

BPS 000 – Basics of Oregon BPS

OR BPS Background

The Oregon Building Performance Standard (OR BPS) is a mandatory program that aims to bring awareness about building energy use to owners of existing commercial buildings, and to reduce energy use and utility costs for less efficient buildings. Buildings that must comply with this program are divided into two tiers, based on Gross Floor Area and property type. The table below shows the two tiers covered by the OR BPS program and gives compliance dates.

Oregon Building Performance Standard Tiers

Gross Floor Area (excludes parking garage area)	Property Type	Tier / Compliance Date
35,000 to 90,000 square feet	Nonresidential, Hotel, or Motel	Tier 1 / June 1, 2030
90,000 to 200,000 square feet	Nonresidential, Hotel, or Motel	Tier 1 / June 1, 2029
200,000 square feet and greater	Nonresidential, Hotel, or Motel	Tier 1 / June 1, 2028
20,000 to 35,000 square feet	Nonresidential, Hotel, or Motel	Tier 2 / July 1, 2028
35,000 square feet and greater	Multifamily, Hospital, School, University, Dormitory, Barracks, Prison, Residential/Senior Care Facility	Tier 2 / July 1, 2028

There are three tasks Tier 1 and Tier 2 buildings must complete before their compliance date:

- Submit an application for a building (or a group of buildings)
- Determine the Energy Use Intensity Target (EUI_t) based on building type and operation
- Calculate the Energy Use Intensity (EUI) from 12 continuous months of utility bills

Tier 1 buildings must also submit the following before their compliance date:

- Operations and Maintenance Plan (O&M)
- Energy Management Plan (EMP)
- Decarbonization Plan for grouped buildings with district systems

In addition, Tier 1 buildings that do not expect to meet their energy target by their compliance date (i.e. the building's EUI is greater than the building's EUI_t) must take further action:

- Report on their expected status **180 days before** compliance date
- Complete an Energy Audit and Life Cycle Cost Assessment before their compliance date
- Implement cost-effective energy efficiency measures that reduce EUI
- Calculate and report the building's updated EUI as milestones are reached

Energy Use Intensity, or EUI, is the total of a building's energy use over an entire year divided by its Gross Floor Area. EUI is determined via the U.S. EPA's ENERGY STAR Portfolio Manager (ESPM), a free online tool that stores building and energy use information. ESPM also pulls in local weather data and calculates a weather-normalized EUI (WN-EUI) to account for variations in heating and cooling from year to year.

Energy Use Intensity Target is the maximum total energy use per square foot of Gross Floor Area that buildings are expected to consume in a year to comply with OR BPS. "Total energy use" includes electricity, natural gas, propane, fuel oil, or any other fuels used in the building. Energy Use Intensity Target values were set for Oregon buildings by analyzing the average energy use of numerous local, regional, and national commercial buildings. These averages were then applied to the 113 building activity types, as defined by ESPM.

A building can have one overall activity type with its associated Energy Use Intensity Target, or it can be split into different activity types where the Energy Use Intensity Target is found using an area-weighted average. The Energy Use Intensity Target is also adjusted by an Operating Factor, a multiplier that varies from 0.5 to 1.9 based on the building activity type and weekly operating hours.

Some buildings may qualify for an exemption from complying with the OR BPS program. There are exemptions for buildings with low occupancy, buildings used for manufacturing, industrial or agricultural purposes, or building owners under financial hardship. Historic buildings are NOT exempt from OR BPS, although they are not required to do anything that would compromise the building's historic integrity.

Various energy professionals are needed to help building owners comply with OR BPS. Determination of EUI and Energy Use Intensity Target should be done by a Qualified Person for Tier 1 buildings or by a Qualified Energy Manager or Qualified Person for Tier 2 buildings. For Tier 1 buildings, the Qualified Person must also compile and submit an Operations and Maintenance Plan and an Energy Management Plan. In addition, a Qualified Energy Auditor must perform energy audits and life cycle cost assessments for any Tier 1 buildings that don't meet Energy Use Intensity Target.

A limited number of incentives will be available for early compliance, geared towards encouraging reporting and helping buildings meet Energy Use Intensity Target. The OR BPS program is also authorized to impose penalties for noncompliance. Additional guidance documents are available on the OR BPS website: <https://tinyurl.com/ODOE-BPS>.