



# **AFFIRMATIVE PROCUREMENT PROGRAM**

## **GREEN PURCHASING PLAN**



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**Office of Acquisition and Property Management**



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## INTRODUCTION



*And that way, when it's all said and done, when we've done our duty to serving the American people, we can look back and say to this next generation, we tried to leave you a little better world. And so I want to thank you for giving me a chance to come and talk about that better world. It's on the way. And I'm excited to be a part of it, and I know you are, as well.*

President Bush's Energy Initiative Speech, January 24, 2007

As the nation's largest land owner and principal conservation agency, the U.S. Department of the Interior is dedicated to fulfilling its stewardship responsibilities and honoring the requirements outlined in Executive Order 13423, *"Strengthening Federal Environmental, Energy, and Transportation Management."* E.O. 13423 requires the Federal government to protect the nation's natural resources through green procurement by "incorporating key environmental factors with traditional price and performance considerations in purchasing decisions." DOI has updated its Green Purchasing Plan to provide guidance for implementing its Affirmative Procurement Program, which includes the new requirements of E.O. 13423.

By implementing E.O. 13423, DOI will contribute to the sound management of its resources and the fulfillment of its unique mission responsibilities of resource protection, resource use, recreation, and serving communities. This Green Purchasing Plan is a living document that will be amended to implement additional requirements of future laws, Executive Orders, and the Federal Acquisition Regulation (FAR) on the purchasing of green products.



## CHAPTER 1: POLICY

The U.S. Department of the Interior will comply with E.O.13423, “*Strengthening Federal Environmental, Energy, and Transportation Management*” and other environmental policies and regulations. This Executive Order requires Federal agencies to “conduct their environmental, transportation, and energy-related activities under the law in support of their respective missions in an environmentally, economically and fiscally sound, integrated, continuously improving, efficient and sustainable manner.” This Executive Order revokes the following.

- E.O. 13101 *Greening the Government Through Waste Prevention, Recycling and Federal Acquisition*, September 14, 1998
- E.O. 13123 *Green the Government Through Efficient Energy Management*, June 03, 1999
- E.O. 13134 *Developing and Promoting Biobased Products and Bioenergy*, August 12, 1999
- E.O. 13148 *Greening the Government Through Leadership in Environmental Management*, April 21, 2000
- E.O. 13149 *Greening the Government Through the Federal Fleet and Transportation Efficiency*, April 21, 2000

The requirements outlined in the above mentioned Executive Orders have been expanded and consolidated into Executive Order 13423. This GPP establishes DOI policy for the purchase and use of environmentally friendly and biobased products consistent with the Executive Orders 13221, “*Energy Efficient Standby Power Devices*” and 13423; Federal Acquisition Regulation; Section 6002 of the Resource Recovery Act and Section 9002 of the Farm Security and Rural Investment Act. This plan also includes policy for purchasing Environmental Protection Agency-designated environmental preferable products and U.S. Department of Agriculture-designated biobased products.

For the purpose of this document, green purchasing is defined as the *utilization of cost-effective procedures to buy recycled content products, environmentally preferable products and services, biobased products, energy- and water-efficient products, alternate fuel vehicles, products using renewable energy, and alternatives to hazardous or toxic chemicals*. The GPP provides policy for the procurement and use of environmentally preferable and biobased products. Further, the GPP provides implementation guidance and a framework for the purchase of specific Environmental Preferable Products (EPP) and biobased products that are competitively priced, readily available, and of good quality.

## 1.1 FEDERAL AND DOI POLICY

E.O. 13423 requires Federal agencies to conduct their environmental, transportation, energy-related activities, under the law, in support of their respective missions in an environmentally, economically and fiscally sound, integrated and continuously improving, efficient, and sustainable manner. Further, this Executive Order provides specific operation guidance, which supersedes previous environmental Executive Orders, except E.O. 13221 that provide product specification for power devices.

E.O. 13221 “*Energy Efficient Standby Power Devices*” requires Federal agencies, when commercially available, to purchase off-the-shelf products that use external standby power devices, or that contain an internal standby power function, and purchase products that use no more than one watt in their standby power consuming mode. If such products are not available, agencies will purchase products with the lowest standby power wattage while in standby power consuming mode. Agencies will adhere to these requirements when life-cycle costs are effective and practicable and where the relevant product utility and performance are not compromised as a result.

The Federal Acquisition Regulation (FAR) provides procurement policy for all Federal agencies. FAR Part 23 Environment, Energy and Water Efficiency, Renewable Energy Technologies, Occupational Safety and Drug-Free Workplace outlines specific GPP requirements that include:

FAR 23.202 states: “The Government's policy is to acquire supplies and services that promote energy and water efficiency, advance the use of renewable energy products, and help foster markets for emerging technologies. This policy extends to all acquisitions including those below the simplified acquisition threshold.”

FAR 23.403 states: “Government policy on the use of products containing recovered materials and biobased products considers cost, availability of competition, and performance. 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. Such products shall meet the reasonable performance standards of the agency and be acquired competitively, in a cost-effective manner. Except as provided at FAR [23.404](#)(b), virgin material shall not be required by the solicitation (see [11.302](#)).”

FAR 23.703 requires Federal agencies to “Agencies must—

- (a) Implement cost-effective contracting preference programs promoting energy-efficiency, water conservation, and the acquisition of environmentally preferable products and services; and

(b) Employ acquisition strategies that affirmatively implement the following environmental objectives:

- (1) Maximize the utilization of environmentally preferable products and services (based on EPA-issued guidance).
- (2) Promote energy-efficiency and water conservation.
- (3) Eliminate or reduce the generation of hazardous waste and the need for special material processing (including special handling, storage, treatment, and disposal).
- (4) Promote the use of nonhazardous and recovered materials.
- (5) Realize life-cycle cost savings.
- (6) Promote cost-effective waste reduction when creating plans, drawings, specifications, standards, and other product descriptions authorizing material substitutions, extensions of shelf-life, and process improvements.
- (7) Promote the use of biobased products.
- (8) Purchase only plastic ring carriers that are degradable ([7 USC 8102\(c\)\(1\)](#), 40 CFR Part 238).

Further, acquisition planning should include environmental considerations, as delineated in FAR Part 7 Acquisition Planning. FAR 7.105(b) (16) requires acquisition plans to include environmental and energy conservation objectives. FAR 11.002 requires the consideration of “use of recovered materials, energy- and water-efficient products and services, products containing energy-efficient standby power devices, environmentally preferable purchasing criteria developed by the EPA, and environmental objectives” in the:

- development, review, or revision of Federal specifications, product descriptions (including commercial item descriptions) and standards;
- description of Government requirements for supplies and services; and,
- development of source-selection factors.

Section 6002 of the Resource Recovery Act requires Federal agencies to establish the following affirmative procurement programs:

- a recovered materials preference;
- an environmentally preferable products promotion;
- a contract performance certification and verification of recovered material product use;
- annual review and monitoring of the effectiveness of the affirmative procurement program.
- 

Section 9002 of the Farm Security and Rural Investment Act requires Federal agencies to purchase biobased products to the maximum extent practicable, and that is consistent with U.S. Department of Agriculture’s “Guidelines for Designating Biobased Products for Federal



Procurement” published in the Federal Register on January 11, 2005. (Refer to <http://www.biobased.oce.usda.gov/FSRIA/03-31347.pdf>.)

The purchase of biobased products have beneficial effects that include: 1) an increase in domestic demand for many agricultural commodities that can serve as feedstock for production of biobased products; 2) a reduction in the environmental impact by substituting biobased products for less environmentally friendly materials; and 3) the stimulation of the development of markets for recovered materials by increasing government purchasing of products made with those materials.

In accordance with E.O. 13221, E.O.13423, Section 6002 of the Resource Recovery Act, Section 9002 of the Farm Security and Rural Investment Act, and EPA Comprehensive Procurement Guidelines, DOI will give preference to the following:

- Environmental Protection Agency's *Comprehensive Procurement Guidelines* for recycled content products;
- *Energy Star* ® products identified by the Department of Energy and EPA, as well as *Federal Emergency Management Program* designated energy-efficient products;
- Water-efficient products, including those meeting *EPA's WaterSense standards*;
- Energy from renewable sources;
- Biobased products designated by the Department of Agriculture in the *BioPreferred* program;
- Environmentally preferable products and services, including Electronic Product Environmental Assessment Tool (EPEAT)-registered electronic products;
- Alternative fuel vehicles and alternative fuels required by the Energy Policy Act (EPAct);
- Products with low or no toxic or hazardous constituents;
- Non-ozone depleting substances identified in *EPA's Significant New Alternatives Program*.

## **1.2 APPLICABILITY**

The Interior GPP meets the current statutory and regulatory requirements. This GPP is applicable to all bureaus and offices. Each bureau will develop a GPP that adheres to the requirements and guidance established in this document. Bureaus may need to update their current GPP to include E.O. 13423.

Bureau GPP's should demonstrate commitment, provide direction for all personnel, and outline a strategic plan for fulfillment of E.O. 13423. The bureau GPP should also include a "Preference Program" to demonstrate its commitment to acquire recycled content and biobased products when they meet the technical requirements and are cost effective.



## CHAPTER 2: PLANNING

In the Acquisition Planning Stage, bureaus and offices will identify activities that significantly affect the environment, and set goals and create plans for reducing adverse impacts. When procurement is included as a significant environmental aspect, the GPP becomes a tool for adhering to all legal requirements and improves the Department's overall environmental performance.

### 2.1 GPP: A SUSTAINABILITY TOOL

The Federal government is one of the largest purchasers in the world. Federal Procurement Data System (FPDS) data shows that in 2007, Federal agencies spent more than \$600 billion for goods and services, including \$25 billion for small purchases via purchase cards. Interior spent more than \$4 billion dollars in 2007 for goods and services and more than \$550 million on small purchases via purchase cards. This translates into an obligation and an opportunity to leverage such purchasing power to be a responsible environmental steward by choosing green products.

Stewardship of the Nation's resources is the primary reason to purchase green products and services. DOI personnel involved in acquisition planning should consider the purchase and use of green products. Program offices will develop requirement specifications to include green standards, per E.O. 13423.

This should be done during the acquisition planning stage to enhance DOI's procurement of designated recycled content products, energy- and water-efficient products, biobased, environmentally preferable products and services, alternative fuel vehicles and alternative fuels, non-ozone depleting substances, and EPA priority chemicals. For example, standards or specifications unrelated to performance or presenting barriers should be revised or eliminated when reviewing or drafting procurement specifications. Specifically, a preference should be expressed for designated recycled content products, energy- and water-efficient products, biobased, environmentally preferable products and services, alternative fuel vehicles and alternative fuels, non-ozone depleting substances, and EPA priority chemicals, to the maximum extent practicable.

Research proves that green products can perform better than their conventional counterparts. For example:

- Replacing wood with plastic or plastic/wood composite lumber for selected applications removes the need to paint the materials. This reduces routine maintenance costs. Plastic and composite lumber will not rot. Although this lumber is not pressure treated with toxic chemicals like traditional lumber, it lasts longer than wood. Termites will not attack plastic or composite lumber, which eliminates the pest control expenses and need to apply pesticides.
- Buying re-refined motor oil and sending the used oil to the producer to re-refine it, significantly reduces the disposal and waste management cost. (This cycle of using, processing and re-using a material is known as closed-loop recycling.) Other viable products for closed-loop recycling include toner cartridges, antifreeze, and tires.
- Using the best environmentally preferable purchase may not require expense when reusing materials already onsite. For example, when clearing a construction site, set aside trees and woody shrubs for chipping mulch or for composting. Segregate demolished concrete and asphalt, crush it, then reuse the concrete as aggregate or road-base and reprocess the asphalt for paving. These creative strategies eliminate disposal costs and the acquisition cost of purchasing new materials.

There are significant benefits to green acquisition planning, such as reduced life-cycle costs and enhanced mission fulfillment. Purchase decisions significantly influence the environmental management performance. More specifically, when Interior purchases products or designs buildings that are environmentally preferable, as well as energy and water efficient, there are operation cost reductions, like reduced utility bills. The resources saved by buying green can be redirected for enhanced mission fulfillment.

DOI bureaus and office will establish and document processes for setting, maintaining and annually reviewing and updating objectives and targets for GPP performance. These criteria can be used to identify opportunities to purchase green products and services. This documentation will comprise the bureau/office Green Procurement Plan.

## **2.2 GREEN PURCHASING PLANS: THE FRAMEWORK FOR PROGRAM EXECUTION**

The GPP provides a framework for the accomplishment of the objectives. The plan identifies specific actions and their priorities; the action officers and other responsible personnel; and, the milestones or projected completion dates for each action.

The GPP satisfies several programmatic requirements, such as establishing a “preference program” and a “promotion program” for the recycled-content and biobased product program elements. The plans are most successful if it integrates the new program requirements into the current list of action items and develops an integrated priority list and execution timetable rather than creating separate lists with competing priorities.

Each bureau must develop its own GPP. An effective bureau/office GPP should be action oriented. Consider including sections to describe:

- A concise summary of the bureau GPP policy, objectives, and targets.
- The general responsibilities of each organization for GPP success.
- Bureau/office action plan to meet its GPP targets, including the identification of stakeholders, their roles and responsibilities.
- A brief summary of data collection procedures for metrics.
- A strategy for using data to assess progress toward goals.
- A process for periodically updating the plan when requirements or operating conditions change.

### **2.3 LEGAL AND REGULATORY REQUIREMENTS FOR THE GPP**

Laws, executive orders, and regulations combine to provide the authority and requirements for the GPP. This section explains the legal basis, defines the necessary actions, and describes information resources for each of the GPP program element.

The Office of the Federal Environmental Executive provides references to all Executive Orders pertaining to greening, including web-links to other relevant sites. OFEE also provides information about biobased and bio-energy products. See <http://www.ofee.gov/gp/gp.htm>.

### **2.4 OBJECTIVES AND TARGETS FOR ESTABLISHING BUREAU GPP**

Objectives are long-term goals that an organization plans to achieve and reflect the principles established in the organization's environmental policy. Targets are short-term goals that move toward achieving the environmental objectives. Targets are specific and measurable and must be assigned a specific time-frame for completion. At least one target must be established for every objective. **The Departmental target for green purchasing is to increase the purchase of the Environmental Preferable Products and Biobased products by 25% each year until 100% compliance is achieved.**

Targets should be linked to E.O. 13221 "*Energy Efficient Standby Power Devices*" and E.O.13423, Federal Acquisition Regulation, Section 6002 of the Resource Recovery Act, Section 9002 of the Farm Security and Rural Investment Act, and EPA's Comprehensive Procurement Guidelines. Targets should include action plans required to implement a successful GPP, which consist of policy, training, internal controls, program audits, and management reviews. For example, bureaus and offices may include targets such as:

- By Q4 FY 2008, revise the bureau/office APP to include all GPP program elements
- By Q3 FY 2009, all bureau/office acquisition personnel and Contracting Officer's Representatives for construction and service contracts have taken Green Procurement training

- By Q4 FY 2009, review GPP compliance as part of the annual Acquisition Management Review.

#### 2.4.1 RECOVERED MATERIALS

**LEGAL AUTHORITY.** The instructions for implementing E.O.13423 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, RCRA, 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. In developing plans, drawings, work statements, specifications, or other product descriptions, agencies will consider, as appropriate, a broad range of factors including: elimination of virgin material requirements; use of biobased products; use of recovered materials; reuse of product; life-cycle costs; recyclability; use of environmentally preferable products; waste prevention (including toxicity reduction or elimination); and ultimate disposal. These factors should be considered in acquisition planning for all procurement and in the evaluation and award of contracts, as appropriate. Program and acquisition managers should take an active role in these activities.

The Federal regulations for recovered material product purchasing are found in 40 CFR Part 247, and also in the FAR. Recovered material requirements in the FAR include:

- Part 11.303 requires compliance with the 30% post-consumer content standard for printing and writing paper that is established by E.O. 13423.
- Part 12.301(e)(3) authorizes the contracting officer to use the provisions and clauses contained in Part 23 regarding the use of recovered material for the procurement of commercial items.
- Part 13.201 applies the procurement requirements in RCRA to purchases at or below the micropurchase threshold. These are typically made using the Government Purchase Card.
- Part 23.4 calls for agency affirmative procurement programs to require that 100% of purchases of EPA-designated products contain recovered material for micro-purchases up to \$3,000.
- Part 36 covers the architectural-engineer selection process and requires the selection criteria for A-E firms to include specialized experience and technical competence in energy conservation, pollution prevention, waste reduction and the use of recovered materials as appropriate.
- Part 52 includes contract provision 52.223-4, *Recovered Materials Certification*; contract clause 52.223-9, *Certification and Estimate of Percentage of Recovered Material Content for EPA Designated Items*; and contract clause 52.223-10, *Waste Reduction Program*.

EPA developed the Comprehensive Procurement Guidelines to implement RCRA. The CPG is a list of products that are made with recovered materials, technologically and economically feasible to produce, and will conserve raw materials and reduce the solid waste stream. The CPG list is the result of scientific analysis followed by a formal EPA rulemaking process. This is a recurring activity. The first CPG list was issued in 1995 and the list continues to

grow as EPA issues subsequent CPGs. EPA also issues guidance for buying recovered material products in their “Recovered Materials Advisory Notices.” The RMANs recommend recovered material content ranges for CPG products based on current information about commercially available products. RMAN levels are updated by EPA as marketplace conditions change.

**TARGET.** Interior must purchase recovered material products that satisfy EPA’s regulations. EPA’s CPG website, [www.epa.gov/cpg](http://www.epa.gov/cpg) provides a concise summary of all of the requirements of the CPG and RMAN. Although the recovered material content percentages listed in the RMAN are recommendations, the Interior has adopted these percentages as requirements. This means that when buying any of the items listed in the CPG, Interior contracting officers and purchase cardholders must acquire a product that meets the EPA recovered material percentage requirement, unless an exemption applies. Please note: the CPG includes printing and copier paper and a long list of other office supplies. It also lists items that are commonly used in building construction, renovation, and maintenance projects. Bureau/office services including custodial, grounds maintenance, copier maintenance, and document printing all use items listed in the CPG. Vehicle maintenance activities require CPG-listed items. Purchases of traffic control devices, park and recreation products, and other miscellaneous items are also affected.

**WHAT PROCUREMENT ACTIONS ARE AFFECTED?** This element of the GPP affects the acquisition of consumables.

**Exemptions** can be granted on a case-by-case basis if a price, performance, or timeliness issue exists. FAR 23.404 requires 100% of purchases of EPA-designated products to contain recovered material, unless the item cannot be acquired competitively within a reasonable time frame, meeting appropriate performance standards, or at a reasonable price. FAR 23.405 requires the contracting officer to 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.

According to the FAR, the contracting officer will base the justification on the inability to acquire the product competitively within a reasonable period of time, at reasonable prices, or at reasonable performance standards in the specifications, provided a written determination by technical or requirements personnel of the performance standard's reasonableness is included with the justification. The technical and requirements personnel must base their determination on National Institute of Standards and Technology guidelines, if available.

For the purpose of this GPP, a product is “unreasonably priced” if it costs more than a comparable non-recycled or biobased product. This is a judgment call for which no written policy exists. If a product is more expensive, but has environmental or operational benefits, the purchaser is not required to claim the “reasonable price” exemption. EPA’s intent (as stated in a Federal Register Notice, August 28, 2001) is for purchasers to choose products having the best environmental performance. EPA noted that procuring agencies are not required to purchase a product containing recovered materials if it is only available at an unreasonable price – but the decision to pay more or less for such a product is left up to the procuring agency.

Bureaus and offices should routinely conduct market research to identify new product availability, as well as review EPA and USDA listing of CPG and biobased products. “Blanket exemptions” can be established for specific products that are unable to meet EPA requirements, but these blanket exemptions must be reviewed on an annual basis to determine applicability.

## 2.4.2 ENERGY AND WATER EFFICIENT PRODUCTS

**LEGAL AUTHORITY.** Section 104 of the Energy Policy Act of 1995 requires that all acquisitions of energy consuming products and all contracts that involve the furnishing of energy consuming products require acquisition of ENERGY STAR® or Federal Energy Management Program (FEMP) designated products. The Energy and Water Efficiency element of the GPP drives these goals forward. FAR 23.202 restates the requirement to acquire energy efficient products according to the FEMP and Energy Star® program criteria, and goes on to say: “This policy extends to all acquisitions, including those below the simplified acquisition threshold.”

**TARGET.** Interior must reduce energy use, purchase energy-efficient products, increase the use of renewable energy, and conserve water. FEMP, the Energy Star® program, and Energy and Water Conservation programs guide these efforts. Federal agencies are required to buy products that comply with federal energy efficiency requirements and to design and operate buildings to minimize energy and water consumption.

FEMP establishes energy efficiency performance criteria for heating, ventilating and air conditioning systems; commercial and residential appliances; construction products; pumps, motors and transformers; lighting products; and office equipment. For each product, FEMP identifies the efficiency levels needed to meet the requirements for procurement of energy-efficient products and provides a cost-effectiveness example. The Department of Energy is responsible for managing FEMP. Additional information can be found on FEMP’s website at [www.eere.energy.gov/femp/procurement/index.html](http://www.eere.energy.gov/femp/procurement/index.html).



Energy Star® is a government endorsed program that recognizes the most energy efficient of these products. Products that are in the top 25% for energy efficiency are eligible for the Energy Star® rating. However, products do not automatically get the rating - it must be applied for by the manufacturer, and their participation in Energy Star® is optional. This means that an Energy Star® rating guarantees that a product has high energy efficiency, but a product does not have to be Energy Star® rated to be highly efficient.

Energy Star® ratings have been awarded to building construction products (roof products, windows, doors, skylights); residential and commercial appliances; and HVAC and lighting products. There are also Energy Star® ratings for whole buildings, in addition to individual



products. Commercial buildings can earn Energy Star® labels by performing in the top 25% of similar buildings nationwide. Energy Star® qualified homes are independently verified to meet strict guidelines for energy efficiency set by the Environmental Protection Agency. These homes are at least 15% more energy efficient than homes built to the 2004 International Residential Code, and include additional energy-saving features that typically make them 20-30% more efficient than standard homes.

The Energy Star® program was designed to assist businesses and citizens to protect the environment by encouraging the production of superior energy efficient merchandise. There is a listing of more than 50 product categories eligible for the Energy Star® program. For more information visit [www.energystar.gov](http://www.energystar.gov) and [www.eere.energy.gov/femp/procurement](http://www.eere.energy.gov/femp/procurement).

While energy efficiency measures the energy consumption of products in use, standby power measures the energy consumption of products that are turned off or in “sleep” mode. E.O. 13423 requires Federal agencies to purchase products that meet low-power standby mode requirements (less than one watt in standby mode). FEMP also sets the criteria for this part of the program. Standby power requirements have been established for a variety of electronic equipment types, including common office equipment such as computers, monitors, printers, copiers and fax machines. There are several options for purchasing power from renewable energy sources. FEMP’s Renewable Energy program helps Federal agencies identify the best method.



Water efficiency is an integral part of every comprehensive energy management program. This is because water requires a significant energy input for treatment, pumping, heating and process uses. FEMP’s Water Efficiency program has established ten Best Management Practices for water conservation at Federal facilities. FEMP’S Water Conservation Guidance can be found at [www.eere.energy.gov/femp/pdfs/water\\_guidance.pdf](http://www.eere.energy.gov/femp/pdfs/water_guidance.pdf). As applicable, bureaus/offices should purchase EPA’s WaterSense labeled products and choose irrigation contractors who are certified through a WaterSense labeling program. Additional information can be found at [www.epa.gov/watersense](http://www.epa.gov/watersense).

**WHAT PROCUREMENT ACTIONS ARE AFFECTED?** This element of the GPP affects the acquisition of all energy consuming products and all contract actions that involve the furnishing of energy and water consuming products.

### 2.4.3 ALTERNATIVE FUELS AND FUEL EFFICIENCY

**LEGAL AUTHORITY.** On December 19, 2007, the Energy Independence and Security Act was signed by the President, which advances the successes achieved under the Energy Policy Act (EPACT), Public Law 102-486, passed by Congress on October 24, 1992 with the goals of enhancing our nation's energy security and improving environmental quality. The EISA further requires the reduction of CO<sub>2</sub> emission to reduce the adverse impact on climate change. The Act also addresses High Performance Green Buildings. It addresses all aspects of energy supply and demand including energy efficiency, alternative fuels and renewable energy, as well as more traditional forms of energy such as coal, oil, and nuclear power. Title III of EPACT says that of the total number of vehicles acquired by a Federal fleet after 1999, 75% will be Alternative Fuel Vehicles. It also requires Federal agencies to arrange for refueling of AFVs at commercial fueling facilities that offer alternative fuels for sale.

**TARGET.** Interior must acquire alternative fuel vehicles, alternative fuels for those vehicles, and fuel-efficient petroleum-powered passenger cars and light trucks.

The Department of Energy's Clean Cities Program coordinates efforts between government and industry to accelerate the use of alternative fuels and expand the AFV refueling infrastructure. The Alternative Fuels and Advance Vehicle Data Center is a comprehensive resource for alternative fuel and vehicle information needs. This site has more than 3,000 documents in its database, an interactive fuel station mapping system, listings of available alternative fuel vehicles, links to related websites, and much more. The Center's website is [www.eere.energy.gov/afdc](http://www.eere.energy.gov/afdc).

The Clean Cities website also offers information about Advanced Technology Vehicles. These are vehicles that use advanced technologies such as fuel cells or hybrid drive trains. Although ATVs are not considered to be alternative fuel vehicles as described in the EPACT, their purchase is still encouraged by the fuel efficiency requirements of E.O. 13423.

Alternative fuels are defined by the EPACT and subsequent legislation, and include biodiesel, electricity, ethanol, hydrogen, natural gas, and propane. The Defense Energy Support Center provides the Department of Defense and other government agencies with comprehensive energy solutions in the most effective and economical manner possible, which includes web-based tutorials on alternative fuels. Additional information can be found at [www.desc.dla.mil/default.asp](http://www.desc.dla.mil/default.asp)

**WHAT PROCUREMENT ACTIONS ARE AFFECTED?** This element of the GPP affects the acquisition of light, medium, and heavy-duty motor vehicles (other than military tactical, law enforcement, and emergency vehicles), and the purchase of fuel that is used in alternative fuel vehicles.

## 2.4.4 BIOBASED PRODUCTS

**LEGAL AUTHORITY.** 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. 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. Biobased products provide markets for U.S. farm products and they also reduce dependence on fossil energy (particularly imported oil), so their use contributes to our energy, economic and environmental security.

The responsibility for developing this program belongs to USDA. On March 16, 2006, USDA published a Federal Register Final Rule designating six categories of biobased content products. This program is similar to the “buy-recycled” program managed by the EPA but contains significant differences. The first is applicability. Biobased product requirements will only apply to Federal agencies’ direct purchases, since Section 9002 does not authorize extending the guidelines to State and local agencies using appropriated Federal funds to procure qualifying biobased items, or to persons contracting with such agencies with respect to work performed under such contracts. USDA also has the authority to establish a biobased product labeling program. More information can be found at [www.ofee.gov/gp/bioprod.asp](http://www.ofee.gov/gp/bioprod.asp).

On November 7, 2007, the FAR was amended to add provisions for implementing biobased product purchasing requirements, as outlined in FSRIA. Additional information can be found at [www.ofee.gov/gp/20071107\\_BiobasedFARfinalrule.pdf](http://www.ofee.gov/gp/20071107_BiobasedFARfinalrule.pdf). USDA issued three final rules designating biobased products for Federal agencies to purchase on May 14, 2008. Additional information can be found at [www.ofee.gov/gp/bioprod.asp](http://www.ofee.gov/gp/bioprod.asp). The designated biobased products are grouped in Rounds.

- Round 2 designates nine items: adhesive and mastic removers, plastic insulating foam for residential and commercial construction, hand cleaners and sanitizers, composite panels, fluid-filled transformers, disposable containers, fertilizers, sorbents, and graffiti and grease removers.
- Round 3 designates ten items: 2-cycle engine oils, lip care products, films, stationary equipment hydraulic fluids, disposable cutlery, glass cleaners, greases, dust suppressants, carpets, and carpet and upholstery cleaners.
- Round 4 designates eight items: bathroom and spa cleaners, concrete and asphalt release fluids, general purpose de-icers, firearm lubricants, floor strippers, laundry products, metalworking fluids, and wood and concrete sealers.

**TARGET.** Interior must purchase the biobased items on USDA’s list and update their GPP to include new products each time USDA publishes a rule designating additional items, which

are published in the Code of Federal Regulations at 7 CFR Part 2902. USDA will provide guidance for purchasing items with biobased content. USDA also will establish a voluntary biobased products labeling program, which are listed at [www.ofee.gov/gp/bioprod.asp](http://www.ofee.gov/gp/bioprod.asp).

FAR 23.703 requires agencies to consider the use of biobased products. Interior 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 in applicable specifications, or the reasonable performance standards of the agency; or, are available only at an unreasonable price. Note that these are the same exemption criteria that apply to the buy-recycled program; however, written exemptions are not required when a biobased product is not selected.

Biobased items include office products, printing products, transportation fleet maintenance products, construction products, and janitorial and landscaping products.

There will be some overlap between the CPG list for recycled-content purchasing and the new USDA list for biobased item purchasing. USDA's Federal Register Notice says that procurements that are subject to the CPG do not also have to satisfy the new biobased product requirements, if the two sets of requirements are inconsistent. But this does not mean that CPG requirements must automatically be followed in place of biobased purchasing. Purchasers should look at the benefits and costs of both types of products, and select the one that provides the best value overall.

***WHAT PROCUREMENT ACTIONS ARE AFFECTED?*** This element of the GPP affects the acquisition of services for building construction, renovation and maintenance; services including custodial, grounds maintenance, copier maintenance, and printing; transportation and fleet maintenance. Purchases of office supplies will all provide opportunities for biobased item purchasing.

## **2.4.5 NON-OZONE DEPLETING SUBSTANCES**

***LEGAL AUTHORITY.*** The Montreal Protocol of 1987 resulted in over 160 countries ending the production of Ozone Depleting Substances. The United States incorporated the Montreal Protocol into Title VI of the 1990 Clean Air Act, which emphasizes the manufacturing and use of less harmful chemicals. The CAA also required EPA to establish a program to identify alternatives to Class I (CFCs, halons, carbon tetrachloride, methyl chloroform, methyl bromide, and HBFCs) and Class II (HCFC) ozone-depleting substances and to publish lists of acceptable and unacceptable substitutes. These lists are managed by EPA's Significant New Alternatives Policy (SNAP) program. It is illegal to replace a Class I or Class II substance with any substitute which the EPA Administrator has deemed unacceptable.

FAR Part 23.8 establishes policies and procedures for the acquisition of items which contain, use, or are manufactured with ozone-depleting substances. The federal government strongly

encourages the purchase of non-ODS and the purchase of equipment that uses non-ODS chemical.

**TARGET.** To find alternatives to the continued use of Class I and Class II ODS. Purchase SNAP-approved alternatives to ODS products.

**PROCUREMENT REQUIREMENT.** The SNAP Program covers refrigeration and air conditioning; foam insulation; cleaning solvents; fire suppressants; aerosol solvents and propellants; sterilants; and adhesives, coatings and inks. The SNAP website identifies alternatives to ODS products and provides lists of acceptable and unacceptable substitutes. Before installing ODS substitutes in air conditioning and refrigeration systems, always follow the Original Equipment Manufacturer recommendations. Some substitutes may result in reduction in equipment capacities and changes in operating temperatures.

**WHAT PROCUREMENT ACTIONS ARE AFFECTED?** Building construction, renovation and maintenance products; products for metals cleaning, electronics cleaning and precision cleaning; and products used in fire suppression systems can all contain ODS.

## **2.4.6 PRIORITY CHEMICALS**

**LEGAL AUTHORITY.** In order to reduce federal agencies' usage of harmful chemicals, E.O. 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."

**TARGET.** EPA has defined the priority chemical list to include cadmium, lead, polychlorinated biphenyls (PCBs), mercury, and naphthalene. DOI must develop and support goals to reduce usage of these chemicals by 50 percent by December 31, 2008. FAR 23.703 requires agencies to eliminate or reduce the generation of hazardous waste and promote the use of nonhazardous materials.

**PURCHASE REQUIREMENTS** Look for alternatives to the five priority chemicals or products containing them. The DOI pollution prevention program focuses on identifying alternatives for these and other hazardous chemicals.

**WHAT PROCUREMENT ACTIONS ARE AFFECTED?** According to websites provided by EPA and the Agency for Toxic Substances and Disease Registry, the priority chemicals are found in a variety of products.

## 2.4.7 ENVIRONMENTALLY PREFERABLE PRODUCTS (EPP)

**LEGAL AUTHORITY.** Participation in the EPP program is mandatory. E.O.13423 states that “Each agency shall give preference in their procurement programs to the purchase of environmentally preferable products and services, including EPEAT-registered products.” Interior encourages bureaus and offices to develop pilot projects using EPP principles. To the maximum extent practicable, bureaus and offices must identify and purchase environmentally preferable products and services and modify their procurement programs to comply with the Executive Order requirements.

FAR Part 23.7 requires agencies to employ acquisition strategies that “maximize the utilization of environmentally preferable products and services, based on EPA-issued guidance.” According to FAR 23.703, *Policy*, agencies must –

- Implement cost-effective contracting preference programs promoting energy-efficiency, water conservation, and the acquisition of environmentally preferable products and services; and
- Employ acquisition strategies that affirmatively implement the following environmental objectives:
  - Maximize the utilization of environmentally preferable products and services (based on EPA-issued guidance).
  - Promote energy-efficiency and water conservation.
  - Eliminate or reduce the generation of hazardous waste and the need for special material processing (including special handling, storage, treatment, and disposal).
  - Promote the use of nonhazardous and recovered materials.
  - Realize life-cycle cost savings.
  - Promote cost-effective waste reduction when creating plans, drawings, specifications, standards, and other product descriptions authorizing material substitutions, extensions of shelf-life, and process improvements.
  - Consider the use of biobased products.

FAR clause 52.223-10, *Waste Reduction Program*, is added to contracts to promote cost-effective recycling, waste prevention and waste reduction by contractors. “Waste prevention” means 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 prevention also refers to the reuse of products or materials. “Waste reduction” means preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products.

Purchase environmentally preferable products and services. According to E.O. 13101, "environmentally preferable" means “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 product or service.”

EPA established five principles to help agencies identify and purchase EPP products. These principles are the foundation of their EPP acquisition guidance:

**1. Environment + Price + Performance = EPP**

Include environmental considerations as part of the normal purchasing process.

**2. Pollution Prevention**

Emphasize pollution prevention as part of the purchasing process.

**3. Life-cycle Perspective/Multiple Attributes**

Examine multiple environmental attributes throughout the product and service's life-cycle.

**4. Comparison of Environmental Impacts**

Compare environmental impacts when selecting products and services.

**5. Environmental Performance Information**

Collect accurate and meaningful information about environmental performance of products and services.

EPA’s EPP program office develops training materials to explain these principles. The training materials are available in slide format or as an on-line multimedia presentation. The entire product life-cycle – from resource extraction through manufacturing, transportation, bureau/office, maintenance, usage, and final recycling or disposal – should be considered to the extent possible when evaluating the issues and deciding which product to purchase. Many of the impacts associated with a product come from its manufacture and disposal – not from the product’s use; and, a life-cycle approach is especially important when making cost comparisons between “regular” and “green” products. The green product may have a higher up-front cost, but may become cost effective when the entire life-cycle is considered. An example would be decking or fencing made of plastic lumber from recycled materials. The plastic lumber initially costs more than wood, but it has a much longer lifespan and never needs painting or other maintenance. Additional information can be found at [www.epa.gov/epp/](http://www.epa.gov/epp/)

**WHAT TO BUY.** Any products and services that are more environmentally friendly than what the bureau/office routinely purchases, but are not already covered by one of the mandatory programs described above.

The Defense Logistics Agency is leading a program to improve opportunities for federal purchasers to buy environmentally preferable products. DLA chairs a working group that is tasked to:

- Increase the number of environmentally friendly products available through the federal supply system;
- Define a series of environmental attributes (criteria) to be applied to products;
- Encourage small business and other industry to manufacture and provide products and services that have less environmental impact and contribute to hazardous waste reduction.

Many of the environmental attributes reflect the mandatory purchasing programs that were already described in this Guide, such as “EPA Recycled-Content Products.” Other attributes such as “Low Volatile Organic Compound Products” have not yet been adopted as mandatory purchasing requirements.

***WHAT PROCUREMENT ACTIONS ARE AFFECTED?*** All organizations that acquire products or services should consider the environmental impacts that are created by those products and services and look for ways to minimize these impacts.





## **CHAPTER 3: IMPLEMENTATION AND OPERATION**

### **3.1 ROLES AND RESPONSIBILITIES**

Each DOI organization initiating contracting/procurement actions or charge card purchases is responsible for complying with GPP mandates. Environmental and procurement offices throughout Interior will support organizations in meeting these requirements.

#### **Program Office/ Purchase Requestor's Responsibilities:**

- Consult with contracting and environmental specialists when developing procurement plans and preparing statements of work or specifications to ensure incorporation of relevant GPP requirements of Federal laws, regulations and Executive Orders.
- Identify and document the availability of green products and services. Is it a best value solutions e.g., does it meet the local requirements for price, availability, and performance?
- Include relevant GPP requirements in purchase request prior to submission to the contracting office or other source of supply.
- Apply life-cycle cost concepts in decision-making process to determine cost effectiveness of green alternatives for the purchase.
- Provide oversight of contract execution to ensure GPP requirements are fulfilled in accordance with the terms of the contract.

#### **Contracting Officers' Responsibilities:**

- Contracting officers ensure compliance with the FAR Parts and GPP regarding environmental preferable products, energy and water conservation, biobased product acquisition, and reduction of ODS and hazardous chemicals.
- Provide GPP guidance to procurement requestors originators and facilitate acquisition planning with respect to GPP requirements.
- Review all procurement requests to ascertain if GPP requirements are incorporated and validate rationale to purchase or not purchase green products or services.
- Incorporate appropriate green procurement language and Federal Acquisition Regulation (FAR) clauses in contracts consistent with specifications provided by the requestor.
- Include environmental considerations (reuse, recycling, waste reduction, and green purchasing) as selection criteria.
- Maintain required documents in the contract file to include estimates, certifications, and written justifications for exceptions.

- Ensure all contract actions from cradle to grave meet relevant FAR requirements for environmental procurement. As outlined in FAR 23.405, including written justification in contract files for acquisitions above the micro-purchase threshold if a product *containing recovered materials* was not acquired.

**Environmental Managers' Responsibilities:**

- Implement an environmental awareness program that promotes green procurement.
- Provide purchase requestors with information and tools supporting non-mandatory GPP initiatives, etc.
- Advise personnel on the availability of green products and services and assist in defining requirements and writing specifications for products or services.

**Bureau Procurement Chiefs' Responsibilities:**

- Designate the bureau GPP manager.
- Ensure that all procurement staff receive green procurement training and such training is tracked and reported.
- Establish and update bureau-level green procurement objectives and targets.
- Comply with GPP requirements, monitor compliance and conduct annual reviews.
- Routinely evaluate the performance of bureau's achievement of green procurement objectives and targets.
- Gather and report of procurement data for the purpose of management evaluation of green procurement performance.
- Recommend outstanding projects and programs for awards, such as the DOI Environmental Achievement Award and White House Closing the Circle Award.

**Departmental Program Managers' Responsibilities:**

- Promote Interior GPP.
- Provide guidance to agency and bureau personnel on implementing the GPP.
- The Green Procurement Program Manager provides policy, ensures each bureau has an effective GPP appropriate for its purchasing and contracting activities, and implements and operates the GPP in a manner that meets or exceeds the requirements of all relevant laws, regulations, and Executive Orders.
- The Charge Card Program Manager ensures that all cardholders and approving officials receive training that includes GPP requirements. The GPP is discussed in all training sessions.
- The Energy Program Manager guides the development of energy-related targets, and translating these targets into specific actions for the GPP.
- The Fleet Program Manager guides the development of Alternative Fuel and Fuel Efficiency -related targets and translate these targets into specific actions for the GPP.
- The Industrial Hygienist translates these targets into specific actions.

**Senior Procurement Executive - Director, Office of Acquisition and Property  
Management Responsibilities:**

- Promote Interior GPP.
- Issue procurement policies and regulations in consonance with GPP requirements.
- Collaborate with the Director of Environmental Policy on policy development and oversight and on review and analysis of green procurement indicators including the preparation of the annual Resource Conservation and Recovery Act report to the Office of the Federal Procurement Policy (OFPP) and the Office of the Federal Environmental Executive (OFEE).
- Highlights best practices and recommends outstanding programs and projects for awards, such as the Departmental Environmental Achievement Award and the White House Closing the Circle Award.

### **3.2 TRAINING, AWARENESS AND COMPETENCE**

Training is the key to executing a successful GPP. Procurement staff, project managers, and product users need training to ensure they know how to request and purchase goods and services that reduce environmental impacts and meet performance standards. The DOI GPP metrics track the number of contracting personnel receiving training, but it is no less important for all employees to be trained. Initial training exposes employees to environmental requirements; refresher training is required to maintain a current knowledge base for current staff, as well as orientation to educate new employees.

The Government Online Learning Center (GoLearn) offers a GPP awareness course called “What Is ‘Green’ Purchasing, Anyway?”

Charge Card Training is required for all Interior Charge Cardholders by the Integrated Charge Card Guide, Section 1.5.1. This training will include the use of recovered materials.

Awareness training should be provided to everyone who buys or specifies things for purchase. On-line courses can be used or the bureau/office GPP team can provide less formal training by using previously developed briefings. Additional sources for awareness training:

- ◆ OFEE offers green purchasing training to agency contracting, environmental, and facilities staff. The training primarily addresses purchasing of recycled content, biobased, and environmentally preferable products and also touches on purchasing of energy efficient products.
- ◆ Fact sheets and briefing slides are available for downloading from the DOI website, [www.doi.gov/greening](http://www.doi.gov/greening).
- ◆ The ENERGY STAR® program offers on-line training sessions on such topics as ENERGY STAR® Purchasing and Procurement; ENERGY STAR® -- An Overview; New Building Design; Benchmarking Tool/Portfolio Manager; Money for Your Energy Upgrades; The Five-Stage Approach to Building Upgrades; and Monitor Power Management. To see the schedule or to register for a session, visit the Energy Star® Online Training and Presentations website at [www.energystar.gov](http://www.energystar.gov).

### 3.3 COMMUNICATION

Communication is needed to launch the program, kick off the training effort, and keep awareness high as the program matures. The GPP Team and other interested personnel can learn more about DOI Green programs by visiting [www.doi.gov/greening](http://www.doi.gov/greening).

Here are some recommended strategies for raising awareness of the GPP to internal customers.

- Provide general program information through downloadable brochures or fact sheets. Use the bureau/office intranet to make the fact sheet widely available.
- Distribute bureau/office GPP policies to all organizations along with the general program information. Use Earth Day activities or similar events as a forum for handing out educational materials.
- Use informal “refresher training” to maintain the skills of personnel involved with the GPP.
- Publish articles in People, Land and Water explaining the program and soliciting support. As the program matures, publish GPP success stories about individuals and organizations.
- Update local operating instructions to include GPP requirements. Identify the local instructions that apply to acquisition of commodities, services, and facilities and infrastructure. Add a description of the processes required for GPP execution.
- Publish a list of local vendors of products that comply with GPP requirements. This list can be developed by the GPP team members canvassing their organizations to see what products are being bought where. Contracting or Environmental Management can maintain the list using updates provided by the team members.
- Seek volunteer organizations for limited trials of new products, get feedback on the cost and performance of the products, and publicize the results bureau/office-wide.
- Consider using a facility construction or renovation project as a showcase for recycled-content, biobased, energy and water efficient products. Make the project specifications and product information (material submittals) available on the bureau/office intranet for others to use as references.
- Provide periodic updates through the e-mail system. Send out information on new products and procedures. Recognize outstanding efforts of bureau/office personnel toward GPP success.

Strategies for communicating with external customers include:

- Prepare a Fact Sheet about the bureau/office GPP and distribute it through the contracting office.
- Participate in regional vendor shows and trade fairs, or host a GPP Product Fair and invite local vendors to display their products. Use this information to develop a bureau/office list of GPP products and local vendors, or add it to the list if one already exists.

- Discuss Interior, bureaus and offices' GPP at bidder's conferences and pre-performance meetings for construction and service contracts.

### 3.4 OPERATIONAL CONTROLS

Operational controls are procedures and specifications to ensure the bureau/office purchases designated and mission-appropriate green products and services, in support of the bureau/office policy, legal requirements and GPP objectives and targets. The objective is to ensure that product users and the procurement and contracting personnel who support them include environmental impacts along with price, performance and availability in the criteria on which purchasing decisions are made. The plans that are posted in the "Sample Plans" section of [www.doi.gov/greening](http://www.doi.gov/greening) include examples of some of the implementation practices now in use at Interior bureaus and offices.

- The GREEN PROCUREMENT REQUIREMENTS REFERENCE SHEET includes web page links for GPP-compliant product lists, third-party EPP standards, and selected sources of supply. The reverse side of the form also lists the EPA CPG recycled-content products. It can be used in conjunction with the other forms to identify the full range of GPP requirements that apply to a procurement action.
- The GPP STATEMENT is a form that has been developed to document that GPP was considered for purchasing actions that do not require GPP-compliant items. These items include EPA-designated CPG items, USDA-designated biobased items, Energy Star<sup>®</sup> listed items, and FEMP Low Standby Power items.
- The RECOVERED MATERIAL DETERMINATION FORM is for procurement actions that include EPA-designated recycled content items. It documents the CPG items that are required, states whether or not they meet EPA requirements, and provides the rationale for exemptions. Note that although EPA CPG items and USDA biobased items are both subject to the same exemption criteria, a written determination to justify an exemption request is only required for the EPA CPG items.
- The PURCHASE CARDHOLDER PURCHASING CONSIDERATIONS AND GUIDELINES LOG is a recommended tool that could be used to document charge cardholders' purchases of green products in accordance with one of the mandatory Federal programs. The log could also be used to identify the purchase of non-compliant products and document the justification for choosing a non-compliant product. This log can be used to monitor Purchase Cardholder purchases of GPP items and can be maintained in the purchasing files for review purposes.
- The GREEN PROCUREMENT PROGRAM ANNUAL REVIEW FORM may be used to evaluate the progress of the GPP.

### 3.5 APPLYING GPP TO COMMODITY PURCHASES

Purchase Orders. GPP requirements apply to all commodity purchases, including those made by purchase order.

- The end user of the product, in consultation with the appropriate environmental office, will determine whether or not GPP applies to the purchase. The GREEN PROCUREMENT REQUIREMENTS REFERENCE SHEET aids in this process.
- The user provides Contracting with the GPP STATEMENT or a similar memo or e-mail statement if no GPP items are being acquired. The user should complete the Recovered Material Determination Form, if recycled-content CPG items on the EPA list are to be purchased. Other documentation (a memo or e-mail) should be provided to Contracting if USDA-designated biobased items, FEMP or Energy Star<sup>®</sup> energy-efficient items, or FEMP Low Standby Power items are being purchased. Contracting should not establish the requirements documents for purchase orders without adequate GPP documentation.
- The bureau/office may conduct market research and discover that certain recycled-content CPG items are continually being exempted due to ongoing price, supply, or technical issues. “Blanket exemptions” can be established for specific products that are unable to meet EPA requirements as long as the bureau/office does not prohibit them and the blanket exemptions are reviewed on an annual basis so as not to become outdated.

Government Purchase Cards. GPP requirements also apply to charge card purchases even though they are usually below the micropurchase limit (less than \$3,000.00).

- The purchase cardholder must determine whether or not GPP applies to the purchase, and identify products that meet GPP requirements. The GREEN PROCUREMENT REQUIREMENTS REFERENCE SHEET aids in this process.
- Note that although the GPP requirements apply equally to micropurchases and larger purchases, written determinations to justify a CPG exemption request are not required for micropurchases, per E.O.13423.
- Bureaus/Office may consider using a PURCHASE CARDHOLDER PURCHASING CONSIDERATIONS AND GUIDELINES LOG as a management tool to document how GPP was considered by the purchaser. It documents whether or not the Purchase Cardholder’s purchase met applicable green purchasing requirements, and the rationale for choosing a non-compliant product.

### 3.5.1 EXECUTING GPP IN CONTRACTS FOR CONSTRUCTION AND SERVICES

Teamwork and attention to detail are necessary to ensure that GPP requirements are successfully included in contracts for construction and services. This section describes typical practices and can be adjusted to reflect the bureau and office business practices.

First, all contracted projects are evaluated by the requiring organization to determine if any of the GPP program elements apply. The GREEN PROCUREMENT REQUIREMENTS REFERENCE SHEET can assist with this evaluation.

- If the project or service contract has no GPP requirements, the requiring organization can document this using the GPP STATEMENT or a similar memo. This shows that GPP has been considered and no further action is needed. The form should be included in the official contract file.
- If the project or service contract includes requirements for one or more of the recycled-content products on the CPG list, the RECOVERED MATERIAL DETERMINATION FORM can be used. It documents the CPG items that are required, states whether or not they meet EPA requirements, and provides the justification for any exemptions that are being invoked. It becomes part of the official contract file.
- Additional documentation (a memo or e-mail) should be provided to Contracting if USDA-designated biobased items, FEMP or Energy Star<sup>®</sup> energy-efficient items, or FEMP Low Standby Power items are required. Contracting should require adequate GPP documentation for all contracted actions.

Next, the requiring organization writes the specifications or Performance Work Statement (PWS) that will define the contractor's performance requirements.

- If an Architecture and Engineering design contractor is to be used to develop construction project specifications, ensure that the selection criteria included in FAR 36.602-1 have been considered.
- The project manager also includes GPP in the A-E firm's Statement of Work. Per FAR 36.601-3: "For facility design contracts, the statement of work will require that the architect-engineer specify, in the construction design specifications, use of the maximum practicable amount of recovered materials consistent with the performance requirements, availability, price reasonableness, and cost-effectiveness. Where appropriate, the statement of work also will require the architect-engineer to consider energy conservation, pollution prevention, and waste reduction to the maximum extent practicable in developing the construction design specifications."
- When buying green, detailed specifications and scopes of work can be written or performance-based contracting can be used.

The following FAR 52.223 clauses should be included in all DOI contracts, which includes but is not limited to:

- Biobased Product Certification
- Affirmative Procurement of Biobased Products under Service and Construction Contracts
- Recovered Material Certification
- Energy Efficiency in Energy Consuming Products
- Standard for the Environmental Assessment of Personal Computer Products

A listing of all of the appropriate FAR clauses is included in the Appendix.

Please Note:

- If the project exceeds \$100,000 in value and EPA-designated CPG items are included in the contract, Contracting inserts FAR clause 52.223-9, *Estimate of Percentage of Recovered Material Content for EPA Designated Products*. The basic clause requires the contractor to estimate the percentage of recovered material content that will be used in a particular product, specifically identifying the percentage of post-consumer waste and other recycled materials that are in the product. *Alternate I* of this clause requires the contractor to certify that the percentage of recovered content used in the performance of the contract will be at least the amount required by the solicitation or invitation for bid. The Alternate to the clause is only used when the project manager is technically able to verify the contractor's submittal.
- Federal supply sources such as GSA, the Government Printing Office, and Defense Logistics Agency have established their own estimation, certification, and verification procedures for CPG items. Agencies buying designated items through these supply sources are not required to conduct independent estimation, certification, and verification procedures.

The last stage is contract performance. Quality assurance is used to ensure that the GPP requirements in the contract are fulfilled. If the contract includes the clause requiring contractors to estimate or certify their recycled-content purchases, the project manager verifies the contractor's claims.

- The PROJECT MANAGER should document ongoing GPP compliance during project quality assurance inspections.
- Contract changes made during project execution will not be allowed to circumvent mandatory GPP requirements. The project manager must review and approve all product substitutions for GPP compliance prior to use.
- If the project exceeds \$100,000 in value and FAR 52.223-9 is included, the contractor must estimate the amount of recycled material that was used in the project and provide the estimate as an official submittal to Contracting. When the clause's *Alternate I* is included, the contractor must also provide certification. The certification must be in the form of a label on the product or a statement verified by the vendor and attached to the bid documents. Measurement of recovered material content should be made in accordance with standard industry practice.



The certification on multi-component or multi-material products must verify the percentage of post-consumer waste and recycled material contained in the major constituents of the product.

Contracting forwards all certification submittals to the responsible project manager for verification. The contractor's recycled material estimates and certifications are verified by the CE project manager. For construction contracts, the CE project manager will verify the accuracy of the contractor's submittal. For service contracts, the project manager will verify compliance during the quality reviews.

### 3.5.2 PRODUCT CERTIFICATION AND QUALIFICATION PROGRAMS

Several organizations offer certification or qualification programs for environmentally preferable products. This section describes a few of these organizations and their programs. Many other product certification programs exist and are not described here. Consumers Union, the publisher of *Consumer Reports* magazine, has created an "eco-labels" website to provide users with information about the products on which eco-labels are used, and the organizations and standards behind each label's environmental claims. This website lets users search for specific labels and view Consumers Union's assessment. Additional information can be found at [www.greenerchoices.org/eco-labels/eco-home.cfm?redirect=1](http://www.greenerchoices.org/eco-labels/eco-home.cfm?redirect=1)

#### GREEN SEAL



Green Seal is a nonprofit standard-setting organization that awards the "Green Seal of Approval" to products that cause less harm to the environment than other similar products, as defined by standards that Green Seal develops. They also carry out the actual certification of particular products from interested manufacturers. Green Seal follows the Guiding Principles and Procedures for Type I Environmental Labeling adopted by the International Organization for Standardization (ISO 14024). Green Seal operates as an objective, third party certification organization. It assesses a broad range of environmental impacts. Green Seal conducts a life-cycle evaluation that assesses the major environmental impacts in each life-cycle stage of the product, including resource extraction, production, distribution, use, and eventual disposal or recycling. The evaluation considers energy, resource use, and emissions to air, water, and land, as well as other environmental and health impacts. The evaluation also ensures that the environmental criteria selected will not lead to the transfer of impacts from one stage of the life-cycle to another or from one medium (air, water, or land) to another without a net gain in environmental benefit. Additional information can be found at [www.greenseal.org/](http://www.greenseal.org/)

All Green Seal standards include performance requirements, since environmental benefits are irrelevant if a product cannot do its intended job. For example, an environmentally responsible paint that requires multiple coats may defeat the environmental benefits it seemingly offers. If no suitable performance test is available, Green Seal may develop one. Products that have been certified are subject to annual monitoring to ensure that the product offered for sale continues to meet the standard.

Green Seal standards and qualifying products are listed in publications called “Choose Green Reports.” A list of reports that can be downloaded free of charge is found at [www.greenseal.org/findaproduct/index.cfm](http://www.greenseal.org/findaproduct/index.cfm). Employees can also sign up for e-mail notification of new Choose Green Reports at [www.greenseal.org/resources/graphics.cfm](http://www.greenseal.org/resources/graphics.cfm).

## SCIENTIFIC CERTIFICATION SYSTEMS



Scientific Certification Systems (SCS) was established in 1984 as the nation's first third-party certifier for testing pesticide residues in fresh produce. It has evolved to become a testing and certification organization, evaluating a wide variety of food safety and environmental claims.

The company's environmental division certifies claims related to environmental performance in the product manufacturing and natural resource extraction sectors. Specific product attributes are certified under the Environmental Claims Certification program:

- Recycled content
- Salvaged wood from urban sources
- No ozone depleting chemicals
- No added formaldehyde emissions
- Poison-free/alternative to poison
- Recovered content
- Biodegradability
- No Volatile Organic Compound/  
low VOCs
- Organic ingredients
- Water efficient

SCS also certifies broader claims of environmental preferability for products, based upon life-cycle analysis and comparison with baseline data for “average” products performing the same task. These certifications are consistent with ISO 14000 standards and the environmental marketing guidelines of the Federal Trade Commission (FTC) and relevant states. Certified companies submit updated data to SCS annually to ensure the certification remains valid. A Certified Products List for the Environmental Claims Certification Program can be downloaded from [www.scs1.com/certclaims.shtml](http://www.scs1.com/certclaims.shtml).

## ENERGY STAR® PRODUCTS



Energy Star® is a voluntary partnership between the U.S. Department of Energy (DOE), the U.S. Environmental Protection Agency (EPA), product manufacturers, local utilities, and retailers. Partners help promote energy efficient products by labeling with the Energy Star® logo and educating consumers on

the benefits of energy efficiency. Before using the Energy Star® logo on a product, a manufacturer must become an Energy Star® partner and self-certify that the product meets Energy Star® performance eligibility criteria. EPA may, at its discretion, conduct product tests to verify qualification. The Energy Star® program helps us identify products that meet the GPP requirements. Their website includes a list of qualified products. The technical requirements that each product must meet to become Energy Star® qualified are also linked to

that page. The product categories covered by Energy Star® include many that would be expected, such as appliances and lighting systems, but also included are products that might not be readily associated with energy savings, such as roof products.

### **3.5.3 RESOLVING CONFLICTS BETWEEN PURCHASING PROGRAMS**

The challenge in buying a product or selecting a service is to achieve a balance between various factors including cost, availability, resource conservation, environmental benefits, and the personal level-of-effort expended to find a product that best addresses all of these factors. Occasionally, conflicts may arise between the biobased and CPG requirements of the GPP, or between the GPP and other mandatory purchasing programs.

If a bureau/office purchases a product that is included on both the EPA CPG list and the USDA biobased items list, there is a choice to be made. Buyers are not legally required to choose recycled-content products first. Purchasers should evaluate product characteristics, price, and performance, and select the product that best meets the requirement.



## CHAPTER 4: MANAGEMENT REVIEW

Performance measures are an effective evaluation tool. This GPP recommends the “Plan, Do, Check, Act” cycle to evaluate the program’s success and identify opportunities to improve performance. By reviewing the implementation of the GPP annually, it can be determined if program requirements were implemented. This review process also examines how effective the GPP worked at the local level. It also measures progress toward the GPP targets that the bureaus and offices established during the acquisition planning stage.

Metrics and reporting are an important part of the audit process, but do not alone provide comprehensive detail. Metrics are used by the Department as indicators of overall progress. Each bureau/office’s GPP is reviewed annually to assess progress towards full implementation and to identify ways to improve execution of GPP goals.

Management reviews also examine ways to improve the program structure, not just its execution. For example, it may be determined that the program is sound, but the execution is not strategic. Or, it may be determined that there is a problem with the process itself. If the audit process determines that GPP execution is not being implemented, it could be attributed to a programmatic flaw in the way the program is set up. This can be dealt with during the management review phase.

### 4.1 MONITORING AND MEASUREMENT

RCRA and the Farm Bill, the laws that established the recycled-content and biobased program elements of the GPP, require agencies to report their progress to Congress. RCRA requires the Office of Federal Procurement Policy to report to Congress every two years on the actions taken by federal agencies to implement the statute. Also, E.O. 13423 requires agencies to track and report to the Office of the Federal Environmental Executive their purchases of EPA-designated recycled content products and implementation of EPP programs.

The “RCRA 6002 Report” satisfies both of these needs. The report format was developed by an interagency working group led by OFPP and OFEE. Biobased product purchasing questions are also included in the report, and this part of the report will continue to develop as the program is formalized by USDA. Although the report to Congress is biennial, OFEE annually issues the RCRA data call to all federal agencies. The DOI RCRA Reporting Tool has been designed with the RCRA Report in mind, to minimize data gathering, and permit continued focus on program execution.

#### 4.1.1 RCRA REPORT

Interior uses the annual RCRA report to evaluate GPP implementation progress, in addition to the AMR. The RCRA Report covers GPP and other related topics, including:

- Contract compliance information for purchases of EPA-designated products, as recorded in the Federal Procurement Data System (FPDS) ;
- Purchases of eight “indicator items” from the EPA CPG list (see Section 4.1.3);
- Practices for solid waste prevention, recycling and waste minimization;
- Management controls including goals, plans, training, auditing, and measurement tools;
- Agency goals for solid waste diversion, recycled content product procurement, and environmentally preferable product procurement; and,
- Biobased purchasing initiatives.

The Office of Environmental Policy and Compliance develop a web-based RCRA reporting tool to assist bureaus to complete the annual RCRA report.

#### **4.1.2 REPORT TO THE PRESIDENT**

A biennial Report to the President is also required by E.O. 13423. It describes agency progress in implementing the Environmental Leadership executive orders addressing recycling and waste prevention, ozone depleting substances, alternative fueled vehicles, energy efficient computer equipment, pollution prevention and community right-to-know about hazardous chemicals, and energy efficiency and water conservation. Information for the report is compiled from many sources, including the RCRA data.

#### **4.1.3 DOI METRICS**

There are three top-level metrics for the GPP program:

- ◆ Metric #1 tracks the number of contracts that successfully acquire EPA-designated products. Data is taken from the FPDS that depends on careful data entry to include EPA-designated recycled-content products that were acquired and all other product purchases that contained the required minimum recovered material content. Historically, the DOI has under-reported their recycled-content acquisitions because of a misperception that the “A” code only applies if the EPA-designated product was acquired directly as a commodity purchase.  
The “A” code should actually be used whenever any contract, including service or construction contracts, requires the use of an EPA-designated item and the product that is provided meets EPA standards. Finally, Line B12G tracks whether or not the appropriate FAR clauses for recycled-content purchasing were included in the contract.
- ◆ Metric #2 tracks the purchase of “indicator items” that were chosen by a federal interagency working group from the EPA list, so that data would not need to be collected for each and every one of the EPA-designated CPG items.

Data will be obtained from the ERLS system and not from local purchase records. The indicator items are:

- Sanitary tissue products
- Toner cartridges
- Concrete
- Landscaping timbers
- Park benches/picnic tables
- Traffic barricades
- Re-refined lubricating oil
- Signage

Recycled-content product information is provided by contractors whenever FAR clause 52.223-9 is used on contracts over \$100,000. There is not a requirement for bureaus and offices to report this information,, but it may be used internally to see how well contractors are adhering to E.O. 13423 requirements.

- ◆ Metric #3 tracks the number of contracting personnel and government purchase cardholders trained in green procurement, and ensures that training data is accurately recorded and reported.

The Offices of Acquisition and Property Management and Environmental Policy and Compliance will collect data for all three of the metrics described above to establish a baseline and will collect and review metric data annually to ensure upward trends are achieved. Bureaus/offices may create local indicators to further measure and improve GPP performance; such as, tracking the number of Charge Cardholders and project managers who have been trained; the percentages of active service or construction contracts that address GPP requirements, increases in the types of GPP products the bureaus and offices acquire, reductions in waste generation or resource use that can be attributed to the GPP, or any other information that would be easy to collect and is useful for driving the local program forward. The program may become more meaningful to bureau and office personnel if their GPP actions can be translated into actual, tangible benefits. Here are a few resources:

- The "Paper Calculator" computes the U.S. average energy and wood consumption and environmental releases summed across the full life-cycle of each of five major grades of paper and paperboard. For a given grade, it allows the user to compare the environmental impacts of papers made with different levels of post-consumer recycled content, ranging from 0% (i.e., virgin paper) to 100%.
- The Energy Star® website offers a Financial Value Calculator spreadsheet to present a compelling business case for energy investments to senior management.
- Greenhouse gas emissions calculators are available online from EPA and other organizations. These interactive calculators help estimate the greenhouse gas

emissions of human activities, convert carbon emissions to equivalent units, and identify and compare emissions reduction options.

- EPA WasteWise Update #18 explores the connection between solid waste and climate change, and describes the “WARM” model for calculating the cooling effects of waste reduction. Additional information can be found at <http://www.epa.gov/wastewise>.
- Electricity is generated in many different ways with a wide variation in environmental impact. EPA’s Power Profiler calculates how clean is the energy that is provided in the local area compared to national averages.

## **4.2 CORRECTIVE AND PREVENTIVE ACTION**

Performance information comes from many sources such as metrics, reviews, inspections, and contract performance data. All of this collected information can be used in two ways: to review current program performance and to make program improvements. Recommendations to improve green purchasing, as a result of Bureau or Departmental Acquisition Management Reviews should be provided by Bureau Procurement Chief or the Office of Acquisition and Property Management, respectively in the form of a Corrective/Preventive Action Plan.

### **4.2.1 INTERNAL REVIEWS AND CONTRACT PERFORMANCE INFORMATION**

Acquisition Management Reviews determine bureaus/offices’ compliance with acquisition regulations and policy, as well as environmental laws, regulations and policy. The AMRs are conducted in accordance with Circular A-123 that requires periodic AMR based upon risk assessments. The review team evaluates bureau/office environmental procurement program for the:

- Green Purchasing Plan;
- Training of Personnel;
- Inclusion of appropriate FAR clauses

The AMR protocol is being updated to reflect the broader GPP program requirements for FY 2009.

Charge card purchases are reviewed by Charge Card Approving Officials in accordance with the DOI Integrated Charge Card Guide. Approving officials review cardholder accounts each month to verify that all transactions are appropriate and in accordance with the policy, which requires GPP compliance.

Contract performance information comes from inspection checklists and from contractor-provided estimates and certifications for recycled-content product purchases. This information should be used by the GPP team to ensure contractors are aware of GPP requirements and are performing accordingly.

## **4.2.2 REGULATORY INSPECTIONS AND COMPLIANCE GUIDANCE**

EPA can conduct compliance audits for recycled-content product purchasing in accordance with RCRA and E.O. 13423. EPA's "*Guidance on Conducting Inspections of Federal Facilities for Compliance with Section 6002 of the Resource Conservation and Recovery Act*" (May 12, 1999) was written to show authorized states how to evaluate recycled-content product purchasing compliance as part of their RCRA inspections.

Two actions for inspectors are included in the EPA guidance:

- distribution of a questionnaire to the environmental management office;
- inspection of the facility motor vehicle maintenance activities.

Motor vehicle maintenance activities were selected due to their common presence at a broad range of Federal facilities; significant awareness and availability of products and services that meet the EPA guidelines for vehicular products; and likelihood that RCRA inspections would normally be conducted at these locations. The motor vehicle maintenance audit protocol and the questionnaire are included in the EPA guidance document.

## **4.3 RECORDKEEPING**

Documentation is required to record the progress of the bureau/office program. As a minimum, the following records must be maintained by the employee and the bureau/office.

- Training records for acquisition personnel, government purchase cardholders, project managers, and other employees to verify progress toward the DOI metrics.
- Contractor-provided estimates and certifications of recycled-content products to document the specific products that were used in a contract and to satisfy the programmatic requirement in RCRA for "Vendor Estimates, Certification and Verification."
- GPP policies, plans, operational procedures, and audit results/reports developed by the bureaus/offices.





## **CHAPTER 5: AWARDS PROGRAM**

Continual improvement is a key to the success of Interior’s Affirmative Procurement Program and its Green Purchasing Plans. Management Review is the feedback loop that guides these improvements. It not only looks at how successfully the program is implemented, but also determines needed improvements to make the program more effective.

### **5.1 USE GPP MONITORING DATA TO DRIVE PROGRAM IMPROVEMENT**

The RCRA and Farm Bill program requirements for annual monitoring and review are satisfied by the actions in Chapters 4 and 5 of this guide. Each bureau/office must review and evaluate the effectiveness of its GPP every year. This is an additional requirement to collecting and reporting E.O. 13423 implementation data to Congress via the RCRA report.

Many sources of information are available to guide bureau/office’s management review:

- The information that is routinely collected during GPP execution can help to identify parts of the program that may need to be changed. For example, if the written determinations for recycled-content purchasing exemptions are reviewed as a group, it may show a tendency for a certain type of exemption to be claimed again and again. That pattern may indicate a root cause such as lack of awareness of sources of alternative products.
- The RCRA Reporting Tool can be used to evaluate the progress of the GPP.
- Update the bureau/office’s policy and plan as required to respond to changes in the mission or in the GPP program requirements.

## 5.2 REWARD EXCELLENCE

The DOI recognizes outstanding bureaus and offices for innovative environmental programs during its Environmental Achievement Awards Ceremony. This ceremony is hosted each Spring. DOI also participates in other award ceremonies, including:

- White House Closing the Circle Awards
- Federal Energy Management Program Awards
- Take Pride in America
- DOI Energy Awards
- DOI Acquisition Awards - sustainability category
- DOI Property Management Awards - sustainability category
- DOI Facilities Management Awards - sustainability category

Bureaus are strongly encouraged to nominate their outstanding projects and programs for recognition. Instructions are sent out with each program's nomination package.

## **APPENDIX**

- Acronyms
- Glossary
- Sample Templates

## Acronyms

AEE	Agency Environmental Executive
APP	Affirmative Procurement Program
AbilityOne	Formerly JWOD
BPC	Bureau Procurement Chief
CFR	Code of Federal Regulations
CO	Contracting Officer
CPG	Comprehensive Procurement Guideline
DAU	Defense Acquisition University
DLA	Defense Logistics Agency
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
E.O.	Executive Order
EOIAG	Executive Order Interagency Advisory Group
EPA	Environmental Protection Agency
EPP	Environmentally Preferable Products
FAI	Federal Acquisition Institute
FAR	Federal Acquisition Regulation
FEMP	Federal Energy Management Program
FR	Federal Register
FSS	Federal Supply Service
FY	Fiscal Year (October 1 through September 30)
GPP	Green Procurement Plan
GPO	Government Printing Office
GPRA	Government Performance and Results Act
GSA	General Services Administration
JWOD	Javits-Wagner-O'Day
M&O	Management and Operating (Contractor)
NIST	National Institute of Standards and Technology
NRC	National Recycling Congress
ODS	Ozone Depleting Substances
OFEE	Office of the Federal Environmental Executive
OFPP	Office of Federal Procurement Policy
OMB	Office of Management and Budget
PAM	Office of Acquisition and Property Management
PEP	Office of Environmental Policy and Compliance.
RCRA	Resource Conservation and Recovery Act
RMAN	Recovered Materials Advisory Notice
SPE	Senior Procurement Executive
USDA	U.S. Department of Agriculture

## Glossary

**AbilityOne** - formerly JWOD; program designed to provide employment opportunities for people who are blind or have other severe disabilities in the manufacture and delivery of products and services to the federal government.

**Acquisition** - acquiring by contract using appropriated funds for supplies or services (including construction) by and 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, or demonstrated and evaluated. Acquisition begins when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation, selection of sources, contract award and financing details, contract performance and administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract. [Executive Order 13423]

**Affirmative Procurement Program (APP)** - agency program assuring that EPA-designated recycled content products will be purchased to the maximum extent practicable, consistent with Federal law and procurement regulations. [RCRA, Section 6002]

**Certification** - provided by offerors/bidders/vendors, it is written documentation certifying the percentage of recovered materials 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 post-consumer materials and recovered material contained in the major constituents of the product. [EPA Guidelines]

**Comprehensive Procurement Guidelines** - regulations issued by EPA pursuant to Section 6002 of RCRA identifying items produced (or which can be produced) with recovered materials. [E.O. 13423 and RCRA, Section 6002]

**Designated Item** - a product or category of products designated by EPA in the Comprehensive Procurement Guideline and whose procurement by government agencies will help to create markets for materials recovered from solid waste.

**ENERGY STAR®** – a program jointly sponsored by the Environmental Protection Agency and the Department of Energy which allows manufacturers of products with superior energy efficiency that meets or exceeds specified criteria to use the ENERGY STAR® logo on their products to assist consumers in selecting energy efficient products.

**Environmentally Preferable** - products or services having a lesser or reduced effect on human health and the environment, when compared with competing products or services, serving the same purpose. This comparison may consider raw materials acquisition, production,

manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal. [E.O. 13423]

**Estimation** - quantitative determination made by vendors of the total percentage of recovered material contained in offered products. [EPA Guidelines]

**Executive Agency or Agency** - an Executive agency as defined in 5 U.S.C 105. For the purpose of E.O. 13423, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the Department of Defense. [Executive Order 13423]

**Federal Supply Source** - any supply source managed by a Federal agency such as the General Services Administration, Government Printing Office, Defense Logistics Agency, or Javits-Wagner -O'Day Program. [FAR Guidance]

**FEMP Designated Product** – A product that is designated by the Federal Energy Management Program (FEMP) of the Department of Energy as being among the highest 25 percent of equivalent products for energy efficiency.

**Green Hierarchy** - the logical order by which waste prevention and effective environmental practices are applied.

**Life-Cycle Assessment** - the comprehensive examination of a product's environmental and economic effects throughout its lifetime including new material extraction, transportation, manufacturing, use, and disposal. [Executive Order 13423]

**Life-Cycle Cost** - the amortized annual cost of a product, including costs associated with capital, installation, operations, maintenance, and disposal, discounted over the lifetime of the product. [Executive Order 13423]

**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. [RCRA, Section 6002]

**Performance Specification** - a specification stating the desired product operation or function but not specifying its construction materials.

**Post-consumer Material** - a material or finished product that has served its intended use and has been discarded for disposal or recovery having completed its life as a consumer item. "Post-consumer material" is a part of the broader category of "recovered materials". [Executive Order 13423]

**Practicable** - capable of performing in accordance with applicable specifications, available at a reasonable price and within a reasonable period of time, and while a satisfactory level of competition with other products is being maintained. [EPA Guidelines]

**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 product. [OFPP Policy Letter 92-4]

**Procurement Preference Program** - the first element of an agency affirmative procurement program in which an agency expresses a preference for purchasing recycled content products designated by EPA. [RCRA, Section 6002]

**Procuring Agency** - any Federal or State agency, or agency of a state's political subdivision using appropriated Federal funds for such procurement, or any person contracting with any such agency with respect to work performed under such contract. [RCRA, Section 1004]

**Recovered Material** - waste materials and by-products recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within, an original manufacturing process. [Executive Order 13423 and RCRA, Section 1004]

**Recovered Materials Advisory Notice (RMAN)** - guidance issued by EPA which recommends the range of recycled content that should be in products designated in the Comprehensive Procurement Guideline. RMAN also contains other EPA recommendations pertinent to purchasing recycled content products, such as reference to specifications established by government agencies or standards setting organizations. [EPA Guidelines and OFPP Policy Letter 92-4]

**Recyclability** - the ability of a product or material to be recovered or otherwise diverted from the solid waste stream for the purpose of recycling. [Executive Order 13423]

**Recycled Material** - a material utilized in place of raw or virgin material in product manufacturing (See "Recovered Material.")

**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 as raw materials in the manufacture of new products (other than fuel for producing heat or power by combustion). [Executive Order 13423]

**Solid Waste** - garbage, refuse, sludge, and other discarded solid materials, including those from industrial, commercial, and agricultural operations, and from community activities. This excludes solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flow, etc. [RCRA, Section 1004]

**Specification** - a clear and accurate description of the technical requirements for materials, products, or services including the minimum requirement for materials' quality and construction and any equipment necessary for an acceptable product. In general, specifications are in the form of written descriptions, drawings, prints, commercial designations, industry standards, and other descriptive references. [EPA Guidelines]

**Unreasonable Price** - when recycled product cost is greater compared to virgin material cost. (Unreasonable price is not a factor when minimum content standards are specified in the statement of work/procurement request because price estimates will only be obtained from vendors who can supply products meeting recovered material content requirements.) [EPA Guidance]

**Verification** - procedures used by procuring agencies to confirm both vendor estimates and certifications of the percentages of recovered material contained in the products supplied to them or to be used in the performance of a contract. [EPA Guidelines]

**Virgin Material** - a mined or harvested raw material to be used in manufacturing.

**Waste Prevention** - (also known as "source reduction") any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their toxicity before they become municipal solid waste. Waste prevention also refers to the reuse of products or materials. [Executive Order 13423]

**Waste Reduction** - preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products. [Executive Order 13423]



## **Green Procurement Requirements Reference Sheet**

### **Environmentally Preferable Products and Services Sources**

DOI	<a href="http://www.doi.gov/greening"><u>www.doi.gov/greening</u></a>
GSA	<a href="http://www.gsaadvantage.gov/advgsa/advantage/search/search.do?query=EPP"><u>www.gsaadvantage.gov/advgsa/advantage/search/search.do?query=EPP</u></a>
DLA	<a href="http://www.dla.mil/"><u>www.dla.mil/</u></a>
Ability One	<a href="http://www.abilityone.gov/jwod/index.html"><u>www.abilityone.gov/jwod/index.html</u></a>
FEMP	<a href="http://www.eere.energy.gov/femp/"><u>www.eere.energy.gov/femp/</u></a>
EPA	<a href="http://www.epa.gov/oppt/epp/"><u>www.epa.gov/oppt/epp/</u></a>
OFEE	<a href="http://www.ofee.gov/"><u>www.ofee.gov/</u></a>

### **EPP Attributes For Product Types**

**Paints, carpet, office supplies, cleaners, etc.**  
[www.greenseal.org/certification/environmental.cfm](http://www.greenseal.org/certification/environmental.cfm)

**Construction Projects:**  
[www.epa.gov/risk/guidance.htm](http://www.epa.gov/risk/guidance.htm)

### **GPP Compliant Product Listing**

CPG	<a href="http://www.epa.gov/cpg/"><u>www.epa.gov/cpg/</u></a>
Biobased	<a href="http://www.ars.usda.gov/bbcc"><u>www.ars.usda.gov/bbcc</u></a>
FEMP	<a href="http://www.eere.energy.gov/femp/"><u>www.eere.energy.gov/femp/</u></a>
Energy Star®	<a href="http://www.energystar.org"><u>www.energystar.org</u></a>
ODS	<a href="http://www.epa.gov/Ozone/defns.html"><u>www.epa.gov/Ozone/defns.html</u></a>

## **Green Procurement Requirements Reference Sheet**

The list below is provided as a quick reference for the U.S. EPA-designated CPG items as of 2004. Green procurement requirements mandate that Purchase Cardholder holders purchase products that meet EPA recycled-content requirements for all purchases of the items listed. Purchase Cardholder holders record these purchases on the "Purchase Cardholder Purchasing Considerations and Guidelines Log."

For questions regarding whether products count as "U.S. EPA-designated" or what the required recycled content for the item is, refer to the product descriptions on U.S. EPA's Website at [www.epa.gov/cpg/products.htm](http://www.epa.gov/cpg/products.htm).

### **Construction Products**

Building insulation products  
Carpet and carpet cushion  
Cement and concrete containing coal fly ash, ground granulated blast furnace slag, cenospheres, or silica flume  
Consolidated and reprocessed latex paint  
Floor tiles  
Flowable fill (backfill)  
Laminated paperboard  
Modular threshold ramps  
Nonpressure pipe  
Patio blocks  
Railroad grade crossing surfaces  
Shower and restroom dividers/partitions  
Structural fiberboard

### **Landscaping Products**

Compost made from yard trimmings or food waste  
Garden and soaker hoses  
Hydraulic mulch  
Lawn and garden edging  
Plastic lumber landscaping timbers and posts

### **Non-Paper Office Products**

Binders, clipboards, file folders, clip portfolios, and presentation folders  
Office furniture  
Office recycling containers  
Office waste receptacles  
Plastic desktop accessories  
Plastic envelopes  
Plastic trash bags  
Printer ribbons  
Toner cartridges

### **Paper and Paper Products**

Commercial/industrial sanitary tissue products  
Miscellaneous papers (tray liners)  
Newsprint  
Paperboard and packaging products  
Printing and writing papers

### **Park and Recreation Products**

Park benches and picnic tables  
Plastic fencing  
Playground equipment  
Playground surfaces  
Running tracks

### **Transportation Products**

Channelizers  
Delineators and flexible delineators  
Parking stops  
Traffic barricades  
Traffic cones

### **Vehicular Products**

Engine coolants  
Rebuilt vehicular parts  
Re-refined lubricating oils  
Retread tires

### **Miscellaneous Products**

Awards and plaques  
Bike racks  
Blasting grit  
Industrial drums  
Manual-grade strapping  
Mats  
Pallets  
Signage  
Sorbents

## Green Procurement Contract Attachment [Sample Template]

**Project No.** \_\_\_\_\_

and/or

**Project Title** \_\_\_\_\_

None of the products that I am specifying for procurement are listed on a mandatory environmental purchasing list, including:

- U.S. EPA Comprehensive Procurement Guidelines published at [www.epa.gov/cpg/products.htm](http://www.epa.gov/cpg/products.htm).
- USDA Biobased product listings published at [www.biobased.oce.usda.gov/public/categories.cfm](http://www.biobased.oce.usda.gov/public/categories.cfm).
- Energy Star® product listings published at [www.energystar.gov/products](http://www.energystar.gov/products).
- FEMP Low Standby Power product listings published at <http://oahu.lbl.gov/>

Therefore, I am not required to include the bureau/office Recovered Material Determination Form with this procurement package.

In addition, I have sought to reduce the environmental damages associated with this procurement by considering the specification of environmentally preferable products and services to the extent feasible, consistent with price, performance, availability, and safety considerations. I have considered products with recycled or biobased content as well as other environmentally preferable attributes, such as:

- Reduced packaging
- Durability and repairability
- Reduced toxicity
- Conservation of natural resources
- Water conservation
- Low Volatile Organic Compound (VOC) Content
- Asbestos alternative

Signature \_\_\_\_\_

Date \_\_\_\_\_

Printed Name \_\_\_\_\_

Title/Role \_\_\_\_\_

## Recovered Materials Determination Form [Sample Template]

### Recovered Materials Determination Form

#### *Instructions*

This form is to be completed by the procurement originator when EPA-designated items included in the Green Procurement Program for Recovered Materials are being procured from outside vendors. For questions on whether the product counts as “EPA-designated” or what the required recycled content is, refer to product descriptions on EPA’s website at [www.epa.gov/cpg/products](http://www.epa.gov/cpg/products). The completed form becomes part of the contracting office contract file.

Procurement Request / Project No. \_\_\_\_\_

The EPA-designated items being procured are:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Building insulation<br><input type="checkbox"/> Polyester carpet<br><br>Cement & concrete containing:<br><input type="checkbox"/> Coal fly ash<br><input type="checkbox"/> Ground granulated blast furnace slag<br><input type="checkbox"/> Cenospheres<br><input type="checkbox"/> Silica fume<br><br><input type="checkbox"/> Flowable fill<br><input type="checkbox"/> Latex paint<br><input type="checkbox"/> Floor tiles<br><input type="checkbox"/> Laminated paperboard<br><input type="checkbox"/> Patio blocks<br><input type="checkbox"/> Shower & restroom dividers/partitions<br><br><input type="checkbox"/> Structural fiberboard<br><input type="checkbox"/> Railroad grade crossing surfaces<br><br><input type="checkbox"/> Garden and soaker hoses<br><input type="checkbox"/> Lawn and garden edging<br><input type="checkbox"/> Landscaping timbers and posts (plastic lumber)<br><br><input type="checkbox"/> Hydraulic mulch<br><input type="checkbox"/> Compost from yard trimmings or food waste<br><input type="checkbox"/> Modular threshold ramps<br><input type="checkbox"/> Nonpressure pipe | <input type="checkbox"/> Binders (paper, solid plastic or plastic covered)<br><br><input type="checkbox"/> Plastic presentation folders<br><input type="checkbox"/> Plastic file folders<br><input type="checkbox"/> Plastic clip portfolios<br><input type="checkbox"/> Plastic clipboards<br><br><input type="checkbox"/> Office furniture<br><input type="checkbox"/> Office recycling containers<br><input type="checkbox"/> Office waste receptacles<br><input type="checkbox"/> Plastic desktop accessories<br><input type="checkbox"/> Plastic envelopes<br><input type="checkbox"/> Plastic trash bags<br><br><input type="checkbox"/> Printer ribbons<br><input type="checkbox"/> Toner cartridges<br><input type="checkbox"/> Newsprint<br><br><input type="checkbox"/> Commercial/industrial sanitary tissue products<br><input type="checkbox"/> Printing and writing papers<br><input type="checkbox"/> Paperboard and packaging<br><br><input type="checkbox"/> Tray liners<br><input type="checkbox"/> Industrial drums<br><br><input type="checkbox"/> Bike racks<br><input type="checkbox"/> Roofing materials | <input type="checkbox"/> Playground surfaces<br><input type="checkbox"/> Park and recreational furniture<br><input type="checkbox"/> Running tracks<br><input type="checkbox"/> Playground equipment<br><input type="checkbox"/> Traffic barricades<br><input type="checkbox"/> Traffic cones<br><input type="checkbox"/> Parking stops<br><input type="checkbox"/> Plastic fencing (snow or erosion control, safety barriers)<br><input type="checkbox"/> Channelizers<br><br><input type="checkbox"/> Delineators<br><input type="checkbox"/> Flexible delineators<br><input type="checkbox"/> Rebuilt vehicular parts<br><input type="checkbox"/> Engine coolants<br><input type="checkbox"/> Re-refined lubricating oils<br><input type="checkbox"/> Retread tires<br><input type="checkbox"/> Sorbents<br><input type="checkbox"/> Awards and plaques<br><input type="checkbox"/> Mats<br><input type="checkbox"/> Signage<br><input type="checkbox"/> Strapping<br><input type="checkbox"/> Pallets<br><br><input type="checkbox"/> Blasting grit |
|--|---|---|

Recovered Materials Procurement Determination

\_\_\_ EPA recycled-content requirements have been met for this procurement action.

\*\*\*\* OR \*\*\*\*

\_\_\_ The following EPA designated guideline item is included in the specifications for project number \_\_\_\_\_; however, compliance with EPA standards is not attainable.

Item: \_\_\_\_\_

I have determined that the EPA guidelines were considered and determined inapplicable, based on the following:

\_\_\_ Item is not available within a reasonable period of time.

Need date: \_\_\_\_\_ Date available: \_\_\_\_\_

\_\_\_ Item fails to meet a performance standard in the specifications.

Describe the standard and why it is needed: \_\_\_\_\_

\_\_\_\_\_

Describe how the guideline item fails to meet the standard: \_\_\_\_\_

\_\_\_\_\_

\_\_\_ Item is not available from 2 or more sources.

Market research was performed by calling \_\_\_ (insert number) vendors, but only \_\_\_\_\_ (enter name) was able to supply the item.

\_\_\_ Item was only available at an unreasonable price (i.e., recycled item is more expensive).

Price of recycled item: \_\_\_\_\_

Price of non-recycled item: \_\_\_\_\_

This determination is made in accordance with FAR 23.405(c).

\_\_\_\_\_  
Technical OPR - Signature and Office Symbol

\_\_\_\_\_  
Date

\_\_\_\_\_  
Concurrence - Contracting Officer

\_\_\_\_\_  
Date

# **Purchase Cardholder Green Procurement Considerations And Guidelines Log [Sample Template]**

## **User's Guide**

- 1. PURPOSE OF LOG.** The “Purchase Cardholder Green Procurement Considerations and Guidelines Log” (Purchase Cardholder Log) is intended to be used to document charge cardholders’ purchases of items that are designated for green purchasing under one of the mandatory Federal programs. This log can be used to monitor purchase cardholders purchases of these items. The log identifies whether or not the product that was purchased met GPP requirements, and documents the reason for choosing a non-compliant product.
- 2. USER.** PURCHASE CARDHOLDERS.
- 3. APPLICABILITY.** The PURCHASE CARDHOLDER Log applies to all purchases made by Purchase Cardholder holders.
- 4. INTENT FOR USE.** The Purchase Cardholder holder can maintain a running Purchase Cardholder Log to document each Purchase Cardholder purchase.
- 5. FILING PROCEDURE.** The Purchase Cardholder Log can be included in the Purchase Cardholder holder purchasing file for auditing purposes.

**Purchase Cardholder Green Procurement Considerations and Guidelines Log**  
**[Sample Template]**

**Purchase Requester Name, Bureau, Office and Phone Number:** \_\_\_\_\_

\* INSTRUCTIONS: Purchaser/Requester completes this form for all purchases prior to making the purchase and retains a copy in office purchasing records. Copy and attach additional sheets, as needed. Consult the *Bureau/office* Green Procurement Plan or contact the GPP Team leaders for additional guidance.

Date	Project Name	Item Purchased	EPP Considered? (Y/N)	Item Purchased GPP-Compliant? (Y/N)	If not a GPP-compliant purchase, circle the appropriate exemption or reason for non-compliance
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T
					C A/U/G Purchase NA P S T

**LEGEND**

C = Item was not competitively available

GPP = Green Procurement Program (see **Green Purchasing Requirements Reference Sheet**)

EPP = Environmentally Preferable Purchasing

A/U/G Purchase = Item was purchased under one of the mandatory purchase programs (Ability One, UNICOR), or GSA.

NA = Item is not on the U.S. EPA-designated list

P = Item was too expensive (price)

S = Item did not meet technical specifications

T = Item was not available in a timely manner

Y/N = Yes or No

## Green Procurement Program Annual Review Form

[SAMPLE TEMPLATE]

AMR Team Leader: \_\_\_\_\_  
 Bureau POC Phone, Fax, and Email: \_\_\_\_\_

Date of Review: \_\_\_\_\_

INSTRUCTIONS: AMR Team can use the following form to review GPP success as required by the *Bureau/office* EMS. Once the form has been completed, the AMR Team Leader should brief the BPC on the annual review findings and file the form with other EMS documentation. Additional comment pages are provided at the end of this form. This form may be modified under direction of the GPP Team.

Annual Review Considerations	
1. Bureau Progress/Milestones as established by the GPP:	
2. Name of bureau/office organizations.	
3. Date of last review of the U.S. EPA CPG and EPP Websites for new requirements. Have any new CPG products or EPP (Energy Star <sup>®</sup> , FEMP, etc.) guidance been issued? If yes, see Question 8.	___/___/___
4. Date of last review of the USDA biobased Website for new guidance. If new guidance has been developed, see Question 8.	___/___/___
5. If new CPG products, EPP (Energy Star <sup>®</sup> , FEMP, etc.) guidance, or biobased guidance has been issued, when was this information incorporated into the GPP Plan?	___/___/___
6. Assess how well bureau/office organizations are participating in implementing the GPP (Each organization/unit should be evaluated separately to identify where training is most needed. The GPP Team can develop evaluation procedures.)	Unsatisfactory      Marginal      Satisfactory Good      Outstanding
7. What is the total number of bureau/office personnel who have been trained regarding GPP (See Nos. 8 and 9 below)?	
8. Is the bureau/office meeting the requirement of E.O. 13423?	
9. Has the Environmental office completed a review of non-Purchase Cardholder holder training?	



<b>Annual Review Considerations</b>	
a) What organizations have received training?	
b) What type of training did they receive, instructor-based or Intranet-based?	
c) What was the frequency of the training?	
d) Did individuals find the training helpful?	
<b>10. Has PAM required that all Purchase Cardholder holders complete Internet-based training prior to receiving Purchase Cardholder training?</b>	
a) How many Purchase Cardholder holders completed the Internet-based training?	
b) Rate the Purchase Cardholder holders' general awareness of GPP requirements.	Unsatisfactory      Marginal      Satisfactory Good      Outstanding
<b>11. Collect and review a sampling of contracting files.</b>	
a) Has the "CE Project Manager/QAE Consideration and Guidelines Checklist" been included in the appropriate contracting files?	
b) Have vendor certifications and estimates for contracts valued at or above \$100,000 been submitted and included in the contracting file?	
c) Are GPP Statements or RMDFs and any RMDFs amended during project execution included in the contracting files?	
d) When contracting files include RMDFs, do they usually show that the project includes items that comply with GPP and energy efficiency requirements, or are exemptions frequently claimed?	
e) Is a summary of findings from Contracting's review used to improve the GPP Program?	
f) Have any blanket exemptions for CPG requirements been created?	
g) Is GPP being considered during project execution?	
<b>12. Collect and review a sampling of work order and job order project files.</b>	
a) Are GPP Statements or RMDFs with amendments included in these files?	
b) When work and job order files include RMDFs, do they usually show that the project includes items that comply with GPP and energy efficiency requirements, or are the exemptions frequently claimed?	
c) Are RMDFs amended during project execution included when the GPP-compliant item is exempted?	
d) Have any blanket exemptions been created?	
e) Is GPP being considered during project execution?	

<b>Annual Review Considerations</b>	
<b>17. Has Bureau HQ reviewed Purchase Cardholder files for GPP compliance?</b>	
a) Is the "Purchase Cardholder Purchasing Considerations and Guidelines Log" being utilized for GPP-compliant item purchases?	
b) Have the Purchase Cardholder holders noted the appropriate exemptions for non-GPP compliant purchases on the log referred to above?	
c) Do Purchase Cardholder holders usually buy items that comply with GPP and energy efficiency requirements or exemptions frequently claimed?	
d) Is a summary of findings from AMR used to improve the GPP Program?	
<b>18. Has the Contracting office collected data from the Federal Procurement Data System to assess recycled-content product compliance for bureau/office contracts?</b>	
a) Has the FPDS data been spot checked for accuracy, to ensure that exemptions identified on RMDFs?	
b) Was the number of contracts that met CPG requirements compared against the number of contracts that required an exemption?	
c) Was a summary of the FPDS findings used to improve the GPP Program?	
<b>19. Have the GPP applicability requirements changed?</b>	
a) Appropriated funds?	
b) Non-appropriated funds?	
c) Government owned or leased buildings?	
d) Contract value?	
e) Micropurchase tracking documentation?	
f) Other: _____	
<b>20. Does the Policy Section of the plan need to be updated due to regulatory or policy changes?</b>	
<b>21. Does the Preference Program need to be updated?</b>	
a) Are bureau/office personnel kept current with CPG, biobased product and FEMP list updates?	
b) Is the bureau/office GPP policy up to date, and is it available to all personnel?	
<b>22. Is the Promotion Program effective?</b>	
a) What type of promotion activities and/or items has been completed within the last year?	
b) Is the material beneficial to bureau/office personnel, tenants, vendors, and contractors?	
c) Are we reaching all of our customers?	

<b>Annual Review Considerations</b>	
<b>23. Is the GPP working effectively to increase the bureau/office's purchases of CPG, biobased, and energy efficient products? (The team should use information collected during the annual review, from interviews and spot checks of purchasers' files, and not attempt to analyze all available files and forms.)</b>	
a) Does the data from the FPDS show that most of the bureau/office contracts are meeting CPG requirements without having to claim an exemption?	
b) When spot checks were made for Purchase Cardholder records, contracting files, or job order/work order files, did the records that were reviewed show that personnel are usually buying recycled content and energy efficient products?	
c) If large numbers of exemptions were noted, try to identify common causes (such as lack of awareness; difficulty in finding appropriate products; high cost for appropriate products; etc.) What actions could the bureau/office take to decrease the need for these exemptions?	
d) Did the bureau/office's overall GPP performance improve, compared to last year?	
<b>24. Has the BPC been briefed on the results of the annual review, and any suggested corrective actions?</b>	
<b>26. Have any action items been identified based on this annual review? If so, please list the action items with the OPR identified. Attach additional documentation if necessary.</b>	
<b>Review Question No.</b>	<b>Additional Issues and Remarks</b>