

Building Performance Standards (BPS)

Newton, MA Building Emissions Reduction & Disclosure Ordinance

The Newton Building Emissions Reduction and Disclosure Ordinance (BERDO) was implemented in 2024 with a goal for the city's large buildings to achieve net-zero greenhouse gas (GHG) emissions by 2050. Owners of covered buildings are required to measure and report energy consumption data annually and must meet performance standards. The policy sets performance targets but doesn't specify how owners must achieve these reductions, allowing for innovation and tailored approaches. Large residential buildings are expected to be included in performance requirements on a more flexible timeline.

Covered Buildings

- **Commercial** buildings of 20,000+ square feet
- **Manufacturing/Industrial** buildings of 20,000+ square feet
- **Note:** Multifamily buildings with 20,000+ square feet are only required to report energy use and are not required to meet performance standards at this time.

Timeline

Compliance periods and deadlines are determined by building **Tiers**. Tiers are as follows:

- Tier 1: Non-residential buildings with 100,000+ sq. ft.
- Tier 2: Non-residential buildings with 50,000-99,999 sq. ft.
- Tier 3: Non-residential buildings with 35,000-49,999 sq. ft.
- Tier 4: Non-residential buildings with 20,000-34,999 sq. ft.

Tier	Period 1	Period 2	Period 3	Period 4	Period 5
1	2027-2032	2033-2038	2039-2044	2045-2049	2050
2	2028-2033	2034-2039	2040-2044	2045-2049	2050
3	2029-2034	2035-2039	2040-2044	2045-2049	2050
4	2030-2034	2035-2039	2040-2044	2045-2049	2050

Compliance Requirements & Pathways

Building owners need to submit their benchmarking report using the ENERGY STAR Portfolio Manager® and assess their building(s) performance. Covered buildings must meet property-type performance standards that phase downward each period to zero by 2050. BERDO does not have requirements for how emissions are reduced, leaving building owners free to decide the best route. The policy does offer the following alternative options to enable building owners to meet compliance:

Blended Emissions Standard

Allows building owners to have an emissions standard that is based on different primary uses in a building or building portfolio and may increase the emissions limit.

Individual Compliance Schedules

Allows building owners to apply for customized targets based on emissions reductions achieved prior to 2025.

Hardship Compliance Plans

Building owners with eligible technical or financial hardships for themselves or the building(s) may request an alternative emissions reduction timeline and/or more flexible emissions reduction targets.

Alternative Compliance Payments

Building owners have the option to make an alternative compliance payment of \$234.00 for every metric ton of CO₂ a building is above its emissions limit.

Demonstration of Compliance

BERDO relies on the benchmark reports to determine if a building is meeting its assigned performance standard. Building owners will be required to verify the benchmarking data on their second year of reporting and every five years thereafter (requirements for data verification have yet to be published).

What are the Penalties?

Owners of covered buildings can be fined up to \$300.00 per day for failure to report or meet the property-type performance standards.

Conservice Solutions

Conservice offers a BPS service package that includes tracking building performance against BPS targets, compliance submissions, enhanced reporting options, and many other exclusive features. Visit our website for more information: <https://esg.conservice.com/>