Boulder Building Performance - 2016 Exemption Request

Please complete the following form and check the exemption you are applying for and the reason. Please provide the required documentation to support your application.

BUILDING OWNER (OR REPRESENTATIVE) NAME:_____

BUILDING ADDRESS:_____

PHONE:_____ EMAIL:_____

BOULDER ENERGY REPORTING ID (found on your notification letter and the Affected Building List):_____

EXEMPTION REQUEST

I am requesting an exemption from:

1. **All requirements, for the following reason** (please check the applicable box):
   - ☐ **Building is unconditioned and unlit:** Example: unconditioned, unlit warehouse space or airplane hangar. *Please provide the following:*
     - A narrative describing the use of this space and a description of what, if anything, consumes energy; and
     - A copy of an electric and natural gas utility bill within the last three months showing the energy consumption of the facility.
   - ☐ **Building has less than 12 months of data**: The building is new construction that has been occupied less than 12 months. *Please provide the following:*
     - Certificate of occupancy.
   - ☐ **Building is under financial hardship**. *Please provide the following:*
     - Proof the building is the subject of a qualified tax lien sale or public auction due to property tax arrearages;
     - Proof the building is controlled by a court appointed receiver; or
     - Proof the building has been acquired by a deed in lieu of foreclosure.

2. **Energy assessment requirement only, for the following reason** (please check the applicable box):
   - ☐ **Building has conducted an equivalent energy assessment** (ASHRAE Level I or II depending on square footage) within 10 years of the first deadline for energy assessments, and implemented the cost-effective actions that were recommended. According to the City Manager Rules, cost-effective is defined as having a payback period of five years or less. *Please provide the following:*
     - Assessment report or signed documentation from assessor with date of assessment and list of recommended measures, included estimated capital costs and payback times (including rebates and incentives); and
     - An itemized invoice/receipt or signed documentation from contractor identifying installed measures, OR Schedule a free onsite walkthrough with a PACE Business Sustainability Advisor (303-786-7223 or info@PACEpartners.com) to verify installation of these measures.

3. **All efficiency requirements (energy assessment, retrocommissioning, lighting), for the following reason** (please check the applicable box):

☐ **Building received ENERGY STAR Certification** by achieving an ENERGY STAR score of 75 or higher within three (3) years of the efficiency requirement deadline).[1] *Please provide the following:*

- A copy of the ENERGY STAR Certification.

☐ **Building has a current certification for LEED Existing Buildings: Operation & Maintenance (EBOM)**. *Please provide the following:*

- Copy of LEED EBOM Certification with clear issue and/or renewal date.

☐ **The building has demonstrated a pattern** of significant and consistent improvements in energy efficiency or greenhouse gas (GHG) emissions. *Please provide the following*:

- ENERGY STAR Portfolio Manager (ESPM) output or other records showing energy consumption and/or GHG emissions for the past 5 years;
- And, a narrative and documentation of initiatives, activities, etc. used to achieve the reductions.[2] The narrative should include following:
  - An explanation of why this building is ineligible for ENERGY STAR or LEED EBOM certification, if applicable; and
  - A description of which of the three exemption paths you are pursuing;
- And, **one** of the following
  - Path 1 (only available to buildings ineligible to receive an ENERGY STAR score): Provide justification that this building's energy performance is better than at least 75 percent of similar buildings and provide the dataset used for administrative review. The dataset used to justify performance should include building site energy use intensity data of at least five similar buildings, normalized for climate, building use, and occupancy or a similar dataset that can be justified. This can include the Portfolio Manager median calculation;
  - Path 2: Using 2015 as your baseline year energy use intensity (EUI), implement measures with a combined deemed savings that will achieve at least a 15% reduction in EUI. Applicants must provide those deemed savings calculations to the city with proof of installation of each measure;
  - Path 3: An alternative approach with supporting documentation showing a pattern of significant and consistent improvements.

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[1] The exemption will be valid as long as the ENERGY STAR score of the building is in the certified range (minimum of 75), as submitted through the rating and reporting requirement, with an actual re-certification required every 10 years. If the building's score falls below the certified range (below 75), the owner will be required to get a free Level I energy assessment through the city's Partners for a Clean Environment (PACE) Program to help diagnose the cause of the increased energy use. The owner will then have one more rating and reporting cycle to improve their ENERGY STAR score above 75 – if they fail to do so, the exemption will no longer be valid and the owner will have to comply with all future efficiency requirements.

[2] If a building owner is considering applying for this exemption, note that the owner will likely be asked to submit proof of payment for the upgrades implemented.

4. **The public disclosure requirement, for the following reason** (please check the applicable box):

☐ **Building information includes trade secrets, privileged or confidential commercial information**.[3] (Inefficient energy usage alone will not be considered confidential commercial information). *Please provide the following:*

- A statement that includes the manner in which public disclosure would cause substantial harm to the owner's trade secrets, privileged or confidential commercial information.

5. **Other Exemption Not Listed**

☐ Please describe exemption request:

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- *Provide the following:* Supplemental documentation supporting your request.
  - ***Note*** *– The city may request additional documentation during review.*

☐ *I attest that the exemption I have selected above is true and accurate to the best of my knowledge and I have provided the requested supporting documentation.*

SIGNATURE:_____ DATE:_____

Mail or email this completed form and all supporting documentation to:

Boulder Building Performance Program
City of Boulder
1101 Arapahoe Ave., PO Box 791
Boulder, CO 80306-0791
Email: RankinK@bouldercolorado.gov

Questions? Contact Kimberlee Rankin at the City of Boulder RankinK@bouldercolorado.gov or 303-441-4227.

[3] If this exemption request is approved, the information provided will not be publically disclosed. In the event a Colorado Open Record Act (CORA) request is made, the city will deny the CORA request based on this exemption. However, if this denial is challenged, the building owner must defend the exemption, not the city.

FOR CITY USE ONLY

Exemption Request:

- ☐ Accepted
- ☐ Denied

Explanation:_____

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_____

City Employee Signature: _____

Date:_____