

Proposition 39 Guideline: Substantive Changes

Summary of Proposed Changes

Topic	Guideline Revision	Issue	Page #
Minor word changes/edits	Revised minor wording for clarity	Provides clearer understanding.	Various
Updated Guidelines to reflect their adoption in December 19, 2013.	Changed verbs from future tense to past tense.	The Guidelines were originally written in anticipation of their adoption at the December 19, 2013 Energy Commission Business Meeting.	Various
Fiscal year 2013/14 appropriations moved. Fiscal year 2014/15 appropriations added.	Relocated the historical 2013/14 fiscal year appropriations from page 1 to Appendix A.	The new fiscal year 2014/15 will now be on page 1, but the historical appropriations information will remain in the document, under Appendix A	1 and Appendix A
California Community College Chancellor's Office	CCCCO is exempt from the requirements of the Proposition 39 Guidelines for the five year program.	The CCCCCO program will continue as a separate program.	3
Definition of Eligible Energy Project	Revised the definition of an eligible energy project. Changed from a bundled group of energy efficiency measures and/or clean energy installations in or at a school site to efficiency measures and/or clean energy installations within an LEA.	An eligible energy project must achieve a minimum savings-to-investment ratio (SIR) of 1.05. LEAs now can bundle energy efficiency measures and/or clean energy installations (in or at one or <u>more school sites</u>) within an LEA.	6, 23, 24 and Appendix G
Schedule	Added date for SSPI to begin allocationing awards for approved multiple-year energy expenditure plans.	In the second year of the Proposition 39 program and moving forward, many LEAs will be receiving their annual allocations based on a multiple year energy expenditure plan approved in a prior fiscal year. SSPI will allocate these awards starting in January 2015 (annually).	9

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Interest Earned on Proposition 39 Funds	Added a new subcategory within the Award Allocation section regarding interest earned.	Provides new guidelines to LEAs on how the interest earned on Proposition 39 funds can be expended.	11
Two-year Combined Award Option	Added clarification language.	LEAs in Tier 1 and Tier 2 can select this option twice during the five year Proposition 39 program.	11
Energy Planning Funds Reservation Option	Added clarification language.	Provides clarification on energy planning fund eligibility for LEAs whose first year of program eligibility occurs after fiscal year 2013-14.	11 and 12
Energy Survey and ASHRAE Level 2 Energy Audit Requirements	Added the sentence: <i>“Additional information on energy project supporting documentation is included in the <u>Energy Expenditure Plan Handbook</u>.”</i>	In an effort to expedite the review and approval of energy expenditure plans, the <u>Energy Expenditure Plan Handbook</u> provides a recommended format to use when submitting energy audits as back up documentation.	22
Multiple-year (Bundled) award energy expenditure plan	Added clarification paragraph.	Provides clarification on when LEAs will receive yearly allocations approved in a multiple-year energy expenditure plan.	25
Energy Expenditure Plan Content - Utility Data Release Authorization Form	Removed option for LEA to use a utility authorization form.	LEAs must use the Energy Commission’s Utility Data Release Authorization form when consenting the LEA’s utility provider(s) to release historic and ongoing billing data to the Energy Commission.	26
Energy Project Tracking and Reporting	Added various edits and clarification language.	Provides clarification that the Energy Commission will add an online program reporting system to the Proposition 39 Web page.	30 - 32
Job Creation Benefits	Added various edits and clarification language.	Provides clarification on certified payroll and LEA self-reported employee wage records needed for reporting job creation benefits of funded projects.	33
Audit	Added clarification paragraphs.	Provides clarification on payback, project and property related to PRC 26240(h)(1). Also provides web link to CDE’s current audit guide booklet.	34

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Energy Expenditure Plan Implementation Changes	Deleted <i>“Relocating an energy measure to a different school site. For example, retrofitting HVAC units at School A, when the energy expenditure plan indicated the HVAC units for School B.”</i>	This will not be allowed for amendments. A new energy expenditure plan will need to be submitted to the Energy Commission if an energy measure is relocated to a different school site.	35
Contracts	Added clarification language.	Added clarification that the no sole source applies to all Proposition 39 program award funding, including energy planning funds. Added Reference to PCC Section 20111.	36
Public Works Project Award Notification and Payroll Reporting	Removed original section and replaced with updated section.	Provides updated information and clarification on current Department of Industrial Relations requirements.	36-37
Appendix B: Energy Savings Calculators	Removed original Appendix B: Energy Savings Calculators from the Guidelines.	This information is also in the Energy Expenditure Plan Handbook.	B-1
Appendix D: Savings-to-investment Ratio (SIR) Calculation	Revised leveraged funding that can be subtracted from the project installation cost in the SIR calculation.	Removed “grants” and added non-repayable funds such as bond funding, deferred maintenance, general operation budgets and other funds used to finance the project.	D-1
Appendix F: Effective Useful Life of Energy Measures in Years	Removed from Guidelines.	This information is better placed in the Energy Expenditure Plan Handbook.	F-1