# 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





Welcome Claire Winters

My Account | Sign Out

#### My Projects

You are a member of 1 project.



#### B3 Guidelines Sample Project

123 Fake Street Minneapolis , MN 55406

Predesign - 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?

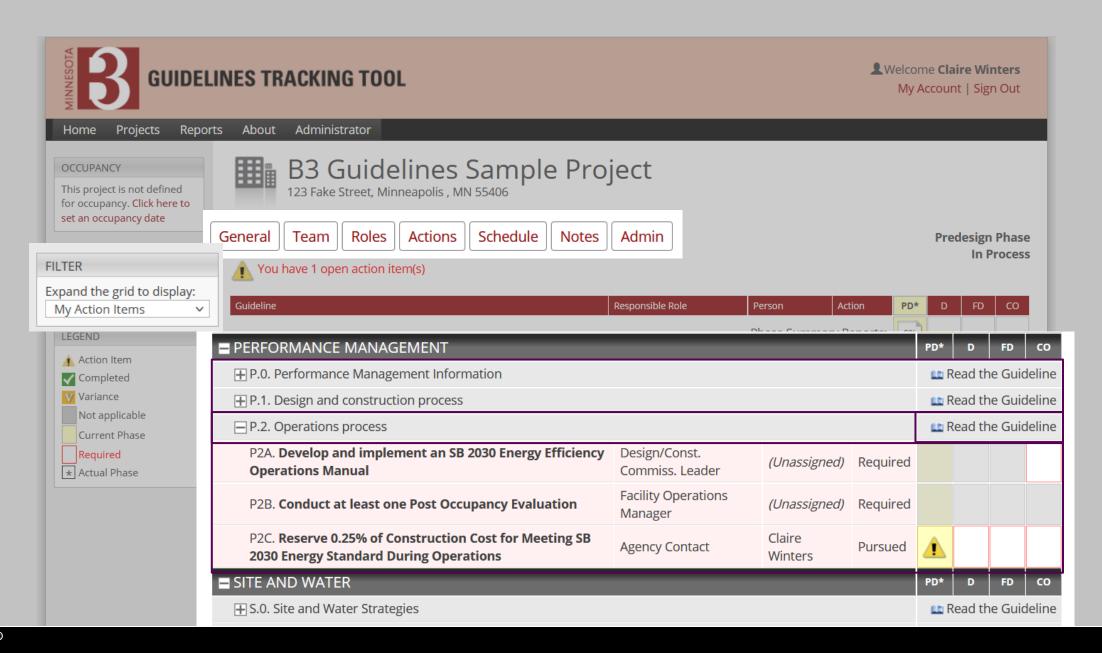
■ Project Dashboard

1 You have 1 open action item(s)

■ Project Editor (Team members, roles, etc.)
■ Current Phase Report (PD)

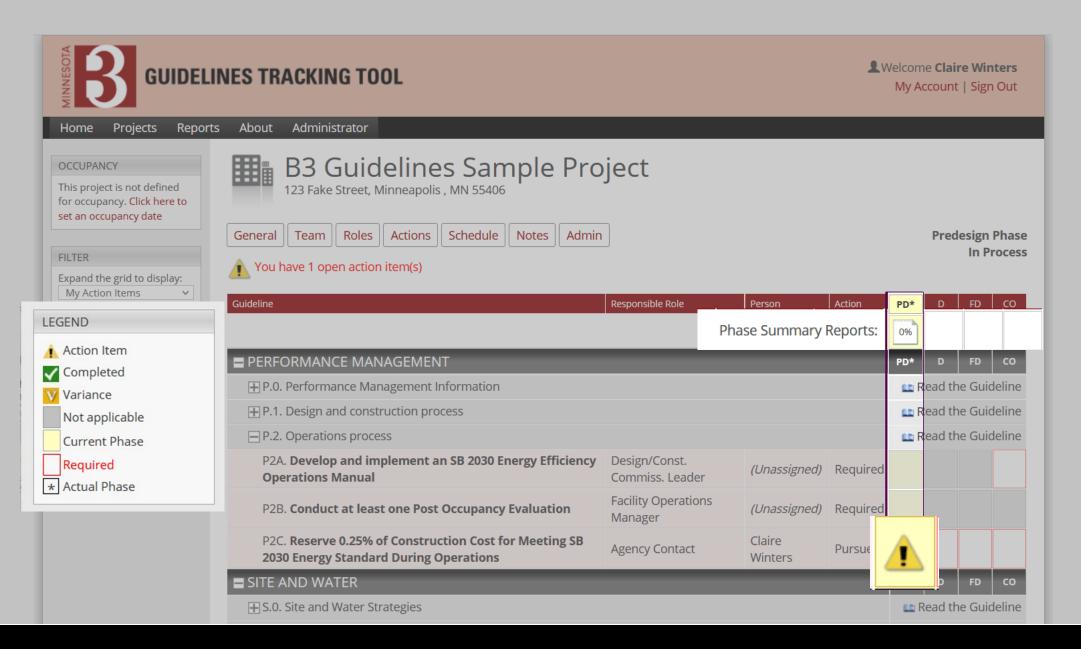
Note: This list details projects for which you are member of. Your user account has elevated rights. Click here to view all projects in the Project Manager.





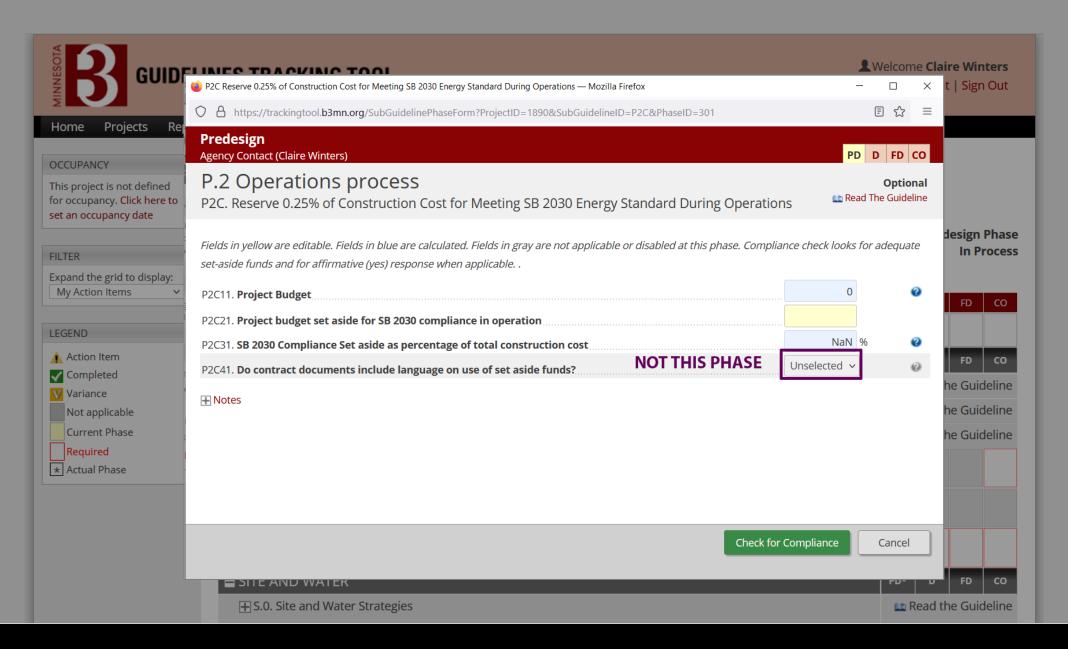


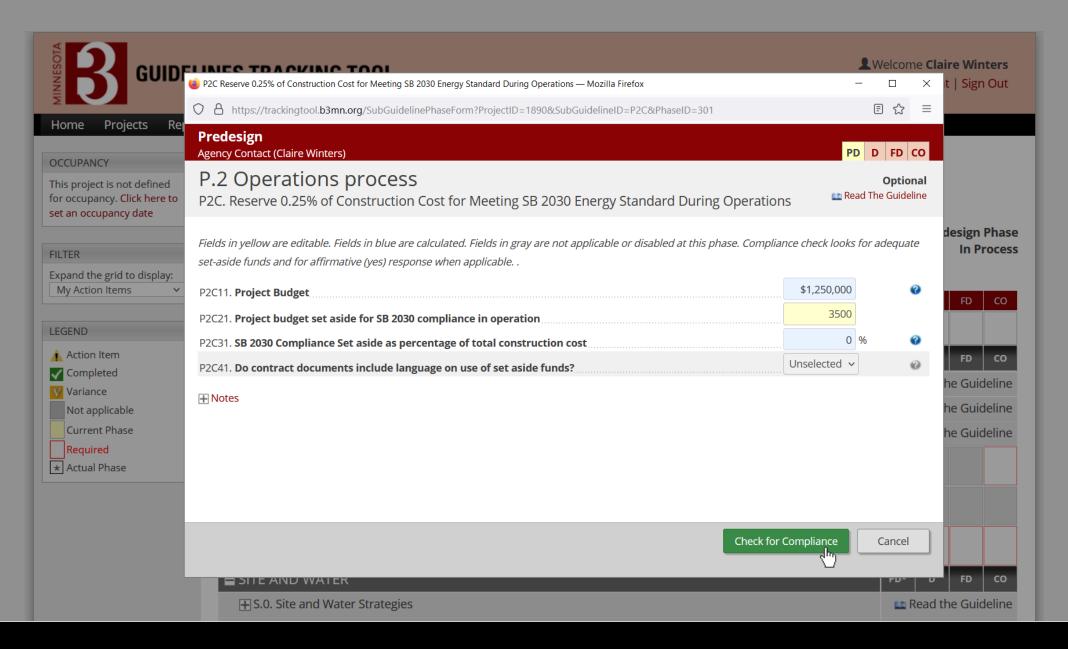




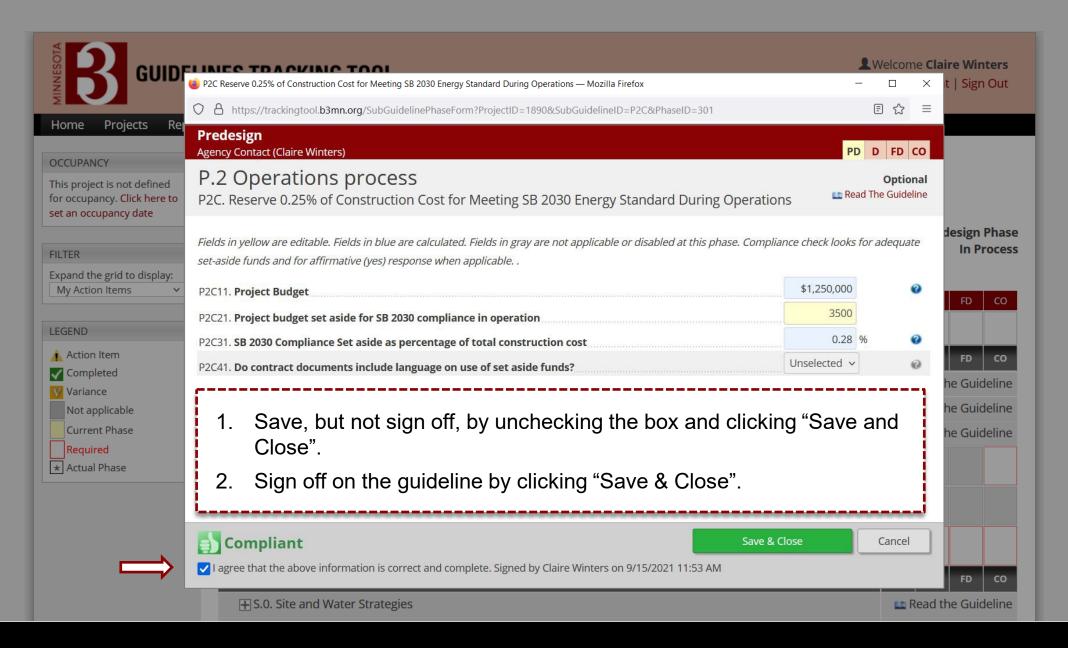


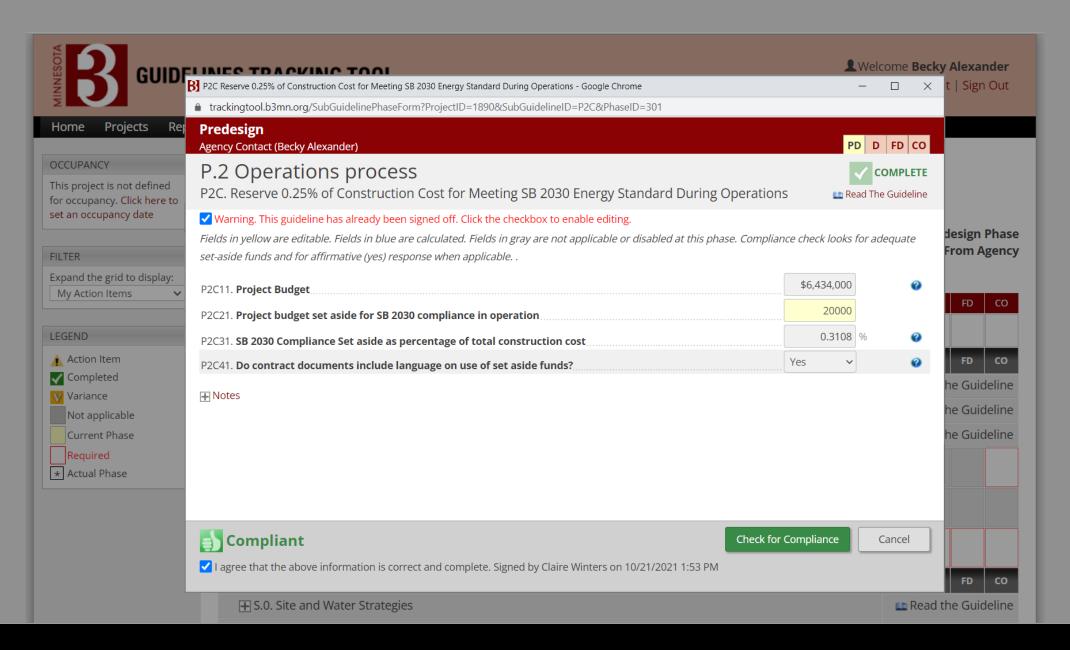






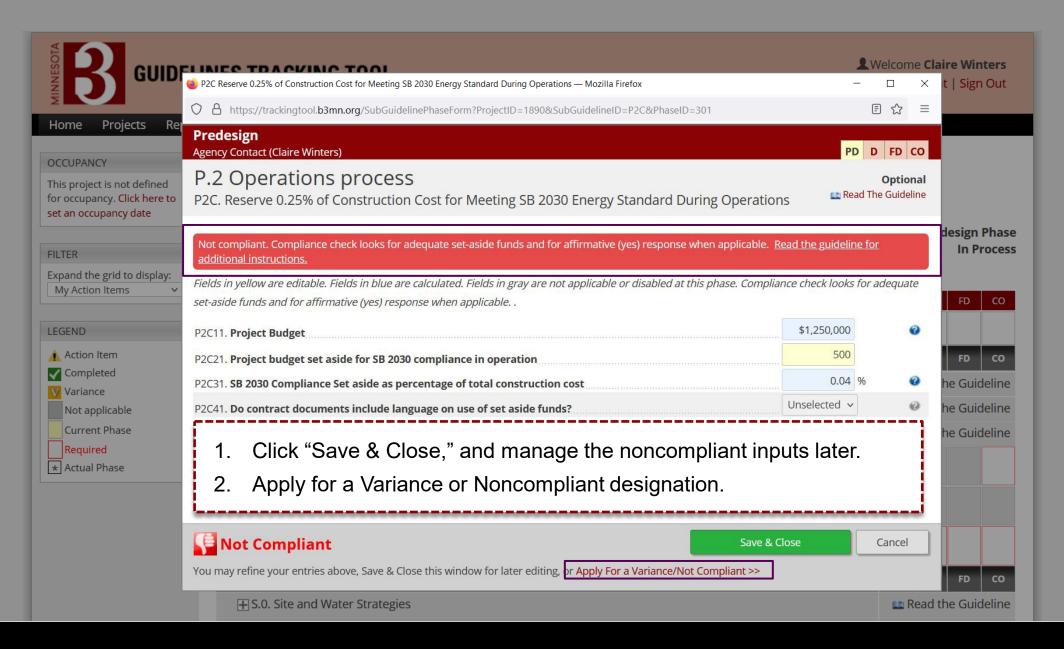






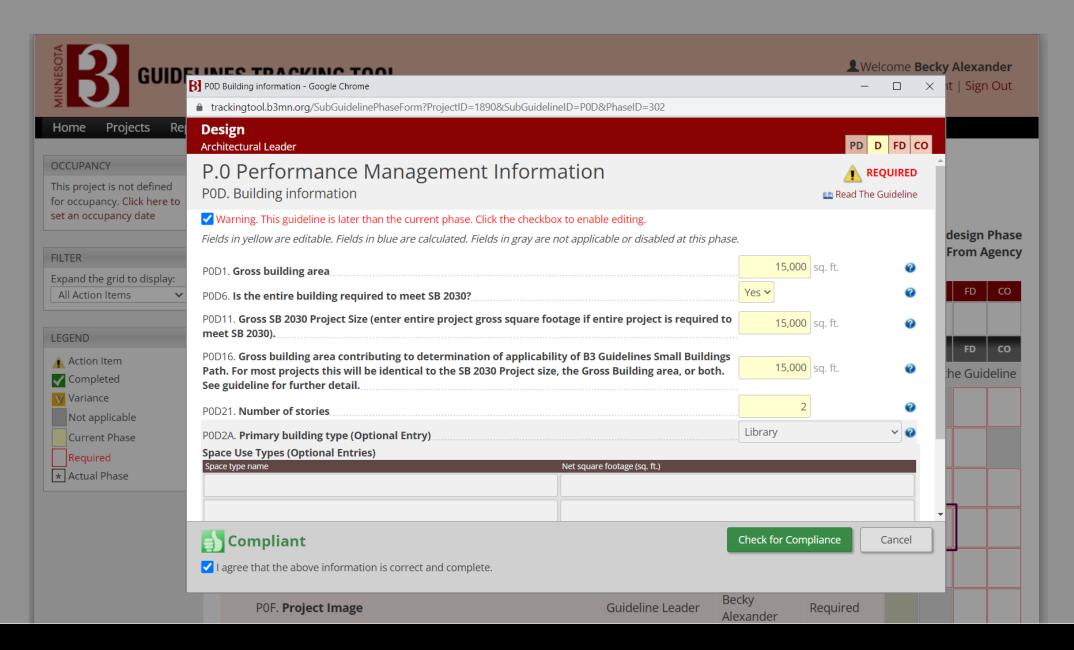






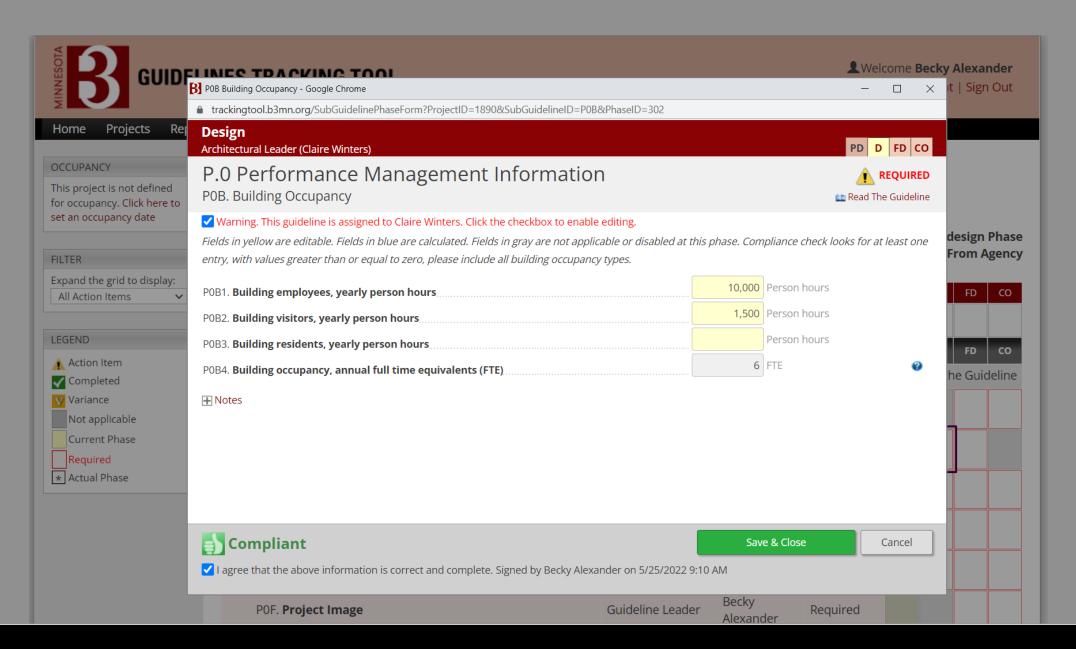














# PHASE REVIEW AND APPROVAL

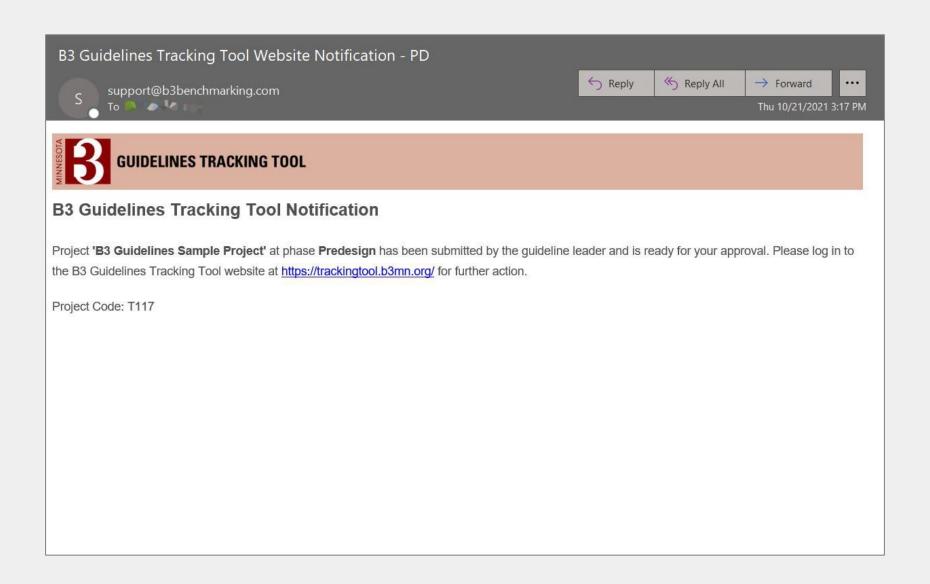


## PHASE REVIEW AND APPROVAL

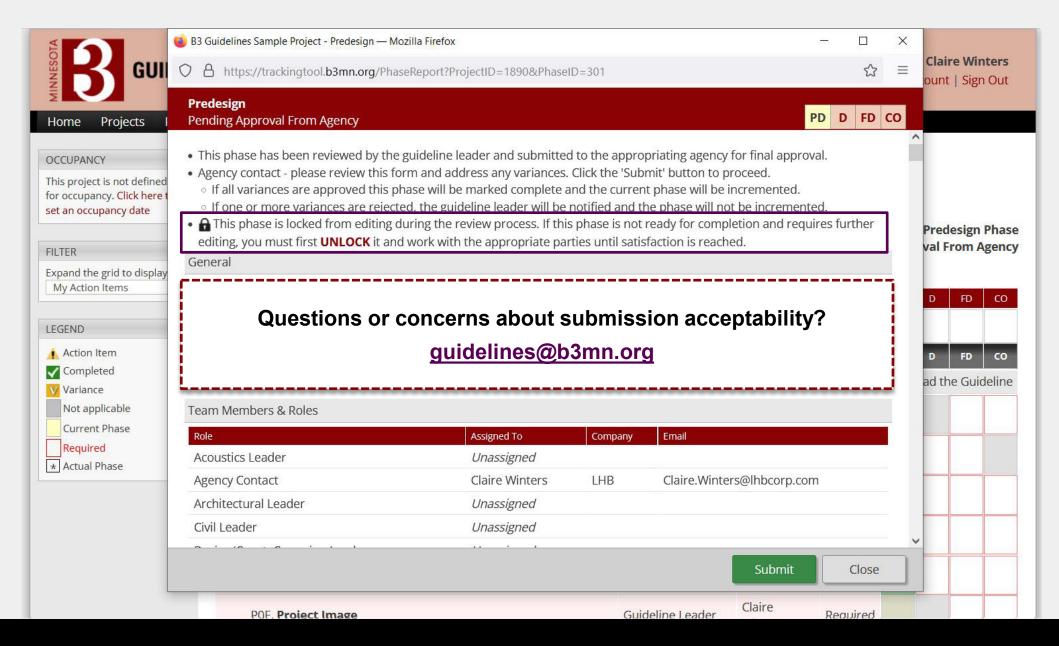
- Confirms the completeness and accuracy of all the information submitted for the current phase.
- The project's Guideline Leader and Agency Contact review the information via the Phase Summary Report.
- This step helps identify potential issues before it's too late in the design process to change them.

## PHASE REVIEW AND APPROVAL

- Project team completes documentation and sign-off for all applicable guidelines and phase is locked for review.
- Guideline Leader reviews Phase Summary Report.
- B3 Administrators provide limited review of specific inputs, including SB 2030.
- Agency Contact reviews Phase Summary Report and variances.









# **REVIEW VARIANCE REQUESTS**

| Guideline Leader                                                               | Agency Contact                                  |
|--------------------------------------------------------------------------------|-------------------------------------------------|
| Ensure requests meet program requirements                                      |                                                 |
| Ensure project information is accurately represented                           |                                                 |
| Identify opportunities to use provisional variances rather than full variances |                                                 |
| Work with team members to remedy issues                                        | Formally approve or reject the variance request |



# **REVIEW VARIANCE REQUESTS**

By approving a variance request, Agency Contacts are confirming:

- The organization represented deems it appropriate to waive the guideline requirement for the project
- The variance request meets eligibility conditions for the program
- 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?**



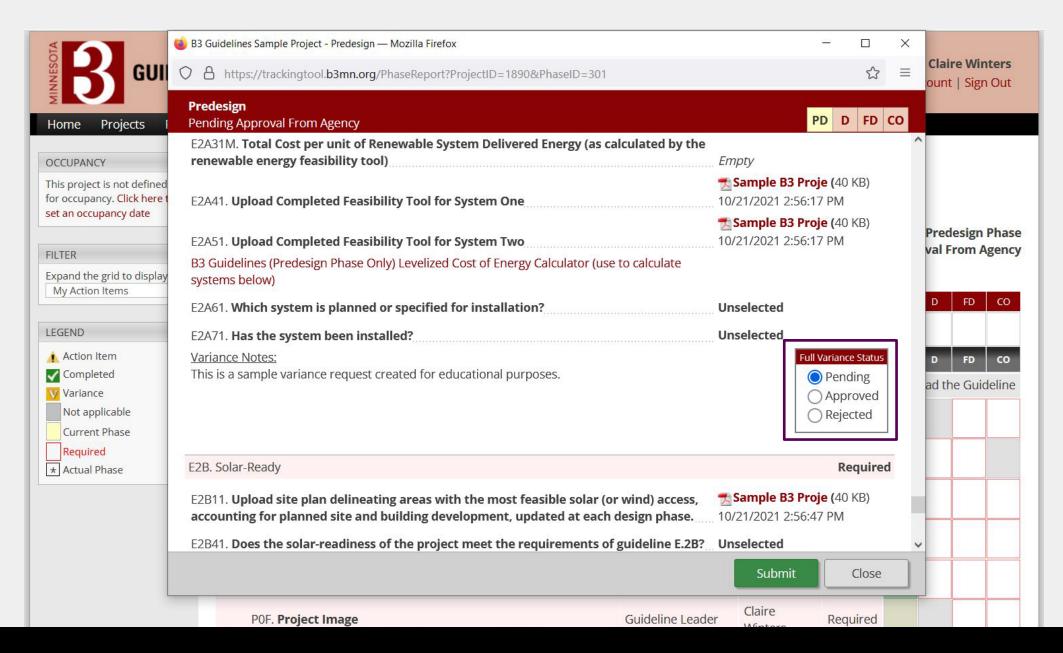
Contact B3 Guidelines Administrators for review (guidelines@b3mn.org)

#### **UNSURE OR UNABLE TO DETERMINE VALIDITY?**



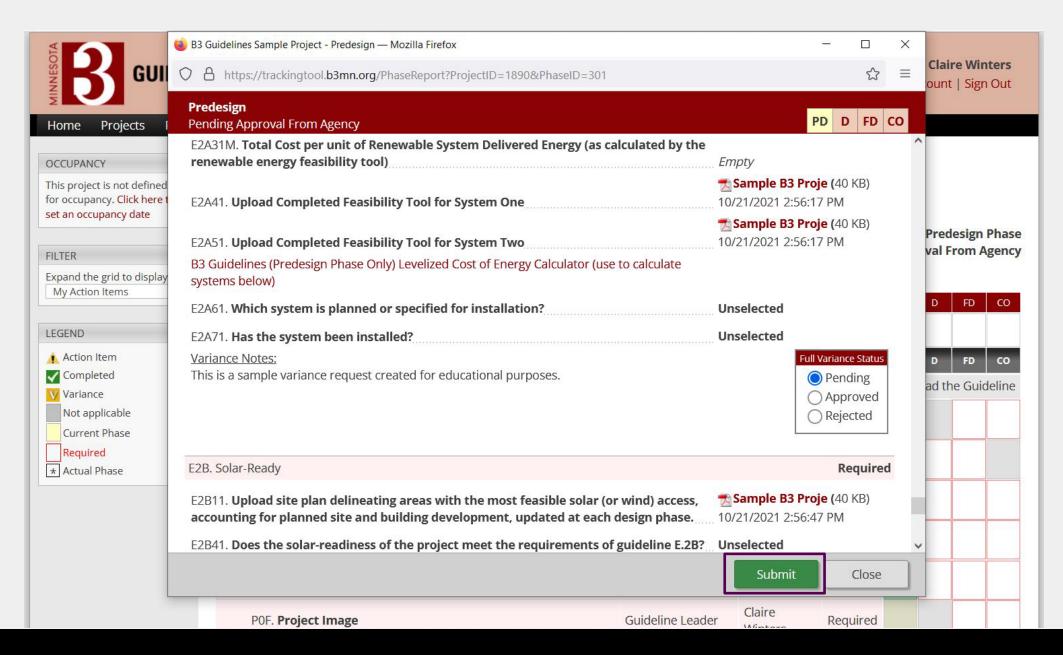
Contact B3 Guidelines Administrators for a second opinion (guidelines@b3mn.org)















# 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 <u>not</u> 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.



Design Submission Status



Complete – the B3 Guidelines design and construction documentation for this project is complete

Design Compliance



Not Compliant – this project does not comply with the following B3 design and construction guidelines:

- M3B Divert 75% construction and demolition waste from landfill
- M3C Reduce and recycle waste generated during building operation

Operations Submission Status



Overdue – the B3 Guidelines operations documentation for this project is more than 90 days overdue

Operations Compliance



Undetermined – this project has not yet completed a full year of B3 Guidelines operations documentation





# **VARIANCE REQUEST PROCESS**

Variance requests are processed within the B3 Guidelines Tracking Tool:

- The project team submits a variance request
- The variance request is reviewed by the project's Guideline Leader, the B3 Guidelines Administrators, and the Agency Contact
- 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.

#### NON-COMPLIANT DESIGNATION

Describe why this is necessary.

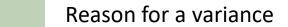
**Provide supporting documentation** 

#### **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.

# **EXAMPLE: PROVISIONAL VARIANCE**

"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%."







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

