

By Mr. Walsh, a petition (accompanied by bill, Senate, No. 306) of Joseph B. Walsh for legislation to cut the cost of fuel in any construction utilizing state funds. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-nine.

AN ACT TO CUT THE COST OF FUEL IN ANY CONSTRUCTION UTILIZING STATE FUNDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 *Whereas the Commonwealth finds that: —*
- 2 1. there is an urgent need to promote the design, construc-
- 3 tion, and operation of buildings to conserve and make more
- 4 efficient use of fuels and energy;
- 5 2. a shift from dependence on nonrenewable to renewable
- 6 energy sources would have a beneficial effect on the Common-
- 7 wealth's overall energy supply;
- 8 3. programs for energy conservation in buildings, along
- 9 with the use of renewable energy sources, would stimulate in-
- 10 dustries and create new job opportunities for supplying and
- 11 servicing new or improved energy-conserving and energy-
- 12 supplying systems and equipment throughout Massachusetts;
- 13 4. in the construction or renovation of buildings, the cost of
- 14 energy consumed over the life of such buildings must be con-
- 15 sidered as well as the initial cost of such construction or reno-
- 16 vation; and
- 17 5. the Government, being the largest energy consumer in the
- 18 Commonwealth, should be in the forefront in implementing
- 19 energy conservation measures along with the use of renewable
- 20 energy sources.
- 21 *Therefore, Chapter 149, Section 44M, is amended by: —*
- 22 1. striking the present definition of "life cycle cost esti-
- 23 mate" and replacing it with the following definition: "Life
- 24 cycle cost" means the total cost of owning, operating and
- 25 maintaining a building over its total economic life, determined

26 on the basis of a systematic evaluation and comparison of
27 alternative building systems and including considerations of
28 projected inflation and discount rates; and a building is "life
29 cycle cost effective" if it embodies the alternative building de-
30 sign or system (or both) which minimizes the building's total
31 life cycle cost: —

32 2. striking the present definition of "technically feasible
33 energy systems" and replacing it with the following defini-
34 tion: A technically feasible energy system shall include but
35 not be limited to any system that has been certified as meet-
36 ing the independent consensus standard of respective national
37 testing associations; e.g., U.L., S.E.I.A., A.R.I. or certified by
38 an Agency of the U.S. Government;

39 3. defining "energy audit" as a determination of the per
40 square foot energy demand, either actual or calculated of ex-
41 isting or proposed buildings, and of the physical characteris-
42 tics of such buildings including but not limited to their age,
43 use construction and retrofit potential.

44 Chapter 149, Section 44M, is further revised by striking
45 everything from the paragraph beginning "All public award-
46 ing authorities . . ." through the end of the bill and substitut-
47 ing therefor the following language: —

48 All public awarding authorities, subject to the bidding re-
49 quirements of Sections 44A through 44L of this Chapter,
50 excluding the City of Boston for a four-year period begin-
51 ning with the effective date of this Act, shall ensure that all
52 new construction as currently defined in Chapter 149, Section
53 44M shall have conducted a life cycle evaluation of the pro-
54 posed construction. Such evaluation shall include an energy
55 audit where feasible and shall always include the life cycle
56 fuel and energy requirements for such construction.

57 In the procurement of new construction, awards shall be
58 made on the basis of life cycle cost rather than first cost, and
59 the bidder shall demonstrate that he has considered the use
60 of solar heating and cooling.

61 The Secretary of Administration and Finance, in consulta-
62 tion with the Secretary of Community Affairs and the Sec-
63 retary of Environmental Affairs and the Director of Bureau
64 of Building Construction, may establish a practical and effec-

65 tive method of estimating and comparing life cycle capital
66 and operating costs for residential, commercial and industrial
67 buildings, including life cycle fuels and energy requirements
68 for such buildings and provide such methods to appropriate
69 authorities as required. In the absence of the above method,
70 the existing federal methods shall be deemed applicable.

