14 March 2022

Mr. Ellington E. Churchill, Jr., Secretary
Maryland Department of General Services
301 West Preston Street, Room 1401
Baltimore, Maryland 21201

Mr. David Brinkley, Secretary
Maryland Department of Budget and Management
45 Calvert Street
Annapolis, Maryland 21401

Re: Approval of the Maryland High Performance Green Building Program – 2022

Dear Secretaries Churchill and Brinkley:

The revised and updated *Maryland High Performance Green Building Program* (HPGBP) is a culmination of two years effort by the Maryland Green Building Council. This final version of the HPGBP incorporates input from Council members, Department of General Services staff and the Maryland Attorney General. Relevant input received from a public comment period during January and February 2022, has been incorporated into the final HPGBP.

No statutory or regulatory changes have been made to the HPGB; it has been revised and updated for,

- clarity and ease of use, and,
- references to current, applicable sustainability codes and programs.

At its February 2022 meeting, the Maryland Green Building Council unanimously voted to adopt the version now presented for your approval as required by Maryland State Finance and Procurement Code Ann. § 3-602.1. If you are in agreement, please sign and date this letter.

Thank you for your consideration.

Sincerely,

Cherise Seals, Chair, Maryland Green Building Council
cseals@noresco.com

Approved and Dated

Ellington E. Churchill, Jr., Secretary
Department of General Services

17 March 2022

Date

cc: Ellen Robertson, DGS
    Steve Lauria, DGS


David Brinkley, Secretary
Department of Budget and Management

March 17, 2022

Date
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Maryland Green Building Council Contact

For submission of compliance forms and annual reporting by agencies, please contact the Maryland Green Building Council at the information listed here.

For answers to questions about this Program, see the Maryland Green Building Council’s website at http://www.dgs.maryland.gov/Energy/GreenBuilding/index.html and/or contact the Council at

   Maryland Green Building Council
   Attn: Steve Lauria, Architect, Landscape Architect, LEED AP
   Chief of Design
   Maryland Department of General Services
   301 West Preston Street - Room 1401-10
   Baltimore, Maryland 21201
   (410) 767-4163
   Steve.Lauria@maryland.gov

Maryland Interagency Commission on School Construction Contact

For answers to questions relating to public schools, see the Maryland Interagency Commission on School Construction’s (IAC’s) website at www.mdschoolconstruction.org and/or contact the IAC at iac.pscp@maryland.gov.
Summary

State of Maryland laws require use of green building technologies when constructing or renovating State of Maryland-owned buildings that meet specific criteria.¹ The Maryland Green Building Council (Council) established the High-Performance Green Building Program to guide State of Maryland agencies and local educational agencies (LEAs) in programing, design, and construction of facilities.

The High-Performance Green Building Program applies to projects funded solely with State of Maryland funds, state-funded new and replacement school-construction and community-college projects receiving state funds. The High-Performance Green Building Program requires the use of one of the three approved green building rating programs or codes in the design, construction, and operation of facilities:

1. Leadership in Energy and Environmental Design (LEED), a program of the U.S. Green Building Council;

2. International Green Construction Code (IgCC), one of the codes of the International Code Council; or


Maryland LEAs must follow the Program but are exempt from certification requirements. The High-Performance Green Building Program is intended to be used in conjunction with other State of Maryland and federal statutes, codes, standards and policies. The High-Performance Green Building Program is periodically updated by the Maryland Green Building Council. The current edition has been revised to address the current versions of referenced programs and codes, as well as to clarify the process for waivers from the High-Performance Green Building Program and its specific requirements.

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Chapter 1 Scope and Administration

Section 101 General

101.1 Title.

This program shall be known as the *Maryland High Performance Green Building Program* (Program).

101.2 Scope

The provisions of this Program apply to:

A. New building and **major renovation** projects that are funded solely with State funds and are of 7,500-gross square feet or larger or are community college projects that receive any **State funds** and are of 7,500-gross square feet or larger;²

B. New and major renovations of pre-kindergarten through 12th grade (PK-12) public schools for which the Request for Proposal (RFP) for architecture and engineering (A/E) design services is issued after July 1, 2009 and is funded at least in part by State funds;³ and

C. Any construction implemented by another instrumentality, public or private, that may be subject to the Program pursuant to other Maryland statutes or regulations.⁴

To the extent practicable, the State shall employ green building technologies when constructing or renovating a State building not subject to this section.⁵

101.2.1 Exceptions

The Program does not apply to the following facility and project types:

A. Unoccupied buildings including warehouse and storage facilities; garages; maintenance facilities; transmitter buildings; pumping stations; and other similar types of buildings, as determined by the Department of Budget and Management; and

B. Facilities as described in Chapter 3 of the *International Building Code* (IBC):
   1. High-hazard Group: H
   2. Storage Group: S
   3. Utility And Miscellaneous Group: U

Section 102 Applicability

102.1 General

Where there is a conflict between a general requirement of the Program and a specific requirement, the specific requirement shall apply.

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⁴ For the purposes of the Maryland Historic Revitalization Tax Credit program, a High-Performance Building shall include a project that meets or exceeds 3-Green Globes in the current version of the Green Building Initiatives’ Green Globes Certification program (i.e., as “comparable to LEED Gold”). See Md. Code Ann., SFP Art. § 5A–303 (a)(9).
⁵ Md. Code Ann., SFP Art. §3-602.1(b).
102.2 Supersedes previous versions of the Program.

This Program version supersedes the October 2017 *High Performance Green Building Program* and its appendices, the Council’s Guidance for New Public-School Buildings to Achieve High-Performance Buildings (October 23, 2019), and other previous Program documents.

102.3 Other laws, regulations, and codes.

The provisions of the Program shall not be deemed to nullify provisions of federal, state, or local laws, regulations, or codes. Projects shall comply with applicable federal laws, federal regulations, State laws, State regulations, Maryland Performance Codes, Maryland Building Performance Standards and codes and ordinances of local authorities having jurisdiction for building design, construction and operation. The Program is to be used in conjunction with other federal and State of Maryland statutes, codes, standards, rules, and policies. The Council intends to periodically update this Program to reflect changes to related or referenced statutes, regulations, programs, policies, and codes.

**Section 103 Administration**

103.1 Administration of the Program.

The Council\(^6\) has primary responsibility for administration of the Program.\(^7\) The Council is composed of gubernatorial appointees and the secretaries of key State agencies or their designees. The Council resides within the Maryland Department of General Services (DGS), which provides staff support. DGS, the Maryland Department of Budget and Management (DBM), and the Maryland Department of Transportation (MDOT) each have a role in the Program and joint authority to approve waivers for an entire project in accordance with other sections of this Program.\(^8\)

103.2 Relationship of Program to Other State and Local Programs and Authorities.

Entities and jurisdictions other than those specifically referenced herein may rely on the Program for the purpose of activities such as granting tax credits, zoning allowances, reduced fees, and expedited permitting. However, the Council’s authority does not extend to taking positions or arbitrating disputes on matters outside the specific provisions of this Program.

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\(^6\) Md. Code Ann., SFP Art. § 4-809.

\(^7\) See Md. Code Ann., SFP Art. § 3-602.1.

\(^8\) Md. Code Ann., SFP Art. § 3-602.1(e).
Chapter 2 Definitions

Section 201 General

201.1 Scope.

Unless otherwise expressly provided, the following words and terms shall for the purposes of this Program have the meanings set forth in this chapter. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.2 Definitions.

**Designer of Record (DOR)/Architect Engineer (AE).** The designer or architect or engineer of record means the architect or engineer and registered and licensed by the Maryland Department of Labor to practice in Maryland with primary responsibility for design documentation of the project and that serves as the final signatory on the plans and specifications for the design.

**Elementary and secondary education.** Education and programs of education from and including preschool through the end of high school and their equivalent.

**High-performance building.** A building that:

1. Meets or exceeds the current version of the U.S. Green Building Council’s LEED Green Building Rating System Silver rating.
2. Achieves at least a comparable numeric rating according to a nationally recognized, accepted, and appropriate numeric sustainable development rating system, guideline, or standard approved by the Secretaries of Budget and Management and General Services.
3. Complies with a nationally recognized and accepted green building code, guideline, or standard reviewed and recommended by the Maryland Green Building Council and approved by the Secretaries of Budget and Management and General Services;
4. Is designed and constructed to meet or exceed the then requirements for certification under the U.S. Green Building Council’s LEED Zero Energy program or a net-zero-energy balance in accordance with standards or guidelines recommended by this Council and approved by the Secretaries of Budget and Management and General Services, irrespective of the other requirements of this Program.

**Independent Third Party.** An independent organization or entity that is not the Owner or a member of the Architectural/Engineering design or builder team for the subject facility design or construction and is a consultant to the Owner. The Independent Third Party shall have a minimum of five (5) years of demonstrable experience in certification of high-performance facilities utilizing a scientifically based, transparent, objective and progressive system that is commonly recognized in the US design and construction industry.

**Local education agency (LEA).** A public school system led by a county board of education established pursuant to Md. Code Ann., Educ. § 3–103.

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**Major renovation.** A project in which the building shell is to be reused for the new construction, the heating, ventilating and air conditioning (HVAC), electrical, and plumbing systems are to be replaced, and the scope of the renovation is 7,500 square feet or greater.\(^\text{10}\)

**Public schools.** The schools in the public elementary and secondary education system of this State.\(^\text{11}\)

**State funds.** Any funds authorized via State legislative action, including but not limited to the following: General Obligation Bonds (including MCCBL); Academic Revenue Bonds (AFBA); General Funds (GF); institutional operating funds; and grants from State entities.


Chapter 3 Requirements

Section 301 General Requirements

301.1 Applicable Rating Systems and Codes.

Projects to which the Program applies shall meet the requirements of at least one of the following rating systems or codes in the version most recently adopted by the State:

A. U.S. Green Building Council (USGBC) LEED – a minimum of LEED Silver in the appropriate rating system (i.e. LEED BD+C, LEED for Schools, etc.). Projects shall strive for a LEED Gold rating or better.

B. Green Building Initiative, Inc., Green Globes (GG) – a minimum rating of two Green Globes in the appropriate rating system. Projects shall strive for three Green Globes or better.

C. International Code Council, Inc., International Green Construction Code (IgCC) – the current, State of Maryland Green Building Council-adopted version of the IgCC as amended by the appendix to this document (see Section 303). However, if the locality where the building is to be located has adopted a version of IgCC that is the same or is a more recent edition than that adopted by the State of Maryland Green Building Council, compliance by the project with the version adopted by the locality shall satisfy this requirement.

301.1.1 For Pre-kindergarten through 12th Grade (PK-12) School Construction Projects Only. LEAs may obtain independent third-party verification of compliance with one of the above-referenced rating systems or code without obtaining certification by the certification-granting organization.

301.2 Additional Requirements.
In addition to complying with one of the rating systems or code, all projects shall meet the requirements listed in the following sections within this chapter.

Section 302 Specific Requirements

302.1 Energy Use and Efficiency.

302.1.1 Energy code performance-based designs shall demonstrate through modeling that the building’s energy meets the requirements of the current State of Maryland-adopted version of the International Energy Conservation Code (IECC) or the equivalent ANSI/ASHRAE/IESNA 90.1.12

302.1.2 Energy code prescriptive-based designs shall be designed and constructed to comply with the current State of Maryland-adopted version of the International Energy Conservation Code or the equivalent ANSI/ASHRAE/IESNA 90.1, in which case, unless necessary for certification or compliance, no energy modeling will be required.

302.2 Limitations on exterior nighttime illumination.
State-owned or leased buildings shall comply with the restrictions stated in Md. Code Ann., State Finance and Proc. Art. § 14-412 restricting uplight on the grounds and exterior of such buildings and providing for a separate waiver process.

302.3 Options for Financing Energy Efficiency.

12 Per COMAR 09.12.50 and COMAR 09.12.51
During design, the project design team shall analyze and document utility service incentives, grants, and other energy-efficiency or renewable-energy financing opportunities available for the project. A summary and analysis of options and project-associated values shall be reported to the project’s owner. The designer of record (DOR) or architect/engineer of record (AE) shall implement programs appropriate to the project at the owner's direction.

302.4 Additional Requirements.
To the extent practicable as deemed by the Owner, projects shall:

A. Be designed and constructed to provide operations data in sufficient measure to properly maintain and operate the building at peak efficiency. For guidance, refer to LEED BD+C EA Credit Enhanced Commissioning, Path 2 Enhanced and Monitoring-Based Commissioning.

B. Be designed and constructed to perform Building Envelope Commissioning during design and construction. For guidance, refer to LEED BD+C EA Credit Enhance Commissioning Option 2: Building Envelope Commissioning.

C. Be designed and constructed to reduce the building’s embodied carbon. For guidance, refer to LEED BD+C MR Credit Building Life-Cycle Impact Reduction.

D. Be designed and constructed to provide for healthy indoor air quality for all occupants. For guidance, refer to relevant features of the Well Building Standard such as Feature 03 Ventilation Effectiveness, Feature 04 VOC Reduction, Feature 05 Air Filtration, Feature 07 Construction Pollution Management, and Feature 25 Toxic Material Reduction.

E. Be designed and constructed to reduce bird injury and mortality from in-flight collisions with buildings, including complying with the “building façade and site structures” and “exterior lighting” requirements, with lighting reductions expressly taking safety into account. For guidance, refer to the current version of LEED BD+C: NC v4 SSpc55 Bird Collision Deterrence credit.

F. Be designed and constructed to be electric-vehicle ready for ten (10) percent of all non-pre K thru 12 project off-street parking spaces or at least 6 spaces, whichever is greater. For guidance, refer to the current version of LEED BD+C: NC v4.1 Electric Vehicle credit.

G. Be designed and constructed to include or accommodate a rooftop solar voltaic system or constructed to optimize the installation of a rooftop solar voltaic system after the building has been constructed. For guidance, refer to Appendix CA Solar-ready Zone - Commercial of the 2018 IECC.

H. Be designed and constructed with no goods produced from forced labor in supply chains. The project seeks to address human rights, protecting against social justice abuses (the “S” in ESG) at every stage, from extraction of raw materials to building erection. For guidance, refer to the current version of LEED BD+C: IPpc 144 Social Equity within the Supply Chain credit.

I. Comply with the Maryland DGS Green Purchasing Guidelines for preferential purchasing.

302.5 Prohibited Compliance.

302.5.1 LEED Certified Wood Credits.
Pursuant to Md. Code Ann., Tax-Property Art. § 9–242(a)(2), credit may be awarded for the use of wood-based materials derived from all credible sources, including the Sustainable Forestry Initiative Program, the Canadian Standards Association, the American Tree Farm System, and other credible certified sources programs.
Section 303 *International Green Construction Code* (IgCC)

303.1 Adopted Version.

The *2018 International Green Construction Code*, second printing January 2019 (2018 IgCC), as modified by the additions, deletions, amendments, and other changes listed in Appendix A of this document, is adopted by the Maryland Green Building Council.
Chapter 4 Compliance

Section 401 Project-Level Reporting

401.1 All Projects.
The prime designer of record or architect/engineer (DOR/AE) shall submit documentation of compliance with the Program to the Owner at project milestones. Minimum milestones are concept or schematic design; 50-percent-complete construction documents; 100-percent-complete construction documents; and project closeout. The Owner bears responsibility for review of submittals and confirmation of compliance with the Program. The Owner shall submit documentation of compliance with the Program to the Council at project closeout. In addition, the following submission requirements apply:

A. LEED and Green Globes Projects
   1. State Buildings and Community Colleges
      a. The DOR/AE shall provide the latest scoresheet to the Owner at completion of defined milestones;
      b. The Owner shall provide the final scoresheet to the Council at project completion; and
      c. The Owner shall provide a copy of the final certificate to the Council upon award by the certification-granting organization.
   2. Public Schools
      a. The DOR/AE shall report as required by the Maryland Interagency Commission on School Construction (IAC) regulations and Administrative Procedures Guide; and
      b. The Owner shall provide the final Scoresheet to the Council at project completion.

B. Independent Third-Party Verification (preK-12 schools only)
   1. Documentation shall be prepared and submitted to the LEA by an Independent Third-Party Letter of Opinion stating that the facility meets or exceeds the requirements of the Program with the exception of third-party certification.
   2. Required content of Letter of Opinion:
      a. Date of opinion
      b. LEA for which the facility is designed or constructed and responsible party contact information
      c. Narrative description of subject facility including use, size, cost, features
      d. Design and construction team names and contact information
      e. Professional credentials of the Independent Third Party responsible for preparation of the Letter of Opinion
      f. The selected high-performance rating system or code used for design and construction with which the project is compliant
      g. Signed statement attesting that the project meets the requirements of the Program
   3. The letter shall be submitted to the LEA responsible for the project’s construction and a copy forwarded to the Maryland Interagency Commission on School Construction. The letter shall be submitted within two months of the project construction closeout.

C. IgCC Projects
   1. State Buildings and Community Colleges
      a. The DOR/AE shall provide the latest IgCC Compliance form to the Owner at completion of defined milestones; and
      b. The Owner shall provide the final signed IgCC Compliance form to the Council at completion of the project.
   2. Public Schools
a. The DOR/AE shall report as required by IAC regulations and the IAC’s Administrative Procedures Guide and provide the final signed IgCC Compliance form to the IAC at project completion; and
b. The Owner shall provide the final IgCC Compliance form to the IAC at project completion.

Section 402 Annual Reporting

402.1 Annual Reporting by Using Agencies and LEAs
A. State agencies and community colleges shall provide an annual project status report to the Council no later than September first (1st) each year for projects in the previous fiscal year. The report shall include the status of projects initiated, completed, and in progress for that year and the rating system or code applied to each project. All reporting documentation shall be submitted to the Council in electronic (PDF) format.
B. LEAs shall provide to the IAC all reports as required by IAC regulations and the IAC’s Administrative Procedures Guide in electronic (PDF) format to iac.pscp@maryland.gov.
Chapter 5 Waivers

Section 501 Waiver of All Program Requirements

501.1 State Buildings and Community Colleges

A. A unit of government or a community college may in the case of a specific project otherwise required to comply with the Program, seek a waiver from complying with all requirements of the Program when compliance would not be practicable. The waiver request and approval process shall be administered by the Council. A waiver application shall be made by the Owner in writing and directed and delivered to the Council. The application shall include:

1. A physical and financial description of the project, fund source(s) and schedule of design and construction.
2. An explanation of why compliance with the requirements of the any of the available Program paths is not practicable to achieve.
3. An analysis of whether relief can be granted in such fashion that the spirit of the requirements will be observed and the natural environment protected.
4. A description of the proposed alternative compliance path or mitigation measure(s) or other construction method, strategy or material that the Owner offers in lieu of strict compliance with the Program requirements; and
5. Any other information of relevance to the waiver request.

B. A waiver request shall be submitted to the Council prior to the Owner's approval of the schematic design and a minimum of thirty (30) days in advance of the meeting of the Council at which the Owner requests consideration of the request. The determination by the Council will be made at a public meeting of the Council. If the determination by the Council shall be that the use of a high-performance building in a proposed project is not practicable, a recommendation and request for approval of the waiver shall be made to the Secretaries of Budget and Management, General Services, and Transportation. The waiver shall not be granted without approval by each of the three Secretaries or their designees. The decision to grant or deny the waiver shall be communicated from the Secretaries or their designees to the Council. The Council shall provide written notification of the Secretaries’ decisions to the Owner. Any grant or rejection of a waiver request shall be final and non-reviewable.

501.2 Public Schools.

A. An LEA may in the case of a specific project seek a waiver from complying with all requirements of the Program when compliance would not be practicable. The waiver process shall be administered by the IAC. A waiver application shall be made by the Owner in writing and directed and delivered to the IAC. The application shall include the following:

1. A physical and financial description of the project, fund source and schedule of design and construction.
2. An explanation of why compliance with the requirements of the Program is not practicable to achieve.
3. An analysis of whether relief can be granted in such fashion that the spirit of the requirements will be observed and the natural environment protected;
4. A description of the proposed alternative compliance path or mitigation measure(s) or other construction method, strategy or material that the Owner offers in lieu of strict compliance with the Program requirements; and

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13 See Md. Code Ann., SFP Art. § 4-809(f)(4) and § 3-602.1(e).
5. Any other information of relevance to the waiver request.

B. A waiver request shall be submitted to the IAC prior to the Owner's approval of the schematic design and a minimum of thirty (30) days in advance of the meeting of the IAC at which the Owner requests consideration of the request. The determination by the IAC will be made at a public meeting of the IAC and the Owner notified. Any grant or rejection of a waiver request shall be final and non-reviewable.

Section 502 Waiver of Specific Requirements of the Program

502.1 State Buildings and Community Colleges

A. A unit of government or a community college may in the case of a specific project seek a waiver from complying with a specific requirement or requirements of the Program when compliance would not be practicable. The waiver process shall be administered by the Council. A waiver application shall be made by the Owner in writing and directed and delivered to the Council. The application shall include the following:

1. A physical and financial description of the project, fund source and schedule of design and construction;
2. An explanation of why compliance with the specified requirement(s) of the Program is not practicable to achieve;
3. An analysis of whether relief can be granted in such fashion that the spirit of the requirement(s) will be observed and the natural environment protected;
4. A description of the proposed alternative compliance path or mitigation measure(s) or other construction method, strategy or material that the Owner offers in lieu of strict compliance with the Program requirement(s); and
5. Any other information of relevance to the waiver request.

B. A waiver request shall be submitted to the Council prior to the Owner's approval of the schematic design and a minimum of thirty (30) days in advance of the meeting of the Council at which the Owner requests consideration of the request. The determination by the Council will be made at a public meeting of the Council. If the determination by the Council shall be that the use of a specific high-performance building requirement in a proposed project is not practicable, a recommendation and request for approval of the waiver shall be made to the Secretaries of Budget and Management, General Services, and Transportation. The waiver shall not be granted without approval by each of the three Secretaries or their designees. The decision to grant or deny the waiver shall be communicated from the Secretaries or their designees to the Council. The Council shall provide written notification of the Secretaries decisions to the Owner. Any grant or rejection of a waiver request shall be final and non-reviewable.

502.2 Public Schools

A. In the case of a specific project, and LEA may seek a waiver from complying with a specific requirement or requirements of the Program when compliance would not be practicable. A request may be made for a waiver of a particular LEED prerequisite or credit, an IgCC provision (for the IgCC, this waiver process is in addition to and an alternative to the IgCC modification provision), or to allow use of another alternate green building rating system or code in lieu of those listed in the Program. The waiver process shall be administered by the IAC. A waiver application shall be made by the Owner in writing and directed and delivered to the IAC. The application shall include the following:

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15 See Md. Code Ann., SFP Art. § 3-602.1(e).
1. A physical and financial description of the project, fund source and schedule of design and construction;
2. An explanation of why compliance with the specified requirement(s) of the Program is not practicable to achieve;
3. An analysis of whether relief can be granted in such fashion that the spirit of the requirement(s) will be observed and the natural environment protected;
4. A description of the proposed alternative compliance path or mitigation measure(s) or other construction method, strategy or material that the Owner offers in lieu of strict compliance with the Program requirement(s); and
5. Any other information of relevance to the waiver request.

B. A waiver request shall be submitted to the IAC prior to the Owner's approval of the schematic design and a minimum of thirty (30) days in advance of the meeting of the IAC at which the Owner requests consideration of the request. The determination by the IAC will be made at a public meeting of the IAC and the Owner notified. Any grant or denial of a waiver shall be final and non-reviewable.
Appendix A:

International Green Construction Code (IgCC) Supplement

The Maryland Green Building Council High Performance Green Building Program incorporates the 2018 IgCC (second printing, published Jan. 2019) as amended by this supplement as an alternative compliance path for buildings developed under the State High Performance Buildings Act. This document amends and alters certain sections of the 2018 edition of the IgCC. This document should be reviewed and utilized concurrently with that document in design of high-performance buildings.

IgCC Chapters Amended by This Supplement:

- Chapter 1 Scope and Administration
- Chapter 3 Definitions, Abbreviations and Acronyms
- Chapter 5 Site Sustainability
- Chapter 6 Water Use Efficiency
- Chapter 7 Energy Efficiency
- Chapter 8 Indoor Environmental Quality (IEQ)
- Chapter 9 Materials and Resources
- Chapter 10 Construction and Plans for Operation
- Forms IgCC Compliance Form 103.2

CHAPTER 1 SCOPE AND ADMINISTRATION

SECTION 101 GENERAL

PART 1- SCOPE AND APPLICATION

Strike SECTIONS 101.3.1 and 101.3.2.

Strike SECTION 102.6 Existing structures.

PART 2- ADMINISTRATION AND ENFORCEMENT

SECTION 103 – DUTIES AND POWERS OF THE AUTHORITY HAVING JURISDICTION

Change the title of this Section to: “INTERPRETATION, COMPLIANCE, ENFORCEMENT AND REPORTING.”

SECTION 103.1 General - is fully deleted and replaced with:

“103.1 General – The Maryland Green Building Council (the Council) is hereby authorized to enforce the provisions of this code. The Council shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions and how this code relates to other applicable codes and ordinances. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code and other applicable codes and ordinances. Such

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17 2008 Md. Laws Chap. 124 (codified as amended at SFP §3-602.1 (2008)).
policies and procedures shall not have the effect of waiving requirements specifically provided for in this code or other applicable codes and ordinances.”

SECTION 103.2 Applications and permits - Is fully deleted and replaced with:
“Section 103.2 – Compliance and Reporting. The Sustainability Consultant shall administer completion of and submit form 103.2 Compliance Report to the Council within 90 days of Substantial Completion.”

Strike SECTIONS 103.3 Notices and orders and 103.4 Inspections.

SECTION 105 Approval - Change the term “authority having jurisdiction” to “Maryland Green Building Council” throughout.

SECTION 105.3 Modifications - Is fully deleted and replaced with:
“Section 105.3 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the Council shall have the authority to grant modifications for individual cases, upon application of the owners or owner’s authorized agent, provided that the Council shall first find that the special individual reason makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this code. The details of granting modifications shall be recorded and entered in the files of the Department of General Services.”

Strike SECTION 105.5 Compliance materials.
Strike SECTION 105.6 Approved programs.
Strike SECTION 106 Permits.
Strike SECTION 107 Inspections.
Strike SECTION 108 Board of Appeals.
Strike SECTION 109 Certificate of Occupancy.

CHAPTER 3 DEFINITIONS
SECTION 301.1 GENERAL

Add the following definition: “SUSTAINABILITY CONSULTANT. A designated agent of the Owner charged with managing the implementation of the International Green Construction Code. The Sustainability Consultant may be the Architect/Engineer (A/E) or a subconsultant to the A/E. Responsibilities shall be as described in this IgCC Supplement and as required by the Owner. Responsibilities include but are not limited to assignment of documentation and verification, compilation of project documents, organization and submission of documents to the Maryland Green Building Council.”

CHAPTER 5 SITE SUSTAINABILITY

Strike SECTION 501.3.1 Site Selection.

Strike SECTION 501.3.4 Stormwater Management.
Maryland Green Building Council
High Performance Green Building Program

Section 501.3.5.1 Site Hardscape - Delete the first sentence and replace with: “At least 25% of the site hardscape that is not covered by solar energy systems shall be provided with one or any combination of the following:”

Strike SECTION 501.3.5.2 Walls.

SECTION 501.3.7.1.1 Pedestrian Walkways - Amend first sentence to read:
“If the building project is adjacent to either a public way or a transit stop, each primary building entrance shall be provided with a pedestrian walkway that extends to the public way or transit stop. Walkways shall not be less than 5 ft (1.5 m) in width and shall be clearly delineated.”

SECTION 501.3.7.1.2 Bicycle Paths - is fully deleted and replaced with:
“If existing and planned off-site bicycle paths are adjacent to the building project, on-site bicycle paths shall be designed to connect bicycle parking areas to said paths.”

SECTION 501.3.7.2 Bicycle Parking - Add the following as a second sentence:
“If the building project is adjacent to existing or planned off-site bicycle paths, projects shall follow Sections 501.3.7.2.1 through Section 501.3.7.2.6.”

SECTION 501.3.8.1 Building Site Waste Management Plan. - Amend the first sentence of the second paragraph to read: “Not less than 50% of the land-clearing debris, excluding invasive plant materials, shall be diverted from disposal in landfills and incinerators other than waste-to-energy systems with an energy-recovery efficiency rate higher than 60%.”

CHAPTER 6 WATER USE EFFICIENCY

SECTION 601.3.4.1 Consumption Management. - Delete the third sentence of the first paragraph (pertaining to separate submeters).

CHAPTER 7 ENERGY EFFICIENCY

Strike SECTION 701.3.2 On-site Renewable Energy Systems.

SECTION 701.3.3.2 Energy Consumption Data Collection and Display - Change title of Section 701.3.3.2 to “Energy Consumption Data Collection” and delete the last sentence in the section.

Strike SECTION 701.3.4 Automated Demand Response.

Strike SECTION 701.4.1.1.1 Standard Renewables Approach: Baseline On-Site Renewable Energy Systems.

Strike SECTION 701.4.1.1.2 Alternate Renewables Approach: Reduced On-Site Renewable Energy Systems and Higher-Efficiency Equipment.

Strike SECTION 701.4.3.1 Minimum Equipment Efficiencies for the Alternate Renewables Approach.
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Maryland Green Building Council
High Performance Green Building Program

Strike SECTION 701.4.4.1 Equipment Efficiency for the Alternate Renewables Approach.

Strike SECTION 701.4.7.1 Equipment Efficiency for the Alternate Renewables Approach.

Strike SECTION 701.4.7.3.2 ENERGY STAR Requirements for Equipment Covered by Federal Appliance Efficiency Regulations (Alternate Renewables Approach).

CHAPTER 8 INDOOR ENVIRONMENTAL QUALITY (IEQ)

Strike Section 801.3.1.3 Filtration and Air Cleaner Requirements - subsection b. Ozone.

SECTION 801.3.3.1 Documentation - Change “authority having jurisdiction” to “Sustainability Consultant.”

Strike SECTION 801.3.3.2.4 Interior Background Noise – Testing.

Strike SECTION 801.3.3.3.3 Interior Sound Transmission – Testing.

Strike SECTION 801.4.1 Daylighting.

Strike SECTION 801.5.1 Daylight Simulation.

CHAPTER 9 MATERIALS AND RESOURCES

SECTION 901.4.1.4 Multiple-Attribute Product Declaration or Certification - Change “authority having jurisdiction (AHJ)” to “Sustainability Consultant” in the first paragraph.

CHAPTER 10 CONSTRUCTION AND PLANS FOR OPERATION

Strike SECTION 1001.3.1.1.2 Acoustical Control.

Strike SECTION 1001.3.2.1.4 IAQ.

SECTION 1001.3.2.1.5 Indoor Environmental Quality Survey - Delete the last sentence in paragraph a.

Strike SECTION 1001.3.2.4 Transportation Management Plan.

[End of Amendments]
# Appendix B:

*International Green Construction Code (IgCC) Compliance Form*

**MARYLAND GREEN BUILDING COUNCIL**  
**INTERNATIONAL GREEN CONSTRUCTION CODE**  
**COMPLIANCE FORM 103.2**

## Required Project and Team Information

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<td>General Contractor (Entity)</td>
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<td>Commissioning Agent (Entity)</td>
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Declaration

(Sign and Date)

To the best of my knowledge and ability, this project was designed and constructed pursuant to the IgCC as implemented by the State of Maryland Green Building Council and in accordance with the High-Performance Building Act:

Owner (Agency) ___________________________ Date ____________

Owner (Authorized Representative and Title) ___________________________

Designer or Architect/Engineer of Record (Entity) ___________________________

Designer or Architect/Engineer of Record (Representative and Title) ___________________________

Sustainability Consultant (Entity) ___________________________

Sustainability Consultant (Representative and Title) ___________________________

General Contractor (Entity) ___________________________

General Contractor (Representative and Title) ___________________________

Commissioning Agent (Entity) ___________________________

Commissioning Agent (Representative and Title) ___________________________
## IgCC Compliance Form Checklist

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