

# Market Provider Agreement

## Wisconsin ENERGY STAR® Homes Builder

Focus on Energy works with eligible Wisconsin residents and businesses to install cost effective energy efficiency and renewable energy projects. Its efforts help Wisconsin residents and businesses manage rising energy costs, promote in-state economic development, protect our environment and control the state's growing demand for electricity and natural gas. Wisconsin Energy Conservation Corporation (WECC) administers the Focus on Energy program and as part of Focus on Energy WECC may enter into collaborative agreements with businesses (referred to as Market Providers) to promote energy efficiency and/or renewable energy. Market Providers are businesses who deliver goods and/or services related to energy efficiency and/or renewable energy.

The purpose of this agreement is to set forth the terms and conditions under which the undersigned may be considered a Market Provider authorized by Focus on Energy to deliver Focus on Energy services to consumers and the benefits to the undersigned of such designation.

MARKET PROVIDER INFORMATION:			
Contact Name:		Title:	
Company Name:		Phone:	(       )
Address:		Fax:	(       )
City/State/Zip:		E-mail:	
Website:		Tax ID:	
BUILDING TYPE—PLEASE INDICATE YOUR BUSINESS TYPE (CHECK ALL THAT APPLY):			
<input type="checkbox"/> Stick Built	<b>OR</b>	<input type="checkbox"/> System - Modular	
		<i>Name of Modular Manufacturer:</i>	
PLEASE DESCRIBE YOUR BUSINESS IN TWENTY-FIVE WORDS OR LESS (MAY BE USED ON WEBSITE):			
AREA – PLEASE INDICATE THE WISCONSIN COUNTIES IN WHICH YOUR BUSINESS OPERATES (CHECK ALL THAT APPLY):			

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> All Counties<br><input type="checkbox"/> Adams<br><input type="checkbox"/> Ashland<br><input type="checkbox"/> Barron<br><input type="checkbox"/> Bayfield<br><input type="checkbox"/> Brown<br><input type="checkbox"/> Buffalo<br><input type="checkbox"/> Burnett<br><input type="checkbox"/> Calumet<br><input type="checkbox"/> Chippewa<br><input type="checkbox"/> Clark<br><input type="checkbox"/> Columbia<br><input type="checkbox"/> Crawford<br><input type="checkbox"/> Dane<br><input type="checkbox"/> Dodge<br><input type="checkbox"/> Door<br><input type="checkbox"/> Douglas<br><input type="checkbox"/> Dunn<br><input type="checkbox"/> Eau Claire | <input type="checkbox"/> Florence<br><input type="checkbox"/> Fond du Lac<br><input type="checkbox"/> Forest<br><input type="checkbox"/> Grant<br><input type="checkbox"/> Green<br><input type="checkbox"/> Green Lake<br><input type="checkbox"/> Iowa<br><input type="checkbox"/> Iron<br><input type="checkbox"/> Jackson<br><input type="checkbox"/> Jefferson<br><input type="checkbox"/> Juneau<br><input type="checkbox"/> Kenosha<br><input type="checkbox"/> Kewaunee<br><input type="checkbox"/> La Crosse<br><input type="checkbox"/> Lafayette<br><input type="checkbox"/> Langlade<br><input type="checkbox"/> Lincoln<br><input type="checkbox"/> Manitowoc<br><input type="checkbox"/> Marathon | <input type="checkbox"/> Marinette<br><input type="checkbox"/> Marquette<br><input type="checkbox"/> Menominee<br><input type="checkbox"/> Milwaukee<br><input type="checkbox"/> Monroe<br><input type="checkbox"/> Oconto<br><input type="checkbox"/> Oneida<br><input type="checkbox"/> Outagamie<br><input type="checkbox"/> Ozaukee<br><input type="checkbox"/> Pepin<br><input type="checkbox"/> Pierce<br><input type="checkbox"/> Polk<br><input type="checkbox"/> Portage<br><input type="checkbox"/> Price<br><input type="checkbox"/> Racine<br><input type="checkbox"/> Richland<br><input type="checkbox"/> Rock<br><input type="checkbox"/> Rusk<br><input type="checkbox"/> Saint Croix | <input type="checkbox"/> Sauk<br><input type="checkbox"/> Sawyer<br><input type="checkbox"/> Shawano<br><input type="checkbox"/> Sheboygan<br><input type="checkbox"/> Taylor<br><input type="checkbox"/> Trempealeau<br><input type="checkbox"/> Vernon<br><input type="checkbox"/> Vilas<br><input type="checkbox"/> Walworth<br><input type="checkbox"/> Washburn<br><input type="checkbox"/> Washington<br><input type="checkbox"/> Waukesha<br><input type="checkbox"/> Waupaca<br><input type="checkbox"/> Waushara<br><input type="checkbox"/> Winnebago<br><input type="checkbox"/> Wood |
|--|---|---|--|

## **BENEFITS:**

**Program Support and Information:** For program related questions please contact your program representative or call Focus on Energy 888.509.3247.

**Market Provider Directory Listing:** Market Providers are listed on the Focus on Energy website, focusonenergy.com. Prospective customers can search for Market Providers in their area.

**Special Honors and/or Significant Achievements Listings:** Focus on Energy recognizes special honors and/or significant achievements of some Market Providers. When applicable, Focus on Energy will include these distinctions in applicable directories and on focusonenergy.com listings.

**Press Release Assistance:** Focus on Energy will provide a press release template announcing acceptance into the program. This template will allow the Market Provider to insert their corporate information into the template and release it to local media. To receive this service, contact the Focus on Energy Marketing Department at 888.509.3247.

**Focus on Energy Newsletter Subscriptions:** Market Providers receive all applicable Focus on Energy newsletters. These newsletters are educational pieces discussing Focus on Energy program activities.

**Notification of Training and Educational Opportunities:** Market Providers will receive notifications for all Focus on Energy trainings and educational events related to their business type.

**Marketing Materials:** Market Providers are provided program marketing materials and may request additional materials by contacting the Focus on Energy Marketing Department at 888.509.3247.

**Use of Focus and/or Wisconsin ENERGY STAR Homes Name and Logo for Advertising:** Focus on Energy or Wisconsin ENERGY STAR Homes name and logo may be used only during the term of this Agreement and are to be used solely by participating Market Providers for promoting their participation in the Focus on Energy program. Advertising using the aforementioned names and logos, and/or promoting your participation with Focus on Energy must be pre-approved by the Focus on Energy Marketing Department. All guidelines for using logo(s) and advertising using the Focus on Energy or Wisconsin ENERGY STAR Homes name and/or logo are set forth by the Focus on Energy Marketing Department and must be followed. A copy of the logo usage guidelines is available from the Focus on Energy Marketing Department by calling 888.509.3247, and is made part of this Agreement by reference.

## **TERMS AND CONDITIONS:**

**Term:** This Agreement is valid until December 31, 2009, unless terminated in writing by either party, and will automatically renew annually beyond that date.

**Program Requirements:** The Market Provider acknowledges that they have received, read and agree to comply with the program procedures outlined in the Wisconsin ENERGY STAR Homes Builder Packet provided by the Wisconsin ENERGY STAR Homes Program.

**Termination:** This Agreement may be terminated by the Market Provider or WECC for any reason at any time. Written notice of termination must be sent to the non-terminating party by certified mail, return receipt requested. When termination is triggered by written notice, termination is effective as of the date the termination letter is received by the non-terminating party.

**Indemnification:** The Market Provider agrees to indemnify and hold WECC, program subcontractors, the State of Wisconsin, the Statewide Energy Efficiency and Renewables Administration, Inc (SEERA) their directors, employees, and agents harmless against all claims, liabilities, damages, losses, costs or expenses (including, but not limited to, reasonable attorney's fees) arising out of a breach by the Market Provider of any provision to this Agreement or arising out of any act or omission of the Market Provider, its employees, subcontractors, and other agents of the Market Provider or its subcontractors performed under or as a result of this agreement, including, but not limited to, the failure of the Market Provider to properly and/or timely pay any wages and/or benefits to the Market Provider's employees.

**Independent Agent:** The Market Provider may present him/herself as a Market Provider or Partner of the Focus on Energy Program. By signing this Agreement, a Market Provider does not become an agent, employee, or representative of the Focus on Energy Program, WECC, authorized subcontractors, the State of Wisconsin or SEERA. Market Providers are independent agents who have no authority to enter into any contract or incur any obligations on behalf of or in the name of Focus on Energy, WECC, authorized providers, the State of Wisconsin or SEERA.

**No Representation or Warranty:** The Market Provider agrees that as a qualified participating Market Provider the Market Provider shall not (directly or indirectly) represent his/her/its products, offerings or work to potential customers or others as guaranteed or warranted in any way by Focus on Energy, the State of Wisconsin, SEERA or WECC.

**Customer Service Standards:** The Market Provider agrees to maintain written customer service standards available to customers. (A model set of acceptable standards is available by calling 888.509.3247.)

**MARKET PROVIDER APPROVAL:**

By signing this agreement, Market Provider agrees to abide by the foregoing terms and conditions of the Market Provider Agreement for Wisconsin ENERGY STAR Homes Market Providers:

Signed:		Date:	
Printed Name:		Title:	

**FOCUS ON ENERGY / WISCONSIN ENERGY CONSERVATION CORPORATION APPROVAL:**

By signing this agreement, the above named company is authorized to participate as a Market Provider in the Wisconsin ENERGY STAR Homes Program:

Signature of Wisconsin ENERGY STAR Home Consultant:		Date:	
Printed Name:		Title:	



## Wisconsin ENERGY STAR® Homes Program

### Certification Portfolio Options

January 1, 2009 – December 31, 2009

Please complete with market provider agreement and fax back to the Wisconsin ENERGY STAR Homes Program at (608) 442-1833.

**Builder/Company Name:** \_\_\_\_\_

**Homeowner Portfolio - Delivery Options:** Participating builders have one of the following two options in regard to the delivery of the program certification portfolio. Please indicate your preference below:

- A. Builder: For every certified home, the portfolio is sent to you. You accept responsibility for delivery of the portfolio to the homeowner. All spec home certifications will be sent to you.
- B. Homeowner: For every certified home, the portfolio is sent to the homeowner at the new home address. *Note: For every home without a homeowner name, the certification portfolio will be sent directly to the builder.*

Thank you for taking time to complete this form. If you have questions, please contact your local consultant to discuss which option may be best for you or contact the program manager at 888-509-509-3247, ext. 106.