cooling coil air temperature differentials (entering and leaving dry bulb).
  4. Heat exchanger operation.
  5. Drive assembly.
- b. If repairs, replacement, or upgrades are necessary, these deficiencies shall be reported in the HVAC Assessment Report and the HVAC Verification Report and addressed by the Licensed Professional pursuant to PUC Sections 1626–1627, as described in Section D.

## 5. Additional Requirements

- a. A Qualified Testing or Adjusting Personnel shall review control sequences to verify systems will maintain intended ventilation, temperature, and humidity conditions during school operation.
  1. For previously unoccupied buildings, perform the recommended practices of reopening a building as covered in the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Building Readiness document — Restarting a Building. Additional information can be found on ASHRAE’s webpage for [Building Readiness](https://www.ashrae.org/technical-resources/building-readiness) (https://www.ashrae.org/technical-resources/building-readiness)
  2. Verify a daily flush is scheduled for two hours before and after scheduled occupancy or demonstrate calculation of flush times per ASHRAE Guidance for Reopening and Operating Schools and Buildings or otherwise applicable local or state guidance. Additional information can be found on ASHRAE’s webpage for [Reopening of Schools and Universities](https://www.ashrae.org/technical-resources/reopening-of-schools-and-universities) (https://www.ashrae.org/technical-resources/reopening-of-schools-and-universities).
  3. Verify that HVAC system operational times, exhaust fans operation times, setpoints, and enabled features meet ASHRAE Guidance for Reopening and Operating Schools and Buildings or otherwise applicable local or state guidance.
- b. If installed HVAC systems or system components are broken, fail to meet minimum ventilation requirements, or are unable to operate to the original design and intent, this information will be included in the HVAC Assessment Report prepared pursuant to PUC Section 1626, and described in Section D, which will be provided to a Licensed Professional for determination of appropriate corrective measures pursuant to PUC Section 1626. Repairs, upgrades, or replacements shall be performed by a Skilled and Trained Workforce.
- c. Requirements for filtration levels, ventilation rates, and ventilation schedules may be amended by the CEC based on the latest COVID-19 or other applicable guidance.

## C. Carbon Dioxide Monitoring

### 1. Installation

To ensure proper ventilation is maintained throughout the school year, all classrooms in schools receiving a SRVEVR grant shall be equipped with a carbon dioxide monitor that meets all the following:

- a. The monitor is hard-wired or plugged-in and mounted to the wall between three and six feet above the floor and at least five feet away from the door and operable windows.
- b. The monitor displays the carbon dioxide readings to the teacher through a display on the device or other means such as a web-based application or cellular phone application.

- c. The monitor provides a notification through a visual indicator on the monitor, such as an indicator light or other alert system, such as an electronic mail, text, or cellular telephone application, when the carbon dioxide levels in the classroom have exceeded 1,100 ppm.
- d. The monitor maintains a record of previous data that includes at least the maximum carbon dioxide concentration measured.
- e. The monitor has a range of 400 ppm to 2,000 ppm or greater.
- f. The monitor is certified by the manufacturer to be accurate within 75 ppm at 1,000 ppm carbon dioxide concentration and is certified by the manufacturer to require calibration no more frequently than once every five years.

## **2. Continued Monitoring of Classroom Carbon Dioxide Level**

If a classroom carbon dioxide concentration exceeds 1,100 ppm more than once a week as observed by the teacher or the facility's staff, the classroom ventilation rates shall be adjusted by Qualified Testing or Adjusting Personnel, as defined in Table 1, to ensure that peak carbon dioxide concentrations in the classroom remain below the maximum allowable carbon dioxide ppm setpoint.

Verification of the installation of carbon dioxide monitors in all classrooms shall be included in the HVAC Assessment Report, described below.

## **D. HVAC Assessment Report**

A Qualified Testing Personnel or Qualified Adjusting Personnel shall prepare an HVAC Assessment Report for review by a Licensed Professional, as defined in Table 1, based on the requirements specified in the HVAC Assessment and Maintenance Requirements section above. The HVAC Assessment Report shall include all the information described below in the required form or formats. The HVAC Assessment Report form will be made available for use in developing the report on the [SEES Program webpage](https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841) (<https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841>)

1. Name and address of school facility and person or contractor preparing and certifying HVAC Assessment Report.
2. Documentation of HVAC equipment model number, serial number, general condition of unit, and any additional information that could be used to assess replacement and repair options given potential for increased energy efficiency benefits.
3. Either verification that MERV 13 filters have been installed or verification that the maximum MERV-rated filter that the system is able to effectively handle has been installed and what that MERV rating is.
4. The verified ventilation rates for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, offices, and other occupied areas, and whether those rates meet the requirements set forth in Table 120.1-A.
  - a. If ventilation rates do not meet applicable requirements, then an explanation for why the current system is unable to meet those rates shall be provided.

5. The verified exhaust for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, and other occupied areas and whether those rates meet the requirements set forth in the design intent.
6. Documentation of system deficiencies and recommendations for additional maintenance, replacement, or upgrades to improve energy efficiency, safety, or performance.
7. Name of the utility that provides electricity service and monthly electricity meter data.

LEAs may be required to submit additional information as described or otherwise required by these guidelines, including but not limited to the information described in Appendix B.

### **1. Review of HVAC Assessment Report**

A Licensed Professional shall review the HVAC Assessment Report and:

- a. Determine what, if any, additional adjustments or repairs would be necessary to meet the minimum ventilation and filtration requirements.
- b. Determine whether any cost-effective energy efficiency upgrades or replacements are warranted or recommended.
- c. Provide an estimated cost for all identified work.

If the cost of recommended repairs, upgrades, or replacements are greater than the 20 percent contingency amount provided in the grant, then the Licensed Professional and the LEA may apply for additional funding through an HVAC Upgrade and Repair Grant should funding become available for such purposes.

The provision of any additional funding for repairs, upgrades, or replacements shall be conditioned on the applicant ensuring that all construction work funded, in whole or in part, by the additional funding is performed by a Skilled and Trained Workforce.

## **E. HVAC Verification Report**

Upon completion of all work funded by a SRVEVR grant, the LEA shall prepare and submit an HVAC Verification Report for each school included in the grant. The HVAC Verification Report must include all the following in the required form or formats. The HVAC Verification Report form will be made available for use in developing the report on the [SEES Program webpage](https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841) (<https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841>)

1. Name and address of school facility and person or contractor preparing and certifying report.
2. Description of assessment, maintenance, adjustment, repair, upgrade, and replacement activities and outcomes.
3. Verification that the LEA has complied with all SRVEVR Program requirements including Article 3 of Chapter 8.7 of Part 1 of Division 1 starting with Section 1620 of the PUC and as described in these guidelines.

4. Verification that either MERV 13 filters have been installed or verification that the maximum MERV-rated filter that the system is able to effectively handle has been installed and what that MERV rating is.
5. The verified ventilation rates for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, offices and other occupied areas and whether those rates meet the requirements set forth in Table 120.1-A.
  - a. If ventilation rates do not meet applicable guidance, then an explanation for why the current system is unable to meet those rates shall be provided.
6. The verified exhaust for facility classrooms, auditoriums, gymnasiums, nurses' offices, restrooms, and other occupied areas and whether those rates meet the requirements set forth in the design intent.
7. Documentation of system deficiencies and recommendations for additional maintenance, replacement, or upgrades to improve energy efficiency, safety, or performance.
8. Documentation of initial operating verifications, adjustments, and final operating verifications, and document any adjustments or repairs performed.
9. Verification of installation of carbon dioxide monitors, including make and model of monitors.
10. Verification that all required work has been performed by Qualified Testing or Adjusting Personnel or other qualified technician as specified by the SRVEVR Program, including the provision of the contractor's name and license; acceptance test technician name and certification number, where applicable; TAB technician name and certification number, where applicable; and verification that all construction work has been performed by a Skilled and Trained Workforce.

LEAs may be required to submit additional information as described or otherwise required by these guidelines.

The LEA must maintain a copy of the HVAC Verification Report for three years from the grant award date and make it available to anyone upon request.

## **F. Reimbursement of Work Already Performed**

Under PUC Section 1621(c)(3), LEAs may submit grant applications for reimbursement of assessment and maintenance projects where the work was **contracted and performed** after August 1, 2020, and the project meets the requirements of PUC Section 1622 to 1627, inclusive. Any projects seeking reimbursement must also meet all requirements as specified in these guidelines. Any SRVEVR grant applications for reimbursement of work contracted and performed after August 1, 2020 shall make clear which work is being requested to be paid on a reimbursement basis.

The LEA must also provide documentation or a certification that the work was **contracted and performed** after August 1, 2020, and provide a description of the documentation supporting this certification. CEC retains the right to request copies of all referenced documentation. PUC Section 1621(c)(3) requires both the work contract and performance to

occur after August 1, 2020. If the LEA contracted for the work **before** August 1, 2020, but the work was performed after August 1, 2020, it is not eligible for funding.

Grant applications for work contracted and performed after August 1, 2020 must also include all final reporting information as described in Chapter 4. All estimates, assessment, and verification reports must be dated and indicate that all work was completed after August 1, 2020.

The applicant must provide the required documentation confirming that all grant work was done by Qualified Personnel, Licensed Professionals, and a Skilled and Trained Workforce as required and defined in these guidelines.

## **G. Skilled and Trained Workforce Requirement**

All repair, upgrade, replacement, or other technical work completed as part of the HVAC Assessment and Maintenance Grant must be performed by a Skilled and Trained Workforce, which has the same meaning as in Section 2601 of the Public Contract Code, and meet all other labor requirements as described in these guidelines. LEAs may use in-house staff or contractors to complete the work as long as all staff meet applicable Skilled and Trained Workforce requirements and all other labor requirements as described in these guidelines appropriate to each activity completed.

## **H. Grant Budget**

The budget for each LEA grant award will be equal to the sum of approved individual site budgets for all eligible sites included in the LEA grant application. CEC program staff will determine the approved individual site budget based on program requirements, including eligible cost requirements in these guidelines and SEES Program statutes. Each site budget will be equal to the amount of the contractor estimate for eligible work to be completed at that site plus a 20 percent contingency amount for repairs, upgrades, or replacements necessary to make the system functional or more energy efficient. Approved budgets are site specific, and the 20 percent in contingency funds must be spent for the site for which the 20 percent is allocated. The 20 percent contingency awarded for one site may not be used to complete work at another site, even within the same LEA. No additional funding will be awarded if costs exceed the applied and approved site budget, so applicants are encouraged to prepare their application materials accordingly.

Any grant award funding, including any 20% contingency awarded funds, shall be returned to the SRVEVR Program if not used for eligible purposes as specified in these guidelines. See Chapter 3 for more information.

## **I. Payment of Prevailing Wage**

The applicant shall ensure, to the extent applicable, the budget considers the payment of prevailing wages. These grants may be subject to public works requirements (Labor Code Section 1720 et seq.), a requirement of which is to pay prevailing wages. Applicants are responsible for complying with all applicable laws, which can include public works requirements.



Only the California Department of Industrial Relations (DIR) and courts of competent jurisdiction may issue legally binding determinations that a project is or is not a public works project. Applicants shall assume their projects are public works unless they obtain a determination to the contrary from DIR or an appropriate court. As such processes can be time consuming, please plan accordingly given the application deadline. Without such a determination, applicants shall explain how they have included appropriate budgets for prevailing wages.

## **J. Project Term**

For each HVAC Assessment and Maintenance Grant project, the LEA will have a maximum of 24 months to complete all work and submit the final reporting documentation described in Chapter 4.

# CHAPTER 3:

## Grant Applications and Awards

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This chapter provides information for participation in the initial phase of program awards including the application process, required application forms and supporting documentation, a description of the process used by the CEC to approve applications and determine grant awards, payment of funds, and project and reporting requirements.

As described, PUC Section 1612 requires that schools in Underserved Communities be offered funding before schools that are not in an Underserved Community. Consistent with the statute and anticipated funding availability, CEC will only offer funding in this initial phase of program awards for projects for HVAC assessment, completion of an HVAC Assessment Report, general HVAC maintenance, adjustment of ventilation rates, filter replacement, and carbon dioxide monitor installation, referred to as HVAC Assessment and Maintenance Grants. The funding award amounts will be made based on a contractor's site-specific estimate for this eligible work plus an additional 20 percent contingency fund for repairs, upgrades, or replacements necessary to make the HVAC system functional or more energy efficient. CEC will not award funds for upgrade, repair or replacement costs above the 20 percent contingency amount in this initial phase of program awards.

CEC anticipates that in subsequent phases of program awards, LEAs may be able to submit applications for grants addressing upgrade, repair, or replacement costs above the 20 percent contingency amount, referred to as HVAC Upgrade and Repair Grants. These guidelines will be updated to address additional program requirements specific to these awards if and when appropriate.

CEC will issue a notice of funding availability identifying the anticipated funding to be made available in each round of grants. The notice of funding availability will identify any relevant application dates including the first and last date applications can be submitted and any funding restrictions applicable to that funding round. Dates may be adjusted by the CEC through the issuance of a notice updating information.

### **A. Application Process**

The application process has been designed to simplify the submission of an initial application and to provide access to funding for projects that have been contracted and performed after August 1, 2020, and are seeking reimbursement and projects that are planned. For planned projects, upon request by an LEA and pursuant to the program requirements, CEC will also provide an option for the LEA to receive a portion of funds in advance of work being completed.

The application and award process is expected to generally follow the following steps.

1. CEC issues a notice of funding availability with details of the total funding available, start and end dates for application acceptance, and the breakdown of funds by service territory and by tiers as described in these guidelines.

2. LEAs submit grant applications electronically as required in the notice of funding availability.
3. CEC will begin to review applications in the order that complete applications are received.
  - a. CEC staff will accept and review all applications submitted by the posted deadline.
  - b. At any time, should the CEC determine that all funds in a single service territory and Tier have been reserved, the CEC may provide public notification of that determination but will continue to accept applications and identify LEAs that may be funded should additional funding become available.
4. CEC will grant funding awards for complete applications, at which time funds will be reserved for the LEA for approved projects.
5. Incomplete applications and applications deemed not to have met the application requirements (collectively referred to as "non-compliant" applications) will not be considered.
  - a. CEC will notify applicants if an application is noncompliant, and the applicant may reapply during the open application period. Depending on the volume and timing of applications received, the CEC may not always be able to review and notify applicants of noncompliant applications during the open application period. Accordingly, applicants are encouraged to apply as early in the process as possible.
6. The successful LEA will be notified of a funding reservation and provided directions as to how to complete the funding award package, which is anticipated to include additional application details necessary for project tracking and to create a grant agreement and, in some cases, invoicing documents. The funding reservation will hold the applicant's place in the review queue but does not guarantee funding.
7. If the project has already been contracted and performed after August 1, 2020, and the LEA is seeking reimbursement, the LEA will be instructed on how to complete and submit final project reporting and invoicing for review and payment.
8. If requested by an LEA, a funding advance is available up to 50 percent of the overall grant award. The LEA will include the request for advance funding in the HVAC Assessment and Maintenance Grant Application.
9. All planned projects will also receive additional guidance on project completion, reporting and invoice submittal.
10. All projects must adhere to the requirements provided in these guidelines and must use all required forms to receive a grant award and funding.

## **B. Application Package**

Eligible applicants must submit a complete application package for an HVAC Assessment and Maintenance Grant using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The application package must include the following in the required form or formats. The information required in the application form is listed in Appendix A of these guidelines and all forms will be made available for use in

developing the application package on the [SEES Program webpage](https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841) (https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841)

1. Applicant Details (SRVEVR-1): LEA information including official name, address, responsible parties, contact information, description of LEA territory, and schools.
2. Overall Grant Request Summary (SRVEVR-2): Grant site and budget summary page and status of all site-specific work including start date and projected end date. Identification whether the grant application is seeking reimbursement for work contracted for and completed after August 1, 2020, or for work planned to be completed. The status will be entered individually for each site. Only applications with all sites completed are considered for reimbursement grants.
3. Site-Specific Details (SRVEVR-3): Detailed information identifying all sites to be addressed by the grant, general site information, identification of the number and type of HVAC units on site, number of buildings for carbon dioxide monitoring, project completion status, and total site-specific estimate for assessment and maintenance project.
4. Self-certification and attestations:
  - a. The LEA attests that it will follow the SRVEVR Program Guidelines.
  - b. The LEA attests that the information included in the application package is true and correct to the best of the LEA's knowledge.
  - c. The LEA will obtain Division of the State Architect (DSA) project approval as applicable under California Code Regulations, Title 24.
  - d. The LEA acknowledges that the expended funds may be subject to audit, including a financial audit.
  - e. The LEA commits to complying with all reporting requirements.
  - f. The LEA will comply with all HVAC Assessment and Maintenance Grant Terms and Conditions.
  - g. The LEA will comply with all Skilled and Trained Workforce requirements.
  - h. The LEA commits to follow any applicable DIR and Labor Code requirements on the payment of prevailing wage.
5. Supporting documentation:
  - a. Site-specific contractor estimate supporting each site-specific amount requested.
    1. To be deemed complete, a contractor estimate must be itemized and include all required details.
  - b. Certificate of Good Standing for Charter School Applicants.

## **C. Contractor Estimates**

The amount requested in the application package may only be for reasonable costs of the HVAC assessment, completion of an HVAC Assessment Report, general HVAC maintenance, adjustment of ventilation rates, filter replacement, and carbon dioxide monitor installation, as

described in Chapter 2. The contractor estimate must include a detailed site-specific budget, timeline, and a clear and accurate description of the work that will be provided. The site-specific budget needs to show line item cost estimates for materials, labor, and other costs. Any amount included as other costs must include a brief narrative explaining the use of these funds.

The LEA will be required to submit the original contractor estimate as part of the application package to demonstrate that all costs are reasonable for the work to be completed. In obtaining the contractor estimate, the LEA shall adhere to its bidding and public contracting requirements consistent with the Public Contract Code.

Ineligible costs, as described in Chapter 3.H, cannot be included as part of the contractor estimate. Additional information consistent with these guidelines may be required from applicants to complete the grant agreement after notification of the grant award. Additional costs not provided for in applicable SEES Program statute or these guidelines will not be approved as part of the SRVEVR grant award.

As noted, grants can be provided on a reimbursement basis for work **contracted for and completed** after August 1, 2020. The contractor estimate provided in support of a reimbursement grant must indicate that the estimate was completed after the August 1, 2020, date. Projects that have completed an estimate prior to August 1, 2020, will still be eligible to apply for an award, but funding will cover only work completed after that date.

## **D. Application Review**

Applications will only be accepted electronically through the CEC's electronic submission system, and all applications submitted will be identified by the date and time received. Any applications received after the noticed deadline will not be accepted, and a notice of rejection will be sent to the applicant. Any application forms or links and deadlines shall be described in the notice of funding availability. The CEC will not accept applications via email or fax. Applications must use the CEC's electronic submission system.

The CEC will review each submitted application package to ensure all the required information has been provided. If an application is incomplete, the application will be rejected. If an application is rejected during the open application period, the LEA may revise and resubmit the application during the open application period. Depending on the volume and timing of applications received, CEC may not always be able to review and notify applicants of any rejections during the open application period.

An application with minor errors or inconsistencies that do not affect the completeness of the package may still be considered for funding. If an applicant discovers any minor errors or inconsistencies, the application can be amended during the open application period, but the date and time for submission will be updated to reflect the date and time the corrected or amended application is received. If there are minor errors or inconsistencies within the application, and CEC receives the application in time to review before the application deadline, applicants may be notified via email and given up to the application deadline to resolve any errors or inconsistencies. Depending on the volume and timing of applications received, CEC may not always be able to review and notify applicants of errors during the open application

period. If the applicant does not resolve the errors or inconsistencies before the application deadline, the application will be approved or not approved accordingly pursuant to program requirements.

CEC staff will rank all approved applications by the date and time the final approved application was received. Grant applications will be processed until all available funds within each service territory and tier are awarded. Any approved grant applications received that exceed the amount of funds available in the current funding round for the utility service territory and application tier will be placed in order of date and time received on a priority list for funding if and when additional funds are made available.

## **E. Notice of Award and Completion of Grant Agreement**

Following approval of a grant application, CEC staff will notify the successful applicant and request any additional information necessary to complete the award consistent with these guidelines. CEC staff anticipates that the additional information may include:

1. Additional details of all HVAC units on each site and additional data required to assess baseline energy use.
2. Payee Data Record (STD-204): Required for grant award payment.
3. Final Budget Page Identifying Grant Awards by Site (estimated cost, 20 percent contingency and total per site award calculations).
4. An authorizing document from the governing body, such as a resolution authorizing acceptance of the award and entering award agreement.

Grantees may request advance payment of no more than 50 percent of the total grant award at the time the grant agreement is fully executed and received by the CEC. CEC staff will provide additional information in the notice of award on the invoicing process for grantees to request these funds consistent with these guidelines.

For grants seeking reimbursement for projects contracted for and completed after August 1, 2020, the grantee will first need to enter into a grant agreement with CEC and then provide the final required project reporting and invoicing documentation to receive payment of the full grant award. Additional information on project reporting and invoicing is provided in these guidelines and further guidance will be made available to grantees consistent with these guidelines.

## **F. Payment of Grant Funds**

CEC expects to receive funding for the SRVEVR Program from participating utilities quarterly. Payment to grantees is conditioned on CEC receipt of funding.

CEC will issue an email notice to approved grant applicants identifying the amount of the award. As noted above, the LEA will be awarded the CEC approved amount requested, which must equal the total of each site-specific budget plus a contingency fund of an additional 20 percent of the approved amount in the contractors' estimate. The 20 percent contingency funds can only be used for HVAC repairs, upgrades, or replacements necessary to make the HVAC system functional or more energy efficient. Although not required to be included in the

estimate of work to be done, after the project is completed the LEA will be required to provide documentation demonstrating how the contingency funds were spent. At the conclusion of the project, all unspent funds including any unspent contingency funds shall be returned to the CEC. Additionally, any grant funds not used in accordance with SRVEVR Program requirements, including grant agreement terms and conditions, shall be returned to the CEC.

### **1. Contingency Funds Eligible Costs**

Only costs required to complete work identified in the HVAC Assessment and Verification Reports as necessary to make the HVAC system functional or more energy efficient will be deemed eligible costs for purposes of expending the 20 percent contingency funds. The contingency funds may be used to cover cost overruns but cannot be used to pay for consultant fees or any portable equipment not directly connected to the eligible HVAC systems as described in PUC section 1622.

Funds must be used on the specific site for which they were awarded and cannot be transferred or used at another site. In documenting the appropriate use of the funds during final reporting, the LEA will be required to identify specifically where in the HVAC Assessment Report the identified repairs or upgrades are called for and the related expenditures using the contingency funds were spent in accordance with the assessment.

## **G. Timing of Payment**

For projects that have not been completed at time of application (also called planned projects), upon request by the LEA, the CEC may issue a portion of funds in advance equal to up to 50 percent of the overall grant award. Upon approval of an award, the grantee will receive a notice of award from CEC and a grant agreement will be executed. After grant agreement execution, the LEA may submit an invoice to CEC for up to 50 percent of the overall award for all sites represented in the grant agreement. Following receipt of a properly executed invoice and payee data record, CEC will approve payment of advance funds to be issued by the State Controller's Office (SCO). SCO expects to be able to issue payments within four weeks once the LEA completes the grant agreement and all required documentation is reviewed and approved by CEC.

The remaining 50 percent of the grant funds will be issued upon receipt and review of all final required reporting including complete reporting of how contingency funds were spent on a site-specific level of detail. The LEA shall provide the CEC with additional documentation, as specified in the Reporting section of these guidelines, demonstrating how contingency funds were used.

All project requirements, as specified in Chapter 2, must be completed to receive HVAC Assessment and Maintenance Grant funding. There will be no payment issued for the partial completion of the project requirements. If the LEA received advanced funds and does not complete all the project requirements, any grant award funding, including any 20 percent contingency awarded funds, shall be returned to the SRVEVR Program.

**CEC staff will only issue payment for the final invoice once and only when all final reporting is submitted and approved by CEC staff.**

## **H. Additional Funding for Repair or Replacement**

A Licensed Professional must review the HVAC Assessment Report and determine what, if any, additional adjustments or repairs would be necessary to meet the minimum ventilation and filtration requirements; determine whether any cost-effective energy efficiency upgrades or replacements are warranted or recommended; and provide an estimated cost for this work. If a Licensed Professional identifies cost-effective energy efficiency upgrades or repairs that would exceed the 20 percent contingency amount awarded, those repairs must be documented as described in the HVAC Assessment Report and HVAC Verification Report sections of these guidelines. The ability for LEAs to apply for additional funding for these additionally identified upgrades or a portion thereof will be determined in future program and funding phases as appropriate.

## **I. Ineligible Costs**

Grant award funding can only be used for direct costs and work performed within the terms of the grant agreement.

Costs that are ineligible to be paid with grant funding include, but are not limited to:

1. Costs, other than those noted above, incurred outside the terms of the grant agreement with the CEC.
2. Purchase of equipment not an integral part of the project.
3. Replacement of existing funding sources for ongoing programs.
4. Costs stemming from DSA accessibility requirements.
5. Consultant fees.



# **CHAPTER 4:**

## **Project Completion and Reporting**

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### **A. Completion of Projects**

As noted, grant recipients will have 24 months to complete all assessment and maintenance work and final reporting requirements. Although the CEC may issue a reminder of the project deadline, it is the grant recipients' responsibility to monitor project completion and meet all required reporting and invoicing deadlines.

LEAs shall submit final reporting electronically using the system or process required by the CEC at the time the reporting is due. CEC will provide all forms, formats, and guidance needed to assist in reporting on the SEES Program webpage.

### **B. Reporting**

PUC Section 1618 states that the reduction in greenhouse gases (GHG) and energy savings attributed to a project funded by the SEES Program shall be attributed to the utility that provided those funds when determining compliance with applicable GHG or energy efficiency saving mandates. The baseline for determining reductions in emissions of greenhouse gases and energy savings from the SRVEVR Program shall be the energy demand and emissions of GHG that would have occurred if ventilation and filtration recommendations for reopening schools were met without the assessment, adjustment, maintenance, repairs, and efficiency upgrades funded under the SEES Program.

Additional data or information may be requested from grant recipients beyond the assessment or verification reports in order to determine the GHG reductions and energy savings pursuant to PUC Section 1618.

### **C. Final Reporting and Invoice for Remaining Funds**

After the Assessment and Maintenance project has been completed, the applicant will submit a final document package to the CEC that includes:

1. HVAC Assessment Report, as specified in Chapter 2.D.
2. HVAC Verification Report as specified in Chapter 2.E.
3. Site-specific project summary detailing the use of contingency funding.
4. Final invoice and any other supporting documentation for all expended grant funds up to the original grant award amount.
5. Any reporting required to determine compliance with PUC Section 1618 as described in Chapter 4 Section A above with further guidance as necessary in the handbook described above, to calculate or confirm energy savings or reduction in greenhouse gas emissions resulting from the project.
6. Self-certification and attestations:
  - a. The LEA attests that it followed the SRVEVR Program Guidelines.

- b. The LEA attests that the information included in the final document package is true and correct to the best of the LEA's knowledge.
- c. The LEA commits that all California Environmental Quality Act (CEQA) requirements are completed.
- d. The LEA has obtained any required DSA project approvals as applicable under California Code Regulations, Title 24.
- e. The LEA acknowledges that the expended funds may be subject to an audit, including a financial audit.
- f. The LEA commits that it complied with all reporting requirements.
- g. The LEA complied with all HVAC Assessment and Maintenance Grant Terms and Conditions.
- h. The LEA complied with all Skilled and Trained Workforce and other labor requirements.
- i. The LEA complied with any applicable labor code requirements on the payment of prevailing wage.

#### **D. Time Extension Requests**

Grant recipients may request a one-time extension to complete final reporting. The extension will be no more than six months and will not exceed the final program reporting deadline date of June 1, 2026.

# CHAPTER 5:

## Administration

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### A. Guidelines Authority

These SRVEVR Program Guidelines are adopted under Public Utilities Code Division 1, Part 1, Chapter 8.7 added by AB 841 (Chap. 372, Stats. 2020), which directs the CEC to implement the SRVEVR Program as part of the SEES Program. Under PUC Section 1614(b), the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) does not apply to the adoption of these guidelines.

### B. Effective Date of Guidelines

These draft SRVEVR Program Guidelines are not effective until adopted by the CEC at a publicly noticed business meeting. The CEC will post the adopted [SRVEVR Program Guidelines](https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841) on its website: <https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841>. Applicants may also obtain the SRVEVR Program Guidelines by contacting [SEES@energy.ca.gov](mailto:SEES@energy.ca.gov)

### C. California Environmental Quality Act

The CEC must comply with CEQA (Public Resources Code section 21000 et seq.; see also California Code of Regulations Title 14, section 15000 et seq.), which generally requires public agencies to identify and consider potential environmental impacts of proposed projects. Applicants may be required to submit CEQA documentation as part of their application to determine CEQA compliance. Refer to Appendix A: Application and Forms for further information.

### D. Division of the State Architect Review

DSA provides design and construction oversight for school districts. To ensure buildings are safe and compliant with accessibility standards, DSA must review and approve public school construction for compliance with the California Code of Regulations, Title 24, the California Building Code (CBC), when alterations or additions are made to existing buildings.

Certain equipment replacements and upgrades funded by the SRVEVR Program might be exempt or excluded from DSA review and approval for structural safety, depending on the scope of work and estimated construction cost. To help LEAs determine the various requirements and possible exemptions, DSA provides resources and guidelines on its website at <https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Plan-Review-Appointment-Process-for-School-Essential-Services-Construction-Project>.

In cases where DSA review is required, DSA will verify that the original building construction was certified before it can issue approval of plans for alterations on that building. DSA regional office staff can help LEAs identify whether a particular building is suitably certified and what steps are required to achieve certification.

LEAs are advised to consider DSA requirements early in their planning for HVAC work and contact the appropriate DSA regional office with jurisdiction over the area in which the project is located.

Visit the DSA Construction Project Submittal webpage for more information regarding plan submission at Plan Review Appointment Process.

## **E. Enforcement**

In addition to any other rights the CEC has, the CEC can take all the following actions necessary to enforce its rights and program requirements:

### **1. Recovery of Overpayment**

The CEC may direct its chief counsel to commence formal legal action against any applicant, former applicant, or recipient to recover any portion of a payment under a grant agreement that the executive director determines the applicant, former applicant, or recipient was not otherwise entitled to receive, retain (that is, advanced funds), or spend in the manner it was spent.

### **2. Fraud and Misrepresentation**

The executive director may initiate an investigation of any applicant that the executive director has reason to believe may have misstated, falsified, or misrepresented information in submitting an application, payment request, or any reporting or other information required under the program. Based on the results of the investigation, the executive director may take any action deemed appropriate, including, but not limited to, cancellation of the reservation, termination of the award or award agreement, recovery of any overpayment, and, with the concurrence of the CEC, recommending the attorney general initiate an investigation and prosecution under Government Code Section 12650, et seq., or other provisions of law.

### **3. Noncompliance With Agreement**

The CEC may seek remedies for noncompliance with agreement terms, work scope, and project milestones including but not limited to stop work, termination, withholding requested payments, recovery of funds, or any other administrative or civil action.

## **F. Use and Disclosure of Information and Records and Confidentiality**

With very few exceptions, documents submitted to the CEC or its technical consultant(s), including as part of any audit, are considered public records subject to disclosure under the California Public Records Act. The CEC or other state agencies may also use any of these documents or information for any purpose, including to determine eligibility and compliance with the SEES program, applicable law, or a particular solicitation or guidelines document, or to evaluate related or relevant programs or program elements, or to prepare reports. These documents and information include but are not limited to applications for funding, the agreement itself, invoices and any documentation submitted in support of applications, all

agreement deliverables, final project report, and documents prepared for other reporting requirements, materials and documents developed as part of technology transfer.

If the CEC requires an applicant or recipient to provide copies of records that the recipient believes contain confidential/proprietary information entitled to an exemption under the California Public Records Act or protection under another law, the recipient may request that such records be designated confidential according to the CEC's regulations for confidential designation, Title 20, California Code of Regulations, Section 2505.

Applicants considering confidentiality should note that SEES funds are subject to information disclosure requirements to ensure transparency. Information concerning the identity of recipients and the grant amount is public information and will be disclosed according to the California Public Records Act. This information, as well as other public information, may also be disclosed through the CEC's website, another State of California agency website, or through other means.

The CEC can be required by law to disclose confidential information and records to other governmental entities and policing authorities for civil and criminal investigation and enforcement.

## **G. Substantive Changes in Guidelines**

After adoption, substantive changes to the adopted SRVEVR Program Guidelines may be made with the approval of the CEC at a publicly noticed meeting with no fewer than 15 days notice. Unless stated otherwise in the resolution approving substantive changes, such changes shall take effect upon adoption by the CEC. Substantive changes to design or requirements include but are not limited to:

1. Program eligibility.
2. Technical requirements.
3. Measurement and verification reporting.

## **H. Nonsubstantive Changes in Guidelines**

If the SRVEVR Program Guidelines require nonsubstantive changes, including, but not limited to typographical errors, the CEC will provide a notice of the changes to the SEES list serve (school\_ee\_stimulus) and post the amended guidelines on the SEES web page.

# **APPENDIX A:**

## **Application Information**

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This appendix describes the information that will be required in the application form. The application will be completed and submitted by the LEA using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The application form will be made available for use in developing the application package on the [SEES Program webpage](https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841) (<https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841>).

Refer to Chapter 3.B for more detailed information about the application process.

### **Assessment and Maintenance Grant Application Form**

- Application Information
  - Applicant name
  - Type of entity/CDS Code
  - Application region
  - Address
  - Contact information
  - Utility provider(s)
- Project Information (Table format for multiple projects in LEA's application)
  - Type of project (new or reimbursement)
  - School address
  - School size (classrooms/students)
  - Project description
- Project Schedule
  - Estimated start date
  - Estimated completion date
- Project Budget
- CEQA Compliance if necessary
- Supporting Documentation
- Self-Certifications

# APPENDIX B:

## HVAC Assessment Report Information

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This appendix describes the information that will be required in the HVAC Assessment Report. The assessment report form will be completed by Qualified Testing Personnel and submitted using the electronic submission process and system identified in the notice of funding availability issued by the CEC. The assessment report forms will be made available for use in on the [SEES Program webpage](https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841) (https://www.energy.ca.gov/programs-and-topics/programs/school-energy-efficiency-stimulus-sees-program-assembly-bill-841)

Refer to Chapter 2.D for more detailed information about the assessment report requirements.

- **Overview Form (checklist)**
  - Unit/Model No./Serial No./SEER Rating/Refrigerant
  - Filtration
  - Ventilation rate
  - Ventilation system operation
  - Air distribution
  - Building pressure
  - General maintenance
  - Operational controls
  - CO<sub>2</sub> monitoring
  - HVAC Assessment Report
  - Energy and ventilation upgrades
- **Filtration Form**
  - Existing filter data
  - Installation audit
  - Frame condition
  - Motor and control type
  - MERV 13 verification
- **Ventilation Rate Form**
  - Determine minimum required outside air
  - Verify minimum required outside air
  - Increased outside air
- **Economizer Operation Form**
  - Verify economizer operation
  - Economizer functions as designed Y/N
  - Documentation of adjustments and repairs required

- **Demand Control Ventilation Operation Form**
  - Verify DCV operation
  - Verify DCV function at setpoint of 800 ppm
  - Document adjustments or repairs required
- **Air Distribution and Building Pressure Form**
  - Supply outlets measurement
  - Return inlets measurement
  - Exhaust inlets measurement
  - Measured supply air = measured outside air + measured return air determination
  - Measured supply air slightly great than measured return air determination
  - Air distribution notes
  - Document repairs and adjustments required
- **General Maintenance Form**
  - Verify coil condition
  - Verify condensate drainage
  - Measure and document temperature differential
  - Verify condition of drive assembly
  - Document deficiencies
  - Document required repairs and adjustments
- **Operational Controls Form**
  - Review control sequences – verify systems will maintain intended conditions during operation
  - Ventilation schedule operation
  - Document deficiencies and recommendations for maintenance, replacement or upgrades.
- **CO<sub>2</sub> Monitoring Form**
  - Verify installation or install a CO<sub>2</sub> monitor
  - Verify and document CO<sub>2</sub> monitor meets required capabilities



**APPENDIX C:**  
**Table 120.1-A**

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Appendix for reference purposes only.

*Table 120.1-A – Minimum Ventilation Rates*

Occupancy Category	Area Outdoor Air Rate <sup>1</sup> Ra	Min Air Rate for DCV <sup>2</sup>	Air Class	Notes
		fm/ft <sup>2</sup>	cfm/ft <sup>2</sup>	
<b>Educational Facilities</b>				
Daycare (through age 4)	0.21	0.15	2	
Daycare sickroom	0.15	3		
Classrooms (ages 5-8)	0.38	0.15	1	
Classrooms (age 9-18)	0.38	0.15	1	
Lecture/postsecondary classroom	0.38	0.15	1	F
Lecture hall (fixed seats)	-	0.15	1	F
Art classroom	0.15	2		
Science laboratories	0.15	2		
University/college laboratories	0.15	2		
Wood/metal shop	0.15	2		
Computer lab	0.15	1		
Media center	0.15	1	A	
Music/theater/dance	1.07	0.15	1	F
Multiuse assembly	0.50	0.15	1	F
<b>Food and Beverage Service</b>				
Restaurant dining rooms	0.50	0.15	2	
Cafeteria/fast-food dining	0.50	0.15	2	
Bars, cocktail lounges	0.50	0.20	2	
Kitchen (cooking)	0.15	2		
<b>General</b>				
Break rooms	0.50	0.15	1	F
Coffee Stations	0.50	0.15	1	F
Conference/meeting	0.50	0.15	1	F
Corridors	0.15	1	F	
Occupiable storage rooms for liquids or gels	0.15	2	B	
<b>Hotels, Motels, Resorts, Dormitories</b>				

Bedroom/living room	0.15	1	F	
Barracks sleeping areas	0.15	1	F	
Laundry rooms, central	0.15	2		
Laundry rooms within dwelling units	0.15	1		
Lobbies/pre-function	0.50	0.15	1	F
Multipurpose assembly	0.50	1	F	

## **APPENDIX D:**

### **Additional References**

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Assembly Bill No. 841 Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program. (2019-2020) (Ting)  
[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB841](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB841)