



ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

## THE UNDER SECRETARY OF DEFENSE

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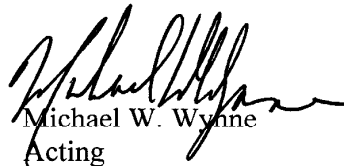
AUG 27 2004

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY  
(INSTALLATIONS AND ENVIRONMENT)  
ASSISTANT SECRETARY OF THE ARMY  
(ACQUISITION, LOGISTICS AND TECHNOLOGY)  
ASSISTANT SECRETARY OF THE NAVY  
(INSTALLATIONS AND ENVIRONMENT)  
ASSISTANT SECRETARY OF THE NAVY  
(RESEARCH, DEVELOPMENT AND ACQUISITION)  
ASSISTANT SECRETARY OF THE AIR FORCE  
(INSTALLATIONS, ENVIRONMENT AND LOGISTICS)  
ASSISTANT SECRETARY OF THE AIR FORCE  
(ACQUISITION)  
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Establishment of the DoD Green Procurement Program (GPP)

Green Procurement is the purchase of environmentally preferable products and services in accordance with Federally-mandated "green" procurement preference programs identified in the attached GPP Strategy document (Attachment 1). The DoD goal is to achieve 100% compliance with mandatory Federal GPP programs in all acquisition transactions. This goal applies to all acquisitions from major systems programs to individual unit supply and service requisitions. The GPP Strategy provides guidance to achieve this goal.

Each organization initiating contracting/procurement actions or credit card purchases is responsible for complying with GPP purchasing mandates. Environmental and procurement offices across the Department will support organizations in meeting these mandates. The DoD Environmental Management System policy (USD(AT&L) memo) dated April 5, 2002, defines the management framework for the GPP. Metrics for tracking progress toward the DoD GPP goal are provided at Attachment 2. Component Headquarters and the Office of the Secretary of Defense will annually review and monitor progress toward the DoD goal.

  
Michael W. Wynne  
Acting

Attachments:

1. GPP Strategy
2. GPP Metrics



# **PROPOSED WEB-SITE FOR GREEN PROCUREMENT STRATEGY**

**Hosted on DENIX Public Access Website**

**DP&AP Website Linked to DENIX Website**

Attachment 1

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<b><u>Introduction</u></b>
<b><u>When Do I Need to Consider Green Procurement and Where Can I Find Green Products &amp; Services?</u></b>
<b><u>DoD's Green Procurement Program</u></b>
<b><u>Roles and Responsibilities</u></b>
<b><u>Where Can I Get Training On Green Procurement?</u></b>
<b><u>Regulatory Guidance</u></b>
<b><u>Annual RCRA Reporting Requirements for Services/Agencies</u></b>
<b><u>Definitions</u></b>
<b><u>DoD GPP Facility Questionnaire</u></b>
<b><u>DoD Green Procurement Metrics</u></b>

# Department of Defense Green Procurement Strategy

**Promoting environmental stewardship throughout the Department of Defense**

This document is the DoD Strategy for Green Procurement. It is a "living" document that will be maintained and routinely updated on the Defense Procurement and Acquisition Policy (DPAP) and DENIX web sites. This method of managing the Strategy will enable the Department to be more flexible and responsive to feedback from the field and to emerging requirements and information on Federal procurement preference programs. It also supports our intent to lead continual improvement in DOD green procurement performance.

# INTRODUCTION

This document formally establishes the Department of Defense's (DoD) Green Procurement Program (GPP) and provides an agency-wide strategy for implementing an effective program. The purpose of the GPP is to enhance and sustain mission readiness through cost effective acquisition that achieves compliance and reduces resource consumption and solid and hazardous waste generation. Green procurement is the purchase of environmentally preferable products and services in accordance with one or more of the established Federal "green" procurement preference programs. The GPP applies to all acquisitions from major systems programs to individual unit supply and service requisitions.

This strategy does not directly address the compliance requirements of any specific Federal procurement preference program; rather it defines the management framework all DoD organizations will use to ensure compliance with procurement preference requirements as a routine part of day-to-day purchasing activities. DoD's procurement of green products and services contributes to sound management of the Department's financial resources, natural resources, and energy. In its day-to-day operations, DoD has the opportunity and obligation to be environmentally and energy conscious in its selection and use of products and services. Proper attention to green procurement will enhance the Department's credibility and demonstrate DoD's commitment to environmental stewardship by becoming a model consumer of green products and services. Across the government, sound environmental management and procurement are known under a variety of other names such as Affirmative Procurement (AP) and Environmentally Preferable Purchasing (EPP) to name a few. As the titles suggest, the focus of these programs has been towards procurement organizations. DoD's GPP is focused not only on the procurement function but also on the roles and responsibilities of each member of the Department and recognizes that every person has a role to play.

## Green Procurement Program Objectives:

- Educate all appropriate DoD employees on the requirements of Federal "green" procurement preference programs, their roles and responsibilities relevant to these programs and the DoD GPP, and the opportunities to purchase green products and services
- Increase purchases of green products and services consistent with the demands of mission, efficiency, and cost-effectiveness, with continual improvement toward Federally established procurement goals
- Reduce the amount of solid waste generated
- Reduce consumption of energy and natural resources
- Expand markets for green products and services

The DoD is committed to becoming a leader in green procurement. As the single largest buyer of supplies and services throughout the government, DoD must strive to ensure that every procurement meets the requirements of all applicable Federal green procurement preference programs.

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This guidance defines DoD's minimum requirements for green procurement management. It shall be implemented in all DoD and Component organizations as the management framework for Federal procurement preference programs, including those listed herein and new programs as they are established in law, regulation, or Executive Order.

The DoD GPP requires green products and services to be purchased to the maximum extent practicable, consistent with the requirements of relevant Federal procurement preference programs. No part of the DoD GPP Strategy nor DoD Component Green Procurement Programs shall be interpreted to supercede any Federal green procurement requirement.

The responsibility for implementing DoD's GPP lies not within any single organization, but with every person involved in the procurement process. From the requirements planner to the administrative contracting official, as well as government purchase card holders and persons requisitioning products or services through any source of supply or contract, each person has a role to play in ensuring that DoD complies fully with all Federal procurement preference requirements. In other words, virtually every DoD employee has some level of responsibility.

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# WHEN DO I NEED TO CONSIDER GREEN PROCUREMENT AND WHERE CAN I FIND GREEN PRODUCTS AND SERVICES?

Green products or services must be considered as the first choice in ALL procurements. There are some green procurement rules that mandate the specific procurement of supplies/services and there are some rules that only emphasize that procuring green products/services is highly preferred/recommended. For example, procurement rules REQUIRE you to purchase green products when you are planning to purchase products and services in the following categories (note that this list is not all inclusive):

- Office products (including electronic equipment)
- Printing services
- Fleet maintenance products
- Building construction, renovation and maintenance (including janitorial and landscape)
- Traffic control
- Park and recreation
- Appliances
- Lighting

The products and services listed above are addressed in one or more of the following components of the Federal green procurement preference program:

- Recovered material (Add links for each)
- Environmentally preferable (Add links for each)
- Energy efficient (Energy Star and Energy Efficient Stand-by Power Devices)
- Biobased products (Add links for each)
- Alternative fuels and fuel efficiency (Add links for each)
- Non-ozone depleting substances (Add links for each)

It should be noted that green procurement requirements apply to both supply and service acquisitions. A large number of DoD procurement and contract actions fall into the above categories. In every procurement action, the procurement request originator must justify a decision not to procure a green alternative in accordance with the requirements of Federal green procurement preference programs. As an example, for recovered material content and biobased purchases, the justification must be based upon the inability to acquire the product in a timely manner, at a reasonable price, or to satisfy the technical/performance requirements.

The EPA database at <http://www.epa.gov/epp/database.htm> provides a quick reference guide to the various programs and products involved in DoD's GPP. Once at the EPA site, click on "Search Now" and follow the links to see detailed explanations of products, guidance, and sources of supply.

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# **DOD's GREEN PROCUREMENT PROGRAM**

Although the DoD GPP encompasses many Federal procurement preference programs with potentially diverse management approaches, the overall framework selected for the DoD GPP is the basic framework of an environmental management system (EMS). The basic EMS framework consists of: Policy, Planning, Implementation and Operation, Checking and Corrective Action, and Management Review. The required elements of RCRA 6002 and Section 9002 of the Farm Security and Rural Investment Act of 2002 (The Farm Bill) correlate well with the EMS framework, and all other components of Federal green procurement may be readily integrated into the EMS framework.

The Department's GPP is jointly managed by the Deputy Under Secretary of Defense for Installations and Environment (DUSD(I&E)) and the Director, Defense Procurement and Acquisition Policy (USD(AT&L)/DP&AP). Information regarding the DoD GPP is available on DUSD(I&E) and DP&AP websites.

Each organization in DoD that defines requirements, places orders, makes purchases, or contracts for products and services shall implement the following management elements in its GPP. To the extent that any of the elements listed below are in-place and documented as integral elements of the organization's environmental management system, they need not be duplicated for the purposes of GPP implementation.

## **DoD Requirements for Green Procurement Management:**

### **a. Policy**

- Establish policy for a GPP that meets the requirements of this guidance document and is appropriate for the nature of the organization's purchasing activities.

### **b. Planning – Preference Program and Procedures**

- Establish and document a process to identify opportunities to procure green products and services in the normal course of business, maintain a list of such opportunities, and update the list regularly to reflect changes in the mission and availability of green products and services relevant to the mission. The list of green procurement opportunities should be developed and maintained at a level of the organization where initial purchasing requirements are defined.
  - Establish and document a process for setting, maintaining, and annually reviewing and updating objectives and targets [Insert a link to definitions of objectives and targets] for GPP performance that are appropriate for the nature and quantity of purchases made by the organization. Objectives and targets should be established for significant opportunities to purchase green products and services. Objectives and targets should be based on the organization's purchasing activities and applied at a level of the organization where initial purchasing requirements are defined.
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- Implement and operate the GPP in a manner that meets or exceeds the requirements of all relevant laws, regulations, and Executive orders.
- Document the objectives, targets, and actions necessary to achieve them in an installation-level plan for improving green procurement performance. Existing AP Plans may meet many of the basic requirements; however, they should be expanded during future reviews to include the DoD GPP management system structure and appropriate reference to all Federal procurement preference programs.

### **c. Implementation and Operation**

- Define roles and responsibilities for GPP implementation and operation.
    - Ensure each individual is aware of his/her responsibilities under the GPP.
    - Ensure each individual has received training to fulfill such responsibilities competently.
  - Implement training.
    - Tailor the GPP awareness training program to the nature and quantity of purchases made by the organization.
    - Include initial and refresher training for all personnel involved in the procurement process from requirements generation to contracting, credit card, or other purchase actions.
    - Incorporate the GPP awareness training program into established training programs for installation management and staff, such as new employee orientation, environmental awareness training, Contracting Officer's Representative and other procurement training, and office staff training.
    - Establish a process to identify training requirements for each position, and document initial and follow-up training for each individual with responsibilities under the GPP.
  - Implement internal and external communication programs.
    - Educate government personnel and contractors about complying with the requirements of Federal procurement preference programs.
    - Use the following tools, and others, as appropriate:
      - Electronic broadcast messages
      - Articles in agency/site newsletters
      - Web sites to provide information and notices on waste prevention, recycling, and AP of recycled content and green products and services
      - Publications, speeches, commitments, and presentations in association with DoD-sponsored and national events such as Earth Day, America Recycles Day, and DoD's annual Pollution Prevention Conference
      - DoD Solid Waste/Recycling Work Shop
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- Define GPP documentation requirements. For example, document the following:
  - Initial and follow-up training for each individual with responsibilities under the GPP
  - Justification for not purchasing green products and services
  - Certifications, estimations, and verifications
  - Performance data and metrics
  - Required reports and records
  - Other records needed for a successful program
  
- Implement operational control.
  - Establish procedures to ensure GPP requirements are addressed in all procurement actions and at each appropriate stage of the procurement process.
  - Establish procedures and approval authorities for justifications not to purchase green products.
  - Establish automatic substitution procedures where appropriate and feasible.

#### **d. Reporting and Corrective Action**

- Establish a process for evaluation and reporting of GPP performance.
  - Measure performance based on:
    - Unit-level objectives and targets established at the organization level where initial purchasing requirements are defined.
    - Installation-level objectives and targets.
    - DoD Component-level objectives and targets.
  - Use established DoD data tracking systems to measure performance consistent with DoD and Federal metrics and reporting requirements.
    - DD Form 350 (Federal Procurement Data System) data.
    - Defense Logistics Agency's web-based Green Procurement Report at [www.dlis.dla.mil/erlsgpr](http://www.dlis.dla.mil/erlsgpr).
    - GPP training data from Defense Acquisition University.
  - Develop other measurement tools as necessary to meet local mission and management goals.
  - Annually report up the chain of command as necessary to meet the Federal, DoD, and Component reporting requirements.
    - DoD will collect data annually to comply with the statutory and Executive order reporting requirements. Reporting guidance will be issued annually by OUSD(AT&L)/I&E and DP&AP.
    - All DoD organizations' respective evaluation and reporting processes shall be conducted in a manner that supports the content and timing of DoD's reporting requirements.
    - Currently, DoD's Federal agency-level reporting requirements are limited to the RCRA 6002 and EO 13101 annual report for the AP Program, and the reporting requirements of Section 314 of the FY 2003 Defense Authorization Act.
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- Incorporate GPP requirements into self assessments, compliance inspection protocols, management system audit protocols, and contract audit protocols. Note: See DoD GPP Facility Questionnaire.
- Develop corrective action procedures to address deficiencies identified in assessments, inspections, and audits.
- Conduct routine self assessments of the effectiveness of GPP awareness training, the completeness and integrity of GPP performance data, and the overall GPP.
- Evaluate the effectiveness of audit procedures, including implementation of corrective actions.

**e. Management Review**

- Establish procedures for routine (at least annual) senior management review of the effectiveness of the GPP in each relevant organization and at each level of the Department. The organization's management should review the GPP comprehensively to ensure its continued suitability and effectiveness in meeting green procurement requirements, and to ensure continual improvement in green procurement performance.
  - Include, at a minimum: results from audits, progress on objectives and targets, DD Form 350, DLA-provided green procurement data, training data, and the effectiveness of the GPP in meeting local, Component, and DoD GPP requirements. The management review process should result in documented conclusions and recommendations for which follow-on actions are required and tracked through the GPP.
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# ROLES AND RESPONSIBILITIES

## I. Procurement Request Originator and Acquisition Program Managers

Procurement request originators are responsible for:

- Identifying and documenting whether green products and services are available and can satisfy local requirements for price, availability, and performance.
- Ensuring that relevant green procurement requirements are identified, prior to submission to the contracting office or other source of supply, so that final/approved purchase requests properly address all relevant green procurement requirements.
- Consulting with contractual and environmental specialists to improve and enhance procurement plans and for preparing statements of work or specifications that incorporate relevant green procurement requirements of Federal laws, regulations and Executive Orders.
- Following DoD Component or locally established procedures for documenting exceptions to green procurement requirements.
- Applying life-cycle cost concepts to determine cost effectiveness of green alternatives for use in acquisition and procurement decisions.
- Providing oversight of contract execution to ensure green procurement requirements are addressed in accordance with the terms of the contract.

## II. Installation Procurement Offices

Contracting officials are responsible for:

- Reviewing all procurement requests to ascertain and validate whether green products or services are involved in the procurement action.
  - Providing guidance to procurement request originators and facilitating acquisition planning with respect to green products and services.
  - Providing and documenting green procurement training for procurement personnel in consultation with appropriate DoD and Component acquisition/procurement training sources and environmental management organizations.
  - Incorporating appropriate green procurement language and Federal Acquisition Regulation (FAR) clauses in contracts consistent with specifications provided by the customer.
  - Gathering, sorting, and reporting of procurement data for the purpose of management evaluation of green procurement performance, when such data is maintained in the Federal Procurement Data System or other databases operated by procurement organizations.
  - Ensuring all contract actions from development through award, execution, and close-out meet relevant FAR requirements for green procurement. Specifically, as required by FAR 23.405, these requirements include placing a written justification in the contract file for acquisitions above the micro-purchase threshold that describes why an EPA-designated product *containing recovered materials* was not acquired.
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- Maintaining required documents in the contract file to include estimates, certifications, and written justifications for exceptions.
- Accurately completing the DD Form 350, Individual Contracting Action Report (DFARS Part 53).
- Including environmental considerations (reuse, recycling, waste reduction, and green purchasing) as a selection criterion.
- Complying with procedures for monitoring and annually reviewing the effectiveness of the GPP.

### **III. Installation Environmental Managers**

Installation environmental managers are responsible for:

- Implementing an awareness program to promote green procurement.
- Advising the procurement request originators and contracting officers on acquisition strategies for green products and services.
- Providing procurement request originators and contracting officers with current Federal listings of green products and services.
- Providing procurement request originators with information and tools supporting non-mandatory GPP initiatives, such as the web links for EPA Green Cleaning Product recommendations, the EPA EPP database, and green product catalogs from the General Services Administration (GSA) and Defense Logistics Agency (DLA).
- Providing green procurement consultation support to all personnel and organizations involved in the purchasing process, including personnel and organizations that define requirements, write specifications, order, purchase, or contract for products or services.
- Providing recommendations to management personnel across all organizations involved in the purchasing process on the preparation, implementation, and monitoring of the GPP.
- Assisting organizations and personnel involved in the procurement process in utilizing the DD Form 350 data and the DLA Green Procurement Reporting tool at [www.dlis.dla.mil/erlsqpr](http://www.dlis.dla.mil/erlsqpr) to track performance.

### **IV. Installation Commanders**

Installation and operational commanders are responsible for:

- Designating the installation GPP manager.
  - Ensuring that all organizational personnel are trained in green procurement and such training is tracked, managed, and reported as necessary to ensure all personnel involved in the procurement process are aware of, competent to, and accountable for complying with green procurement requirements relevant to their procurement/purchasing action(s).
  - Establishing and updating installation-level objectives and targets for green procurement.
  - Routinely evaluating the performance of subordinate units relative to their green procurement objectives and targets.
  - Recommending personnel for White House Closing the Circle Awards.
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## **V. Military Department and Agency Heads**

Military departments and the directors of defense agencies are responsible for:

- Promoting DoD's GPP.
- Providing guidance to component/agency personnel on implementing the GPP.
- Ensuring that each installation has an effective GPP that is appropriate for the nature of its purchasing and contracting activities.
- Establishing procedures to collect data that meets reporting requirements.
- Utilizing DD Form 350 data and the DLA Green Procurement Reporting tool at [www.dlis.dla.mil/erlsgr](http://www.dlis.dla.mil/erlsgr) to track performance.
- Implement and operate the GPP in a manner that meets or exceeds the requirements of all relevant laws, regulations, and Executive orders.

## **VI. Agency Procurement Executive - Director, Defense Procurement and Acquisition Policy**

The Director, DP&AP and associated staff are responsible for:

- Ensuring that all appropriate acquisition courses offered through the Defense Acquisition University incorporate green procurement training.
- Issuing procurement policies and regulations in consonance with green procurement requirements.
- Sharing best practices.
- Promoting the Department's GPP.
- Working in consonance with the Agency Environmental Executive (AEE) to review and analyze green procurement indicators including the preparation of the annual report to the Office of the Federal Procurement Policy (OFPP) and the Office of the Federal Environmental Executive (OFEE).
- Utilizing DD Form 350 data and the DLA Green Procurement Reporting tool at [www.dlis.dla.mil/erlsgr](http://www.dlis.dla.mil/erlsgr) to track performance.

## **VII. Agency Environmental Executive (AEE) - Deputy Under Secretary of Defense (Installations and Environment)**

The DUSD(I&E) and associated staff are responsible for:

- Promulgating the Department's policies and regulations in conjunction with the Director of Defense Procurement and Acquisition Policy.
  - Sharing best practices.
  - Coordinating education and promotional activities.
  - Working in consonance with the Senior Acquisition Executive (SAE) to review and analyze green procurement indicators, including the preparation of the annual report to the OFPP and OFEE.
  - Utilizing DD Form 350 data and the DLA Green Procurement Reporting tool at [www.dlis.dla.mil/erlsgr](http://www.dlis.dla.mil/erlsgr) to track performance.
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# WHERE CAN I GET TRAINING ON GREEN PROCUREMENT?

## Green Procurement:

- **Buying Green: A Multi Functional Approach to Pollution Prevention.** To order the manual or obtain more information on training offered by the DLA Training Center call (614)692-5969, 1-800-458-7903, (269) 961-7046 or fax (269) 961-7055.
- **Green Procurement Seminar.** The U.S. Army Center for Health Promotion and Preventive Medicine (USACHPPM) offers onsite Green Procurement training to credit card buyers, procurement request originators, and contracting personnel.  
<http://chppm-www.apgea.army.mil/gswswp/SolidWaste/training.htm>

## Affirmative Procurement:

### DAU Contracting Courses: <http://www.dau.mil/>

- DAU Affirmative Procurement Continuous Learning Module:  
[http://clc.dau.mil/kc/no\\_login/portal.asp](http://clc.dau.mil/kc/no_login/portal.asp)
- DAU Purchase Card Continuous Learning Module:  
[http://clc.dau.mil/kc/no\\_login/portal.asp](http://clc.dau.mil/kc/no_login/portal.asp)

### Air Force Environmental Web University Course: <https://webu.brooks.af.mil/webu/secure/onlinecourse.asp>

### U.S. Army Center for Health Promotion and Preventive Medicine (USACHPPM): USACHPPM provides onsite AP and Green Procurement training at Federal facilities. <http://chppm-www.apgea.army.mil/gswswp/SolidWaste/training.htm>

### U.S. Army Aberdeen Proving Ground Training Module: <http://www.apg.army.mil/AP2G/EPPwebtraining.htm>

### EPA Training Information: <http://www.epa.gov/oppt/epp/gentt/index.htm>

## Federal Energy Management Program:

### FEMP Lights On-Line Training Course: <http://www.femplights.com/>

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**Related Training:**

**Buy Recycled Training Manual 5<sup>th</sup> Edition:** Contact Maryland Environmental Services,  
2011 Commerce Park Drive, Annapolis, MD 21401 (410/974-7254)

**Department of Energy Environmental Pollution Prevention Information  
Clearinghouse:** <http://epic.er.doe.gov/epic/>

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## ADDITIONAL GUIDANCE

<p><b><u>Federal Acquisition Regulation (FAR) Subpart FAR23.2</u></b></p>	<p>This subpart prescribes policies and procedures for acquiring energy- and water-efficient products and services, and products that use renewable energy technology.</p>
<p><b><u>FAR Subpart 23.4</u></b></p>	<p>This subpart prescribes policies and procedures for acquiring Environmental Protection Agency (EPA)-designated products through AP programs required by the Resource Conservation and Recovery Act of 1976 (RCRA) and Executive Order 13101.</p>
<p><b><u>FAR Subpart 23.7</u></b></p>	<p>This subpart prescribes policies and procedures for acquiring energy-efficient, water conserving, and environmentally preferable products and services.</p>
<p><b><u>Public Law 107-171</u></b></p>	<p>Known as the "Farm Bill," this law establishes the U.S. Department of Agriculture (USDA) biobased product program. USDA will designate biobased items for Federal agencies to purchase and provide recommendations for agencies purchasing these items with biobased content.</p>
<p><b><u>Section 6002 of the RCRA</u></b></p>	<p>RCRA Section 6002 requires the EPA to issue Comprehensive Procurement Guidelines (CPGs) that list designated items that are or can be made with recovered materials.</p>
<p><b><u>Code of Federal Regulation (CFR) Title 40, Part 247</u></b></p>	<p>The CFR is a publication established by Act of Congress (44 U.S.C. § 1510). It represents a compilation of all the regulations issued by Federal administrative agencies that have "general applicability and legal effect." As a consequence, the contents of the CFR covers a wide range of subjects, including Recycling and AP.</p>
<p><b><u>CPG Items</u></b></p>	<p>The EPA CPGs list 54 items which can be purchased with recycled content paper, rerefined oil, flyash in concrete, etc. The Agency must require that 100% of purchases meet or exceed CPG. A written justification/waiver is required for non-compliance. The CPG product lists and Recovered Materials Advisory Notice (RMAN) guidance are summarized for convenience on a single Web page, <a href="http://www.epa.gov/cpg/products.htm">www.epa.gov/cpg/products.htm</a></p>
<p><b><u>RMAN</u></b></p>	<p>RMANs provide purchasing guidance and recommend recovered and postconsumer material content levels for designated items. RMAN recommendations are guidance and therefore are not codified in the CFR. The RMANs recommend recycled-content ranges for CPG products based on current information on commercially available recycled-content products. RMAN levels are updated as marketplace conditions change.</p>
<p><b><u>Draft Federal Green Construction Specifications</u></b></p>	<p>The DRAFT Federal Guide for Green Construction Specs are being developed by EPA, the Federal Environmental Executive, and the Whole Building Design Guide, to help Federal building project managers meet mandates established by statute and Executive Orders, as well as EPA and DOE program recommendations. The specifications reference several North American forest certification standards and other information pertinent to green construction.</p>
<p><b><u>U.S. General Service Administration</u></b></p>	<p>GSA is one of the three central management agencies in the Federal Government. The goals are to avoid "senseless duplication, excess cost, and confusion in handling supplies," as well as to provide space for the Government to do its work. GSA provides a wealth of green supplies and services. Details may be found at GSA's environmental website.</p>

<b><u>Defense Logistics Agency</u></b>	The DLA procures common usage items for all military departments and DoD agencies. Their automated procurement system (EMALL) provides for a simple method by which green products may be acquired. You can visit the EMALL at <a href="http://www.emall.dla.mil">www.emall.dla.mil</a> .
<b>Executive Order 13101</b>	Requires Federal agencies to incorporate waste prevention and recycling into daily operations and to increase the use of recovered materials by instituting procurement preferences for these products.
<b><u>Executive Order 13221</u></b>	"Energy Efficient Standby Power Devices" – Requires Federal agencies to purchase products that use no more than one watt in their standby power consuming mode. DOE's FEMP program develops lists of recommended products that meet this requirement.
<b><u>Executive Order 13150</u></b>	"Federal Workforce Transportation" – Establishes programs providing incentives for Federal employees to use mass transportation and vanpools.
<b><u>Executive Order 13149</u></b>	"Greening the Government Through Federal Fleet and Transportation Efficiency" - Requires the Federal Government to reduce petroleum consumption through improvements in fleet fuel efficiency and the use of alternative fuel vehicles (AFVs) and alternative fuels.
<b><u>Executive Order 13148</u></b>	"Greening the Government Through Leadership in Environmental Management" – Requires Federal agencies to establish environmental management systems; implement compliance audits and pollution prevention programs; meet the legal requirements of the Emergency Planning and Community Right-to-Know Act (EPCRA); reduce the use of toxic and hazardous substances; reduce ozone depleting substance use; and implement sustainable landscaping practices.
<b><u>Executive Order 13134</u></b>	"Developing and Promoting Biobased Products and Bioenergy" – Requires USDA, DOE and other agencies to work together to promote the development and use of biobased products and bioenergy in an environmentally sound manner.
<b><u>Executive Order 13123</u></b>	"Greening the Government Through Efficient Energy Management" – Requires Federal agencies to reduce greenhouse gas emissions and energy use caused by facility operations; expand renewable energy use; reduce the use of petroleum in facilities; and reduce water consumption in facilities.
<b><u>Section 314, 2003 National Defense Authorization Act</u></b>	Tracking systems and training related to the procurement of environmentally preferable procurement items.

# **ANNUAL RCRA REPORTING REQUIREMENTS FOR SERVICES/AGENCIES**

**[Insert Link to the annual OFPP/OFEE RCRA 6002 and EO13101 report format. (See attached.)]**

[Insert link to Section 314 of the 2003 National Defense Authorization Act.]

(Web links are to be added at a later time.)

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# DEFINITIONS

**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. [EO 13101]

**Affirmative Procurement Program (APP)** - a program assuring CPG items composed of recovered materials will be purchased to the maximum extent practicable, consistent with Federal law and procurement regulations. [RCRA, section 6002].

**Biobased Product** – a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials. **The 2002 Farm Bill mandated that biobased products also be included in Federal APPs.**

**Case-by-Case Procurement** - open competition for contract awards among products made of virgin and recovered materials with preference being given to the latter (vice identifying minimum content standards required). [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 postconsumer waste and recycled material contained in the major constituents of the product. [EPA Guidelines]

**Components of the Federal Green Procurement Preference Program:**

- Recovered material
- Environmentally preferable
- Energy efficient (Energy Star and Energy Efficient Stand-by Power Devices)
- Biobased products
- Alternative fuels and fuel efficiency
- Non-ozone depleting substances

**Cost-Effective Procurement Preference Program** - a procurement program favoring more environmentally-sound or energy-efficient products and services than other competing products and services, where price and other factors are equal. [OFPP Policy Letter 92-4]

**Designated Item** - an available EPA CPG item or category of items, made with recovered material, advancing the purpose of RCRA when purchased. [RCRA, section 6002]

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**Energy-efficient Product** – a product in the upper 25 percent of efficiency for all similar products or, if there are applicable Federal appliance or equipment efficiency standards, a product that is at least 10 percent more efficient than the minimum Federal standard.

**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. [EO 13101]

**Environmentally-Sound** - a product or service less damaging to the environment when used, maintained, and disposed of in comparison to a competing product or service. [OFPP Policy Letter 92-4]

**Estimation** - quantitative determination made by vendors of the total percentage of recovered material contained in offered products. Estimations should be based on historical or actual percentages of recovered materials in products sold in substantial quantities to the general public or on other factual basis. EPA recommends procuring agencies maintain records of these documents for 3 years by product type, quantity purchased, and price paid. [EPA Guidelines]

**Executive Agency or Agency** - an Executive agency as defined in 5 U.S.C. 105. For the purpose of this order, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the DoD.

**Federal Supply Source** - any supply source managed by a Federal agency such as the GSA, Government Printing Office, or Defense General Supply Center.

**Green Products/Services** - For the purposes of this document, Green Products and Services are defined as products and services meeting the requirements of one or more of the components of Federal green procurement preference programs: the RCRA Section 6002; EOs 13101 (including traditional Affirmative Procurement and Environmentally Preferable Products), 13134, 13221, 13123, 13148, 13149 and 13150; Electronic Stewardship requirements; the Buy-Bio requirements of the 2002 Farm Bill (Public Law 107-171); and any Federal procurement preference programs implemented after the date of this document.

**Life Cycle Cost** - the amortized annual cost of a product, including capital costs, installation costs, operating costs, maintenance costs, and disposal costs discounted over the lifetime of the product. [EO 13101]

**Life Cycle Assessment** - the comprehensive examination of a product's environmental and economic aspects and potential impacts throughout its lifetime, including raw material extraction, transportation, manufacturing, use, and disposal. [EO 13101]

**Minimum Content Standard** - the minimum recovered material content specifications set to assure the recovered material content required is the maximum available without

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jeopardizing the intended item use or violating the limitations of the minimum content standards set forth by EPA's guidelines. [RCRA, section 6002]

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

**Pollution Prevention** - "source reduction" as defined in the Pollution Prevention Act of 1990, 42 U.S.C. 13102, and other practices that reduce or eliminate the creation of pollutants through: (a) increased efficiency in the use of raw materials, energy, water, or other resources; or (b) protection of natural resources by conservation.

**Postconsumer Material** - a material or finished product whose life as a consumer item has concluded, after having served its intended use and being discarded for disposal or recovery. "Postconsumer material" is a part of the broader category of "recovered materials." [EO 13101]

**Postconsumer Waste** - a material or product discarded for disposal after passing through the hands of a final user, having served its intended purpose. Postconsumer waste is part of the broader category "recycled material." [OFPP Policy Letter 92-4 and 49 CFR 247.101(e)]

**Practicable** - capable of performing in accordance with applicable specifications, available at a reasonable price and within a reasonable period of time, while maintaining 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]

**Preference Standard** - the highest practicable minimum content standard for products. When minimum content is impractical to calculate, preference is for the presence of a recovered material or an environmentally-preferable trait (i.e., retread tires).

**Procurement Guidelines** - regulations issued by EPA pursuant to section 6002 of RCRA: (1) identifying items produced (or can be produced) with recovered materials and where procurement of such items will advance the objectives of RCRA; and (2) providing recommended practices for the procurement of such items. [RCRA, section 6002]

**Procurement Request Originators** – the individual or organization responsible for defining the requirements for a purchase or acquisition program. This term includes, but is not limited to, engineers, acquisition program managers, and all contract specification writers/reviewers.

**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. [EPA Guidelines]

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**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. [EO 12873 and 42 U.S.C. 6903 (19)]

**Recyclability** - the degree to which a product or material may be recovered or otherwise diverted from the solid waste stream for the purpose of recycling. [EO 13101]

**Recycled Material** - a material utilized in place of raw or virgin material in product manufacturing consisting of materials derived from postconsumer waste, industrial scrap, material derived from agricultural wastes, and other items, all of which can be used in new product manufacture. [EPA Guidelines and OFPP Policy Letter 92-4]

**Recycling** - the series of activities, including collection, separation, and processing, by which 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). [EO 13101]

**Solid Waste** - garbage, refuse, sludges, 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. [EPA Guidelines]

**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.)

**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** - previously unused raw material, including previously unused copper, aluminum, lead, zinc, iron, other metal or metal ore; or any undeveloped resource that is, or with new technology will become, a source of raw materials. ?

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# DoD GPP FACILITY QUESTIONNAIRE

**Organizational managers may wish to utilize the questionnaire below to assess their GPP.**

Policy:

- Does the organization have policy specifically requiring a Green Procurement Program (GPP), and compliance with all the requirements of all components of the Federal green procurement preference program?

Planning:

- Has the organization established objectives/targets for GPP performance (purchases of green products and services) that are consistent with the nature and quantity of purchasing activities?
- Does the organization have written procedures for setting, tracking, and updating objectives and targets?
- Are documented procedures in-place to achieve these objectives and targets?

Implementation and Operation:

- Is the organization's GPP awareness training program tailored specifically to the nature and quantity of purchases typically made by the organization?
- Does the organization's GPP assign responsibility for implementation of the GPP awareness training program to a specific person/office?
- Does the GPP awareness training program provide initial and refresher training to all personnel involved with preparation of specifications/statements of work, purchases with government credit cards, contracting/ procurement?
- Does the organization have a documented process for tracking initial and refresher training for all personnel involved in the procurement process?
- Does the organization have documented procedures to ensure green procurement opportunities are identified for each purchasing action?
- Does the organization have documented procedures to ensure green products or services are purchased preferentially in each purchasing action?
- Does the organization have documented procedures to ensure that the relevant green procurement contract language and FAR clauses are incorporated in all contracts?
- Does the organization have documented procedures to ensure that the green procurement requirements are executed in accordance with contract requirements and that such execution is verified?
- Does the organization have documented procedures for justifying and granting approval for decisions not to purchase green products or services?

Reporting and Corrective Action:

- Does the organization's GPP assign responsibility for routine measurement, evaluation, and reporting of GPP performance data?
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- Does the organization's GPP require routine self-assessments of the effectiveness of awareness training and the completeness and integrity of GPP performance data?
- Has the organization incorporated GPP requirements into self-assessments, compliance inspection protocols, and management system audit protocols?
- Do the organization's inspection protocols include evaluations of GPP awareness training, performance measurement, and responsibility/accountability?
  
- Do the organization's self-assessment, compliance inspections, and management system audit procedures include requirements for follow-up action and documented closure of deficiencies in GPP?

Management Review:

- Does the organization's GPP include a management review process?
  - Does the management review process provide facility senior leadership with accurate and timely data regarding the organization's GPP performance?
  - Does the management review process include provisions for feedback and policy changes to ensure continuous improvement in GPP performance?
  - Does the management review process require documentation, tracking, and closure of actions resulting from the review process?
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## **DoD GREEN PROCUREMENT METRICS**

The Office of the Secretary of Defense, DoD Components, and individual procuring organizations will guide and measure progress toward the DoD goal of 100% Compliance with Federal green procurement mandates with the following tools and criteria:

1. The Codes in DD Form 350, *Individual Contracting Action Report*, Line B12F (or successor data capture report), using data from the Federal Procurement Data System (or successor system).
2. Purchases of Federally-defined indicator items as determined using data from Defense Logistics Agency's Green Procurement Reporting/Environmental Logistics Reporting System at [www.dlis.dla.mil/erlsgpr](http://www.dlis.dla.mil/erlsgpr).
3. Contracting personnel trained in green procurement using data from the Defense Acquisition University's training information database.

OSD and the DoD Components will review and monitor green procurement performance trends using the following metrics:

1. Percent reduction in the number of "E" codes in DD Form 350 (or successor data capture system), Line B12F, and percent increase in the number of "A" codes in DD Form 350 (or successor data capture system), Line B12F.
2. Increase in the percentage of purchases of Federally-defined indicator items relative to the number of all similar purchases in each category.
3. Increase in the percentage of contracting personnel trained in green procurement.

DoD Affirmative Procurement reports for FY 2003 and prior years can be found at:  
<https://www.denix.osd.mil/denix/Public/News/news.html#osd>

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