MULTNOMAH COUNTY, OREGON
ADMINISTRATIVE PROCEDURE FAC-9

SUBJECT: High Performance Green Building (HPGB) Procedure

PURPOSE: To establish procedures to:
1. Outline HPGB ProcedureRequirements and Best Practices,
2. Identify Roles and Responsibilities, and
3. Describe Procedure Implementation and Evaluation.

EFFECTIVE DATE:

Originally Adopted: May 12, 2012

Amendment Effective: For contracts solicited on or after March 14, 2023

Signed: 

ORGANIZATION RESPONSIBLE: Department of County Assets (DCA),
Facilities and Property Management (FPM)

ORGANIZATIONS AFFECTED: All Departments, Offices, and Districts

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LEGAL CITATION/ REFERENCE: Resolution No. 08-004, Adopted January 17, 2008;
Resolution No. 2021-021, Adopted April 15, 2021

I. Procedure Rational

A. The climate crisis is impacting Multnomah County residents. Extreme heat, drought, more intense winter storms, wildfire, and worsening smoke from wildfires are only a few examples of how climate change is manifesting in Multnomah County. Both preparing for the worsening impacts of the climate crisis, and addressing the root cause of the crisis, e.g. anthropogenic emissions from the mining and combustion of fossil fuels, is a Multnomah County duty. Buildings can be cost effectively built in a manner where they can be operated without the direct use of fossil fuels. “Fossil fuel free” buildings, where natural gas is not used and where all emissions of electricity use are offset through various means, that are built to High Performance Green Building standards are more resilient and better protect staff and patrons in the face of worsening climate change impacts.

B. On December 2, 2004, by Resolution No. 04-178; the Board adopted policy recommendations to utilize the U.S. Green Building Council's LEED criteria in future County building construction projects.

C. Resolution No. 08-004, adopted by the County Board January 17, 2008, replaced the prior high performance green building resolution (04-178) and required an updated administrative procedure (FAC-9).

D. On April 15, 2021, by Resolution Number 2021-021, the Board made it Multnomah County policy to oppose the use of fossil fuels in County facilities that have been built or have undergone a major renovation and supported this updated administrative procedure (FAC-9) .

E. This Facilities Administrative Procedure (FAC) supports the above resolutions and the related goals and requirements of other County adopted policies, including the Climate Action Plan, Green Cleaning Policy, Recycling Goals & Policy, Toxics Reduction Strategy, and 100% Renewable Energy by 2050 policy.

II. Definitions

A. AIA 2030: American Institute of Architecture 2030 Challenge goal applied to the project shall be the AIA 2030 Challenge goal as described in the AIA 2030 goal description. Please refer to section V.B.3

B. Bicycle Parking: As defined in the City of Portland Zoning Code 33.266.200, Minimum Required Bicycle Parking.
C. County: Multnomah County, an Oregon home rule county.
D. Eco-charrette: A method of collaboration that brings together key individuals to determine the scope of HPBG Elements on a project.
E. EV Ready: To the extent that parking for cars or trucks is within the scope of a project subject to this administrative procedure, Electric Vehicle (EV) Ready means that parking for the site has been evaluated to identify parking locations for both County municipal vehicles and public parking and the number of parking spaces needed for EV charging has been identified. The inclusion of EV charging infrastructure for current or future use is included in design and construction of the project such that there is installed electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot.
F. Fossil Fuel: An energy source such as oil or gas, or the refined derivatives thereof, formed in the geological past from the remains of living organisms.
G. Facilities & Property Management (FPM): Facilities and Property Management is a division within the Multnomah County Department of County Assets that develops, operates and manages County and Library District owned facilities and properties for their entire lifespan until disposition.
H. HPGB: High Performance Green Building.
I. HPGB Elements: With respect to projects subject to this HPGB Procedure, all aspects of such projects that comply with, support or otherwise advance the HPGB Guidelines and/or this HPGB Procedure, including without limitation project elements that support LEED certification and AIA 2030 goals.
J. HPGB Guidelines: The guidelines set forth in Section V of this HPGB Procedure.
K. HPGB Procedure: This administrative procedure, FAC-9..
L. GBCI: Green Building Certification Institute provides certification for LEED projects and accreditation for individual professionals.
M. LCCA: Life-Cycle Cost Analysis is a method for assessing the total cost of facility ownership, taking into account all costs of acquiring, owning, and disposing of a building, building system, or materials and products incorporated into the building, and the social cost of carbon as defined in Section II.C.11 of this procedure.

N. LEED: Leadership in Energy and Environmental Design is the evaluation criteria system established by USGBC to rate green building projects through an independent certification process.

O. LEED Scorecard: a one-page document that provides information on the pursued LEED rating system, adaptation, and version of LEED, as well as, which credits are targeted (theoretically or actually through certification).

P. Major Renovation: Any renovation of a County and Library District owned building where the building is over 10,000 square feet and the total project costs exceeds 50% of the building's replacement value.

Q. New Construction: All new construction of County and Library District owned facilities that are over 10,000 square feet.

R. Office of Sustainability: The Multnomah County Office of Sustainability supports County, community policies and programs that ensure a healthy, prosperous and equitable world.

S. Project Stakeholders: Project Stakeholders include the Project Manager, key FPM staff, outside technical consultants, the sponsoring Department, the Office of Sustainability and other interested individuals.

T. Purchasing: Multnomah County Central Purchasing supports the procurement of goods and services and is responsible for implementing the Sustainable Purchasing Procedure (PUR-8)

U. Social Cost of Carbon: An economic estimate of the present-day dollar value of future societal and environmental damage caused by the equivalent of a ton of carbon dioxide emitted (CO_2e). The social cost of carbon applied in the LCCA of a project shall be:

    1. 2020 - 2024 = $117 per ton CO_2e
    2. 2025 - 2029 = $130 per ton CO_2e
    3. 2030 - 2034 = $143 per ton CO_2e
    4. 2035 - 2039 = $156 per ton CO_2e
    5. 2040 - 2044 = $170 per ton CO_2e
    6. 2045 - 2049 = $182 per ton CO_2e
    7. 2050 and later = $194 per ton CO_2e

V. Sustainable Purchasing Procedure (PUR-8): The Multnomah County Sustainable Purchasing Procedure, PUR-8, is a comprehensive framework for integrating sustainability criteria into all procurements for goods and services.

W. USGBC: U.S. Green Building Council is a non-profit organization that operates globally to advocate for high performance buildings, including through the development of the LEED framework and the certification of LEED projects.

III. Applicability and Effective Date

A. This updated procedure applies to new contracts that the County solicits for New Major Construction and Major Renovation on or after the Effective Date of this procedure update.

IV. Roles and Responsibilities

A. Sponsoring Department(s):
    1. Notifies FPM of program requirements that may affect HPGB implementation.
    2. Provides Program input to enable FPM to plan and manage HPGB Project(s).

B. Facilities and Property Management Division (FPM): Provides overall planning and management of Capital Projects including:
    1. Takes primary responsibility for the implementation of this procedure as it applies to New Construction and Major Renovations.
    2. Reports to the Board as a joint effort with the Office of Sustainability.
    3. Updates this Admin Procedure periodically to reflect program and process changes and revised HPGB goals.
    4. May seek grant funding and/or incentives to help defray the cost of HPGB measures.

C. Office of Sustainability: Key stakeholder in the HPGB Procedure including:
    1. Assists in the development of this administrative procedure.
    2. Periodically reports to the Board, including support of data collection.
    3. Oversees and integrates all sustainability related policies.
    4. Promotes green building success stories and outcomes.
    5. Seeks grant funding to help defray the cost of HPGB measures.

V. HPGB Guidelines

A. The following guidelines apply to all projects covered by this HPGB Procedure (“General Guidelines”):

1. Follow standard cost estimating process using the current pricing, including for all HPGB Elements that would be required under this section.
2. When soliciting architecture and engineering, and/or construction services for New Major Construction or Major Renovation projects, FPM shall include, under PUR-8 scoring criteria, the company's expertise and experience in delivering high performance green buildings that exclude the use of fossil fuels in operations.
3. Require contractors to recycle at least 75 percent of the solid waste produced on the job site for all building projects where the total job cost exceeds $50,000. In addition, the following materials must be recycled and diverted from the landfill:
    a) Rubble (concrete/asphalt)
    b) Land Clearing Debris
    c) Corrugated Cardboard
    d) Metal
    e) Wood
    f) Gypsum Wallboard, ex. Urban Gypsum
    g) Acoustical ceiling tiles
    h) Carpet
    i) Refer to: http://www.portlandonline.com/bps/index.cfm?c=41683
4. Hire a LEED consultant or assign a County employee to the project who has a LEED Advanced Professional credential.
5. Prohibit the use of fossil fuels in all completed New Major Construction and Major Renovations during regular business operations unless granted an exemption in section VIII of this procedure.

B. In addition to the General Guidelines, the following guidelines apply to New Construction:
    1. Design and build projects for a minimum 50 year life span.
    2. Achieve minimum level LEED Gold certification.
    3. Develop projects to achieve the AIA 2030 goal of meeting fossil fuel, greenhouse gas emitting, and energy consumption performance standards of the following levels over the U.S. average for that building type as defined by the U.S. Department of Energy:

a) 90% over U.S. average in 2025
b) 100% (Carbon Neutral) in 2030

4. Achieve at least seven of the total LEED energy efficiency credits, or design the building to achieve 30% energy efficiency above the Oregon Energy Code, or reach the AIA-2030 2030 standard.
5. Comply with the Oregon Department of Energy Chapter 330 Division 135 Green Energy Technology in Public Building Construction Contracts policy that in 2022 required 1.5% of the contracted project cost over $5M be dedicated to project attributes such as photovoltaics, passive solar, energy storage, and other approved technologies. Refer to: https://www.oregon.gov/energy/energy-oregon/pages/get.aspx.
6. Prohibit the use of fossil fuels for utilities, unless warranted by the use of the LCCA in section VIII of this procedure.
7. Utilize all appropriate Energy Trust of Oregon programs and incentives including early design assistance and Path to Net Zero programs.
8. Evaluate the parking needs to determine if EV charging and/or EV ready parking can be accommodated.
    a) Include EV charging or EV ready parking in all relevant project documents including architectural drawings.
    b) If EV parking or EV ready parking is determined not to be a need or cannot be easily accommodated, the Project Manager shall prepare a memo to the relevant department director, the Director of Facilities and Property Management, the Fleet Manager, and the Sustainability Director explaining why EV charging or EV ready parking should not be included in the project. The relevant department director and FPM director will make the decision as to whether EV charging or EV ready parking is excluded from the project.
9. Provide Bicycle Parking for both short term and long term users, notwithstanding local code.

C. In addition to the General Guidelines, the following guidelines apply to Major Renovation:
    1. Achieve minimum level Gold LEED.

2. Develop projects to achieve the AIA 2030 challenge goals of meeting fossil fuel, greenhouse gas emitting, and energy consumption performance standards of 50% the U.S. average for that building type as defined by the U.S. Department of Energy.
3. Comply with the Oregon Department of Energy Chapter 330 Division 135 Green Energy Technology in Public Building Construction Contracts policy that in 2022 required 1.5% of the contracted project cost over $5M be dedicated to project attributes such as photovoltaics, passive solar, energy storage, and other approved technologies. Refer to: https://www.oregon.gov/energy/energy-oregon/pages/get.aspx.
4. Prohibit the use of fossil fuels for utilities, unless warranted by the use of the cost effectiveness test in section VIII of this procedure.
5. Projects with existing parking will be evaluated to determine if EV Charging and/or EV Ready parking is needed and can be accommodated, in consultation with the County Fleet Manager, the relevant department Director and the FPM director.
6. Provide, at a minimum, short-term Bicycle Parking, notwithstanding local code.

VI. Reporting: FPM and Office of Sustainability will report periodically to the County Board on progress in implementing this HPGB Procedure, which shall include the following:

A. A summary of New Major Construction and Major Renovation projects detailing LEED certification and points achieved, AIA Page 7 of 12 2030 goals met, compliance with the fossil fuel free provisions of Resolution Number 2021-021, and specific compliance with the HPGB Guidelines (e.g. life cycle costs/savings for specific projects);

B. Overall Countywide building utility trends (e.g. electricity, natural gas, propane, diesel fuel, and water usage and cost), and, if applicable, detailed building utility performance (e.g. reduction in utility use and greenhouse gas emissions).

VII. Procedure Implementation for New Construction, and Major Renovation

A. For projects subject to Administrative Procedure, FAC-1, documentation prepared under FAC-1 shall identify HPGB Elements for the project together with the cost premiums associated with such HPGB Elements.

B. At Project Design and Construction phases (FAC-1), the Project Manager shall complete or ensure completion of an initial draft of the appropriate LEED Checklist with estimated points achievable, reflecting compliance with HPGB Guidelines.
C. The Project Manager shall ensure construction waste management requirements are followed, including completion of the Pre-Construction Recycling Plan for projects in the City of Portland.
D. The Project Manager will consult with the Fleet Manager to determine EV Charging needs.
E. The Project Manager shall circulate the LEED Checklist to Project Stakeholders, including the Office of Sustainability.
F. Project Stakeholders shall review the LEED Checklist for feasibility of achieving LEED points, meeting AIA 2030 goal, and HPGB Elements identified. Based on feedback from Project Stakeholders and consultants (if needed), the Project Manager shall update the LEED Checklist.
G. The Project Manager shall use identified HPGB Elements in the development of budgeted scope of work described on the Architect/Engineer Scope of Services form (FPM 100). If applicable, LEED certification requirements including project registration, application preparation and application submission shall be included in the scope of work.
H. An energy model to measure and support compliance with AIA 2030 challenge goals shall be included as part of the Architect/Engineer scope of work.
I. Relevant green building expertise applicable to the scope of work for the project shall be a significant consideration in the selection of the Architect/Engineer and other consultants. If a third party Project Manager is to be used on the project, relevant green building expertise applicable to the scope of work for the project shall be a significant consideration in the selection of the Project Manager. Requirements for Contractor green building expertise shall also be incorporated, if allowed by the procurement method.
J. Architect/Engineer shall be consulted about proposed HPGB Elements to be included as part of the project. With input from Architect/Engineer, Project Stakeholders and other consultants if needed, Project Manager (or designee) completes or ensures completion of the finalized LEED checklist points to be pursued in the project.

K. The Project Manager will use an eco-charrette to refine and finalize HPGB Elements.

L. The Project Manager, Architect/Engineer, or other party is identified and selected as the LEED certification process manages and registers the project with the GBCI.

M. During the course of the project, the Project Manager shall ensure that HPGB Guidelines are being met, including without limitation LEED, AIA 2030, energy performance, and fossil fuel exclusion guidelines, and that sufficient documentation to achieve LEED certification is being collected.

N. At project completion, Project Manager shall complete or ensure completion of an updated LEED Scorecard as a part of project deliverables to reflect final project outcomes. Project Manager shall submit final LEED documentation, AIA 2030 energy modeling information and LCCA cost/savings data as part of the FPM project closeout process.

O. At project conclusion, the Project Manager will convene with Project Stakeholders to assess project HPGB Element outcomes and identify opportunities for improved best practices in future projects.

VIII. Exemption Process & Life Cycle Cost Analysis

A. If a Project Manager anticipates that compliance with this procedure will incur an unreasonable cost to the County or significant project delay, the Project Manager shall ensure completion of a life cycle cost analysis (LCCA) of the estimated costs and projected savings.

B. The social cost of carbon shall be included in the LCCA. The value of the social cost of carbon for any given year can be found in Section II.C. This value shall be applied to the associated carbon emissions from the operation of the building under baseline code compliant scenarios over the term of the LCCA.

C. The Project Manager shall provide the LCCA information to the FPM Director, who, if they believe an exemption from this HPGB Procedure should be granted, will seek an exemption from the Chair which they will obtain in writing after consulting with the DCA Director, other department director(s) associated with the project, if any, and the COO.

D. Without application of the foregoing provisions of this Section VIII, the Chair may exempt from this administrative procedure Major Construction and Major Renovation that is in furtherance of temporary or limited duration uses.