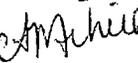


**MEMORANDUM**

November 13, 2015

TO: County Council

FROM: Amanda Mihill, Legislative Attorney 

SUBJECT: **Action:** Bill 35-15, Environmental Sustainability – Benchmarking - Amendments

**Transportation, Infrastructure, Energy and Environment Committee recommendation (2-0):** enact Bill 35-15 with a technical amendment to the definition of covered building.

Bill 35-15, Environmental Sustainability – Benchmarking - Amendments, sponsored by Lead Sponsor Council President at the request of the County Executive, was introduced on September 15. A public hearing was held on October 6 at which a representative of the Executive supported the bill (see ©28). A Transportation, Infrastructure, Energy and Environment Committee worksession was held on November 2.

Bill 35-15 would add an intent section to the Building Energy Use Benchmarking law, amend certain definitions, provide for alternative paths to verification, and change the private sector building group deadlines from December 1, 2016 to June 1, 2016 for Group 1 buildings (buildings greater than 250,000 square feet) and from December 1, 2017 to June 1, 2017 for Group 2 buildings (buildings between 50,000 and 250,000 square feet). Bill 35-15 is the result of a report issued by the Benchmarking Work Group – a group made of a broad set of stakeholders charged with reviewing the Building Energy Use Benchmarking law and make recommendations regarding the law's implementation.

**Issue/Committee Recommendation – Data Verification**

**Current law.** The benchmarking law requires the owner of a covered building to assure that the reported benchmarking information for that year is verified by a licensed professional before the first benchmarking deadline and each third deadline afterwards. Current law also includes a waiver process if the owner shows that compliance will cause undue financial hardship, but would be required to use a no-cost or low-cost verification option if available.

**Bill 35-15.** Bill 35-15 would change the licensed professional to “recognized data verifier”, which the bill defines as “a Professional Engineer or a Registered Architect, or another trained individual whose professional license or building energy training program credential is recognized by the Director. Bill 35-15 changes the waiver provision to allow the Director to waive the verification requirement if the owner demonstrates that the building achieved ENERGYSTAR certification for at least 6 months in the year being benchmarked.

**Issues.** The Apartment and Office Building Association of Metropolitan Washington (AOBA) opposes the requirement to retain the verification requirement in the law. AOBA projects that the County will not experience the same level of challenges experienced in other jurisdictions because of differences in laws. AOBA urged the following amendments:

1. Repeal or delay the effective date of the data verification provision until after the first reporting deadline to allow the County to determine if data verification is necessary;
2. Require benchmarking results and supporting records be retained for 3 years and allow DEP to review the records; and
3. Allow people with 10 years or more experience managing energy for a building owner or manager to be a recognized data verifier (©31-32).

In response to AOBA’s concerns, DEP submitted the comments on ©58-60. To the general issue regarding verification, DEP staff argue that verification has been a central part of Montgomery County’s benchmarking and transparency law from its introduction. Its inclusion is based upon the best practice of other benchmarking and transparency laws in the country. Data quality is an inherent issue. DEP identified several data quality issues throughout the Early Bird benchmarking dataset and found that there was only one submission without issues – that being the one that completed verification (voluntarily).

To the specific amendments proposed by AOBA, DEP does not support those amendments and argues:

1. Verification the first year allows the building owner to have the value of a knowledgeable resource and second pair of eyes as they establish their processes and procedures that will then carry them through each compliance year.
2. The availability of records on-file does not constitute a data verification program. To consider recordkeeping a verification program, DEP would need to collect even more information than is already set to be reported (DEP would need to seek the monthly annual energy data from each building owner, not just the annual data) and devote enormous staff resources to individually check individual Portfolio Manager accounts for proper inputs.
3. It would be difficult for DEP to review individual cases and make a fair judgment on what counts as energy management experience. Relying on 3rd party credentials is the fairer and more effective policy.

**Committee recommendation** (2-0, Councilmember Floreen absent): The Committee did not support the suggested amendments by AOBA. Committee members were convinced from the Department of Environmental Protection staff that data verification was a critical element of the benchmarking program.

## Technical Amendment

For clarity in the law, DEP staff recommend the following technical amendment:

*Covered building* means any County building, Group 1 covered building, or Group 2 covered building. *Covered building* does not include any building with more than 10% [occupancy] of total building square footage which is used for:

- (1) public assembly in a building without walls;
- (2) warehousing;
- (3) self storage; or
- (4) a use classified as manufacturing and industrial or transportation, communication, and utilities.

**Committee recommendation** (2-0, Councilmember Floreen absent): adopt this amendment (©3, lines 29-37).

This packet contains:

	<u>Circle #</u>
Committee Bill 35-15	1
Legislative Request Report	7
Executive memorandum	8
Fiscal and Economic Impact Statement	9
Benchmarking Work Group report	13
Testimony/Written Correspondence	
Executive	28
AOBA	29
DEP Comments	59

F:\LAWBILLS\1535 Environmental Sustainability-Benchmarking-Amendments\Action Memo.Docx

Bill No. 35-15  
Concerning: Environmental Sustainability  
- Benchmarking - Amendments  
Revised: 11/9/2015 Draft No. 2  
Introduced: September 15, 2015  
Expires: March 15, 2017  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the County Executive

**AN ACT** to:

- (1) add an intent section of the law;
- (2) amend certain definitions;
- (3) provide for certain alternative paths to verification;
- (4) alter the private sector building group deadlines; and
- (5) generally amend County law regarding energy efficiency and environmental sustainability.

By amending

Montgomery County Code  
Chapter 18A, Environmental Sustainability  
Sections 18A-38, 18A-39, 18A-40, and 18A-42

By adding

Chapter 18A, Environmental Sustainability  
Section 18A-38A

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*



27 number, that equals or exceeds 50,000 in total building square footage [square  
 28 feet gross floor area, as identified by the Director].

29 *Covered building* means any County building, Group 1 covered building, or  
 30 Group 2 covered building. *Covered building* does not include any building  
 31 with more than 10% [occupancy] of total building square footage which is  
 32 used for:

- 33 (1) public assembly in a building without walls;
- 34 (2) warehousing;
- 35 (3) self storage; or
- 36 (4) a use classified as manufacturing and industrial or transportation,  
 37 communication, and utilities.

38 \* \* \*

39 *Group 1 covered building* means any nonresidential building, or any group of  
 40 nonresidential buildings that have the same property identification number,  
 41 not owned by the County that equals or exceeds 250,000 in total building  
 42 square footage [square feet gross floor area, as identified by the Director].

43 *Group 2 covered building* means any nonresidential building, or any group of  
 44 nonresidential buildings that have the same property identification number,  
 45 not owned by the County that equals or exceeds 50,000 square feet gross floor  
 46 area but is less than 250,000 in total building square footage [square feet gross  
 47 floor area, as identified by the Director].

48 \* \* \*

49 [*Licensed professional*] Recognized data verifier means a [professional  
 50 engineer] Professional Engineer or a [registered architect] Registered  
 51 Architect [licensed in the State], or another trained individual whose  
 52 professional license or building energy training program credential is  
 53 recognized by the Director [as defined in applicable County regulations].

\* \* \*

[*Gross floor area*] Total building square footage means the sum of the gross horizontal area of the several floors of a building or structure measured from the exterior faces of the exterior walls or from the center line of party walls. In a covered but unenclosed area, such as a set of gasoline pumps or a drive-through area, gross floor area means the covered area. [*Gross floor area*] Total building square footage does not include any:

- (1) basement or attic area with a headroom less than 7 feet 6 inches;
- (2) area devoted to unenclosed mechanical, heating, air conditioning, or ventilating equipment;
- (3) parking structure; or
- (4) accessory structure to a residential building.

**18A-39. Energy use benchmarking.**

- (a) *County buildings*. No later than June 1, 2015, and every June 1 thereafter, the County must benchmark [all buildings owned by the] County buildings for the previous calendar year and report the benchmarking information to the Department.
- (b) *Group 1 covered buildings*. No later than [December] June 1, 2016, and every [December] June 1 thereafter, the owner of any Group 1 covered building must benchmark the building for the previous calendar year[. The owner must] and report the benchmarking information to the Department [no later than January 1 each year].
- (c) *Group 2 covered buildings*. No later than [December] June 1, 2017, and every [December] June 1 thereafter, the owner of any Group 1 covered building must benchmark the building for the previous calendar year[. The owner must] and report the benchmarking information to the Department [no later than January 1 each year].

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**18A-40. Data Verification.**

- (a) *Verification required.* Before the first benchmarking deadline required by Section 18A-39, and before each third benchmarking deadline thereafter, the owner of each covered building must assure that reported benchmarking information for that year is verified by a [licensed professional] recognized data verifier. The verification must be a [stamped and] signed statement by a [licensed professional] recognized data verifier attesting to the accuracy of the information. If the Director requests, the owner of a covered building must produce the statement available for the most recent year in which verification was required.
- (b) [*Waiver*] Alternative Verification Path. The Director may waive the verification requirement [of] under this Section if the owner [shows that compliance with this Section will cause undue financial hardship. If a no-cost or low-cost verification option is available, the Director may require the owner to use the alternative option] can demonstrate that the building has achieved ENERGY STAR Certification for at least 6 months of the year being benchmarked.

**18A-42. Annual report; disclosure of benchmarking information.**

\* \* \*

- (c) *Exceptions to disclosure.* To the extent allowable under state law, the Director must not make the following readily available to the public:
  - (1) any individually-attributable reported benchmarking information from the first calendar year that a covered building is required to benchmark; and
  - (2) any individually-attributable reported benchmarking information relating to a covered building that contains a data center, or

108 television studio [, or trading floor] that together exceeds 10% of  
 109 the [gross square footage] total building square footage of the  
 110 individual building until the Director finds that the  
 111 benchmarking tool can make adequate adjustments for these  
 112 facilities. When the Director finds that the benchmarking tool  
 113 can make adequate adjustments, the Director must report this  
 114 data in the annual report.

115 *Approved:*

116

117

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118 George Leventhal, President, County Council Date

119 *Approved:*

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122 Isiah Leggett, County Executive Date

123 *This is a correct copy of Council action.*

124

125

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126 Linda M. Lauer, Clerk of the Council Date

## LEGISLATIVE REQUEST REPORT

Bill xx-15

### Energy Benchmarking Amendments

- DESCRIPTION:** The Commercial Energy Benchmarking Law, adopted May 2014, required the County Executive to convene a Benchmarking Work Group to provide recommendations regarding the implementation of the bill within the private sector, including any recommended legislative amendments. The Benchmarking Work Group is required to submit a report to the County Executive and County Council by September 2015. This bill would amend the adopted Commercial Energy Benchmarking Law, which requires certain building owners to benchmark their energy use and report it to the County for public disclosure. These amendments are proposed by the Benchmarking Work Group with the intent to improve implementation of the law and its purpose.
- PROBLEM:** The Benchmarking Work Group's examination of the law and its implementation with County facilities and within other jurisdictions raised concerns around specific issues, from the deadlines to verification requirements, inconsistent application between public and private facilities, and unclear definitions. These issues would directly impact implementation of the law, and the recommendations provided seek to mitigate these issues.
- GOALS AND OBJECTIVES:** This bill is designed to address a variety of issues identified by the Benchmarking Work Group by adding an intent section of the law; amending certain definitions; providing for certain alternative paths to verification; altering the private sector building group deadlines; and generally amending County law regarding energy efficiency and environmental sustainability.
- COORDINATION:** Department of Environmental Protection
- FISCAL IMPACT:**
- ECONOMIC IMPACT:**
- EVALUATION:**
- EXPERIENCE ELSEWHERE:**
- SOURCE OF INFORMATION:** Michelle Vigen, Senior Energy Planner, Division of Environmental Policy and Compliance, Department of Environmental Protection (7-7749)
- APPLICATION WITHIN MUNICIPALITIES:** This bill applies to all municipalities that accept or adopt the County Environmental Sustainability Law, Chapter 18A.
- PENALTIES:**

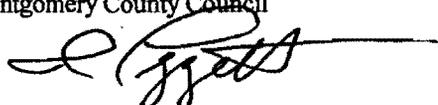


OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

August 3, 2015

TO: George Leventhal, President, Montgomery County Council  
FROM: Isiah Leggett, County Executive   
SUBJECT: Introduction of XX-15 Benchmarking Amendments

It is my pleasure to transmit the attached Benchmarking Amendments Bill and accompanying Benchmarking Work Group Report.

The Commercial Energy Benchmarking Law, adopted May 2014, required the County Executive to convene a Benchmarking Work Group, made up of a broad set of stakeholders, to (1) review the County's benchmarking process leading up to their June 1, 2015 deadline, and (2) provide recommendations regarding the implementation of the bill within the private sector, including any recommended legislative amendments. The Benchmarking Work Group is required to submit a report to the County Executive and County Council by September 2015.

The Department of Environmental Protection (DEP) convened a Work Group from a broad set of stakeholders, including an initial list of over 70 stakeholders representing utilities, building owners, nonprofits and associations, and energy service companies. The Work Group met as a whole and in committees approximately twenty times between September 2014 and June 2015. This transmittal includes both their Report and a new bill reflecting their recommendations:

- A final Report outlines the work of the Benchmarking Work Group and proposes several recommended legislative amendments to improve the implementation of the Law. Each set of amendments is introduced with a summary, justification, and textual annotations.
- Based on this Report, DEP has drafted a new bill (XX-15 Benchmarking Amendments) to reflect the amendments proposed within this report. This bill would amend the adopted Commercial Energy Benchmarking Law, which requires certain building owners to benchmark their energy use and report it to the County for public disclosure. Specifically, this bill would add an intent section of the law; amend certain definitions; provide for certain alternative paths to verification; and alter the private sector building group deadlines.

If you have any questions, please contact Lisa Feldt in the Department of Environmental Protection at 240-777-7730 or [lisa.feldt@montgomerycountymd.gov](mailto:lisa.feldt@montgomerycountymd.gov).

IL:kdm

Attachment (s)

**Fiscal Impact Statement**  
**County Executive Bill XX-15 – Environmental Sustainability - Benchmarking -**  
**Amendments**

**1. Legislative Summary.**

This bill would amend Bill 2-14 – Environmental Sustainability – Buildings – Benchmarking to:

- 1) add an intent section to the law;
- 2) amend certain definitions;
- 3) provide for certain alternative paths to verification;
- 4) alter the private sector building group deadlines; and
- 5) generally amend County law regarding energy efficiency and environmental sustainability.

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

The amendments proposed in Bill XX-15 would have no impact on County revenues and expenditures.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

Bill XX-15 would create no revenue or expenditures over the next 6 fiscal years.

**4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

Not Applicable.

**5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.**

Bill XX-15 would have no impact on the County's IT systems.

**6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Bill XX-15 does not authorize future spending and will have no impact on future revenues or expenditures.

**7. An estimate of the staff time needed to implement the bill.**

Staff time will not be needed to implement the changes in Bill XX-15.

**8. An explanation of how the addition of new staff responsibilities would affect other duties.**

There are no new staff responsibilities as a result of Bill XX-15 and the bill would not affect other duties in the Department of Environmental Protection.

**9. An estimate of costs when an additional appropriation is needed.**

No additional appropriation is needed as a result of Bill XX-15.

**10. A description of any variable that could affect revenue and cost estimates.**

Not Applicable.

**11. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not Applicable.

**12. If a bill is likely to have no fiscal impact, why that is the case.**

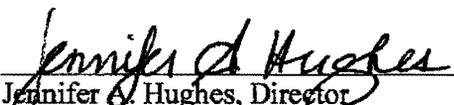
Bill XX-15 amends definitions and administrative procedures related to the previously adopted Bill 2-14. These amendments to Bill 2-14 do not have a budgetary impact on county operations.

**13. Other fiscal impacts or comments.**

Not Applicable.

**14. The following contributed to and concurred with this analysis:**

Matt Schaeffer, Office of Management and Budget  
Michelle Vigen, Department of Environmental Protection

  
\_\_\_\_\_  
Jennifer A. Hughes, Director  
Office of Management and Budget

7/20/15  
Date

**Economic Impact Statement**  
**Bill #-15, Environmental Sustainability – Benchmarking – Amendments**

**Background:**

This legislation would amend sections of Chapter 18A of the County Code as follows:

- Add an intent section of the law,
- Amend certain definitions,
- Provide for certain alternative paths to verification, and
- Alter the private-sector building group deadlines.

Bill #-15 essentially provides technical amendments to Chapter 18A. The amendments change the terminology of “gross floor area” to “total building square footage” and expand eligibility to complete the verification requirements to a group of “recognized data verifiers.” The terminology change from “gross floor area” to “total building square footage” is to differentiate it from the term used in the software used by building owners to comply with the law and does not affect the definition or scope of the law.

The change to the current law pertaining to certain alternative paths to verification is to permit those building owners with buildings that have voluntarily achieved ENERGY STAR certification for at least six months of the year being benchmarked to not have to undertake a separate and redundant verification. This change will enable certain building owners who have achieved ENERGY STAR certification on any buildings to avoid additional costs for verification of those buildings.

**1. The sources of information, assumptions, and methodologies used.**

Sources of information include the Department of Environmental Protection (DEP). The economic impact statement is based on information provided by DEP, and Finance has not made any assumptions or provided methodologies in preparing the economic impact statement.

**2. A description of any variable that could affect the economic impact estimates.**

There are no variables that could affect the economic impact estimates. The change in the verification procedure would result in cost savings to any building owners who have achieved ENERGY STAR verification on any buildings.

**3. The Bill’s positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.**

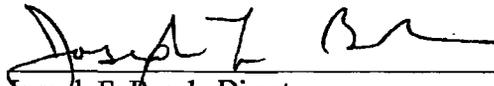
Bill #-15 provides an alternative path to verification and, as such, would provide a cost savings to any building owners who have achieved ENERGY STAR certification on any buildings. Without specific company data, it is uncertain as to the specific amount of cost savings attributed to the proposed change in certain alternative paths to verification.

**Economic Impact Statement**  
**Bill #-15, Environmental Sustainability – Benchmarking – Amendments**

**4. If a Bill is likely to have no economic impact, why is that the case?**

Please see paragraph #3.

**5. The following contributed to or concurred with this analysis:** David Platt, Mary Casciotti, and Rob Hagedoorn, Finance; Michelle Vigen, Department of Environmental Protection.



Joseph F. Beach, Director  
Department of Finance

7/21/15  
Date

# Report by the Benchmarking Work Group

## Providing Recommendations for Legislative Amendments to Adopted Bill 2-14 (Energy Benchmarking)

June 10, 2015

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## **EXECUTIVE SUMMARY**

In May 2014, Montgomery County became the first county in the nation to adopt a benchmarking and transparency law. Section 2 of the adopted bill provided for the convening of a Benchmarking Work Group, made up of a broad set of stakeholders, to review the County's benchmarking process leading up to their June 1, 2015 deadline, and provide recommendations regarding the implementation of the bill within the private sector, including any recommended legislative amendments.

Starting in the fall of 2014, the Department of Environmental Protection (DEP) solicited participation from a broad swath of stakeholders, including an initial list of over 70 stakeholders representing, utility, building owners, nonprofits and associations, and energy service companies.

This report outlines the work of the Legislative Committee of the Benchmarking Work Group, specifically several recommended legislative amendments to improve the implementation of the Law.

### **Recommended Legislative Amendments:**

1. Add Intent of the Law
2. Rename "Gross square footage" within the law
3. Remove "As identified by the Director" language
4. Verification: Expand credentials, revise exemption, and other guidance
  - a. Expanding the "licensed professional" to a "Recognized data verifier" including criteria for accepting credentials
  - b. Modification of Verification Hardship
5. Making requirements of County Buildings consistent with private Covered Buildings
6. Moving private Covered Buildings deadlines to align with reporting requirements

Each set of amendments provided with a summary, justification, and textual annotations. A version of the legislation, with all the amendments marked, is included at the end of this document.

## BACKGROUND

In May 2014, Montgomery County became the first county in the nation to adopt a benchmarking and transparency law. This law requires certain building owners to report their building energy use to the County for disclosure on an annual basis.

Section 2 of the adopted bill provided for the convening of a Benchmarking Work Group, made up of a broad set of stakeholders, to review the County's benchmarking process leading up to their June 1, 2015 deadline, and provide recommendations regarding the implementation of the bill within the private sector, including any recommended legislative amendments.

### *Work Group Convening*

The Department of Environmental Protection (DEP) solicited participation from a broad swath of stakeholders, including an initial list of over 70 stakeholders representing, utility, building owners, nonprofits and associations, and energy service companies.

This initial group was invited to an introductory meeting September 2014, where several speakers provided context for the law, including DEP, DGS, JBG Companies, AOBA, and Pepco. The Work Group opted to break into three committees to address three distinct areas of the law's implementation:

1. Outreach
2. Technical Assistance
3. Legislative

**The Outreach and Technical Assistance committees** have provided valuable guidance and advice on DEP's benchmarking programming thus far, including:

- Connections and contact information for important outreach partners, such as industry organizations, media groups, and nonprofits
- Early Bird program design, goals, and recognition
- Benchmarking Ambassadors programming
- Communication strategies for complex aspects of the law
- Review of the Benchmarking Website layout, organization, and content
- Outreach and Technical Assistance objectives, in general

These two groups have since combined into a single group that continues to provide guidance on Benchmarking programming.

**The Legislative committee** took a deep dive into the legislation, starting with an initial review by DEP of areas in the County's law that, compared to other jurisdictions' legislation, might benefit from discussion or clarification by the Legislative committee.

The committee worked through a list of these areas, and through discussion, solicitation of ideas from building owners aided via AOBA, and research via DEP, provided guidance to DEP to clarify points of the legislation in guidance (on the Benchmarking Website).

The committee's work also resulted in several recommended legislative amendments, which this report outlines and details.

### Recommended Legislative Amendments

1. Addition of Intent
2. Renaming "Gross square footage" to "Total square footage"
3. Removing "As identified by the Director" in identifying covered buildings
4. Verification Amendments

- a. Expanding the "licensed professional" to a "Recognized data verifier" including criteria for accepting credentials
- b. Modification of Verification Hardship
5. Making requirements of County Buildings consistent with private Covered Buildings
6. Moving private Covered Buildings deadlines to align with reporting requirements

**Review Process**

The Legislative Committee developed these recommendations through a series of eight meetings over the course of six months. Meeting times and information, agendas, and notes were distributed through the Benchmarking Working Group email list, which is administered by DEP.

This spring, the Legislative Committee solicited comments from the Work Group as a whole, leading up to and at a Full Work Group meeting on June 10, 2015. Comments from this process have been incorporated into this final draft.

## RECOMMENDED LEGISLATIVE AMENDMENTS

Each set of amendments is detailed below, with a summary, justification, and textual annotations. A version of the legislation, with all the amendments marked, is included at the end of this document.

### RECOMMENDATION 1: Add Intent of the Law

#### Overview

Conversations within the Benchmarking Work Group Legislative Committee have often revolved around the importance of building owners acting on the information provided through the benchmarking process and reaping the multiple benefits of energy conservation and energy efficiency. The Working Group has noted that this intent is presented in the Law, and that it is important to clarify the purpose and value of the legislation for those that must comply with it.

#### Justification

- **Recognize the foundational actions that led to this law** – The 2009 Climate Action Protection Plan and 2013 Commercial Building Energy Efficiency study both pointed to working with the commercial sector to reduce energy use and emissions. The latter study specifically identified benchmarking legislation as a sound strategy to help the County meet its emission reduction goals.
- **Educate stakeholders and the broader community** about the impact that building energy use has on the County's greenhouse gas emissions (1/3 commercial buildings, 1/3 residential) and reduction goal of 80% by 2050.
- **State clearly the energy conservation goals** – These goals were inherent in the initial drafts of the legislation within the energy audit and retrocommissioning requirements. Since those were removed, the energy-saving intent of the law is no longer clear.
- **Identify benefits beyond energy consumption and cost savings** – The law can and will provide benefits beyond the energy savings results seen from other jurisdictions with benchmarking laws.

Issue	Recommended Amendment
Intent of the law	<p>Add to the following language in the appropriate section or in an additional section:</p> <p><u>The intent of this legislation is to:</u></p> <ul style="list-style-type: none"> <li>• <u>Implement recommendations of the 2009 Climate Protection Plan (EEC-2), 2013 Commercial Building Energy Efficiency study (Chapter 3.2), support efforts of the Office of Sustainability (Bill 6-14) to increase energy efficiency and reduce greenhouse gas emissions in the private sector and County buildings.</u></li> <li>• <u>Engage the commercial building sector with building energy information crucial to adopting energy conservation and efficiency opportunities.</u></li> <li>• <u>Spur market transformation by making building performance transparent for the building and</u></li> </ul>

	<p>tenant market, allowing more accurate evaluation of energy costs and creating a competitive market for energy efficient buildings.</p> <ul style="list-style-type: none"><li>• Strengthen our local economy by encouraging more efficient business operations and providing new opportunities for local businesses that provide energy conservation and efficiency services.</li><li>• Recognize those building owners who have made investments to improve their building energy performance and expand in-house capacity for energy management.</li></ul>
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**RECOMMENDATION 2: Rename term, “gross floor area” within the law**

**Overview**

The legislation determines applicability to buildings based on gross floor area. The law covers buildings that have a gross floor area of 50,000 square feet or greater. The tool to complete the benchmarking, ENERGY STAR Portfolio Manager, also uses this term, but differently. A summary of differences is in the GUIDANCE: Gross Floor Area Definitions.

**Justification**

- This recommendation is to remove any confusion that may be caused by having the same term used in the Law and in Portfolio Manager, but with different definitions.
- The group has reviewed that the definitions for their respective purposes are appropriate, and a re-naming of the term within the Law may be beneficial.

Issue	Recommended Amendment
<p><b>“Gross square footage” terminology</b></p>	<p>Rename “gross square footage” to “total building square footage”</p> <p>Remove “trade floors” from the list of exempted buildings – there are no trade floors in the County</p> <p><b>Sec. 18A-38. Definitions.</b></p> <p><i>County building</i> means any building owned by the County, or any group of buildings owned by the County that have the same property identification number, that equals or exceeds 50,000 <del>square feet gross floor area in total building square footage,</del> <u>as identified by the Director.</u></p> <p><i>Group 1 covered building</i> means any nonresidential building, or any group of nonresidential buildings that have the same property identification number, not owned by the County that equals or exceeds 250,000 <del>square feet gross floor area in total building square footage,</del> <u>as identified by the Director.</u></p> <p><i>Group 2 covered building</i> means any nonresidential building, or any group of nonresidential buildings that have the same property identification number, not owned by the County that equals or exceeds 50,000 <del>square feet gross floor area in total building square footage</del> but is less than 250,000 <del>square feet gross floor area in total building square footage,</del> <u>as identified by the Director.</u></p> <p><del>Gross floor area</del> <u>Total building square footage</u> means the sum of the gross horizontal area of the several floors of a building or structure measured from the exterior faces of the exterior walls or from the center line of party walls. In a covered but unenclosed area, such as a set of gasoline pumps or a drive-through area, gross floor area means the covered area. <del>Gross floor area</del> <u>Total building square footage</u> does not include any:</p> <ol style="list-style-type: none"> <li>(1) basement or attic area with a headroom less than 7 feet 6 inches;</li> <li>(2) area devoted to unenclosed mechanical, heating, air conditioning, or ventilating equipment;</li> </ol>

- (3) parking structure, or
- (4) accessory structure to a residential building

**Sec. 18A-42. Annual report; disclosure of benchmarking information.**

(G) *Exceptions to disclosure.* To the extent allowable under state law, the Director must not make the following readily available to the public:

- (2) any individually-attributable reported benchmarking information relating to a covered building that contains a data center, or television studio, or trading floor that together exceeds 10% of the gross floor area total building square footage of the individual building until the Director finds that the benchmarking tool can make adequate adjustments for these facilities. When the Director finds that the benchmarking tool can make adequate adjustments, the Director must report this data in the annual report.

### RECOMMENDATION 3: Remove "as determined by the Director" language

#### Overview

In the definition of Group 1 and 2 and County Covered Buildings, the definition lays out which buildings are covered and ends with "...as identified by the Director." This language places the onus upon DEP staff to identify each individual building that needs to be benchmarked, versus the law applying evenly to all buildings that meet the definition.

#### Justification

- **Regulation standard practice places the onus on the resident/business owner to comply if applicable, versus the local government identifying those individually responsible** - This language and resulting responsibility placed upon staff is not standard practice for regulation in general, and especially amongst other benchmarking jurisdictions. Other jurisdictions make an effort to identify and notify buildings that are covered by the law, but buildings owners that know their buildings qualify are still required to benchmark, even if not identified. Such an approach matches other regulations which apply to businesses whether or not they are identified by the administering agency.
- **Imperfect data will result in an unreliable list of covered buildings and responsible building owners** - The proposed approach is particularly important in the current situation where there is not good data available to county staff to identify covered buildings. Staff has parcel-based data and rentable square footage per building data, but not building square footage. Staff is not able to confidently identify all the buildings that will need to comply.
- **DEP will still attempt to identify and notify covered buildings** - This change would simply mean that a building owner with a building covered by the law must benchmark, even if DEP is not able to identify from their data sources, that they are covered.

Issue	Recommended Amendments
<p><b>Removing "As identified by the Director" in determining Covered Buildings</b></p>	<p><b>Sec. 18A-38. Definitions.</b>            County building means any building owned by the County, or any group of buildings owned by the County that have the same property identification number, that equals or exceeds 50,000 square feet gross floor area, <del>as identified by the Director.</del></p> <p>Group 1 covered building means any nonresidential building, or any group of nonresidential buildings that have the same property identification number, not owned by the County that equals or exceeds 250,000 square feet gross floor area, <del>as identified by the Director.</del></p> <p>Group 2 covered building means any nonresidential building, or any group of nonresidential buildings that have the same property identification number, not owned by the County that equals or exceeds 50,000 square feet gross floor area but is less than 250,000 square feet gross floor area, <del>as identified by the Director.</del></p>

## **RECOMMENDATION 4: Revise and Clarify Verification**

### **Overview**

Benchmarking provides valuable data on building energy use, and collecting the data and benchmarking requires time and effort on the part of building owners and managers; some may even opt to contract this work out to an energy service provider. Verification is increasingly becoming part of benchmarking and disclosure laws for many reasons. There can be a cost to verification, which the Work Group sought to address. The group discussed Chicago's approach (the only other jurisdiction currently implementing with a verification requirement), consulted the Institute for Market Transformation, and EPA ENERGY STAR in their work.

**The Work Group has provided several different recommendations below to be considered in-whole together to improve the value of benchmarking and lower the potential cost of verification.**

### **Justification**

- **Data Quality** - Due to the data quality issues being reported from other jurisdictions with benchmarking laws, a verification process is considered a best practice and an important component of the benchmarking process, both for the public institutions administering the programs, but also for the building owners and industry as a whole.
- **Reliability and Value of Data Transparency** - A verification process contributes to an even playing field in which businesses can feel confident in the data set as a whole, and that their competitors are held to a similar standard for accuracy.
- **Policy Decision-making** - In order for the County to consider benefits or incentives to aid building improvements, an accurate representation of the building stock and performance levels are necessary to identify cost-effective use of resources and target support.
- **Knowledge and capacity building** – The discussion that will likely occur in the process of verification between a knowledgeable verifier and the building owner or manager could provide valuable information towards taking actions to reduce energy use within the building.
- **Promote workforce development and local jobs** – The verification piece was also defended as a workforce development and local job opportunity. In-house verification is allowed and would encourage building owners to have their existing staff trained in energy management and Portfolio Manager. Verification will also drive local training programs and new leads for energy conservation projects.

### **Key Changes**

- **Expanded the legislated definition of Licensed Professional** – The cost associated with this part of the law is tied to the requirement of a "licensed professional" which often means Professional Engineer or Registered Architect. The group looked at the intent of verification and Chicago's model, and expanded the scope to include less costly credentials, redefining the "licensed professional" term to be "recognized data verifier".
- **Provided guidance on type of credential accepted to do verification** - Criteria were also established (within their Guidance) on how DEP would evaluate additional credentials that want to qualify.
- **Provided guidance on the scope of verification** – Based on conversations with EPA ENERGY STAR and Chicago, the group decided that verification should follow the applicable sections of the Portfolio Manager Verification Checklist. Guidance documents should further inform that verification can be done without an on-site visit.
- **Provided guidance on how verification should be documented** – Again, the group followed EPA ENERGY STAR and Chicago's best practices to determine how

verification should be documented and reported; this will be clarified in Guidance documents.

- **Removed hardship exemption for this section of the legislation** – The group determined that the hardship exemption for the law as a whole was sufficient, and that the lower cost of verification proposed should not warrant a second level of exemption from this part of the law.

Issue	Recommended Amendments and Guidance
<p><b>Scope of who can complete the required verification</b></p>	<p>Strike "Licensed professional" and replace with "Recognized data verifier"</p> <p><b>Definitions</b>  <del>Licensed professional</del> Recognized data verifier means a Professional Engineer or a Registered Architect or a trained individual whose professional license or building energy training program credential is recognized by the Director. Professional license refers to a professional engineer or a registered architect licensed in the State, or another trained individual as defined in applicable County regulations.</p> <p><b>Data Verification</b>            Verification required. Before the first benchmarking deadline required by Section 18A-39, and before each third benchmarking deadline thereafter, the owner of each covered building must assure that reported benchmarking information for that year is verified by a <del>licensed professional</del> recognized data verifier. The verification must be a <del>stamped and signed</del> statement by a <del>licensed professional</del> recognized data verifier attesting to the accuracy of the information.</p>
<p><b>Guidance on Recognized data verifier</b></p>	<p><b>In Guidance, DEP should include the following information:</b></p> <p><u>In-house or Third-party Verification</u>            Recognized Data Verifiers may include in-house individuals or third-party providers.</p> <p><u>Criteria to Determine Recognized Data Verifier Credential</u>            The Director will evaluate professional licenses and building energy training program credentials to be accepted as a Recognized Data Verifier based on the following criteria:</p> <ul style="list-style-type: none"> <li>• Demonstrates trained individuals' proficiency in building energy benchmarking and familiarity with ENERGY STAR Portfolio Manager;</li> <li>• Demonstrates trained individuals' working knowledge of energy-efficient operations, measures, and technology;</li> <li>• Provides opportunities for ongoing skill maintenance and/or re-training as technologies, tools, and practices evolve;</li> <li>• Provides means of tracking graduates or credentialed individuals by name and with a unique identifier (such as a license, identification, or other number); and</li> </ul>

	<ul style="list-style-type: none"> <li>Makes training materials and records available for review by the Director and is found to be in compliance with preceding criteria.</li> </ul> <p><u>Recommended Credentials for the Director to Accept</u> The Legislative Work Group has helped develop an initial roster of credentials they recommend the Director recognize. A full list is under Appendix A.</p> <p>DEP staff will also explore ways to recognize individuals qualified but without an accepted credential.</p>
<b>Guidance on Verification Scope</b>	Provide minimal guidance on the scope of verification, and refer to the relevant aspects of the Portfolio Manager Data Verification Checklist. Provide guidance that it may be possible to complete verification without an on-site visit.
<b>Verification Documentation</b>	Require the use of the free Portfolio Manager Verification Checklist, and include the full name, credentials, and contact information (email or phone) of verifier in Portfolio Manager notes (which are submitted to the County). Verification documentation, signed not necessarily stamped should be kept as a hard copy, to be made available upon request by the Director, per legislation.
<b>Verification Waiver</b>	Remove the hardship waiver. Add ENERGY STAR Certification as an alternative path to comply with verification. DEP will provide guidance on how this documentation should be transmitted to DEP.  <u>Waiver/Alternative Verification Path:</u> The Director may waive the verification requirements under this Section if the owner show can demonstrate that the building has achieved ENERGY STAR Certification for at least 6 months of the year being benchmarked, that compliance with this Section will cause undue financial hardship. If a no cost or low cost verification option is available, the Director may require the owner to use the alternative option.
<b>DEP provide Pro Bono verification program</b>	Like Chicago's pro bono verification program, DEP is encouraged, particularly for the compliance period of Group 2 buildings in 2017, to develop and implement a pro bono verification program. Such a program would solicit energy service providers willing to volunteer time to complete verification for building owners who cannot afford verification (e.g. nonprofits, churches, other buildings with particular hardships). Buildings that request pro bono verification would be published on a list (as a small deterrent to avoid abuse of the program).

## RECOMMENDATION 5: County Covered Buildings and Deadlines

### Overview

Under the benchmarking legislation section for County buildings, the language does not use the defined term "County Buildings" but instead refers to "all buildings owned by the County" and does not provide a date for them to report to DEP, only to benchmark. This change would make the law consistently applied across County buildings and private sector buildings.

### Justification

- **Eliminate confusion about which buildings are to be benchmarked in the County under the law** – Using the defined term, "County buildings" will clarify and make consistent the intent that is within the definition to benchmark County buildings 50,000 square feet and greater.
- **Provide for reporting of data to DEP to be included in their reporting and database** – The currently language only requires benchmarking, but not reporting. To remain within the spirit of leading by example, County buildings should also report their data by their June 1 deadline each year.

Note: These changes will not take effect unless adopted through legislative amendment. For the County's first benchmarking year (June 1, 2015), DGS and DEP are working together to make sure DEP can meet their own reporting deadlines, and that DGS is meeting its obligations as best understood under the law.

Issue	Recommended Amendment
<b>Amend the County buildings benchmarking language</b>	<p>Amend the County buildings benchmarking language to refer to the defined term, "County buildings", and to add reporting obligation consistent with private buildings covered under the law.</p> <p><b>18A-39 Energy use benchmarking.</b></p> <p>(a) <i>County buildings.</i> No later than June 1, 2015, and every June 1 thereafter, the County must benchmark <del>all buildings owned by the County buildings</del> for the previous calendar year and <u>report the benchmarking information to the Department.</u></p>

## RECOMMENDATION 6: Move Private Building Deadlines to June 1

### Overview

The current set of deadlines in the legislation are not clear, do not align with reporting deadlines within the same legislation, and may cause inconvenience to major stakeholders due to the proximity to holidays. The Work Group recommends moving the deadline up to June 1.

### Justification

- **Two deadlines are unnecessary and confusing** – The legislation provides a separate deadline for benchmarking and for reporting. The two deadlines are unnecessary, as the former is unenforceable and *when* one benchmarks is irrelevant so long as it has happened before they report to the County. No other jurisdiction has two deadlines for a pure bill such as was adopted.
- **The December 1 deadline does not align with DEP reporting requirements and may render data disclosure irrelevant** – DEP is required to report to Council on the benchmarking law each October. Current deadlines mean that DEP would be reporting data that is nearly two years old. (e.g. DEP would report on and disclose CY 2015 data, reported December 2016/January 2017 in October 2017) Such a timeline would reduce the value and impact of the data disclosure.
- **Benchmarking will not take 11 months to complete** - Jurisdictions with benchmarking laws have deadlines ranging from April 1 (DC) to typically June 1. Bills through the end of the previous calendar year are usually available by March.
- **The current deadlines falls during major holidays** - The December 1 holiday falls right between Thanksgiving and Christmas holidays, which can pose difficulties in terms of staff availability, time out of the office, travel, and end-of-the-year reporting (for building owners, utility data access providers, and local government).
- **The proposed deadline aligns but does not overlap with DC's deadline, which is amenable to building owners with portfolios in both jurisdictions and utility staffing availability.** DC's benchmarking deadline is April 1. Utilities have requested we stagger our deadlines.

Issue	Recommended Amendments
Reporting Deadline	<p>Adjust private building deadlines to June 1 each year to match County building deadlines and align with other benchmarking policies in the region and DEP's reporting deadline.</p> <p><b>18A-39: Energy use benchmarking.</b></p> <p>(b) Group 1 covered buildings. No later than December <del>June 1, 2016,</del> and every <del>December June 1</del> thereafter, the owner of any Group 1 covered building must benchmark the building for the previous calendar year and <del>the owner must report the benchmarking information to the Department no later than January 1</del> each year.</p> <p>(c) Group 2 covered buildings. No later than December <del>June 1, 2017,</del> and every <del>December June 1</del> thereafter, the owner of any Group 2 covered building must benchmark the building for the previous calendar year and <del>the owner must report the benchmarking information to the Department no later than January 1</del> each year.</p>

## APPENDIX A: Recommended Verification Credentials

These credentials are not part of a legislative amendment, but per legislative amendment, credentials must be recognized by the Director in order to qualify an individual to perform verification under the law. The following credentials are recommended by the Legislative Committee be recognized by the DEP Director as qualifying credentials.

<b>Credential</b>	<b>Institution/Assoc.</b>
Professional Engineer (PE)	National Society of Professional Engineers
Registered Architect (RA)	American Institute of Architects
Certified Energy Manager (CEM)	Association of Energy Engineers (AEE)
Building Energy Assessment Professional (BEAP)	ASHRAE
Certified Energy Auditor (CEA)	AEE
LEED – Professional with specialty in Operations + Maintenance (LEED-AP O+M)	US Green Building Council (USGBC)
LEED-Fellow – For outstanding APs	USGBC
Building Energy Modeling Professional (BEMP)	ASHRAE
Commissioning Process Management Professional Certification (CPMP)	ASHRAE
Operations and Performance Management Professional (OPMP)	ASHRAE
Certified Commissioning Professional (CCP)	Building Commissioning Association (BCA)
Associate Commissioning Professional (ACP)	BCA
Sustainability Facility Professional (SFP)	International Facilities Management Association
Certified Building Commissioning Professional (CBCP)	AEE
Existing Building Commissioning Professional (EBCP)	AEE
RPA/FMA High Performance Designation (RPA/FMA-HP)	BOMI International
Systems Maintenance Technician (SMT)	BOMI International
Systems Maintenance Administrator (SMA)	BOMI International
Real Property Administrator (RPA) with caveat requirements	BOMI International
Certified Property Manager (CPM) with caveat requirements	Institute of Real Estate Management

*RPA and CPM are acceptable verification credentials with the following caveats noted below. Documentation must be submitted to [energy@montgomerycountmd.gov](mailto:energy@montgomerycountmd.gov) by the verifier each year they complete verification under the benchmarking law.*

- RPA caveat: RPA must have been achieved with the elective course, Asset Management OR achieved with completion of at least 3 of the 5 Sustainability/High Performance Experience Criteria ([http://www.bomi.org/uploadedFiles/2010\\_New\\_Site/Site-wide\\_images/RPA%20Experience%20Requirement-2015.pdf](http://www.bomi.org/uploadedFiles/2010_New_Site/Site-wide_images/RPA%20Experience%20Requirement-2015.pdf)).
- CPM caveat: CPM must have been achieved with the following three functions selected and illustrated in the Experience Form (<https://www.irem.org/File%20Library/Membership/CPMExperienceForms.pdf>): #3, #30, and #33.

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**Testimony on Behalf of County Executive Isiah Leggett on Bill 35-15  
Environmental Sustainability - Benchmarking - Amendments**

**October 6, 2015**

Good afternoon. My name is Stan Edwards, Chief of the Division of Environmental Policy & Compliance in the Department of Environmental Protection. Thank you for the opportunity to testify on behalf of County Executive Leggett regarding Bill 35-15, which would amend the County's Commercial Benchmarking Law.

The Benchmarking Law, adopted in May 2014, required the County Executive to convene a Benchmarking Work Group, made up of a broad set of stakeholders, to (1) review the County's benchmarking process leading up to the June 2015 deadline to benchmark County buildings, and (2) provide recommendations regarding the implementation of the law within the private sector, including any recommended legislative amendments. The Benchmarking Work Group submitted a report to the County Executive and County Council in September 2015 on the results of their work. Bill 35-15 reflects the recommendations of the Work Group. Specifically, this bill would add an intent section to the law; amend certain definitions; provide for certain alternative paths to verification; and alter the private sector building group deadlines.

The County Executive would like to recognize the many individuals that participated in the Work Group process. Participants included representatives from building owners, property managers, industry associations, energy service companies, and nonprofit energy and environmental organizations. The Work Group email list included over 350 subscribers, and approximately 50 members participated actively throughout the process. The Work Group met as a whole and in committees approximately twenty times between September 2014 and June 2015. The Work Group continues to meet periodically to help ensure smooth implementation of the law heading into the first reporting period next year. The Work Group process provides an excellent example of cooperation among government, business, and environmental interests for the benefit of all parties.

The County Executive appreciates the opportunity to comment on the proposed bill. I would be happy to address any questions the Council may have.



**WRITTEN STATEMENT OF THE APARTMENT AND OFFICE BUILDING  
ASSOCIATION OF METROPOLITAN WASHINGTON ON  
BILL 35-15-THE ENVIRONMENTAL SUSTAINABILITY –  
BENCHMARKING - AMENDMENTS**

The Apartment and Office Building Association of Metropolitan Washington (AOBA) is a non-profit trade association representing more than more than 112,000 apartment units and over 30 million square feet of office space in suburban Maryland, the majority of which, including 57,204 apartment units and 24,809,066 square feet of commercial office space, is in Montgomery County. AOBA is pleased to submit this statement on Bill 35-15 - The Environmental Sustainability Benchmarking – Amendments. The legislation proposes several amendments to the County’s existing benchmarking law, three of which AOBA submits comments on below.

**I. PROPOSAL FOR NEW JUNE 1 REPORTING DEADLINE**

The legislation proposes to move the annual reporting deadline for private non-residential buildings from December 1 to June 1. **AOBA supports the proposed change.**

<b>PROPOSED MONTGOMERY COUNTY BENCHMARKING REPORTING TIMELINE</b> (Changes in red)			
<b>GROUP</b>	<b>BUILDING SIZE</b>	<b>UTILITY YEAR DATA</b>	<b>REPORTING DEADLINE</b>
County	50,000 sq. ft. +	2014	June 1, 2015
Group 1 Non-Residential Buildings	250,000 sq. ft. +	2015	June 1, 2016
Group 2 Non-Residential Buildings	50,000 sq. ft. up - 250,000 sq. ft.	2016	June 1, 2017

**II. DELETE “GROSS FLOOR AREA” DEFINITION**

The legislation proposes to substitute “total building square footage” for the phrase “gross floor area” currently referenced in the statute. The change is necessary to address differences in the

meaning of the term in Portfolio Manager and Montgomery County's law. AOPA supports the proposed change.

**III. DATA VERIFICATION REQUIREMENT:**

<b>DATA VERIFICATION –CURRENT AND PROPOSED STATUTORY CHANGES</b>	
<b>SEC. 18A-40 DATA VERIFICATION</b>	
<b>CURRENT STATUTORY REQUIREMENT</b>	<b>PROPOSED CHANGES</b>
<p><b>(a) Verification Required:</b> Before the first benchmarking deadline required by Section 18A-39, and before each third benchmarking deadline thereafter, the owner of each covered building must assure that reported benchmarking information for that year is verified by a licensed professional. The verification must be a stamped and signed statement by a licensed professional attesting to the accuracy of the information. If the Director requests, the owner of a covered building must produce the statement available for the most recent year in which verification was required.</p>	<p><b>(a) Verification required.</b> Before the first benchmarking deadline required by Section 18A-39, and before each third benchmarking deadline thereafter, the owner of each covered building must assure that reported benchmarking information for that year is verified by a <u>licensed professional recognized data verifier</u>. The verification must be a <u>stamped and signed</u> statement by a <u>licensed professional recognized data verifier</u> attesting to the accuracy of the information. If the Director requests, the owner of a covered building must produce the statement available for the most recent year in which verification was required.</p>
<p><b>(b) Waiver.</b> The Director may waive the requirements of this Section if the owner shows that compliance with this Section will cause undue financial hardship. If a no-cost or low-cost verification option is available, the Director may require the owner to use the alternative option.</p>	<p><b>(b) Waiver Alternative Verification Path.</b> The Director may waive the verification requirement of under this Section if the owner <u>shows that compliance with this Section will cause undue financial hardship. If a no-cost or low-cost verification option is available, the Director may require the owner to use the alternative option can demonstrate that the building has achieved ENERGY STAR Certification for at least 6 months of the year being benchmarked.</u></p>
<b>SEC. 18A-38 DEFINITIONS</b>	<b>SEC. 18A-38B DEFINITIONS</b>
<p><b>“Licensed professional”</b> means professional engineer or <u>registered</u> architect licensed in the State, or another trained individual <u>as defined in applicable County regulations.</u></p>	<p><b>“Licensed professional”</b> <del>“Licensed professional”</del> <b>“Recognized data verifier”</b> means a Professional Engineer or a Registered Architect <u>licensed in the State or another trained individual whose professional license or building energy training program is recognized by the Director as defined in applicable County regulations.</u></p>

**CURRENT LAW:** The County's current benchmarking law includes a provision requiring building owners to have the reported benchmarking data verified by a licensed professional. Building owners must verify the reported data after the first benchmarking deadline in 2016 and every three years thereafter.

**PROPOSED LEGISLATION:** The proposed legislation proposes to allow building owners to instead use a "recognized data verifier" to comply with this provision. The County's Department of Environmental Protection (DEP) has also published guidance, included with the proposed legislation, identifying the various acceptable credentials that will qualify an individual as a recognized data verifier. The proposed list includes, for example, several designations from institutions such as the Institute of Real Estate Management (IREM) and BOMI. AOBA commends DEP for proposing certifications which will allow more building owners to utilize onsite staff and avoid the additional cost of hiring a third-party to perform this function. It is important to note, however, that the approved list still excludes many exceptionally knowledgeable building management staff with relevant experience.

**AOBA POSITION:** While AOBA commends the County for expanding the list of authorized certifications, we continue to strongly oppose and question the necessity of retaining the verification requirement in the benchmarking law. The purported reason for the proposed language is an unsubstantiated need to assure the quality of the data yet to be submitted by commercial building owners in Montgomery County, many of whom are already very familiar with Portfolio Manager.<sup>1</sup> Montgomery County is not the District of Columbia. We should not expect Montgomery County to experience the same level of challenges experienced in jurisdictions like the District of Columbia where the local law departs significantly from Portfolio Manager guidelines. For example, District law requires owners to report water consumption which is voluntary under Portfolio Manager. Additionally, unlike Montgomery County, the District's law also applies to multifamily buildings. Many multifamily building owners were unfamiliar with Portfolio Manager and benchmarking at the time the District's law was adopted. Notably, while there was an energy star tracking system for multifamily buildings, a rating system was not yet available for residential buildings. These are just a few examples of differences which may have resulted in inaccurate data being reported in the early years of benchmarking implementation in the District. Notably, the Montgomery County law simply requires use of Portfolio Manager by *nonresidential buildings*, many of whom as noted are already familiar with Portfolio Manager and reporting building energy consumption data.

#### **IV. AOBA RECOMMENDATIONS**

**(1) Delay implementation:** AOBA recommends repealing or delaying the effective date of the data verification provision until a period following the first reporting deadline. This would

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<sup>1</sup>See Attachment A - Energy Star Labeled commercial buildings for Maryland including Montgomery County; Attachment B Montgomery County Benchmarking Brochure, page 2 ("Over one thousand of the nearly 4,300 commercial buildings in Montgomery County have accounts in Portfolio Manager. Of these buildings, 122 have achieved a score of 75 and are certified as ENERGY STAR buildings"); Attachment C - List of AOBA members recognized by Montgomery County as Early Bird Benchmarkers; and Attachment D - Existing EPA tool to allow building owners to verify data.

provide the County with an opportunity to review actual reported data and determine **at that time**, if questions about the quality of the data warrant implementing the data verification requirement. Proceeding with the current proposal unfairly questions, **before reporting begins**, the reliability and integrity of the benchmarking data to be reported by building owners.

**AOBA amendment:** Delete current 18A-40 and amend Sec. 18A-42. Annual report; disclosure of benchmarking information by adding a new paragraph (a-1).

(a-1) Data Verification Report. The annual report submitted on October 1, 2016 shall include and analysis of: (1) any technical errors in reporting via Portfolio Manager; (2) need for additional outreach to affected building owners; and (3)(a) compliance reporting statistics, successes and challenges, including any concerns, if any, with the accuracy, completeness and correctness of the building energy data being reported by building sector and type including but not limited to commercial office buildings, universities, hospitals, campuses and building complexes; and a (b) recommendation, based on the County's analysis of the data, as to whether the County should implement a data verification requirement for private and public building owners subject to this section.

AND

**(2) Incorporate DC recordkeeping requirement which allows the government to review records used to report consumption data. Review of the data will determine if a data verification provision is necessary for subsequent reporting years.**

**DC regulations: 21 DCMR 3513.13** A building owner shall comply with the following record retention requirements: (a) Preserve benchmark results and supporting records for a period of at least three (3) years. The records shall include: (1) The U.S. EPA Portfolio Manager confirmation email demonstrating proof-of-submission date; (2) A copy of the building owner's energy, water, and space use attribute information entered into Portfolio Manager; (3) Copies of applicable tenant information forms and letters; and (4) Additional information used to support the information required by § 3513.3(c); and (b) Make benchmark results and supporting records available for inspection and audit by DDOE during normal business hours, following reasonable notice by DDOE.

**AOBA amendment:** New 18A-44. A building owner shall comply with the following record retention requirements: (a) Preserve benchmark results and supporting records for a period of at least three (3) years. The records shall include: (1) The U.S. EPA Portfolio Manager confirmation email demonstrating proof-of-submission date; (2) A copy of the building owner's energy and space use attribute information entered into Portfolio Manager; (3) Copies of applicable tenant information forms and letters; and (b) Make benchmark results and supporting records available for inspection and audit by the Director during normal business hours, following reasonable notice by the Director.

**(3) Approved Credentials for recognized data verifier: The approved list should be expanded to include persons with 10 years or more managing energy for a building owner or manager.**

# **ATTACHMENT A**

Labeled Buildings

Building Name	Building Type	Building Owner	Property Manager	Address	City	State	Zip	Label Year(s)
(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
(71033B) MONTGOMERY HOME	Retail Store	Macy's Inc	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
(71069A) TOWSON	Retail Store	Macy's Inc	Macy's Inc	801 DULANEY-VALLEY RD	TOWSON	MD	21204	2013
(71093A) OWNINGS MILLS	Retail Store	Macy's Inc	Macy's Inc	10500 MILL-RUN CIR	OWNINGS MILLS	MD	21117	2013
(71113A) LAKE FOREST MALL	Retail Store	Macy's Inc	Macy's Inc	701 RUSSELL AVE	GAITHERSBURG	MD	20877	2013
(72034A) CHEVY CHASE	Retail Store	Macy's Inc	Macy's Inc	5300 WESTERN AVENUE	CHEVY CHASE	MD	20815	2013
00149	Retail Store	Staples Inc.		7929 Eastern Ave	Baltimore	MD	21224	2014, 2012, 2011
00207	Retail Store	Staples Inc.		9091 Snowden River Pkwy	Columbia	MD	21045	2014, 2012, 2011
00240	Retail Store	Staples Inc.		1305 W 7th St	Frederick	MD	21702	2014, 2012
00302	Retail Store	Staples Inc.		405 N Center St	Westminster	MD	21157	2014
00325	Retail Store	Staples Inc.		615 Bel Air Rd	Bel Air	MD	21014	2014, 2012
00584	Retail Store	Staples Inc.		6139 Oxon Hill Rd.	Oxon Hill	MD	20745	2014, 2012
00626-Hagerstown, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	761 E. Wilson Blvd.	Hagerstown	MD	21740	2006
00698-Denton, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	840 5th Street	Denton	MD	21629	2006
01050-Smithsburg, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	22401 Jefferson Blvd.	Smithsburg	MD	21783	2006
01051	Retail Store	Staples Inc.		4380 Montgomery Road	Elicott City	MD	21043	2014, 2012
01147-Hagerstown, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	18717 North Pointe Drive	Hagerstown	MD	21742	2006
01178-Hagerstown, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	246 Eastern Blvd.	Hagerstown	MD	21742	2006
01180-Hagerstown, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	17718 Virginia Ave.	Hagerstown	MD	21740	2006
01187-Frostburg, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	17600 Hwy 40 Sw	Frostburg	MD	21532	2006
01222	Retail Store	Staples Inc.		8115 Honeygo Blvd	Nottingham	MD	21236	2014
01289	Retail Store	Staples Inc.		9616 Reisterstown Road	Owings Mills	MD	21117	2014
01316-Bryans Road, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2960 Marshall Hall Rd	Bryans Road	MD	20616	2006
01356-Accokeek, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	15789 Livingston Road	Accokeek	MD	20607	2006
01405-Middle River, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	1413 Fuselage Ave	Middle River	MD	21220	2006
01543	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	121 North Crain Hwy	Glen Burnie	MD	21061	2005
01559	Retail Store	Staples Inc.		8861 Branch Ave	Clinton	MD	20735	2014, 2012, 2011, 2010
01560	Retail Store	Staples Inc.		3024 Donnell Drive	Forestville	MD	20747	2011, 2010
01653-Essex, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	1585 Hyde Park Rd	Essex	MD	21221	2006

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
01661-Rockville, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	845 Rockville Pike	Rockville	MD	20852	2006
01683-Hagerstown, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	18360 College Rd	Hagerstown	MD	21740	2006
01885 - 20 Wight Avenue	Office	Liberty Property Trust	Liberty Property Trust	20 Wight Avenue	Cockysville	MD	21030	2012
01935 - 4 North Park Drive	Office	Liberty Property Trust		4 North Park Drive	Hunt Valley	MD	21030	2013, 2012,
01936 - 6 North Park Drive	Office	Liberty Property Trust	Liberty Property Trust	6 North Park Drive	Hunt Valley	MD	21030	2012
02523	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	486 Ritchie Hwy	Severna Park	MD	21146	2005
02703-Walkersville, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	8425 Woodsboro Pike	Walkersville	MD	21793	2006
02704-Frederick, MD	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2060 Yellow Springs Rd.	Frederick	MD	21702	2006
04881	Warehouse and Storage	Staples Inc.	Staples Inc.	7021 Dorsey Road	Hanover	MD	21076	2011
1 Verizon - Constellation Place	Office	Verizon	Verizon	Constellation Pl - 1 Pratt St.	Baltimore	MD	21202	2002
100 East Pratt Street	Office	Green Concepts International, LLC		100 East Pratt Street	Baltimore	MD	21202	2015, 2014, 2013, 2012, 2011, 2010
100 Painters Mill	Office	David S. Brown Enterprises	David S. Brown Enterprises	100 Painters Mill Rd.	Owings Mills	MD	21117	2010
100 West	Office	Realty Associates Fund IX	McShea Management, Inc.	100 West Road	Baltimore	MD	21204	2012
10001 New Hampshire Avenue	Office	10001 New Hampshire Avenue, Inc.	10001 New Hampshire Avenue, Inc.	10001 New Hampshire Avenue	Silver Spring	MD	20903	2012
10171-Glen Burnie	Retail Store	Kohl's Department Stores	Kohl's Department Stores	418 George Clauss Blvd	Severn	MD	21144	2009
10172-Salisbury	Retail Store	Kohl's Department Stores		128 West Dagsboro Road	Salisbury	MD	21801	2011
10264-Ellicott City	Retail Store	Kohl's Department Stores		4320 Montgomery Road	Ellicott City	MD	21043	2010
10265-Germantown	Retail Store	Kohl's Department Stores		20918 Frederick Road	Germantown	MD	20876	2011
10266-Laurel	Retail Store	Kohl's Department Stores		3323 Corridor Marketplace	Laurel	MD	20724	2014
10267-Waldorf-Solar	Retail Store	Kohl's Department Stores		11120 Mall Circle	Waldorf	MD	20603	2013
10315-Silver Spring	Retail Store	Kohl's Department Stores		12024 Cherry Hill Road	Silver Spring	MD	20904	2010
10350-Frederick	Retail Store	Kohl's Department Stores		7350 Guilford Drive	Frederick	MD	21704	2012
10392-Severna Park	Retail Store	Kohl's Department Stores		575 Ritchie Highway	Severna Park	MD	21146	2011
10463-Bel Air	Retail Store	Kohl's Department Stores	Kohl's Department Stores	5 K Bel Air South Parkway	Bel Air	MD	21015	2009
10491-Westminster	Retail Store	Kohl's Department Stores	Kohl's Department Stores	840 Market Street	Westminster	MD	21157	2009
10492-Eldersburg	Retail Store	Kohl's Department Stores	Kohl's Department Stores	1324 Londontown Blvd.	Eldersburg	MD	21784	2009
10665-Timonium	Retail Store	Kohl's Department Stores	Kohl's Department Stores	50 West Ridgely Rd	Timonium	MD	20193	2008
10987-Hagerstown	Retail Store	Kohl's Department Stores	Kohl's Department Stores	17145 Cole Road	Hagerstown	MD	21740	2008
1100 Wayne Avenue	Office	Brandywine Realty Trust		1100 Wayne Avenue	Silver Spring	MD	20910	2015, 2014, 2010

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
11304-LaVale	Retail Store	Kohl's Department Stores	Kohl's Department Stores	12101 Winchester Rd Ste. 2A	LaVale	MD	21502	2009
11317-Lexington Park	Retail Store	Kohl's Department Stores		22555 Three Notch Road	Lexington Park	MD	20653	2011
11329-Middle River	Retail Store	Kohl's Department Stores		1420 Martin Blvd	Middle River	MD	21220	2011
11330-Forest Hill	Retail Store	Kohl's Department Stores		50 Osborne Parkway	Forest Hill	MD	21050	2012
11352-Annapolis	Retail Store	Kohl's Department Stores		260 Solomons Island Road	Annapolis	MD	21401	2011
11443-Easton	Retail Store	Kohl's Department Stores		207 Marlboro Road	Easton	MD	21601	2013
11480-Aspen Hill	Retail Store	Kohl's Department Stores		3901 Aspen Hill Rd	Aspen Hill	MD	20906	2014
1234 - 201st Ops	Office	113th WG		1234 Menoher Dr.	Andrews AFB	MD	20762	2013
12410 Milestone Center Drive	Office	MEPT/Kennedy Associates	CB Richard Ellis	12410 Milestone Center Drive	Germantown	MD	20876	2010, 2009, 2008
12420 Parklawn	Office	JBG/12420 Parklawn, LLC	JBG/12420 Parklawn, LLC	12420 Parklawn Drive	Rockville	MD	20852	2013, 2012
125510 - Summit at Washingtonian	Office	American Real Estate Partners		9711 Washingtonian Blvd	Gaithersburg	MD	20878	2015
1401 Mercantile Lane	Office	Knollwood Development Corporation		1401 Mercantile Lane	Largo	MD	20774	2015, 2012
1401 Rockville Pike - Woodmont Office Center	Office	Government Properties Income Trust	Reit Management & Research LLC	1401 Rockville Pike	Rockville	MD	20852	2014, 2013, 2012, 2011, 2010
1442	Supermarket/Grocery Store	FOODLIONCORP		6920 Crestwood Blvd	Frederick	MD	21703	2013, 2010, 2008
1477	Supermarket/Grocery Store	FOODLIONCORP		883 Russell Ave.	Gaithersburg	MD	20879	2013
1862	Supermarket/Grocery Store	FOODLIONCORP		410 Sandy Springs Rd	Laurel	MD	20707	2013, 2008, 2005
1700 Research	Office	Washington Real Estate Investment Trust	Washington Real Estate Investment Trust	1700 Research Blvd	Rockville	MD	20850	2011, 2009
2024 Building	Office	Johns Hopkins University School Of Medicine		2024 E. Monument St.	Baltimore	MD	21205	2014
20400 Observation Drive	Office	Guardian Realty Management, Inc.		20400 Observation Drive	Germantown	MD	20876	2013
20410 Observation Drive	Office	Guardian Realty Management, Inc.		20410 Observation Drive	Germantown	MD	20876	2013
2115 East Jefferson Street	Office	Government Properties Income Trust	Reit Management & Research LLC	2115 East Jefferson Street	North Bethesda	MD	20852	2014
226 Schilling	Office	Baltimore MD Green II, LLC	MacKenzie Management	226 Schilling Circle	Hunt Valley	MD	21031	2014
250 West Pratt Street	Office	Behringer Harvard Property Trust		250 West Pratt Street Suite 130	Baltimore	MD	21201	2015, 2014, 2013, 2011, 2010, 2009, 2008
2566	Supermarket/Grocery Store	FOODLIONCORP		12675 Laurel Bowie Road	Laurel	MD	20708	2013, 2010, 2005
2600 Tower Oaks Blvd.	Office	Boston Properties Washington Regional Office		2600 Tower Oaks Blvd.	Rockville	MD	20852	2015, 2014, 2013, 2012, 2011, 2010
2614	Supermarket/Grocery Store	FOODLIONCORP		11007 Mankin Creed Rd	Berlin	MD	21811	2013
2630	Supermarket/Grocery Store	FOODLIONCORP		5301 Pulaski Hwy	Perryville	MD	21903	2013
2765-Easton MD	Retail Store	JCPenney	JCPenney	219 Marlboro Ave Ste 21	Easton	MD	21601	2009
303 International Circle	Office	Merritt Properties	Merritt Properties	303 International Circle	Hunt Valley	MD	21030	2012

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Mab's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
307 International Circle	Office	Liberty Property Trust	Liberty Property Trust	307 International Circle	Hunt Valley	MD	21030	2011, 2010
3275 Bennett Creek Avenue (LGA)	Office	LGA		3275 Bennett Creek Ave.	Frederick	MD	21704	2014, 2013
3300 75th Avenue	Office	America's Capital Partners	America's Capital Partners	3300 75th Avenue	Landover	MD	20785	2009
40 Gude	Office	Washington Real Estate Investment Trust		40 West Gude Drive	Rockville	MD	20850	2009
4700 River Road - USDA at Riverside	Office	Government Properties Income Trust	Reit Management & Research LLC	4700 River Road	Riverdale	MD	20737	2014, 2013, 2011, 2009
51 Monroe	Office	Washington Real Estate Investment Trust		51 Monroe Street	Rockville	MD	20850	2014
5515 Security Lane	Office	Rockwall I and II, LLC		5515 Security Lane	Rockville	MD	20852	2014, 2013, 2012, 2010, 2009, 2004
5630 Fishers Lane	Office	JBG/5630 Fishers, LLC	JBG/5630 Fishers, LLC	5630 Fisher Lane	Rockville	MD	20852	2013, 2012, 2011, 2010
5635 Fishers Lane	Office	JBG/8C Fishers III, L.P.		5635 Fishers Lane Suite 0200	Rockville	MD	20852	2015, 2014, 2013, 2012
600 Jefferson Plaza	Office	Washington Real Estate Investment Trust		600 Jefferson Street	Rockville	MD	20852	2013, 2011, 2009, 2014, 2013, 2011, 2008
6110 Executive Blvd	Office	Washington Real Estate Investment Trust		6110 Executive Blvd	Rockville	MD	20852	2011, 2008
6300 Security Boulevard	Office	Government Properties Income Trust	Reit Management & Research LLC	6300 Security Boulevard	Woodlawn	MD	21207	2015, 2013
6411 Ivy Lane, Greenbelt MD	Office	Mack-Cali Realty Corporation		6411 Ivy Lane	Greenbelt	MD	20770	2015
6500 Rock Spring Dr	Office	Vornado/Charles E. Smith	Vornado/Charles E. Smith	6500 Rock Spring Dr	Bethesda	MD	20817	2010
6701 Democracy Blvd.	Office	Vornado/Charles E. Smith		6701 Democracy Blvd.	Bethesda	MD	20817	2015, 2014, 2012, 2011, 2010, 2009, 2008, 2004, 2003, 2002
6707 Democracy Blvd.	Office	Vornado/Charles E. Smith		6707 Democracy Blvd.	Bethesda	MD	20817	2015, 2014, 2011, 2010, 2009, 2008, 2004, 2003, 2001
6710 Rockledge Drive	Office	TIAA-CREF	Transwestern Commercial Services	6710 Rockledge Drive	Bethesda	MD	20817	2010, 2009, 2007, 2006, 2004, 2003, 2002, 2015, 2014,
7101 WISCONSIN AVENUE	Office	Brandywine Wisc Ave LLC		7101 WISCONSIN AVENUE	BELTSVILLE	MD	20814	2012, 2011
7200 Wisconsin Avenue	Office	JBG/7200 Wisconsin, LLC		7200 Wisconsin Avenue	Bethesda	MD	20814	2015, 2014
7201 Wisconsin	Office	7201 Wisconsin, LLC	7201 Wisconsin, LLC	7201 Wisconsin Ave	Bethesda	MD	20814	2012
7240 Parkway Dr	Office	Anne Arundel MD Green, LLC	Colliers International	7240 Parkway Dr	Hanover	MD	21076	2014
750 East Pratt St	Office	750 East Pratt, LLC	Cassidy Turley	750 East Pratt Street	Baltimore	MD	21202	2014, 2013, 2012, 2011, 2010

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
								2015, 2014, 2012, 2010,
7501 Wisconsin Ave.	Office	7501 Wisconsin LLC		7501 Wisconsin Ave	Bethesda	MD	20814	2009, 2008, 2007
7811 Montrose	Office	Wilco Companies	Wilco Companies	7811 Montrose Road	Rockville	MD	20854	2012
801 Thompson	Office	Behringer Harvard Property Trust		801 Thompson Avenue	Rockville	MD	20852	2014, 2013, 2012, 2010
8484 Georgia Avenue	Office	Brandywine Realty Trust		8484 Georgia Avenue	Silver Spring	MD	20910	2015, 2014
8701 Georgia Avenue	Office	Guardian Realty Management, Inc.		8701 Georgia Avenue	Silver Spring	MD	20910	2013
8757 Georgia Avenue Office Building	Office	Washington Property Company, LLC	Washington Property Company, LLC	8757 Georgia Avenue	Silver Spring	MD	20910	2013, 2008
9200 Corporate Blvd.	Office	Piedmont Office Realty Trust		9200 Corporate Blvd	Rockville	MD	20850	2014, 2012, 2011, 2010
9500 Arena Drive	Office	Knollwood Development Corporation		9500 Arena Drive	Largo	MD	20814	2015, 2011, 2008
9701 Apollo Drive	Office	Knollwood Development Corporation		9701 Apollo Drive	Largo	MD	20774	2015, 2011, 2008
9770 Patuxent Woods Drive	Office	Liberty Property Trust	Liberty Property Trust	9770 Patuxent Woods Drive	Columbia	MD	21046	2011
Aerotek	Office	Alegis Group		7301 Parkway Drive	Hanover	MD	21078	2014, 2013
Air Rights Center North Tower	Office	Bethesda ARC, LLC	Jones Lang LaSalle	4550 Montgomery Avenue	Bethesda	MD	20814	2011
Annapolis Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	2559 Riva Rd	Annapolis	MD	21401	2006
Annapolis Junction	Office	Boston Properties Washington Regional Office		8210 Dorsey Run Rd	Annapolis Junction	MD	20701	2015, 2014, 2013, 2012, 2011, 2010
ANNAPOLIS, MD-2102 - jcp	Retail Store	JCPenney	JCPenney	1695 ANNAPOLIS MALL	ANNAPOLIS	MD	21401	2013
Annie Arundel County Public Schools Belle Grove Elementary School	K-12 School	Anne Arundel County Public School		4502 Belle Grove Road	Baltimore	MD	21225	2014
Annie E. Casey Foundation	Office	Annie E. Casey Foundation	CBRE   Asset Services	701 St. Paul St	Baltimore	MD	21202	2012, 2005, 2004
Arium Office	Office	Arium AE	Arium AE	5537 Twin Knolls Road Suite 435	Columbia	MD	21045	2010
Atria Salisbury	Senior Care Community	VTR Salisbury Business Trust	Atria Management Company, LLC	1110 Heathway Dr	Salisbury	MD	21804	2014
Baltimore / BWI Airport Residence Inn	Hotel	Marriott International, Inc.	Marriott International, Inc.	1160 Winterson Rd	Linthicum	MD	21090	2006
Baltimore / Hunt Valley Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	221 International Circle	Hunt Valley	MD	21030	2006
Baltimore BWI Airport Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	1671 W Nursery Rd	Linthicum Heights	MD	21090	2007
BALTIMORE, MD-0982	Retail Store	JCPenney		7777 EASTPOINT MALL	BALTIMORE	MD	21224	2014
BALTIMORE, MD-1869-MS - jcp	Retail Store	JCPenney	JCPenney	8200 PERRY HALL BLVD	BALTIMORE	MD	21236	2013
Bayside Elementary School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	301 Church Street	Stevensville	MD	21666	2008
BEL AIR, MD-0209	Retail Store	JCPenney		3411 Merchant Blvd	Abingdon	MD	21009	2015
Bethesda Crescent 4600	Office	Brookfield Properties		4600 East West Highway	Bethesda	MD	20814	2015, 2013, 2012
Bethesda Crescent 7401	Office	Brookfield Properties		7401 Wisconsin Avenue	Bethesda	MD	20814	2014, 2013, 2012

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Bethesda Crescent 7475	Office	Brookfield Properties		7475 Wisconsin Avenue	Bethesda	MD	20814	2014, 2013, 2012, 2011, 2010
Bethesda Office Center	Office	AEW Capital Management, L.P.	Lincoln Property Company	4520 East West Hwy	Bethesda	MD	20814	2010
Bethesda Place I	Office	Bethesda Place Limited Partnership	Polinger Shannon & Luchs	7700 Wisconsin Ave	Bethesda	MD	20814	2012, 2011, 2009
Bethesda Place II	Office	Polinger Shannon & Luchs		7600 Wisconsin Avenue	Bethesda	MD	20814	2014, 2012
Blackwater NWR Administrative Offices	Office	U.S. Fish and Wildlife Service	U.S. Fish and Wildlife Service	2145 Key Wallace Drive	Cambridge	MD	20613	2012
Blackwell I	Office	Foulger-Pratt Management, Inc.	Foulger-Pratt Management, Inc.	9601 Blackwell Road	Rockville	MD	20850	2009
Blair East	Multifamily Housing	The Tower Companies		1220 E West Hwy	Silver Spring	MD	20910	2014
Blair House	Multifamily Housing	The Tower Companies		8201 16th Street	Silver Spring	MD	20910	2014
Blair Plaza	Multifamily Housing	The Tower Companies		1401 Blair Mill Road	Silver Spring	MD	20910	2014
Bank Branch/Elliott Road/MD/Site #C392	Bank Branch	PNC Bank		8233 ELLIOTT RD	EASTON	MD	21601	2014
Bank Branch/Havre de Grace/MD/Site #C308	Bank Branch	PNC Bank		238 N WASHINGTON ST	HAVRE DE GRACE	MD	21078	2015
Bank Branch/Marlboro Road/MD/Site #C393	Bank Branch	PNC Bank		104 MARLBORO AVE	EASTON	MD	21601	2014
Bank Branch/Rogers Ave/MD/Site #C682	Bank Branch	PNC Bank		8593 BALTIMORE NATIONAL PIKE	ELLCOTT CITY	MD	21043	2015
Bank Branch/SNOW HILL/MD/Site #C220	Bank Branch	PNC Bank		309 N WASHINGTON ST	SNOW HILL	MD	21863	2015
Bank Branch/Sudlersville/MD/Site #C386	Bank Branch	PNC Bank		103 MAIN STREET	SUDLERSVILLE	MD	21668	2015, 2013
Bowie Corporate Center	Office	Bowie Corporate Center Limited Partnership	Buchanan Properties, LLC	4321 Collington Road	Bowie	MD	20716	2008
Brown's Wharf, LLC/1615 Thames Street	Office	Brown's Wharf, LLC	Cassidy Turley Remington Hotel Corporation	1615 Thames Street	Baltimore	MD	21231	2012
BWI-Springhill Suites BWI	Hotel	Ashford Hospitality Trust		899 Elkridge-Landing Rd	Heights	MD	21090	2007
CALVERTON I	Office	Brandywine Calverton LLC		11700 BELTSVILLE DRIVE	BELTSVILLE	MD	20705	2015, 2014, 2014, 2013, 2012, 2011, 2010, 2009, 2007, 2006, 2004, 2003
CALVERTON II	Office	Brandywine Calverton LLC		11710 BELTSVILLE DRIVE	BELTSVILLE	MD	20705	2011, 2010
CALVERTON III	Office	Brandywine Calverton LLC		11720 BELTSVILLE DRIVE	BELTSVILLE	MD	20705	2015, 2014, 2012, 2011, 2008
Capital Gateway I	Office	TIAA-CREF	Transwestern Commercial Services	6700 Rockledge Drive	Bethesda	MD	20817	2014, 2013, 2012, 2011, 2010, 2009, 2007, 2006, 2004, 2003
Carter G. Woodson Elementary School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	281 Woodson School Road	Crisfield	MD	21817	2011, 2010
Centreville Elementary School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	213 Homewood Avenue	Centreville	MD	21617	2008
Centreville Middle School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	231 Ruthsburg Road	Centreville	MD	21817	2008
Chase Tower Office - 4445 Willard Avenue	Office	JBG/BC Chase Tower, L.P. c/o JBG/Commercial Management, L.L.C.		4445 Willard Avenue	Chevy Chase	MD	20815	2014, 2013, 2012, 2011, 2010, 2009
Chesapeake Bay Exploration Center	Office	Queen Anne's County Dept of Public Works	Queen Anne's County Dept of Public Works	425 Piney Narrows Rd	Chester	MD	21619	2008

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Chesapeake Bay Foundation Philip Merrill Center	Office	Chesapeake Bay Foundation	Chesapeake Bay Foundation	8 Herndon Avenue	Annapolis	MD	21403	2008, 2006
Chevy Chase Building	Other	Polinger Shannon & Luchs		5530 Wisconsin Avenue	Chevy Chase	MD	20815	2014
Church Hill Elementary School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	631 Main Street	Church Hill	MD	21623	2008
City of Baltimore - City Hall	Office	City of Baltimore	City of Baltimore	100 Holiday Street	Baltimore	MD	21201	2005
City of Baltimore - Guilford Building	Office	City of Baltimore	City of Baltimore	206 North Guilford	Baltimore	MD	21201	2005
City of Baltimore - People's Court	Office	City of Baltimore	City of Baltimore	501 E. Fayette Street	Baltimore	MD	21201	2005
Clark Office Building	Office	Clark Office Building LLC	Clark Office Building LLC	7500 Old Georgetown Rd 16th Floor	Bethesda	MD	20814	2011
Colonel Richardson School Complex	K-12 School	Caroline County Public Schools	Caroline County Public Schools	25320 Richardson Road	Federalsburg	MD	21632	2012, 2010
Columbia Corporate Park 2	Office	Merritt Properties, LLC	Merritt Properties, LLC	8840 Stanford Blvd	Columbia	MD	21045	2010, 2008
Columbia Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	8910 Stanford Blvd	Columbia	MD	21045	2006
Columbia Residence Inn	Hotel	Marriott International, Inc.	Marriott International, Inc.	4950 Beaver Run Rd	Columbia	MD	21043	2006
Columbia, MD	Retail Store	Verizon Wireless		9021 SNOWDEN SQUARE DR STE A	COLUMBIA	MD	21046	2014, 2012, 2010, 2009
Country Inn and Suites - Annapolis	Hotel	Country Inn and Suites		2800 Housley Rd.	Annapolis	MD	21401	2014
CP - Barlow Building	Medical Office	Carr Properties	Carr Properties	5454 Wisconsin Ave	Chevy Chase	MD	20815	2013, 2012
Crisfield High School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	210 North Somerset Avenue	Crisfield	MD	21817	2011, 2010
David S. Brown 700 Red Brook	Office	David S. Brown Enterprises, Ltd	David S. Brown Enterprises, Ltd	700 Red Brook	Owings Mills	MD	21117	2011
Deal Island Elementary School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	23275 Lola Wheatley Road	Deal Island	MD	21821	2011, 2010, 2014, 2013,
Democracy Center I - 6901 Rockledge Dr	Office	Democracy Associates Limited Partnership	Cassidy & Pinkard	6901 Rockledge Drive	Bethesda	MD	20817	2012, 2011
Democracy Center II	Office	Prudential Real Estate Investors	Colliers	6903 Rockledge Drive	Bethesda	MD	20817	2012
Democracy Center III - 6905 Rockledge Dr	Office	Democracy Associates Limited Partnership	Cassidy & Pinkard	6905 Rockledge Drive	Bethesda	MD	20817	2014, 2013, 2012
Denton Elementary School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	303 Sharp Road	Denton	MD	21629	2012, 2010
Department of Parks and Recreation	Office	Queen Anne's County Dept of Parks and Recreation	Queen Anne's County Dept of Parks and Recreation	1945 4-H Park Rd	Centreville	MD	21617	2008
Discovery World Headquarters	Office	Discovery Communications	Discovery Communications	One Discovery Place	Silver Spring	MD	20910	2013, 2012, 2010, 2009, 2008
Dulaney Center	Office	Guardian Realty Management, Inc.		849 Fairmount Avenue	Towson	MD	21286	2013
Element Fleet Management	Office	Element Fleet Management	Pinkard Properties LLC	940 Ridgebrook Road	Sparks	MD	21152	2014, 2013, 2012, 2010
Erie Insurance, Hagerstown Claims Office	Office	Erie Insurance Company	Erie Insurance Company	18544 Breeze Hill Road	Hagerstown	MD	21742	2012
Federalsburg Elementary School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	302 South University Avenue	Federalsburg	MD	21632	2012, 2010
FL 0784	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	45315 Alton Lane	California	MD	20619	2012

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Labeled Buildings

FL#	Building Name	Owner	Company	Address	City	State	Year 1	Year 2
(71033A)	MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817 2013
FL 1474	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	8741 Piney Orchard Pkwy	Odenton	MD	21113	2012
FL 2501	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	8300 Ice Crystal Dr	Scaggsville	MD	20723	2012
FL 2606	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	11760 HG Trueman Rd	Lusby	MD	20657	2012
FL# 0246	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	11801 Coastal Hwy	Ocean City	MD	21842	2005
FL# 0397	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	Rt 50 & Hwy 611	Ocean City	MD	21842	2005
FL# 0658	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	10126 Old Ocean City Blvd	Berlin	MD	21811	2005
FL# 0786	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	10 Village Center Rd	Reisterstown	MD	21136	2005
FL# 0800	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	Snow Hill Road/regency Dr	Salisbury	MD	21801	2005
FL# 1153	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	12158 Brittingham Lane	Princess Anne	MD	21853	2005
FL# 1158	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	6 Washington Street	Cambridge	MD	21613	2005
FL# 1168	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	100 Drury Lane Laplata Vi	LA Plata	MD	20646	2005
FL# 1184	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	3200 Old Washington Road	Waldorf	MD	20602	2005
FL# 1210	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	19 St. Mary's Square	Lexington Park	MD	20653	2005
FL# 1211	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	1216 Quantico Rd.	Salisbury	MD	21801	2005
FL# 1216	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	Hwy 15 & Tippin drive	Thurmont	MD	21788	2009
FL# 1238	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	11800 Old National Pike	New Market	MD	21774	2005
FL# 1268	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	Us Rt. 50/tighman Rd	Salisbury	MD	21801	2005
FL# 1289	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	219 Marlboro Ave	Easton	MD	21601	2005
FL# 1297	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	Md. Rt 313 @ Bloomingdale	Feddersburg	MD	21632	2005
FL# 1313	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	Us Route 50/301 @ Thomp's	Stevensville	MD	21666	2005
FL# 1315	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	3261 Solomons Island Rd.	Edgewater	MD	21037	2005
FL# 1319	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	30280 ML Wolf Rd.	Charlotte Hall	MD	20622	2005
FL# 1324	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	6375 Monroe Avenue	Eldersburg	MD	21784	2005
FL# 1328	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	9910 Liberty Rd.	Randallstown	MD	21133	2005

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
FL# 1363	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2500 West Pulasky Hwy	North East	MD	21901	2009
FL# 1387	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	12100 Central Ave.	Mitchellville	MD	20721	2009
FL# 1412	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	8508 Liberty Road	Randallstown	MD	21133	2005
FL# 1413	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	8635 Walther Blvd	Perry Hall	MD	21236	2005
FL# 1414	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	9500 Se Crain Hwy	Upper Marlboro	MD	20772	2005
FL# 1423	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2458 Churchville Rd	BEL AIR	MD	21015	2005
FL# 1443	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	13300 Hg Truman Road	Solomon's Island	MD	20629	2005
FL# 1465	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	1312 S. Main St Suite 4	Mount Airy	MD	21771	2005
FL# 1526	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	750 Prince Frederick Blvd	Prince Frederick	MD	20678	2005
FL# 1529	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	6551 Waterloo Rd	Elkridge	MD	21075	2005
FL# 1535	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	5715 Crain Hwy	Upper Marlboro	MD	20772	2005
FL# 1547	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2250 Hanson Rd	Edgewood	MD	21040	2005
FL# 1549	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	15300 McMullen Hwy Sw	Cumberland	MD	21502	2008
FL# 1558	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	1001 East Pulaski Hwy	Elkton	MD	21921	2005
FL# 1580	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	206 N. Fruitland Blvd	Fruitland	MD	21826	2005
FL# 1664	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	122 Cranbrook Rd	Cockeysville	MD	21030	2005
FL# 2515	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	20995 Point Lookout Rd	Callaway	MD	20620	2005
FL# 2522	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2466 Centerville Road	Centerville	MD	21617	2005
FL# 2535	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	9251 Lakeside Blvd	Owings Mill	MD	21117	2005
FL# 2547	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	242 West Smallwood DR	Waldorf	MD	20603	2005
FL# 2559	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	7069 Biltmore Annapolis Blvd	Lithicum	MD	21061	2005
FL# 2560	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	7514 North Point RD	Edgemere	MD	21219	2005
FL# 2587	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	140 Englar Rd	Westminster	MD	21157	2010
FL# 2598	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	5896 Robert Oliver Place	Columbia	MD	21044	2008

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Mary's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
FL# 2911	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	16567 S. Frederick Rd	Gaithersburg	MD	20877	2010
FL#0656	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	40955 Merchant Lane	Leonardtown	MD	20650	2005
FL#0950	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	511 East Baltimore St	Taneytown	MD	21787	2005
FL#1668	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	350 Mountain Road	Pasadena	MD	21122	2005
FL#2517	Supermarket/Grocery Store	FOODLIONCORP	FOODLIONCORP	2655 Annapolis Road (Rt 175)	Hanover	MD	21076	2005
FORESTVILLE (1897)	Retail Store	Target Corporation	Target Corporation	3101 DONNELL DR	DISTRICT HEIGHTS	MD	20747	2010
FORESTVILLE, MD-1951 - icp	Retail Store	JCPenney	JCPenney	3401 DONNELL DR	FORESTVILLE	MD	20747	2012
Four Irvington Centre	Office	American Real Estate Partners	American Real Estate Partners	605 King Farm Boulevard	Rockville	MD	20850	2013, 2011
Four Owings Mills Corporate Center	Office	Bel Carol / Bel Calvert LLC	Lincoln Property Company	10453 Mill Run Circle	Owings Mills	MD	21117	2015
Franklin Center	Office	Wells Real Estate Funds	Wells REIT II - 80 M Street, LLC	6841 Benjamin Franklin Dr	Columbia	MD	21046	2012, 2010
Frederick County Health Department	Office	Board of County Commissioner of Frederick Maryland	Frederick County Maintenance Department	350 Monteveue Lane	Frederick	MD	21702	2011
Fruitland Intermediate School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	208 W. Maint St.	Fruitland	MD	21826	2012, 2011
Fruitland Primary School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	301 N. Division St.	Fruitland	MD	21826	2011
Gaithersburg SpringHill Suites	Hotel	Marriott International, Inc.	Marriott International, Inc.	9715 Washintonian Blyd	Gaithersburg	MD	20878	2008
Gaithersburg Washingtonian Center Courtyard	Hotel	Marriott International, Inc.	Marriott Courtyard - Gaithersburg Washingtonian Center	204 Boardwalk Place	Gaithersburg	MD	20878	2008
GAITHERSBURG, MD-0273	Retail Store	JCPenney		701 RUSSELL AVE	GAITHERSBUR	MD	20877	2014
Garden Plaza	Office	Garden Plaza LLC		7700 Old Georgetown Rd.	bethesda	MD	20814	2015
Gateway Tower	Office	Transwestern Gateway LLC	Transwestern Gateway LLC	401 North Washington ST.	Rockville	MD	20850	2005
Giant Eagle 1841 Waverly	Supermarket/Grocery Store	Giant Eagle, Inc.	Giant Eagle, Inc.	1275 West Patrick Street	Frederick	MD	21702	2011, 2008
Giant Eagle 1842 West 7th Street	Supermarket/Grocery Store	Giant Eagle, Inc.	Giant Eagle, Inc.	1305 West 7th Street	Frederick	MD	21701	2008
Glascock Building	Office	James Plasker	RECURRENT	5410 Grosvenor Lane	Bethesda	MD	20814	2013
GLENBURNIE, MD-0786 - icp	Retail Store	JCPenney	JCPenney	7900 GOVERNOR RITCHIE HWY	GLEN BURNIE	MD	21061	2013
Grasonville Elementary School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	5435 Main Street	Grasonville	MD	21638	2008
Greenbelt Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	6301 Golden Triangle Dr	Greenbelt	MD	20770	2006
Greensboro Elementary School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	625 North Main Street	Greensboro	MD	21639	2012, 2010
Greenwood Elementary School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	11412 Dryden Road	Princess Anne	MD	21853	2011, 2010

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Hampden Square	Office	Azure 14th Street Corporation	Cassidy Turley	4800 Montgomery Lane	Bethesda	MD	20814	2014, 2013, 2012
Harbor East Parcel B-Commercial, LLC	Office	Harbor East Parcel B-Commercial, LLC	Harbor East Management Group	650 South Exeter Street	Baltimore	MD	21202	2011
Harbor East Parcel C-Commercial, LLC	Office	Harbor East Management Group	Harbor East Management Group	1001 Fleet Street	Baltimore	MD	21202	2012
Harbor East Parcel D-Commercial, LLC	Office	Harbor East Parcel D-Commercial, LLC	Harbor East Management Group	100 International Dr.	Baltimore	MD	21202	2012
Health Care Finance Administration	Office	General Services Administration		7500 Security Blvd.	Baltimore	MD	21244	2000
Holiday Inn Express and Suites Elkridge	Hotel	Lyndwood Hospitality LLC.		6064 Marshalee Drive	Elkridge	MD	21075	2013
James M. Bennett High School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	300 E. College Ave.	Salisbury	MD	21804	2012
JBG 1 Choke Cherry LLC	Office	JBG/1 Choke Cherry, L.L.C. c/o JBG/Commercial Management, L.L.C		One Choke Cherry Lane	Rockville	MD	20850	2015, 2014, 2013, 2012, 2011, 2010, 2009
JBG/ 5 Choke Cherry, LLC	Office	JBG/ 5 Choke Cherry LLC	The JBG Companies	5 Choke Cherry RD	Rockville MD	MD	20850	2012, 2011
Jessup State Complex	Office	MD Dept. of General Services	MD Dept. of General Services	7275 Waterloo Road	Jessup	MD	20794	2012
Kennard Elementary School	K-12 School	Queen Anne's County Public Schools	Queen Anne's County Public Schools	420 Little Kidwell Avenue	Centreville	MD	21617	2008
Kmart Oxon Hill, MD	Retail Store	Sears Holdings Corporation		6163 Oxon Hill Road	Oxon Hill	MD	20745	2014, 2012
Kmart Salisbury, MD	Retail Store	Sears Holdings Corporation		301 Tighman Road	Salisbury	MD	21804	2014
Konterra Headquarters	Office	Konterra Realty	Konterra Realty	14401 Sweitzer Lane	Laurel	MD	20707	2014
Lakefront at Washingtonian	Office	The Brick Companies	The Brick Companies	5841 Washingtonian Blvd	Gaithersburg	MD	20878	2011, 2009
LANHAM, MD-0194	Retail Store	JCPenney	JCPenney	9100 MCHUGH DR STE 576	LANHAM	MD	20706	2012
Liberty Property Trust, 11841 Newgate Blvd	Warehouse and Storage	Liberty Property Trust	Liberty Property Trust	11841 Newgate Blvd	Hagerstown	MD	21740	2012, 2010
Lockerman Middle School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	410 Lockerman Street	Denton	MD	21629	2012, 2010
Lockheed Martin Corporation	Office	Lockheed Martin Corporation	Lockheed Martin Corporation	8801 Rockledge Drive	Bethesda	MD	20817	2001
LPF 7805 JESSUP, LLC	Warehouse and Storage	LaSalle Investment Management, Inc.	Cushman & Wakefield of Maryland	7805 DORSEY RUN ROAD	JESSUP	MD	20794	2013
Lyndwood Executive Bldg 1	Office	MEPT/Kennedy Associates	CB Richard Ellis	6085 Marshalee Drive	Elkridge	MD	21075	2012, 2011, 2009, 2008, 2007
Lyndwood Executive Bldg 2	Office	MEPT/Kennedy Associates	CB Richard Ellis	6095 Marshalee Drive	Elkridge	MD	21075	2012, 2011, 2009, 2008
Marion Sarah Peyton School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	28573 Hudson Corner Road	Marion	MD	21838	2010
Mary Risteau District Court and Multi-Service Center	Courthouse	MD Dept. of General Services	MD Dept. of General Services	2 S Bond Street	Bel Air	MD	21014	2013, 2011, 2010, 2009
Maryland Environmental Service	Office	Maryland Environmental Service	Environmental Service	259 Najoles Rd	Millersville	MD	21108	2010, 2009
Matapeake Elementary School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	651 Romacoke Road	Stevensville	MD	21666	2008
Matapeake Middle School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	671 Romacoke Road	Stevensville	MD	21666	2008
Metro Park V	Office	PS Business Parks	PS Business Parks	7361 Calhoun Place	Rockville	MD	20855	2012, 2010

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Metroplex-8401 Corporate	Office	MPLX Landover Co LLC	Lincoln Property Company	8401 Corporate Drive	Hyattsville	MD	20785	2009
Milestone Business Park - Milestone IV - 2801	Office	Milestone Industrial, LC	CB Richard Ellis	12420 Milestone Center Drive	Germantown	MD	20876	2013
Montgomery Executive Center	Office	Glenborough	Glenborough	6 Montgomery Village Ave.	Gaithersburg	MD	20879	2012
Montpelier	Office	Bel Montpelier LLC	Lincoln Property Company	7651 Montpelier Rd	Laurel	MD	20723	2015, 2014, 2013, 2011, 2010, 2009
Montrose Metro II	Office	PM Realty Group		11919 Rockville Pike	Rockville	MD	20852	2014, 2013, 2012, 2010
National Cancer Institute Rockville	Office	JBG/Rockville NCI Campus, L.L.C. c/o JBG/Commercial Management, L.L.C.		9609 Medical Center Drive	Rockville	MD	20850	2015, 2014
New Carrollton / Landover Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	8330 Corporate Dr	Landover	MD	20785	2006
North Caroline High School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	10990 River Road	Ridgely	MD	21660	2012
North Caroline High School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	10855 Central Avenue	Ridgely	MD	21660	2010
North Salisbury Elementary School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	1213 Emerson Ave.	Salisbury	MD	21801	2012, 2011
One Central Plaza	Office	Washington Real Estate Investment Trust		11300 Rockville Pike	Rockville	MD	20852	2014, 2013, 2011
One Hunt Valley	Office	Baltimore MD Green II, LLC	MacKenzie Management	11311 McCormick Rd.	Cockeysville	MD	21030	2014
One Preserve Parkway	Office	Boston Properties Washington Regional Office		One Preserve Pkwy.	Rockville	MD	20852	2013, 2012, 2011
One Rock Spring, L.P.	Office	Tishman Speyer	Tishman Speyer	6550 Rock Spring Drive	Bethesda	MD	20817	2012, 2010, 2008
ONE ROCKLEDGE ASSOCIATES	Office	Brandywine Realty Trust		6600 ROCKLEDGE DRIVE	BETHESDA	MD	20817	2014, 2013
One Rockledge Centre	Office	Rockledge Centre Associates, L.P.	Jones Lang LaSalle	6705 Rockledge Drive Suite 500	Bethesda	MD	20817	2013, 2012
One Washingtonian Center	Office	C B Richard Ellis		9801 Washingtonian Boulevard Lower Level	Gaithersburg	MD	20878	2013, 2012, 2011, 2010, 2009, 2008, 2007
Park Plaza I	Office	Carr Properties		2101 Gaither Rd	Rockville	MD	20860	2015, 2014
Parklawn Plaza	Office	Washington Real Estate Investment Trust	Washington Real Estate Investment Trust	11821 Parklawn Drive	Rockville	MD	20852	2009
Pemberton Elementary School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education.	1300 Pemberton Dr.	Salisbury	MD	21801	2012
Physicians Office Building II	Office	Foulger-Pratt Management, Inc.	Foulger-Pratt Management, Inc.	18109 Prince Philips Drive	Oney	MD	20832	2009
Piedmont Pointe I	Office	Piedmont Office Realty Trust		6720-A Rockledge Dr.	Bethesda	MD	20817	2014, 2013, 2012
Piedmont Pointe II	Office	Piedmont Office Realty Trust		6720-B Rockledge Dr.	Bethesda	MD	20817	2014
PNC Bank / Centreville, MD / C389	Bank Branch	Barbados Hall LLC	PNC Bank	210 E WATER ST	CENTREVILLE	MD	21617	2012
PNC Bank / Galena, MD / Site #C382	Bank Branch	PNC Bank	PNC Bank	101 W CROSS ST	GALENA	MD	21635	2012
PNC Bank / St Michaels, MD / Site C390	Bank Branch	PNC Bank	PNC Bank	1213 S. TALBOT STREET	ST MICHAELS	MD	21663	2013

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Preston Elementary School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	225 Main Street	Preston	MD	21655	2012, 2010
Prince St. Elementary School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	400 Prince St.	Salisbury	MD	21804	2012, 2011
Queen Anne's County High School	K-12 School	Queen Anne's County Public Schools	Queen Anne's County Public Schools	125 Ruthsburg Road	Centreville	MD	21617	2009
Redland I - 540 Gaither Rd	Office	First Potomac Realty Trust		540 Gaither Road	Rockville	MD	20850	2015
Redland III - 530 Gaither Rd	Office	First Potomac		530 Gaither Road	Rockville	MD	20850	2014
REICO	Warehouse and Storage	Liberty Property Trust		6600 Business Parkway	Elkridge	MD	21075	2015
RESEARCH OFFICE CENTER II	Office	Brandywine Research, LLC		2275 RESEARCH BOULEVARD	ROCKVILLE	MD	20850	2015, 2014, 2012, 2011
RESEARCH OFFICE CENTER III	Office	Brandywine Research, LLC		2273 RESEARCH BOULEVARD	ROCKVILLE	MD	20850	2015
Ridgely Elementary School	K-12 School	Caroline County Public Schools	Caroline County Public Schools	118 North Central Avenue	Ridgely	MD	21860	2012, 2010
Ridges	Office	Washington Real Estate Investment Trust		200 Orchard Ridge Drive	Gaithersburg	MD	20878	2009
Rite Aid #2204	Retail Store	Rite Aid Corporation	Rite Aid Corporation	2801 Foster Avenue	Baltimore	MD	21224	2012
Rite Aid Store #2212	Retail Store	Rite Aid Corporation		6402 Golden Ring Road	Baltimore	MD	21237	2013
Rockville Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	2500 Research Blvd	Rockville	MD	20850	2006
Rockville Metro Center	Office	Foulger-Pratt Management, Inc.	Foulger-Pratt Management, Inc.	111 Rockville Pike	Rockville	MD	20850	2009
Rockwall 1	Office	Rockwall 1 and 2 LLC	The JBG Companies	11400 Rockville Pike	Rockville	MD	20852	2010
S-01798 - 6220 Old Dobbin Lane	Office	LSOP 3 MD 5, LLC	Cushman and Wakefield of Maryland	6220 Old Dobbin Lane	Columbia	MD	21044	2014, 2013, 2012, 2011, 2010
S-01976 - 6230 Old Dobbin Lane	Office	LSOP 3 MD 5, LLC	Cushman and Wakefield of Maryland	6230 Old Dobbin Lane	Columbia	MD	21045	2014, 2013, 2012, 2011, 2010
S-02087 - 9755 Patuxent Woods Drive	Office	LSOP 3 MD 3, LLC	Colliers International (MD)	9755 Patuxent Woods Drive	Columbia	MD	21046	2015, 2013, 2012, 2011, 2010
SALISBURY ADMINISTRATION/MD/Site #CA15	Office	PNC Bank		110 W MAIN ST	SALISBURY	MD	21801	2014
SALISBURY MD-2361 - Jcp	Retail Store	JCPenney	JCPenney	2308 N SALISBURY BLVD	SALISBURY	MD	21801	2013
Sam Hicks - FBI Building	Office	Rubicon GSA II Windsor Corporate Center 5, LLC	Kaufman Jacobs Mackenzie Management	2600 Lord-Baltimore Drive	Baltimore	MD	21244	2014, 2012
Schilling Lot 21	Office	Schilling Pepper Improvements Business Trust		111 Schilling Road	Hunt Valley	MD	21030	2010, 2009
Sears Glen Burnie, MD	Retail Store	Sears Holdings Corporation		7900 RITCHIE HWY	Glen Burnie	MD	21061	2014, 2012, 2010
Sears Store 1374 - Bel Air, MD	Retail Store	Sears Holdings Management Corporation	Sears Holdings Management Corporation	658 Baltimore Pike	BEL AIR	MD	21014	2012
Sears Store 1634 - Baltimore MD	Retail Store	Sears Holdings Management Corporation	Sears Holdings Management Corporation	6901 Security Blvd	Baltimore	MD	21244	2012
Sears Store 1754 - Gaithersburg, MD	Retail Store	Sears Holding Management Corporation	Sears Holdings Management Corporation	701 RUSSELL AVE	GAITHERSBUR G	MD	20877	2011

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Sears Store 1844 - Columbia, MD	Retail Store	Sears Holdings Management Corporation	Sears Holdings Management Corporation	10300 LITTLE PATUXENT	COLUMBIA	MD	21044	2011
Sears Store 1854 - Baltimore, MD	Retail Store	Sears Holding Management Corporation	Sears Holdings Management Corporation	8200 PERRY HALL	BALTIMORE	MD	21236	2011
Sears Store 1864 - Cockeysville MD	Retail Store	Sears Holdings Management Corporation	Sears Holdings Management Corporation	126 SHAWAN RD	Cockeysville	MD	21030	2012
Sears Store 2664-Frederick, MD	Retail Store	Sears Holdings Management Corporation	Sears Holdings Management Corporation	5500 BUCKEYSTOWN PIKE	FREDERICK	MD	21703	2011
Sears Store 2774 - Cumberland, MD	Retail Store	Sears Holding Management Corporation	Sears Holdings Management Corporation	1262 VOCKE RD	CUMBERLAND	MD	21502	2011
Sears Store 2963 - Westminster, MD	Retail Store	Sears Holdings Management Corporation	Sears Holdings Management Corporation	400 N CENTER ST	Westminster	MD	21157	2012
Seventh-Day Adventist World HQ	Office	Seventh Day Adventist		12501 Old Columbia Pike	Silver Spring	MD	20904	2013
Shady Grove Plaza	Office	SG Holdings LLC c/o Meritage Properties	10401 Fernwood LLC, c/o LPC Commercial Properties Inc.	15245 Shady Grove Road	Rockville	MD	20850	2013
Siemens Beltsville	Office	Siemens Beltsville		6435 Virginia Manor Road	Beltsville	MD	20705	2013, 2012, 2010
Silver Spring North Courtyard	Hotel	Marriott International, Inc.	Marriott International, Inc.	12521 Prosperity Dr	Silver Spring	MD	20904	2007
Silver Spring Residence Inn	Hotel	Marriott International, Inc.	Marriott International, Inc.	12000 Plum Orchard Dr.	Silver Spring	MD	20904	2007
Somerset Intermediate School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	7970 Tawes Campus Drive	Westover	MD	21871	2011, 2010
SSMP-101	Office	Brookfield Properties		8401 COLSVILLE RD.	SILVER SPRING	MD	20910	2014, 2013, 2012, 2011, 2010
SSMP-201	Office	Brookfield Properties		8403 Colsville rd.	Silver Spring	MD	20910	2015, 2013, 2012, 2011, 2010, 2009
SSMP-301	Office	Brookfield Properties		8405 COLEVILLE RD.	SILVER SPRING	MD	20910	2014, 2013
St. John Properties, Inc. Headquarters	Office	Windsor Corporate Center 5C, LLC	St. John Properties, Inc.	2560 Lord Baltimore Dr	Baltimore	MD	21244	2012, 2011
Staples Distribution Center 6227, Savage, MD	Warehouse and Storage	Staples Inc.	Staples Inc.	6930 San Thomas Rd	Savage	MD	21075	2010
Staples RDO 10344 in Salisbury, MD	Warehouse and Storage	Burton Energy Group	Staples Inc.	119 W Naylor Mill Road #9	Salisbury	MD	21801	2011
Staples Store 1103 California, MD.	Retail Store	Staples Inc.	Staples Inc.	45035 Worth Ave	California	MD	20619	2012, 2011
Staples Store 1169 Easton, MD	Retail Store	Staples Inc.	Staples Inc.	8168 Elliott Road Suite 1	Easton	MD	21601	2012
Staples Store 1243- Glenmont, MD	Retail Store	Staples Inc.	Staples Inc.	12389 Georgia Ave	Glenmont	MD	20902	2010

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(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC.	Macy's Inc.	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Staples Store 1279 Hanover, MD	Retail Store	Staples Inc.	Staples Inc.	7661 Arundel Mills Blvd	Hanover	MD	21076	2013
Staples Store 148 Towson, MD	Retail Store	Staples Inc.	Staples Inc.	803 Goucher Blvd	Towson	MD	21286	2013
Staples Store 26- Rockville, MD	Retail Store	Staples Inc.	Staples Inc.	11503 B Rockville Pike	Rockville	MD	20852	2012, 2011, 2010
Staples Store 460 Lavale, MD	Retail Store	Staples Inc.	Staples Inc.	1236 National Highway	Lavale	MD	21502	2011
Staples Store 689 Annapolis, MD	Retail Store	Staples Inc.	Staples Inc.	2631 Housley Road	Annapolis	MD	21401	2012
Staples Store 857 Fredrick, MD	Retail Store	Staples Inc.	Staples Inc.	5557 Urbana Pike	Fredrick	MD	21704	2012
Staples Warehouse 4994- Hagerstown, MD	Warehouse and Storage	Staples Inc.	Staples Inc.	11540 Hopewell Rd	Hagerstown	MD	21740	2011, 2010
Stevensville Middle School	K-12 School	Queen Anne's County Public Schools	Queen Anne's County Public Schools	610 Main Street	Stevensville	MD	21686	2009
Sudlersville Elementary School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	300 South Church Street	Sudlersville	MD	21658	2008
Sudlersville Middle School	K-12 School	Queen Anne's County Public Schools	Energy Education Inc	201 North Church Street	Sudlersville	MD	21668	2008
SVU 052026	Supermarket/Grocery Store	SUPERVALU, Inc	SUPERVALU, Inc	SHOPPERS FOOD WAREHOUSE- CORAL	CORAL HILLS	MD	20743	2004
SVU 054025	Supermarket/Grocery Store	SUPERVALU, Inc	SUPERVALU, Inc	METRO FOOD MARKET- JUMPERS	PASADENA	MD	21122	2004
SVU 054029	Supermarket/Grocery Store	SUPERVALU, Inc	SUPERVALU, Inc	METRO FOOD MARKET- SMITH AVENU	BALTIMORE	MD	21209	2004
SVU 054040	Supermarket/Grocery Store	SUPERVALU, Inc	SUPERVALU, Inc	METRO FOOD MARKET- ROUTE 40	BALTIMORE	MD	21229	2004
SVU 054064	Supermarket/Grocery Store	SUPERVALU, Inc	SUPERVALU, Inc	METRO FOOD MARKET- BROOKLYN PA	BROOKLYN PARK	MD	21225	2004
SVU 054065	Supermarket/Grocery Store	SUPERVALU, Inc	SUPERVALU, Inc	METRO FOOD MARKET- BROAD STREE	TIMONIUM	MD	21093	2004
T01989 - 7361 Coca Cola Dr	Warehouse and Storage	Liberty Property Trust		7361 Coca Cola Drive	Hanover	MD	21075	2014, 2012
Target 1938	Retail Store	Target Corporation		6717 RITCHIE HWY	GLEN BURNIE	MD	21061	2014
Target T-1890	Retail Store	Target Corporation	Target Corporation	3500 EAST WEST HWY STE 1200	RYATTSVILLE	MD	20782	2010
Target T-2007	Retail Store	Target Corporation	Target Corporation	10401 MARTIN LUTHER KING JR HWY	BOWIE	MD	20720	2010
Target T1000	Retail Store	Target Corporation		200 MALCOLM DR	WESTMINSTER	MD	21157	2014
Target T1001	Retail Store	Target Corporation		5230 CAMPBELL BLVD	BALTIMORE	MD	21236	2014
Target T1002	Retail Store	Target Corporation		580 MARKETPLACE DR	BEL AIR	MD	21014	2014
Target T1003	Retail Store	Target Corporation		7951 NOLPARK CT	GLEN BURNIE	MD	21061	2014
Target T1004	Retail Store	Target Corporation		4800 MITCHELLVILLE RD	BOWIE	MD	20716	2014
Target T1006	Retail Store	Target Corporation		10500 CAMPUS WAY S	LARGO	MD	20774	2014
Target T1007	Retail Store	Target Corporation		3343 CORRIDOR MARKETPLACE	LAUREL	MD	20724	2014
Target T1008	Retail Store	Target Corporation	Target Corporation	3300 WESTERN PKWY	WALDORF	MD	20603	2010
Target T1043	Retail Store	Target Corporation	Target Corporation	1025 MIDDLETON RD	ABERDEEN	MD	21001	2010
Target T1044	Retail Store	Target Corporation	Target Corporation	8111 DOBBIN RD	COLUMBIA	MD	21045	2011
Target T1045	Retail Store	Target Corporation	Target Corporation	11200 REISTERSTOWN RD	OWINGS MILLS	MD	21117	2010
Target T1046	Retail Store	Target Corporation	Target Corporation	20908 FREDERICK RD	GERMANTOWN	MD	20876	2010
Target T1137	Retail Store	Target Corporation	Target Corporation	5437 URBANA PIKE	FREDERICK	MD	21704	2010
Target T1136	Retail Store	Target Corporation		12000 CHERRY HILL RD	SILVER SPRING	MD	20904	2014
Target T1142	Retail Store	Target Corporation	Target Corporation	1238 PUTTY HILL AVE	TOWSON	MD	21286	2012

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Labeled Buildings

(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
Target T1193	Retail Store	Target Corporation		25 GRAND CORNER AVE	GAITHERSBUR G	MD	20878	2015
Target T1257	Retail Store	Target Corporation	Target Corporation	17213 COLE RD	HAGERSTOWN	MD	21740	2010
Target T1258	Retail Store	Target Corporation		45155 FIRST COLONY WAY	CALIFORNIA COCKEYSVILL E	MD	20619	2014
Target T1265	Retail Store	Target Corporation	Target Corporation	9901 YORK RD		MD	21030	2010
Target T1295	Retail Store	Target Corporation	Target Corporation	6100 GREENBELT RD	GREENBELT	MD	20770	2010
Target T1415	Retail Store	Target Corporation		11160 VEIRS MILL RD	WHEATON	MD	20902	2015
Target T1641	Retail Store	Target Corporation	Target Corporation	1737 REISTERSTOWN RD	PIKESVILLE	MD	21208	2010
Target T1871	Retail Store	Target Corporation		403 CONSTANT FRIENDSHIP BLVD	ABINGDON	MD	21009	2015
Target T1970	Retail Store	Target Corporation	Target Corporation	1330 MARTIN BLVD	MIDDLE RIVER	MD	21220	2010
Target T2133	Retail Store	Target Corporation		60 SHINING WILLOW WAY	LA PLATA	MD	20646	2014
Target T2310	Retail Store	Target Corporation	Target Corporation	28539 MARLBORO AVE	EASTON	MD	21601	2012
Target T2393	Retail Store	Target Corporation	Target Corporation	3201 TIOGA PKWY	BALTIMORE	MD	21215	2013
Target T2394	Retail Store	Target Corporation	Target Corporation	15922 CRAIN HWY SE	BRANDYWINE	MD	20613	2013
Target T2631	Retail Store	Target Corporation		2384 BRANDERMILL BLVD	GAMBRILLS	MD	21054	2014
Target T2845	Retail Store	Target Corporation		3559 Boston Street	Baltimore	MD	21224	2015
TenThreeTwenty	Office	First Potomac Realty Trust		10320 Little Patuxent Parkway	Columbia	MD	21044	2015
The Atrium at Rock Spring Park	Office	10401 Fernwood LLC, c/o Meritage Properties	Lincoln Property Company	10401 Fernwood Road	Bethesda	MD	20817	2014, 2012, 2010, 2005, 2004, 2003
The Chevy Chase Metro Building, Two Wisconsin Circle	Office	Two Wisconsin Circle Joint Venture	The Chevy Chase Land Company of Montgomery County, Maryland	Two Wisconsin Circle	Chevy Chase	MD	20815	2012
The Crosby Building	Office	Crosby Building Limited Partnership	Crosby Building Limited Partnership	705 Melvin Avenue	Annapolis	MD	21401	2012
The Fairmont Building	Office	John Akridge Management Company	John Akridge Management Company	7735 Old Georgetown Rd	Bethesda	MD	20814	2013, 2012, 2010
Three Irvington Centre	Office	America's Capital Partners	America's Capital Partners	800 King Farm Boulevard	Rockville	MD	20850	2009
Three White Flint North	Office	USAA Real Estate Company		11601 Landsdown Street	North Bethesda	MD	20852	2014
Timonium, MD	Retail Store	Verizon Wireless		1964 YORK RD	TIMONIUM	MD	21093	2014, 2012, 2010
Tower Federal Credit Union	Financial Office	Tower Federal Credit Union		7901 Sandy Spring Rd	Laurel	MD	20707	2014
Tower Oaks Flagship	Office	The Tower Companies		1101 Wootton Parkway	Rockville	MD	20852	2014, 2013, 2012, 2011, 2010, 2005
TownePlace Suites by Marriott BWI	Hotel	BWI TPS Associates LLC	BWI TPS Associates LLC	1171 Winterson Road	Linthicum	MD	21090	2009
Two Rockledge Associates	Office	Two Rockledge Associates, a Massachusetts limited partnership	Jones Lang LaSalle	6610 Rockledge Drive	Bethesda	MD	20817	2013, 2012, 2009, 2014, 2013,
Two Rockledge Center	Office	Polinger Shannon & Luchs		6701 Rockledge Drive	Bethesda	MD	20815	2011, 2008
U.S. Custom House	Office	General Services Administration	General Services Administration	40 SOUTH GAY STREET	BALTIMORE	MD	21202	2012

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Labeled Buildings

(71033A) MONTGOMERY MALL	Retail Store	May Company Montgomery Condominium, LLC	Macy's Inc	7125 DEMOCRACY BLVD	BETHESDA	MD	20817	2013
U.S. Dept. of Health and Human Services, PSC Parklawn Building	Office	U.S. Department of Health and Human Services, Program Support Center	U.S. Department of Health and Human Services, Program Support Center	5600 Fishers Lane	Rockville	MD	20857	2006
USDOE Headquarters: Germantown	Office	U.S. Department of Energy	U.S. Department of Energy	19901 Germantown Road	Germantown	MD	20874	2002
Veritiv - Hanover MD	Distribution Center	Veritiv LLC		7445 New Ridge Rd	Hanover	MD	21076	2015
Verizon Wireless - Frederick - 82194	Retail Store	Verizon Wireless		1003 WEST PATRICK ST	FREDERICK	MD	21702	2015, 2013
Verizon Wireless - Gaithersburg - 10362	Retail Store	Verizon Wireless		472 N FREDERICK AVE	GAITHERSBURG	MD	20877	2014, 2011
Verizon Wireless - Laurel - 10335	Retail Store	Verizon Wireless		14611 BALTIMORE AVE	LAUREL	MD	20707	2014, 2011
Verizon Wireless - Waldorf	Retail Store	Verizon Wireless		2915 CRAIN HWY	WALDORF	MD	20601	2013, 2010
Washington High School	K-12 School	Somerset County Public Schools	Somerset County Public Schools	10902 Old Princess Anne Road	Princess Anne	MD	21853	2011, 2010
Wayne Plaza	Office	Washington Real Estate Investment Trust	Washington Real Estate Investment Trust	962 Wayne Ave	Silver Spring	MD	20910	2012, 2009
Weis Markets #111	Supermarket/Grocery Store	Weis Markets	Weis Markets	630 Baltimore Blvd	Westminster	MD	21157	2011
Weis Markets #180	Supermarket/Grocery Store	Weis Markets	Weis Markets	9400 Scott Moore Way	Perry Hall	MD	21128	2011
Weis Markets #81	Supermarket/Grocery Store	Weis Markets	Weis Markets	31 Eastern Blvd. N.	Hagerstown	MD	21740	2011
Wells Fargo Tower	Office	Harbor Group Management Company		7 Saint Paul Street	Baltimore	MD	21202	2014, 2013, 2012, 2011, 2010, 2009, 2008
Westside Intermediate School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	8000 Quantico Rd.	Hebron	MD	21830	2012, 2011
Westside Primary School	K-12 School	Wicomico County Board of Education	Wicomico County Board of Education	6046 Quantico Rd.	Quantico	MD	21856	2011
WHEATON, MD-2738	Retail Store	JCPenney		11160 VEIRS MILL RD	WHEATON	MD	20902	2014
Windsor Station	Office	Preston Sheffenaeker Properties	Cushman Wakefield	2810 Lord Baltimore Dr	Windsor Mill	MD	21244	2015
Wisconsin Place	Office	Boston Properties Washington Regional Office		5404 Wisconsin Ave	Chevy Chase	MD	20815	2015, 2014, 2013, 2012, 2011, 2010

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# **ATTACHMENT B**

## Why Benchmark?

Utilities are the largest non-fixed expenditure of a business. Benchmarking provides a basic but valuable way for building owners and managers to understand energy use and identify cost-effective opportunities to reduce energy costs.

Benchmarking provides a standard metric to allow comparison against past performance and peers. These comparisons have been shown to drive energy efficiency upgrades, increasing occupancy rates and property values.

## The New Law

The Building Energy Benchmarking bill requires the owners of certain non-residential buildings to benchmark the energy use of certain buildings and report to the County for disclosure.

Montgomery County has a goal to reduce greenhouse gas emissions by 80% by the year 2050. Commercial buildings make up one-third of county emissions.

## Resources

View the bill and learn about events and resources:

[montgomerycountymd.gov/DEP/Energy/benchmarking.html](http://montgomerycountymd.gov/DEP/Energy/benchmarking.html)

Learn about and create an account:

[accountmanager.energystar.gov](http://accountmanager.energystar.gov)

Sign up for webinars:

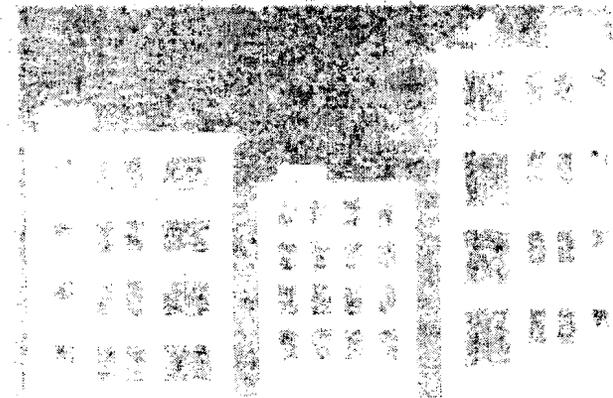
[energystar.gov/buildings/training](http://energystar.gov/buildings/training)

[bit.ly/MoCoEnergyNews](http://bit.ly/MoCoEnergyNews)

Michelle Vigen  
Senior Energy Planner  
Michelle.Vigen@  
montgomerycountymd.gov  
240-777-7749

# Building Energy Benchmarking Law

What you need to know about the law and how to get started.



DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION  
WISDOM THROUGH SCIENCE

# Who Needs to Benchmark?

Buildings covered under the Law include County and private non-residential buildings (and groups of buildings on a common parcel) with 50,000 gross square footage or more. These private buildings are divided into Groups 1 & 2 as shown in the table below.

County	≥ 50,000 sq. ft.	2014	06/01/2015
Group 1	≥ 250,000 sq. ft.	2015	12/01/2016
Group 2	≥ 50,000 sq. ft.	2016	12/01/2017

Specific use types are exempt from the Law, including warehousing, self storage, manufacturing, industrial, transportation, communication, and utilities. Cases of low occupancy, economic hardship, or new and demolished buildings may qualify for a waiver.

Over one thousand of the nearly 4,300 commercial buildings in Montgomery County have accounts in Portfolio Manager. Of these buildings, 122 have achieved a score of 75 and are certified as ENERGY STAR buildings.

Photo courtesy of Scott Fauntleroy



# How do I Comply?

buildings to benchmark by checking your gross square footage and reviewing the law.

information about your buildings, space type, and energy use. Request energy data from your utility (if 5+ tenants) or from your tenants.

your building's energy use in ENERGY STAR Portfolio Manager.

your data to ensure its accuracy.

to the County by your first deadline.

Further details will be published as program guidelines in 2015.

If the building scores above 75, complete the certification process to earn the ENERGY STAR label.

Improve your score by lowering energy consumption through conservation or energy efficiency.

Take advantage of energy efficiency incentives provided by your utility.

# ATTACHMENT C

# Early Bird Benchmarking

The Montgomery County Department of Environmental Protection (DEP) would like to extend a big thank you to our Early Bird Benchmarkers!

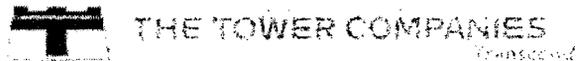
These organizations earned the esteemed title of *Early Bird Benchmarker* by voluntarily reporting calendar year 2014 building profile and energy use data to DEP by August 1, 2015. These organizations have greatly assisted DEP with developing data analyses and new guidance and outreach materials, and are well-positioned to meet the upcoming requirements of the County's Benchmarking Law.



**Brookfield**



THE JBG COMPANIES



**RECURRENT**



We also acknowledge the leadership our own **Montgomery County Department of General Services (DGS)** has demonstrated by meeting their initial June 1, 2015 deadline. County buildings were given a deadline ahead of private sector deadlines so we might lead-by-example. DGS has contributed invaluable input, feedback, lessons learned, and best practices to enhance our benchmarking support for the rest of the County.

# ATTACHMENT D

**<https://www.energystar.gov/buildings/facility-owners-and-managers/existing-buildings/use-portfolio-manager/verify-your-information-data>**

## **Verify your information with the data quality checker**

Once you've entered your data, Portfolio Manager has a handy tool to help you check for errors and anomalies.

From the Summary Tab of each property, you can run a simple verification that compares your data with typical values. This will help you identify energy values and property use details that are unusual given your building's use. It'll also help you identify possible typos, incorrect meter readings, missing information, incorrect units of measure, and other common data entry problems.

If a value is flagged that's actually accurate, you can enter an explanation ... which is useful if you're sharing your data with others or applying for ENERGY STAR certification.

[join us </buildings/about-us/become-energy-star-partner>](#) | [about us </buildings/about-us>](#) |  
[press room </buildings/press-room>](#) | [help desk <https://portfoliomanager.zendesk.com/hc/en-us>](https://portfoliomanager.zendesk.com/hc/en-us) |  
[portfolio manager login </buildings/facility-owners-and-managers/existing-buildings/use-portfolio-manager>](#)  
[owners and managers </buildings/facility-owners-and-managers>](#)

**Existing buildings </buildings/facility-owners-and-managers/existing-buildings>**

[Service providers </buildings/service-providers>](#)  
[Commercial new construction </buildings/facility-owners-and-managers/new-construction>](#)  
[Program administrators </buildings/program-administrators>](#)  
[Industrial energy management </buildings/facility-owners-and-managers/industrial-plants>](#)  
[Tools and Resources </buildings/tools-and-resources>](#)  
[Small business </buildings/facility-owners-and-managers/small-biz>](#)  
[Training </buildings/training>](#)

[Congregations </buildings/owners\\_and\\_managers/congregations>](#)

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IN THIS SECTION

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## DEP Comments on AOBA's Testimony on Verification

DEP appreciates AOBA's input during the collaborative Working Group process with the County's stakeholders and during this amendment review. We offer this response to the issues and proposals raised in their testimony regarding the verification component of the law.

### Rationale for Verification

**Verification has been a central part of Montgomery County's benchmarking and transparency law from its introduction. Its inclusion is based upon the best practice of other benchmarking and transparency laws in the country.** Verification is considered the new standard for jurisdictions exploring similar legislation, and jurisdictions with implemented laws, such as Seattle, are also exploring adding verification to improve data quality.

**Data Quality Is an Inherent Issue:** Data quality and compliance have been a challenge among the jurisdictions with benchmarking and transparency laws. While response rates have been favorable (75% - 90% in the first year), data completeness and quality has been an issue throughout. Benchmarking and reporting to a public entity is a data-centric activity, open to human error, even in jurisdictions that have enjoyed a smooth roll out with robust outreach and education. Results from other jurisdictions with benchmarking laws are illustrative of the importance of verification:

- In Minneapolis, MN (No verification): Year 1 data resulted in over 25% of submissions having obvious data errors. Enormous staff effort over the last year has reduced this number to about 15%.
- In Washington, DC (No verification): Similarly, found 25% of submissions to have incomplete data; it is worth noting that most of these submissions were by owners/managers who honestly thought they had complied fully with the law. Of complete submissions by office buildings, approximately 9% were found to have critical data quality issues.
- In Chicago, IL (Verification the first year and every three thereafter): Year 1 data resulted in less than 3% with critical errors and only an additional 2.5% with outlier data, indicating potential data errors.

Further, in our County Early Bird Benchmarking program, DEP received over 60 buildings as part of a voluntary process. Our Early Bird participants were not required to do verification and knew that the data would not be included in any official dataset related to benchmarking. Early Bird participants were overwhelmingly the most motivated, interested, and in many cases, experienced benchmarkers in the County. Not to discount the effort of our Early Bird and County benchmarkers, DEP examined and identified several data quality issues throughout our Early Bird dataset. Of these buildings, there was only one submission without issues – that being the one that completed verification (voluntarily).

The verification requirement is not a statement questioning the building owners' reliability and integrity, but an acknowledgement that a data-centric activity has ample opportunity for honest human error. A business uses an accountant to check their books and taxes before submitting to the IRS – this is to ensure that everything is accurate, representative, and compliant. Verification is an opportunity for the building owner to catch similar errors, from the data gathered from various sources needed to complete the benchmarking process (such as billing errors on the part of the utility or energy provider) to the actual entry of data into Portfolio Manager.

**Importance of Data Quality:** The Benchmarking Law and its benefits are only as strong as the data is accurate. If the data is not correct, it is not usable by building owners and managers for making energy improvement decisions, or comparing buildings across a portfolio.

Further, a market transformation cannot occur if building owners and tenants cannot trust that the data of their peers is equally as verified and reliable as their own. Verification sets a known and equally applied standard of accountability. In particular, due to the resources and information AOBA offers their membership as a partner in our outreach efforts, we expect their membership to have better quality submissions. We believe it is in the best interest of AOBA's membership that all properties are held to the same standard regarding the quality of their benchmarking data so that comparisons across the entire building marketplace are reliable.

### AOBA's Recommendations regarding Verification

**DEP has enjoyed their collaboration and partnership with AOBA and counts many of their members as allies in our energy work. We must, however, respectfully disagree with their proposed amendments:**

**Delayed implementation:** Verification the first year allows the building owner to have the value of a knowledgeable resource and second pair of eyes as they establish their processes and procedures that will then carry them through each compliance year. The first year is the best opportunity to get the building profile in correctly, as often these numbers will not change dramatically over the years (e.g., attributes such as use, square footage, and occupancy). The first year is also when data access processes are also set up with the utility company, and verification can help ensure that this connection is set up properly. When both the building profile and energy data are set up correctly the first year, these processes will be used for following years with confidence they are providing accurate data. *To delay implementation could mean that building owners spend time the first year doing the initial upfront work, and verification in the second year will require possibly just as much work correcting potential errors from Year 1.*

**Recordkeeping:** Unfortunately, the availability of records on-file does not constitute a data verification program. To consider recordkeeping a verification program, DEP would need to collect even more information than is already set to be reported (DEP would need to seek the monthly annual energy data from each building owner, not just the annual data) and devote enormous staff resources to individually check individual Portfolio Manager accounts for proper inputs. Further, only one of DEP's energy staff would have the credentials to complete such a verification. To ensure data quality, DEP would then have to provide feedback and technical assistance to each building owner in addition to handling any compliance issues found through such a review, potentially very far past the submission and deadline.

In the Early Bird process, DEP reviewed the submitted data in great detail to identify potential data quality issues. This effort, serving only a handful of our community's building owners, took a significant amount of time, and would be unrealistic to expand to the full universe of buildings in the County.

The currently proposed verification process allows the building owner to select who reviews their monthly data and building profile details, and allows feedback to happen prior to the data submission deadline. As such, a building owner can be confident of compliance at the point of submission, versus waiting for DEP to request, review, and provide feedback on their submission.

**Approved Credentials:** DEP does not support AOBA's proposal to add to the list of Recognized Data Verifiers "persons with 10 years or more managing energy for a building owner or manager." It would be difficult for DEP to review individual cases and make a fair judgment on what counts as energy management experience. This proposed expansion would also require DEP to make an evaluation of a recognized data verifier on years served "managing energy" (*regardless of building performance*) rather than proven understanding of building energy management as demonstrated by a recognized 3<sup>rd</sup> party certification program. It is our opinion that relying on 3<sup>rd</sup> party credentials is the fairer and more effective policy.

We recognize there are individuals in the building and energy industries that may not have these credentials but are clearly very knowledgeable about energy systems and benchmarking. Chicago has noted that the cost of verification was largely dependent on the quality of the initial data collection and input. A building owner or manager with energy management or benchmarking experience, could expect verification of their data to be easy and therefore relatively inexpensive.

In Chicago, IL, verification was completed for 90% of first year submissions, yet only six (6) different credentials were recognized. In the proposed amendments, the list of Recognized Data Verifiers has been extended and includes an exhaustive list of 20 applicable credentials, including those commonplace in property management circles.

This list was built by the Work Group, including AOBA, with criteria that ensure the verifier has 1) experience and knowledge with Portfolio Manager, and 2) sufficient experience and knowledge with building energy systems to provide a cost-effective review of the building characteristic and energy data. At the request of AOBA and their membership, this list has been expanded to include property management credentials with an emphasis on energy management. Several credentials are either low-cost to recruit and contract, or even to obtain in-house.<sup>1</sup>

The Work Group also agreed on an alternative verification path for building owners that had achieved ENERGY STAR® Certification for at least 6 months of the year being benchmarked. Since ENERGY STAR® Certification requires verification, this would eliminate duplication between County and ENERGY STAR® requirements. This, along with the 20 credentials for verification, allow for a number of paths to complete verification while allowing the County to disclose high-quality, reliable building energy data.

Finally, DEP is committed to exploring, for the Group 2 buildings (medium-sized) a pro bono verification program for organizations that may struggle to meet the cost of this requirement. The cost of verification, depending on the initial data quality, is anticipated to range anywhere between \$300 per building for a very complete and accurate profile to \$800 or more per building for a profile that will require substantial benchmarking work on the part of the contractor (some companies are also discussing no-cost services with certain sales packages or service subscriptions).

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<sup>1</sup> Note: DEP had begun developing a set of courses with Montgomery College Workforce Development and Continuing Education that would qualify a person to do verification. Based on a limited survey of AOBA's membership to gauge demand, it was indicated that many larger building owners either (a) have the verification expertise in-house or (b) would not have found this certification program necessary to meet the requirement.

MEMORANDUM

November 13, 2015

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *A. Mihill*

SUBJECT: **Action:** Bill 35-15, Environmental Sustainability – Benchmarking - Amendments

After the packet went to print, Council staff became aware of an amendment that the Apartment and Office Building Association of Metropolitan Washington (AOBA) is seeking. That amendment, attached on ©1, is summarized below:

- (a) *Annual report required.* By October 1 of each year, the Director must submit a benchmarking report to the County Executive and County Council. The report must review and evaluate energy efficiency in covered buildings, including:
- (1) summary statistics on the most recent reported energy benchmarking information including but not limited to, information on the accuracy, completeness and correctness of the building energy data being reported by building sector and type including but not limited to commercial office buildings, universities, hospitals, campuses and building complexes;

Staff from the Department of Environmental Protection indicated that they are comfortable with the intent of the AOBA language, but recommended the following modified language (©2):

- (a) *Annual report required.* By October 1 of each year, the Director must submit a benchmarking report to the County Executive and County Council. The report must review and evaluate energy efficiency in covered buildings, including:
- (1) summary statistics on the most recent reported energy benchmarking information including but not limited to, information on the [[accuracy,]] completeness and [[correctness]] level of data quality of the building energy data being reported by building [[sector and]] type [[including but not limited to commercial office buildings, universities, hospitals, campuses and building complexes]] per the benchmarking tool;

Council staff is comfortable with the DEP language, but would remove “but not limited to” as it is an unnecessary phrase.

This packet contains:

- AOBA amendment
- DEP Comments

Circle #

- 1
- 2

F:\LAW\BILLS\1535 Environmental Sustainability-Benchmarking-Amendments\Addendum.Docx

**Mihill, Amanda**

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**Subject:** FW: Benchmarking amendment

**From:** Nicola Whiteman [mailto:nwhiteman@aoba-metro.org]  
**Sent:** Wednesday, November 11, 2015 4:12 PM  
**To:** Berliner's Office, Councilmember <Councilmember.Berliner@montgomerycountymd.gov>  
**Cc:** Morrison, Drew <Drew.Morrison@montgomerycountymd.gov>  
**Subject:** Benchmarking amendment

Per our discussion yesterday, please see AOBA's proposed changes to the annual reporting requirement in the Code. The proposed language will enhance the committee's oversight role regarding evaluation of the successful implementation of the benchmarking law and the data verification provision by providing the Council and County Executive with the necessary data, beyond statistics, to effectively exercise this role. Thank you for your consideration. Nicola Whiteman

**REDLINE OF STATUTORY LANGUAGE WITH AOBA AMENDMENTS**

**Sec. 18A-42. Annual report; disclosure of benchmarking information.**

(a) *Annual report required.* By October 1 of each year, the Director must submit a benchmarking report to the County Executive and County Council. The report must review and evaluate energy efficiency in covered buildings, including:

(1) summary statistics on the most recent reported energy benchmarking information including but not limited to, information on the accuracy, completeness and correctness of the building energy data being reported by building sector and type including but not limited to commercial office buildings, universities, hospitals, campuses and building complexes;

(2) discussion of any energy efficiency trends, cost savings, and job creation resulting from energy efficiency improvements; and

(3) for County buildings:

(A) the scores of County buildings benchmarked; and

(B) whether the Director recommends any energy efficiency improvements for specific buildings.

(b) *Disclosure of benchmarking information.* The Director must make reported benchmarking information readily available to the public, including on the open data website created under Section 2-154, and the Director may exempt information from disclosure only to the extent that disclosure is prohibited under federal or state law.

(c) *Exceptions to disclosure.* To the extent allowable under state law, the Director must not make the following readily available to the public:

(1) any individually-attributable reported benchmarking information from the first calendar year that a covered building is required to benchmark; and

(2) any individually-attributable reported benchmarking information relating to a covered building that contains a data center, television studio, or trading floor that together exceeds 10% of the gross square footage of the individual building until the Director finds that the benchmarking tool can make adequate adjustments for these facilities. When the Director finds that the benchmarking tool can make adequate adjustments, the Director must report this data in the annual report. (2014 L.M.C., ch. 6, § 1.)

Nicola Y. Whiteman, Esq.  
Senior Vice President of Government Affairs

## Mihill, Amanda

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**From:** Vigen, Michelle  
**Sent:** Thursday, November 12, 2015 1:33 PM  
**To:** Mihill, Amanda; Feldt, Lisa; Edwards, Stan  
**Cc:** Shaw, Lindsey (DEP)  
**Subject:** RE: Benchmarking amendment

Hi Amanda,

I think the direction and intent of this is fine and a welcome addition since data quality is something jurisdictions are tracking closely anyway. I have just a couple suggestions to clarify what data we can actually get and report:

(1) summary statistics on the most recent reported energy benchmarking information including but not limited to, information on the accuracy, completeness and level of data quality and correctness of the building energy data being reported, by building sector and type per the benchmarking tool; including but not limited to commercial office buildings, universities, hospitals, campuses and building complexes;

Explanation:

“Accuracy” and “Correctness” cannot be confirmed by staff without going back to the building owners’ source data, which is included in the verification process, and without additional staff resources. “Level of data quality” can be determined via analytics regarding estimated values, outlier analysis, and other analysis that DEP already intends to complete, and would be happy to report.

Portfolio Manager, the legislatively defined “benchmarking tool”, organizes buildings by “building type”. “Sector” is unclear in this context, and “building type” should be sufficient, also making it unnecessary to list out specific “building types” in the legislation.

Overall, we understand the spirit and goal of AOBA’s request, and support its inclusion and implementation.

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