



HIGH PERFORMANCE CERTIFICATION PROGRAM

OFFICE OF THE STATE ARCHITECT

Department of Personnel & Administration

Frequently Asked Questions for the State of Colorado's High Performance Certification Program (HPCP)

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1 HPCP Policy

a. What is the High-Performance Certification Program (HPCP)?

The HPCP is a dynamic sustainable building program established by the Office of the State Architect (OSA) per 24-30-1305.5. C.R.S. The HPCP criteria is modified when necessary to reflect new statutes and Governor Executive Orders. This program establishes the minimum performance requirements for the design and construction of a new building or the substantial renovation of an existing building. The policy applies to state owned general funded or academic buildings. The policy applies to non-state buildings which receive money guaranteed or insured by the state where such money constitutes at least 25 percent of the project cost. The requirements are explained in the Owned Real Property Sustainable Requirements policy on the OSA web site: [Energy & Environment](#).

b. What are the criteria for a building project to comply with the HPCP statute?

The statute applies to building projects that meet the following criteria:

- a. The project receives 25% or more of the renovation or new construction project costs from state funding (note: project cost does not include land purchase); and
- b. The new facility, addition, or renovation project contains 5,000 gross square feet (GSF) or more; and
- c. The building includes a Heating, Ventilation and Air Conditioning (HVAC) system; and
- d. In the case of a renovation project, the cost of the renovation is 25% or more of the current assessed or appraised value of the property.

c. What is the difference between the High-Performance Standard Certification Program referenced in Senate Bill 07-051 (24-30-1305.5. C.R.S.), and the High-Performance Certification Program (HPCP)?

The statute title refers to the state law. The HPCP is the name of the policy written by the OSA to implement the statute.

d. What is the intent or purpose of the HPCP statute?

The intent is to increase resource efficiency and incentivize best practices and good design efforts for the design and construction of state owned and state-assisted facilities. The statute defines the program as a building renovation, design and construction standard that:

- a. It is quantifiable, measurable, and verifiable as certified by an independent third party.
- b. Reduces the operating costs of real property by reducing the consumption of energy, water, and other resources.
- c. Results in the recovery of the increased initial capital costs attributable to compliance with the program over a time by reducing long-term energy, maintenance, and operating costs.

- d. Improves the indoor environmental quality of state-assisted facilities for a healthier work environment.
- e. Encourages the use of products harvested, created, or mined within Colorado, regardless of product certification status.
- f. Protects Colorado's environment; and
- g. Complies with the federal secretary of the interior's standards for the treatment of historic properties when such work will affect properties fifty years of age or older, unless the state historical society, designated in section 24-80-201 C.R.S., determines that such property is not of historical significance, as that term is defined in section 24-80.1-102 (6) C.R.S.

e. What is the requirement for an “independent third party”?

The term is from the statute, but it does not specifically call out any green building rating guideline. An “independent third party” does not refer to building codes enforced by the jurisdiction of authority. See FAQ on codes. The independent third-party requirement means that the project’s owners may not self-certify their facility.

f. What are the approved “independent third party” guidelines?

The statute requires OSA to consult with the Colorado Commission on Higher Education (CCHE), the Office of State Planning and Budget (OSPB), the Capital Development Committee (CDC), and interested legislators in the adoption of and updating of the high-performance standard certification program (HPCP). The Department of Personnel and Administration, Office of the State Architect (OSA), has determined the following guidelines as meeting the High-Performance Certification Program (HPCP) requirements per statute. Other guidelines, if they are nationally available, may be considered with approval from OSA. OSA has set the goal of any project to achieve the second highest rating within any sustainable guideline.

- 1. Building Research Establishment's Environmental Assessment Method, (BREEAM).
- 2. Collaborative for High Performance Schools (US-CHPS) is an optional guideline for K-12 construction.
- 3. Green Building Initiative (GBI).
- 4. U.S. Green Building Council (USGBC).

These guidelines comply with the following statutory requirements:

- a. is quantifiable, measurable, and verifiable as certified by an independent third party,
- b. reduces the operating costs of state-assisted facilities by reducing the consumption of energy, water, and other resources.
- c. results in the recovery of the increased initial capital costs attributable to compliance with the program over time by reducing long-term energy, maintenance, and operating costs; and

- d. improves the indoor environmental quality of state-assisted facilities for a healthier work environment.

g. What is the definition of “Building” 24-30-1305.5 (8)(a)(I), C.R.S.?

"Building" means a facility that:

- a. Is substantially renovated, designed, or constructed with state moneys or with moneys guaranteed or insured by a state agency or state institution of higher education and such moneys constitute at least twenty-five percent of the project cost; and (II), Contains five thousand (5,000) or more gross square feet; and (III), Includes a heating, ventilation, or air conditioning system.
- b. "Building" includes an academic facility as defined in 23-1-106 (10.3)(a), C.R.S., including an academic facility as defined in the guidelines described in 23-1-106 (10.2)(b)(I), C.R.S. Refer to the Owned Real Property Sustainable Requirements document for the definition of Academic facility.

"Building" does not include:

- a. An auxiliary facility as defined in section 23-1-106 (10.3)(b), C.R.S., including an auxiliary facility as defined in the guidelines described in section 23-1-106 (10.2)(b)(I), C.R.S.;
- b. A publicly assisted housing project as defined in section 24-32-718 C.R.S.

h. How is the 5,000 square feet (SF) requirement defined?

- New construction that is greater than or equal to 5,000 SF.
- A substantially renovated building that is greater than or equal to 5,000 SF.
- An addition to an existing building, if the addition is greater than or equal to 5,000 SF.
- A combined construction project area where the total square footage of an addition and renovated building that is greater than or equal to 5,000 SF.
- Unconditioned space is not included in the 5,000 feet as explained below.

i. Why the requirement for “a heating, ventilation, or air conditioning system (HVAC)”.

Green sustainable design guidelines are predominantly concerned with the conditioned space of buildings. A conditioned space means space within a building in which the temperature is controlled to limit variation in response to the exterior ambient temperature or interior differential temperatures by the provision, either directly or indirectly, of heating or cooling over substantial portions of the year. A HVAC system is the general term of a system that provides heating or cooling to the building.

j. What is an “unconditioned” or “semi-condition” space?

An unconditioned space is any area or building that is not heated or cooled by an HVAC system. An unconditioned space may have a lighting system or other necessary building systems but does not have an HVAC system. A semi-conditioned space is not conditioned

to the same degree as a condition space. The space may be part of a larger building (attic, garage, basement, etc.), but may not be directly heated or cooled with an HVAC system. In the case of a garage, the space might be heated or cooled sufficiently to keep the equipment closer to normal operating conditions but is not conditioned for long term occupancy.

k. Describe how “unconditioned or semi-condition space” is considered by building code?

The International Energy Conservation Code, Section 101, Scope and General Requirements, establish requirements for energy code compliance for existing buildings and new construction. Projects complying with any of the three applicability conditions, (101.4.1 – 101.4.3) are also exempt from the HPCP policy. Projects complying with the low energy building section (101.5.2) of the IECC code may also be exempt from the HPCP policy. Energy offsets are not an acceptable utility usage process to meet the low energy requirements.

l. Describe how “unconditioned space” or “semi-conditioned space” is considered in the HPCP?

The initial requirement is that the new facility, addition, or renovation project contains 5,000 square feet (SF) or more. For the HPCP building size requirement, the unconditioned space is not counted in the project size requirement to determine applicability of the HPCP. For projects where the total building project size is greater than 5,000 SF, but once the unconditioned space is subtracted from the project’s size and the condition space is now less than 5,000 SF, a waiver to the HPCP policy is required.

m. What if a project is less than 5,000 square feet?

The statute states that a project that is less than 5,000 SF must be executed to the standards set out in the HPCP policy even if high performance certification is not pursued at that time. Thus, the project should follow the requirements of an appropriate independent third party sustainable green building guideline, even though registration/certification is not required. Therefore, the project is not required to meet the HPCP certification target, but the project is still subject to all other requirements of the building life-cycle cost statutes.

n. For projects less than 5,000 sf, what does it mean “but the project is still subject to all other requirements of the building life-cycle cost statutes”? Is that supposed to say, “of the HPCP?”

Clarification: SB 07-51 amended 24-30-1301 and 24-30-1305 C.R.S., which was originally dedicated to mandating that all state funded projects complete adequate life cycle cost analysis. The HPCP language was then inserted into this statute session. This for buildings under 5,000 SF, they need to comply with the life cycle cost requirements when making

design decisions on energy-using capital equipment (heating, cooling, lighting, envelope, etc. building components). Projects designed and constructed to the current International Energy Conservation Code as enforced by OSA will comply.

o. Does the State’s Life-cycle Cost statute apply to municipalities or counties?

The provisions of the Life-cycle Cost statutes (24-30-1304 and 1305 C.R.S.) shall not apply to municipalities or counties nor to any agency or department of any municipality or county. (24-30-1305 (8) C.R.S.)

p. Building Codes Impact because of HPCP?

State and local jurisdiction building codes are not superseded by the HPCP policy. All projects need to permit with their appropriate jurisdiction having authority and follow all applicable building codes. The HPCP is not a substitute for complying with building codes, particularly the energy codes. Building codes are generally the minimum requirements and HPCP buildings should easily comply with the energy, mechanical, and plumbing codes.

q. Why do State Agencies have Sustainable Priorities, but DOLA and CDE funded projects don’t have any sustainable priorities?

The additional sustainable priorities are mandatory for state agencies that own and operate their facilities. These sustainable priorities are based on state statute and Governor’s Executive Orders that only apply to state departments or institutions of higher education. DOLA and CDE projects should review the sustainable priorities and include these priorities when possible.

r. Are DOLA Buildings Exempt from the HPCP Policy?

No. The policy applies to non-state buildings when the funds are guaranteed or insured by the state where such funds constitute at least 25 percent of the project cost (24-30-1305.5 (8)(A) C.R.S.).

s. Can DOLA and CDE projects receive a waiver or modification to the policy based upon the project scope?

DOLA and CDE may at their discretion; grant a waiver from the HPCP policy if upon a review of the project the scope fits the “state’s” controlled maintenance definition. Generally, this waiver is for projects that renovate only parts of a building and is not new construction or substantial renovations. The project shall follow the waiver/modification request process to support a waiver based upon the limited scope of the work. The project team will need to submit an appropriate HPCP guideline checklist and additional information that confirms the project scope to DOLA or CDE. The checklist and additional information will be reviewed to verify the limited building scope and the limited ability to meet the minimum certification requirements. The waiver will mean the project does not need to register the

project, but OSA does encourage the project to follow the sustainable guidelines as applicable, and follow building commissioning requirements for all modified, upgrade, or new systems.

t. Controlled Maintenance Definition?

Corrective repairs or replacement used for existing buildings and other physical facilities, including, but not limited to, utilities and site improvements, and replacement and repair of the fixed equipment necessary for the operation of such facilities. Controlled Maintenance (CM) is also known as deferred maintenance by some national associations. Examples of a CM type of project are repairs/replacement to the electrical, plumbing, mechanical system without any modifications to the building enclosure (envelope); repairs/replacement to the building enclosure (windows, walls, roof) without any modification to the heating/cooling system.

u. What is the difference between a waiver from the policy and a modification to the policy?

The waiver from the policy means the project is not required to receive a third-party verification of the final building. Thus, no registration with any green building rating system is required. A waiver is generally granted when the project initially meets the HPCP criteria (question 1b), but upon further review, a least one of the criteria is not met. A modification to the policy is possible when the project meets the HPCP criteria, but achieving the second highest rating of the applicable guideline is not possible because of the scope of the project. A modification is to receive a certification at the highest achievable level or a state acceptable third-party verification process.

v. Are Historic Buildings Exempt from the HPCP Policy?

No. Historic are required to comply with the policy while complying with the federal secretary of the interior's standards for the treatment of historic properties. Facilities, including historic buildings undergoing substantial renovation can determine if the increased cost cannot be recouped from decreased operational costs within fifteen years (15) and seek a modification of the policy to a certification level below the HPCP goal.

w. What if the team determines that the increased costs cannot be recouped through decreased operational costs within fifteen years (15) for the substantial renovation?

If the project team's estimated project costs and operational costs do not predict a fifteen-year (15) return on investment at the HPCP target level, then a modification of the policy to achieve a reduced level of certification is required to be submitted to the appropriate funding state department by an accredited professional. The 15-year calculation is determined not on a point-by-point basis, but as an aggregation of all the points within the project. Example, the 15-year calculation would not review just the cost/benefit of a window replacement, but the total cost/benefit of improving the building envelop (roof, walls, doors, etc.) and the cost/benefit of all the other credits on the checklist. This

determination shall be made early in the design phase and prior to completion of the design documents. The modification request shall include a complete checklist from the applicable guideline. The modification request shall also include estimated project costs and operational costs. The HPCP Registration form has checkboxes for waiver or modification.

x. How is the program administered by DOLA and CDE? Is there a contact in each agency for the HPCP program?

Both DOLA and CDE have individuals within their department overseeing their department's HPCP requirements. Clients in jurisdictions that receive state funds for a HPCP project are expected to work with either the DOLA or CDE designated individual. Both DOLA and CDE have annual reporting requirements to the OSA that tracks projects funded by these departments.

y. What is OSA's HPCP tracking process for projects?

The OSA HPCP tracking process consists of a registration form. The "Colorado HPCP Registration Form" is on the [New Construction & Major Renovations Details](#) web site. The registration form requires some basic information about the project and checking boxes for a waiver or a modification request. The purpose of the HPCP registration forms is to ensure that project teams understand the intent and requirements of the HPCP policy; indicate the chosen guideline, indicate the potential certification level, support any waiver or modification requests, and to keep the appropriate departmental informed about the project.

z. How does a project team participate in the HPCP tracking process?

The Colorado HPCP Registration Form is filled out and submitted to OSA, DOLA, or CDE depending on source of funds. Check with each department to review their registration process.

aa. How often is the HPCP registration form submitted?

The form should be submitted shortly after the design firm is hired and the project scope has been reviewed to determine the appropriate guideline. Additionally, if the project is requesting a waiver or a modification to the policy the form should be updated and submitted. During the project's development phase, if based upon the criteria on the registration form the project is going to need either a waiver or a modification, the form should be submitted early in the project development stage as possible and preferably when determining the project's total design/construction budget as a waiver or modification will have a direct impact of the project cost.

bb. Who registers and certifies the project with the certification organization?

Registration will be completed by the project design firm. This same design firm will coordinate with the building owner and the certification organization on the certification process. Neither OSA, CDE, nor DOLA are involved with the registration/certification process with the independent third party.

cc. What organization certifies the HPCP building for the independent third parties?

Each guideline has their own independent third-party reviews process to certify the project.

dd. Is the review of the grant application impacted by the HPCP requirement?

The application process itself will not be impacted by the HPCP requirements. The development of the project scope of work could be impacted by the HPCP requirements. The design and construction of the project could be impacted by the HPCP requirements.

ee. How are projects initiated?

State agencies or institutions of higher education initiate their projects within the existing process with either the OSA or CDHE. DOLA projects start by working with the DOLA local representative and funding application. CDE projects start by working with the BEST board and their staff.

ff. What reporting and tracking requirements are there for HPCP projects?

OSA will work directly with the DOLA and CDE individuals on the tracking and reporting system. The information will be reported to the department allocating the funds. OSA will collect from DOLA and CDE any necessary information. The information collected will be used by OSA, DOLA and CDE to complete their respective reporting requirements to the general assembly and appropriate governing bodies.

gg. How are waivers submitted if the project is from multiple funding sources, which is typical for DOLA and CDE projects?

Waivers are submitted to either DOLA or CDE. The amount and source of funds are entered in the registration form.

hh. What types of costs are to be included in determining Project Cost as it relates to the term “State-Assisted Facility”?

Project Cost is defined as:

- Costs for professional design services and construction administration.
- Costs for construction of the building project, including General Conditions in Division I.
- Costs related to construction warranty period.
- Costs related to commissioning services, including those in post-occupancy.

- Costs related to the independent third-party fees for registration and certification.
- Costs related to any green sustainable building consultant and energy modeling services.

Project cost does not include any land acquisition expenditures, including any title work, land surveying, or a phase 1 EPA environmental survey.

ii. Are Project Cost and Baseline Budget the same dollar number?

Yes, and any other term if they meet the project cost definitions as listed above.

jj. Where can I find a listing of registration and certification fees?

1. Building Research Establishment's Environmental Assessment Method, (BREEAM).
2. Collaborative for High Performance Schools (US-CHPS) is an optional guideline for K-12 construction.
3. Green Building Initiative (GBI).
4. U.S. Green Building Council (USGBC).

kk. There are numerous sustainable building rating systems available. Which one is required for my building project?

The HPCP policy was developed to address new construction and substantial renovation projects. Office of the State Architect has determined that there are numerous national sustainable guidelines that are quantifiable, measurable, and verifiable through an independent third-party process that supports the High-Performance Certification Program (HPCP) requirements. The goal of the HPCP policy is that the facility is certified to the second highest level within the applicable guideline.

ll. Can an HPCP renovation project utilize any existing buildings rating system?

Projects involving substantial renovations of existing buildings cannot use an existing building rating system to comply with the HPCP. Existing building rating systems are designed to certify operations and maintenance initiatives aimed at sustainability and resource efficiency. The State of Colorado does recommend that building owners pursue an existing building rating system after building acceptance, however it is outside the scope of the HPCP statute.

mm. Are all HPCP projects required to receive third-party certification?

Yes. The legislation that created the HPCP requires independent third-party certification.

nn. Are there any requirements for who should estimate the cost of a credit?

The design team should review the criteria for price and benefits.

oo. What if the increased initial costs for implementing the HPCP exceed 5% of the total cost of the substantial renovation or new construction?

The statute states that in such cases, the General Assembly's Capital Development Committee shall examine cost estimates before approving any appropriation for these projects. This provision applies only to state-owned and state-funded building projects and does not apply to DOLA or CDE. DOLA or CDE can determine if additional funding is available to a project if requested and meets their internal criteria.

pp. Do DOLA or CDE project teams ever have direct contact with the OSA?

DOLA and CDE project teams will communicate directly with their respective funding agencies. The DOLA and CDE representative will communicate with OSA as necessary to review modification or waiver requests, department reporting requirements, and general comprehension of the HPCP policy.

qq. Can a Project Manager or a Facility Owner also serve as the sustainable professional on a project?

Yes. If they have passed the certification process of that rating system.

rr. How are the terms "value of the property" or "current value" defined for the purposes of determining the relative value of a renovation project?

Current replacement value (CRV) is the term generally used by OSA. For the HPCP, the "value of the property" or "current value" is the insured value of the building as either determined through the State's Division of Risk Management, or an equivalent office for specific institutions of higher education, or a local jurisdictions insurance carrier. The assessed value is also acceptable, but appraisals are not required or expected to determine the CRV.

2 Project Implementation

a. What types of consultants or design professionals are potentially necessary as part of a design team?

High performance buildings include some professional design services that may be new for some project teams. The following are a few professionals that may support the project's certification process.

- The sustainable building consultant, or champion, may be needed to oversee the projects green building guideline's assessment process. All sustainable guidelines have some type of certification or training program. The consultant does not need to be certificated in all the guidelines as the sustainable concepts are similar, just the criterion in each guideline, while similar are tracked differently. The champion is responsible for the certification process for the entire project from pre-design through post-occupancy and certification award.
- A Commissioning Authority (CxA) is required for HPCP projects to verify that the project's energy related systems and other critical building systems are installed, calibrated and perform according to the owner's project requirements, basis of design, and construction documents. This person is typically an engineer who ideally is involved in the project prior to schematic design. In the case of enhanced commissioning services, this would occur very early in the process of verifying the basis of design for a project.
- Energy modeling, also known as building energy simulation, is a process that uses computer software to create a virtual replica of a building and simulate its energy consumption. This allows architects, engineers, and designers to assess a building's energy performance and identify ways to improve efficiency. By inputting various factors like building design, orientation, window and wall percentage, lighting designs, daylighting options, insulation levels, materials, climate, and occupancy schedules, energy modeling software predicts energy use under different scenarios, helping to optimize building designs and reduce energy consumption. An energy engineer professional typically prepares the energy model calculations. Energy modeling is necessary for most HPCP projects above 20,000 square feet. Energy models are not an actual projection of the building's utility usage but is only a design tool.
- Daylighting is a design strategy for reducing artificial lighting use and the associated cooling demand, in addition to creating a connection to the outdoors for occupants. Designing and calculating daylighting methods may require expertise to support the design team. Some projects may opt for daylight computer simulation or measurement compliance paths and will use the services of an engineering professional with expertise in daylight modeling. Smaller or simpler projects may opt for the prescriptive compliance path, which the team architect may be comfortable preparing.

b. Where does a project team/building owner find providers of services – Commissioning (Cx), Energy Modeling, or a Sustainable Building Consultant?

As part of a design selection review process, the building owner may look to the design firm for their knowledge of local, qualified consultants. The design firm may have within its firm the skills to provide energy modeling or a sustainable building consultant. The Cx agent, depending on the scope of their work, may be part of the design firm or could be a true third-party reviewer. The design firm may have a list of firms they have worked with in the

past that could provide the Cx services. Depending on the Cx requirement, the firm should work directly with the building owner, or the design firm. The preference is to work for the building owner and thus be responsible to the owner and not the design firm.

c. How does a project initiate the process to comply with the High-Performance Certification Program (HPCP) and this form is submitted to what State Department?

The HPCP Registration Form is used to start the process for all project teams and can be found at: OSA Owned Real Property Sustainable Requirements. The form should be completed and submitted electronically to either OSA, DOLA, or CDE depending on the source of the funds.

d. What happens if, despite the best project management efforts, a project cannot meet the HPCP policy target of LEED-Gold, CHPS-Verified Leader, or Green Globes-Three Globes?

This assumes the project initially was designed with construction specifications that were complying with the HPCP target, but the certification organization did not award sufficient credits to achieve the state's HPCP goal.

For state agencies, at the competition of the project, the HPCP Champion shall complete and submit final checklist with incremental cost to OSA. The project shall be submitted for certification at the highest achievable level. A list of all the credits appealed and the results of the appeal process should be documented on the applicable HPCP checklist to support the certification at the highest achievable level. The final certification results will be copied and submitted to the appropriate state department.

DOLA and CDE, submit the final checklist as part of their department's project close-out process and documentation.