

**Department of Agriculture
Biobased Affirmative Procurement Program**



May 8, 2006

Executive Summary

In the Farm Security and Rural Investment Act (FSRIA) of 2002 (Public Law 107-171, dated May 13, 2002, section 9002 established a Federal procurement program for biobased items designated by the United States Department of Agriculture (USDA). This document formally establishes USDA's biobased preference program as directed by section 9002.

USDA's Biobased Affirmative Procurement Program (APP) will ensure that USDA designated biobased items will be purchased to the maximum extent practicable, and provides department-wide guidance for implementing the Federal Biobased Products Preferred Procurement Program (FB4P). This APP went into effect on March 16, 2006, when USDA formally designated six biobased items. Its purpose is to be used for the mandatory acquisition of USDA designated biobased products and services that require biobased products.

This document is consistent with USDA's "Guidelines for Designating Biobased Products for Federal Procurement" published in the Federal Register on January 11, 2005 and applicable provisions outlined in the Energy Policy Act of 2005. USDA's FB4P program is led by the Office of the Chief Economist and the Departmental Administration.

Annually, the Federal government purchases billions of dollars of products and services. Some of these products, and products used in the delivery of certain services, can be produced from biobased resources in lieu of products derived from non-renewable resources. The use of biobased products holds the promise of:

- creating new domestic demand for many agricultural commodities that can serve as feedstocks for production of biobased products;
- spurring the industrial base through value-added agricultural processing and manufacturing in rural communities; and
- enhancing the Nation's energy security by substituting domestically produced biobased products for those made from fossil energy-based products derived from imported oil and natural gas.

This Biobased APP is a living document and shall be amended as appropriate to implement the requirements of FSRIA section 9002 and the Federal Acquisition Regulation (FAR) on the purchasing of biobased products. Additionally, this Biobased APP will be updated once items have been designated. In the interim, program and procurement officials should become familiar with its general provisions.

Questions on compliance and implementation issues in this guidance may be directed to:

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Acronyms

APP	Affirmative Procurement Program
BEES	Building for Environment and Economic Sustainability
BPA	Blanket Purchase Agreements
CAAC	Civilian Agency Acquisition Council
DARC	Defense Acquisition Regulatory Council
DAU	Defense Acquisition University
DoD	Department of Defense
EMS	Environmental Management Systems
EPA	Environmental Protection Agency
FAI	Federal Acquisition Institute
FAR	Federal Acquisition Regulation
FB4P	Federal Biobased Products Preferred Procurement Program
FPDS	Federal Procurement Data System Next Generation
FSRIA	Farm Security and Rural Investment Act of 2002
GAO	Government Accountability Office
GPRA	Government Performance Results Act
GSA	General Services Administration
IAS	Integrated Acquisition System
JWOD	Javits-Wagner-O'Day Act
LEED	Leadership in Energy and Environmental Design
NIST	National Institute of Standards and Technology
OFEE	Office of the Federal Environmental Executive
OFPP	Office of Federal Procurement Policy
OSDBU	Office of Small and Disadvantaged Business Utilization
PBS	Public Building Service
RCRA	Resource Conservation and Recovery Act
UNICOR	Federal Prison Industries, Inc.
USDA	United States Department of Agriculture

1.0 Purpose, Authority, Applicability, and Definitions

1.1 Purpose

This document formally establishes the United States Department of Agriculture's (USDA) Biobased Affirmative Procurement Program (APP) for the Federal Biobased Products Preferred Procurement Program (FB4P). This Biobased APP fulfills the affirmative procurement requirements of section 9002 of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171, hereafter referred to as FSRIA, the Energy Policy Act of 2005, and provides department-wide guidance for implementing an effective biobased procurement program. The USDA's Biobased APP ensures that USDA-designated biobased items will be purchased to the maximum extent practicable, and is consistent with USDA'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> for the Final Rule.

The objectives of the biobased preference procurement program are threefold: The first is to increase demand for biobased products. This would have beneficial effects that include: 1) an increase in domestic demand for many agricultural commodities that can serve as feedstocks for production of biobased products, and 2) a reduction in the environmental impact, by substituting Biobased products for less environmentally friendly materials.

The second objective is to spur development of the industrial base through value-added agricultural processing and manufacturing in rural communities. Because biobased feedstocks are largely produced in rural settings and, in many cases because of their bulk require pre-processing or manufacturing close to where they are grown, increased dependence on biobased products appears likely to increase the amount of pre-processing and manufacturing of biobased products in rural regions of the Nation. This trend would help to create new investments, job formation, and income generation in these rural areas.

The third objective is to enhance the Nation's energy independence by substituting biobased products for fossil energy-based products derived from imported oil and natural gas.

1.2 Authority

The Farm Security and Rural Investment Act of 2002 (FSRIA), Public Law 107-17 was enacted on May 13, 2002. The law provides a mechanism to increase Federal government purchasing of designated biobased products. Section 9002 directs USDA to designate biobased items. Federal agencies are required to purchase USDA designated biobased items. This is mandatory, not voluntary. (Exempt from these requirements are any procurement by any Federal agency that is subject to regulations of the Administrator of the Environmental Protection Agency under section 6002 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (40 CFR part 247). Products designated by EPA take precedence over Biobased products.)

The law further stipulates that USDA must prepare guidelines with regard to the designation and procurement of designated biobased products and that all Federal government agencies must establish Affirmative Procurement Programs for USDA designated biobased items within one year of the guidelines' publication. In addition, Federal agencies must assure that specifications require the use of designated biobased items consistent with the USDA guidelines within one year of the guidelines' publication. Refer to <http://www.biobased.oce.usda.gov/files/TITLEIX.pdf> for section 9002 of FSRIA.

1.3 Applicability

Section 9002 of FSRIA and USDA's procurement guidelines apply to all Federal procuring agencies that are using Federal funds for procurement or any person contracting with any Federal agency with respect to work performed under the contract.

USDA's procurement guidelines, per FSRIA, apply to an agency whose total annual purchases (for each designated item) exceeded \$10,000 in the current fiscal year or exceeded \$10,000 in the previous fiscal year. Thus, the procurement requirements identified in USDA's guidelines apply to the Department of Agriculture as a whole and all Department of Agriculture program offices, operations offices, sites, and all applicable contractors.

1.4 Definitions

Biobased Content – determined based on the amount of biobased carbon in the material or product as a percent of weight (mass) of the total organic carbon in the material. [USDA, “Guidelines for Designating Biobased Products for Federal Procurement”]

Designated Biobased Product - a product determined by the Secretary to be a commercial or industrial product (other than food or feed) that is composed, in whole or in significant part, of biological products or renewable domestic agricultural materials (including plant, animal and marine materials) or forestry materials. [FSRIA, section 9001]

Designated Item - a generic grouping of biobased products that are eligible for procurement preference established under section 9002 FSRIA. [USDA, “Guidelines for Designating Biobased Products for Federal Procurement”]

Procuring Agency - a procuring agency as any Federal agency that is using Federal funds for procurement or any person contracting with any Federal agency with respect to work performed under the contract. [Energy Policy Act of 2005]

2.0 AFFIRMATIVE PROCUREMENT PROGRAM

2.1 Policy

It is USDA's policy that a preference for designated biobased products be established in all USDA contracts when practical, including those at or below the simplified acquisition threshold (\$100,000) and the micro-purchase threshold (\$2,500). The preference for designated biobased items, as defined by FSRIA, does not supersede the small business programs as defined in the FAR. All USDA personnel shall procure biobased products when making purchases at or below the simplified acquisition micro-purchases threshold. Biobased items that require a procurement preference are items that have been officially designated by the Secretary of Agriculture.

USDA recognizes that the responsibility of successfully implementing this Biobased APP must be held at every level of the procurement process. To this end, USDA is actively working to ensure that every person involved in the process, from the acquisition planners to the administrative contracting officials, as well as government purchase card holders will be educated and is held accountable for their role in the success of this program.

2.2 General

In accordance with FSRIA, section 9002, all procuring agencies are to implement an Affirmative Procurement Program consisting of the following elements: (1) a biobased products preference program for designated biobased products; (2) an agency promotion program; and (3) annual review and monitoring of the effectiveness of the Biobased APP.

2.3 Part 1. Biobased Products Preference Program

In accordance with FSRIA, section 9002, 100 percent of USDA's purchases of designated items will meet or exceed USDA guideline standards that are published as a final rule unless there is justification that the items (a) are not reasonably available within a reasonable period of time; (b) fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or (c) are available only at an unreasonable price.

2.3.1 USDA-Designated Products

Under FSRIA, section 9002, USDA's biobased preference program is supported by USDA's designation of biobased items published in the Federal Register. USDA shall give preference to procuring and using designated biobased products.

On July 5, 2005, USDA published in the Federal Register a proposed rule to designate the first six biobased items. See URL <http://www.oce.usdagov/files/biobased.pdf> for the proposed rule.

Once items become designated, they shall be purchased containing no less than the minimum percentages of biobased materials (biobased content) as indicated in the final rule (Appendix A). USDA's recommended materials content ranges, product specifications, and other product information can be obtained from USDA's FB4P Designation and Certification web site at <http://www.biobased.oce.usda.gov>.

FSRIA, section 9002, directs USDA to continue to designate items made from biobased material in order to further increase markets. As required by FSRIA, section 9002, USDA and all Federal agencies shall incorporate additional items into its Biobased APP within one year after USDA designates new items.

2.3.2 Federal Acquisition Regulation (FAR)

USDA prepared a FAR Case to implement the procurement requirements of FSRIA, section 9002, to amend FAR Parts 2, 7, 11, 12, 13, 23, 42, and 52. The FAR Council is actively working to amend the FAR to include the biobased procurement provisions of FSRIA, section 9002, and section 943, of the Energy Policy Act of 2005.

2.3.3 Agriculture Acquisition Regulations and Advisories

USDA Acquisition Regulations and Advisories shall be amended as appropriate to implement the requirements of FSRIA, section 9002, and the FAR on the purchasing of designated biobased products.

2.3.4 Regulations

USDA will review its internal agency procurement supply, program, logistics procedures, plans, and directives and revise them as necessary to achieve the goals of FSRIA, section 9002.

2.3.5 Acquisition Planning

Designated biobased product requirements shall be considered during the acquisition planning stage. USDA personnel involved in planning for acquisitions shall consider the use of designated biobased products from the beginning of acquisition planning in order to meet the mission.

2.3.6 Specification Review/Revision

Agency program offices shall review and revise specifications, product descriptions, and standards during the acquisition planning stage to enhance USDA's procurement of designated biobased products. Standards or specifications unrelated to performance or presenting barriers to procuring designated biobased products shall be revised or eliminated when reviewing or drafting procurement specifications. When revising USDA specifications, a preference shall be expressed for designated biobased materials, to the maximum extent practicable and to the mandatory purchasing of products containing biobased material. Additionally, when two or more small businesses exist that can provide qualified biobased-designated items as a prime contractor, the product should be set aside for small business. Furthermore, prime contractors should

considered small businesses that can provide these products, as subcontractors if the products are (1 reasonably available, (2 meet necessary performance standards, and (3 the items are available at a reasonable price.

2.3.7 Certification

The draft USDA FAR rule on the procurement designated biobased items will require agency contracting officers to insert a certification provision on designated biobased products in all new solicitations and contracts for construction and other support services. This provision will require contracting officers to assure that vendors (1) provide written certification that their products meet the minimum content standards in the solicitation documents; (2) maintain copies of certification documents; and (3) produce copies of the written certification upon request.

The draft provision can be found in Appendix B and is currently being reviewed for rulemaking by the Civilian Agency Acquisition Council (CAAC) and the Defense Acquisition Regulatory Council (DARC).

2.3.8 Contracting Officers

USDA's contracting officers shall ensure that additional applicable FAR clauses are inserted appropriately in all new solicitations and contracts. Once appropriate provisions are included in the contract, the contractor shall comply with USDA's Biobased APP. It is the responsibility of USDA contracting officials to ensure that: (1) FAR and APP Biobased requirements are included when modifying existing contracts that contain biobased products, and, (2) appropriate new contracts contain Biobased APP compliance provisions. Related procurement policy shall be provided to USDA's contractors through the Department of Agriculture Acquisition Regulation.

USDA contracting officers shall ensure that contractors are familiar with all applicable Biobased APP requirements contained in their contracts. The contracting officers shall review with appropriate contractors their role in the procurement of designated biobased products during the initial contract signing period and shall reinforce with the contractor, the requirements of the FSRIA, and relevant Executive Orders when appropriate during subsequent meetings and correspondence.

2.3.9 Life-Cycle Assessments

USDA's "Guidelines for Designating Biobased Products for Federal Procurement" allow contracting officers to request life cycle assessments from vendors and contractors to use as part of their overall cost determination. These assessments may be provided based on tests using either the Building for Environment and Economic Sustainability (BEES) methodology developed by the Department of Commerce's National Institute of Standards and Technology (NIST) (see <http://www.nist.gov/>) or a third-party or in-house analysis using the ASTM standard D 7075 for evaluating and reporting on environmental performance of biobased products.

2.3.10 Contractors

As specified in section 943 of the Energy Policy Act of 2005, the biobased procurement requirements outlined in this document also apply to all USDA contractors when they are purchasing or supplying USDA-designated items for use in the performance of a contract.

2.3.11 Resource Selection/Evaluation

In order to lead by example, USDA shall add source selection factors that shall be used when evaluating all service contracts containing designated biobased products. USDA shall consider a contractor's use and purchasing of designated or non-designated biobased products as a factor in evaluating the contractor's past performance. Refer to Appendix C for a Sample Section L, Instructions to Offerors and to Appendix D for a Sample Section M, Evaluation Factors for Award that contain designated biobased source selection factor.

2.3.12 Justification for Not Buying USDA-Designated Biobased Products

Under FSRIA, section 9002(c)(2), agencies are given some flexibility in purchasing designated biobased products. An agency may decide not to procure such items if the designated biobased products: 1) are not reasonably available within a reasonable period of time; 2) fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or 3) are available only at an unreasonable price. Decisions not to buy designated biobased products should be justified in writing.

2.3.13 Procurement Tools

USDA's Procurement Forecast - In fiscal year 2007 USDA will add a biobased element to its Procurement Forecast to identify biobased product contract opportunities. Refer to Appendix E for USDA contracts that were targeted from the fiscal year 2005 Procurement Forecast for insertion of language to add designated biobased products.

Templates/Model Language - USDA shall review contracts such as maintenance and repair, janitorial, facilities management, motor vehicle maintenance, construction, food services, or any other type of contract and identify those contracts where biobased language can be inserted. Templates shall be developed for the top six USDA contracts as measured in dollars. Refer to Appendix F for a template and sample biobased language on Custodial Services. USDA shall review specifications and provide model language on biobased products for incorporation into agency standards and specifications.

2.3.14 Future Activities to Support USDA's Biobased Preference Program

AGAR Advisory – USDA is Developing an Agriculture Acquisition Regulation (AGAR) Advisory is to increase the number of opportunities for businesses to identify USDA solicitations advertised in FedBizOps that contain biobased product requirements. (SEE Appendix K)

Labeling Program – Section 9002 of FSRIA also establishes a voluntary program under which the Secretary authorizes biobased manufacturers to self-certify their products as “U.S.D.A. Certified Biobased Product.” Certified products that have been previously designated must meet the minimum criteria set in the designation final rule. This voluntary program will be launched in the near future.

Federal Supply Sources – USDA is working to ensure that USDA Advantage! provides easy access to designated biobased products available on the catalog. USDA Advantage! is part of USDA's Integrated Acquisition System (IAS) "e-Alliance" initiative, an effort to better leverage USDA spending power to obtain better pricing, ordering methods, and delivery terms for commonly acquired items and services. USDA Advantage! can be accessed at https://usdaadvantage.gsa.gov/advgsa/advantage/main/start_page.do?store=USDA

USDA will continue to work with other Federal supply sources, such as GSA, the Javits-Wagner-O'Day (JWOD) Program, the Defense Logistics Agency, Department of Defense (DoD) EMALL, and Federal Prison Industries, Inc. (UNICOR), to include and make USDA-designated items easily identifiable. Procuring biobased products through these sources offers procurement officials the following advantages, 1) products have been competitively bid, and 2) products should meet procurement office's specifications.

Mandatory Purchasing Programs – USDA will work to combine the requirements of section 9002 of FSRIA with other mandatory programs and certifications, such as the JWOD program, to increase each program's effectiveness. To that end, USDA will partner with JWOD personnel to review their product offerings to ensure items comply with designated biobased requirements and will work with them on helping to bring to market designated biobased products. USDA will promote “Buy Biobased with JWOD.”

Real Property and Management – USDA will work with the General Service Administration's (GSA's) Public Building Service (PBS) to identify tools for incorporating designated biobased requirements into real property acquisition and management (i.e., Federal owned/leased space, government owned/contractor operated space, contractor owned/contractor operated space, tenant-maintained space, rehabilitation, renovation and maintenance, and new construction). Discussions will be conducted with the GSA real property acquisition and management personnel to update the Federal Government's Solicitation for Offer “model green lease” to incorporate designated biobased product requirements. USDA will discuss with PBS personnel how to incorporate designated biobased products into the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) system. All new USDA leases will include provisions that require the use of designated biobased products such as biobased cleaning materials and others, where appropriate.

2.4 Part 2. Promotion Program

USDA is actively promoting its Biobased APP. Promotion is internal as well as external and consists of two components: outreach and training.

2.4.1 Outreach

Since many people within USDA and other Federal agencies are unaware of the requirements of FSRIA, section 9002, outreach is a vital first step to any promotion program. Internal outreach is comprised of workshops, conferences and other internal communication. There are many means of providing this outreach including:

- Educational sessions/workshops conducted at USDA headquarters and field offices describing the affirmative procurement of designated biobased products, pilot projects, and lessons learned; identifying end users (i.e. fleet users and purchase card holders) within the Department and suggesting biobased products that they could potentially use;
- Traveling exhibits and presentations to explain the program to appropriate agency employees;
- Teleconferences between Office of Procurement and Property Management (OPPM), Agriculture Research Service (ARS), Agricultural Management Service (AMS), Rural Development (RD) and Forest Service (FS) to facilitate discussion and information sharing on biobased products and activities; and
- USDA biobased website which will provide all available information to both USDA employees and the general public.

USDA's OPPM has developed and assembled informational literature that explains, promotes and facilitates the implementation of the FB4P. These materials would be shared in the outreach venues listed above, and they include:

- USDA "Buy Biobased Products" brochure (Appendix H);
- Biobased success stories (Appendix I);
- Fact sheets specifically tailored to fleet managers, card holders and contracting officials explaining designated biobased products and other relevant information;

A key component of external outreach is publicity. Other Federal agencies and the general public, particularly the biobased manufacturing community, need to be aware of the program. A (nationwide) marketing and communication plan will be developed to raise this awareness. Components of that plan will include:

- Periodically announcing USDA’s biobased products preference program in trade publications, general announcements, and procurement publications; and
- Publishing articles on FB4P in national publications, such as National Contract Magazine Journal and Biocycle and government-wide publications such as Federal Insight.

As with internal outreach, USDA will need additional venues to share information on the FB4P with more targeted audiences. This means that in addition to USDA’s biobased website, USDA will provide its information through additional websites as well such as the Office of Federal Environmental Executive (OFEE) website, www.ofee.gov, and the Acquisition Reform Network website, www.arnet.gov.

Also, USDA plans to do other targeted outreach including:

- Sponsoring exhibits and presentations on the FB4P at events such as GSA Expo, the Federal Acquisition Conference, Joint Services Environmental Management Conference, and the National Contract Management Association World Congress;
- Partnering with the Cooperative State Research, Education and Extension Service to provide information on FB4P to land-grant colleges and other institutions; and
- Working with the Office of Small and Disadvantaged Business Utilization, to identify women-owned, small disadvantaged, HUBZone, and service disabled veteran owned small businesses that are biobased product vendors, and define biobased procurement opportunities for them.

USDA will encourage and test biobased purchasing principles and guidelines through pilot acquisitions of biobased products. As appropriate, these pilot projects can be used to test product performance, innovative contracting strategies, or internal models. The results of these pilot projects will be disseminated throughout USDA, publicized on relevant web sites, and shared with other Federal agencies.

USDA Biobased Champions – USDA knows it will be important to target promotion and enlist proponents when launching this program. To this end, USDA will recognize Biobased Champions within the Department and its subsequent field offices and support them in carrying out the requirements of FSRIA, section 9002.

4.2 Training

Acquisition, procurement, supply, and program personnel receive training from various sources, specifically, the Federal Acquisition Institute (FAI), the Defense Acquisition University (DAU), and in general, through USDA provided training programs. USDA’s OPPM and AgLearn Staff will work with FAI and DAU to develop or modify courses to reflect the requirements of section 9002 of FSRIA.

USDA has designed and implemented a web-based awareness curriculum for program, contracting officers, and contract specialists on the biobased requirements of section 9002 of FSRIA, benefits of designated biobased purchasing, methods and procedures for selecting designated biobased products, and incorporating designated biobased purchasing into daily operations. That web-based training program is being incorporated into USDA's AgLearn site at the present time. Refer to <http://www.AgLearn.usda.gov/> for information on the biobased web-based training. USDA's web-based biobased awareness training will be mandatory for all contracting officials, USDA purchase cardholders and for all USDA program officials that develop specifications and requirements for the procurement of goods and services.

USDA will also work with the Office of Federal Procurement Policy (OFPP) and OFEE to revise and update the biobased module in the on-line green purchasing training course that OFPP and OFEE have developed with the Office of Personnel Management's USALearning program.

USDA and AgLearn staff will provide training and refresher training to program managers and credit card holders concerning the requirements of section 9002 of FSRIA. Training can consist of agency-sponsored workshops, electronic training, manuals, and web-based training. Training for USDA credit card holders is essential because of the large volume of transactions and dollars handled by USDA credit card holders.

USDA will ensure that training is established at all levels, i.e., new employee training, refresher training, and office staff training.

USDA will create curriculum on biobased products and procurement for classroom use.

USDA will develop a biobased module that can be inserted into its Environmental Management Systems (EMS) training.

2.5 Part 3. Annual Reviewing and Monitoring of the Biobased APP

2.5.1 Annual Monitoring and Review

For each USDA-designated biobased product that it purchases, USDA will review the available data on purchases of designated biobased products. Internal reviews and audits can be used to review and assess the progress that USDA is making with its Biobased APP.

2.5.1a Goals

USDA's Chief Acquisition Officer will establish goals for increasing the procurement of designated biobased products. For example, by 2006, all solicitations for janitorial services and landscaping services will require the contractor to specify USDA-designated biobased products. By 2007, all USDA solicitations for maintenance and repair and construction services will require the contractor to specify USDA-designated biobased products.

2.5.1b Performance Measures

For example, by FY 2012, USDA will increase the number of contracts issued that contain designated biobased products by 50 percent.

Step 1: USDA will create a baseline for the number of USDA contracts issued during FY 2006 that contain designated biobased products.

Step 2: Beginning in FY 2007 through FY 2012, the number of contracts issued by USDA that contain designated biobased products will increase 10 percent over the previous year's accomplishments.

2.5.2 Annual Reports

Section 9002 of FSRIA requires OFPP to report to Congress biennially on agency implementation. OFPP has not yet developed the reporting requirements for this submission. Once those are implemented, USDA will provide data to OFPP and the OFEE annually for this report.

USDA's Environmental Executive is responsible for tracking the Department's purchasing of USDA-designated items and reporting this information to the OFPP and the OFEE. USDA's Environmental Executive must also report on USDA's compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of designated biobased products.

USDA will encourage the incorporation of Government Performance Results Act (GPRA) annual performance plans goals to increase the procurement of products made from biobased materials. This will be accomplished through the Department's annual procurement forecast.

2.5.2a Data Tracking

Section 9002 of FSRIA requires OFPP to report to Congress every two years on the actions taken by the Federal agencies to implement the statute. At the present time, there exist no formal reporting requirements, but USDA believes that it is essential that a system for reporting and tracking of designated biobased products be established as soon as possible.

In order to stay proactive, USDA worked with OFPP and OFEE personnel to insert biobased data elements in the fiscal year 2004 Resource Conservation and Recovery Act (RCRA) Data Call. (See Appendix J) The RCRA Data Call is an established survey, combining the reporting requirements of Section 6002 of RCRA and Executive Order 13101. USDA believes that this is a first step in reporting and tracking the progress of the program.

Advances in technology have resulted in the emergence of Federal electronic catalogs and increased use of them. USDA will work to modify electronic catalogs to accommodate data collection and reporting requirements.

Additionally, USDA is collecting anecdotal data from the sub-agencies on their success stories of purchasing biobased products. This information will be published on the USDA biobased products acquisition web site.

2.5.2b Future Reporting Requirements/Methods

USDA will be a leader in developing reporting and tracking procedures. USDA will continue to investigate the following reporting areas that could improve, streamline, and simplify reporting and tracking of USDA's purchases of designated biobased products and compliance with section 9002 of FSRIA.

Contract Data Tracking – Work with OFEE, OFPP, and other agencies to revise the Federal Procurement Data System (FPDS) Next Generation to include data fields that verify whether or not a contract requires biobased products.

Contract Writing – Investigate the feasibility of placing biobased clauses or language in the USDA automated financing/procurement writing system. As more agencies, such as DoD and the Department of the Interior, transition to procurement automated writing systems they revise the automated procurement and financial systems up front to be able to collect data and other information. These data can then be gathered and analyzed.

Blanket Purchase Agreements – Ensure that USDA Blanket Purchase Agreements (BPAs) specify designated biobased products and require the supplier to provide data to USDA on purchases of designated biobased products.

3. Annual Recognition Program

Section 9002 of FSRIA requires USDA to establish an annual awards program to recognize Federal agencies and private entities that have been successful and innovative in utilizing designated biobased products. USDA plans to initiate this awards program one year following the initial designation of biobased items.

APPENDIX A
USDA DESIGNATED BIOBASED CONTENT PRODUCTS WITH
PERCENTAGES

USDA-Designated Biobased Products on March 16, 2006

Sec. 2902.10 Mobile equipment hydraulic fluids.

(a) Definition. Hydraulic fluids formulated for general use in non-stationary equipment, such as tractors, end loaders, or backhoes.

(b) Minimum biobased content. The minimum biobased content is 44 percent and shall be based on the amount of qualifying biobased carbon in the product as a percent of the weight (mass) of the total organic carbon in the finished product.

(c) Preference effective date. No later than March 16, 2007, procuring agencies, in accordance with this part, will give a procurement preference for qualifying biobased mobile equipment hydraulic fluids. By that date, Federal agencies that have the responsibility for drafting or reviewing specifications for items to be procured shall ensure that the relevant specifications require the use of biobased mobile equipment hydraulic fluids.

(d) Determining overlap with an EPA-designated recovered content product. Qualifying biobased products that fall under this item may, in some cases, overlap with the following EPA-designated recovered content product: Re-refined Lubricating Oils. USDA is requesting that manufacturers of these qualifying biobased products provide information on the USDA Web site of qualifying biobased products about the intended uses of the product, whether or not the product contains petroleum-based ingredients, re-refined oil, and/or any other recovered material,

and performance standards against which the product has been tested. This information will assist Federal agencies in determining whether or not a qualifying biobased product overlaps with EPA-designated lubricating oils containing re-refined oil and which product should be afforded the preference in purchasing.

(e) Exemptions. The following applications are exempt for the preferred procurement requirement for this item:

(1) Military equipment: Product or system designed or procured for combat or combat-related missions.

(2) Spacecraft systems and launch support equipment.

Sec. 2902.11 Roof coatings.

(a) Definition. Coatings formulated for use in commercial roof deck systems to provide a single-coat monolith coating system.

(b) Minimum biobased content. The minimum biobased content is 20 percent and shall be based on the entire product.

(c) Preference effective date. No later than March 16, 2007, procuring agencies, in accordance with this part, will give a procurement preference for qualifying biobased roof coatings. By that date, Federal agencies that have the responsibility for drafting or reviewing specifications for items to be procured shall ensure that the relevant specifications require the use of biobased roof coatings.

(d) Determining overlap with an EPA-designated recovered content product. Qualifying biobased products that fall under this item may, in some cases, overlap with the following EPA-designated recovered content product: Roofing Materials. USDA is requesting that manufacturers of these qualifying biobased products provide information on the USDA Web site of qualifying biobased products about the intended uses of the product, whether or not the product contains any type of recovered material, and performance standards against which the product has been tested. This information will assist Federal agencies in determining whether or not a qualifying biobased product overlaps with recovered content roofing materials and which product should be afforded the preference in purchasing.

Sec. 2902.12 Water tank coatings.

(a) Definition. Coatings formulated for use in potable water storage systems.

(b) Minimum biobased content. The minimum biobased content is 59 percent and shall be based on the entire product.

(c) Preference effective date. Determination of the effective date for this item is deferred until USDA identifies two or more manufacturers of biobased water tank coatings. At that time, USDA will publish a document in the Federal Register announcing that Federal agencies have one year from the date of the publication to give procurement preference to water tank coatings.

Sec. 2902.13 Diesel fuel additives.

(a) Definition.

(1) Any substance, other than one composed solely of carbon and/or hydrogen, that is intentionally added to diesel fuel (including any added to a motor vehicle's fuel system) and that is not intentionally removed prior to sale or use.

(2) Neat biodiesel, also referred to as B100, when used as an additive. Diesel fuel additive does not mean neat biodiesel when used as a fuel or blended biodiesel fuel (e.g., B20).

(b) Minimum biobased content. The minimum biobased content is 90 percent and shall be based on the amount of qualifying biobased carbon in the product as a percent of the weight (mass) of the total organic carbon in the finished product.

(c) Preference effective date. No later than March 16, 2007, procuring agencies, in accordance with this part, will give a procurement preference for qualifying biobased diesel fuel additives. By that date, Federal agencies that have the responsibility for drafting or reviewing specifications for items to be procured shall ensure that the relevant specifications require the use of biobased diesel fuel additives.

(d) Exemptions. The following applications are exempt for the preferred procurement requirement for this item:

(1) Military equipment: Product or system designed or procured for combat or combat-related missions.

(2) Spacecraft systems and launch support equipment.

Sec. 2902.14 Penetrating lubricants.

(a) Definition. Products formulated to provide light lubrication and corrosion resistance in close tolerant internal and external applications including frozen nuts and bolts, power tools, gears, valves, chains, and cables.

(b) Minimum biobased content. The minimum biobased content is 68 percent and shall be based on the amount of qualifying biobased carbon in the product as a percent of the weight (mass) of the total organic carbon in the finished product.

(c) Preference effective date. No later than March 16, 2007, procuring agencies, in accordance with this part, will give a procurement preference for qualifying biobased penetrating lubricants. By that date, Federal agencies that have the responsibility for drafting or reviewing specifications for items to be procured shall ensure that the relevant specifications require the use of biobased penetrating lubricants.

(d) Determining overlap with an EPA-designated recovered content product. Qualifying biobased products that fall under this item may, in some cases, overlap with the following EPA-designated recovered content product: Re-refined Lubricating Oils. USDA is requesting that manufacturers of these qualifying biobased products provide information on the USDA Web site of qualifying biobased products about the intended uses of the product, whether or not the product contains petroleum-based ingredients, re-refined oil, and/or any other recovered material, in addition to biobased ingredients, and performance standards against which the product has been tested. This information will assist Federal agencies in determining whether or not a qualifying biobased product overlaps with EPA-designated lubricating oils containing re-refined oil and which product should be afforded the preference in purchasing.

(e) Exemptions. The following applications are exempt for the preferred procurement requirement for this item:

(1) Military equipment: Product or system designed or procured for combat or combat-related missions.

(2) Spacecraft systems and launch support equipment.

Sec. 2902.15 Bedding, bed linens, and towels.

(a) Definition.

(1) Bedding is that group of woven cloth products used as coverings on a bed. Bedding includes products such as blankets, bedspreads, comforters, and quilts.

(2) Bed linens are woven cloth sheets and pillowcases used in bedding.

(3) Towels are woven cloth products used primarily for drying and wiping.

(b) **Minimum biobased content.** The minimum biobased content is 12 percent and shall be based on the amount of qualifying biobased carbon in the finished product as a percent of the weight (mass) of the total organic carbon in the finished product. The 12 percent biobased content must be of a qualifying biobased feedstock. Cotton, wool, linen, and silk are not qualifying biobased feedstocks for the purpose of determining the biobased content of bedding, bed linens, and towels.

(c) **Preference effective date.** Determination of the effective date for this item is deferred until USDA identifies two or more manufacturers of biobased bedding, bed linens, and towels. At that time, USDA will publish a document in the Federal Register announcing that Federal agencies have one year from the date of the publication to give procurement preference to bedding, bed linens, and towels.

APPENDIX B
DRAFT CONTRACTOR CERTIFICATION

52.223-1 Biobased Material Certification.

As prescribed in 23.406(a), insert the following provision:

BIOBASED MATERIAL CERTIFICATION (DATE)

The Contractor shall execute the following certification required by the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(c)(3)):

I, _____ (name of certifier), am an officer or employee responsible for the performance of this contract and I hereby certify that biobased products (within categories of items listed by the United States Department of Agriculture in 7 CFR part 2902 subpart B) to be used in the performance of the contract will comply with the applicable specifications or other contractual requirements.

[Signature of the Officer or Employee]

[Typed Name of the Officer or Employee]

[Title]

[Name of Company, Firm, or Organization]

[Date]]
(End of provision)

APPENDIX C
SAMPLE SECTION L, INSTRUCTION TO OFFERORS

Sample Section L – Instructions to Offerors

In the technical proposal, the offeror shall identify the biobased products to be purchased and used under this contract. For each biobased product, the offeror shall specify the percentage of biobased content, and for the USDA-designated biobased content products, the offeror shall demonstrate that the products to be used under this contract will contain the percentage specified in the USDA recommendations or the highest level of biobased material practicable, consistent with USDA's recommended percentages of biobased content.

The offeror shall document prior experience in specifying, purchasing, using, and installing biobased products. The offeror shall provide a list for all relevant contracts over the past two years involving the specification, purchase, and/or use of biobased products. The offeror shall include a list of the biobased products specified, purchased, used, and installed.

Here is some sample language for Section L:

Item 1: Experience with Cleaning Projects Using Biobased Products

The Government will evaluate the offeror's proposal based on the degree to which the offeror demonstrates the acquisition, installation, and commitment to use biobased products in the performance of cleaning. Offerors possessing past performance experience in the area of cleaning with biobased products will receive greater consideration than others.

Item 2: Use of Biobased Products in Cleaning Projects

The Government will evaluate the degree of the offeror's experience in the use of biobased products in cleaning. Offerors demonstrating the greater quantity and uniqueness in the use of biobased products will receive greater consideration.

Item 3: Project Management Biobased Experience

The Government will evaluate the offeror's past Biobased Project Management Experience in the following areas: Contracts Performed Using Biobased Products, Dollar Amount, and Formal and Informal Communications Methods used to share information and data about biobased products between team members and between organizational entities.

Item 4: Client Satisfaction

The Government will evaluate the offeror's client satisfaction with biobased cleaning products. Offerors demonstrating client satisfaction with an emphasis on "biobased practices" shall receive greater consideration than others.

APPENDIX D
SAMPLE SECTION M, EVALUATION FACTORS FOR AWARD

Sample Section M – Evaluation Factors for Award

The major evaluation factors for this solicitation include technical, management, cost, and past performance. Offerors are advised that award will be made to the offeror whose proposal provides the best overall value to the Government.

The evaluation will be based on the demonstrated capabilities of the prospective Contractors in relation to the requirements of the work.

M.1 Technical Approach 40%

The Government will evaluate the offeror's technical approach for fulfilling the cleaning services, with an emphasis on the following elements:

1. Identification of all biobased products to be acquired, used, and installed in the performance of the project.
2. The Offeror's proposed use and installation of biobased products.

M.2 Management Approach 20%

The Government will evaluate the offeror's management plan for fulfilling the requirements. The evaluation will assess the offeror's organizational structure and key personnel to be assigned to perform the project.

M.3 Cost 20%

The Government will evaluate the offeror's cost proposal for the performance of the work. Special emphasis will be placed on the following elements:

1. Proposed price for the acquisition of biobased products for the project.
2. Quality of the biobased products for the project.

M.4 Past Performance 20%

The Government will evaluate the offeror's past performance in the successful completion of similar work either for the Government or other clients. The Government will place special emphasis on the Contractor's past performance in the acquisition, use, installation, and commitment to biobased products in the performance of cleaning projects. The Government will evaluate the offeror's client satisfaction with its cleaning practices.

APPENDIX E
CONTRACTS TARGETED FOR INSERTION OF BIOBASED LANGUAGE
BASED ON REVIEW OF USDA PROCUREMENT FORECASTS

USDA 2006 Procurement Forecast Contracts Opportunities That Could Include Biobased Components

<p>Architect Engineering Design Services 100-250K, Q4 Cameron, LA NRCS <u>RALPH.BROOME@LA.USDA.GOV</u></p>	<p>Architect Engineering Services Small Business 25-100K, Q4 Hilo, HI RHS <u>BRINDER.BILLUPS@USDA.GOV</u></p>
<p>Architect Engineering Services Small Business 25-100K, Q4 Bozeman, MT RHS <u>BRINDER.BILLUPS@USDA.GOV</u></p>	<p>Architect Engineering Services Small Business 25-100K, Q4 Montgomery, AL <u>BRINDER.BILLUPS@USDA.GOV</u></p>
<p>Barracks Construction Competition 250-500K, Q4 Las Vegas, NV FS <u>ASTOOR@FS.FED.USDA.GOV</u></p>	<p>Building Exterior Repairs 8 (A) Company \$1million-5million,Q4 Madison, WI FS <u>SLACINA@FS.DED.USDA.GOV</u></p>
<p>Caulk Windows and Doors 8 (A) Company Less than 25K, Q4 Fargo, ND ARS <u>JANSEND@ARS.USDA.GOV</u></p>	<p>Caulk Windows and Doors 8 (A) Company Less than 25K, Q4 Fargo, ND ARS <u>JANSEND@ARS.USDA.GOV</u></p>
<p>Construct Greenhouse Competition 100-250K, Q4 College Station, TX ARS <u>MDOWNING@SPA.ARS.USDA.GOV</u></p>	<p>Construct Greenhouse 8 (A) Company \$1million-5million, Q4 Washington, DC ARS <u>JCOOK@ARS.USDA.GOV</u></p>
<p>Construct Greenhouse 8 (A) Company \$1million-5million,Q4 Oxford, MS ARS <u>JCOOK@ARS.USDA.GOV</u></p>	<p>Construct New Lab Competition \$1million-5million, Q4 Sidney, MT ARS <u>JCOOK@ARS.USDA.GOV</u></p>

<p>Construct New Research Lab Competition \$1million-5million, Q4 Aberdeen, ID ARS JCOOK@ARS.USDA.GOV</p>	<p>Construction Competition \$1million-5million, Q4 Las Vegas, NV FS ASTOOR@FS.FED.USDA.GOV</p>
<p>Construction Management 8 (A) Company 100-250K, Q4 Ft. Collins, Co ARS JCOOK@ARS.USDA.GOV</p>	<p>Construction Management of Center Wing 100-250K, Q4 Peoria, IL ARS JCOOK@ARS.USDA.GOV</p>
<p>Construction Management of Greenhouse 250-500K, Q4 Washington, DC ARS JCOOK@ARS.USDA.GOV</p>	<p>Construction Management of Greenhouse 100-250K, Q4 Oxford. MS ARS JCOOK@ARS.USDA.GOV</p>
<p>Construction Management of Lab 250-500K, Q4 Stoneville, MS ARS JCOOK@ARS.USDA.GOV</p>	<p>Construction Management of New Lab 100-250K, Q4 Sidney, MT ARS JCOOK@ARS.USDA.GOV</p>
<p>Construction Management of Research Lab 100-250K, Q4 Aberdeen, ID ARS JCOOK@ARS.USDA.GOV</p>	<p>Construction Management of Road Reconstruction 250-500K, Q4 Washington, DC ARS JCOOK@ARS.USDA.GOV</p>
<p>Construction of Memorial Competition 250-500K, Q4 Las Vegas, NV FS ASTOOR@FS.FED.USDA.GOV</p>	<p>Demolition and Destruction Small Business 25-100K, Q4 El Dorado County, CA FS MKJONES@FS.FED.USDA.GOV</p>

<p>Facility Modernization and Repair Competition 250-500K, Q4 Beaver, WV ARS RHERCHAK@ARS.USDA.GOV</p>	<p>Fuel Reduction Service Competition 25-100K, Q4 Ashland, MT ARS BPRETTYPAINT@FS.FED.USDA.GOV</p>
<p>Janitorial Competition 25-100K, Q4 Memphis, TNGIPSA NORITA.THOMAS@USDA.GOV</p>	<p>Janitorial Maintenance Contract 8 (A) Company Less than \$25K, Q4 Crouch, ID FS ASTOOR@FS.FED.USDA.GOV</p>
<p>Janitorial Services GSA/FSS 25-100K, Q4 Alameda, CA FSIS DIANE.FURR@USDA.GOV</p>	<p>Janitorial Services HUB Zone 250-500K, Q4 Madison, WI FS SLACINA@FS.FED.USDA.GOV</p>
<p>Maintenance of Building GSA/FSS 25-100K, Q4 Alameda, CA FSIS DIANE.FURR@USDA.GOV</p>	<p>Office Renovation Competition 100-250K, Q4 Roanoke, VA FS MSAINSTLOUIS@FS.FED.USDA.GOV</p>
<p>Office Supplies GSA/FSS 25-100K, Q4 Columbus, OH RHS BRINDER.BILLUPS@USDA.GOV</p>	<p>Office Supplies GSA/FSS 25-100K, Q4 Raleigh, NC RHS BRINDER.BILLUPS@USDA.GOV</p>
<p>Office Supplies GSA/FSS 25-100K, Q4 Bismarck, ND RHS BRINDER.BILLUPS@USDA.GOV</p>	<p>Office Supplies GSA/FSS 25-100K, Q4 Des Moines, IA RHS BRINDER.BILLUPS@USDA.GOV</p>

Office Supplies GSA/FSS 25-100K, Q4 Lakewood, CO RHS <u>BRINDER.BILLUPS@USDA.GOV</u>	Office Supplies GSA/FSS 25-100K, Q4Athens, GA RHS <u>BRINDER.BILLUPS@USDA.GOV</u>
Paint Exterior Bldg Competition 25-100K, Q4 El Reno, OK ARS <u>M Downing@SPA.ARS.USDA.GOV</u>	Office Supplies 25-100K, Q4 Gainesville, FL NRCS <u>LYNN.MERRILL@FL.USDA.GOV</u>
Reconstruct Road Competition 100-250K, Q4 Hot Springs, AR FS <u>SBEARDEN@FS.FED.USDA.GOV</u>	Renovate Bldg 2 8 (A) Company 100-250K, Q4 El Reno, OK ARS <u>M Downing@SPA.ARS.USDA.GOV</u>
Renovate Bldg 10 8(A) Company 250-500K, Q4 El Reno, OK ARS <u>M Downing@SPA.ARS.USDA.GOV</u>	Renovate Bldg 12 8 (A) Company 500K -1million, Q4 El Reno, OK ARS <u>M Downing@SPA.ARS.USDA.GOV</u>
Renovate Work Area Competition 25-100K, Q4 College Station, TX ARS <u>M Downing@SPA.ARS.USDA.GOV</u>	Repair of Roads Competition 25-100K, Q4 Sandpoint, ID FS <u>C COOK@FS.FED.USDA.GOV</u>
Replace Elevators Competition 25-100K, Q4 Fort Collins, CO ARS <u>JANSEND@ARS.USDA.GOV</u>	Replace Floor Tiles Competition 100-250K,Q4 College Station, TX ARS <u>M Downing@SPA.ARS.USDA.GOV</u>

Resurfacing Competition 25-100K, Q4 Sandpoint, ID FS <u>CCOOK@FS.FED.USDA.GOV</u>	Road Maintenance Small Business 250-500K, Q4 Corvallis, OR FS <u>DDUPERON@FS.FED.USDA.GOV</u>
Road Rehab Competition 250-500K, Q4 Russellville, AR FS <u>SBEARDEN@FED.USDA.GOV</u>	Road Resurfacing Competition 25-100K, Q4 Rolling Fork, MS FS <u>JODYJONES@FS.FED.USDA.GOV</u>
Roofing Small Business 25-100K, Q4 Bend, OR FS <u>DDUPERON@FS.FED.USDA.GOV</u>	Trash Contract Small Business 25-100K, Q4 Talihina, OK FS <u>SBEARDEN@FS.FED.USDA.GOV</u>
Trash Removal GSA/FSS 25-100K, Q4 Alameda, CA FSIS <u>DIANE.FURR@USDA.GOV</u>	Various Road Improvements Small Business 250-500K, Q4 Roseburg, OR FS <u>DDUPERON@FS.FED.USDA.GOV</u>

APPENDIX F
TEMPLATE ON CUSTODIAL SERVICES

Sample Biobased Language that can be inserted in
Biobased Custodial Statement of Work

This is a sample template for “Custodial Services” that incorporates language on the purchasing of biobased products. It provides contracting language for Section C "Statement of Work, Section L "Instructions to Offerors" and Section M "Evaluation Factors for Award" in a Custodial Contract using biobased products. The template is provided for informational purposes. It may be revised to reflect additional or unique tasks peculiar to an activity's vehicle maintenance operation.

Table of Contents	Scope of Work
	Section L – Instructions to Offerors
	Section M – Evaluation Factors for Award

Background

Congress passed a law to encourage the purchase of biobased products: the Farm Security and Rural Investment Act, Section 9002. Federal agencies must purchase biobased products and will establish agency preferential biobased procurement programs. Benefits of biobased products are to: enhance the nation’s energy security by substituting domestically produced biobased products for fossil fuel based products derived from imported oil and natural gas; improve demands for biobased products to increase demand for agricultural commodities, which are the feedstock of biobased products; spur the development of value added agricultural processing and manufacturing in rural communities, which would create new jobs and income in rural regions; and establish a healthier environment for users.

Scope of Work

Supplies, Materials, and Equipment to be Provided by the Contractor

Unless otherwise specified herein, the Contractor shall furnish all supplies, materials, and equipment necessary for the performance of work under this contract. All supplies and materials shall be of a type and quality that conform to applicable Federal specifications and standards and, to the extent feasible and reasonable, include the exclusive use of biobased products. All supplies, materials, and equipment to be used in the performance of work described herein are subject to the approval of the COTR.

The Contractor must submit to the COTR a list indicating the name of the manufacturer, the brand name, and the intended use of each of the materials, proposed for use in the performance of its work. The Contractor shall not use any materials, chemicals, or compounds which the COTR determines would be unsuitable for the intended purpose or harmful to the surfaces to which applied or, as might be the case for such items as paper or soap products, unsatisfactory for use by occupants. The Contractor shall utilize products and material made from biobased materials (e.g., biobased cleaners, biobased degreasers, biobased laundry detergent) to the maximum extent possible without jeopardizing the intended end use or detracting from the overall quality delivered to the end user. For the biobased content products evaluation, all non-chemical products proposed for use under this contract must conform to the Department of Agriculture (USDA) Designated Biobased Products List (DBPL) whenever practicable. Contractors should provide data for their biobased solvents and cleaners to document biobased content, and source of biobased material (i.e. particular crop or livestock). Any material which the COTR suspects does not meet Federal specifications or standards shall be tested at the Contractor's expense by an independent testing laboratory qualified to perform such tests as are required. A copy of the laboratory report giving the results of the test and a sample of each product, if requested, shall be submitted to the COTR. These products shall meet the requirements established by applicable Federal specifications and standards or be considered unacceptable for use.

Biobased Products To Be Provided by the Contractor

The following is a list of products USDA requires for custodial purposes. Each product submitted must be identified with one of these categories. It is desirable that vendors be able to supply the greatest number of biobased products listed meeting the health and environmental specifications. Labeling should be printed on all containers.

- | | |
|-----------------------------------|---|
| All purpose cleaner | Degreaser/cleaner |
| Heavy duty cleaner | Deodorizer |
| Carpet shampoo | Floor finish |
| Gum Remover | Floor finish restorer |
| Disinfectant sanitizer | Floor sealer |
| Extraction fluid | Furniture polish |
| Floor stripper | Glass cleaner |
| Neutral cleaner (liquid) | Grout sealer |
| Spot and stain remover | Lime and scale remover (tub and tile cleaner) |
| Air freshener including dispenser | Liquid hand soap including dispenser |
| Bathroom cleaner | Stainless steel polish |
| Brass polish/cleaner | Toilet bowl cleaner |
| Chrome polish/cleaner | White board cleaner |
| Cream cleaner | Wood floor cleaner |
| Solvent spotter | Laundry detergent |

In addition, trash bags shall be used. They must contain at least 25% recycled post-consumer content and also be biodegradable material.

The offered products must meet the required consistencies as stated in the USDA Final Rule. Products which do not meet the mandatory specifications or for which the appropriate information has not been submitted will be disqualified from further consideration.

Required Submittals and Reports

Within thirty (30) days of contract award, the Contractor shall submit a Cleaning Operations Plan (“Plan”). This submittal shall be approved by the Contracting Officer in writing. The Contractor shall not commence work until this submittal is approved by the Contracting Officer in writing. The Contractor is responsible for making such revisions to the plan as are deemed necessary by the Contracting Officer. If the Plan requires any revisions or corrections, the Contractor shall resubmit the Plan within ten (10) days. No work will be allowed and no progress payments will be processed until the Plan is approved.

a. Cleaning Operations and Stewardship Plan. The Plan must be reviewed and updated annually, and as required by the Contracting Officer. The Plan must contain and define the following elements:

(1) The Contractor’s written policy stating its commitment to the use of biobased products, employee health and safety, and sound environmental management practices.

(2) Proposed biobased cleaning-products, which must be selected in accordance with the criteria included in this Solicitation. At a minimum, the Plan must identify products by brand name for each of the above product types.

NOTE: Contractors may propose more than one product within a product category and/or propose a product or products addressing more than one product category.

(3) The product attributes for the proposed product brands in each of the above categories must be summarized. Once this list of products has been approved by the Contracting Officer, the Contractor is responsible for using only those approved cleaning chemical products in the building. If for some reason the product is found later to be ineffective, or the Contractor would otherwise like to propose an alternative product, either the Contractor or Contracting Officer may propose for consideration an “equal” product. The Contracting Officer is the final decision-maker for such substitutions and must approve each in writing;

(4) Product Use and Cleaning Guides which define standard operating procedures for instructing staff in the following areas: the proper use, storage, and disposal of cleaning products; proper cleaning procedures; proper operation of equipment; and other procedures/instructions to accomplish work under this contract;

(5) The Contractor shall define proper procedures for the storage of hazardous materials in conformance with good housekeeping practices, the National Fire Prevention Association (NFPA) Code, and applicable federal and municipal regulations. The Plan also must define proper procedures for the identification and disposal of hazardous wastes in accordance with Federal RCRA regulations and the District of Columbia Municipal Regulations (DCMR), Title 20, Subpart E. prior to use with personnel.

b. (1) Affirmative Procurement Program The Contractor must implement a comprehensive Affirmative Procurement Program for the purchasing of biobased, products and products made with recovered materials to the maximum extent possible. The Contractor shall detail how it intends to keep abreast of the development and increasing availability of biobased products and how any new or improved products will be incorporated on an ongoing basis into contract performance. The Contract will also indicate how, at a minimum, it will conform to the Comprehensive Procurement Guidelines (CPG) published by EPA with respect to recovered material products. The Contractor must update its Program to accommodate all revisions.

(2) The Contractor shall provide data on the quantity and dollar values of biobased products and recycled content products used in this contract. The data will be submitted to the COTR monthly

Product Demonstration, Employee Training and Technical Assistance

USDA believes that a demonstration of how to use the products, free samples, an effective training program for the products selected, and technical assistance are central to the selection and eventual success of purchasing and using biobased products. USDA will look for vendors who will 1) demonstrate their products and leave free samples and 2) when selected, offer effective training to all of our custodial staff and be available with technical assistance to trouble shoot problems.

Quality Control Program

The Contractor shall institute a complete quality-control program to ensure that the requirements of this contract are provided, as specified. The overall goal of the program should be to identify and correct any problems that may exist before they are identified by or reported to the COTR and/or the building-management staff. As a minimum, the program shall include:

a. An inspection system covering all the services required with a comprehensive checklist to be used to inspect contract performance during scheduled and unscheduled inspections, and the name(s) of the individuals who will be performing the inspections.

b. A system for identifying and correcting deficiencies and/or a pattern of deficiencies in the quality or quantity of services provided before the level of performance becomes unacceptable and/or Government inspectors point out the deficiencies.

c. A file of all inspections conducted by the Contractor and corrective actions taken. This should include follow-up inspections to ensure that corrective action was appropriate, complete, and timely. This documentation shall be organized in a logical manner, kept current, and made available to the COTR and the Contracting Officer during the term of the contract.

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Sample Section L – Instructions to Offerors

In the technical proposal, the offeror shall identify the biobased products to be purchased and used under this contract. For each biobased product, the offeror shall specify the percentage of biobased content, and for the USDA-designated biobased content products, the offeror shall demonstrate that the products to be used under this contract will contain the highest level of biobased material practicable, consistent with USDA’s recommended percentages of biobased content.

The offeror shall document experience in specifying, purchasing, using, and installing biobased products. The offeror shall provide a list for all relevant contracts over the past two years involving the specification, purchase, and/or use of biobased products. The offeror shall include a list of the biobased products specified, purchased, used, and installed.

[Here is some sample language for Section L:](#)

Item 1: Experience with Cleaning Projects Using Biobased Products

The Government will evaluate the offeror’s proposal based on the degree to which the offeror demonstrates in the acquisition, installation, and commitment to biobased products in the performance of cleaning. Offerors possessing past performance experience with greater complexity and uniqueness in the area of cleaning with biobased products will receive greater consideration than others.

Item 2: Use of Biobased Products in Cleaning Projects

The Government will evaluate the degree of the offeror’s experience in the use of biobased products in cleaning. Offerors demonstrating the greater quantity and uniqueness in the use of biobased products will receive greater consideration.

Item 3: Project Management Biobased Experience

The Government will evaluate the offeror’s past Biobased Project Management Experience in the following areas: Contracts Performed Using Biobased Products, Dollar Amount, and Formal and Informal Communications Methods used to share information and data about biobased products between team members and between organizational entities.

Item 4: Client Satisfaction

The Government will evaluate the offeror's client satisfaction with biobased cleaning products. Offerors demonstrating client satisfaction with an emphasis on "biobased practices" shall receive greater consideration than others.

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Sample Section M – Evaluation Factors for Award

The major evaluation factors for this solicitation include technical, management, cost, and past performance. Offerors are advised that award will be made to the offeror whose proposal provides the best overall value to the Government.

The evaluation will be based on the demonstrated capabilities of the prospective Contractors in relation to the requirements of the work.

M.1 Technical Approach 40%

The Government will evaluate the offeror's technical approach for fulfilling the cleaning services, with an emphasis on the following elements:

1. Identification of all biobased products to be acquired, used, and installed in the performance of the project.
2. The Offeror's proposed use and installation of biobased products.

M.2 Management Approach 20%

The Government will evaluate the offeror's management plan for fulfilling the requirements. The evaluation will assess the offeror's organizational structure and key personnel to be assigned to perform the project.

M.3 Cost 20%

The Government will evaluate the offeror's cost proposal for the performance of the work. Special emphasis will be placed on the following elements:

1. Proposed price for the acquisition of biobased products for the project.
2. Quality of the biobased products for the project.

M.4. Past Performance

20%

The Government will evaluate the offeror's past performance in the successful completion of the work. The Government will place special emphasis on the Contractor's past performance in the acquisition, use, installation, and commitment to biobased products in the performance of cleaning projects. The Government will evaluate the offeror's client satisfaction with its cleaning practices.

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APPENDIX G
Sample Vehicle Maintenance Statement of Work

Sample Vehicle Maintenance Statement of Work with Biobased Language

This is a sample Statement of Work that incorporates language on the purchasing of biobased products. The Statement of Work is provided for informational purposes. It may be revised to reflect additional or unique tasks peculiar to an activity's vehicle maintenance operation.

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[Background.](#)

Congress passed a law to encourage the purchase of biobased products: the Farm Security and Rural Investment Act, Section 9002. Federal agencies must purchase biobased products and will establish agency preferential biobased procurement programs. Benefits of biobased products are: enhance the nation's energy security by substituting domestically produced biobased products for fossil fuel based products derived from imported oil and natural gas; improve demands for biobased products to increase demand for agricultural commodities, which are the feedstock of biobased products; spur the development of value added agricultural processing and manufacturing in rural communities, which would create new jobs and income in rural regions; and establish a healthier environment for users.

[1.0 Scope of Work.](#)

1.1 Unless otherwise specified herein, the contractor shall provide all supplies, personnel, equipment, tools, materials, supervision, and other items or services necessary to perform the management and operation of motor vehicle maintenance functions as defined in this Performance Work Statement (PWS). All supplies and materials shall be of a type and quality that conform to

applicable Federal specifications and standards and, to the extent feasible and reasonable, include the exclusive use of biobased products. All supplies, materials, and equipment to be used in the performance of work described herein are subject to the approval of the Contracting Officer Representative (COTR).

1.2 The contractor must submit to the COTR a list indicating the name of the manufacturer, the brand name, and the intended use of each of the materials, proposed for use in the performance of its work.

1.3 The contractor shall not use any materials, chemicals, or compounds which the COTR determines would be unsuitable for the intended purpose or harmful to the surfaces to which applied.

1.4 The contractor shall utilize products and material made from biobased materials (e.g., biobased lubricants, biobased hydraulic fluids, biobased fuel additives) to the maximum extent possible without jeopardizing the intended end use or detracting from the overall quality delivered to the end user.

1.5 For the biobased content products evaluation, all products proposed for use under this contract must conform to the Department of Agriculture (USDA) Designated Biobased Products List (DBPL) whenever practicable. Contractors should provide data for their biobased lubricants and hydraulic fluids to document biobased content, and source of biobased material (i.e. particular crop or livestock). Any material which the COTR suspects does not meet Federal specifications or standards shall be tested at the Contractor's expense by an independent testing laboratory qualified to perform such tests as are required. A copy of the laboratory report giving the results of the test and a sample of each product, if requested, shall be submitted to the COTR. These products shall meet the requirements established by applicable Federal specifications and standards or be considered unacceptable for use.

1.6 The following is a list of products USDA requires for vehicle maintenance purposes. Each product submitted must be identified with one of these categories. It is desirable that vendors be able to supply the greatest number of biobased products listed meeting the health and environmental specifications. Labeling should be printed on all containers.

- | | |
|-----------------------------------|-------------------------|
| Hydraulic fluids | Penetrating lubricants |
| Diesel fuel additives | Multipurpose lubricants |
| General penetrants and lubricants | Transmission fluids |
| Bar and chain oil | Degreasers |
| Hydraulic lubricants | Air tool lubricants |
| Lube chain lubricants | Chrome polish/cleaners |
| Biobased gas conditioners | Glass cleaners |
| Chain bar lubricants | All purpose cleaners |
| Fuel conditioners | |

The offered products must meet the required consistencies as stated in the USDA Final Rule. Products which do not meet the mandatory specifications or for which the appropriate information has not been submitted will be disqualified from further consideration.

1.7 The contractor shall provide intermediate maintenance, preventive maintenance and scheduled inspections/tests; repair/replace unserviceable parts, assemblies, subassemblies and components; refinish, fabricate parts, make modifications; repair accessories and auxiliary equipment, and body and structural repair.

1.8 The contractor shall provide on-call response within 60 minutes for weekends, holidays, and after normal duty hours for emergency vehicle repair. This work shall be continuous 24 hours a day, 7 days a week until completed, unless approved by the COTR.

1.9 Not later than 30 days prior to contract start date, the contractor shall establish procedures to ensure on call personnel shall report for duty within 60 minutes of notification. The contractor shall furnish the USDA personnel an on call contact listing. This listing shall be updated to ensure personnel are available continuously throughout the contract period.

1.10 The contractor shall maintain all vehicles to the standards contained in USDA mandatory directives and manuals.

1.11 The contractor shall accomplish scheduled preventive maintenance, concurrent and special inspections, tests, and calibration.

1.12 The contractor shall be responsible for installation or transfer of vehicle accessories and special equipment as approved by the COTR. The contractor shall be responsible for repairs and parts after installation.

1.13 The contractor shall clean and service all vehicles, after performing maintenance repairs.

1.14 The contractor shall be responsible for accomplishing minor repairs estimated at two labor hours or less. Work Orders shall be used to document minor maintenance. Minor maintenance repairs shall begin NLT 15 minutes after receipt of vehicle for maintenance.

1.15 The contractor shall provide, issue, and add all replenishment fluids/ lubricants to Include; engine oils, transmission, brake and hydraulic fluids, gear lubricants, and coolants that meet the standards set forth in USDA directives and manuals.

1.16 The contractor shall provide on-site maintenance for vehicles and equipment which because of their design or immobility cannot economically be delivered to the vehicle maintenance facility. The contractor shall develop a list of these assets, by registration number, keep the list current, and provide the COTR a copy within 10 days after contract awarded and update changes as they occur.

1.17 The contractor shall provide unscheduled mobile maintenance to start or repair vehicles and equipment that are disabled. This service shall be provided ASAP, but dispatch shall occur NLT 15 minutes, after notification of the requirement. The contractor shall utilize a service call log. The log shall be provided to the COTR upon request.

1.18 The contractor shall provide repair and replacement of vehicle and equipment tires IAW USDA directives and manuals. Disposal of unserviceable tires shall be the contractor's responsibility IAW approved environmental procedures. Unserviceable tires shall be removed weekly.

1.19 The contractor shall maintain strict control of all accountable documents. This includes logs and registers required by USDA.

1.20. The contractor shall ensure that a Vehicle Maintenance Manager is responsible for the development and execution of a comprehensive base wide vehicle maintenance program. Program includes planning utilization of resources, managing facilities and equipment, analyzing operational problems and taking corrective action, and providing technical and administrative advice to vehicle/equipment using organizations. Determines/resolves technical matters/problems involved in the repair and maintenance of vehicles and equipment. Prepares and defines budgets for the operation of the vehicle maintenance program.

1.21 The contractor shall furnish in writing to the COTR the names of all contractor personnel not later than (NLT) the contract pre-performance conference. The COTR shall immediately be notified in writing whenever changes are made.

1.22 The contractor shall comply with Federal drug-free workplace and work force requirements IAW the Federal Acquisition Regulations.

1.23. Some classifications of work may require special protective clothing; coveralls, aprons, masks, face shields, reflective vests, back supports, gloves, and steel-toed safety shoes/boots IAW the regulations covering the job descriptions. The contractor shall be responsible for identifying those job classifications requiring protection equipment IAW OSHA standards.

1.24 The contractor shall insure that employees have the following current and valid professional certifications before operating Government vehicles. Vehicle Operators must have a valid State driver's license. All contractor employees operating Government vehicles must maintain a current commercial driver's license for the commercial type of vehicle being operated. To operate vehicles carrying hazardous material drivers would be required to have a Hazardous material endorsement.

1.25 The contractor shall provide motor vehicle and equipment repair parts equal to or that exceeds the quality of replacement parts supplied by the original equipment manufacturer.

1.26 Commercially purchased or contractor rebuilt parts may be used if they equal or exceed the quality of the original parts.

2.0 Required Submittals and Reports.

2.1 Within thirty (30) days of contract award, the Contractor shall submit a Vehicle Maintenance Plan (“Plan”). This submittal shall be approved by the Contracting Officer in writing. The Contractor shall not commence work until this submittal is approved by the Contracting Officer in writing. The Contractor is responsible for making such revisions to the plan as are deemed necessary by the Contracting Officer. If the Plan requires any revisions or corrections, the Contractor shall resubmit the Plan within ten (10) days. No work will be allowed and no progress payments will be processed until the Plan is approved.

2.2 The Plan must be reviewed and updated annually, and as required by the Contracting Officer. The Plan must contain and define the following elements:

2.2.1 The Contractor’s written policy stating its commitment to the use of biobased products, employee health and safety, and sound environmental management practices.

2.2.2 Proposed biobased vehicle maintenance products which must be selected in accordance with the criteria included in this Solicitation. At a minimum, the Plan must identify products by brand name for each of the above product types.

NOTE: Contractors may propose more than one product within a product category and/or propose a product or products addressing more than one product category.

2.2.3 The product attributes for the proposed product brands in each of the above categories must be summarized. Once this list of products has been approved by the Contracting Officer, the Contractor is responsible for using only those approved products. If for some reason the product is found later to be ineffective, or the Contractor would otherwise like to propose an alternative product, either the Contractor or Contracting Officer may propose for consideration an “equal” product. The Contracting Officer is the final decision-maker for such substitutions and must approve each in writing;

2.2.4 Product Guides which define standard operating procedures for instructing staff in the proper use, storage, and disposal of biobased products; proper maintenance of equipment; and other procedures/instructions to accomplish work under this contract;

2.2.5 The contractor shall define proper procedures for the storage of hazardous materials in conformance with good housekeeping practices, the National Fire Prevention Association (NFPA) Code, and applicable federal and municipal regulations. The Plan also must define proper procedures for the identification and disposal of hazardous wastes in accordance with Federal RCRA regulations.

2.2.6 The Contractor must implement a comprehensive Affirmative Procurement Program for the purchasing of biobased, products and products made with recovered materials to the maximum extent possible. The Contractor shall detail how it intends to keep abreast of the development and increasing availability of biobased products and how any new or improved products will be incorporated on an ongoing basis into contract performance. The Contract will also indicate how, at a minimum, it will conform to the Comprehensive Procurement Guidelines (CPG) published by EPA with respect to recovered material products. The Contractor must update its Program to accommodate all revisions.

2.2.7 The contractor shall provide data on the quantity and dollar values of biobased products and recycled content products used in this contract. The data will be submitted to the COTR monthly.

3.0 Product Demonstration, Employee Training and Technical Assistance.

USDA believes that a demonstration of how to use the products, free samples, an effective training program for the products selected, and technical assistance are central to the selection and eventual success of purchasing and using biobased products.

3.1 USDA will look for vendors who will 1) demonstrate their products and leave free samples and 2) when selected, offer effective training to all of the vehicle maintenance staff and be available with technical assistance to trouble shoot problems.

4.0 Quality Control Program.

4.1 The contractor shall institute and maintain a complete quality-control program to ensure that the requirements of this contract are provided, as specified. The overall goal of the program should be to identify and correct any problems that may exist before they are identified by or reported to the COTR and/or the vehicle maintenance staff. As a minimum, the program shall include:

4.1.1 An inspection system covering all the services required with a comprehensive checklist to be used to inspect contract performance during scheduled and unscheduled inspections, and the name(s) of the individuals who will be performing the inspections.

4.1.2 A system for identifying and correcting deficiencies and/or a pattern of deficiencies in the quality or quantity of services provided before the level of performance becomes unacceptable and/or Government inspectors point out the deficiencies.

4.1.3 A file of all inspections conducted by the Contractor and corrective actions taken. This should include follow-up inspections to ensure that corrective action was

appropriate, complete, and timely. This documentation shall be organized in a logical manner, kept current, and made available to the COTR and the Contracting Officer during the term of the contract.

4.2. The contractor shall establish and implement key control procedures in the Quality Control Plan to ensure keys issued to the contractor by the Government are properly safeguarded and not used by unauthorized personnel. The contractor shall not duplicate keys issued by the Government.

5.0 QUALITY ASSURANCE.

5.1 The Government shall evaluate the contractor's performance under this contract. All surveillance observations shall be recorded by the Government. When an observation indicates defective performance, the COTR shall request the contractor's representative to initial the observation. All observations of incomplete or defective performance, or safety and health standards violated shall be recorded. Written notices issued by the CO shall require the contractor to reply, in writing, to the CO within five workdays after receipt, explaining reasons for the existing conditions, the corrective action, and procedures taken to prevent recurrence.

5.2 Government verification inspections of services shall not constitute acceptance, nor replace the contractor inspection or in any way relieve the contractor of any responsibility to take all actions necessary to assure highest quality of service rendered.

5.3 The contractor may be required to meet at least weekly with the COTR during the first month of the contract. Meetings shall be as often as necessary thereafter as determined by the COTR.

5.4. The contractor shall maintain a current listing of employees. The list shall include employee's name, social security number, and level of security clearance. The list shall be validated and signed by the Contractor and provided to the COTR. Updated listings shall be provided when an employee's status or information changes.

6.0. OPERATING HOURS.

6.1. Operating hours shall meet mission requirements.

6.2. Vehicle Maintenance normal hours of operation shall be continuously from 0630 to 1530 hours daily, Monday through Friday

6.3. Recognized Holidays. Except for work categorized as emergency, the contractor is not required to provide all services on the federal holidays

NOTE: Any of the above holidays falling on a Saturday or Sunday shall be observed on the date designated by the Federal Government.

6.4. Upon notification by the COTR, the contractor shall provide services to support weekend/holiday training schedule.

7.0 SAFETY AND ACCIDENT PREVENTION.

7.1. The contractor shall formulate and submit, within 30 days after the conditional contract award date, a written safety and health plan for acceptance by the Government. The written plan shall include the details of the contractor's safety organization, responsibilities, method of program implementation, and how hazards and deficiencies shall be identified and corrected. It shall detail employee's responsibilities for: protection of Government property and safety of others, employee's responsibilities for reporting all mishaps, and establish procedures for reporting or correcting unsafe conditions, hazards, or practices. The plan shall also contain mishap notification and reporting procedures. The contractor shall have a central POC for safety and health related issues. The POC shall be identified in writing to the COTR.

7.2. The contractor shall ensure employees have safety education when engaged in activities involving Government facilities, personnel, or equipment.

7.3. The contractor shall immediately notify USDA safety personnel of all accidents/incidents involving employee use of and/or damage/injury to facilities, equipment, or personnel.

7.4. The contractor shall require their personnel to wear safety shoes/boots IAW OSHA standards.

7.5. The contractor shall provide all required personal protection equipment, e.g. respirators, hearing protection, eye protection, gloves, steel-toed boots, aprons, masks, face shields, reflective vests, etc. IAW OSHA standards.

8.0. ENVIRONMENTAL REQUIREMENTS.

8.1. The contractor shall comply with all federal, state, and local environmental laws, and USDA policies and regulations to include but not limited to Resource Conservation and Recovery Act (RCRA), Safe Water Drinking Act (SWDA), the Clean Air Act (CAA), and Federal Facilities Compliance Act (FFCA).

8.2. The use, handling, storage, and disposal of all toxic, hazardous, special or radiological wastes/materials shall be IAW all local, state, federal, and USDA environmental regulations and procedures. Personnel shall be trained by the Government on proper procedures to include spill response and clean up.

8.3. The contractor shall provide a complete environmental plan to assure compliance with all environmental statutes and regulations. One copy of the plan shall be provided to the COTR at the pre-performance conference and as changes occur.

APPENDIX H
TEMPLATE ON REPAIR AND MAINTENANCE SERVICES

Sample Maintenance and Repair Statement of Work with Biobased Language

This is a sample Statement of Work that incorporates language on the purchasing of biobased products. The Statement of Work is provided for informational purposes. It may be revised to reflect additional or unique tasks peculiar services for Carpentry and Masonry – floors, tiles, carpet, baseboards, walls, ceilings, trim, doors, stairs, shades, cabinets, shutters, molding, roofing, gutters, sidewalks, patios, windows, screens, and signs.

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Background

Congress passed a law to encourage the purchase of biobased products: the Farm Security and Rural Investment Act, Section 9002. Federal agencies must purchase biobased products and will establish agency preferential biobased procurement programs. Benefits of biobased products are: enhance the nation's energy security by substituting domestically produced biobased products for fossil fuel based products derived from imported oil and natural gas; improve demands for biobased products to increase demand for agricultural commodities, which are the feedstock of biobased products; spur the development of value added agricultural processing and manufacturing in rural communities, which would create new jobs and income in rural regions; and establish a healthier environment for users.

1.0 Scope of Work

1.1 Unless otherwise specified herein, the contractor shall provide all supplies, personnel, equipment, tools, materials, supervision, and other items or services necessary for the maintenance and repair of buildings and structures and related systems and equipment as defined in this scope.

1.2. Maintenance and repair services shall include but not be limited to the following: Carpentry and Masonry – floors, tiles, carpet, baseboards, walls, ceilings, trim, doors, stairs, shades, cabinets, shutters, molding, roofing, gutters, sidewalks, patios, windows, screens, and signs.

Painting – touch-up painting.

- Plumbing – water heaters, sinks toilets, urinals, faucets, showers, and drinking fountains.
- Electrical – service connections, panels, outlets, switches, circuits, lighting fixtures, faceplates, receptacles, light bulbs, lamps, and appliances.
- Heating, Ventilation and Air Conditioning – heating equipment, air conditioning equipment, refrigeration equipment, blowers, compressors, motors, dampers, condensers, cooling coils, pumps, duct work, air filters, heating units, and air conditioning units.

1.3 All supplies and materials shall be of a type and quality that conform to applicable Federal specifications and standards and, to the extent feasible and reasonable, include the exclusive use of biobased products. All supplies, materials, and equipment to be used in the performance of work described herein are subject to the approval of the COTR.

1.4 The contractor must submit to the COTR a list indicating the name of the manufacturer, the brand name, and the intended use of each of the materials, proposed for use in the performance of its work.

1.5 The contractor shall not use any materials, chemicals, or compounds which the COTR determines would be unsuitable for the intended purpose or harmful to the surfaces to which applied.

1.6 The contractor shall utilize products and material made from biobased materials (e.g., biobased floor stripper, biobased carpet, biobased insulation) to the maximum extent possible without jeopardizing the intended end use or detracting from the overall quality delivered to the end user.

1.7 For the biobased content products evaluation, all products proposed for use under this contract must conform to the Department of Agriculture (USDA) Designated Biobased Products List (DBPL) whenever practicable. Contractors should provide data for their biobased solvents and cleaners to document biobased content, and source of biobased material (i.e. particular crop or livestock). Any material which the COTR suspects does not meet Federal specifications or standards shall be tested at the Contractor's expense by an independent testing laboratory qualified to perform such tests as are required. A copy of the laboratory report giving the results of the test and a sample of each product, if requested, shall be submitted to the COTR. These products shall meet the requirements established by applicable Federal specifications and standards or be considered unacceptable for use.

1.8 The following is a list of products USDA requires for maintenance and repair purposes. Each product submitted must be identified with one of these categories. It is desirable that vendors be able to supply the greatest number of biobased products listed meeting the health and environmental specifications. Labeling should be printed on all containers

Urethane Roof Coatings	Water Tank Coatings
Insulation	Paint Stripper
Bio-fluid Filled Transformers	Floor Finish
Carpet	Floor Finish Restorer
All Purpose Cleaners	Composite Panels
Extraction Fluid	Penetrating Lubricants
Floor Stripper	Insulating Foams
Glass Cleaners	Sealers (wood, concrete)
Metal Working Fluids	Sorbents
Grease and Graffiti Removers	Adhesive and Mastic Removers
Stain Removers	Greases
Carpet Shampoo	Hydraulic Fluids
Degreasers	Wood Floor Cleaner
Penetrates and Lubricants	Solvent Spotter

The offered products must meet the required consistencies as stated in the USDA Final Rule. Products which do not meet the mandatory specifications or for which the appropriate information has not been submitted will be disqualified from further consideration.

1.9 The contractor shall perform service call work, recurring work, and preventive maintenance.

1.10 The contractor shall receive all service call requests directly from building occupants and other authorized Government representatives. Calls shall be classified by the contractor as emergency, urgent, or routine. The contractor shall respond accordingly for emergency and urgent calls. A log shall be maintained of all service calls received; a description of the problem or requested work, date and time received facility/building name and number, and caller's name/telephone number shall be recorded for each call. The contractor shall plan and schedule work to assure material, labor, and equipment are available to complete work requirements with regard to established time limits and quality standards. Verbal scheduling and status reports shall be provided when requested by the COTR.

1.11 Emergency service calls will be classified as emergency at the discretion of the COTR. Generally, emergency calls consist of correcting failures that constitute an immediate danger to personnel; threaten to damage property, or threaten to disrupt activity operations. Urgent service calls will be classified as urgent at the discretion of the COTR. Generally, urgent calls consist of providing services or correcting failures which do not immediately threaten personnel, property, or activity missions, but will soon inconvenience and/or affect the health or well being of personnel, and lead to property damage. Routine service calls will be classified as routine when the work does not qualify as an emergency or urgent call.

1.12 The contractor shall have procedures for receiving and responding to emergency services within the specified response time seven days a week, including weekends and holidays and provide on-call response within 30 minutes for weekends, holidays, and after normal duty hours for emergency service calls. This work shall be continuous 24 hours a day, 7 days a week until completed, unless approved by the COTR. The contractor must be on the job site and working within 60 minutes after receipt of an emergency service call. The contractor shall work without interruption and shall correct, remedy, or take other action as required to contain the emergency service call before departing the job site.

1.13 The Contractor shall have procedures for receiving and responding to urgent service calls within one hour after receipt of an urgent service call received during regular working hours, and within 2 hours for urgent calls received after regular working hours, on weekends, or holidays.

1.14 All routine service calls shall be completed within 2 working days after receipt. Routine calls shall be normally accomplished during regular working hours, Monday through Friday.

1.15 Recurring work includes preventive maintenance (PM) and start-up/shutdown of systems. The contractor shall maintain sufficient parts, materials, and equipment on hand to perform all recurring work as specified. Preventive maintenance consists primarily of inspection, lubrication, calibration, adjustment, and minor part and component replacement (e.g., filter, belts, fluids, oil, and grease) as required to minimize malfunction, breakdown, and deterioration of equipment; and the identification of and/or performance of any repairs required to ensure the equipment is operating per manufacturer's standards. The contractor shall complete all identified repairs and provide all necessary services, parts, and materials as part of the PM.

1.16 The Contractor shall submit a detailed PM schedule to the COTR for approval at least 15 calendar days prior to the start date of the contract. The schedule shall cover the entire term of the contract and include for each system/piece of equipment and PM listed herein, the facility/building number, the work to be performed (e.g., semiannual PM), and the week of the month the PM will be performed.

1.17 The contractor shall arrange work so as not to cause interference with normal occurrence of Government business. In those cases where some interference is unavoidable, the Contractor must make every effort to minimize the impact of the interference and its effects.

1.18 Other contractors may be engaged in work in support of the facilities/buildings. The Contractor for this contract shall coordinate and cooperate with all other Contractors to avoid conflicts in work schedules and performance. In the event of conflicts that cannot be satisfactorily resolved, the matter shall be referred to the Contracting Officer for a decision.

1.19 The contractor shall furnish in writing to the COTR the names of all contractor personnel not later than (NLT) the contract pre-performance conference. The COTR shall immediately be notified in writing whenever changes are made.

1.20 The contractor shall comply with Federal drug-free workplace and work force requirements IAW the Federal Acquisition Regulations.

1.21 The contractor personnel shall present a neat appearance and be easily recognized. Waivers or exceptions for office personnel must be accepted by the COTR.

1.22 Some classifications of work may require special protective clothing; coveralls, aprons, masks, face shields, reflective vests, back supports, gloves, and steel-toed safety shoes/boots IAW the regulations covering the job descriptions. The contractor shall be responsible for identifying those job classifications requiring protection equipment IAW OSHA standards.

1.23 The contractor shall insure that employees have the following current and valid professional certifications before operating Government vehicles. Vehicle Operations drivers must be commercially licensed by the appropriate State to operate vehicles used in the performance of this contract on federal, state, and local highway systems. Vehicle Maintenance technicians must possess a current USDA Motor Vehicle Operator Identification Card for the type vehicle/equipment that shall be operated prior to operating vehicles. All contractor employees operating Government vehicles must maintain a current commercial driver's license for the type vehicle being operated. Hazardous material endorsement shall be required by drivers to operate vehicles carrying hazardous material on and off base. Government vehicles shall not be utilized by contractor personnel to acquire commercial drivers' license or for any type of training. This licensing requirement is the responsibility of the contractor and shall be done at no cost to the Government.

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2.0 [Required Submittals and Reports](#)

2.1 The Contractor shall maintain management, operation, and maintenance records and prepare management, operation, and maintenance reports. Within thirty (30) days of contract

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award, the Contractor shall establish a separate history file for each facility/building. Each file shall contain a listing of all equipment by nomenclature and manufacturer's model number, as well as all manufacturer's literature, brochures, and pamphlets; maintenance, operator, and parts list manuals; warranty information; a copy of all completed Service Call Work Forms; Preventive Maintenance inspection checklists and forms; and any other information relevant to work performed during the term of the contract. Facility/building files shall be made available for review when requested by the COTR, and turned over to the Contracting Officer within five calendar days after contract completion.

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2.2 The Contractor shall develop a Maintenance and Repair Plan that will be reviewed and updated annually, and as required by the Contracting Officer. The Plan must contain and define the following elements:

2.2.1 The Contractor's written policy stating its commitment to the use of biobased products, employee health and safety, and sound environmental management practices.

2.2.2 Proposed biobased vehicle maintenance products which must be selected in accordance with the criteria included in this Solicitation. At a minimum, the Plan must identify products by brand name for each of the above product types.

NOTE: Contractors may propose more than one product within a product category and/or propose a product or products addressing more than one product category.

2.2.3 The product attributes for the proposed product brands in each of the above categories must be summarized. Once this list of products has been approved by the Contracting Officer, the Contractor is responsible for using only those approved products. If for some reason the product is found later to be ineffective, or the Contractor would otherwise like to propose an alternative product, either the Contractor or Contracting Officer may propose for consideration an "equal" product. The Contracting Officer is the final decision-maker for such substitutions and must approve each in writing;

2.2.4 Product Guides which define standard operating procedures for instructing staff in the proper use, storage, and disposal of biobased products; proper maintenance of equipment; and other procedures/instructions to accomplish work under this contract;

2.2.5 The contractor shall define proper procedures for the storage of hazardous materials in conformance with good housekeeping practices, the National Fire Prevention Association (NFPA) Code, and applicable federal and municipal regulations. The Plan also must define proper procedures for the identification and disposal of hazardous wastes in accordance with Federal RCRA regulations and the District of Columbia Municipal Regulations (DCMR), Title 20, Subpart E. prior to use with personnel.

2.2.6 The Contractor must implement a comprehensive Affirmative Procurement Program for the purchasing of biobased, products and products made with recovered materials to the maximum extent possible. The Contractor shall detail how it intends to keep abreast of the development and increasing availability of biobased products and how any new or improved products will be incorporated on an ongoing basis into contract performance. The Contract will also indicate how, at a minimum, it will conform to the Comprehensive Procurement Guidelines (CPG) published by EPA with respect to recovered material products. The Contractor must update its Program to accommodate all revisions.

2.2.7 The contractor shall provide data on the quantity and dollar values of biobased products and recycled content products used in this contract. The data will be submitted to the COTR monthly.

2.2.8 The contractor shall maintain strict control of all documents. This includes logs and registers required by the Department of Agriculture.

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3.0 Product Demonstration, Employee Training and Technical Assistance

USDA believes that a demonstration of how to use the products, free samples, an effective training program for the products selected, and technical assistance are central to the selection and eventual success of purchasing and using biobased products.

3.1 USDA will look for vendors who will 1) demonstrate their products and leave free samples and 2) when selected, offer effective training to all of our maintenance and repair staff and be available with technical assistance to trouble shoot problems.

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4.0 Quality Control Program

4.1 The contractor shall institute and maintain a complete quality-control program to ensure that the requirements of this contract are provided, as specified. The overall goal of the program should be to identify and correct any problems that may exist before they are identified by or reported to the COTR and/or the building-management staff. As a minimum, the program shall include:

4.1.1 An inspection system covering all the services required with a comprehensive check list to be used to inspect contract performance during scheduled and unscheduled inspections, and the name(s) of the individuals who will be performing the inspections.

4.1.2 A system for identifying and correcting deficiencies and/or a pattern of deficiencies in the quality or quantity of services provided before the level of performance becomes unacceptable and/or Government inspectors point out the deficiencies.

4.1.3 A file of all inspections conducted by the Contractor and corrective actions taken. This should include follow-up inspections to ensure that corrective action was appropriate, complete, and timely. This documentation shall be organized in a logical manner, kept current, and made available to the COTR and the Contracting Officer during the term of the contract.

4.2. Not later than 30 days prior to contract start date, the contractor shall establish procedures to ensure on call personnel shall report for duty within 60 minutes of notification. The contractor shall furnish the USDA personnel an on call contact listing. This listing shall be updated to ensure personnel are available continuously throughout the contract period.

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5.0 QUALITY ASSURANCE

5.1 The Government shall evaluate the contractor's performance under this contract. All surveillance observations shall be recorded by the Government. When an observation indicates defective performance, the COTR shall request the contractor's representative initial the observation.

5.2 Government verification inspections of services shall not constitute acceptance, nor replace the contractor inspection or in any way relieve the contractor of any responsibility to take all actions necessary to assure highest quality of service rendered.

5.3 The contractor may be required to meet at least weekly with the COTR during the first month of the contract. Meetings shall be as often as necessary thereafter as determined by the COTR.

5.4 . The contractor shall maintain a current listing of employees. The list shall include employee's name, social security number, and level of security clearance. The list shall be validated and signed by the Contractor and provided to the COTR. Updated listings shall be provided when an employee's status or information changes.

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6.0. OPERATING HOURS

6.1 Operating hours shall meet mission requirements.

6.2 . Maintenance normal hours of operation shall be continuously from 0630 to 1530 hours daily, Monday through Friday.

6.3. Recognized Holidays. Except for work categorized as emergency, the contractor is not required to provide all services on the federal holidays.

NOTE: Any of the above holidays falling on a Saturday or Sunday shall be observed on the date designated by the Federal Government.

6.4 Upon notification by the COTR, the contractor shall provide services to support weekend/holiday training schedule.

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7.0 SAFETY AND ACCIDENT PREVENTION:

7.1. The contractor shall formulate and submit, within 30 days after the conditional contract award date, a written safety and health plan for acceptance by the Government. The written plan shall include the details of the contractor's safety organization, responsibilities, method of program implementation, and how hazards and deficiencies shall be identified and corrected. It shall detail employee's responsibilities for: protection of Government property and safety of others, employee's responsibilities for reporting all mishaps, and establish procedures for reporting or correcting unsafe conditions, hazards, or practices. The plan shall also contain mishap notification and reporting procedures. The contractor shall have a central POC for safety and health related issues. The POC shall be identified in writing to the COTR.

7.2. The contractor shall ensure employees have safety education when engaged in activities involving Government facilities, personnel, or equipment.

7.3 The contractor shall immediately notify USDA safety personnel of all accidents/incidents involving employee use of and/or damage/injury to facilities, equipment, or personnel.

7.4 The contractor shall require their personnel to wear safety shoes/boots IAW OSHA standards.

7.5 The contractor shall provide all required personal protection equipment, e.g. respirators, hearing protection, eye protection, gloves, steel-toed boots, aprons, masks, face shields, reflective vests, etc. IAW OSHA standards.

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8.0. ENVIRONMENTAL REQUIREMENTS

8.1 The contractor shall comply with all federal, state, and local environmental laws, and USDA policies and regulations to include but not limited to Resource Conservation and Recovery Act (RCRA), Safe Water Drinking Act (SWDA), the Clean Air Act (CAA), and Federal Facilities Compliance Act (FFCA).

8.2 The use, handling, storage, and disposal of all toxic, hazardous, special or radiological wastes/materials shall be IAW all local, state, federal, and USDA environmental regulations and procedures. Personnel shall be trained by the Government on proper procedures to include spill response and clean up.

8.3 The contractor shall provide a complete environmental plan to assure compliance with all environmental statutes and regulations. One copy of the plan shall be provided to the COTR at the pre-performance conference and as changes occur.

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9.0 GOVERNMENT OBSERVATIONS

9.1 The COTR shall be responsible for continuous observations of the contractor's performance under this contract. All observations of incomplete or defective performance, or safety and health standards violated shall be recorded. Written notices issued by the CO shall require the contractor to reply, in writing, to the CO within five workdays after receipt, explaining reasons for the existing conditions, the corrective action, and procedures taken to prevent recurrence.

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APPENDIX I
USDA BUY BIOBASED BROCHURE

Biobased Products



Biobased Products

What at Are They?

Why Purchase Them?

Who is Required to Buy Them?

Where Can You Find Them? Policies and Guidelines

What Are They?

Biobased products, designated by the Secretary of Agriculture, are commercial or industrial products that are composed in whole, or in significant part, of biological products or renewable domestic agricultural materials or forestry materials.

Biobased products can include:

1. Adhesives
2. Construction materials and composites
3. Fibers, paper and packaging
4. Fuel additives
5. Landscaping materials, compost and fertilizer
6. Lubricants and functional fluids
7. Plastics
8. Paints and coatings
9. Solvents and cleaners
10. Sorbents
11. Plant and vegetable inks.

A detailed description of each category can be found at <http://www.biobased.oce.usda.gov>

Why Purchase Them?

1.01 It's mandated. The Farm Security and Rural Investment Act of 2002 (Farm Bill) requires Federal agencies to establish procurement preference programs for biobased products and to purchase these products if they are reasonably available, meet performance standards, and are reasonably priced.

2. The Federal Government spends more than 400 billion on goods and services each year. This "green" purchasing program minimizes negative environmental effects through the use of environmentally friendly products.

3. Biobased products are environmentally friendly and beneficial substitutes for fossil-energy-based products. Increased use of biobased products can:

- a. decrease the U.S. reliance on foreign oil and natural gas, and
- b. result in safer and healthier workplaces.

4. Federal purchase of biobased products will:

- a. increase demand for domestic crops for feedstock to manufacture biobased products, and
- b. increase economic development in Rural America by creating new markets for agricultural products.

Who Is Required To Purchase Biobased Products?

All Federal agencies are required to purchase designated biobased products, as defined in regulations to implement the statute, for all items costing over \$10,000 or when the quantities of functionally equivalent items purchased over the preceding fiscal year equaled \$10,000 or more. However, any procurement, by any Federal agency, which is subject to Section 6962 of title 42 (Solid Waste Disposal Act), shall not be subject to the regulations issued under Section 9002 of the Farm Bill, to the extent the requirements of the latter are inconsistent with those of the former

Federal agencies may decide not to procure designated biobased products if the items:

- a. are not reasonably available,
- b. fail to meet necessary performance standards, or
- c. is available only at an unreasonable price.

Where Can Biobased Products Be Found?

Sample Market Sites:

The following list of Websites contains only a few of the locations where information on biobased products can be found. For non-Federal Websites, no representations, guarantees, or warranties as to the accuracy or completeness of the presented information are made and USDA does not endorse any products or services at these sites.

Federal Fleet/Alternative Fuel Vehicles, DOE
http://www.ott.doe.gov/epact/fed_fleet_prog.shtml

Department of Defense EMall
<https://email.prod.dodonline.net/scripts/emLogon.asp>

The United Soybean Board
http://www.unitedsoybean.org/what_nu.htm

National Corn Growers Association
http://lepton.marz.com/ncga/comm_dev_center/index_PG.asp

GSA Advantage!®
<http://www.gsaadvantage.gov>

Biobased Products Program, USDA
<http://www.biobased.oce.usda.gov>

Impacting Guidelines and Policy

Laws:

Farm Security and Rural Investment Act, Section 9002 (May 13, 2002)

Regulation:

Federal Acquisition Regulation: Part 23, especially, and Parts 7, 11,12, 13, 36, 37, 42, and 52. <http://www.arnet.gov/far>. FAR Case 2004-032, "Biobased Products," is in the clearance process.

USDA Policy and Guidance:

Secretary's Memorandum 1042-003 dated 1/19/2005

DR 5023-002, "Biobased Products Procurement Program"

For More Information Contact
Mike Green
mike.green@usda.gov
(202) 720-7921

U.S. Department of Agriculture
Office of Procurement and Property
Management

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Provider and Employer*

APPENDIX J
ARTICLES ON BIOBASED SUCCESS STORIES

For Immediate Release
USDA, Washington, D.C.
June 1, 2004

Contact Mike Green
202-720-7921

Biobased Procurement Program Adopted by
Agricultural Research Service (ARS)

The Southern Plains Area of the ARS has become an early adopter of the Biobased Procurement Program and is taking immediate steps to ensure awareness, participation, and integration.

The Farm Security and Rural Investment Act of 2002 (FSRIA), Section 9002 of Public Law 107-17, mandates the development of a Federal Biobased Products Preferred Procurement Program (FB4P) that requires federal agencies to purchase biobased products. Products classified as biobased are those commercial and industrial non-food products composed, in whole or significant part, of biological and/or renewable domestic agricultural or forestry materials, such as plant, animal, and marine.

USDA's Secretary Ann M. Veneman says the FB4P, "builds upon President Bush's commitment to promoting energy independence while protecting the environment. This program will improve environmental health by using renewable resources from our farms and forests to produce products, [many which have previously been] derived from fossil energy sources. This program will enhance the development of high performing and environmentally friendly products."

Implementation of the FB4P by the Southern Plains Area of the ARS is multi-faceted and serves as a potential model. Area Director C.A. Onstad in College Station, Texas promoted the program in his four-state region by sending a detailed memorandum along with a video of the highly successful biobased efforts at the Beltsville Center. Location Coordinators and Laboratory/Center Directors in Arkansas, New Mexico, Oklahoma, and Texas received the memo from Onstad that:

introduced the Biobased Program, and requested its integration into daily operations, encouraged purchases of biobased products on a regular basis, provided a list of potential categories for biobased purchases, included a link to the USDA biobased website, established a point of contact for the program, and requested success stories.

Mike Downing, Area Procurement and Realty Officer, as well as point of contact for the Southern Plains Area Biobased Program, has also taken an active role in integrating the Biobased program. Downing's efforts were 2-fold. One memorandum that he sent to the Area Architectural Contractor introduced the Biobased Program, provided biobased resource material,

and requested biobased products be incorporated into all future design projects whenever possible. Downing then sent out an area-wide email to all locations/centers requesting status on implementing the biobased Program, successes or problems, and contacts for each location.

Recent activity indicates that the Southern Plains Area locations are steadily moving forward with the Biobased Program. The Grazinglands Research Laboratory in El Reno, Texas has already identified and purchased biobased products for farming operations, grounds-keeping, and facilities maintenance. Products purchased include:

- 1 bio-trans hydraulic tractor fluid,
- 2 bio-two-cycle engine oil,
- 3 bio-bar and chain oil,
- 4 bio-grease,
- 5 bio-penetrating lubricant,
- 6 bio-diesel fuel conditioners, and
- 7 bio-fuels.

ARS' level of commitment is so high that the Southern Plains Area has created an annual award. The "Southern Plains Area Greening Award" recognizes locations that have demonstrated continued effort, progress, and achievement in making environmentally friendly choices. The Conservation and Production Research Laboratory in Bushland, Texas was this year's award winner.

For additional information on the Southern Plains Area Biobased Program contact Mike Downing at 979-260-9446 or email at mdowning@spa.ars.usda.gov .

For additional information on FB4P contact Mike Green at 202-720-7921, email at Mike.GREEN@usda.gov, or visit the Biobased Products Initiative Web site at <http://www.biobased.oce.usda.gov/public/index.cfm>.

For Immediate Release
USDA, Washington, D.C.
June 1, 2004

Contact Mike Green
202-720-7921

Forest Service Proactive in Using Biobased Products

The USDA Forest Service is actively purchasing and using biobased products for composite material signs and watershed restoration structures.

The Farm Security and Rural Investment Act of 2002 (FSRIA), Section 9002 of Public Law 107-17, mandates the development of a Federal Biobased Products Preferred Procurement Program (FB4P) that requires federal agencies to purchase biobased products. Products classified as biobased are those commercial and industrial non-food products composed, in whole or significant part, of biological and/or renewable domestic agricultural or forestry materials, such as plant, animal, and marine.

USDA's Secretary Ann M. Veneman says the FB4P, "builds upon President Bush's commitment to promoting energy independence while protecting the environment. This program will improve environmental health by using renewable resources from our farms and forests to produce products, [many which have previously been] derived from fossil energy sources. This program will enhance the development of high performing and environmentally friendly products."

One example involves a patented, fortified wood composite product called Altree™, which is being used to make road and interpretive biobased signs. The Altree™ product consists of small-diameter trees and woody biomass combined with recycled plastic containers and was developed in collaboration with the Forest Service's own Forest Products Laboratory and other groups. The product name is truly representative because all parts of the tree are utilized, including the bark, branches, needles, and berries, resulting in no residual slash upon harvest. Characteristics which make it desirable include density higher than wood, longevity of 35-50 years plus depending on the application, stain resistance, waterproof, UV resistant, impervious to insects, and no leaching of harmful chemicals into the soil.

Endorsements are positive from customers, like Phil Bono, Recreation Technician, Smith River National Recreation Area, Six Rivers National Forest and Vicky Estrada, District Ranger, Mountainair Ranger District, who have both purchased signs. Says Bono, "I am very pleased with the quality of the signs, the low cost, and the quick delivery time. This is a great use for the materials that are removed from the local forests during fuel break construction or thinning

operations. I look forward to working with P&M signs in the future.” Estrada concurs, “I have worked with P&M Signs over the last 3 years. They have always been very responsive to all our sign requests. Atree™ has proven to be resistant to weather, gun shots, and porcupines.”

Another biobased stand-out purchased by the Forest Service from Forest Concepts, is a product called ELWd® (pronounced el-wood), which uses small-diameter logs and forest residuals to make small logs into bigger logs. These logs are then used to build structures for habitat enhancement, erosion control, and water restoration. ELWd® structures are held together by round mortise and tenon joints with spars joining opposite poles to create an interlocking all-wood structure. Since no bolts, nails, or other fasteners are needed, these structures can be built almost anywhere by untrained workers using simple tooling. The added bonus is that they decay naturally into the environment. Ottawa National Forest (Michigan/Wisconsin) uses ELWd® structures for stream and watershed restoration. Jerry Edde, Forests Fisheries Biologist, Ottawa National Forest says, “ELWd® is fulfilling a longstanding need. It's an easy way to put large woody debris in larger streams. The price is reasonable, the quality of the product is excellent, you do not need heavy equipment to install it, untrained volunteers can easily install it, and the company definitely stands behind their product. We have had a lot of experience with this product and like it. We plan to use the product more widely in the future.”

For additional information on the Biobased Procurement Program contact Mike Green at 202-720-7921, e-mail at Mike.GREEN@usda.gov, or visit the Biobased Products Initiative Web site at <http://www.biobased.oce.usda.gov/public/index.cfm>.

APPENDIX K
RCRA DATA CALL QUESTIONS

RCRA DATA CALL QUESTIONS

USDA worked with representatives from OFEE and OFPP to insert the following three questions into the RCRA Data Call:

- 1 Has your Agency's Affirmative Procurement Program been updated to incorporate the biobased requirements of section 9002 of the Farm Security and Rural Investment Act of 2002? Yes _____ No _____

- 2 Has your Agency started to train your personnel on the purchasing of biobased products?
Yes _____ No _____
If the response is yes, where did they receive the training?

- 3 Has your Agency started to purchase biobased products?
Yes _____ No _____
If the response is yes, what were the biobased products that were purchased?

If the response is no, what were the reasons for not purchasing biobased products?

APPENDIX L

DRAFT AGAR ADVISORY LANGUAGE for FedBizOps

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF PROCUREMENT AND PROPERTY MANAGEMENT
PROCUREMENT POLICY DIVISION
AGAR ADVISORY NO. _____

Federal Business Opportunities (FedBizOpps) Solicitation Descriptions
Requisite Language to be used When Designated Biobased Items Included as Part of a USDA
Contract Requirement

INTRODUCTION:

The purpose of this Agriculture Acquisition Regulation (AGAR) Advisory is to increase the number of opportunities for businesses to identify USDA solicitations advertised in FedBizOpps that contain biobased product requirements.

SUMMARY:

Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA), 7 U.S.C. 8102, charges the Department of Agriculture (USDA) with the development and implementation of a comprehensive affirmative procurement plan to increase the procurement and use of biobased products.

Biobased products are commercial or industrial products that are composed in whole, or in significant part, of biological products or renewable domestic agricultural materials or forestry materials. Over 400 categories (Items) of biobased products have been identified for designation by the Secretary. A detailed description of each Item category can be found at <http://www.biobased.oce.usda.gov/public/categories.cfm>

SPECIFIC ISSUES:

1.01 To increase the purchase and use of biobased products, it is essential that potential vendors are able to easily identify those USDA solicitations that contain biobased product requirements.

1.02 The biobased procurement program to increase the procurement and use of biobased products is an important issue USDA leadership. The importance and impact of the program to USDA's customers is considerable. Its success will stimulate new markets and help create new investment, job formation, and income generation in rural America.

1.03 To increase the procurement and use of biobased products, it is USDA policy that designated biobased products receive a preference for inclusion as requirements in appropriate USDA contracts over the simplified acquisition threshold that are not personal services contracts or contracts for food commodities.

1.04 ACTION:

Program officials are responsible for identifying the contract needs of their respective organizations. Where possible, they should consider including biobased products to replace non-biobased products for a specific contract requirement. When developing the statement of work (SOW) for a contract requirement that contains biobased products, program personnel should conduct a market research to determine availability and cost of the identified biobased products. Once the SOW has been completed, it shall be forwarded to the Head of Contracting Activity Designee (HCAD) of their organization for procurement action.

Each HCAD shall ensure, when biobased products have been included in a contract requirement, that the following two sentences are incorporated into the Synopsis description submitted to the Federal Business Opportunities (FedBizOpps):

“This procurement requires the use of biobased products to the extent that such products are reasonably available, meet agency or relevant industry performance standards, and are reasonably priced. Where available, these products should first be acquired from among qualified products that fall under the umbrella of items designated through the Federal Biobased Products Preferred Procurement Program (FB4P)”.

EFFECTIVE DATE

The provisions of this Advisory are effective immediately.

If you have any questions or comments regarding this advisory, please contact Mike Green by phone at (202) 720-7217, fax at (202) 720-8972, or by e-mail at Mike.Green@usda.gov

EXPIRATION DATE: Effective until canceled.

[END]