

## Frequently Asked Questions About the Pittsburgh Building Benchmarking Ordinance

### 1. What is the Building benchmarking ordinance?

Pittsburgh's Building Benchmarking Ordinance requires owners of large, nonresidential buildings to report energy and water usage annually. This increased transparency allows businesses and individuals to make informed choices related to building specifications while also providing a method for tracking building efficiency and monitoring for maintenance needs. The ordinance was adopted in October of 2016 and reporting deadlines began in 2017. All City Facilities shall start reporting by June 1, 2017 and all other Covered Buildings shall start reporting by June 1, 2018.

### 2. What are the goals of the benchmarking ordinance? Why is the City requiring energy disclosure?

The ordinance's goal is to ensure the long-term vitality of the community. Through benchmarking and setting up energy disclosure, the City of Pittsburgh hopes to make progress towards the Pittsburgh 2030 District energy and water reduction goals of 50% below the baseline. Beyond contributing to the city's climate goals, the requirements provide valuable information that can help building owners improve the performance of their properties in ways that benefit their bottom line, as well as enhance the comfort of work and living spaces for tenants.

### 3. How will this information be used?

The City shall implement a Citywide program to provide an online-platform for the reporting of Citywide benchmarking data online and in a manner that permits Owners and tenants of Covered Buildings, prospective purchasers and lessees, and the public to view raw data and reports that will enable them to compare energy and water usage among comparable buildings and uses.

### 4. Shouldn't the City be required to do this first with their buildings?

As part of the City's Greenhouse Gas inventory system, the Office of Sustainability and Resilience is already tracking and reporting the energy usage for all the municipal buildings owned by the City. The City's results will be available before the compliance deadline, which is June 1st 2018.

### 5. My energy use can be insightful to a competitive advantage, can I be exempt from this policy?

All non-residential buildings 50,000 square feet or greater are required to report utility data to the City of Pittsburgh using ENERGY STAR Portfolio Manager (ESPM) in accordance with Pittsburgh Code §626.02. However, exemptions from benchmarking and/or public disclosure can be requested in some cases, as detailed below.

- (1) The Covered Building does not have a certificate of occupancy or temporary certificate of occupancy for all 12 months of the calendar year being benchmarked.
- (2) A demolition permit has been issued for the Covered Building during the prior calendar year, provided that demolition work has commenced, energy-related systems have been compromised and legal occupancy is no longer possible prior to June 1 for the applicable year.
- (3) The Covered Building had average physical occupancy of less than 50 percent throughout the

calendar year for which benchmarking is required.

(4) The Department determines that, due to special circumstances unique to the Covered Building and not based on a condition caused by actions of the Owner, applicant, or operator, that strict compliance with provisions of this Chapter would cause undue hardship or would not be in the public interest.

(5) The Covered Building is primarily used for manufacturing or other industrial purposes for which benchmarking results would not meaningfully reflect the Covered Building's energy use characteristics due to the intensive use of process energy.

(6) The Owner is unable to benchmark due to the failure of either a utility or a tenant (or both) to provide the information necessary for the Owner to complete any benchmarking submittal requirement.

6. If my exemption request is denied, how do I appeal?

You will receive follow up steps with the exemption denial letter about how to proceed. Additional information will be necessary for the appeal to be considered. More details will be available on the benchmarking website in due time.

7. I do not know the exact square footage of my building, how do I know if I am required to disclose my energy use?

The division of Sustainability and Resilience recommends that you try Portfolio Manager as we believe this tool will assist you in managing and operating your building.

To find out if you need to share your info with the city, a list of covered buildings is available on the building benchmarking website for reference.

8. Can my energy usage data be directly uploaded from my service provider to the City?

Building owners will report their energy usage data to EPA's ESPM tool. The ESPM contains MS- Excel formats that allow for easy and direct upload of data and can be used to submit the data from the service provider in a concise manner as compared to detailed data entry.

9. I do not know how to use Portfolio Manager, will training be made available? How much will it cost?

The City is working with its partner Green Building Alliance, to conduct a number of trainings, that will be offered at no cost, for building owners and personnel in order to help them get started on the Portfolio Manager platform. A detailed schedule of the free trainings will be made available soon. EnergyStar also provide online free training.

10. I do not have internet access, can I mail the city my usage numbers?

In case there is no possible way to access internet and enter the data on ESPM, the organization can send the data in specific excel format as provided by the City.

11. Where can the legislation be found?

You can read the official legislation document here -

[https://library.municode.com/pa/pittsburgh/codes/code\\_of\\_ordinances?nodeId=COOR\\_TITSIXCO\\_ARTII\\_SU\\_CH629BUBE\\_S629.05TRANBEIN](https://library.municode.com/pa/pittsburgh/codes/code_of_ordinances?nodeId=COOR_TITSIXCO_ARTII_SU_CH629BUBE_S629.05TRANBEIN)

12. Is this a mandatory or elective program?

This is a mandatory program for all eligible buildings within the city of Pittsburgh as outlined in the ordinance. Eligible buildings are all non-residential buildings larger than 50,000 sqft. Participation and failure to comply will be clearly identified in the online platform as indicated in the ordinance:

“A Covered Building Owner or City Facility operator who fails to comply with the benchmarking requirements in this Chapter will be publicly posted on the online platform described in § 626.05 as “eligible and non-participating.”

There are many resources locally and online to facilitate the compliance process, 311 can help you identify them.

13. What is the penalty if you fail to disclose or request to appeal disclosing.

Any Covered Building Owner or City Facility operator which fails to comply with the benchmarking requirements will be publicly listed as non-compliant on the online platform, described as “eligible and non-participating.”

14. To whom are we reporting?

Utility data will be reported to the City of Pittsburgh via the ESPM platform. The City of Pittsburgh will compile building data from all covered buildings to create a final report that will be available to the public.

15. What type of security measures are in place to protect my information?

The legislation upholds commitment to the Spirit of Business Transparency, Energy Conservation, and Responsible Water Use. The City of Pittsburgh will consider the building information to be open by default and will proactively publish data and data-containing information, consistent with the Pennsylvania Right-to-Know and Open Meetings Laws. The City will not request any sensitive information and no contact information will be made available to the public.

16. How often do I need to report?

Buildings are required to submit utility data on June 1st of each year. However, the report is made up of utility data for each month of the year. For this reason it may be beneficial for building managers to enter data on a monthly basis.

17. What is the deadline for reporting?

June 1st of each year, starting in 2018.

18. When is the deadline to apply for exemption from the benchmarking ordinance? When is the deadline for applications?

A request for exemption for a covered property may be filed up to April 2nd 2018. The exemption request needs to include supporting documents justifying the request. The exemption must be complete before the deadline. No exemption request will be reviewed pass this deadline.

19. What defines a covered property?

A covered property is defined as either of the following: 1)Any non-residential building with indoor floor space of 50,000 square feet or more, 1) All non-residential portions of a mixed-use building where a total of at least 50,000 square feet of indoor space is devoted to any commercial use.