Montgomery County's Benchmarking Law

What's Data Verification and How Do I Do It?

In April 2014, Montgomery County passed a benchmarking and transparency law (**Bill 2-14**, and amended with **Bill 35-15**), requiring the County and building owners to benchmark and disclose energy use in certain nonresidential buildings of 50,000 square feet or greater.

Building owners need to benchmark their data using the **ENERGY STAR® Portfolio Manager®** tool, have those data verified by a Recognized Data Verifier, and disclose those data to Montgomery County's Department of Environmental Protection (DEP). Step-by-step help on how to benchmark and report is available in DEP's Official Guide to Benchmarking.

What is data verification?

Verification is considered an industry best practice and ensures that building and energy data entered into Portfolio Manager are accurate. The purpose of verification is to enhance the quality of data being reported collectively through the Benchmarking Law and ensure data are correct and useful to the building owner and staff. Verification requires a second pair of eyes from someone with knowledge about Portfolio Manager and building energy performance.

Can I use my building's ENERGY STAR certification?

Yes. As an alternative to the data verification process, building owners can meet the verification requirement if the building has achieved the ENERGY STAR building certification for at least 6 months of the calendar year being benchmarked. If using this verification path, please indicate this in the Property Notes field by stating "ENERGY STAR Certification used for verification" and the month and year certification was achieved.

Who can do verification?

To comply with the law, a **Recognized Data Verifier** must complete the verification of benchmarking data. A Recognized Data Verifier is a professional with a current verification credential that is recognized and approved by the DEP Director. The following is a list of credentials that DEP has identified as acceptable to be a Recognized Data Verifier:

Verification Credential	Institution / Association
Professional Engineer (PE)	National Society of Professional Engineers
Licensed Architect	National Council of Architectural Registration Board
Registered Architect (RA)	American Institute of Architects (AIA)
Certified Commissioning Authority (CxA)	AABC Commissioning Group (ACG)
Certified Energy Manager (CEM)	Association of Energy Engineers (AEE)
Certified Energy Auditor (CEA)	AEE
Certified Building Commissioning Professional (CBCP)	AEE
Certified Measurement and Verification Professional (CMVP)	AEE
Energy Management Professional (EMP)	Energy Management Association
Existing Building Commissioning Professional (EBCP)	AEE
LEED – Professional with specialty in Building Operations + Maintenance (LEED-AP O+M)	US Green Building Council (USGBC)
LEED-Fellow – For outstanding APs	USGBC
Building Energy Assessment Professional (BEAP)	American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)
Building Energy Modeling Professional (BEMP)	ASHRAE
Commissioning Process Management Professional Certification (CPMP)	ASHRAE
Operations & 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 (IFMA)
Certified Facility Manager (CFM)	IFMA
RPA/FMA High Performance Designation (RPA/FMA-HP)	Building Owners and Managers Institute (BOMI) International
Systems Maintenance Technician (SMT)	BOMI International
Systems Maintenance Administrator (SMA)	BOMI International
Real Property Administrator (RPA) with caveat requirements[1]	BOMI International
Certified Property Manager (CPM) with caveat requirements[2]	Institute of Real Estate Management (IREM)

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[1] 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. Submit documentation to energy@montgomerycountymd.gov.

[2] CPM must have been achieved with the following three functions selected and illustrated in the Experience Form: #3, #30, and #33. Submit documentation to energy@montgomerycountymd.gov.

How often must verification be completed?

Buildings are required to have their Portfolio Manager data verified by a Recognized Data Verifier during the **first year of reporting and every three years thereafter by the annual June 1st benchmarking deadline**. Submitting a benchmarking report must be done annually.

Building Group	CY 2014 Data	CY 2015 Data	CY 2016 Data	CY 2017 Data	CY 2018 Data	CY 2019 Data
County Buildings	Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report
Group 1 (250,000 SF+)		Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report	Benchmark, Report
Group 2 (50,000 SF up to 250,000 SF)			Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report
Building Group	**CY 2020 Data**	**CY 2021 Data**	**CY 2022 Data**	**CY 2023 Data**	**CY 2024 Data**	**CY 2025 Data**
County Buildings	Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report
Group 1 (250,000 SF+)	Benchmark, Report	Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report	Benchmark, Report
Group 2 (50,000 SF up to 250,000 SF)	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report	Benchmark, Report	Benchmark, Report	Benchmark, Verify, Report

How long does verification take?

Completing verification on a building should not be too time-consuming, unless it is a large building with many meters and/or tenants, or there are multiple buildings on a campus. DEP estimates that verification should take 1-2 hours to complete on an average-sized building. Site visits are optional, which should also cut down on the time required.

How expensive is verification?

The cost of verification is determined between the building owner and the Recognized Data Verifier. In some cases, benchmarking and verification services may be included as part of a larger energy service

offering. In other cases, the cost may be determined by the size and complexity of the building. The Benchmarking Law does not specify a rate for data verification, nor does DEP.

For non-profit building owners: DEP has a pilot pro bono verification program for non-profit building owners only. This program is offered on a first-come, first-served basis, thanks to the select Benchmarking Ambassadors who have volunteered their time. Non-profit building owners who take advantage of this program will be transparently listed on DEP's website. [Contact DEP](#) for more information and to request a questionnaire.

If I'm a <u>building owner</u>, how do I get my data verified?

After all the building characteristics and energy data have been entered into Portfolio Manager, verification is fairly simple! Below is a step-by-step guide for building owners:

[Step 1](#) – Find a Recognized Data Verifier

You'll need to find a professional who holds an acceptable, current credential identified by DEP. This person can be someone on your staff, or you may need to look for an outside professional/firm who can provide this service.

[Step 2](#) – Assist with the verification process

A Recognized Data Verifier may need you to provide access to your Portfolio Manager account, utility bills, drawings, and occupancy information to complete verification. He or she may also request a site visit, depending on data available electronically and the complexity of the building.

After verification is complete, the Recognized Data Verifier will review any errors or inconsistencies found with you and discuss how to resolve them. This is an important step of the process so you can benchmark your building in future years!

[Step 3](#) – Show that you've completed verification

> **Not sure how to find a Recognized Data Verifier?** DEP's [Benchmarking Ambassadors list](#) is a great place to start. These individuals—many of whom have acceptable Recognized Data Verifier credentials—attended a training taught by EPA ENERGY STAR Portfolio Manager Staff, which included details about complying with the law and accessing data from utilities. EPA's ENERGY STAR program has a [Licensed Professionals Finder](#) and [Service & Product Providers database](#) that building owners can use to find Recognized Data Verifiers.

In Portfolio Manager, either you or the Recognized Data Verifier will need to enter the credential information in the **Verification field on the Details tab**. This should include: the calendar year of data that was verified, date of verification, full name of the Recognized Data Verifier, credential he/she holds (name/acronym/certifying state), credential ID number (if available), and email and phone number of the Data Verifier. Remember to click Save when you've finished.

Step 4 – Submit benchmarking report to DEP

Every year, DEP provides a reporting link to facilitate electronic reporting through Portfolio Manager. Note, there is a new reporting link for each compliance year. Determine whether you will complete the reporting process after verification, or if the Recognized Data Verifier will submit it on your behalf. Benchmarking reports are due on June 1st annually.

Step 5 – Keep records

Building owners should hold onto the most recent copy of the completed Data Verification Checklist after submitting your benchmarking report to DEP.

If I'm the Recognized Data Verifier, how do I complete verification?

Before getting started, please make sure your credential is current and that you are in good standing with the credentialing institution. Below is a step-by-step guide for Recognized Data Verifiers:

Step 1 – Work with the building owner to collect all data you may need

To start, connect with the building owner as a contact within Portfolio Manager (instructions available from EPA). The building owner will provide you with either read-only or read-write access to the property requiring verification.

Run the Data Quality Checker to ensure all data have been entered for the calendar year being verified; notify the building owner of any gaps and have him or her locate and enter any missing bills.

At this time, also ask for other documentation you'll need to complete verification, such as utility bills, drawings, tenant data, and occupancy information.

Step 2 – Review the data using the ENERGY STAR Data Verification Checklist as a guide

Once you have all the supporting information from the building owner, you can start reviewing the Portfolio Manager property record using the ENERGY STAR Data Verification Checklist as a guide. The Data Verification Checklist is a form customized to the building you're verifying that you can download from the Reporting tab within Portfolio Manager (sample available here).

Check off each section as you review it for correctness, as well as whether the data accurately represents the building you are verifying.

For Benchmarking Law verification, you can omit the water, waste, and indoor environmental standards sections.

If any "No" boxes are checked, resolve the issues with the building owner before submitting the benchmarking report to DEP.

Step 3 – Complete and sign the Data Verification Checklist

The Data Verification Checklist has a box on the last page where a PE or RA stamp is required. The stamp is required only if the building owner is seeking ENERGY STAR Certification – however, as the Recognized Data Verifier, make sure your name, date, and signature appear on this final page, as not every credential comes with a stamp.

> **Pro tip:** Building owners can also use this checklist for ENERGY STAR certification. To do that, they'll need to work with a PE or RA and complete the full checklist.

The signed Data Verification Checklist should be returned to the building owner—please advise him or her that they must keep this signed document on file until the next data verification process is completed.

Step 4 – Enter your credential information into Portfolio Manager

In Portfolio Manager, either you or the building owner will enter the credential information in the Verification field on the Details tab. This should include: **the calendar year of data that was verified, date of verification, your full name, organization, the credential you hold (name/acronym/ number (if available), and email and phone contact information**. Remember to click Save when you've finished.

Then, determine whether the building owner will complete the reporting process after verification, or if you will submit the report on their behalf. Benchmarking reports are due on June 1st annually. During the reporting process, Portfolio Manager will ask whether the report is being submitted by you or on behalf of someone else – at that time, you would select the building owner's name from the pre-set dropdown menu.

Step 5 – Repeat every third year thereafter

After completing verification for a building owner, they likely will not need your verification services until the next year verification is due (see earlier chart). However, your building owner may appreciate an annual check-in to see if they need help in the interim years with benchmarking and reporting their annual data.

Who should I contact with questions?

For questions about the Portfolio Manager tool, such as how to set up a property or add energy bill information, contact ENERGY STAR directly using their Help Desk support.

For questions about the Benchmarking Law requirements, how to complete verification, and how to report data to DEP, contact DEP via email (energy@montgomerycountymd.gov) or by phone (240-777-7707).