

## **FEDERAL LEADERSHIP IN HIGH PERFORMANCE and SUSTAINABLE BUILDINGS MEMORANDUM OF UNDERSTANDING**

**PURPOSE:** With this Memorandum of Understanding (MOU), signatory agencies commit to federal leadership in the design, construction, and operation of High-Performance and Sustainable Buildings. A major element of this strategy is the implementation of common strategies for planning, acquiring, siting, designing, building, operating, and maintaining High Performance and Sustainable Buildings. The signatory agencies will also coordinate with complementary efforts in the private and public sectors.

**BACKGROUND AND FEDERAL POLICY:** The Federal government owns approximately 445,000 buildings with total floor space of over 3.0 billion square feet, in addition to leasing an additional 57,000 buildings comprising 374 million square feet of floor space. These structures and their sites affect our natural environment, our economy, and the productivity and health of the workers and visitors that use these buildings.

Therefore, the Federal government is committed to designing, locating, constructing, maintaining, and operating its facilities in an energy efficient and sustainable manner that strives to achieve a balance that will realize high standards of living, wider sharing of life's amenities, maximum attainable reuse and recycling of depletable resources, in an economically viable manner, consistent with Department and Agency missions. In doing so and where appropriate, we encourage the use of life cycle concepts, consensus-based standards, and performance measurement and verification methods that utilize good science, and lead to sustainable buildings.

**GOALS AND OBJECTIVES OF THIS MOU:** Consistent with and in addition to Federal policy, statutes, executive orders and supplemental agency policies and guidance, the Parties to this MOU collaboratively seek to establish and follow a common set of sustainable Guiding Principles (attached) for integrated design, energy performance, water conservation, indoor environmental quality, and materials aimed at helping Federal agencies and organizations:

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- Reduce the total ownership cost of facilities;
- Improve energy efficiency and water conservation;
- Provide safe, healthy, and productive built environments; and,
- Promote sustainable environmental stewardship.

**OTHER LAWS AND MATTERS:** This MOU is for internal management purposes of the Parties involved. It is not legally enforceable and shall not be construed to create any legal obligation on the part of any of the signatories. This MOU shall not be construed to provide a private right or cause of action for or by any person or entity. This MOU in no way restricts the

Parties from participating in any activity with other public or private agencies, organizations or individuals.

The Parties mutually recognize and acknowledge that MOU implementation will be subject to financial, technical, and other mission-related considerations. It is not intended to create any rights, benefits, or trust responsibilities, either substantive or procedural, nor is it enforceable in law by a party against the US, its agencies, its officers, or any other person.

Collaboration under this MOU will be in accordance with applicable statutes and regulations governing the respective Parties. Nothing in this MOU is intended to affect existing obligations or other agreements of the Parties.

**EFFECTIVE PERIOD:** This MOU will become effective upon signature. It shall remain in effect unless otherwise modified or terminated. Any Party may withdraw upon 30 days written notification to the others.

**MODIFICATIONS:** This MOU can be modified through mutual written agreement among the Parties.

**ADMINISTRATION:** Agencies will strive to incorporate and adopt, as appropriate and practical, the attached *Guiding Principles* into existing agency policy and guidance within 180 days of signature. To assist with this effort, the Interagency Sustainability Working Group (ISWG) will provide technical guidance and updates for the *Guiding Principles*.

The Office of the Federal Environmental Executive will work with the ISWG and Federal Green Building Council to develop methods of reporting on progress towards this MOU in a manner that is least burdensome to the agencies. This may include incorporating reporting into existing mechanisms, such as executive order reports; but in any case with a goal of avoiding a separate reporting process.

**GUIDING PRINCIPLES  
FOR  
FEDERAL LEADERSHIP IN HIGH PERFORMANCE AND SUSTAINABLE  
BUILDINGS**

**I. Employ Integrated Design Principles**

**Integrated Design.** Use a collaborative, integrated planning and design process that

Initiates and maintains an integrated project team in all stages of a project's planning and delivery;

Establishes performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals; and, ensures incorporation of these goals throughout the design and lifecycle of the building; and,

Considers all stages of the building's lifecycle, including deconstruction.

**Commissioning.** Employ total building commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include a designated commissioning authority, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

**II. Optimize Energy Performance**

**Energy Efficiency.** Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the Energy Star® targets for new construction and major renovation where applicable. For new construction, reduce the energy cost budget by 30 percent compared to the baseline building performance rating per the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., (ASHRAE) and the Illuminating Engineering Society of North America (IESNA) Standard 90.1-2004, Energy Standard for Buildings Except Low-Rise Residential. For major renovations, reduce the energy cost budget by 20 percent below pre-renovations 2003 baseline.

**Measurement and Verification.** In accordance with DOE guidelines issued under section 103 of the Energy Policy Act of 2005 (EPAAct), install building level utility meters in new major construction and renovation projects to track and continuously optimize performance. Compare actual performance data from the first year of operation with the energy design target. After one year of occupancy, measure all new major installations using the Energy Star® Benchmarking Tool for building and space types covered by Energy Star®. Enter data and lessons learned from sustainable buildings into the High Performance Buildings Database.

([www.eere.energy.gov/femp/highperformance/index.cfm](http://www.eere.energy.gov/femp/highperformance/index.cfm))

### **III. Protect and Conserve Water**

**Indoor Water.** Employ strategies that in aggregate use a minimum of 20 percent less potable water than the indoor water use baseline calculated for the building, after meeting the Energy Policy Act of 1992 fixture performance requirements.

**Outdoor Water.** Use water efficient landscape and irrigation strategies, including water reuse and recycling, to reduce outdoor potable water consumption by a minimum of 50 percent over that consumed by conventional means (plant species and plant densities). Employ design and construction strategies that reduce storm water runoff and polluted site water runoff.

### **IV. Enhance Indoor Environmental Quality**

**Ventilation and Thermal Comfort.** Meet the current ASHRAE Standard 55-2004, Thermal Environmental Conditions for Human Occupancy, including continuous humidity control within established ranges per climate zone, and ASHRAE Standard 62.1-2004, Ventilation for Acceptable Indoor Air Quality.

**Moisture Control.** Establish and implement a moisture control strategy for controlling moisture flows and condensation to prevent building damage and mold contamination.

**Daylighting.** Achieve a minimum of daylight factor of 2 percent (excluding all direct sunlight penetration) in 75 percent of all space occupied for critical visual tasks. Provide automatic dimming controls or accessible manual lighting controls, and appropriate glare control.

**Low-Emitting Materials.** Specify materials and products with low pollutant emissions, including adhesives, sealants, paints, carpet systems, and furnishings.

**Protect Indoor Air Quality during Construction.** Follow the recommended approach of the Sheet Metal and Air Conditioning Contractor's National Association Indoor Air Quality Guidelines for Occupied Buildings under Construction, 1995. After construction and prior to occupancy, conduct a minimum 72-hour flush-out with maximum outdoor air consistent with achieving relative humidity no greater than 60 percent. After occupancy, continue flush-out as necessary to minimize exposure to contaminants from new building materials.

### **V. Reduce Environmental Impact of Materials**

**Recycled Content.** For EPA-designated products, use products meeting or exceeding EPA's recycled content recommendations. For other products, use materials with recycled content such that the sum of post-consumer recycled content plus one-half of the pre-consumer content constitutes at least 10% (based on cost) of the total value of the materials in the project.

**Biobased Content.** For USDA-designated products, use products meeting or exceeding USDA's biobased content recommendations. For other products, use biobased products made from rapidly renewable resources and certified sustainable wood products.

**Construction Waste.** During a project's planning stage, identify local recycling and salvage operations that could process site related waste. Program the design to recycle or salvage at least 50 percent construction, demolition and land clearing waste, excluding soil, where markets or on-site recycling opportunities exist.

**Ozone Depleting Compounds.** Eliminate the use of ozone depleting compounds during and after construction where alternative environmentally preferable products are available, consistent with either the Montreal Protocol and Title VI of the Clean Air Act Amendments of 1990, or equivalent overall air quality benefits that take into account life cycle impacts.

## SIGNATORIES

**The undersigned individuals hereby execute this MOU on behalf of their respective agencies.** The Parties envision that other Federal agencies may wish to join this MOU. The Parties encourage all Federal agencies that support the MOU goals and objectives to do so by signing the MOU and applying the *Guiding Principles*.

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Deputy Under Secretary of Defense for Installations and Environment  
Department of Defense

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**Douglas L. Faulkner**

Acting Assistant Secretary for Energy Efficiency and Renewable Energy  
Department of Energy

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**David L. Winstead**

Commissioner, Public Buildings Service  
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**Robert J. Henke**

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Deputy Secretary  
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**Bryan Hannegan**

Chief of Staff,  
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