



## Director's Office

One Capitol Hill | Providence, RI 02908 | (401) 222-2280

Jonathan Womer, Director

March 12, 2025

The Honorable Representative David A. Bennett  
Chairperson, House Committee on Environment and Natural Resources  
Rhode Island House  
82 Smith Street  
Providence, RI 02903

**Re: House Bill No. 5425 – An Act Relating to State Affairs and Government – Department of Administration – State Construction Project Metrics**

Dear Chairman Bennett,

Thank you for providing the Division of Capital Asset Management and Maintenance (Division), within the Department of Administration (Department), the opportunity to submit comments in response to Senate Bill No. 5425, which proposes a checklist of environmental and energy issues for state construction projects more than \$10,000,000.

The Division recognizes the importance of environmental and sustainability initiatives in the construction of state projects. In fact, most of the elements provided in the checklist are accounted for in the Division's current practice. Below are examples of the ways the Division addresses the categories described in the proposed legislation:

- Items 1-5 concern 100- and 500-year flood events and related resiliency considerations, as well as stormwater management and related alternatives. The Division adheres to guidance from the Department of Environmental Management for regulatory issues related to environmental impacts, including stormwater management, wetlands preservation, air quality, and hazardous materials. Additionally, the Division adheres to guidance from the Coastal Resources Management Council for regulation of construction within coastal zones, requiring permitting and environmental impact assessments.
- Item 6 concerns energy efficiency. The Rhode Island Green Buildings Act (RIGL §37-24) already requires major public projects to meet LEED or equivalent sustainability standards, satisfying this criterion.
- Item 7 concerns HVAC evaluation and contemplation of related savings. The Division actively seeks to invest in new systems that will offer the highest budgetary and environmental savings. Justification for project budget requires the costs associated with new systems like HVAC and necessitates a full understanding of the relative merits of the chosen system.
- Item 8 concerns the use of renewable energy. Like Item 7, the Division actively seeks to invest in new systems that will offer the highest budgetary and environmental savings. Justification for project budget requires the costs associated with new systems like



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renewable energy sources and necessitates a full understanding of the relative merits of the chosen source.

- Item 9 concerns access to public or alternative transportation. The Division takes direction from the occupying agency on transportation infrastructure planning. For example, agencies will often require access to public transportation for public-facing offices. In most instances, the Division's projects take place on pre-existing sites where transportation infrastructure is already in place.
- Item 10 concerns other priorities from the Department. The Department regularly engages with the Division to support energy efficient policies, like tracking the progress of elements in the Governor's Lead By Example Executive Order (EO) 23-06. For example, the Department and the Division work closely with the Office of Energy resources to install electric vehicle chargers on state-controlled property.

The additional requirement of a formal checklist submitted in concert with the Division of Statewide Planning (Planning) will increase the transaction cost of evaluating and bidding state construction projects without equivalent benefit, given the current procedural elements already in place. At present, Planning is not involved in the process for state construction projects. Inserting Planning into the project timeline will add time and potentially cost to state construction projects, which could ultimately compromise the ability to invest in new or improved infrastructure.

Finally, the definition of "state construction project" is limited to the \$10,000,000 cost threshold, requiring clarity about types of projects, as well as the application to agency-initiated projects or those including any state funding.

The Division appreciates the opportunity to share our concerns about this legislation with the Committee. If there are any questions, please feel free to contact my office at your convenience.

Sincerely,

Marco Schiappa

Acting Director, Division of Capital Asset Management and Maintenance

cc: The Honorable Representative Arthur Handy  
The Honorable Members of the House Committee on Environment and Natural Resources  
Nicole McCarty, Esq. Chief Legal Counsel to the Speaker of the House  
Louis Mansolillo, Committee Clerk  
Lynn Urbani, Director of House Policy