

# Clean Buildings Performance Standard

## Overview

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Washington State  
Department of  
**Commerce**

# We strengthen communities



HOUSING AND HOMELESSNESS



INFRASTRUCTURE AND BROADBAND



SMALL BUSINESS ASSISTANCE



ENERGY



PLANNING AND TECH ASSISTANCE



COMMUNITY SERVICES



CRIME VICTIMS AND PUBLIC SAFETY



ECONOMIC DEVELOPMENT

# Agenda

- Background
- CBPS Overview:
  - General requirements
  - Exemptions
  - Penalties
- Getting Started
- Incentives, Support & Resources
- Q&A

# Clean Buildings Performance Standard

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- **WAC 194-50 – Rules for compliance and administrative requirements.**
  - Amendment to ASHRAE Standard 100 - 2018
- **Tier 1 Buildings (HB1257 – 2019)**
  - Buildings over 50k square feet excluding parking
- **Tier 2 Buildings (HB5722 - 2022)**
  - Buildings between 20,000 and 50,000 square feet
  - Multifamily over 20,000 square feet
- **Decarbonization of District Energy Systems (HB1390 - 2023)**
  - State Campus District Energy Systems (Mandatory) & Campus District Energy Systems (Optional)

## **Commerce charged with:**

- Rulemaking
- Notifying building owners
- Administering incentives
- Supporting mandatory compliance

# CBPS Overview

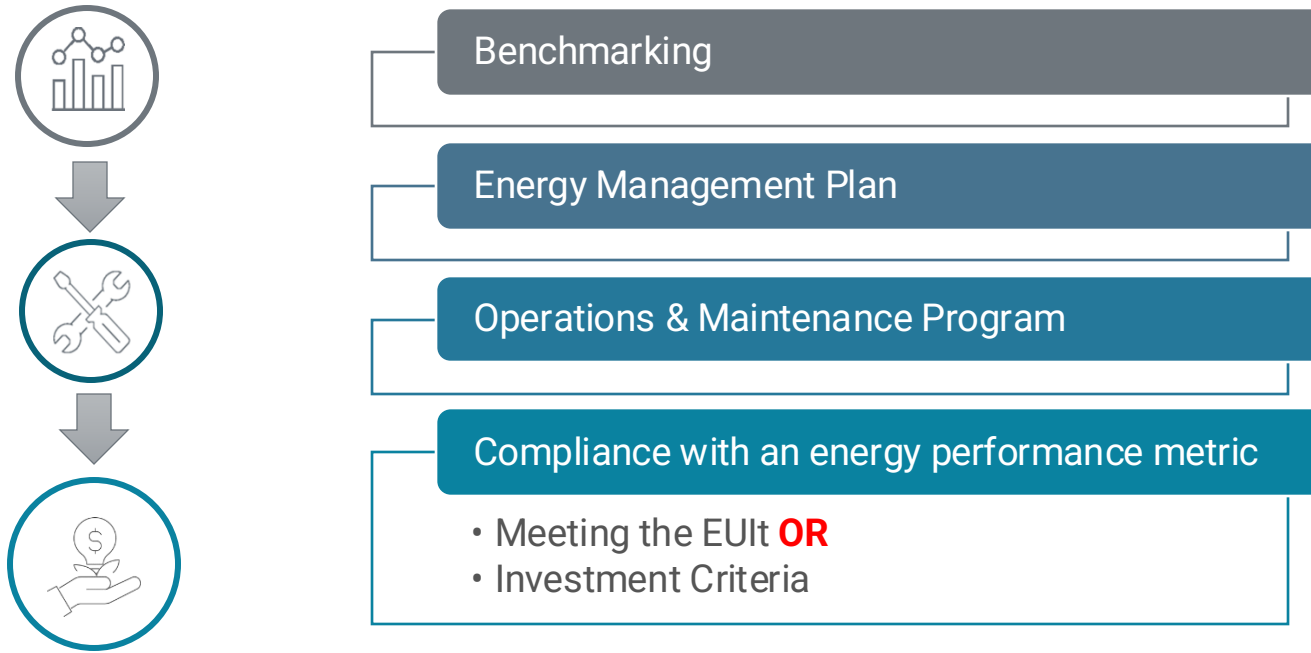




# Tier 1 Requirements

Applies to buildings, portions of buildings and building complexes exceeding 50,000 square feet

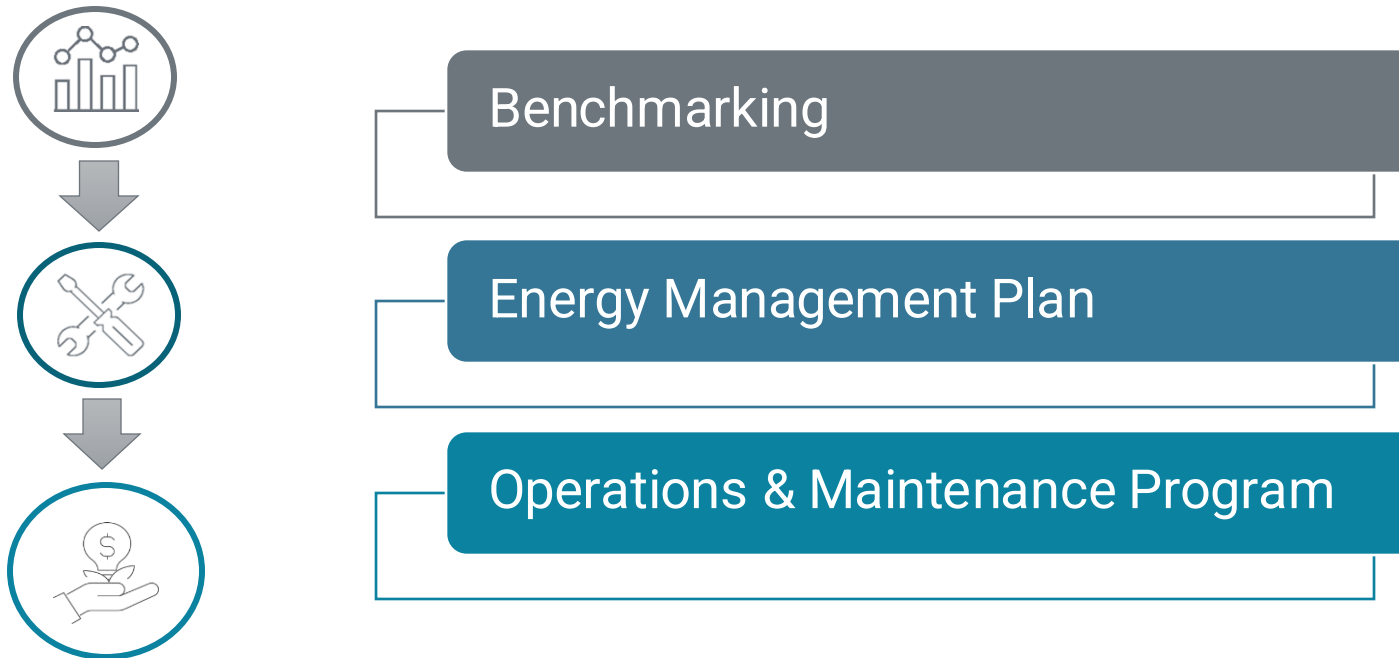
A **tier 1 building** is a building where the sum of nonresidential, hotel, motel, and dormitory floor areas exceeds fifty thousand gross square feet, excluding the parking garage area.



# Tier 2 Requirements

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Applies to buildings between 20,000 and 50,000 square feet, including all multi-family residential buildings over 20,000 square feet.



# Tier 1 and Tier 2 Compliance Schedule

A building owner of a covered building must meet the following reporting schedule for complying with the standard and every five years thereafter:



**Tier 1 - Buildings more than 220,000 gross sq. ft, June 1, 2026**



**Tier 1 - Buildings more than 90,000 – less than 220,001 gross sq. ft, June 1, 2027**



**Tier 2 - Buildings more than 20,000 – less than 50,001 gross sq. ft and MF , July 1, 2027**



**Tier 1 - Buildings more than 50,000 – less than 90,001 gross sq. ft, June 1, 2028**





# Exemptions

## Criteria

- No certificate of occupancy
- At least 50% of the conditioned floor area is unoccupied
- Less than 20,000/50,000 square feet of conditioned space
- More than 50% of floor area designated as Factory Group F or High Hazard Group H by the Washington state edition of the International Building Code (WA IBC)
- Agricultural structures
- Building is pending demolition
- Financial hardship

- **Exemption Application Timeframe.** Applications for exemptions may be submitted no sooner than two (Tier 2)/three (Tier 1) years prior to the compliance date and submitted to the *AHJ* no later than 180 days prior to the compliance date.
- **Exemption Certificate Validity.** Exemptions certificates are only valid for the current compliance review cycle.

## Tier 1 Penalties

### Refusal to Comply:

- Maximum penalty: \$5,000 base fee plus \$1.50 per sf of GFA

### Non-Compliance Mitigation Plan:

- Reduced penalties if working toward compliance

\*Maximum penalty may be assessed once every 5 year compliance cycle

## Tier 2 Penalties

Administrative penalty not to exceed \$0.30

\*Maximum penalty may be assessed once every 5 year compliance cycle

# Getting Started



# Tier 1 and Tier 2

| Steps                               | Who can help?   |
|-------------------------------------|---|
| 1. Inventory your buildings by size | Commerce- Clean Buildings Staff   |
| 2. Is your building exempt?         | Commerce- Clean Buildings Staff   |
| 3. Read and learn about the CBPS    | CBPS webpages, Smart Building help desk, Clean Buildings Staff, or utility accelerator program          |
| 4. Identify resources and support   | Fundhub, CBPS webpages, Smart Building help desk, Clean Buildings Staff, or utility accelerator program |
| 5. Build your team                  | Qualified Person or Qualified Energy Manager  |

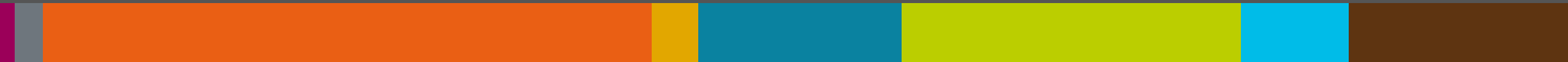
# Tier 1 and Tier 2

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| Steps   | Who can help?   |
|---|---|
| 6. Benchmark the building                       | Utility Provider, Energy Star Portfolio Manager, Accelerator Program, Smart Buildings help desk |
| 7. Determine the compliance path – Tier 1 only! | Qualified Person, Commerce- Clean Buildings Staff   |
| 8. Develop and implement the EMP and O&M        | Qualified Person or Qualified Energy Manager  |
| 9. Submit compliance documentation              | Qualified Person or Qualified Energy Manager  |

# Clean Buildings Incentives, Support, and Resources

Derek Cockle, Tier 2 Incentives Program Manager



# Tier 1 Early Adopter Incentive Program

- \$2.00/sq ft of GFA, plus \$0.05 per kBTU saved **over the 15 EUI**.
- \$75 million authorized for this program
- \$70 million still available
- Application and reporting requirements on website
- Program end dates:
  - June 1, 2025 for buildings >220k
  - June 1, 2026 for buildings >90k to 220k
  - June 1, 2027 for buildings >50k to 90k

## Eligibility

- Building is larger than 50,000 sq. ft
- 15 EUI or more above the target
- Served by a participating utility
- Comply with Tier 1 compliance requirements
- Must have a target energy usage intensity.



# Tier 2 Incentive Program

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- Incentivizes completion of reporting requirements
- Program launches July 1, 2025 and ends June 1, 2030
- \$150 million available for incentives.
- \$0.30 cents per gross square foot

## Eligibility

- Tier 2 covered building
- Served by a participating utility
- Comply with Tier 2 compliance requirements
  - Benchmark
  - EMP
  - O&M

# Energy Audit for Public Buildings

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- Energy audits are used to identify cost-effective energy efficiency improvement measures.
- Energy audits can be used to comply with the CBPS and apply for the T1 incentive program.
- \$20 million available for incentives.
- \$14 million left to allocate
- \$0.50 cents per gross square foot

## Eligibility

- Tier 1 covered building
- Publicly owned
- Auditor is on the verified network list
- Applications due by April 30, 2025

# No-Cost Support

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## Clean Buildings Team

## Utility Accelerator Programs

## Smart Building Center/Building Potential

- Help Desk

## ENERGY STAR Portfolio Manager

- Customer Support and trainings

Fund Hub: [www.fundhub.wa.gov](http://www.fundhub.wa.gov)

### Contact

**Emily Salzberg**

Buildings Unit Managing Director

Email: [Buildings@Commerce.wa.gov](mailto:Buildings@Commerce.wa.gov)

Phone: 360-725-3105

- **Submit questions & request support**  
[Clean Buildings Customer Support Form](#)
- **Download**  
[Clean Buildings Performance Standard – Integrated Document](#)

### Subscribe

To sign up for updates or access your subscriber preferences, please enter your contact information below.

\*Email Address

Submit

# Questions & Answers

[buildings@commerce.wa.gov](mailto:buildings@commerce.wa.gov)



# Thank you!

Clean Buildings Team  
BUILDINGS@COMMERCE.WA.GOV



Washington State  
Department of  
**Commerce**

[www.commerce.wa.gov](http://www.commerce.wa.gov)





WASHINGTON  
STATE ASSOCIATION  
of COUNTIES

# Energy Audit Grant Program

# WSAC Energy Audit Grants

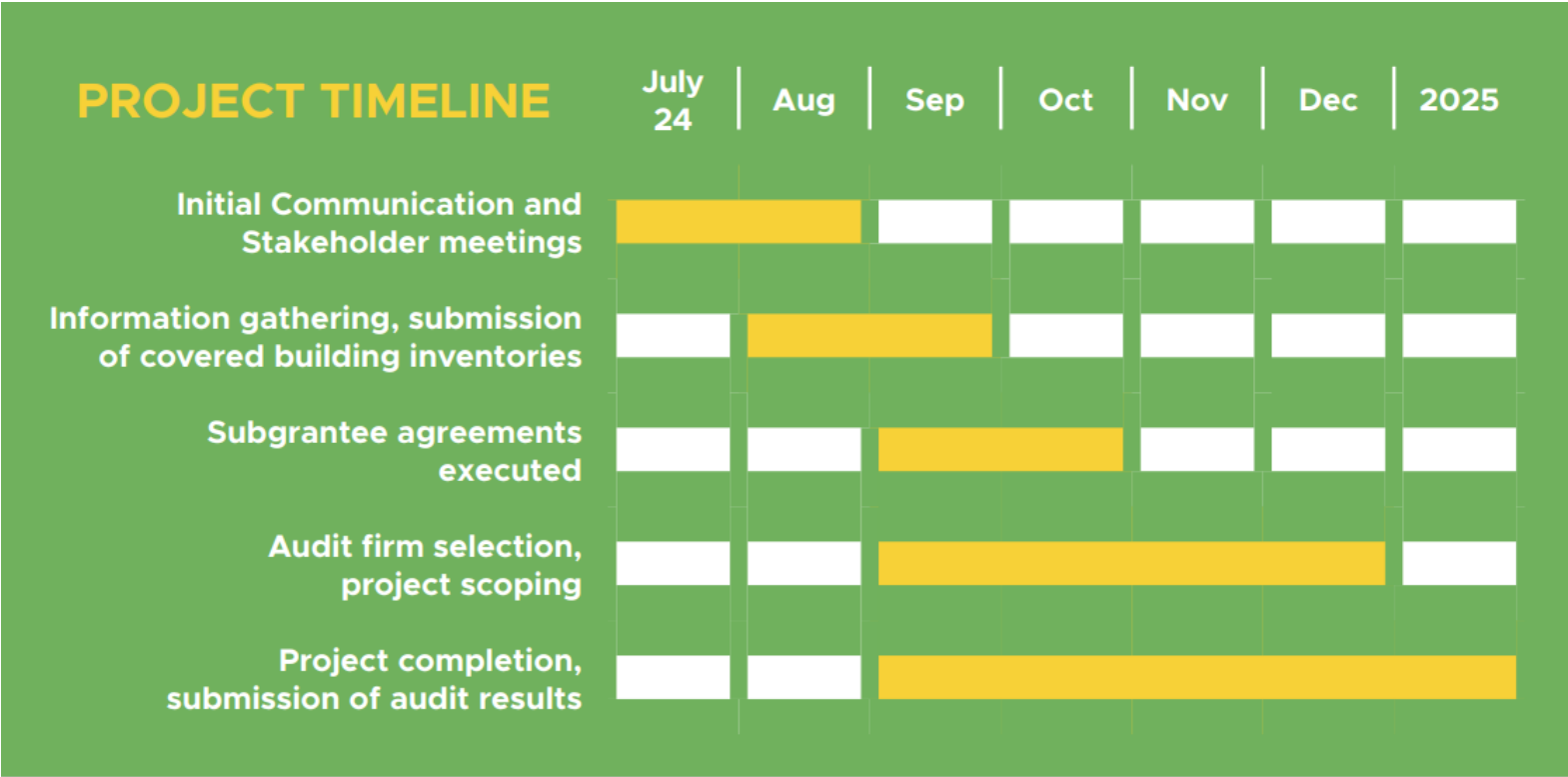
(4) \$4,000,000 of the appropriation in this section is provided solely for the Washington state association of counties to provide funding for energy audits on county-owned tier 1 and tier 2 covered buildings and collect and manage data on the costs for counties to comply with the requirements of RCW 19.27A.210 and 19.27A.250.

(a) The Washington state association of counties may award grants to counties with qualifying buildings to assess current energy performance and determine the approximate costs of facility and system upgrades to meet state energy performance standards in chapter 19.27A RCW.

(b) The Washington state association of counties shall submit to the appropriate committees of the legislature no later than December 31, 2025, a report detailing the current energy performance of each county-owned tier 1 and tier 2 building for which an energy audit was completed with the funding provided in this subsection (4), and an estimate of the costs for bringing each building into compliance with the state energy performance standards in chapter 19.27 RCW.



# WSAC Energy Audit Grants



# Funding Request Process

Submit Covered Buildings Inventory

Receive Scope of Work and Budget Worksheet

Submit Funding Request

Receive Subgrantee Agreement for Review

Execute Subgrantee Agreement

# Data Elements

Required  
for initial  
submission

Address

Parcel Number

General Description

Use

Square footage

Building age

Date of last renovation

Date of last energy audit (if applicable)

Exemption Status

# Data Elements

Required  
after  
project  
completion

Compliance pathway

Performance metric

Cost of Audit

Cost of completing EMP and O&M

Estimated ongoing cost of tracking and O&M activities

Rough order of magnitude (ROM) cost of achieving compliance with CBPS

# WSAC Energy Audit Grants

- Requests for funds must specify budget needs by building, audit level, and activity type.
- Application can be submitted via Jotform.
- Contract may be backdated to July 1<sup>st</sup>, 2024
- Grants will operate on a reimbursement basis

# WSAC Energy Audit Grants

Allowable expenses include:

- Staff time needed to report data to WSAC and assess current energy performance
- Costs associated with procuring energy audit services from a qualified energy audit firm and conducting level 1, 2 or 3 audits on covered buildings.

# WSAC Energy Audit Grants

## Reporting Requirements:

- WSAC must compile and submit quarterly progress reports to Commerce starting October, 2024
- Upon completion of audits grantees must update their covered building inventory



# Energy Savings Performance Contracting (ESPC)

ESPC is a contracting process used to identify and install energy and utility improvements in existing facilities. The process provides:

- The most cost effective method for completing building energy upgrades and retrofits.
- Risk management through guaranteed total project costs, equipment performance, and energy savings.

As a national leader, the Washington State Energy Program has completed over \$1.6 billion dollars in performance contracts, and has satisfied over 400 state public facility customers since 1985.

## Customers we serve

Cities and towns  
Colleges  
Counties  
Fire districts  
Health districts

Libraries  
Parks  
Port Districts  
Public hospitals  
Public transit

Public utilities  
School districts  
State agencies  
Universities






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