



# ENERGY STAR Multifamily High Rise Developer Participation Agreement, V1.0

To qualify for partnership as a multifamily high rise developer, your company must be the primary party responsible for the design, financing and construction of multifamily mid or high rise projects. For more information on the ENERGY STAR MFHR program visit: [www.energystar.gov/mfhr](http://www.energystar.gov/mfhr)

## **Contact Information**

Company Name: \_\_\_\_\_

Authorized Company Representative (Printed name): \_\_\_\_\_

Title: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/ZIP: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **To be completed by U.S. EPA**

**Branch Chief, ENERGY STAR Residential Branch**, Climate Protection Partner Division, U.S.  
Environmental Protection Agency

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **To Submit this Participation Agreement:**

Fax to 202-343-2200 or email as a Portable Document Format (PDF) to [MFHR@energystar.gov](mailto:MFHR@energystar.gov)

### **ENERGY STAR Background Information**

EPA's ENERGY STAR helps consumers, businesses, and public organizations protect the environment through superior energy efficiency. ENERGY STAR for MFHR promotes energy-efficient buildings that can improve building quality and occupant comfort, lower energy demand, and reduce air pollution.

### **ENERGY STAR's Commitments to Partners**

1. EPA will work to increase awareness of ENERGY STAR as the trusted government-backed symbol for energy efficient solutions that save energy, save money, and help protect the environment.
2. EPA will provide partners with timely program updates, information, and resources via the ENERGY STAR web site, webinars, newsletters, e-mail, and presentations.
3. EPA will provide partners with recognition for their participation in the program through the ENERGY STAR Website, special awards, and other media.
4. EPA will respond swiftly to any requests for information or clarification on ENERGY STAR program policies.
5. EPA does not provide warranty and cannot be held liable for construction defects or deficiencies resulting from the proper or improper application of the ENERGY STAR for MFHR program guidelines.



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## ENERGY STAR MFHR Developers Requirements

1. The ENERGY STAR MFHR Developer Partner agrees to finalize a set of designs that conform to the program's prerequisites and incorporates the recommended measures contributing to the achievement of the Performance Target **OR** the Prescriptive Path requirements.
2. The ENERGY STAR MFHR Developer Partner agrees to construct their project as described by the Proposed Building Submittal or commit to make no changes during construction that would cause the as-built project to fail to comply with the Program's prerequisites, the Prescriptive Path or cause the modeled consumption of the as-built project to fall below the Performance Target.
3. The ENERGY STAR MFHR Developer Partner agrees to have their Proposed and As-Built Building Submittals reviewed and validated by a licensed professional (registered architect or professional engineer).
4. The ENERGY STAR MFHR Developer Partner agrees to assess the energy performance of the project using ENERGY STAR's Portfolio Manager for a minimum period of 2 years following the date of receipts of the Certificate of Occupancy.

## General Commitments for ENERGY STAR Partners

1. This agreement is voluntary and can be terminated by either party at any time for any reason, with no penalty.
2. Partners will assume good faith as a general principle for resolving conflicts that may arise in relation to their program partnership and will seek to resolve all matters to preserve maximum public confidence in ENERGY STAR.
3. Partners shall not construe, claim, or imply that participation in ENERGY STAR constitutes federal government approval, acceptance, or endorsement of anything other than partners' participation in the ENERGY STAR program. Partnership does not constitute federal government endorsement of the partner, its buildings, or services.
4. Partners understand that the activities undertaken in connection with ENERGY STAR are voluntary and not intended to provide services to the federal government. As such, partners may not submit claims for compensation to any federal agency.
5. Partners must adhere to the ENERGY STAR Identity Guidelines and ensure that authorized representatives, such as advertising agencies, distributors, and subcontractors, also comply.
6. To maintain an active partnership, partners must be actively engaged with at least one ENERGY STAR MFHR project. To be actively engaged in a project, the Partner must be active in either the design phase, construction phase or actively benchmarking an ENERGY STAR MFHR project. Partners not fulfilling this requirement will be deemed 'inactive' and must promptly cease all use of the ENERGY STAR name and logo, including removal from marketing and promotional materials.
7. Qualification of a building to earn the ENERGY STAR label shall not be used by partners to guarantee that it is structurally sound or safe, constructed in accordance with applicable laws, regulations or codes, free of mold or mildew, free of volatile organic compounds or allergens, or free of soil gases including radon.
8. Partners shall act in good faith to resolve complaints about the performance of their ENERGY STAR qualified MFHR buildings and must provide EPA with any requested documentation regarding a building qualified as ENERGY STAR. If EPA determines that a building has been improperly qualified as ENERGY STAR, the partner is expected to take necessary actions to resolve the identified issues in a timely manner.
9. Failure to comply with any of the terms of the ENERGY STAR Partnership Agreement can result in termination of the organization's partnership and its access to program benefits, including use of the ENERGY STAR logo.
10. ENERGY STAR will actively pursue misuse of the ENERGY STAR name and logos. In cases where an organization is found to be in severe violation of the federal ENERGY STAR trademark, EPA may refer the matter to the U.S. Department of Justice for consideration of civil or criminal penalties.