

December 13, 1999

PX 2000-02

MEMORANDUM FOR ALL REAL PROPERTY LEASING ACTIVITIES
(PX DISTRIBUTION LIST)

FROM PAUL LYNCH (signed)
ASSISTANT COMMISSIONER FOR
BUSINESS PERFORMANCE

SUBJECT: Energy, Environmental, and Sustainable Design in Lease
Acquisition

1. Purpose. This acquisition letter issues the first installment of leasing energy and environmental business practices and solicitation for offers (SFO) language to implement Executive Order 13123, *Greening the Government Through Efficient Energy Management*.
2. Background.
 - a. The President issued Executive Order 13123 on June 3, 1999. The order requires, in general, that the "Federal Government, as the Nation's largest energy consumer, shall significantly improve its energy management in order to save taxpayer dollars and reduce emissions that contribute to air pollution and global climate change. With more than 500,000 buildings, the Federal Government can lead the Nation in energy efficient building design, construction, and operation."
 - b. Specifically regarding leases, the order requires that agencies "shall incorporate lease provisions that encourage energy and water efficiency wherever life-cycle cost-effective. Build-to-suit lease solicitations shall contain criteria encouraging sustainable design and development, energy efficiency, and verification of building performance. Agencies shall include a preference for buildings having the ENERGY STAR® building label in their selection criteria for acquiring leased buildings. In addition, all agencies shall encourage lessors to apply for the ENERGY STAR® building label and to explore and implement projects that would reduce costs to the Federal Government, including projects carried out through the lessors' Energy-Savings Performance Contracts or utility energy-efficiency service contracts."
3. Effective Date/Expiration Date. These instructions and SFO changes are effective for new lease SFOs prepared on or after the date of issuance, and will expire 12 months from the date of issuance, unless extended. Specialists may amend SFOs for ongoing acquisitions as deemed appropriate.
4. Cancellation. None.
5. Applicability. All real property leasing activities.
6. Instructions/Procedures. Instructions and procedures are included in the attachments. The following is a summary of attachments:

- a. Attachment 1 -- Energy and Environmental Business Practices for Lease Acquisition.
- b. Attachment 2 -- Standard SFO Paragraphs.

Energy and Environmental Business Practices for Lease Acquisitions

1. General.
 - a. The lease solicitation for offers (SFO) section entitled *Safety and Environmental Management* includes several paragraphs that address performance requirements for indoor air quality, hazardous materials, and recycling in space occupied by GSA tenants. Those paragraphs issued October 30, 1996, by PER-96-06, entitled *Safety and Environmental Procedures in Lease Acquisition*, are unchanged and shall continue to be used as applicable.
 - b. The SFO paragraphs transmitted herein apply primarily to construction materials and methods, architectural finishes, mechanical equipment, and plumbing that affect delivery of the space in addition to its operation. Some of the SFO paragraphs apply to leases of existing space; other paragraphs apply if a building will be constructed for the Government in response to the SFO.
 - c. Guidance on using a preference for buildings having the ENERGY STAR® building label in selection criteria is under development.
2. New Superseding, and Succeeding (Extension) Leases. These requirements shall be used for new superseding, and succeeding leases.
3. Simplified Leases. These requirements shall be used as appropriate for simplified leases when a building will be constructed under the simplified acquisition threshold.
4. Expansions and Temporary Leases. These requirements shall be used as appropriate for expansions and temporary leases.
5. Disaster Leases. These requirements shall be used for the acquisition of long-term replacement space for agencies displaced by a disaster (fire, earthquake, flood, etc.).
6. Supplemental Lease Agreements. These requirements shall be used for alteration type supplemental lease agreements under existing leases where appropriate.
7. SFO Changes.
 - a. Revised and new paragraphs are shown on attachment 2.
 - b. Real property activities will be notified when these paragraphs have been incorporated into the automated SFO. In the interim they may be attached.

Standard SFO Paragraphs

In accordance with Attachment 1 of this acquisition letter PX-99-xx, *Energy, Environmental, and Sustainable Design in Lease Acquisition*, real property leasing officers shall use the following new and modified SFO paragraphs in leasing new and existing space.

SFO Section 4, General Architectural

QUALITY AND APPEARANCE OF BUILDING EXTERIOR (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

The space offered should be located in a modern office building with facade of stone, marble, brick, stainless steel, aluminum or other permanent materials in good condition acceptable to the Contracting Officer. If not in a new or modern office building, the space offered should be in a building that has undergone, or will complete by occupancy, first class restoration or adaptive reuse for office space with modern conveniences. If the restoration work is underway or proposed, then architectural plans acceptable to the Contracting Officer must be submitted as part of the offer. The building should be compatible with its surroundings. Overall the building should project a professional and aesthetically pleasing appearance including an attractive front and entrance way. The building should have energy efficient windows or glass areas consistent with the structural integrity of the building, unless not appropriate for intended use. The facade, downspouts, roof trim and window casing are to be clean and in good condition.

RECYCLED CONTENT PRODUCTS (COMPREHENSIVE PROCUREMENT GUIDELINES) (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(a) The Offeror should use products made from recycled materials as indicated in this SFO and consistent with the EPA's Comprehensive Procurement Guidelines (CPG). The CPG includes designated products with recycled-content recommendations. Information on products, manufacturers and suppliers can be found at www.epa.gov/cpg/products.htm.

(b) The following exceptions to the CPG are allowed:

- (1) The cost of the recommended product is unreasonable.
- (2) Inadequate competition exists.
- (3) Items are not available within a reasonable period of time.
- (4) Items do not meet the solicitation's performance standards.

(c) If a material does not meet the CPG requirements for one or more of the reasons listed above, documentation may be requested.

ENVIRONMENTALLY PREFERABLE BUILDING PRODUCTS AND MATERIALS (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(a) The Offeror should use environmentally preferable products and materials as indicated in the SFO. Environmentally preferable products have a lesser or reduced effect on human health and the environment when compared to other products and services that serve the same purpose.

(b) Environmentally preferable products and materials are those which -

- (1) Minimize the content of toxic or harmful substances;
- (2) Release minimal amounts of volatile organic compounds (VOC's) or CFC's into the environment;
- (3) Are recyclable at the end of their useful life; and
- (4) Are produced, transported and installed in an energy efficient manner while not impacting any rare or endangered natural resources.

(c) The Offeror may request assistance from the Government in locating manufacturers or sources of such materials or products.

CONSTRUCTION WASTE MANAGEMENT (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(a) Recycling construction waste means providing all services necessary to furnish construction materials or wastes to organizations which will employ these materials or wastes in the production of new materials. Recycling includes required labor and equipment necessary to separate individual materials from the assemblies of which they form a part.

(b) The Government will provide technical assistance in locating appropriate recycling centers and other resources at the Offeror's request.

(c) The successful Offeror should recycle the following items during both the demolition and construction phases of the project, subject to economic evaluation and feasibility:

- (1) Ceiling grid and tile,
- (2) Light fixtures, including proper disposal of any transformers, ballasts and fluorescent light bulbs,
- (3) Duct work and HVAC equipment,
- (4) Wiring and electrical equipment,
- (5) Aluminum and/or Steel doors and frames,
- (6) Hardware,
- (7) Drywall,
- (8) Steel studs,
- (9) Carpet and Carpet backing,
- (10) Wood,
- (11) Insulation,

- (12) Cardboard packaging,
- (13) Pallets
- (14) Windows and glazing materials,
- (15) All miscellaneous metals (as in steel support frames for filing equipment), and
- (16) All other finish and construction materials.

(d) Where the small quantity of material, the extraordinarily complex nature of the waste disposal method, or prohibitive expense for recycling would represent a genuine hardship, the Government may permit alternative means of disposal. The Offeror should submit to the Government their proposal to dispose of the waste.

(e) If any waste materials encountered during the demolition or construction phase be found to contain lead, asbestos, PCB's (such as fluorescent lamp ballasts), or other harmful substances, they are to be handled and removed in accordance with State and Federal laws and requirements concerning hazardous waste.

(f) In addition to providing "one-time" removal and recycling of large-scale demolition items such as carpeting or drywall, the Offeror should provide continuous facilities for the recycling of incidental construction waste. All recyclable materials (as indicated above) should be removed daily from the work location to approved, clearly labeled, containers located in an easily accessible area. These containers are to be separate from that of general waste and rubbish containers. Five types of containers should be provided on a continuous basis as follows:

- (1) Paper and paper products (2 compartment),
- (2) Paperboard and cardboard,
- (3) Plastics,
- (4) Metals, and
- (5) Glass and miscellaneous materials (2 compartment).

(g) Construction materials recycling records should be maintained and accessible to the Contracting Officer's Representative.

EXISTING FIT-OUT, SALVAGED, OR RE-USED BUILDING MATERIAL (XXX 1999)

(Use as appropriate for leasing existing space. If used, may be altered, but should contain substantially the same information.)

(a) Items and material existing in the offered space or to be removed from the offered space during the demolition phase are eligible for reuse in the construction phase of the project. Generally speaking, the reuse of items and materials is preferable to recycling them. However, items considered for reuse must be in refurbishable condition, and must meet the quality standards set forth by the Government in this SFO. In the absence of definitive quality standards, the Offeror is to ensure that the quality of the item(s) in question will meet or exceed accepted industry or trade standards for first quality commercial grade applications.

(b) Payment will not be made by the Government in instances where the Government accepts fixtures and/or other Tenant Improvements already in place. However, the Offeror will be reimbursed for reasonable costs to repair or improve the fixture(s) and/or any other improvements already in place.

INDOOR AIR QUALITY (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(a) The Lessor shall provide to the Government Materials Safety Data Sheets (MSDS) upon request for the following products prior to their installation or use: adhesives, caulking, sealants, insulating materials, fireproofing or firestopping materials, paints, carpets, floor and wall patching or leveling materials, lubricants, clear finish for wood surfaces and janitorial cleaning products.

(b) The Contracting Officer may eliminate from consideration products with significant quantities of toxic, flammable, corrosive or carcinogenic material and potential for harmful chemical emissions. Materials used in large quantities will receive the greatest amount of review.

(c) All completed MSDS forms must comply with OSHA requirements. The Offeror and its agents are to comply with any recommended measures in the MSDS to protect the health and safety of personnel.

(d) To the greatest extent possible, sequence the installation of finish materials so that materials that will be high emitters of VOCs are installed and allowed to cure before installing interior finish materials, especially those that are "fuzzy" in nature, that may absorb contaminants and re-emit them over time.

(e) Where demolition or construction work occurs adjacent to occupied space, appropriate noise and dust barriers are to be erected and necessary steps taken to minimize interference with the occupants. This includes maintaining acceptable temperature levels during window removal, window replacement, or similar types of work.

(f) A final flush-out period of 48 to 72 hours should be provided before occupancy. Ventilate with 100 percent outside air during installation of materials and finishes. If outside air would cause unacceptable inside temperature levels and/or humidity levels, an alternate ventilation plan may be submitted to the Contracting Officer for approval.

SFO Section 5, Architectural Finishes

FLOOR COVERING AND PERIMETERS (XXX 1999)

(Add "recycled glass tile" to toilet and service areas as follows. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

Terrazzo, unglazed ceramic tile, recycled glass tile, and/or quarry tile shall be used

USE OF ENDANGERED WOOD (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

All new installations of wood products, veneer, etc., utilized under this contract should not contain wood from endangered forest areas or endangered wood species, as listed by the Convention on International Trade and Endangered Species (CITES). The list of species can be found at www.certifiedwood.org/Resources/CITES/CITESContent.html.

ADHESIVES AND SEALANTS (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

All adhesives employed on this project (including, but not limited to, adhesives for carpet, carpet tile, plastic laminate, wallcoverings, wood adhesive, or sealants) should be those with the lowest possible Volatile Organic Compound (VOC) content below 20 g/L., which meets the requirements of the manufacturer of the products adhered or involved. The Lessor should use adhesives and sealants with no formaldehyde or heavy metals.

PARTICLE BOARD AND PLYWOOD (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

Particle board and plywood materials should comply with HUD Standards for VOC emissions (particleboard: 0.2 ppm of formaldehyde, plywood: 0.3 ppm of formaldehyde).

INSULATION - THERMAL AND ACOUSTIC (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

All new installations of insulation employed on this project should not contain CFC's in the manufacturing of the product nor be used in the installation of the product. All insulation containing fibrous materials exposed to air flow must be rated for that exposure or encapsulated. Insulating properties for all materials are to meet or exceed applicable industry standards. Polystyrene products shall meet ASTM C578-91. All insulation properties should be made from recovered materials as listed in EPA's Comprehensive Procurement Guidelines.

CERAMIC TILE (XXX 1999)

(Modify (b)(6) as follows. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(b)(6) Ceramic or recycled glass tile or comparable wainscot

CEILINGS (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(a) Ceilings must be at least 8 feet and no more than 12 feet measured from floor to the lowest obstruction. Areas with raised flooring must maintain these ceiling height limitations above the finished raised flooring. Bulkheads and hanging or surface mounted light fixtures which impede traffic ways shall be avoided.

- (b) Ceilings must have a minimum noise reduction coefficient (NRC) of 0.60 and a minimum Sound Transmission Class (STC) of 40 throughout the Government occupied space.
- (c) Ceilings must be a flat plane in each room and suspended with ample light fixtures and finished as follows unless an alternate finish is approved by the Contracting Officer:
 - (1) Restrooms: plaster or pointed and taped gypsum board.
 - (2) Offices and Conference Rooms: mineral and acoustical tile or lay in panels with textured or patterned surface and tegular edges or equivalent quality to be approved by the Contracting Officer. Tiles or panels should be made from recycled materials.
 - (3) Corridors and Eating/Galley Areas: plaster or pointed and taped gypsum board or mineral acoustical tile.

PAINTING (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information. Also add (b) to the last subparagraph of Wall Coverings.)

- (a) Prior to occupancy all surfaces designated by GSA for painting must be newly painted in colors acceptable to GSA. All painted surfaces, including any partitioning installed by the Government or Lessor after Government occupancy, must be repainted after working hours at Lessor expense at least every 5 years. This includes moving and return of furniture. Public areas must be painted at least every 3 years.
- (b) A zero or low VOC latex paint should be used on all painted surfaces. The type of paint shall be acceptable to the Contracting Officer. Follow manufacturer's recommendations for the application of all paint products.
- (c) Where feasible, reprocessed or consolidated paint with zero or low VOC should be used, in accordance with EPA's CPG.

CARPET: BROADLOOM (XXX 1999)

(Modify to the existing paragraph as follows. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

- (x) Any carpet to be newly installed must meet the following specifications:
 - (1) Pile Yarn Content: staple filament or continuous filament branded by a fiber producer (i.e., Allied, Dupont, Monsanto, BASF, Talisman Mills, woolblend), soil hiding nylon, wool nylon blends or Polyethylene terephthalate (PET) Resin.
 - (2) Environmental requirements: Lessors are encouraged to use carpet that meets the "Green Label" requirements of the Carpet Research Institute as a minimum.

CARPET TILE (XXX 1999)

(Modify the existing paragraph as follows. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(x) Any carpet to be newly installed must meet the following specifications:

- (1) Pile Yarn Content: staple filament or continuous filament branded by a fiber producer (i.e. Allied, Dupont, Monsanto, BASF, Talisman Mills), soil-hiding nylon or Polyethylene terephthalate (PET) Resin.
- (2) Environmental requirements: Lessors are encouraged to use carpet that meets the "Green Label" requirements of the Carpet Research Institute as a minimum.

SFO Section 6, Mechanical, Electrical, Plumbing

DRINKING FOUNTAINS (XXX 1999)

(Use as appropriate for leasing new construction. If used, may be altered, but should contain substantially the same information.)

(a) The Lessor shall provide, on each floor of office space, a minimum of one chilled drinking fountain within every 150 feet of travel distance.

(b) Solder and flux in joining potable water supply piping shall not contain more than 0.2 percent lead and domestic water pipe or pipe fittings shall not contain more than 8 percent lead. In addition, the Offeror is to meet standards set forth in EPA's "Lead in Drinking Water Standards for Schools, and Non-Residential Buildings," EPA Publication 812-B-94-002, April 1994.

TOILET ROOMS (XXX 1999)

(Add recycled glass tile to (b)(6). Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(b) (6) Ceramic tile, recycled glass tile, or comparable wainscot

HEATING AND AIR CONDITIONING (XXX 1999)

(Add to the existing paragraph. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(g) HVAC USE DURING CONSTRUCTION:

The permanent HVAC System may be used to move both supply and return air during the construction process only if the following conditions are met:

- (1) A complete air filtration system with 60 percent efficiency filters is installed and properly maintained,
- (2) No permanent diffusers are used,
- (3) No plenum-type return air system is employed,

(4) The HVAC duct system is adequately sealed to prevent the spread of airborne particulate and other contaminants,

(5) Following the building "flush-out", all duct systems are vacuumed with portable HEPA vacuums and documented clean in accordance with the National Air Duct Cleaners Association Specifications.

(h) DUCTWORK RE-USE AND CLEANING:

Any ductwork to be reused and/or to remain in place shall be cleaned and tested and demonstrated to be clean in accordance with the standards set forth by the National Air Duct Cleaners Association. Cleaning is to occur immediately prior to Government occupancy to avoid contamination from construction dust and other airborne particulate.

VENTILATION (XXX 1999)

(Delete 2-line version of paragraph. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(a) During working hours in periods of heating and cooling, ventilation shall be provided in accordance with ASHRAE Standard 62, Ventilation for Acceptable Indoor Air Quality.

(b) Conference rooms of _____ BOMA Usable Square Feet or greater shall be provided with a dedicated source of ventilation or be fitted with air handling equipment with smoke/odor removing filters.

(c) Air filtration shall be provided by filters having a minimum efficiency rating of 40 percent as determined by the Dust Spot Efficiency Test of ASHRAE Standard 52-76.

(d) Where the Lessor proposes that the Government should pay utilities:

(1) An automatic air or water economizer cycle must be provided to all air handling equipment, where practicable.

(2) The building shall have a fully functional building automation system (BAS) capable of control, regulation, and monitoring of all environmental conditioning equipment. The BAS shall be fully supported by a service and maintenance contract.

LIGHTING: INTERIOR (XXX 1999)

(To both Lighting:Interior paragraphs, add the following subparagraph and number it (c) or (d). Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

(c/d) Energy-efficient lighting shall be maintained throughout the Government leased premises. Three principles to achieving maximum energy savings shall be considered during the designing of the Government's demised area. They are maintaining and meeting Government target light level as defined in the subparagraphs above, using efficient technologies, and energy efficient controls.

(1) Efficient Technologies: The Offeror shall select the right ballast factor to meet specific light level requirements. Low power electronic ballasts shall be used to reduce light levels to the appropriate target.

(2) Controls: The Offeror shall install occupancy sensors and/or scheduling controls to reduce the hours the lights are on when the space is unoccupied. Daylight dimming controls shall be used in atriums or any space when a considerable amount of daylight can contribute to energy savings.

OCCUPANCY LIGHT SENSORS (XXX 1999)

(Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

Lighting shall be controlled by occupancy sensors arranged to control open areas, individual offices, conference rooms, toilet rooms within the Government demised area, and all other programmed spaces or rooms within the lease space. The control system shall provide an optimal mix of infrared and ultrasonic sensors suitable for the configuration and type of space. Occupancy sensors shall be located so that they have a clear view of the room or area they are monitoring. No more than 1,000 BOMA Usable Square Feet of open space shall be controlled by occupancy sensor. All occupancy sensors shall have manual switches to override the light control especially in conference rooms. Occupancy sensors with manual switches to override the light controls shall be located on columns or walls by door openings in accordance with the Americans With Disabilities Act Accessibility Guidelines and the Uniform Federal Accessibility Standards. If light switches are to be used instead of occupancy sensors or in combination with occupancy sensors, the Offeror must notify the Government during the negotiation process.

SFO Section 7, Services, Utilities, Maintenance

JANITORIAL SERVICES (XXX 1999)

(To both Janitorial Services paragraphs, add the following subparagraph. Use as appropriate for leasing space to be provided by new construction and in existing buildings. If used, may be altered, but should contain substantially the same information.)

Selection of Cleaning Products. The Lessor, to the greatest extent possible, shall make careful selection of janitorial cleaning products and equipment to –

- (1) Use products that are packaged ecologically,
- (2) Use products and equipment considered environmentally beneficial and/or recycled products that are phosphate free, non-corrosive, non-flammable and fully biodegradable and
- (3) Minimize the use of harsh chemicals and the release of irritating fumes.

Examples of acceptable products may be found at <http://pub.fss.gsa.gov/environ/clean-prod-catalog.html>.

Selection of Paper Products. The Lessor, to the greatest extent possible, shall select paper and paper products (i.e., bathroom tissue and paper towels) with recycled content conforming to the EPA's CPG.