



Director's Office

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March 10, 2026

The Honorable Robert Britto
Chairperson
Senate Committee on Commerce
Rhode Island State House
82 Smith Street
Providence, RI 02903

RE: Senate Bill No. 2765 – An Act Relating To Public Property And Works -- The Green Buildings Act

Dear Chairperson Britto,

Thank you and the Committee for providing the Department of Administration (“Department”) the opportunity to submit comments of concern in response to Senate Bill No. 2765, which makes numerous amendments to the scope and function of the Green Building Advisory Committee (GBAC).

The Department is supportive of the transfer of administrative authority over the GBAC from DOA to the State Building Office/Building Code Commission within the Department of Business Regulation as presented in our budget article - Article 3, Section 3 within the Governor’s proposed FY2027 budget.

However, the Department has serious concerns regarding this legislation’s proposed expansion of the GBAC’s authority and the negative impact it will have on construction projects across the state.

The Department has complied with the Green Buildings Act by including the requirements in all requests for proposals (RFPs) for eligible State construction projects managed by DCAMM, making contractors aware of the requirement to build to LEED-equivalent standards. In our increasingly resource-constrained environment, this has allowed the State to achieve the functional outcome of the LEED – an energy-efficient building—without incurring the additional cost for obtaining formal LEED certification. Constructing energy-efficient buildings is advantageous to the Department for sustainability reasons, and also for minimizing building operation cost.

The costs of obtaining LEED certification are twofold: the relatively low cost of the actual certification, and the potentially significant cost of the additional hours for reporting and compliance by architecture, engineering, and construction trades contractors. Depending on the size and scope of the project, the full cost of official LEED certification add thousands to the soft costs associated with additional architect and engineer time required to prepare the necessary documentation to validate and earn all LEED points.

DOA believes that we can continue to achieve the value of LEED certification without the cost by aiming to build to LEED standards. This legislation removes that path and instead requires LEED certified standards and the approval of the GBAC, a step that is not required at present. Capital project budgets are budgeted down to the last dollar and do not have the ability to absorb this extra cost without

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having to reduce the scope of the project in other ways. Any additional time required for GBAC approval may also add cost to a project.

This legislation also reduces the applicability threshold for the renovations of public major facility projects from 40% to 20% of the building. The 40% threshold was reasonable to indicate a major renovation to the building, but renovating or altering 20% of a building could reasonably include a project that would not touch the envelope or heating systems, such as painting the interior walls or upgrading bathroom facilities and plumbing. Requiring an existing building to become LEED certified because of a fresh coat of paint or to fix plumbing issues is not only unreasonable, it's not feasible given the strict nature of procurement rules, project budgets, and scope of work.

Most importantly, this legislation would rename the GBAC from the "green buildings advisory committee" to the "green building act commission" and give them not only the universal power to "make all determinations for the implementation of and compliance with the green buildings act," but to require all public major facility projects to comply with the green buildings act as a condition precedent to obtaining a building permit or certificate of occupancy. The GBAC under its existing tenure has not met quorum requirements for a significant period of time and neither the members of the committee nor the chair are subject to advice and consent. It is not reasonable to give an unprecedented level of approval authority over public major facility projects to a committee whose consistent lack of quorum will inevitably result in an approval bottleneck, construction delays, and project cost overruns due to the backlog.

The Department appreciates the opportunity to share these strong concerns with the Committee and we encourage you to pass the budget article in lieu of this proposed legislation. If there are any questions, please feel free to contact my office at your convenience.

Sincerely,



Rebecca Webber
Deputy Director for Performance and Projects

cc: The Honorable Members of the Senate Committee on Commerce
The Honorable Louis P. DiPalma
Kristen Silvia, Deputy Chief of Staff and Director of Legislation
Judy Sullivan, Committee Clerk