

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING (the "MOU") is entered into this 11th day of July, 2014 by and between the City of Boston, a municipal corporation organized and existing under the laws of the Commonwealth of Massachusetts acting by and through its Office of Environment, Energy and Open Space (the "City"), and A Better City, Inc, a 501(c)(6) tax-exempt non-profit corporation ("ABC"). This MOU is intended to document the intention of the City and ABC to (i) establish roles and responsibilities for the City and ABC relating to the implementation and support of commercial real estate energy conservation and greenhouse gas reduction programs within Boston and (ii) establish a framework for further collaboration between the parties in support of their common goals of improving the sustainability and economic competitiveness of commercial properties in the City. This agreement does not provide exclusive rights to either party and does not limit the ability of either ABC or the City to pursue activities related to the subject matter of this agreement, either independently or in collaboration with other entities.

WHEREAS, under the leadership of Mayor Walsh, the City of Boston is working to reduce community-wide greenhouse gas emissions by 25 percent by 2020 and by 80 percent by 2050.

WHEREAS, the City has implemented a number of policies, programs, and regulations designed to meet these targets, including Renew Boston, a comprehensive City-wide program to encourage residents and businesses to invest in energy efficiency, and the Greenovate initiative, a community-driven movement to get all Bostonians involved in reducing the City's greenhouse gas emissions as outlined in the City's Climate Action Plan. These and other efforts have resulted in the City receiving national recognition as the leading local government for energy efficiency in the United States by the American Council for an Energy-Efficiency Economy.

WHEREAS, Renew Boston is working with its utility partners to engage a broad range of commercial property owners, tenants, and building managers to invest in energy efficiency and to take advantage of generous incentives offered to Massachusetts utility customers. As part of the Renew Boston effort, the City is promoting a Large Building Initiatives that includes the Mayor's Carbon Cup, the Building Energy Reporting and Disclosure Ordinance (BERDO), and the partnership with the ABC Challenge for Sustainability that is the subject matter of this agreement.

WHEREAS, ABC, with its focus on promoting transportation and environmental projects, policies, and initiatives aimed at improving the economic competitiveness of the City, has actively worked to promote and secure support of the City's environmental goals from its members in the commercial real estate sector.

WHEREAS, ABC provides staffing and oversight to the Commercial Real Estate Working Group of the Boston Green Ribbon Commission, a partnership between the City and the Barr Foundation to bring private sector leadership to the implementation of the City's Climate Action Plan.

WHEREAS, ABC's Challenge for Sustainability is a comprehensive environmental sustainability program for tenants and building owners in Metro-Boston designed to drive significant reductions in

greenhouse gas emissions, resource consumption, and overall environmental impact while helping businesses continue to meet their core business objectives.

WHEREAS, since 2010, the Challenge for Sustainability has helped more than 100 businesses and buildings adopt more than 1000 sustainability actions and reduce their greenhouse gas emissions by more than 15,000 tons.

AND WHEREAS, the City and ABC together wish that this MOU shall be in effect upon the date the last party signs below, shall remain in effect for three (3) years from the effective date, and may be terminated by either party upon fourteen (14) days written notice to the other party.

NOW THEREFORE the City and ABC state as follows.

ABC and the City agree to take the following actions in support of their common goals to support the City's commercial real estate sector in reducing greenhouse gas emissions and improving the energy performance of Boston's building stock.

Under this Memorandum of Understanding, the City of Boston commits to the following:

- Provide a non-exclusive endorsement of ABC's Challenge for Sustainability;
- Assist ABC in efforts to promote and market the Challenge for Sustainability program as part of a broader commercial real estate initiative within Renew Boston, including, providing information on City of Boston websites (Environment page and Greenovate);
- Work with ABC to identify and recruit participants for the ABC Challenge for Sustainability;
- Provide access to energy efficiency technical resources through Renew Boston or other resources the City may have access to;
- Include the Challenge for Sustainability as a resource for compliance with BERDO
- Attend regular staff-level meetings related to the coordination of the Challenge for Sustainability and Renew Boston;
- When deemed appropriate by both ABC and the City, attend meetings between ABC staff and Challenge participants to discuss potential energy efficiency opportunities and related incentives;
- Support ABC in seeking new funding from foundations and public agencies to support the Challenge;
- Coordinate outreach and engagement regarding energy efficiency and climate change efforts to ABC members with ABC staff;
- Work with ABC staff to define and implement a strategy for coordinating the ABC Challenge with a pending Mayoral recognition program.

Under this Memorandum of Understanding, A Better City commits to the following:

- Provide data regarding the Challenge for Sustainability to the City of Boston on an annual basis. Such data disclosures will include¹:
 - Number of entities participating in the Challenge;
 - Number of buildings participating in the Challenge;
 - Aggregated square feet of commercial space participating in the Challenge;

¹The parties understand that A Better City will not provide data to the City that violates confidentiality agreements between ABC and Challenge participants.

- Aggregated greenhouse gas emissions savings for Challenge participants;
- Aggregated information regarding actions undertaken by Challenge participants;
- With feedback and approval from participants, reasonably revise and update the Challenge scoring system and data collection to align with the goals and focus areas of the City's Climate Action Plan;
- Work with the City to identify participants for utility energy efficiency programs offered as part of the Renew Boston initiative, and to facilitate connections between Renew Boston and ABC members and other commercial property owners where useful and appropriate;
- Allow Renew Boston staff to participate in regular Challenge activities including monthly meetings, planning sessions with key Challenge participants and other events and activities as deemed appropriate by both parties;
- Provide energy benchmarking services and support for Challenge participants required to submit annual energy reports under the City's Building Energy Reporting and Disclosure Ordinance (BERDO);
- Work to promote Boston's leadership as a green and sustainable city;
- Provide feedback to the City and its Renew Boston partners from Challenge participants regarding potential additional programs, policies, incentives, and regulations that could reduce greenhouse gas emissions in the City;
- Coordinate marketing efforts with the City's Greenovate campaign;
- Encourage Challenge participants to make greenhouse gas reduction commitments that exceed the City's 25 percent by 2020 reduction goal.
- Develop and implement, with the City, a defined process for providing coordinated assistance and services to Challenge participants. This mutually agreed-upon process design shall be appended to this MOU and incorporated as part of this agreement.
- Work with City staff to define and implement a strategy for coordinating the ABC Challenge with a Mayoral recognition program.

Contacts

The contact person for any issues associated with this agreement shall be:

For the City: Bradford Swing, Director of Energy Policy and Programs
Phone: 617.635.3425
brad.swing@cityofboston.gov

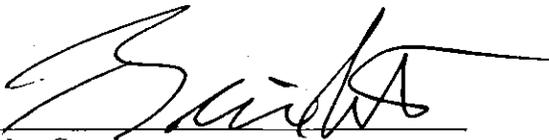
For ABC: David Straus, Director of Development & Programs
Phone: 617.502.6246
dstraus@abettercity.org

In Witness Whereof, the parties acknowledge their agreement to the foregoing upon the date the last party signs below.



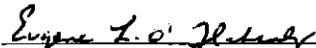
Richard A. Dimino
President and CEO
A Better City, Inc

7/27/14
Date



Brian Swett
Chief of Environment and Energy Services
City of Boston

7/11/14
Date


Eugene L. O'Flaherty, Esq.
Corporation Counsel
City of Boston 

7-17-2014
Date