

# Proposed Transition to a Market-Based Review Process for ENERGY STAR Multifamily High Rise

June 14, 2017





## Agenda

- Background/Context
- Application Overview
- Proposed Transition Timeline
- Discussion



## Review/Oversight of ENERGY STAR New Construction Programs

- In other ES New Construction programs, the review/oversight process has always been market-based
  - In single-family/low-rise: RESNET (with HERS Raters and Providers)
  - In manufactured homes: SBRA and NEEM (Pacific NW only)
- In MFHR, review/approval of project documentation for ES certification is done directly by EPA
  - Limits program growth
  - Requires significant EPA resources
  - Limits ability to undertake other partner support & program improvement opportunities



## Proposed: Market-Based Review Process for ES MFHR Projects

- Based on the oversight model employed in other ES New Construction programs
  - Will include an application to EPA for recognition
  - Successful applicants will be referred to as ‘Multifamily Review Organizations’ (or MROs)
  - One or more applicants may be recognized
  - Initially, will be implemented as a pilot program
- General activities to be performed by MROs for ES MFHR:
  - Documentation review / data management
  - On-site quality assurance
  - Quality assurance of reviewers
  - Communication with submitters about certification
- Expectation that MROs will charge fees for these services; EPA will not be involved in setting fee structures



# ES MFHR Project Review Workflow

## Project Application

**ENERGY STAR Multifamily High Rise  
Project Application, Version 1.7**

To earn the ENERGY STAR, a new or substantially rehabilitated Multifamily High Rise (MFHR) building must meet strict guidelines for energy efficiency set by the U.S. Environmental Protection Agency (EPA), making them designed to be at least 15% more energy efficient than MFHR projects built to the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2007, 90.1-2010 and 90.1-2013<sup>1</sup> (or latest version of Title 24 for projects in California).

To begin the process of earning the ENERGY STAR for a MFHR project:

1. The developer must be an active ENERGY STAR MFHR Developer Partner; and
2. An ENERGY STAR MFHR Project Application must be submitted for each project<sup>2,3</sup>.

Notes:

1. All Project Applications submitted on or after January 1, 2015 must pursue a Performance Target of 15% better than the energy code under which the building is regulated (i.e. ASHRAE 90.1-2007, ASHRAE 90.1-2010, ASHRAE 90.1-2013 or the latest version of Title 24 for projects in CA). Exception: While local city or town codes may differ from the state code, the determination for the ENERGY STAR program is based on the commercial code adopted by the state, not the local jurisdiction. If the local code is not the same as the state code, the target is based on the state code at the time of permit and not the local code.
2. A project may consist of multiple buildings.
3. Any building listed in Section E or Appendix A that has not submitted a Proposed Design Submittal within three years of the date specified in Section F, will be deemed ineligible under this application. These buildings must submit a new ENERGY STAR MFHR Project Application and abide by the requirements of the new application.

Email as a Portable Document Format (PDF) to [MFHR@energystar.gov](mailto:MFHR@energystar.gov)  
For more information please email [MFHR@energystar.gov](mailto:MFHR@energystar.gov) or visit [www.energystar.gov/MFHR](http://www.energystar.gov/MFHR)

**Project Eligibility Check – Please answer the following Questions (More information on eligibility is available on the [Building Eligibility](#) page)**

1. Does the building contain only residential associated space (i.e. no commercial or retail)?  Yes  No  
(If no, does the residential associated space occupy more than 50% of the gross heated square footage of the entire building?  Yes  No)
2. Does the building have 4 or more units?  Yes  No
3. Does the building have 6 or more stories?  Yes  No (If no, does the building have more than 3 stories?  Yes  No)
4. Does the building have a central heating, cooling or domestic hot water system?  Yes  No (If no, do the dwelling units occupy less than 80% of the occupiable residential square footage of the building?  Yes  No)

**Under which energy code will the building be permitted?**

ASHRAE 90.1-2007/2009 IECC     ASHRAE 90.1-2010/2012 IECC  
 ASHRAE 90.1-2013/2015 IECC     Other: \_\_\_\_\_

**Does this match the state commercial energy code?**  Yes  No

If no, what will the state commercial energy code be at the time of permitting? (Note: the state commercial code is what the performance target is based on)

ASHRAE 90.1-2007/2009 IECC     ASHRAE 90.1-2010/2012 IECC  
 ASHRAE 90.1-2013/2015 IECC     Other: \_\_\_\_\_

Updated August 2016







# MRO Application Overview



## Organization Eligibility

Organized and operated to preserve the objectivity of their activities, maintaining a system or process to safeguard impartiality

- Maintain policies to ensure that potential conflict of interest issues are identified and avoided
- Maintain an open participation policy related to submitter qualifications
- Maintain impartiality in the project approval process
- Maintain impartiality in the internal oversight of reviewers
- Establish an impartial conflict resolution process



## Organization Eligibility

- May not be directly involved in submitting Multifamily High Rise projects to earn the ENERGY STAR.
  - This includes performing the testing, inspecting, modeling, or consulting for projects pursuing ENERGY STAR Multifamily High Rise certification.



## MRO Roles and Responsibilities

- Establish submitter qualifications
  - Minimum: Retain current requirements (Licensed Professional)
  - Optional: Allow submitters to have alternate credentials (subject to EPA approval)
- Perform documentation review
  - Minimum: Review MFHR submittal documentation to ensure it meets MFHR program requirements; accept national MFHR program documentation; honor photo template waiver after three projects
  - Optional: Allow alternate documentation that includes the same information to be submitted (subject to EPA approval)



## MRO Roles and Responsibilities

- Review QA/QC
  - Develop and maintain project reviewer qualifications
  - Develop and implement an internal QA process for the review process



## MRO Roles and Responsibilities

- Develop a process for & perform on-site QA of ES MFHR projects

### Frequency:

- The greater of two inspections or 1% of projects with As-Built Submittal every three years
- The first inspection must occur within one year of an As-Built Submittal

### Inspections:

- May be pre-drywall or as-built
- May be remote
- Must re-test and inspect at least 10 units per project
- Must confirm all visible items from the Testing and Verification Worksheets and Performance Path Calculator
- As-Built: Must retest duct leakage, compartmentalization, and ventilation flow rates



## MRO Roles and Responsibilities

- Develop and implement a dispute resolution process
  - Provides a formal framework for addressing issues or disagreements that may arise between the submitter's project team (modeler, licensed professional, developer, etc.) and the MRO's reviewer(s)



## MRO Roles and Responsibilities

- Develop and implement a process to send ENERGY STAR standard communications to submitters and developers
  - Directly deliver ENERGY STAR related communications to submitters or send notification to EPA to send out the communications (TBD)
  - May include, but not limited to:
    - Designed to Earn the ENERGY STAR recognition
    - Certificate of completion
    - Certification letter
    - Building Profile kit



## MRO Roles and Responsibilities

- Maintain project files and records
  - Retain submitted project files related to ES MFHR projects for at least 7 years after final certification
  - Provide EPA with any and all project files related to any ES MFHR project, upon request
  - Report required information to EPA on a quarterly basis.

*EPA intends to review the greater of 10% or 5 projects submitted to each MRO in their first year of recognition.*

*EPA also intends to review all onsite quality assurance related files.*



## MRO Roles and Responsibilities

- Participate in pilot program meetings and communications with ES MFHR staff
  - Actively participate in periodic conference calls or webinars
  - May be in the form of one-on-one communications or may include more than one MRO, depending on the subject and EPA's programmatic needs
  - Ensure that any questions from project teams regarding the ES MFHR program are answered accurately and timely
    - This may require additional communication with EPA staff beyond the routine calls and webinars



## Proposed Implementation Timeline

- Once at least one MRO has been recognized, the following transition plan will be initiated:
- All new Project Applications will be submitted to an MRO
- For any already-approved Project Application, EPA will:
  - Review Proposed Design Submittals for up to 6 months
  - Review As-Built Submittals for up to 9 months
  - Require that any documentation beyond these dates be submitted to an MRO



## Discussion

### Feedback on Proposed Changes

Review the [Draft Application](#)

Send comments to [mfhr@energystar.gov](mailto:mfhr@energystar.gov) by June 30<sup>th</sup>, 2017

### ENERGY STAR for Multifamily High Rise

Main: [www.energystar.gov/mfhr](http://www.energystar.gov/mfhr)

Questions: [mfhr@energystar.gov](mailto:mfhr@energystar.gov)