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**COMMERCE ACQUISITION MANUAL
1323.70**

DEPARTMENT OF COMMERCE
GREEN PROCUREMENT PROGRAM

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1323.70

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GREEN PROCUREMENT PROGRAM

SECTION 1 - OVERVIEW

1.1 Background

As a federal agency in the Executive Branch, the Department of Commerce (DOC) must comply with Federal laws and regulations to purchase “green” products and services whenever possible. As used in this document, “green” procurement is the acquisition of environmentally preferable products and services in accordance with one or more established Federal environmental procurement preference programs. In day-to-day operations, the Department has the obligation to be environmentally responsible in its selection and use of products and services. Acquiring environmentally preferable products and services contributes to the sound management of the Department’s financial and natural resources. Proper attention to environmentally preferable acquisition demonstrates the Department’s commitment to environmental stewardship and sustainability by becoming a model consumer of green products and services.

Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, was signed on January 24, 2007. The order directs Federal agencies to conduct their environmental, transportation, and energy-related activities, in support of their respective missions, in an environmentally, economically and fiscally sound manner that is efficient and sustainable. It is the Department’s policy to specify and acquire, in an environmentally preferable and sustainable manner, products and services that minimize solid waste, prevent pollution, conserve energy, reduce greenhouse gas emissions, and encourage public support and participation.

Executive Order (EO) 13514, Federal Leadership in Environmental, Energy, and Economic Performance was signed on October 5, 2009. The order expands upon Executive Order 13423 with regards to energy reduction and environmental performance requirements for Federal Agencies. EO 13514 requires Federal agencies to ensure that 95 percent of net contract actions be sustainable acquisitions where such products and services meet agency performance requirements.

1.2 Purpose

The purpose of the Department of Commerce Green Procurement Program (GPP) is to implement Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management; Section 6002 of the Resource Conservation and Recovery Act; Section 9002 of the Farm Security and Rural Investment Act; Section 104 of the Energy Policy Act; Section 612 of the Clean Air Act; Executive Order 13221, Energy Efficient Standby Power Devices; the Federal Acquisition Regulation; and Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance. The Green Procurement Program provides Department-wide acquisition guidance for implementing an effective Green Procurement Program and replaces the previous Commerce Acquisition Manual (CAM) 1323.70 Green Procurement Program issued **May 2009**.

1.3 Applicability

This Green Procurement Program applies to all Department of Commerce operating units and applicable contractors and purchases including those below the micro purchase threshold. For

the purposes of this policy, contract actions include task and delivery orders under existing contracts.

1.4 Policy

It is the policy of DOC to implement green procurement policies to conserve resources, provide good stewardship of the environment and reduce the negative impact on the environment. Green products and services shall be purchased to the maximum extent practicable, consistent with the requirements of the Federal Acquisition Regulation (FAR) and Federal green procurement preference programs. Appendix B provides a summary of green procurement requirements included in the FAR.

1.5 Scope

Programs covered under the policy include:

- Recovered Materials Products;
- Biobased Products;
- Energy Efficient Products;
- Electronic Product Environmental Assessment Tool Products;
- Water Efficient Products;
- Alternative Fuels Vehicles/Alternative Fuels/Hybrids;
- Non-Ozone Depleting Products;
- Environmentally-Preferable Products and Services;
- Waste Prevention and Recycling;
- Non-Toxic or Less Toxic Alternatives; and
- Priority Chemicals.

1.6 Points of Contacts

1.6.1 Environmental Contacts

Office of Sustainable Energy and Environmental Programs
Email: gogreen@doc.gov

1.6.2 Office of the Chief Information Officer Contacts

For questions relating to information technology or OCIO Designees refer to the OCIO website at http://home.commerce.gov/cio/CIO_Members.htm

1.6.3 Acquisition Contacts

For questions relating to acquisition, please contact your servicing acquisition office.

or

Office of Acquisition Management
Phone: 202-482-6131
OAM_Mailbox@doc.gov

END OF SECTION 1

SECTION 2 - ROLES AND RESPONSIBILITIES

2.1 Senior Sustainability Officer (SSO)

The Deputy Assistant Secretary for Administration serves as the Department's Senior Sustainability Officer and is responsible for implementing the Department's Sustainability Program. Responsibilities of the SSO include:

- a. Directing and establishing environmental performance measures and data inputs to meet green reporting requirements;
- b. Providing overall Departmental leadership for the Green Procurement Program;
- c. Submitting environmental reports;
- d. Facilitating environmental programs in the areas of acquisition, facilities management, standards, waste prevention, recycling, and logistics activities;
- e. Distributing information on best practices through awareness and outreach programs to facilitate markets for environmentally preferable products, services and new technologies;
- f. Facilitating educational and promotional programs for Department employees and contractors; and
- g. Conducting reviews to determine progress and compliance with Green Procurement Program requirements.

2.2 Heads of Operating Units

All Heads of Operating Units shall:

- a. Actively endorse and support the efforts of the Senior Sustainability Officer on matters related to sustainability within their area of responsibility;
- b. Ensure that Green Product Points of Contact are identified, trained, and promoted as a resource for all Requesting Officials within their organization to use for assistance and advice on green procurement.

2.3 Office of Facilities and Environmental Quality

The Office of Facilities and Environmental Quality is responsible for:

- a. Developing environmental policy for the Department;
- b. Overseeing the Department's environmental programs; and
- c. Assimilating input from the Operating Units and Department Offices to generate and submit Department-wide environmental reports.

2.4 Senior Procurement Executive (PE)

The Senior Procurement Executive is responsible for:

- a. Providing senior acquisition leadership for implementing the Department's Green Procurement Program;
- b. Ensuring that green procurement requirements are addressed in DOC acquisition policy and guidance;
- c. Encouraging acquisition strategies that consider and promote the use of green products and services;
- d. Establishing requirements for training of acquisition personnel in green procurement;
- e. Ensuring that Senior Bureau Procurement Officials conduct compliance monitoring of their green procurement data and overseeing corrective actions; and

- f. Working with the Senior Agency Official and OAS staff to review and analyze green procurement indicators.

2.5 Green Product Points of Contact

Green Product Points of Contact are responsible for:

- a. Promoting green awareness and the Green Procurement Program throughout their organization;
- b. Advising Requesting Officials, Contracting Officer Representatives and Contracting Officers on green sources for environmentally preferable products and services;
- c. Providing technical support in areas such as environmentally preferable specifications, statements of work, and current catalogs for green products and services;
- d. Reviewing and concurring in Requests for Procurement Exceptions; and
- e. Recommending employees and teams for recognition and awards.
- f. Receive training on the requirements to purchase sustainable products.

2.6 Office of Chief Information Officer (OCIO) Designee

The Office of Chief Information Officer Designee is responsible for:

- a. The Chief Information Officer shall develop policy for and oversee the Department's electronic stewardship program;
- b. Advising and providing support to Requesting Officials, Contracting Officer Representatives, and Contracting Officers in the appropriate use of specifications and requirements descriptions, in compliance with Federal and Departmental Information Technology (IT) policies;
- c. Reviewing and concurring in Requests for Procurement Exceptions for acquisitions involving information technology; and
- d. Conducting quarterly green procurement reviews and reporting results no later than 10 business days after the end of each quarter to the Office of Facilities and Environmental Quality.

2.7 Senior Bureau Procurement Official (BPO)

Senior Bureau Procurement Officials are responsible for:

- a. Implementing procurement best practices in relation to green purchasing;
- b. Promoting and implementing the Green Procurement Program within their contracting offices;
- c. Working in partnership with the Green Product Points of Contact to report green procurement data;
- d. Ensuring that acquisition personnel are trained in green procurement;
- e. Monitoring and annually reviewing the effectiveness of the green procurement program;
- f. Responding to reporting requirements in response to data requests;
- g. Recommending employees and teams for the Department's environmental award; and
- h. Designating a point of contact to coordinate with the Office of Acquisition Management (OAM) on matters relating to green procurement.

2.8 Head of Contracting Office (HCO)

Heads of Contracting Offices are responsible for assisting BPOs in:

- a. Implementing and managing Green Procurement Program requirements;
- b. Ensuring that acquisition personnel are trained in green procurement; and
- c. Approving Requests for Procurement Exceptions.

2.9 Contracting Officers

Contracting Officers are responsible for:

- a. Complying with requirements of the FAR and the Green Procurement Program;
- b. Assisting the Requesting Official in acquisition planning and market research to determine availability of environmentally preferable goods and services;
- c. Ensuring acquisition plans address federal procurement preferences;
- d. Reviewing procurement requests to ascertain whether green products or services are involved;
- e. Completing green procurement training;
- f. Recommending green training for Requesting Officials, Contracting Officer Representatives, and project managers, as appropriate;
- g. Ensuring solicitation and contract documents contain appropriate FAR provisions and clauses to implement the Green Procurement Program;
- h. Ensuring that Requesting Officials are aware of and/or make use of their organizations Green Product Points of Contact for assistance as needed in conducting market research, specifications, and statements of work;
- i. Ensuring contract files contain appropriate Requests for Procurement Exceptions and other post-award contract administration plans, actions, and communication that affirm green procurement requirements and product delivery, as applicable;
- j. Accurately reporting contract actions in the Federal Procurement Data System (FPDS); and
- k. Meeting with contractors after contract award to reinforce their role in the procurement of green products and services.

2.10 Requesting Officials

Requesting Officials are responsible for:

- a. Reviewing and becoming familiar with the Green Procurement Program;
- b. Ensuring that relevant green procurement requirements are considered early in the acquisition strategy and identified prior to submission of the procurement request;
- c. Consulting with contracting, environmental, and information technology personnel to facilitate market research and acquisition planning, and enhance statements of work or specifications that incorporate green procurement requirements;
- d. Refer to their organizations Green Product Points of Contact for assistance as needed in conducting market research, specifications, and statements of work
- e. Preparing and documenting Requests for Procurement Exceptions; and
- f. Managing the contract to ensure green procurement requirements are addressed and delivered in accordance with terms of the contract.

2.11 Purchase Card Holders

Purchase card holders shall:

- a. Comply with requirements of the FAR and the Green Procurement Program; and
- b. Receive training on the requirements to purchase sustainable products.

2.12 Green Acquisition Team

- a. The DOC Green Acquisition Team establishes a mechanism for the coordination, development, use, sharing, and dissemination of sustainable acquisition ideas and best practices throughout the Department.

END OF SECTION 2

SECTION 3 - GREEN PREFERENCE PROGRAMS

3.1 Recovered Materials and Biobased Products

3.1.1 Recovered Materials

Executive Orders 13423 and 13514 direct agencies to give preference in their procurement and acquisition programs to the purchase of recycled content products designated in EPA's Comprehensive Procurement Guidelines. In addition, Resource Conservation and Recovery Act, section 6002, requires Federal agencies to procure EPA designated recycled content composed of the highest percentage of recovered materials practicable consistent with maintaining a satisfactory level of competition.

Recycled content products are products that are made from or contain recovered materials. There are currently more than 75 designated products required for Federal purchasing.

Examples of designated products include:

- Structural fiberboard,
- Plastic lumber landscaping timbers and post,
- Printing and writing papers,
- Playground equipment,
- Retread tires, and
- Sorbents.

The Department shall specify and procure EPA-designated recycled content products unless the item cannot be acquired competitively within a reasonable time frame, meeting reasonable performance standards, or at a reasonable price. For the purpose of this policy, a product is "unreasonably priced" if it costs 10% more than a comparable non-recycled product.

Contracting Officers shall ensure that, a preference is included for products and services which meet or exceed the EPA purchasing guidelines as contained in the EPA Recovered Materials Advisory Notices (RMANS) for such solicitations and contracts. Additional information on this program is located at <http://www.epa.gov/cpg/products.htm>.

3.1.1.1 Vendor Certification, Estimation, and Verification

Contracting Officers shall ensure that vendors provide written certifications that their products meet the minimum content in the solicitation document; maintain copies of certification documents; and produce copies of the written certification upon request. For purchases above the simplified acquisition threshold, Contracting Officers shall obtain estimates and certifications of the recycled content in the products to be supplied under a contract and verify those estimates and certifications. Vendor certification documents shall be reviewed as part of the annual review and monitoring process to verify contractor compliance. Contracting Officers shall place a written justification in the contract file if an acquisition of EPA-designated products above the micro-purchase threshold does not meet applicable minimum recovered material content recommended by EPA guidelines.

3.1.2 Biobased Products

Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA, also known as the "Farm Bill") establishes a biobased products purchasing program. In addition, EO 13514 requires each agency to give preference to the purchase of biobased products designated by the United States Department of Agriculture (USDA) in the BioPreferred Program. Biobased products provide markets for U.S. farm products and they also reduce dependence on fossil fuels, so their use contributes to our energy, economic and environmental security.

Biobased products are commercial or industrial products (other than food or feed) that are composed in whole or in significant part, of biological products or renewable domestic agricultural materials (including plant, animal, and marine materials) or forestry materials. They are made from a renewable resource and, with some exceptions; they generally do not contain synthetics, toxins or environmentally damaging substances. Examples of USDA designated biobased products include:

- Mobile equipment hydraulic fluids,
- Roof coatings,
- Diesel fuel additives,
- Penetrating lubricants,
- Water tank coatings, and
- Bedding, bed linens, and towels.

The Department of Commerce requires procurement programs to favor items composed of the highest percentage of biobased product practicable, except when such items are not available within a reasonable time, fail to meet performance standards, or at a reasonable price. For the purpose of this policy, a product is “unreasonably priced” if it costs 10% more than a comparable biobased product. Information on these designated products, USDA’s guidance, and related documentation can be found at USDA’s web site at www.biopreferred.gov/.

3.1.3 Program Priorities

When either a USDA-designated item or EPA-designated item could meet the Department’s need, the EPA designated items shall be specified.

3.2 Energy Efficient Products

The Department shall specify and procure ENERGY STAR® or Federal Energy Management Program (FEMP) designated products when acquiring energy-consuming products. When acquiring products that consume power in a standby mode and are listed on FEMP’s Low Standby Power Devices product listing, items shall be purchased that meet FEMP’s standby power wattage recommendation. If a FEMP product is listed without a corresponding wattage recommendation, items which use no more than one watt in their standby power consuming mode shall be purchased.

3.2.1 ENERGY STAR®

ENERGY STAR® is a government endorsed program that recognizes products that are in the top 25% for energy efficiency. These products use less energy to perform the same operation or function as a comparable piece of equipment. An ENERGY STAR® rating guarantees that a product has high energy efficiency. Examples of ENERGY STAR® products include:

- Computers;
- Copiers;
- Clothes washers;
- Dishwashers;
- Light fixtures; and
- Compact fluorescent light bulbs.

Additional information on ENERGY STAR® products is located at www.energystar.gov.

3.2.2 The Federal Energy Management Program

The Federal Energy Management Program designates products that are among the highest 25% of equivalent products for energy efficiency. For each product, FEMP identifies the

efficiency levels needed to meet the requirements for procurement of energy-efficient products and provides a cost-effective example. Examples of FEMP-designated products include:

- Electric and gas water heaters;
- Ice machines;
- Boilers; and
- Chillers.

Information on FEMP-designated products can be found at <http://www1.eere.energy.gov/femp/procurement/index.html>.

3.2.3 Low Stand By

Low standby power products are products that use one watt of power or less during standby (“sleep”) mode. FEMP provides information on products that use low amounts of power in standby mode, and maintains an online database of lower standby power products. Examples of these products include:

- Scanners;
- Copiers; and
- Printers.

Information on low standby power products can be found on FEMP’s web site at www.eere.energy.gov/femp/procurement.

3.3 Electronic Product Environmental Assessment Tool (EPEAT) Products

The procurement of Electronic Product Environmental Assessment Tool products is established in Executive Order 13423 and Executive Order 13514. EPEAT is an application that helps purchasers acquire electronic products based on their environmental attributes. EPEAT currently registers personal computers and televisions, e.g., desktop computers, monitors and notebooks, all of which must be ENERGY STAR® qualified.

The Department shall specify and procure EPEAT-registered electronic products unless an exception is approved. The 1EEE standard shall apply to personal computer products and applicable contracts shall incorporate appropriate language and clauses for EPEAT-registered products. EPEAT evaluates electronic products according to three tiers of environmental performance: Bronze, Silver, and Gold. At a minimum, EPEAT Silver-level products shall be specified. All requirements for electronic products shall be fulfilled with EPEAT registered products where an EPEAT standard exists.

Additional Information on EPEAT is available at www.epeat.net.

3.4 Water Efficient Products

The procurement of water efficient products is established in Executive Order 13423 and Executive Order 13514. WaterSense is a program that identifies and promotes water efficient products that meet criteria for water efficiency and performance. Examples of products that have met the EPA WaterSense label include:

- High efficiency toilets;
- Sink faucets;
- Showerheads;
- Urinals; and
- Landscape irrigation systems.

Preference shall be provided to the purchase of water efficient products, including those meeting EPA's WaterSense standards. The purchase of WaterSense labeled products and the use of contractors who are certified through a WaterSense labeled program shall be acquired where applicable.

Additional information on the WaterSense Program is available at <http://www.epa.gov/watersense>.

3.5 Alternative Fuel Vehicles/Alternative Fuels/Hybrids

The alternative fuel vehicle/alternative fuels/hybrids program requirements are established by Title III of the Energy Policy Act (EPAct) of 1992, as amended, the Energy Independence and Security Act of 2007, and Executive Order 13423. The statutory requirement for the acquisition of alternative fuel vehicles is that 75% of light duty vehicle acquisitions in covered fleets must be alternative fuel vehicles. Alternative fuel vehicles are defined as any dedicated, flexible-fuel, or dual-fuel vehicle designed to operate on at least one alternative fuel. Alternative fuels are fuels that are substantially non-petroleum based fuels and include, but are not limited to, the following:

- Ethanol at an 85% blend or higher;
- Liquefied petroleum gas (propane);
- Compressed natural gas;
- Biodiesel;
- Electricity;
- Hydrogen; and
- P-series fuels.

Information on Federal fleet requirements are available at <http://www1.eere.energy.gov/vehiclesandfuels/epact/index.html>.

3.6 Non-Ozone Depleting Products

The procurement of non-ozone depleting substances is established in Section 612 of the Clean Air Act and Executive Orders 13423 and 13514. The Significant New Alternative Policy (SNAP) is a program for evaluating alternatives to ozone depleting substances. The program reviews alternatives to ozone depleting substances and approves use of alternatives which do not present a substantially greater risk to public health and the environment than the substances they replace or than other available substitutes. SNAP provides lists of acceptable and unacceptable substitutes in the following sectors:

- Fire suppressants;
- Aerosol solvents and propellants;
- Refrigeration and air conditioning equipment; and
- Adhesives and coatings.

Preference shall be provided to the purchase of non-ozone depleting substances, as identified in EPA's Significant New Alternatives Policy program. DOC shall specify and procure alternative products that reduce overall risks to human health and the environment. The use of safe alternatives to ozone depleting substances, as approved by the SNAP program, shall be maximized to the greatest extent possible. Information about the SNAP Program is available at www.epa.gov/ozone/snap/index.html.

3.7 Non-Toxic or Less Toxic Alternatives

Executive Order 13514 requires the promotion of pollution prevention by reducing and minimizing the quantity of toxic and hazardous chemicals acquired, used, and disposed of. Using non-toxic or less toxic substances is part of EPA's Pollution Prevention (P2) Program under the authority of the Pollution Prevention Act of 1990. This program also includes modifying production processes, implementing conservation techniques, and reusing materials rather than putting them into the waste stream. The P2 Program has identified over 1,000 non-toxic or safer products in such categories as:

- Paints;
- Inks;
- Deodorizers;
- Deicers;
- Detergents;
- Consumer cleaning products; and
- Industrial cleaning products

To the maximum extent practicable, the Department shall specify and procure non-toxic or less toxic alternative products.

Information on EPA designated non-toxic or less toxic alternatives may be found at <http://www.epa.gov/dfc/index.htm> and information on the P2 Program is available at <http://www.epa.gov/p2/>.

3.8 Priority Chemicals

In order to reduce federal agencies' usage of harmful chemicals, EO 13423 directed EPA to develop a list of priority chemicals "used by the Federal Government that may result in significant harm to human health or the environment and that have known, readily available, less harmful substitutes for identified applications and purposes."

The Department of Commerce shall not purchase products that contain Priority Chemicals as identified by the EPA, when a less harmful substitute exists. The EPA's priority chemical list includes:

- Cadmium;
- Lead;
- Polychlorinated biphenyls (PCBs);
- Mercury; and
- Naphthalene.

A complete list of priority chemicals is available at:
<http://www.epa.gov/oppt/aegl/pubs/priority.htm>

3.9 Environmentally Preferable Products and Services (EPPS)

The procurement of environmentally preferable products and services is established in Executive Orders 13423 and 13514. Environmentally preferable products are products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the products or services. Examples include:

- Cleaning products that are non-toxic, non-volatile, and biodegradable;
- Paint with no or low volatile organic compounds; and

- 100 percent postconsumer paper that is not chemically de-inked and is process chlorine free.

Preference shall be provided to the purchase of environmentally preferable products. Acquisition personnel shall use EPA's Guidance on the Acquisition of Environmentally Preferable Products and Services located at <http://www.epa.gov/epp/pubs/index.htm> when acquiring environmentally preferable products.

An EPA maintained database of products and specifications defined by Federal, state, and local agencies, and other nations is available at <http://www.epa.gov/epp>.

3.9.1 Green Cleaning

Green cleaning, also known as green janitorial or custodial service is an approach designed to protect occupant and worker health and reduce the impact on the environment, while delivering service comparable to, or better than, traditional cleaning methods. A Green janitorial program goes beyond simple appearances to focus on human health and environmental impacts. Green cleaning includes recycled content and bio-based products, and products and services that minimize the use of energy, water, and other resources. Green cleaning products are lower emitting, less toxic, biodegradable, and environmentally safer. Examples include:

- All purpose cleaners;
- Sanitizers;
- Deodorizers;
- Glass cleaners;
- Carpet cleaners;
- Hand soap;
- Laundry detergent; and
- Bathroom cleaners.

The Department shall specify and procure green cleaning services to the maximum extent possible. Sample janitorial contract templates using biobased products can be found at <http://www.usda.gov/procurement/programs/biobased/CustodialJanitorialFY08.pdf>. Additional information on the environmental attributes of green cleaning is located at <http://www.epa.gov/epp/pubs/products/cleanattribut.htm>.

3.9.2 Green Meetings

Green Meetings pertain to office meetings as well as seminars, conferences, and training and include concepts such as: reduction or elimination of handouts; use of electronic media; availability of recycling containers; use of durable food service items; and reuse of linens and towels in hotels. Green concepts shall be incorporated into meeting planning requirements wherever possible. Additional guidance on Green Meetings can be found at http://www.epa.gov/oppt/greenmeetings/pubs/current_init.htm.

3.10 Waste Prevention and Recycling Program

When acquiring products and services, Requesting Officials, program officials, and contracting personnel shall consider all waste prevention opportunities such as recycling, reuse, and repair, and specify recycled paper that contains a minimum of 30% post consumer fiber. To promote waste prevention, the electronic transfer of documents and double-sided printing and copying shall be encouraged and electronic acquisition systems shall be utilized to the maximum extent practicable.

END OF SECTION 3

SECTION 4 - ACQUISITION STRATEGIES AND TOOLS

4.1 Acquisition Planning

The acquisition of energy efficient products and services, products containing energy efficient standby power devices, products containing recovered materials, biobased products, and environmentally preferable products and services shall be considered during acquisition planning. Acquisition plans shall address environmental and energy factors throughout the acquisition process in order to save money, increase efficiency, and reduce pollution. In addition, the purchase of green products and services should be considered in strategic sourcing opportunities, when feasible.

The Department's Forecasting and Advanced Acquisition Planning System (FAAPS) may be utilized to promote green acquisition. FAAPS contains an element entitled "Sustainable Acquisition Preference(s)" and can be a useful starting point for specifying and buying sustainable products and services.

The Requesting Official shall:

- a. Work closely with the Contracting Officer, Green Product Points of Contact, and OCIO Designee to ensure opportunities for acquiring sustainable products and services are identified and executed early in the acquisition lifecycle using FAAPS.

The Green Product Points of Contact and Senior Bureau Procurement Official shall jointly review acquisition forecasts and other acquisition planning documents to maximize opportunities for green procurement.

4.1.1 Major Acquisitions

Acquisitions with significant environmental attributes (e.g., large computer products acquisition; design and construction of new building; etc.) should include the participation of environmental, energy, information technology, and other technical experts as needed. The acquisition strategy shall consider factors such as: sustainable design practices; lifecycle cost analysis; product or packaging take back (return to manufacturer for recycling or remanufacturing purposes); and maximization of energy and resource recovery in solid waste management.

4.2 Specifications and Requirements

The process of specifying and acquiring green products or services is a collaborative effort that begins with the Requesting Official, with assistance and consultation from the acquisition office, the Green Product Points of Contact, and the OCIO designee for information technology requirements.

The Requesting Official shall:

- a. Ensure that goods and services specified comply with environmental procurement preferences.
- b. Develop, review and revise specifications, product descriptions, and standards during the acquisition planning stage to enhance procurement of designated recycled content, ENERGY STAR, FEMP-designated energy efficient, low standby power, biobased, environmentally preferable, EPEAT-registered, water-efficient and non-ozone depleting products.

Appendix C provides a list of sustainable acquisition websites that may be useful tools in specifying green products and services.

4.3 Sources of Supply

4.3.1 Required Sources of Supplies and Services

Green products and services are widely available from required sources. Once the specifications, including specific requirements regarding environmental attributes are finalized, FAR Part 8, Required Sources of Supplies and Services shall be checked to determine availability.

4.3.2 Government Sources

Established Government sources, such as the General Services Administration, Government Printing Office, AbilityOne, the Defense General Supply Center and UNICOR are competitive sources. Procuring environmentally preferable content products through these sources offers the following advantages: products have been competitively bid; products meet or exceed EPA minimum content requirements for recovered material; and electronic catalogs identify green products. In addition, these sources provide independent estimation, certification, and verification of EPA-designated containing recovered materials, thereby reducing overhead costs to track and monitor vendor compliance.

4.3.3 Small Business Sources

When two or more small businesses exist that can provide recycled content, ENERGY STAR®, FEMP designated, energy-efficient, low standby power, biobased, environmentally preferable, EPEAT-registered, water efficient, and non-ozone depleting products, as a prime contractor, the requirement should be considered for a small business set-aside.

4.4 Source Selection/Evaluation

Consideration should be given to using source selection factors that evaluate use of energy and water efficient, low standby power, biobased, recycled content, and environmentally preferable products and services.

Contracting Officers are encouraged to use “Environmental Impact” as an evaluation factor, where appropriate, and require offerors to submit an Environmental Impact Statement, Planned Use of Green Products narrative, or other detailed plan that describes how they plan to minimize environmental impacts under the contract.

4.4.1 Sample Contract Language

Contract language that could be used for the evaluation of green contracts may include:

Offers shall submit an Environmental Impact Statement that addresses how the proposed solution will address the Government’s Sustainability objectives. The statement shall describe, at minimum, how the contractor will maximize the use of the products with the following characteristics during the performance of the prospective contract:

- Energy Star/FEMP
- Water-Efficient
- Biobased
- EPEAT
- Non-Ozone Depleting
- Recovered Materials
- Non-toxic or less-toxic alternatives

4.5 Contract Provisions and Clauses

Contracting Officers shall ensure that applicable FAR provisions and clauses pertaining to federal environmental preferences are inserted in applicable solicitations and contracts. Appendix B provides a list of FAR Sustainable Acquisitions Requirements.

4.6 Contractor Compliance

Contracting Officers, Contracting Officer Representatives, and Program Managers shall manage and monitor contract performance to ensure green procurement requirements are addressed and delivered in accordance with terms of the contract.

END OF SECTION 4

SECTION 5 - EXCEPTIONS TO GREEN PREFERENCE PROGRAMS

5.1 Written Justifications for Procurement Exceptions

For acquisitions above the micro-purchase threshold, a decision not to specify and procure the following classes of green products must be supported by a written justification approved by the Head of Contracting Office. The Requesting Official is responsible for preparing and documenting the justification and obtaining concurrence from the Green Product Points of Contact and OCIO designee, if applicable. The justification should be fact based and supported by market research and address what is being done to remove unnecessary barriers or restrictive specifications in future requirements. The justification shall be submitted to the Contracting Officer for review and submission to the Head of Contracting Office for approval. The Contracting Officer shall place an approved justification in the contract file and provide a copy to the Requesting Official, Green Product Points of Contact and, if the acquisition is for information technology, to the OCIO designee. Appendix F provides a sample format for a Request for Procurement Exception and Appendix E gives a brief summary of green procurement exceptions.

Although written justifications are not required for acquisitions below the micro-purchase threshold, green preference requirements still apply.

5.1.1 Recovered Materials and Biobased Products

A decision not to procure EPA-designated recycled items or USDA-designated biobased items directly or through a service contract requires a written justification prepared by the Requesting Official with concurrence from the Green Product Points of Contact for approval by the Head of Contracting Office. The justification shall be based on a determination that such items: were not reasonably available with the time required; fail to meet performance standards established in applicable specifications or fail to meet the reasonable performance standards or; are not available from a sufficient number of sources to maintain a satisfactory level of competition.

5.1.2 ENERGY STAR® and FEMP-designated products

A decision not to procure ENERGY STAR® or FEMP designated products requires a written justification prepared by the Requesting Official with concurrence from the Green Product Points of Contact for approval by the Head of the Contracting Office. Requests for information technology require additional concurrence from the OCIO designee. The justification shall be based on a determination that no ENERGY STAR® or FEMP designated product is reasonably available that meets the functional requirements of the agency or; no ENERGY STAR® or FEMP designated product is cost effective over the life of the product taking energy cost savings into account.

5.1.3 EPEAT Products

A decision not to procure EPEAT registered products requires a written justification prepared by the Requesting Official with concurrence from the Green Product Points of Contact for approval by the Head of Contracting Office. Requests for information technology require additional concurrence from the OCIO designee. The justification shall be based on a determination that no EPEAT-registered product meets the agency's requirements or the EPEAT-registered product will not be cost effective over the life of the product.

END OF SECTION 5

SECTION 6 – GREEN PROMOTION PROGRAM

6.1 Promotion Program

The preference for all environmental programs covered under the Green Procurement Program shall be actively promoted within the Department. Promotion shall be conducted internally and externally and consist of training and outreach activities.

6.2 Training

6.2.1 Training Requirements

Green Procurement training is required of all acquisition professionals, Contracting Officer Representatives, and Program and Project Managers as part of the continuous learning requirements for the Federal Acquisition Certification programs. Please see Appendix I for a partial list of available green procurement training.

6.2.2 Training Providers

6.2.2.1 Federal Acquisition Institute/Defense Acquisition University Training

Green Procurement (CLC 046) is a web-based, no cost, training course developed by the Defense Acquisition University with participation by the Office of the Federal Environmental Executive. Completion of CLC-046 meets OFEE and OFPP requirements for green procurement training for all acquisition personnel, project/program managers, and Contracting Officer Representatives. The course takes approximately 2 hours and conveys 2 continuous learning points. The course is available through the Federal Acquisition Institute's website at <http://www.fai.gov>. FAC 018, Green Purchasing for Civilian Acquisition, offers acquisition professionals an overview of the policies, requirements, and best practices for purchasing sustainable products and services.

6.2.2.2 GSASmartPay® Purchase Card Training

GSA SmartPay® Purchase Card Training is a computer based course developed by the General Services Administration with input from OFEE. The course includes a section on green purchasing. Completion of this training will meet OFEE and OFPP requirements for purchase card holder green purchasing training. The course is available at http://www.gsa.gov/Portal/gsa/ep/contentView.do?P=FCX5&contentId=13034&contentType=GSA_BASIC.

6.2.2.3 ENERGY STAR®

ENERGY STAR® offers monthly online training that demonstrates the benefits and resources of ENERGY STAR® purchasing, and reviews the resources on the procurement section of the Federal Energy Management Program's web site. The one hour training illustrates the use of product calculators that determine annual and lifecycle cost savings obtained by purchasing ENERGY STAR® products. The presentation also identifies downloadable procurement language and ENERGY STAR® product specifications. The course is available at www.energystar.gov/index.cfm?c=business.bus_internet_presentations.

6.2.2.4 Office of the Federal Environmental Executive

The Office of the Federal Environmental Executive website identifies additional classroom training for agency contracting, environmental, and facilities personnel. The training addresses each component of the Federal green purchasing program, the legal framework for the green purchasing programs, pertinent Federal Acquisition Regulation provisions, common myths about green purchasing, specifics of the green purchasing programs, agency green purchasing examples, and product sources. OFEE also offers a general Introduction to Green Purchasing

presentation, a train-the-trainer program, and a list of other training available at <http://www.ofee.gov/gp/training.asp>.

6.2.2.5 Federal Energy Management Program

Federal Energy Management Program offers an online lighting course, FEMP Lights, that provides information on lighting design, industry standards, energy consumption and maintenance issues, energy efficiency, project management, and more. The course is available at <http://www.femplights.com>.

6.2.3 Training Records

Employees shall keep records of their completed training, notify their supervisors of their completion, and report completed training in accordance with the Commerce Learning Management System policies and guidance.

6.3 Outreach

The Senior Procurement Executive and Senior Bureau Procurement Officials shall ensure wide distribution of the Green Procurement Program, and other green guidance and material within the Department. The Department shall promote the desire to buy green products by: including preference for green products in appropriate solicitation and contract language, specifications, drawings, plans, statements of work, and during contract negotiations; providing informational material to program and procurement offices regarding the Department's green products preference program through internal documents, newsletters, and at appropriate conferences, workshops, and meetings; and providing vendor and product information from established Federal supply sources and outside vendors to program and acquisition offices.

6.4 Green Acquisition Team

The DOC Green Acquisition Team, established under the auspices of Executive Orders 13514 and 13423 promotes agency goals in energy efficiency, acquisition of biobased and other environmentally preferable products, renewable energy, reducing the use of toxic and hazardous chemicals, recycling, electronics stewardship, fleet management, and water conservation.

The acquisition community plays a significant role in the implementation of the aforementioned executive orders as the vanguards of government spending. The DOC Green Acquisition Team establishes a mechanism for the coordination, development, use, sharing, and dissemination of sustainable acquisition ideas and best practices throughout the Department.

6.5 Recognition Programs

6.5.1 Environmental Achievement Award

The Department has established an annual awards program, the Energy and Environmental Stewardship Awards, to recognize successful and innovative achievements in several sustainability categories. The program is administered by the Office of Facilities and Environmental Quality as part of DOC's environmental program. Award winners are eligible to compete in the White House Closing the Circle Awards Program and the Department of Energy's Federal Energy Management Program Awards Program.

6.5.2 White House Closing the Circle Awards Program

The White House Closing the Circle Awards program was developed to recognize Federal employees and their facilities for efforts which resulted in significant impact on the environment

in specific categories under Executive Order 13423. This program recognizes outstanding affirmative procurement, waste reduction, and recycling success stories that can set the example for other Federal facilities to follow.

Each category recognizes efforts made by either an individual Federal employee (“individual award”) or team/groups of Federal employees (including teams made of Federal and contract employees) at government facilities (“team/project award”). Winners of DOC’s Energy and Environmental Stewardship Awards are automatically submitted to the White House Task Force for consideration in the White House Closing the Circle Awards Program.

END OF SECTION 6

SECTION 7 – REVIEW AND MONITORING

7.1 Monitoring and Reporting

The Department's activities in connection with green purchasing are reported as required by Executive Orders 13423 and 13514 and as otherwise required. The Senior Procurement Executive will request data acquisition from the Senior Bureau Procurement Official for inclusion in required reports. The Senior Bureau Procurement Official shall provide accurate, complete, consolidated, and timely data to the PE in response to data requests. Requests may include but are not limited to: qualitative data on purchases of indicator items; contract compliance data reported through the Federal Procurement Data System; data documenting the results of pilots; evidence of preference language or consideration included in service contracts, procurement forecasts, solicitations, and strategic sourcing studies; and/or evidence of annual training, compliance monitoring, and corrective action plans.

7.2 Quarterly Review

The Department's Strategic Sustainability Performance Plan (SSPP) incorporates sustainable acquisition performance goals. To maintain positive progress, the Department must conduct green purchasing review of products and services subject to the designated federal environmental procurement preference programs contained herein.

Bureau Procurement Officials shall submit a quarterly report 10 business days after the end of each quarter, using the template found in Appendix D, highlighting:

- a. Applicable green contract actions;
- b. A 5% review of applicable green contract actions for compliance with green purchasing mandates; and
- c. Corrective actions/strategies to improve green purchasing opportunities.

7.3 Compliance Monitoring

Senior Bureau Procurement Officials are responsible for establishing compliance monitoring to ensure green procurement rules are followed and data is accurate. They are also responsible for taking any corrective action necessary to improve the data quality.

7.4 Green Quality Control

Senior Bureau Procurement Officials are responsible for establishing internal controls to ensure that federal "green" procurement preferences are being applied. Contracting Officers are responsible for ensuring that all applicable clauses, provisions, and certifications requirements are included in solicitations and contracts, as required by Federal Acquisition Regulation. Contracting Officers shall ensure contractors complete required certifications, and certifications are reviewed by the responsible technical program office.

7.4.1 Federal Procurement Data System Reporting

Contracting officers shall ensure that "green" data is accurately reported in the Federal Procurement Data System (FPDS). The Federal Procurement Data System captures sustainable acquisition data in fields 8K and 8L. If a contract action includes products/services with multiple environmental attributes, FPDS should be coded based on the predominant environmental attribute. Please see Appendices G and H for information on accurately coding "green" requirements.

END OF SECTION 7

END OF CAM 1323.70

APPENDIX A - Definitions

Acquisition – Acquiring of supplies or services (including construction) with appropriated funds by contract for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated,

Affirmative Procurement Program – Agency program assuring that EPA-designated recycled content products and USDA-designated biobased products are purchased to the maximum extent practicable, consistent with Federal law and procurement regulations.

Alternative Fuel – Fuels that are substantially non-petroleum based and include, but are not limited to, ethanol at 85%blend or higher, liquefied petroleum gas (propane), compressed natural gas, biodiesel; electricity, hydrogen; and P-series fuels.

Applicable Contracts - Contract actions with requirements for products and services subject to the designated federal environmental procurement preference programs contained herein.

Biobased Product – A product determined by the U.S. Department of Agriculture to be a commercial or industrial product (other than food or feed) that is composed, in whole or in significant part, of biological products or renewable domestic agricultural materials and forestry materials.

Certification – Written documentation, provided by offerors, certifying the percentage of recovered material contained in products, or to be used in the performance of the contract, is at least the amount required by applicable specifications or other contractual requirements. Certification on multi-component or multi-material products should verify the percentage of postconsumer materials and recovered material contained in the major constituents of the product.

Comprehensive Procurement Guidelines – Regulations issued by EPA identifying items produced or which can be produced with recovered materials.

Electronic Product Environmental Assessment Tool – An environmental procurement tool designed to help institutional purchasers in the public and private sectors evaluate, compare, and select electronic products based on their environmental attributes.

Energy Efficient Product – A product that meets Department of Energy and Environmental Protection Agency criteria for use of the ENERGY STAR® trademark label, or is in the upper 25 percent of efficiency for all similar products as designated by the Department of Energy's Federal Energy Management Program.

Federal Energy Management Program Designated Product - A product designated by the Federal Energy Management Program, Department of Energy, as being among the highest 25 percent of equivalent products for energy efficiency.

Energy Efficient Standby Power – Products that use external standby power devices or contain an internal standby power function, and no more than one watt of electricity in their

standby power consuming mode, or meet recommended low standby levels as designated by the Department of Energy Federal Energy Management Program .

ENERGY STAR® Product - Product that is rated for energy efficiency under an ENERGY STAR® program.

Energy-savings Performance Contract – A contract that requires the contractor to perform services for the design, acquisition, financing, installation, testing, operation and, where appropriate, maintenance and repair of an identified energy conservation measure or series of measures at one or more locations; incur the costs of implementing the energy savings measures, including at least the cost (if any) incurred in making energy audits, acquiring and installing equipment, and training personnel in exchange for a predetermined share of the value of the energy savings directly resulting from implementation of such measures during the term of the contract; and guarantee future energy and cost savings to the government.

Environmentally Preferable Product – Product or service that has a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose.

Environmental – Environmental aspects of internal agency operations and activities, including those environmental aspects related to energy and transportation functions.

Estimation – Quantitative determination made by vendors of the total percentage of recovered material contained in offered products.

EPA-designated item – Product that is, or can be made with, recovered material that is listed by EPA in a procurement guideline; and for which EPA has provided purchasing recommendations in a related Recovered Material Advisory Notice.

Lifecycle Cost-effective – The life-cycle costs of a product, project, or measure are estimated to be equal to or less than the base case (i.e., current or standard practice or product).

Minimum Content Standard – The minimum recovered material content of a product. The standard must be high enough to assure the recovered material content required is the maximum available without jeopardizing the intended item use of the product.

Ozone-depleting Substances – Any substance designated by EPA as Class I, including, but not limited to, chlorofluorocarbons, halons, carbon tetrachloride, and methyl chloroform; or Class II, including, but not limited to, hydrochlorofluorocarbons.

Preference – When two products or services are equal in performance characteristics and price, the Government, in making purchasing decisions, will favor the more environmentally-sound or energy-efficient.

Recycled Materials – A material that can be utilized in place of a raw or virgin material in manufacturing a product and consists of materials derived from post-consumer waste, industrial scrap, material derived from agricultural waste and other items, all of which can be used in the manufacture of new products.

Recycling – The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw

materials in the manufacture or products other than fuel for producing heat or power by combustion.

Recovered Material – Waste material and by-products recovered or diverted from solid waste, but the term does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process.

Recovered Materials Advisory Notice – Guidance issued by EPA which recommends the range of recycled content that should be in products designated in the Comprehensive Procurement Guidelines.

Recovered Content Products – Products containing recovered materials designated for Federal preferred procurements by the EPA in its Comprehensive Procurement Guidelines.

Specification – A clear and accurate description of the technical requirements for materials, products, or services, including the minimum requirements for material quality and construction and any equipment necessary for an acceptable product.

Sustainable – To create and maintain conditions under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic, and other requirements of present and future generations of Americans.

USDA-designated Items – A generic grouping of products that are, or can be made with, biobased materials, are listed by USDA in a procurement guideline, and for which USDA has provided purchasing recommendations.

Verification – Procedures used by procuring agencies to confirm both vendor estimates and certification of the percentages of recovered material contained in the products supplied to them or to be used in the performance of the contract.

Waste Prevention – Any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their amount or toxicity before they are discarded.

Waste Reduction – Preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products.

Water Efficient Product or Service –Product or service that uses less water than competing products or services that serve the same purpose, including those meeting EPA's WaterSense standards.

APPENDIX B - Federal Acquisition Regulation (FAR) Sustainable Acquisition Requirements

(Updated through FAC 2005-64)

FAR	Summary
Part 2	Contains definitions for biobased, energy-efficient, energy efficient standby power device, environmentally preferable, ozone-depleting substances, and recovered material.
Part 7	Requires agency planners to consider energy efficient products and services, products containing energy efficient standby power devices, products containing recovered materials, biobased products, and environmentally preferable products and services.
Part 11	Requires agencies to consider maximum practicable use of energy and water, low standby power, biobased, recycled content, and environmentally preferable products and services when developing, reviewing, or revising specifications, product descriptions (including commercial item descriptions) and standards, describing government requirements for supplies and services and developing source selection factors. Requires that for high-speed copier paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, white wove envelopes, writing and office paper, book paper, cotton fiber paper, and cover stock, the minimum content standard must be no less than 30 percent post-consumer materials. May require offerors to submit additional information on the recycled or biobased content or related standards. May require vendors for biobased products to provide information on life cycle costs and environmental and health benefits.
Part 12	May use provisions and clauses contained in Part 23 regarding the use of recovered material and biobased products when appropriate for the commercial item being acquired.
Part 13	Apply procurement requirements in Subparts 23.2, 23.4, and 23.7 to purchases at or below the micro-purchase threshold.
Part 23	States that it is policy that agencies shall assure the use of products containing recovered materials and biobased products to the maximum extent practicable without jeopardizing the intended use of the product while maintaining a satisfactory level of competition at a reasonable price. Part 23 also requires that Federal agencies purchase, ENERGY STAR® or FEMP designated product and products that consume power in a standby mode and are listed on FEMP's Low Standby Power Devices product listing. Part 23 also

	states that agencies must maximize the utilization of environmentally preferable products and services. Shall give preference to the procurement of alternative products that reduce overall risks to human health and environment by lessening the depletion of ozone.
Part 36	Comply with requirements of FAR SubPart 23.2 when drafting facility design solicitations and contracts that include the specifications of energy-consuming products.
Part 42	Requires the government to monitor contractor compliance with specifications or other contractual requirements requiring the delivery or use of environmentally preferable products, energy-efficient products, products containing recovered materials, and biobased products.
FAR Clauses Include:	<p><u>Affirmative Procurement:</u></p> <p>52.223-1 Biobased Product Certification</p> <p>52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts</p> <p>52.223-4 Recovered Materials Certification</p> <p>52.223-9 Estimate of Percentage of Recovered Material Content For EPA Designated Products (Use only on contracts exceeding \$100,000)</p> <p>52.223-11 Ozone-Depleting Substances</p> <p>52.223-12 Refrigeration Equipment and Air Conditioners</p> <p>52.223-15 Energy Efficiency in Energy-Consuming Products</p> <p>52.223-16 IEEE Standard 1680 for the Environmental Assessment of Personal Computer Products (EPEAT Registration)</p> <p>52.223-17 Affirmative Procurement of EPA-designated Items in Service and Construction Contracts</p> <p><u>Recycled Content Paper:</u></p> <p>52.204-4 Printed or Copied Double-Sided on Recycled Paper</p> <p><u>Support Services and Operations and Maintenance Contractors:</u></p> <p>52.223-10 Waste Reduction Program</p>

APPENDIX C - Sustainable Acquisition Websites

Topic	Description	Website
PRODUCTS		
Sustainable Products	Spreadsheet that organizes Federally-designated sustainable products by use in contracts	http://www.fedcenter.gov/Documents/index.cfm?id=11767&page_prg_id=26960
Recycled Content	Comprehensive Procurement Guidelines (CPG) Recycled Products	http://www.epa.gov/cpg/ http://cpg.epa.tms.icfi.com/user/cpg_search.cfm
Biobased	USDA BioPreferred SM Home Page Biobased Products	http://www.biopreferred.gov/ http://www.catalog.biopreferred.gov/bioPreferredCatalog/faces/jsp/catalogLanding.jsp
Energy Efficient	Energy Star Products FEMP (Federal Energy Management Program) Low Standby Power Products	http://www.energystar.gov/products http://www1.eere.energy.gov/femp/procurement/index.html http://www1.eere.energy.gov/femp/technologies/standby_power.aspx
Environmentally Preferable	Environmentally Preferable Purchasing (EPP) EPP Products	http://www.epa.gov/opptintr/epp/ http://yosemite1.epa.gov/oppt/eppstand2.nsf
EPEAT	Electronic Product Environmental Assessment Tool	http://www.epeat.net/
Water Efficient	Water Sense Water Efficiency	http://www.epa.gov/watersense/ http://www1.eere.energy.gov/femp/program/waterefficiency.html
Non-Ozone Depleting	SNAP (Significant New Alternatives Program)	http://www.epa.gov/ozone/snap/
Non-Toxic and Less Toxic Alternatives	EPA Pollution Prevention EPA Design for the Environment	http://www.epa.gov/p2/ http://www.epa.gov/oppt/dfe/
GUIDANCE & RESOURCES		
Procurement	USDA Advantage GSA Advantage AbilityOne (formerly, JWOD) UNICOR Defense Logistics Agency Agriculture Acquisition Regulation (AGAR) Federal Acquisition Regulation (FAR) Federal Procurement Data System Federal Business Opportunities (FedBizOpps)	https://www.usdaadvantage.gsa.gov/ https://www.gsaadvantage.gov/ http://www.jwod.org/ http://www.unicor.gov/ http://www.dscr.dla.mil/userweb/dscrlid/epa/EPSearch.asp http://www.usda.gov/procurement/policy/agar.html https://www.acquisition.gov/far/ https://www.fpds.gov/fpdsng_cms/ https://www.fbo.gov/
Policy	USDA Sustainable Operations USDA Procurement Policy FedCenter	http://greening.usda.gov/ http://www.usda.gov/procurement/policy/index.html http://www.fedcenter.gov/programs/buygreen/
Standards	Green Seal National Institute of Standards and Technology LEED (US Green Building Council) Whole Building Design Guide	http://www.greenseal.org/programs/government.cfm http://www.nist.gov/ http://www.usgbc.org/displaypage.aspx?CategoryID=19 http://www.wbdg.org/design/greenspec.php
Training	USDA Sustainable Acquisition Training BioPreferred Training Resources Defense Acquisition University Federal Acquisition Institute	http://www.energyworkshops.org/Green_Purchasing_Training/ http://www.biopreferred.gov/AccessTraining_Resources.aspx http://training.dau.mil/ http://www.fai.gov/

APPENDIX D - Green Purchasing Quarterly Review

Please fill out this table and submit to OAM 10 business days after the end of each quarter. If 95% compliance was not achieved, please identify and indicate corrective actions to be taken.

#	Contract Number	QTR	Compliant?	CPG/ Recycled Content	EPEAT	IT related Energy Star	Other Energy Star	FEMP- Low standby power	Other FEMP	Biobased	Water Sense	EPPS	lower ozone depleting substance (SNAP)	low toxic /hazardous constituent	Other	Description
1																
2																
3																

APPENDIX E - Summary of Procurement Exceptions

Preference Program	FAR Reference	Basis for Exception	Justification Originator	Approval
EPA-Designated (Recycled Products) USDA-Designated (Biobased Products)	23.404(b) "Exemptions"	Item cannot be acquired: Competitively within reasonable time frame; Meeting reasonable performance standards; or At a reasonable price.	Requesting Official	Procedure: Draft and obtain concurrence on written justification from Environmental Designee; submit to Contracting Officer for HCO approval.
ENERGY STAR® and FEMP, Low Power Standby Energy Efficient Products	23.204 "Procurement Exemptions"	No ENERGY STAR or FEMP designated product is: Reasonably available that meets functional requirement of the agency; or is cost effective over the life of the product taking energy cost savings into account	Requesting Official	Procedure: Draft and obtain concurrence on written justification from Environmental Designee; submit to Contracting Officer for HCO approval.
EPEAT-Registered Products	23.705(c) Agency procedures for granting EPEAT "Exceptions"	No EPEAT registered product meets agency requirements; or EPEAT registered product will not be cost effective over the life of the product.	Requesting Official	Procedure: Draft and obtain concurrence on written justification from Environmental Designee; submit to Contracting Officer for HCO approval.

APPENDIX F - Request for Green Procurement Exception

MEMORANDUM FOR: [Head of Contracting Office]
THROUGH: [Contracting Officer]
FROM: [Requesting Official]
SUBJECT: Exception to [Insert Green Program Requirement]

This is a request for Head of Contracting Office (HCO) approval in accordance with Commerce Acquisition Manual (CAM) 1323.70. Under [Procurement Request No. or Acquisition Title], the [insert requiring office name] has a requirement for one or more of the following designated items [insert description of the covered product or service], which it has determined cannot be purchased for the following reason(s):

1. EPA-Designated (Recycled Products) USDA-Designated (Biobased Products)

The Item(s) cannot be acquired:

- Competitively within a reasonable time frame
- Meeting reasonable performance standards or
- At a reasonable price.

2. ENERGY STAR FEMP-designated Products Low Standby Power

The Item(s) cannot be acquired because no item is:

- Reasonably available that meets the functional requirements of the agency; or
- Is cost effective over the life of the product taking energy savings into account

3. EPEAT-Registered Products which are Information Technology Products

The item(s) cannot be acquired because:

- No EPEAT-registered product meets agency requirements; or
- EPEAT-registered products will not be cost effective over the life of the product

Attach additional information, documentation, as appropriate, to substantiate the reason(s) indicated above. The Exception should be based on fact, supported by market research, and address what is being done to ensure there are no unnecessary barriers or restrictive specifications in future requirements.

Routing Process:

The Requesting Official shall prepare the Exception and obtain concurrence from the Green Product Points of Contact and OCIO designee, if applicable. Upon concurrence, the Requesting Official shall submit the Exception to his/her Contracting Officer who, upon review and acceptance, shall forward to the Head of Contracting Office (HCO) for approval. If the HCO approves the Exception; the Contracting Officer shall place the fully executed Exception in the contract file and send a copy to the Requesting Official, Green Product Points of Contact and, if applicable, the OCIO designee.

Reminder: Green Procurement Exceptions are not required for acquisition below the micro-purchase threshold (currently \$3,000).

CONCURRENCE: [Green Product Point of Contact]

Date:

CONCURRENCE: [Office of Chief Information Officer Designee, if IT]

Date:

APPROVED BY: [Head of Contracting Office]

Date:

APPENDIX G – FPDS EPA-Designated Products Data Element

Information		Description
Element		8K
Name		EPA-Designated Products
Definition		<p>RCRA, section 6002, and EO 13101 require the purchase of EPA-designated products with a required minimum recovered material content as described in an agency's affirmative procurement program (APP). This list of EPA-designated products is available at http://www.epa.gov/cpg.</p> <p>This requirement applies to all contracts that require EPA-designated products.</p>
Instructions		When purchasing products on the EPS Designated Products List without the required minimum recovered material content, a written justification based on exception codes B,C, or D is required by FAR 23.405(b)(2). If more than one exception applies or more than one justification was completed, report the predominant exception code.
Code	Description	Details
A	Meets Requirements	EPA-Designated product(s) were purchased and all contained the required minimum recovered material content.
B	Justification – Time	EPA-designated product (s) were purchased without the required minimum recovered material content and a justification was completed based on inability to acquire the products(s) competitively with reasonable time (FAR 23.404(b)(1)(i))
C	Justification – Price	EPA-designated product(s) were purchased without the required minimum recovered material content and a justification was completed based on an inability to acquire the product(s) at a reasonable price. (FAR 23.404(b)(1)(iii)).
D	Justification- Performance	EPA-designated product(s) were purchased without the required minimum recovered material content and a justification was completed based on inability to acquire the product(s) to reasonable performance standards in the specifications (FAR 23.404(b)(1)(ii)).
E	Not Required	No EPA-designated product(s) were required.

APPENDIX H – FPDS Recovered Materials/Sustainability Data Element

Information		Description
Element		8L
Name		Recovered Materials/Sustainability
Definition		Designates whether Recovered Material Certification and/or Estimate of Percentage of Recovered Material Content for EPA-Designated Products clauses were included in the contract.
Code	Description	Details
A	FAR 52.223-4 Included	The solicitation includes the provision at FAR 52.223-4, Recovered Material Certification
B	FAR 52.223-4 and FAR 52.223-9 Included	The solicitation includes the provision at FAR 52.223-4, Recovered Material Certification and the contract includes the clause at FAR 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Products
C	No Clauses included and no Sustainability Included	No Clauses are Included
D	Energy Efficient	Energy Efficient
E	Biobased	Biobased
F	Environmentally Preferable	EPEAT registered, water efficient, Significant New Alternatives Program (SNAP)/non-ozone depleting, recovered content, and environmentally preferable products/services (EPA designated).
G	FAR 52.223-4 and Energy Efficient	FAR 52.223-4 and Energy Efficient
H	FAR 52.223-4 and Biobased	FAR 52.223-4 and Biobased
I	FAR 52.223-4 and Environmentally Preferable	FAR 52.223-4 and Environmentally Preferable
J	FAR 52.223-4 and Biobased and Energy Efficient	FAR 52.223-4 and Biobased and Energy Efficient
K	FAR 52.223-4 and Biobased and Environmentally Preferable	FAR 52.223-4 and Biobased and Environmentally Preferable
L	FAR 52.223-4 and Biobased and Energy Efficient and Environmentally Preferable	FAR 52.223-4 and Biobased and Energy Efficient and Environmentally Preferable

APPENDIX I – Available Comprehensive Green Training

Training	Description
<p>Green Purchasing for Civilian Acquisition (FAC-018)</p>	<p>The Green Purchasing for Civilian Acquisition course offers federal acquisition professionals an overview of the policies, requirements, and best practices for purchasing sustainable products and services.</p>
<p>GSA Schedules and Sustainable Acquisition (FAC-028)</p>	<p>This course will teach you about sustainability goals government-wide and ways the GSA Multiple Award Schedule can help achieve those goals.</p>
<p>Federal Green Challenge</p>	<p>The Federal Green Challenge Web Academy is a webinar series that provides tools and ideas to help your agency or facility reduce the Federal Government's environmental impact. If you are unable to attend the webinars live, full-length recorded versions will be posted on this website.</p>
<p>GSASmartPay Purchase Card Training</p>	<p>GSA SmartPay® Purchase Card Training is a computer based course developed by the General Services Administration with input from OFEE. The course includes a section on green purchasing. Completion of this training will meet OFEE and OFPP requirements for purchase card holder green purchasing training.</p>
<p>Green Procurement (CLC 046)</p>	<p>Reviews the purchase of products and services with favorable energy or environmental attributes in accordance with federally mandated "green" procurement preference programs.</p>