

BERDO ENERGY ACTION AND ASSESSMENT REQUIREMENT - GUIDANCE

The Building Energy Reporting and Disclosure Ordinance (BERDO) requires all large buildings in Boston to report their energy use to the City every year. Buildings must also decrease their energy usage and carbon emissions or perform an energy assessment every five years. For most buildings, the due dates for this Energy Action and Assessment (EAA) requirements are:

- May 15, 2019 – Non-residential buildings 50,000 sf or larger. First year of BERDO reporting in 2014.
- May 15, 2020 – Residential buildings 50,000 sf or 50 units and larger. First year of reporting to BERDO in 2015.
- May 15, 2021 – Non-residential buildings 35,000 sf or larger. First year of reporting to BERDO in 2016.
- May 15, 2022 – Residential buildings 35,000 sf or 35 units or larger. First year of reporting to BERDO in 2017.

New buildings must report their EEAs five years after their first data report.

To comply, buildings must demonstrate that they are highly efficient, have achieved significant reductions in carbon emissions, or have performed an energy audit.

Highly Efficient Buildings

Buildings can demonstrate that they are highly efficient in several ways:

- EPA Energy Star Certification: Buildings must have earned this certification for 3 or more of the previous 5 years. Compliance is demonstrated using Energy Star Portfolio Manager.
- LEED Silver Certification with 15 points in Energy and Atmosphere: Buildings must provide a copy of their LEED certification and scorecard.
- Zero-net Energy, Zero-net Carbon, and E+ Buildings: A building is zero-net energy, zero-net carbon building, or E+, such that it generates or purchases an amount of renewable energy equal to or greater than it consumes in the course of a year. Buildings must supply documentation of renewable energy purchasing or other zero-carbon certification for the building.

Energy Action

The minimum standard of action for BERDO is a 15% reduction in total site energy consumption, site energy use intensity, or total greenhouse gas emissions, or a 15 point increase in Energy Star score over five years. This improvement is verified through the annual BERDO reporting. The baseline, in most cases, is established with the second year of a building's energy data. Please see chart below for details.

Buildings can use a combination of measures to achieve reductions.

- On-Site Renewable Energy: provide proof of purchase and installation of on-site renewable energy generation.
- Connection to District Steam or Cogeneration: provide the date that the building was connected to network.
- Off-Site Generated Renewable Electricity or Low Carbon Energy: provide documentation of renewable energy purchases, including green power purchasing agreements or Renewable Energy Credits (RECs). Acceptable RECs can include but are not limited to Green-e certification or the Massachusetts Renewable Energy Portfolio Class I or II RECs.
- Institution Wide Reduction in Greenhouse Gas Emission or Total Energy Use of 15% or More: provide the institutional master plan, energy management plan, and institutional greenhouse gas inventory.

- Other Energy Efficiency Measures: you will be notified if additional documentation is required.

Verification of energy reduction and actions must be signed by a qualified energy professional or building engineer.

Energy Assessment

Buildings that comply through the assessment pathway must have performed an energy audit during the 5 years prior to the due date. Buildings greater than 50,000 sf must complete an ASHRAE Level 2 Audit. Buildings under 50,000 sf in size may seek an ASHRAE Level 1 or other equivalent audit to fulfill this requirement. Buildings may apply to use alternative methods. Audits must be performed by a qualified energy professional.

Buildings must report the date of the assessment, the name of the qualified energy professional, and a list of the recommended energy conservation measures with their estimated energy savings and payback period.

Exemptions, Extensions, and Variances

Buildings are exempt from Energy Action and Assessment if they are to be fully demolished within six months of when the report would otherwise be due or the building was fully vacant for the prior five-year period. Buildings can request a one-time extension of up to 6 months at the City’s discretion. If they are financially distressed, buildings can request an extension of up to one year. Buildings with unique characteristics that prevent them from achieving any of the available pathways, but have done significant energy action or assessment work, can request a one-time variance at the City’s discretion.

For More Information

Visit the BERDO Energy Action and Assessment webpage to learn more about this requirement and review our how-to guide at boston.gov/departments/environment/energy-action-and-assessment or contact the Environment Department at energyreporting@boston.gov.

BERDO Action/Assessment Compliance Cycle

Data from year	2013	2014	2015	2016	2017	2018	2019	2020	2021
Reported in May of	2014	2015	2016	2017	2018	2019	2020	2021	2022
Non-Res 50k sf+	First reporting	Baseline	→	→	→	EAA Due	Cycle 2 Start	→	→
Res 50k sf+		First reporting	Baseline	→	→	→	EAA Due	Cycle 2 Start	→
Non-Res 35k sf+			First reporting	Baseline	→	→	→	EAA Due	Cycle 2 Start
Res 35k sf+				First reporting	Baseline	→	→	→	EAA Due