B3 GUIDELINES
PROJECT ROLE:
Agency Contact
AGENDA

1. What is an Agency Contact?

2. How to fulfill an Agency Contact’s responsibilities
   - Navigating the B3 Guidelines Tracking Tool
   - Phase Review and Approval
   - Variance and Non-Compliance Guidance

For more information about the State of Minnesota’s B3 programs and tools, visit: B3mn.org

www.b3mn.org/guidelines/alldocuments/
WHAT IS AN AGENCY CONTACT?

Any agency, State entity, or non-State organization that receives general obligation bond funding for a project must ensure project adherence to the B3 Guidelines.

The entity ensures that the project team has sufficient resources to comply with the B3 Guidelines and selects an Agency Contact as a representative to assist with the successful submission of project documentation.
RESPONSIBILITIES OF AGENCY CONTACTS

The Agency Contact has three primary responsibilities:

1. Completing Guideline Documentation
2. Phase Review and Approval
3. Variance Review
SELECTING AN AGENCY CONTACT

Agency Contacts:

• Are typically a staff member of the agency, entity, or organization
• Ideally have experience with construction projects
• Must understand the intent of the B3 Guidelines
SELECTING AN AGENCY CONTACT

For agencies or entities without sufficient in-house resources, contact the B3 Guidelines Administrators to discuss alternate solutions for the Agency Contact role.
NAVIGATING THE B3 GUIDELINES TRACKING TOOL

www.trackingtool.b3mn.org
My Projects
You are a member of 1 project.

B3 Guidelines Sample Project
123 Fake Street
Minneapolis, MN 55406
Pre-design - In Process (0%)
Guidelines v3.2
Last modified 7/28/2021 4:27:47 PM

⚠ This project is currently not compliant with the tracking requirements of the Minnesota Sustainable Building Guidelines. Guideline leader is not specified.

What would you like to do?
- Project Dashboard
- You have 1 open action item(s)
- Project Editor (Team members, roles, etc.)
- Current Phase Report (PD)

Note: This list details projects for which you are member of. Your user account has elevated rights. Click here to view all projects in the Project Manager.
# PERFORMANCE MANAGEMENT

<table>
<thead>
<tr>
<th>Guideline</th>
<th>Responsible Role</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.0. Performance Management Information</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P.1. Design and construction process</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P.2. Operations process</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P2B. Conduct at least one Post Occupancy Evaluation</td>
<td>Facility Operations Manager</td>
<td>(Unassigned)</td>
<td>Required</td>
</tr>
<tr>
<td>P2C. Reserve 0.25% of Construction Cost for Meeting SB 2030 Energy Standard During Operations</td>
<td>Agency Contact</td>
<td>Claire Winters</td>
<td>Pursued</td>
</tr>
<tr>
<td>S.0. Site and Water Strategies</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
GUIDELINE DOCUMENTATION
1. Save, but not sign off, by unchecking the box and clicking “Save and Close”.
2. Sign off on the guideline by clicking “Save & Close”.

P.2 Operations process
P2C. Reserve 0.25% of Construction Cost for Meeting SB 2030 Energy Standard During Operations

Fields in yellow are editable. Fields in blue are calculated. Fields in gray are not applicable or disabled at this phase. Compliance check looks for adequate set-aside funds and for affirmative (yes) response when applicable...

P2C11. Project Budget


P2C31. SB 2030 Compliance Set aside as percentage of total construction cost

P2C41. Do contract documents include language on use of set aside funds?

$1,250,000

2500

0.28 %

Unselected

I agree that the above information is correct and complete. Signed by Claire Winters on 9/15/2021 11:53 AM
P.2 Operations process

P2C. Reserve 0.25% of Construction Cost for Meeting SB 2030 Energy Standard During Operations

Warning. This guideline has already been signed off. Click the checkbox to enable editing.

Fields in yellow are editable. Fields in blue are calculated. Fields in gray are not applicable or disabled at this phase. Compliance check looks for adequate set-aside funds and for affirmative (yes) response when applicable.

P2C11. Project Budget

P2C21. Project budget set aside for SB 2030 compliance in operation

P2C31. SB 2030 Compliance Set aside as percentage of total construction cost

P2C41. Do contract documents include language on use of set aside funds?

Notes

Compliant

I agree that the above information is correct and complete. Signed by Claire Winters on 10/21/2021 1:53 PM
1. Click “Save & Close,” and manage the noncompliant inputs later.
2. Apply for a Variance or Noncompliant designation.
P.0 Performance Management Information

POD. Building Information

**Warning. This guideline is later than the current phase. Click the checkbox to enable editing.**

Fields in yellow are editable. Fields in blue are calculated. Fields in gray are not applicable or disabled at this phase.

**POD1. Gross building area**

15,000 sq. ft.

**POD6. Is the entire building required to meet SB 2030?**

Yes

**POD11. Gross SB 2030 Project Size (enter entire project gross square footage if entire project is required to meet SB 2030).**

15,000 sq. ft.

**POD16. Gross building area contributing to determination of applicability of B3 Guidelines Small Buildings Path. For most projects this will be identical to the SB 2030 Project size, the Gross Building area, or both. See guideline for further detail.**

15,000 sq. ft.

**POD21. Number of stories**

2

**POD2A. Primary building type (Optional Entry)**

Library

**Space Use Types (Optional Entries)**

<table>
<thead>
<tr>
<th>Space type name</th>
<th>Net square footage (sq. ft.)</th>
</tr>
</thead>
</table>

**Compliant**

I agree that the above information is correct and complete.

Check for Compliance Cancel
### P.0 Performance Management Information

**POB. Building Occupancy**

- **POB1. Building employees, yearly person hours**: 10,000 Person hours
- **POB2. Building visitors, yearly person hours**: 1,500 Person hours
- **POB3. Building residents, yearly person hours**: [Field not filled] Person hours
- **POB4. Building occupancy, annual full time equivalents (FTE)**: 6 FTE

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**Notes**

- **Compliant**
  - I agree that the above information is correct and complete. Signed by Becky Alexander on 5/25/2022 9:10 AM
PHASE REVIEW AND APPROVAL
PHASE REVIEW AND APPROVAL

• Confirms the completeness and accuracy of all the information submitted for the current phase.

• The project’s Guideline Leader and Agency Contact review the information via the Phase Summary Report.

• This step helps identify potential issues before it’s too late in the design process to change them.
PHASE REVIEW AND APPROVAL

1. Project team completes documentation and sign-off for all applicable guidelines and phase is locked for review.

2. Guideline Leader reviews Phase Summary Report.

3. B3 Administrators provide limited review of specific inputs, including SB 2030.

4. Agency Contact reviews Phase Summary Report and variances.
Project ‘B3 Guidelines Sample Project’ at phase Predesign has been submitted by the guideline leader and is ready for your approval. Please log in to the B3 Guidelines Tracking Tool website at https://trackingtool.b3mn.org/ for further action.

Project Code: T117
Questions or concerns about submission acceptability?

guidelines@b3mn.org
# REVIEW VARIANCE REQUESTS

<table>
<thead>
<tr>
<th>Guideline Leader</th>
<th>Agency Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensure requests meet program requirements</td>
<td></td>
</tr>
<tr>
<td>Ensure project information is accurately represented</td>
<td></td>
</tr>
<tr>
<td>Identify opportunities to use provisional variances rather than full variances</td>
<td></td>
</tr>
<tr>
<td>Work with team members to remedy issues</td>
<td>Formally approve or reject the variance request</td>
</tr>
</tbody>
</table>
By approving a variance request, Agency Contacts are confirming:

1. The organization represented deems it appropriate to waive the guideline requirement for the project.

2. The variance request meets eligibility conditions for the program.

3. The variance does not compromise compliance with the *intent* of the B3 Guidelines.
REVIEW VARIANCE REQUESTS

APPROVED VARIANCES

- No further action is needed

REJECTED VARIANCES

- Project phase automatically unlocks for editing
- Project team works toward resolution
- May involve adjusting the design, resubmission with more detail, or requesting a provisional variance
OTHER VARIANCE OUTCOMES

OUTSIDE OF PROJECT SCOPE?
Contact B3 Guidelines Administrators for review (guidelines@b3mn.org)

UNSURE OR UNABLE TO DETERMINE VALIDITY?
Contact B3 Guidelines Administrators for a second opinion (guidelines@b3mn.org)
APPROVING/REJECTING A VARIANCE

E2A31M. Total Cost per unit of Renewable System Delivered Energy (as calculated by the renewable energy feasibility tool)

E2A41. Upload Completed Feasibility Tool for System One

E2A51. Upload Completed Feasibility Tool for System Two

B3 Guidelines (Predesign Phase Only) Levelized Cost of Energy Calculator (use to calculate systems below)

E2A61. Which system is planned or specified for installation?

E2A71. Has the system been installed?

Variance Notes:
This is a sample variance request created for educational purposes.

E2B. Solar-Ready

E2B11. Upload site plan delineating areas with the most feasible solar (or wind) access, accounting for planned site and building development, updated at each design phase.

E2B41. Does the solar-readiness of the project meet the requirements of guideline E.2B?
SUBMITTING PHASE SUMMARY REPORT
VARIANCE AND NON-COMPLIANCE GUIDANCE
WHAT IS A VARIANCE?

A variance is a tool used by projects requiring an accommodation to the B3 performance thresholds and/or documentation schedule.
VARIANCES

PROVISIONAL VARIANCE

- A temporary variance that allows for a required guideline to be completed later
- Only apply to phase requested in
- May be re-requested as needed
- May not be requested during the last phase a guideline is required

FULL VARIANCE

- Permanent
- Used for conflicts with the intended use (program) of a building or site
- Used for technological limitations
- Project teams are meant to pursue creative solutions to meet the intent of the guidelines as much as possible
VARIANCES

Full variances should **not** be requested for the following reasons:

1. Budgetary or project schedule constraints
2. Requirements missed by a project team that cannot be addressed later
3. Conflict with typical design or construction processes
4. Small or irregular sites
5. Recommended guidelines
6. The guideline is unrelated to or outside of the project scope
NON-COMPLIANCE

• If the project team can’t document compliance with a guideline and there is no satisfactory reason why a variance should be considered, the project will be designated as Not Compliant with the guideline.

• This designation is only available at the last phase the guideline is required and should be used as a last resort.

• Non-compliant designations are shown publicly on the B3 Case Studies Database.
VARIANCE REQUEST PROCESS

Variance requests are processed within the B3 Guidelines Tracking Tool:

1. The project team submits a variance request
2. The variance request is reviewed by the project’s Guideline Leader, the B3 Guidelines Administrators, and the Agency Contact
3. The Agency Contact determines whether to approve or reject the variance request
WHAT TO INCLUDE IN A VARIANCE REQUEST?

**PROVISIONAL VARIANCE**

- Clearly identify the reason for the variance.
- Describe next steps for complying with the guideline.

**FULL VARIANCE**

- Clearly identify the reason for the variance, describing how it meets one of the program's allowed justifications.
- Describe how reasonable alternative approaches were exhausted and creative solutions were explored.
- Identify a modified performance level or compliance method that will be pursued.

**NON-COMPLIANT DESIGNATION**

- Describe why this is necessary.

Provide supporting documentation
“The project team has not been able to document full compliance with the daylighting requirements during schematic design. Our daylight model currently shows achievement of spatial daylight autonomy in 40% of regularly occupied space, which does not meet the minimum requirement of 50%. We will continue to work through this during design development by evaluating window size and placement and the potential for toplighting through daylight monitors and/or solar tubes.”
EXAMPLE: FULL VARIANCE

“The project team is requesting a full variance for the 75% construction waste diversion requirement due to technological limitations of the local market. The project is located in rural Minnesota and there are limited recycling facilities available. The project team engaged a C&D waste diversion consultant to evaluate options for the primary waste streams expected from the project (concrete, wood products, cardboard/paper, and gypsum board). They found that cardboard/paper, metals, and plastics are accepted at a local recycling facility if they are source-separated. They also found a farm operator that would accept gypsum board directly to use as a soil amendment. However, they were unable to find any facilities within 60 miles that would accept concrete or wood products (other than in waste-to-energy applications). Our revised approach was to utilize on-site sorting of recyclable materials and maximize the recycling rates for these material categories, with regular status checks at construction meetings. While this approach enabled us to achieve diversion rates above 95% in these categories, due to the large volume of concrete demolished, the project’s overall diversion rate was only 68%.”

- Reason for variance
- Alternative approach/creative solution
- Modified performance level
UNACCEPTABLE FULL VARIANCE EXAMPLES

“We couldn’t meet the 75% waste diversion threshold because we are located in rural Minnesota.”

“The project schedule cannot accommodate the time required for daylight modeling.”

“The contractor did not track waste diversion for this project.”
Questions about variances?

Contact the B3 Guidelines Administrators:
guidelines@b3mn.org
CONCLUSION

1. Agency Contact’s role

2. Agency Contact’s responsibilities
   - Guideline Fulfillment
   - Phase Review and Approval
   - Variance and Non-Compliance Review

Visit our website: B3mn.org

Contact the B3 Guidelines Administrators: guidelines@b3mn.org