



U.S. General Services Administration

A photograph of the U.S. Capitol building's dome and facade, with an American flag flying on a pole in the foreground. The building is white with gold accents, and the sky is a clear blue.

Implementing Sustainable Procurement Within U.S. Government

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Overview

- Sustainable product and service requirements
- Sustainable source selection
- Monitoring sustainable public procurement
- Challenges and lessons learned
- Questions/Discussion

Sustainable Product and Service Requirements

- Existing laws and regulations within U.S. require federal agencies to purchase sustainable products and services.
- Federal agencies have to develop, implement, and update an integrated Strategic Sustainability Performance Plan in order to achieve the goals and targets established in US laws/regulations.
- Sustainable acquisition is discussed within each federal agency's plan.

Environmental Requirements

- Recovered content- EPA CPG
- Low GHG/ozone depleting substances- EPA SNAP
- Energy efficient- DOE/EPA Energy Star
- Water efficient- EPA WaterSense
- Biobased- USDA BioPreferred
- Transportation emissions- EPA Smartway
- Non-hazardous chemicals- EPA SaferChoice
- Environmentally preferable (e.g. EPEAT)
- Clean or renewable energy
- Alternative or zero emission fuel vehicles
- Energy efficient data centers
- Supply chain greenhouse gas emissions reporting

Socio-Economic Requirements

- Small business set-asides
- Women and minority owned business set-asides
- Veteran-owned and service disabled veteran-owned
- Handicapped and blind mandatory sources
- Prohibition on human trafficking
- Minimum wages for contractor employees
- Workplace safety and anti-discrimination policies

Allowable Exceptions For Sustainable Requirements

- Product or service cannot be acquired competitively within a reasonable performance schedule.
- Product or service cannot be acquired that meets reasonable performance requirements.
- Product or service cannot be acquired at a reasonable price. The price shall be deemed unreasonable when the total life cycle costs are significantly higher for the sustainable product or service versus the non-sustainable product or service.

Sustainable Source Selection

- Best Value
 - Project teams are encouraged to include sustainability factors or sub-factors in contractor selection criteria on high impact procurements
 - Examples
 - Contractor's past performance on delivering sustainable products/services and providing sustainability documentation/reports
 - Contractor's plan for meeting or exceeding sustainable requirements of project

Sustainable Source Selection

- Lowest Price Technically Acceptable
 - For procurements establishing minimum technical criteria for selecting contractors, project teams are encouraged to include sustainability criteria when appropriate.
 - Examples:
 - Contractor personnel must have relevant sustainability certification.
 - Contractor must have experience delivering sustainability services or products.
 - Contractor's performance plan must meet minimum sustainable requirements.

Monitoring Sustainable Procurements

- When Awarding Contract:
 - Document sustainable product/service requirements or exceptions
 - Document sustainable contractor reporting requirements
- After Contract Award:
 - Contractor sustainability reports
 - Contractor/Manufacturer product documentation showing compliance with sustainability requirements

Monitoring Sustainable Procurements

- Federal agency Strategic Sustainability Performance Plans
- Federal agency Program Management Reviews covering sustainability
- Biannual sustainability contract audits

Monitoring At Contract Award

- ▶ U.S procurement officers are required to enter sustainability data into the Federal Procurement Data System.
- ▶ **Indicators:**
 - ▶ Environmental and social sustainability product/service requirements
 - ▶ Sustainability contractor reporting
- ▶ **Target:** all contracts must have applicable requirements unless an allowable exception is documented

Monitoring After Contract Award

- Contractor Reporting Examples
 - For certain service and construction contracts, contractors are required to report at least annually the amount of USDA BioPreferred products purchased for the contract.
 - Waste diversion data for applicable service contracts
 - **Indicators:**
 - Dollar value of BioPreferred purchases
 - Percentage of waste diversion
 - **Target:** minimum 50% waste diversion unless an allowable exception is documented

Monitoring After Contract Award

- Contractor/Manufacturer compliance documentation
 - Project teams are required to take reasonable steps to verify compliance with sustainability requirements included in the contract.
 - U.S. General Services Administration and U.S. Department of Energy have developed a Verification Guide for Purchasers of Sustainable Products to assist with determining compliance.
 - **Indicator:** percentage of contracts providing documentation showing compliance
 - **Target:** acceptable documentation must be provided for all applicable procurements

Federal Agency Strategic Sustainability Performance Plans

- Federal agencies are required to produce a strategic sustainability performance plan that includes a section on sustainable acquisition.
- Sustainable acquisition section of plan outlines current actions being implemented as well as planned actions to improve sustainable acquisition program.
- **Indicator:** whether federal agency has produced acceptable strategic plan for implementing sustainable acquisition at agency level
- **Target:** all applicable federal agencies must provide an acceptable performance plan

Agency Program Management Reviews

- U.S. federal agencies conduct program management reviews (contract reviews) to determine whether procurements comply with regulations and laws.
- These reviews vary across U.S. federal agencies and programs but typically evaluate whether applicable sustainability regulations have been followed.
- **Indicator:** percent of contracts compliant with sustainability regulations and laws
- **Target:** all applicable contracts must be compliant with laws and regulations.

Biannual Sustainable Acquisition Audits

- Large federal agencies must audit 5% of applicable contracts biannually to verify sustainable requirements are included.
- Federal agencies report results of audits to White House as part of overall Sustainability Scorecard.
- **Indicator:** percentage of contracts including applicable sustainable requirements
- **Target:** all contracts must have applicable requirements unless an allowable exception is documented

Challenges in Monitoring and Reporting

- Training acquisition workforce to provide accurate sustainability data within reporting systems.
- Training contractors and subcontractors to provide accurate sustainability data within reporting systems.
- Updating legacy electronic systems to stay current with evolving sustainability regulations and best practices.

Challenges in Monitoring and Reporting

- Integrating monitoring and reporting into existing acquisition processes and electronic databases. The databases have to be easy for procurement workforce and contractors to use.
- Designing sustainability indicators and reporting processes to be effective yet understandable by the acquisition workforce.

Lessons Learned

- Focus on high impact indicators and devote resources to ensuring these high impact areas are implemented effectively before moving on to other indicators.
- Ensure all monitoring and reporting is done transparently with the results used to improve future performance. U.S. government publicizes available monitoring data on www.performance.gov website.
- To improve future performance, integrate sustainability requirements into acquisition regulations and keep requirements as concise and simple as possible.

Lessons Learned

- Supply chain greenhouse gas emissions need to be monitored as part of a sustainable public procurement program.
- Utilize multi-attribute standards and labels to efficiently include multiple environmental and socio-economic requirements as well as reduce the complexity of verifying contractor compliance.

Lessons Learned

- Manual audits or program management reviews are helpful to verify accuracy of sustainability data and correct deficiencies.
- In addition to quantitative data on sustainability outputs (procurements) and impacts (benefits), monitor institutionalization of sustainability program. See UN SPP Monitoring Report for key performance indicators for all 3 categories of monitoring.

Questions/Discussion

