

BEPS Task Force Meeting Notes September 15, 2020

Task Force Member Attendees: Katie Bergfeld, Patti Boyd, Marshall Duer-Balkind, Dave Good, Max Greninger, Adrian Gross, Reshma Holla, Anica Landreneau, Cliff Majersik, Todd Nedwick, Matt Praske, Joe Reilly, Jay Wilson

Public Attendees: Andrew Held, Sharon Jaye, Molly Hoffsommer, Kate Johnson, Kristian Hoffland, Michael Feldman-Wiencek, Dave Epley, Cet Caldwell, Kevin Carey, Abby Mrvos, Sean Fish, Kehan Desousa, Emily Low, Michele Good, Nathan Jeffay, Megan Chapple, Jochen Schaefer, Jeff Mang, Julia Field, Katie Henderson, Aykut Yilmaz, Donald Walker, Tommy Wells, Taresa Lawrence, Jennifer Kulp

The notes reflect the discussion only – please see the referenced slide deck for content presented.

Agenda:

1. Administrative
 - a. Opened Meeting at 2:32pm
 - b. Attendance taken by roll call (see above) and quorum acknowledged
 - c. Role of Task Force, overall schedule review, and current agenda reviewed
 - d. Tommy Wells, Director of DOEE, visited to acknowledge the 20th meeting of the Task Force and thank the members for their dedication, time, and knowledge sharing.
2. Prescriptive Path - Part 1 follow-up
 - a. Timeline and Phase 1 (slides 7-8) – feedback received in Sept. 1 meeting
 - b. Phase 2 - Action Plan (slide 9)
 - i. 3-cycle plan – Some members concerned because so much beyond building's control into the future and worried about the high quantity of plans required to be submitted along the 3 phases. Question about who will be reviewing and approving these plans? DOEE will be reviewing and approving
 - ii. Complete O&M plan – DOEE thinking about ASHRAE 100-Chapter 6
 1. Committing properties to develop a specific O&M procedure seems worthwhile and is supported by TF. Value is in equipment maintenance AND schedules for maintenance.
 2. General O&M plan is essentially an EEM in itself. Will prescriptive path points be available for this? DOEE: Don't know yet, difficulty in quantifying savings. Agreed that it would be beneficial but also that it's not practical to quantify energy savings across the board because O&M benefits will depend on the baseline performance of the building.
3. Example O&M Plan tools from TF:
 - a. ISO 50001 ready, ISO 50001
 - b. [LEED O&M language for Energy Efficiency Best Management Practices](#)
 - c. https://www.energy.gov/sites/prod/files/2013/10/f3/omguide_complete.pdf
 - d. 50001 Ready Navigator online tool: <https://navigator.lbl.gov/>

- e. <https://www.energy.gov/eere/amo/50001-ready-program>
 - f. Enterprise Green Communities also has O&M templates and guides <https://www.enterprisecommunity.org/solutions-and-innovation/green-communities/tools-and-services/operations-and-maintenance-toolkit>
- c. Phase 3 - Implementation, Testing & Training (slide 10)
- i. What do inspections look like for verification of implementation?
 - 1. DOEE: May reserve the right to perform inspections, but leaning towards not proactively verifying items like the O&M plan implementation because of limited DOEE capacity and it's in property's best interest to implement, so will likely be self-evident via performance.
 - ii. Much of this phase lines up with DCRA processes and documentation would most likely be a copy of the DCRA submission? DOEE will make clear what items line up with DCRA and will use that documentation when possible.
 - iii. Concerns about labor market and availability of contractors for phase 3 implementation if all prescriptive path buildings are doing their projects at the same time. Could the timeline be more flexible to allow or workforce shortages?
- d. Phase 4 - Evaluation, Monitoring, and Verification (slide 11)
- i. What does project evaluation look like if turned into DOEE?
 - 1. Occupant comfort (Center for Built Environment at Berkeley has a template for comfort), IAQ testing
 - 2. Simpler might be better, raw improvement plus basic stats that can be analyzed by DOEE
 - ii. Opportunity for corrective action if needed? Carrot is being able to explain why you didn't hit your target, make adjustments and then realize savings in last year of enforcement. TF: If additional time for correction and re-evaluation is not too complicated, then the flexibility is preferred.
 - iii. Feedback Loops so DOEE can improve program for future cycles? TF: If there is data DOEE wants, consider making it worth a point? If pursuing this concept of feedback loops, need to make sure can get quality data.
 - iv. DOEE: Re: Post-implementation evaluation – EEM evaluation of effectiveness if X% savings is not realized. What percentage should that be to determine eligibility for prescriptive path for subsequent periods? Or if EEM points should be adjusted for future cycles?
 - 1. 10%, 15%, 18.5%, at agency's discretion
 - 2. Comments:
 - a. For some of the use factors, you could get a rough estimate of how much of the change is new to operating factors by looking at % change over time in the "National Median EUI" metric in the energy star score.

- b. If DOEE can determine from the documents that the projects were designed and executed in good faith, then I would think the number should be kind of low. Might be the design engineer's fault, not the owners.
 - c. Interactive effects are important. In addition, savings estimates are also exactly that, and to some extent, medians or averages. There's variance, so variance would be expected in outcomes.
 - d. I wouldn't ban anyone from Rx path from cycle 1 to cycle 2 unless there is very clear abuse of the path. Too many unknowns in first cycle, a lot of refinement; the Rx path is a lot of work, if someone needs the structure, why would we box them out of the path?
 - e. There should still be a backstop to make sure Rx doesn't become a loophole. I do think DOEE should retain the ability to prevent people from using the prescriptive path--it could be at the agency's discretion, instead of automatic at <20%
 - f. How long will it take DOEE to review and determine whether a project got to the 20% threshold? And then, how long will it take for a project team to reevaluate and PROVE it? DOEE believes it should happen pretty quickly, but the response of the project team might be the variable factor.
 - g. Does DOEE retain the ability to fine buildings that pursue the prescriptive path but don't demonstrate good faith? Yes
- 3. Suggestion: Because this path is high on documentation and rigor, wouldn't a property have demonstrated good faith effort by making it through the process? If so, should only be prohibited from future Rx path use if they don't follow process. General agreement from TF.
- 3. Building Typologies for Prescriptive Pathway (slide 12)
 - a. What's the harm of allowing any building type to do Rx path? DOEE: the Rx path is based on the results of the cost/benefit study, which focuses on specific building types, concern is that points may not translate to savings on different building types. So the initial proposal is to only have a prescriptive path for the 4 main building types.
 - b. Concern about under-resourced building types not having a prescriptive path available (like Worship Facilities) when they really need one. Would like to see the results of the study to see if some EEMs could be generalized with a list of fewer EEMs available.
 - c. Allowing the "other" types to do a prescriptive path in the first cycle would give better data for you to evaluate the effectiveness of using that path for that type in future cycles, which will apply to a greater quantity of buildings within each of these types
 - d. May be able to remodel EEM savings in future cycles as the square footage ratchets down and we'll have more buildings in non-standard property types.
- 4. EEM Categories (slide 13)
 - a. No discussion

5. EEM Format (slide 14-17) and EEM example (slides 19-22) presented together for feedback
 - a. Overview, prerequisites, performance requirements, add-ons
 - i. Some prerequisites read like installation requirements. Refine section names.
 - ii. There is a useful distinction between these performance levels and other install requirements. Consider add-ons vs. optimized pairings as part of this section.
 - b. Documentation, reference standards, resources
 - i. To further the degree to which the prescriptive path tends to have a lot of guidance for people who haven't done this before, would it be useful to include info on estimated length of time (how long to get permit, how long to install that sort of EEM, etc.?). General TF consensus is agreement.
 - ii. Distinguish DCRA vs. DOEE in stages of documentation (as discussed earlier)
 - iii. How about requirements for performance certifications, submitting those certificates, for installed equipment, where certifications exist?
 - iv. Templates for scope of work and audit report would streamline process. Consistent format will also streamline review. DOEE: Hub will be building out RFP templates and sample scopes of work to help owners. DOEE will probably only provide minimum level audit template required for prescriptive path. The requirements for the prescriptive path could probably turn into a scope of work pretty easily.
 - v. Can DOEE get some of the permit documents *from* DCRA, or does the building owner /service provider need to send DOEE a copy once approved?
 - c. Recommended EEM sequencing and pairing
 - i. Move sequencing and optimized pairing up in order of EEM elements
 - d. Consideration ranking
 - i. DOEE: Would a ranking of considerations be helpful? (more TF members did not favor having a consideration ranking versus those that liked the idea)
 1. No - Too many considerations, I think it will be confusing to building owner and not all actually affect compliance. This doesn't seem useful, not resonating because it seems subjective. I don't think it's a tool I would use. Think onus is on owner and this is why Hub is being created, no need for DOEE to do.
 2. Yes - Good idea. Rephrase from "Short ROI period" to "High ROI" and eliminate "High SIR" "Future planning" and a couple others
 - ii. DOEE: Are using numbers for rankings a risk?
 1. TF consensus is "Yes" – don't want to confuse the numbers with the savings points assigned to the EEM.
 2. Alternative ranking scales:
 - a. Red/yellow/green
 - b. Number of checkmarks/thumbs up
 - c. Stars, letters, colors instead of numbers
 - iii. DOEE: If we kept consideration rankings, what would the top 4? (votes)
 1. High ROI - 3

2. Disruption to occupants - 2
3. Positive impact on occupants/tenants - 2
4. Potential energy savings (lifetime) - 2
5. Low capital cost - 2
6. Low hanging fruit - 1
7. Operating performance - 1
8. Added asset value - 1
9. Good effective BEPS SIR – 1
10. Others
 - a. Ease of implementation examples may be captured in disruption to occupants. Some of these might also be outside the scope of decision making for an owner, such as the job creation impact
 - b. Add health impact on tenants?
 - c. Some ease of implementation information seems important to me, especially if O&M are important for the measure. Maybe O&M considerations are important enough to have its' own section?

6. Next Meeting - September 29 (slide 25)

7. Monthly webinar update

- a. Next webinar on September 24. Please share on your social media!

8. Announcements/Questions

- a. Can DOEE provide an update on when it expects to publish draft BEPS rules for public comment?
 - i. DOEE: In legal review still, hoping for release in a few weeks. However, this part of the process is out of our control, so the timing could vary.
- b. DOEE: Universal Building ID numbers (UBID) are publicly released—first city to release in the country. Big thanks to DOEE Green Fellow, Addy Sonaiké!
- c. DOEE: 95% benchmarking compliance rate for 2019, despite the pandemic!