



Beyond Benchmarking 101:

Overview of the Compliance Process and Pathways

City of San José Energy and Water Building Performance Ordinance (BPO)
December 2022



Delivering world-class utility services and programs to improve our health, environment, and economy.

Environmental Services

What is Beyond Benchmarking?

- Starting in 2023, building owners will be required to demonstrate either:
 - Satisfactory building energy and water efficiency OR
 - Efficiency improvement in annual cohorts, as specified by the Ordinance ([San José Code of Ordinances, Chapter 17.85.400](#)).
- Please note: Beyond Benchmarking is an *entirely* separate requirement that goes in addition to the annual benchmarking reports.

What is Beyond Benchmarking?

- By demonstrating that a covered building meets key performance standards through benchmarking, the owner can complete the Performance Pathway.
 - If a building is not able to meet these standards, the owner must complete the Improvement Pathway
 - Using a qualified licensed professional is necessary for both pathways.





Benefits of Beyond Benchmarking

- Identifying opportunities for energy and water savings.
- Retuning building systems and switching out inefficient equipment helps building owners:
 - Save money
 - Improve tenant comfort
 - Improve the building portfolio and bottom line
- Helps San José reach critical emission reduction goals set forth in [*Climate Smart San José*](#) and the new [*Pathway to Carbon Neutrality by 2030*](#).
 - Building energy use accounts for 34% of San José's greenhouse gas emissions

How to Comply Step 1

Determine your compliance due date



- Covered buildings will comply in annual cohorts
- Check the [Beyond Benchmarking Compliance Schedule](#) found on the [Beyond Benchmarking webpage](#):
 - *sjenvironment.org/beyond-benchmarking*
- The Compliance Schedule is based on two factors:
 - Last digit of a building's Assessor Parcel Number (APN)
 - Assessed Gross Building Floor Area (GFA) of the building

How to Comply Step 1 cont.

GENERAL BEYOND BENCHMARKING COMPLIANCE SCHEDULE

PROPERTIES ≥ 50,000 SQUARE FEET

Last digit of APN	First compliance due date	Subsequent compliance due dates
0	May 1, 2023	Every 5 years thereafter
1	May 1, 2023	Every 5 years thereafter
2	May 1, 2024	Every 5 years thereafter
3	May 1, 2024	Every 5 years thereafter
4	May 1, 2025	Every 5 years thereafter
5	May 1, 2025	Every 5 years thereafter
6	May 1, 2026	Every 5 years thereafter
7	May 1, 2026	Every 5 years thereafter
8	May 1, 2027	Every 5 years thereafter
9	May 1, 2027	Every 5 years thereafter

PROPERTIES 20,000 SQUARE FEET - 49,999 SQUARE FEET

Last digit of APN	First compliance due date	Subsequent compliance due dates
0	May 1, 2024	Every 5 years thereafter
1	May 1, 2024	Every 5 years thereafter
2	May 1, 2025	Every 5 years thereafter
3	May 1, 2025	Every 5 years thereafter
4	May 1, 2026	Every 5 years thereafter
5	May 1, 2026	Every 5 years thereafter
6	May 1, 2027	Every 5 years thereafter
7	May 1, 2027	Every 5 years thereafter
8	May 1, 2028	Every 5 years thereafter

First cohort of buildings complying May 1st, 2023:

- APN ending in 0 or 1
- GFA is greater than or equal to 50k square feet

Beyond Benchmarking Compliance Schedule found on www.sjenvironment.org/beyond-benchmarking

How to Comply Step 2

Does your building qualify for a Beyond Benchmarking exemption?

- Qualifying exemption reasons:
 - Building is zoned as exclusively industrial
 - Heavy Industrial (HI),
 - Light Industrial (LI), or
 - Industrial Park (IP) with verified 50% GFA dedicated to Industrial Uses
 - Building is under 20,000 square feet
 - *Water only exemption:* residential building under 50,000 square feet and is not sub-metered for water use
- **If you qualify** – an online exemption form needs to be completed and submitted by April 1st annually including documentation of eligible reason through sjenvironment.org/beyond-benchmarking



How to Comply Step 3

Verify your building has complete energy and water benchmarking data for the three years prior to your due date

- Incomplete or erroneous benchmarking reports will automatically require the Improvement Pathway.
- Visit our main Benchmarking website sjenvironment.org/benchmarking to submit or re-submit prior years' reports.





How to Comply Step 4

Determine your pathway for each utility (Energy and Water): Performance or Improvement

- Performance Pathway: building satisfies key energy/water efficiency standards. Or is a new building.
- Improvement Pathway: building does not satisfy key energy/water efficiency standards.
- Further elaboration of the key efficiency standards found in our [Compliance Guide](#) and the [Ordinance](#).

How to Comply Step 4 cont.

Beyond Benchmarking Standards & Pathways

MEET REQUIREMENTS FOR		ENERGY				<i>and</i>	WATER										
PERFORMANCE PATHWAY: OPTION 1	MEET TARGET METRICS	ENERGYSTAR Score of 75 or greater	or	Improve ENERGYSTAR Score by 15 pts	or	Energy Use Intensity (EUI) is 25% above median for use type	or	Improve EUI by 15%	<i>and</i>	ENERGYSTAR Water Score of 75 or greater	or	Improve ENERGYSTAR Water Score by 15 pts	or	Water Use Intensity (WUI) is 25% above median for use type	or	Improve WUI by 15%	
PERFORMANCE PATHWAY: OPTION 2	LEED EBOM	LEED Existing Buildings Operations and Maintenance Certification, meeting compliance standards for both energy and water															
IMPROVEMENT PATHWAY		ENERGY	OPTION 1	OPTION 2	OPTION 3*	<i>and</i>	WATER**	OPTION 1	OPTION 2	OPTION 3*							
			ASHRAE 2 Energy Audit	or	Energy Retro-Commissioning	or	Choice of 2 Energy Efficiency Improvement Measures		Water Audit	or	Water Retro-Commissioning	or	Choice of 2 Water Efficiency Improvement Measures				

*For buildings without central cooling only

**Multifamily buildings under 50,000 sq. ft. without water submetering are eligible for exemption to this ordinance requirement

Performance Pathway

- Building satisfies key energy/water efficiency standards AND has 3 years of complete benchmarking data.
- A qualified service provider will work with you on the data verification of prior years' benchmarking reports and the submission of a Performance Verification Report.



Improvement Pathway

- Building does not satisfy key energy/water efficiency standards OR does not have 3 years of complete benchmarking data.



- Your options:

- Audit
- Retrocommissioning (Rcx)
- Efficiency Improvement Measures



- You will work with a qualified service provider on one of these options and submit an Improvement Pathway form that will be submitted to the City.

Finding a Qualified Service Provider Step 5

- A list of qualified service providers to choose from can be found on the [Beyond Benchmarking webpage](#):
 - **San José's [List of Qualified Service Providers](#)**: responded to a Request for Information verifying they meet all criteria to conduct audits and retrocommissioning work for BPO
 - **ENERGY STAR's [List of Licensed Professionals](#)**: verified by EPA to conduct ENERGY STAR Certification, performance verification, and other benchmarking-related services
- *If selecting your own provider*: Criteria for who is eligible to perform the Performance Verification, Audit, Retrocommissioning, or Efficiency Improvements can be found in the [Ordinance](#) and on our [Compliance Guide](#). Be sure to check local business licensing.

Complete Your Pathways Step 6

- Performance Pathway:
 - Licensed professional will verify your benchmarking data
 - Together you will complete the Performance Verification Report
- Improvement Pathway:
 - Have your audit, retrocommissioning, or efficiency upgrades planned or executed by your Beyond Benchmarking due date
 - *If action executed:* submit Improvement Pathway form with licensed professional sign-off
 - *If action planned:* submit supporting documentation that shows the project has been permitted and/or contracted
- Submittal forms will be available on the Beyond Benchmarking webpage starting March 1, 2023

Beyond Benchmarking Resources

- Our Beyond Benchmarking webpage is where all the helpful resources live.
 - Compliance Guide, FAQs, Compliance Schedule, submittal forms, Webinar Schedule, etc.
 - www.sjenvironment.org/beyond-benchmarking
- For questions
 - Email: benchmarking@sanjoseca.gov
 - www.sanjoseca.gov/benchmarking





Beyond Benchmarking Webinar Series Schedule

Beyond Benchmarking 201: Performance Pathway

Friday, January 20th, 2023, 12pm-1pm PST

Beyond Benchmarking 301: Improvement Pathway

Wednesday, February 15th, 2023, 12pm-1pm PST

Beyond Benchmarking 401: Forms Submissions

Thursday, March 9th, 2023, 12pm-1pm PST

Thank you for joining us!

Any Questions?



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