Subject: NAVFAC Sustainability and Energy Requirements

References:
(b) Federal Leadership in High Performance and Sustainable buildings Memorandum of Understanding, 24 January 2006
(e) High Performance and Sustainable Buildings Guidance, updated 1 December 2008
(f) Executive Order 13514, Federal Leadership in Environmental, Energy and Economic Performance, October 2009
(g) DoD Instruction 4170.11, Installation Energy Management, 11 December 2009
(i) National Defense Authorization Act for Fiscal Year 2012, Division B, Title XXVIII, Subtitle C, Sec.2830 (b) Prohibition on Use of Funds for LEED Gold or Platinum Certification
(j) Unified Facilities Criteria 1-200-02, High Performance and Sustainable Building Requirements, 01 March 2013
(k) Department of Defense Sustainable Buildings Policy, 10 November 2013
(l) National Defense Authorization Act for Fiscal Year 2013, Division B, Title XXVIII, Subtitle C, Sec. 2823 Continuation of Limitation on Use of Funds for Leadership in Energy and Environmental Design (LEED) Gold or Platinum Certification
(m) Department of Navy Sustainable Buildings Policy, 17 September 2014

Cancellation:
(1) ECB 2011-01, 11010.23, Navy Shore Energy Building Standard
(2) ECB 2009-02, 11010.17, US Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Project Registration Implementation
(3) ECB 2008-01, 11010.13, Energy Policy Act 2005 Implementation and LEED Certification

Enclosures:
(1) Enclosure A: Guidance for Projects Pursuing LEED
(2) Enclosure B: Waivers for Third Party Certifications (TPC)

1. Purpose

Provide overall NAVFAC policy and guidance on sustainability and energy requirements referenced in (a) through (m).
2. Background

This ECB provides NAVFAC’s consolidated implementation guidance for references (a) through (m) and cancels the previously established ECBs highlighted above, in order to effectively implement Federal and DOD energy and sustainability mandates. Reference (j) has been established by the Services in order to provide guidance to ensure sustainability requirements are met and updated as they continue to change frequently. Congress recognizes this criteria and expects sustainable design to be implemented only when life cycle cost effective, as noted in reference (i). Tracking of Guiding Principles is required by reference (e).

3. Applicability

This ECB applies to all projects in Continental United States (CONUS) and Outside Continental United States (OCONUS).

4. Policy

A. This ECB is effective immediately. In order to comply with recent Executive Orders, references (c) and (f), NAVFAC Project Managers (PM) and NAVFAC Design Managers (DM), jointly, must ensure reference (j) is incorporated into applicable projects listed below.

B. For compliance with the reference (e), the NAVFAC PM will ensure the use of the new Sustainability and Energy tab in eProjects for all applicable projects that meet the following requirements:
   1. New construction greater than or equal to $750,000
   2. Major renovation greater than or equal to 50% of the Plant Replacement Value and greater than or equal to $2.5M
   3. CONUS AND OCONUS U.S. States and Possessions meeting the above thresholds.
   4. An energy project, regardless of cost, including ECIP, UESC, ESPC or other projects that qualify for inclusion on the Energy Integrated Project List

NAVFAC PM must enter a justification for each Guiding Principle not met or partially met in eProjects as a “Design and Criteria” note in the project record, and document in the sustainable design section of the Basis of Design or Scope of Work.

NAVFAC PM is required to ensure the data from in-house and/or AE design teams are input into the “Sustainability and Energy” eProjects tab throughout the life of the project (design and construction). As a method to receive accurate data from in-house or AE design teams, NAVFAC PM shall use the High Performance and Sustainable Building/NAVFAC Sustainability and Energy Data Record Card (HPSB/NSEDRC) Checklist forms (see link below).

http://www.wbdg.org/pdfs/navfac_sustainable_energy_data_record_card.pdf
NAVFAC DM shall ensure that the forms are completed and returned to the NAVFAC PM at the following stages of the project:

a. Design Completion
b. Construction Completion at Beneficial Occupancy Date (BOD)
c. Post-occupancy requirement updates, such as commissioning
d. Final Third Party Certification (TPC)

C. For compliance with reference (k) and (m), NAVFAC PM and DM, shall ensure an auditable process (Third Party Certification – TPC) is used for all vertical construction projects that meet the following requirements:

1. New construction greater than or equal to $750,000
2. Major renovation greater than or equal to 50% of Plant Replacement Value (PRV)
3. Projects that are OCONUS on foreign soil to the greatest extent practical, utilizing the most appropriate TPC rating system for the local region, and approved by the local NAVFAC Echelon IV.

Note:
   i. Projects designated Austere are not required to pursue a TPC.
   ii. For specifics on LEED, see Enclosure A.
   iii. For specifics on TPC Waivers, see Enclosure B.

NAVFAC PM must record a justification for projects that did not pursue a TPC for CONUS and OCONUS U.S. States and Possessions. For the justification, NAVFAC PM is to create a “Design and Criteria” note in the eProjects project record and document in the sustainable design section of the Basis of Design or Scope of Work.

5. Point of Contact

This document has been reviewed by CNIC, NAVFAC Headquarters, and U.S. Marine Corps and is fully applicable to all Navy and USMC installations.

For NAVFAC Energy and Sustainability policy and guidance, please contact Mr. Scott Mauro, P.E., (202) 685-9280 or Ms. Deepika Cheriathundam, P.E., (202) 685-9173 within the Chief Engineer’s Office.

Joseph E. Gott, P.E.
Chief Engineer and
Director, Capital Improvements
Enclosure A: Guidance for Projects Pursuing LEED

Projects that meet the USGBC requirements and qualify as applicable LEED projects must meet the following requirements:

1) LEED certification on applicable projects shall be determined based upon requirements of reference (j).

2) For FY2012 and FY2013 authorized projects, SECDEF waiver with notification to Congress may be required if proceeding with LEED Gold or Platinum based on a cost-benefit analysis showing a demonstrated payback (per reference (i) as amended by reference (l)). If LEED Gold or Platinum can be obtained by the Contractor with no additional cost to DoD (including DON), it may be accepted, with these actions:

   a. Create memo for contractor’s signature that states “Government did not award project with the funding or expectation of LEED certification beyond the Silver rating level. The Government will only accept LEED Gold or Platinum at delivery, when no additional costs are incurred by the Government. The contractor’s signature is affirmation of this action.”
   b. Save memo to project’s eProjects record as a “Design and Criteria” note, and save copy to project file.

3) LEED v4.0 will be the new version starting 1 June 2015. The last day to register LEED project in v2009 (aka v3.0) is 31 May 2015.

   a. USGBC has granted a waiver to the United States Department of Defense for sharing energy and water data with USGBC for the Building-level energy metering and Building-level water metering pre-requisites in LEED v4. This new waiver is similar to the current energy/water data sharing waiver in LEED version 2009. The policy remains that DoD projects must not share energy and water data with USGBC. Specific waiver directions are posted to the website noted in #4 below. Each project must incorporate the waiver instructions, located at: http://www.wbdg.org/references/pa_dod_sust_leed.php.
   b. USGBC has granted an optional waiver to the United States Department of Defense for Water Efficiency, Water Use Reduction pre-requisite gender ratio requirement in LEED, any version. If there is need for this waiver, use the waiver instructions located at: http://www.wbdg.org/references/pa_dod_sust_leed.php.

4) For the following additional LEED instructions, please refer to link below:

   a. Guidance for LEED Online Signatories
   b. NAVFAC LEED Registration and Certification Instructions http://www.wbdg.org/references/pa_dod_sust_leed.php
Enclosure B: Waivers for Third Party Certifications (TPC)

1. Waivers for TPC

   a. A waiver for a TPC is required for building projects that have the ability to obtain TPC, but have mitigating reasons for not doing so.
   b. Waivers must be granted from NAVFAC Headquarters Chief Engineer (NAVFAC CHE) and requests forwarded through the initiating Command’s chain-of-command.
   c. Content of Waiver: 1) Potential impacts of continuing to pursue TPC 2) Full justification by requesting entity 3) Potential impacts of not granting waiver.
   d. NAVFAC CHE will consider multiple-project waivers on a fiscal year basis, e.g. highly-classified installation complex with multiple building projects.