

Summary of Comments Received during the Public Comment Period on GSA's High-Performance Building Certification Systems Review

Section 436(h) of the **Energy Independence and Security Act of 2007 (EISA)** requires GSA to evaluate high-performance building certification systems every five years and provide the findings to the Secretary of Energy who, in consultation with the Department of Defense and GSA, formally identifies the certification system(s) to be used across the federal government. GSA's Office of Federal High-Performance Buildings conducted an analysis of the commercial building certification system market and identified five building certification systems that were available for use in the United States, addressed whole buildings rather than individual products, awarded certification based on validation by an independent, third-party assessor, and incorporated measurable or calculated metrics to assess building performance.

The five systems reviewed were:

1. BOMA BEST ® Sustainable Buildings, version 3.0
2. Building Research Establishment's Environmental Assessment Method (BREEAM ®) In-Use USA, version 2016
3. Green Globes ®, version 2013
4. Leadership in Energy & Environmental Design (LEED ®), version 4
5. Living Building Challenge (LBC™), version 3.1

Each of these certification systems were assessed against a set of review criteria to evaluate how they were developed and how effectively the systems align with current high-performance federal building requirements. GSA conducted the review in 2018 and published its [High-Performance Building Certification Systems Review Findings Report](#) (Findings Report) in March 2019. GSA found that each building certification system offers a unique framework and approach to achieving building certification, and they all generally align on the aspects of building design, construction, operation, and maintenance that lead to high-performing commercial office buildings. At the same time, GSA found that no single system fully ensures compliance with all of the federal building performance requirements.

In order to inform GSA's final recommendations, GSA held a 60-day public comment period on the following draft recommendations based on the Findings Report:

1. GSA recommends that agencies continue to use LEED or Green Globes for new construction or major renovation projects. Both of these systems meet the basic requirements established under the DOE Rule: [Green Building Certification Systems Requirement for New Federal Buildings and Major Renovations of Federal Buildings](#)
2. For existing buildings, GSA recommends that agencies consider the use of BOMA Best, BREEAM In-Use, Green Globes, LEED or LBC. Each of these systems contains

requirements and options that align to varying degrees with the federal criteria and provides a sound approach to certification of high-performance buildings. It is important for agencies to ensure that the options selected within a certification system are those that align with federal criteria in order to realize the benefits of using such a system. GSA recommends agencies use the certification system that best meets their mission and portfolio needs and certify to a level that promotes the high performance sustainable building goals referenced in Executive Order 13834 “Efficient Federal Operations.”

3. The use of third-party certification systems, when properly aligned with government requirements, saves resources by eliminating the cost to the government of developing its own duplicative building certification system while drawing on the expertise of the private sector.

Interested stakeholders submitted comments to highperformancebuildings@gsa.gov, a GSA email account managed by the GSA Office of Federal High-Performance Buildings. The public comment period closed on July 31, 2019, and all comments were reviewed and analyzed to inform GSA’s final recommendations to the Secretary of Energy.

Results Overview

GSA received a total of **107** comments from **31** different organizations, including industry associations, design and consulting firms¹, professional societies, product manufacturers, owners of high-performance building certification systems, and government agencies. Table 1 summarizes the number of comments submitted by organization type.

Table 1. *Types of Organizations That Submitted Comments*

Organization Type	Number of Comments
Design (A&E)/Consulting Firm	38
Industry Association	28
System Owner	17
Government	14
Professional Society	5
Product Manufacturer	5

The comments covered the following common themes:

¹ Includes Design, Architectural, Engineering, and Consulting Firms

- **Theme 1:** Supporting or opposing a particular system (or systems) that GSA reviewed;
- **Theme 2:** Seeking consistency between GSA's EISA-required recommendations with Executive Order 13834 Implementing Instruction requirements²;
- **Theme 3:** Supporting consistent use of a building certification system within a federal building portfolio;
- **Theme 4:** Encouraging GSA to advise on project recertification requirements;
- **Theme 5:** Supporting certification systems that are developed through a consensus-based process;
- **Theme 6:** Requesting clarification or correction to GSA's Findings Report and/or review methodology; and
- **Theme 7:** Requesting an updated and/or supplemental review of a building certification system.

Other unique comments that do not align with a common theme above are summarized at the end of this document.

Theme 1: Supporting or opposing a particular system (or systems) that GSA reviewed

GSA received **19** comments from organizations that supported GSA's findings that LEED is highly aligned with federal requirements, and similarly, that GSA should only recommend reviewed systems that demonstrate significant alignment with federal requirements (referred to as effectiveness and development and conformance criteria in GSA's Findings Report). GSA received **2** comments in support of using Green Globes also citing its degree of alignment with federal requirements.

GSA also received comments specifically opposing the recommendation of a particular system: **8** comments asked GSA not to recommend the use of LBC. Most of these comments cited LBC's use of a restricted substances list (or 'red list') that bans the use of certain chemicals and products in LBC projects. Additionally, comments expressed concern over recommending a system that has not demonstrated significant market acceptance within the U.S.

Theme 2: Seeking consistency between GSA's EISA-required recommendations with Executive Order 13834 Implementing Instruction requirements

In addition to GSA's requirements under EISA, the recently released *Implementing Instructions for Executive Order 13834 Efficient Federal Operations* requires GSA to "recommend appropriate third-party certifications and standards for qualifying Federal sustainable buildings" as meeting the Guiding Principles for Sustainable Federal Buildings (Guiding Principles).³

² [Implementing Instructions for Executive Order 13834 Efficient Federal Operations](#), April 2019.

³ [Guiding Principles for Sustainable Federal Buildings and Associated Instructions](#), February 2016.

GSA received **9** comments requesting that in meeting these two separate, but related requirements, GSA develop recommendations that are consistent and informed by GSA and Federal agencies' experience in using buildings certification systems and standards.

Theme 3: Supporting consistent use of a building certification system within a federal building portfolio

In 2013, GSA recommended to the Secretary of Energy in 2013 that “agencies should select only one system on an agency, bureau or portfolio basis.”⁴

This specific recommendation was not included in GSA's current draft recommendations, and GSA received **8** comments requesting that GSA continue to recommend that agencies use rating systems consistently across their building portfolio. Commenters felt this encourages efficiency, sufficient understanding of a system, and provides consistent evaluation criteria across an agency's facilities.

Theme 4: Encouraging GSA to advise on project recertification requirements

GSA received **8** comments requesting the GSA take additional steps to require or encourage recertification to ensure investments in high-performance buildings are supported with appropriate attention to building operations and maintenance.

Theme 5: Supporting systems that are developed through a consensus-based process

GSA's Findings Report noted that two building certification systems (LBC and BREEAM) did not meet the “consensus-based approach” development and conformance criteria, which is defined in EISA as the “ability of the standard to be developed and revised through a consensus-based process.”⁵

GSA received **12** comments asking GSA not to recommend building certification systems that are not developed through a consensus-based approach. These comments noted that building standards and certification systems are most effective when developed through an open consensus process that allows opportunity for technical input and for ideas and data to be tested and validated. Commenters felt strongly that GSA should revise its draft recommendation for existing buildings, which did include recommendation of both LBC and BREEAM. Similar to Comment Theme 1, some commenters cited LBC's 'red list' as an example of a certification system component developed through a non-consensus process that is opaque and arbitrary.

⁴ [GSA Green Building Certification Systems Review Letter to Sec of Energy](#), October 2013.

⁵ Section 436 of the Energy Independence and Security Act Of 2007 [42 USC 17092(a)]

Theme 6: Requesting clarification or correction to GSA's completed Findings Report and/or Review Methodology

Although the public comment period specifically sought comments on GSA's set of draft recommendations, GSA did receive **13** comments suggesting edits or requesting clarification on results from the Findings Report and general review methodology. The majority of these comments came from the system owners included in GSA's review. In some cases, commenters disagreed with how their system was scored against specific effectiveness criteria, or questioned the relevance of certain effectiveness criteria for a specific building certification system type (e.g. whether or not a building certification system for existing buildings or building interiors should be evaluated against effectiveness criteria related to building siting).

Additionally, GSA received **5** comments requesting that GSA expand its review process to include building certification systems for residential projects, particularly multi-family residential systems. Commenters felt that these system types should be within the scope of GSA's review because some federal agencies own and operate residential buildings.

Theme 7: Requesting an updated or supplemental review of a building certification system

As noted in the Findings Report, GSA reviewed versions of the 5 systems that were available for commercial use as of the end of calendar year 2017. Since that time, multiple system owners either have already or plan to release updated versions of their building certification systems. GSA received **3** comments from system owners requesting that GSA conduct a supplemental review of ANSI-GBI 01-2019:Green Globes Assessment Protocol for Commercial Buildings (released in Spring 2019) and/or the next version of LEED (v4.1).

Additionally, GSA received **3** comments specifically requesting review of the ICC/ASHRAE-700 National Green Building Standard and Home Innovation's NGBS Green certification program.

Other Submitted Comments

The list below summarizes additional comments that are unique to one commenter and/or do not fit within the comment themes summarized above:

- The federal government and the private sector should continue to work together to improve alignment of building certification systems with federal requirements.
- GSA should develop guidance on what agencies need to do to meet a federal requirement where a building certification system only partially aligns with a federal requirement.
- If a federal agency uses a system other than a widely-used system like LEED for building certification, the federal government should conduct analyses to establish common performance thresholds across the various certification systems.

- GSA should pilot any new systems that GSA reviewed prior to recommending them for federal use.
- When using a building certification system, the added layer of overlapping federal building standards (e.g. *Facilities Standards for the Public Buildings Service (P-100)* for GSA and the Unified Facilities Criteria for the Department of Defense) causes confusion for agencies and project teams.
- GSA should consider revising the P-100 to allow the Green Globes certification system as an option in meeting GSA's requirements.
- GSA should provide a full spectrum of options to project teams to meet stringent federal building design and operation requirements.
- GSA should develop feedback loops to capture experience and post-occupancy performance data from federal projects that achieve building certification.
- GSA should identify the recommended minimum certification level for each system it recommends to better assist agencies in implementation.
- Building environmental performance and quality control suffer when projects only pursue building certification systems as "guidelines" instead of seeking actual certification. Pursuit of third-party building certification systems should be consistently required with more stringent requirements on when a project can seek exemption.
- Finally, GSA also received a series of comments from federal agency stakeholders recommending technical changes or clarifications to existing federal building requirements that included alternative compliance options in the areas of indoor air quality, energy efficiency and benchmarking, and building utility metering.