

**BUILDING EMISSIONS REDUCTION AND DISCLOSURE ORDINANCE (BERDO)
EQUITABLE EMISSIONS INVESTMENT FUND
PUBLIC FEEDBACK PERIOD**

This document contains staff responses for public feedback received during:

A public feedback opportunity regarding draft application evaluation form and application outline of **the Equitable Emissions Investment Fund**. This feedback opportunity period opened on March 15, 2024 and closed at 5 pm on Tuesday, April 30, 2024.

Equitable Emissions Investment Fund

SUMMARIZED COMMENTS	SUBMITTED BY	STAFF RESPONSE
Draft Evaluation Form		
<p>Refining the Emissions Reduction Criteria: As stated in the eligibility criteria, projects must result in direct emissions reductions from energy use in buildings located in the City of Boston. A Better City’s members therefore recommend that the evaluation form clearly demonstrates that the emissions reduction criteria is a “go/no go” criteria, unlike any of the other criteria. Under the emissions reduction criteria the “highly advantageous” and “advantageous” columns are still relevant, but the “not advantageous”, “not present” or “need more information” columns, should be changed to read “emissions reductions from energy use in buildings located in the City of Boston is a required criteria. Additional information is needed before this project can be considered for the EEIF.”</p> <p>Recommendation: A Better City recommends that the draft evaluation form clearly indicates that no project can be approved without compliance with the emissions reduction criteria.</p>	A Better City	Thank you for your comments and recommendation the project evaluation criteria have been updated to reflect this.
<p>Including New Sections on Project Evaluation During and After a Project’s Implementation: Currently, the draft evaluation form relates solely to the selection of physical projects for EEIF funding and does not include guidance on how projects will be evaluated during and after a project is implemented. The BERDO regulations that relate</p>	A Better City	Thank you for your comment. The draft evaluation form is solely used to evaluate a proposed project for the fund. Post-award conditions will be discussed at future hearings. The notice of grant opportunity will include a list of standard conditions.

<p>to this can be found under Section XVII. d. EEIF's Conditions for Expenditure. However, further guidance should be provided on: XVII. d. (i) (c) clarifying the type of reporting required by funding recipients on a project's progress and use of funding; XVII. d. (i) (f) clarifying how the Review Board or designee plans to inspect any project and related records to assess compliance with the terms and conditions of the funding provided; and XVII. d. (i) (g) clarifying the procedure for projects that fail to comply with the terms and conditions of receiving EEIF funds.</p> <p>A Better City members believe that evaluation during and after a project is implemented is essential and we continue to advocate for an approach similar to the State Department of Public Health, which assists grantees who have obtained Community Health Initiative funds by allocating a portion of the funds for an independent evaluator who works with the grantee from the beginning of the project to set evaluation metrics and provide ongoing analysis during the project. This approach does not just allow the BERDO Review Board to gain lessons learned from unsuccessful projects, but also allows the Review Board to intervene and ideally prevent unsuccessful projects from happening.</p> <p>Recommendation: A Better City recommends including new sections within the draft Evaluation Form that clarify how a project will be evaluated, both during and after the project is implemented.</p>		
<p>Appendix A –</p> <ul style="list-style-type: none"> • Could you provide more detail about what constitutes indoor air quality improvements? 	<p>Massachusetts Sierra Club</p>	<ul style="list-style-type: none"> • Thank you for your comment. Indoor air quality improvements are weighed similarly to outdoor air quality improvements. An example could be the replacement of fossil fuel appliances which have

<p>Would you be weighing this criteria similarly to outdoor air quality i.e. carbon monoxide, lead, nitrogen dioxide, particulate matter, and sulfur dioxide reductions?</p> <ul style="list-style-type: none"> • Could you also provide more detail regarding the “Other” category of benefits that you listed including project replicability, scalability, uniqueness, urgency, and timeliness? How would this category of benefits lead to improvements in environmental justice communities? 		<p>been linked to childhood asthma.</p> <ul style="list-style-type: none"> • The “Other” category of benefits is meant to allow applicants to include benefits not explicitly stated in the draft evaluation form. Proposed projects that benefit Environmental Justice populations will be prioritized, but this criteria will allow for creativity from the applicant.
<p>Draft Application Outline</p>		
<p>Collecting Additional Information: In general, A Better City members suggest collecting more information about the organization applying for EEIF funding (recipient) and the teams executing the project to attain a level of confidence that the work will be well-executed.</p> <ul style="list-style-type: none"> • Recipient’s Funding Accomplishments: The application form as drafted requests a mission statement. A Better City’s members recommend that the form should also request the organization’s major funding accomplishments over the last three years in activities related to the proposed project. • Recipient’s Financial Size and Stability: The application form requests the size of the organization’s annual budget. A Better City’s members also suggest that the Review Board receives copies of the IRS 990 forms that 	<p>A Better City</p>	<ul style="list-style-type: none"> • Recipient’s Funding Accomplishments: Thank you for your comment. An optional section for funding accomplishments has been added to the application outline to reflect this. • Recipient’s Financial Size and Stability: The IRS 990 forms will be requested in the application. • Project Team’s Qualifications: Thank you for this comment. A statement has been added that states the Review Board reserves the right to request references during project evaluations. • When the Project Team is a Firm/General Contractor: Thank you for your comment. This comment has been shared with the Review Board. This round is reserved for nonprofits, we will consider additional requirements in future rounds.

<p>are available publicly, and/or audited financial statements from the past year. Audited financial statements could be mailed separately, to maintain confidentiality.</p> <ul style="list-style-type: none"> • Project Team’s Qualifications: The application form requests submitting resumés from project team members. A Better City’s members suggest requesting references for each team member as well. • When the Project Team is a Firm/General Contractor: A Better City’s members recommend that the Review Board requests background information on the firm (history, ownership, leadership, financial size) and a list of three relevant projects with references for each project. <p>Recommendation: A Better City recommends collecting more information about the organization applying for EEIF funding and the project teams in the draft application, with the details of the additional information outlined above.</p>		
<p>Introduction:</p> <ul style="list-style-type: none"> • The application should begin with a plain-language, bulleted list of who is eligible for this fund. <p>Project Summary:</p> <ul style="list-style-type: none"> • For the “Description of Building(s) served in proposed project” question, the form should reiterate which buildings are qualified under BERDO. Owners of BERDO buildings are likely 	<p>Boston Climate Action Network</p> <p>Massachusetts Sierra Club</p>	<p>Introduction:</p> <ul style="list-style-type: none"> • Thank you for your comment. The eligibility criteria for the Equitable Emissions Investment Fund will be included in the notice for the granting opportunity. <p>Project Summary:</p> <ul style="list-style-type: none"> • We will specify the requirements in the application outline with specific language. <p>Scope of Work:</p>

aware of the law, but owners of non-BERDO buildings may not be familiar. However, all building owners are legally eligible to receive funding, regardless of whether or not their building is subject to BERDO.

Scope of Work:

- Residential-Specific:
 - The form should ask if the project would temporarily displace tenants and, if so, what the owner's plan is to relocate said tenants, including relocation assistance, rent assistance, etc.
 - The Review Board should require rent stabilization agreements to be signed between the City, the tenants, and the building owners upon the provision of funding from the Fund. This section should ask if building owners are willing to sign such an agreement.

Project Team:

- What do we aim to learn from the provision of team members' resumes? We recommend cutting this question absent a compelling rationale.
- The form should inquire about the extent to which the project plans to use labor from the following sources:
 - Boston-based contractors
 - Cooperative contractors
 - Minority Business Enterprises
 - Women Business Enterprises
 - Disadvantaged Business Enterprises
 - Trainees and/or recent graduates from local workforce development programs.

- The Review Board will evaluate projects based on project evaluation form, which includes benefits to tenants. This can include but is not limited to anti-displacement measures, such as rent stabilization, rent assistance, and/or relocation assistance.

Project Team:

- Thank you for your comment. This has been passed to the Review Board.
- The Review Board will evaluate projects based on the criteria outlined in the evaluation form. The evaluation form asks for benefits associated with workforce and labor development which encapsulates the specific workforces mentioned.

Use of Display Logic:

- Thank you for your comment. We will explore this option and how it could possibly be added to the application outline.

<p>Use of Display Logic:</p> <ul style="list-style-type: none"> • For questions about tenants, we are specifically interested in residential tenants. We recommend employing “display logic” that reveals a set of tenant-specific questions only for residential building owners. This could begin with a question asking if part or all of the building is for residential use. 		
<p>Regarding the Fund Survey</p>		
<ul style="list-style-type: none"> • What types of buildings are applicable to apply for money from the fund? Are there others aside from community health centers, residential buildings, and houses of worship? For residential buildings, are affordable housing buildings going to be prioritized, and if so, how? • For the question asking what range of funding the applicant is interested in, is \$1,000,000 to \$3,000,000 a realistic amount that could be allocated to one project? Our understanding is that the fund currently has approximately \$3.5 million dollars in seed funds allocated by Mayor Wu. We are interested in understanding the circumstances under which one project could receive up to 3 million of the funds. Would this be the case if in the first year there was only one project submission that ranked “highly advantageous” by the Review Board? Additionally, is there a desire by the review board to spend all of the funds currently in the 	<p>Massachusetts Sierra Club</p>	<ul style="list-style-type: none"> • There is no restriction on building use types that projects can benefit with money from the Fund. The Fund must prioritize projects that benefit Environmental Justice populations. • The cost of a project depends on the work. Deep energy retrofit projects can cost several million dollars. Example budgets and cost for decarbonization work can be found in this press release. The Review Board has discretion over the Fund and will decide how much money they would like to allocate during each application cycle. The Fund will receive fines and Alternative Compliance Payments. It is unknown at this time how much money will flow into the Fund.

<p>Equitable Emissions Investment Fund within the first year of applications, or to reserve some of the funds for future years? Finally, do you have any projections for how much money may continue to flow into the fund in forthcoming years through alternative compliance payments? Are there any other federal funds the city is pursuing to set aside for the fund?</p>		
<p>General Comments</p>		
<p>Is the intended process for interested applicants to fill out the survey first, and then the application? Will the City of Boston only send the application to those who they feel are qualified applicants based on their answers in the survey?</p>	<p>Massachusetts Sierra Club</p>	<p>Thank you for your comment. The survey was meant to collect feedback from the public and will not be used in the application process. The City will release the application to the public and any organization interested can apply.</p>
<p>I am writing as a member of ACE, Alternatives for Community & Environment, to pass along my strong support for a BERDO Equity Fund that prioritizes environmental justice populations.</p> <p>BERDO is a really important step forward for our city, addressing pollution from fossil fuels in our city. It has long been the case that low-income, Black and brown, immigrant, and other marginalized communities suffer the most from the impacts of this pollution. That includes high energy bills, asthma and other chronic illness, inadequate heating and cooling, indoor air pollution, and being most vulnerable to the changing climate, like heat waves and flooding.</p>	<p>Alternatives for Community & Environment</p>	<p>Thank you for your comment and support for the Equitable Emissions Investment Fund. Two-thirds of the Review Board is nominated by community-based organizations, ensuring community oversight over the implementation of BERDO. The project evaluation form includes criteria that aim to prioritize projects that include the listed benefits. Funding decisions will be deliberated at public hearings, where public comments will be welcomed.</p>

It's important to me that BERDO be governed by true community representatives, accountable to their neighborhoods and organizations.

The Equity Fund should prioritize: air quality improvements, lowering energy burdens, low-income affordable housing and housing stabilization, worker standards and access to green careers, and clean energy installations.