

Department of Defense Green Procurement Program Strategy



Promoting Environmental Stewardship Throughout the Department of Defense

Updated November 2008

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

Table of Contents

INTRODUCTION	1
WHEN DO I NEED TO CONSIDER GREEN PROCUREMENT AND WHERE CAN I FIND GREEN PRODUCTS AND SERVICES?	3
DOD's GREEN PROCUREMENT PROGRAM	6
DoD Requirements for Green Procurement Management:.....	6
a. Policy.....	6
b. Planning – Preference Program and Procedures	6
c. Implementation and Operation.....	7
d. Checking and Corrective Action.....	8
e. Management Review.....	9
ROLES AND RESPONSIBILITIES	11
I. Procurement Request Originator and Acquisition Program Managers	11
II. Governmentwide Commercial Purchase Card Approving Officials.....	12
III. Installation Procurement Offices	12
IV. Installation Environmental Managers.....	13
V. Installation and Operational Commanders.....	13
VI. Installation or Organization GPP Manager(s)	14
VII. Military Department and Agency Heads.....	14
VIII. Agency Procurement Executive - Director, Defense Procurement Acquisition Policy, and Strategic Sourcing.....	15
IX. Agency E.O. 13423 Senior Official - Deputy Under Secretary of Defense (Installations and Environment).....	15
WHERE CAN I GET TRAINING ON GREEN PROCUREMENT?.....	16
Green Procurement	16
Federal Energy Management Program (FEMP)	16
Related Training.....	16
ADDITIONAL REGULATORY AND PROGRAM GUIDANCE	17
ANNUAL E.O. 13423 SUSTAINABLE PRACTICES/FSRIA REPORTING REQUIREMENTS FOR SERVICES/AGENCIES	19
DoD GPP MANAGEMENT ASSESSMENT	20
Assessing your GPP	20
Policy	20
Planning	20
Implementation and Operation	20
Checking and Corrective Action.....	21
Management Review	21
DoD GREEN PROCUREMENT METRICS	22
ACRONYMS.....	23
TERMINOLOGY	24

INTRODUCTION

This document formally established the Department of Defense's (DoD) [Green Procurement Program \(GPP\)](#) in Fiscal Year (FY) 2004 and provides an agency-wide strategy for implementing an effective program. The purpose of the DoD GPP is to enhance and sustain mission readiness through cost effective acquisition that achieves compliance and reduces resource consumption and solid and hazardous waste generation. Green procurement includes the acquisition of:

- recycled content products,
- environmentally preferable products and services,
- biobased products, energy- and water-efficient products,
- alternate fuel vehicles and alternative fuels,
- products using renewable energy, and
- alternatives to hazardous or toxic chemicals.

Green procurement practices also play a key role in enhancing transportation efficiency and sustainable buildings. The GPP applies to all acquisitions from major systems programs to individual unit supply and service requisitions.

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

Green Procurement Program Objectives:

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

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- Reduce consumption of petroleum and increase the use of alternative and renewable fuel sources.
 - Increase in the use of renewable energy.
 - Reduce the use of ozone depleting substances and hazardous and toxic chemicals.
 - Improve the procurement of green electronic equipment through smarter acquisition.
 - Increase the use of biobased products and reduce dependence on fossil energy-based products derived from imported oil and gas.
 - Reduce consumption of energy and natural resources.
 - Expand markets for green products and services.

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

This strategy defines DoD's minimum requirements for green procurement management. They shall be implemented in DoD and Component organizations as the management framework for the Federal Green Purchasing Programs, including those listed herein and new programs as they are established in law, regulation, or Executive Order (E.O.).

The DoD GPP requires green products and services to be purchased to the maximum extent practicable, consistent with the requirements of relevant Federal Green Purchasing Programs. No part of the DoD GPP Strategy or DoD Component Green Procurement Programs shall be interpreted to supersede any Federal green procurement requirements.

The responsibility for implementing DoD's GPP lies not within any single organization, but with every person involved in the procurement process. This includes, but is not limited to, the technical/requirements planner, contracting specialist, contracting officer, persons requisitioning products or services through any source of supply, and governmentwide commercial purchase card (GCPC) holders. Each person has a role to play in ensuring that DoD complies fully with all Federal procurement preference requirements.

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

Under [E.O. 13423](#), “Strengthening Federal Environmental, Energy, and Transportation Management,” federal agencies are required to use sustainable environmental practices in the acquisition of goods and services.

E.O. 13423, sec. 2(d) and (h), excerpted: In implementing the policy set forth in section 1 of this order, the head of each agency shall:

(d) require in agency acquisitions of goods and services (i) use of sustainable environmental practices, including acquisition of biobased, environmentally preferable, energy-efficient, water-efficient, and recycled-content products, and(ii) use of paper of at least 30 percent postconsumer fiber content;

(h) ensure that the agency (i) when acquiring an electronic product to meet its requirements, meets at least 95 percent of those requirements with an Electronic Product Environmental Assessment Tool (EPEAT)-registered electronic product, unless there is no EPEAT standard for such product....

Sec. 3(a), excerpted, (e), and (f): In implementing the policy set forth in section 1 of this order, the head of each agency shall:

(a) implement within the agency sustainable practices for (i) energy efficiency, greenhouse gas emissions avoidance or reduction, and petroleum products use reduction, (ii) renewable energy, including bioenergy, (iii) water conservation, (iv) acquisition, (v) pollution and waste prevention and recycling, (vi) reduction or elimination of acquisition and use of toxic or hazardous chemicals, (vii) high performance construction, lease, operation, and maintenance of buildings, (viii) vehicle fleet management, and (ix) electronic equipment management;

(e) ensure that contracts entered into after the date of this order for contractor operation of government-owned facilities or vehicles require the contractor to comply with the provisions of this order with respect to such facilities or vehicles to the same extent as the agency would be required to comply if the agency operated the facilities or vehicles;

(f) ensure that agreements, permits, leases, licenses, or other legally-binding obligations between the agency and a tenant or concessionaire entered into after the date of this order require, to the extent the head of the agency determines appropriate, that the tenant or concessionaire take actions relating to matters within the scope of the contract that facilitate the agency’s compliance with this order.

In addition to E.O. 13423, certain laws concern green procurement and mandate the specific procurement of supplies/services. For example:

- Section 6002 of the Resources Conservation and Recovery Act (RCRA) requires federal agencies to comply with the Environmental Protection Agency's (EPA's) regulations concerning procurement of items composed of recovered materials. EPA's "Buy Recycled" program requires the purchase of recycled content products for specific designated products.
- The U.S. Department of Agriculture (USDA)'s "BioPreferred" program, under Section 9002 of the Farm Security and Rural Investment Act, requires the purchase of biobased products for specific designated products.
- The Energy Policy Act of 2005 (EPA 2005) requires Federal agencies to purchase ENERGY STAR® and Federal Energy Management Program (FEMP)-designated products.

Information about the many components of the GPP can be found on the internet at the web sites provided in the "[Additional Regulatory Guidance](#)" section of this document.

The Federal green procurement program components were created as individual programs authorized by various statutes and E.O.s and administered by three agencies: EPA, the DOE, and the USDA. E.O. 13423 and the [Instructions for Implementing E.O. 13423](#) require agencies to implement these individual programs as a holistic green procurement program. Under the Instructions for Implementing Executive Order 13423 issued by the Council on Environmental Quality, each federal agency shall give preference in their procurement and acquisition programs to the purchase of:

- Recycled content products designated in EPA's Comprehensive Procurement Guidelines.
- ENERGY STAR® products identified by DOE and EPA, as well as FEMP-designated energy-efficient products.
- Water-efficient products, including those meeting EPA's WaterSense standards.
- Energy from renewable sources.
- Biobased products designated by the U.S. Department of Agriculture in the BioPreferred program.
- Environmentally preferable products and services, including EPEAT-registered electronic products.
- Alternative fuel vehicles and alternative fuels required by EPA.
- Products with low or no toxic or hazardous constituents, consistent with section VIII.A of these instructions.
- Non-ozone depleting substances, as identified in EPA's Significant New Alternatives Program.

The Green Purchasing section of the Office of the Federal Environmental Executive's (OFEE) web site, www.ofee.gov/gp/gp.asp, is the portal to the Federal Green Procurement

Programs and links to each of the program components. The EPA Database of Environmental Information for Products and Services at <http://yosemite1.epa.gov/oppt/epstand2.nsf> provides a quick reference guide to the various programs and products involved in DoD's GPP. The EPA database provides links to contract language, specifications, and policies; environmental standards and guidelines; vendor lists of product brands; and other useful sources of information (e.g., fact sheets, guidance, case studies). Similar component-specific information is found in the other program component-specific web sites managed by EPA, DOE, and USDA.

There are many ways to find green products. Routinely used government supply sources have green products but these products must be sought and specifically requested. Products are available through supply catalogs published by the General Services Administration (GSA), the Defense Logistics Agency (DLA), and local contractors serving as AbilityOne Program distributors. Green products also are readily available through government supply sources on the internet. Sample green contract language also can be found on the web or through networking on electronic mail list servers. A list of useful resources and web sites is provided in the "[Additional Regulatory Guidance](#)" section.

In every procurement action involving EPA- or USDA-designated items, the procurement request originator must justify a decision not to procure products containing recovered material or biobased content. Valid justifications must be based upon the inability to acquire the product in a timely manner or at a sufficient level of competition, at a reasonable price, or to satisfy the technical/performance requirements. In addition, agencies must also justify a decision not to procure ENERGY STAR® and FEMP-designated products when procuring energy consuming products, as applicable, unless the Head of Agency makes a written finding of an exception as defined in the EPO Act 2005. Such justifications must be based on the inability to acquire the product that meets the functional requirements of the agency or is cost-effective over the life of the product, taking energy cost savings into account.

DOD's GREEN PROCUREMENT PROGRAM

The overall framework selected for the DoD GPP is the basic framework of an environmental management system (EMS). The basic EMS framework consists of: Policy, Planning, Implementation and Operation, Checking and Corrective Action, and Management Review. The required elements of E.O. 13423, RCRA of 1976 Section 6002, Section 9002 of the Farm Security and Rural Investment Act of 2002 (The Farm Bill), and EPA Act 2005 correlate well with the EMS framework, and all other components of Federal green procurement may be readily integrated into the EMS framework.

The Department's GPP is jointly managed by the Deputy Under Secretary of Defense for Installations and Environment (DUSD(I&E)) and the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing (USD(AT&L)/DPAPSS). Information regarding the DoD GPP is available on [DUSD\(I&E\)](#), Defense Environmental Network Information and Exchange ([DENIX](#)) and [DPAP](#) websites.

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

DoD Requirements for Green Procurement Management:

The following sections describe the process that installations/organizations should use to develop an effective GPP.

a. Policy

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

b. Planning – Preference Program and Procedures

- Establish and document a process to identify opportunities to procure green products and services in the normal course of business, maintain a list of such opportunities, and update the list regularly to reflect changes in the mission and availability of green products and services relevant to the mission. The list of green procurement opportunities should be developed and maintained at a level within the organization where initial purchasing requirements are defined.
- Establish and document a process for setting, maintaining, and annually reviewing and updating objectives and targets for GPP performance that are appropriate for the nature and quantity of purchases made by the organization. Objectives and targets must be established

for significant opportunities to purchase green products and services. Objectives and targets should be based on the organization's purchasing activities and applied at a level of the organization where initial purchasing requirements are defined.

- Implement and operate the GPP in a manner that meets or exceeds the requirements of all relevant laws, regulations, and E.O.s.
- Document the objectives, targets, and actions necessary to achieve them in an installation-level plan for improving green procurement performance. Existing AP or GPP Plans may meet many of the basic requirements; however, they should be expanded during future reviews to include the DoD GPP management system structure and to address changes in requirements, goals, and policies relative to all applicable Federal green purchasing programs.

c. Implementation and Operation

- Define and document roles and responsibilities and establish accountability for GPP implementation and operation.
 - Ensure each individual is aware of his/her responsibilities under the GPP.
 - Ensure each individual has received training to fulfill such responsibilities competently.
 - Ensure accountability for implementation by including green procurement responsibilities in job descriptions and performance standards of key personnel (e.g., facility managers, information technology (IT) managers, environmental and energy program managers, vehicle fleet managers, contracting officials, GCPC program managers, and others as appropriate).
 - If appropriate, create a green procurement team or assign a manager(s) to review proposed procurements and acquisitions for inclusion of green procurement requirements.
- Implement training.
 - Tailor the GPP awareness training program to the nature and quantity of purchases made by the organization.
 - Include initial and refresher training for all personnel involved in the procurement process from requirements generation to contracting, credit card, or other purchase actions. Green training was added to the mandatory course material for purchase cards. Card holders must take the initial purchase card training (available online at [Defense Acquisition University \(DAU\)](#)) prior to a card being issued. It is DoD policy that all cardholders, approving officials, certifying officials and Agency/Organization Program Coordinator must take refresher purchase card training every two years after completing basic card training.
 - Incorporate the GPP awareness training program into established training programs for installation management and staff, such as: new employee orientation; environmental awareness training; Contracting Officer's Representative, governmentwide commercial purchase card, and other procurement training; and office administrative staff training.
 - Establish a process to identify training requirements for each position, and document initial and follow-up training for each individual with responsibilities under the GPP.

- Implement internal and external communication programs.
 - Educate government personnel and contractors about complying with the requirements of Federal green purchasing programs.
 - Use the following tools, and others, as appropriate:
 - Electronic broadcast messages
 - Articles in agency/site newsletters and newspapers
 - Web sites to provide information and notices on green procurement of products and services, waste prevention, and recycling
 - Publications, speeches, commitments, and presentations in association with DoD-sponsored and national events such as Earth Day, America Recycles Day, DoD Procurement Conference, and Environment, Energy, & Sustainability Symposium & Exposition (E²S²)
 - Bulletin boards, marquee, or other means of posting information
 - Acquisition forecasts
- Define GPP documentation requirements. For example, document the following:
 - Consideration of environmental and energy aspects of a planned acquisition or procurement (e.g., products that will be supplied or used in the performance of the work, such as janitorial products and restroom paper products)
 - Initial and follow-up training for each individual with responsibilities under the GPP
 - Justification for not purchasing green products and services (e.g., price, performance, or availability)
 - Certifications, estimations, and verifications
 - Performance data and metrics
 - Required reports and records
 - Other records needed for a successful program
- Implement operational controls.
 - Establish procedures to ensure GPP requirements are addressed in all procurement actions and at each appropriate stage of the procurement process.
 - Establish procedures and approval authorities for justifications not to purchase green products.
 - Establish automatic substitution procedures where appropriate and feasible.

d. Checking and Corrective Action

- Establish a process for evaluation and reporting of GPP performance, if a corrective action program does not already exist through the installation EMS, or other management system.
- Measure performance based on:
 - Installation-level objectives and targets established at the organization level where initial purchasing requirements are defined
 - DoD Component-level objectives and targets

- Use established DoD data tracking and audit systems to measure performance consistent with DoD and Federal metrics and reporting requirements.
 - Federal Procurement Data System-Next Generation (FPDS-NG) data at <https://www.fpds.gov/>
 - Defense Logistics Agency's web-based Green Procurement Reporting (GPR) at www.dlis.dla.mil/erlsgpr
 - GPP training data from DAU (click on CLC tab then CLC046): [DAU Continuous Learning Module CLC046 - Green Purchasing](#)
 - List of partners in the Federal Electronics Challenge (FEC) found at <https://db2.erg.com/fec/curpart.asp>
 - Contract management reviews, environmental compliance audits, GCPC audits
- Develop other measurement tools as necessary to meet local mission and management goals.
- Annually report up the chain of command as necessary to meet the Federal, DoD, and Component reporting requirements.
 - DoD will collect data annually to comply with the statutory and E.O. reporting requirements. Reporting guidance will be issued annually by Office Under the Secretary of Defense, OUSD (AT&L)/I&E and DPAP.
 - All DoD organizations' respective evaluation and reporting processes shall be conducted in a manner that supports the content and timing of DoD's reporting requirements.
 - Currently, DoD's Federal agency-level reporting requirements are limited to the E.O. 13423 Sustainable Practices, Farm Security and Rural Investment Act of 2002 (FSRIA) 9002 Annual Report, and the Annual Report to Congress for the GPP.
- Incorporate GPP requirements into self assessments, compliance inspection protocols, management system audit protocols, contract audit protocols, and GCPC audit protocols. Note: See [DoD GPP Management Assessment](#).
- Develop corrective action procedures to address deficiencies identified in assessments, inspections, and audits.
- Conduct routine self assessments of the effectiveness of GPP awareness training, the completeness and integrity of GPP performance data, and the overall GPP.
- Evaluate the effectiveness of audit procedures, including implementation of corrective actions.

e. Management Review

- Establish procedures for routine (at least annual) senior management review of the effectiveness of the GPP in each relevant organization and at each level of the Department. The organization's management should review the GPP comprehensively to ensure its continued suitability and effectiveness in meeting green procurement requirements, and to ensure continual improvement in green procurement performance.

- Include, at a minimum, results from audits; progress on objectives and targets; FPDS-NG data; DLA-provided green procurement data; training data; and the effectiveness of the GPP in meeting local, Component, and DoD GPP requirements. The management review process should result in documented conclusions and recommendations for which follow-on actions are required and tracked through the appropriate installation corrective action program.

ROLES AND RESPONSIBILITIES

I. Procurement Request Originator and Acquisition Program Managers

Procurement request originators may include GCPC holders, technical requirements generators/specification writers, facilities managers, construction managers, fleet managers, and IT managers. Procurement request originators and acquisition program managers are responsible for:

- Identifying and documenting whether recycled content, biobased content, and energy- and water-efficient products, alternative fuel vehicles, and products containing non-ozone depleting substances are required.
- Determining if recycled content and biobased products satisfy local requirements for price, availability, and performance and if FEMP-designated or ENERGY STAR® products are life-cycle cost effective and reasonably available.
- Identifying opportunities for specifying environmentally preferable products and services, including:
 - Cleaning products and services
 - Materials used in construction, renovation, and landscaping
 - EPEAT-registered products
 - Low or non-toxic and hazardous chemicals or products with low or non-toxic constituents
 - Conference and meeting services
 - Renewable energy sources
- Identifying and developing specifications that are based on consideration of all of the green attributes identified in the section of this document titled “When Do I Need to Consider Green Procurement...”
- Ensuring that relevant green procurement requirements are identified prior to submission to the contracting office, the approving official or source of supply, so that final/approved purchase requests properly address all relevant green procurement requirements.
- Consulting with contract and environmental specialists to improve procurement plans and prepare purchase requests, statements of work or specifications that incorporate relevant green procurement concepts and requirements of Federal laws, regulations and E.O.s.
- Following DoD Component or locally established procedures for documenting exceptions to green procurement requirements.
- Applying life-cycle cost concepts to determine cost effectiveness of green alternatives for use in acquisition and procurement decisions.
- Providing oversight of contract execution to ensure green procurement requirements are addressed in accordance with the terms of the contract.
- Attend GPP training, as required.

II. Governmentwide Commercial Purchase Card Approving Officials

Governmentwide Commercial Purchase Card (GCPC) Approving officials are responsible for:

- Reviewing purchase requests to determine whether green products have been considered or requested.
- Ensuring that mandatory GPP requirements are being met.
- Determining if there is appropriate justification based on price, performance, or availability for not meeting the purchasing requirements of the “Buy Recycled” or “BioPreferred” program.
- Attend GPP training, as required.

III. Installation Procurement Offices

Contracting officials are responsible for:

- Reviewing all procurement requests to ascertain and validate whether green products or services are involved in the procurement action.
- Providing guidance to procurement request originators and facilitating acquisition planning with respect to green products and services.
- Providing and documenting green procurement training for procurement personnel in consultation with appropriate DoD and Component acquisition/procurement training sources and environmental management organizations.
- Incorporating appropriate green procurement language and Federal Acquisition Regulation (FAR) provisions and clauses in solicitations and contracts, respectively, consistent with specifications provided by the customer.
- Ensuring all contract actions from development through award, execution, and close-out meet relevant FAR requirements for green procurement. Specifically, as required by FAR 23.405, these requirements include placing a written justification in the contract file for acquisitions above the micro-purchase threshold that describes why an EPA-designated product *containing recovered materials* or USDA-designated item containing biobased content was not acquired.
- Maintaining required documents in the contract file to include estimates, certifications, and written justifications for exceptions when required.
- Accurately completing the Contract Action Report (CAR) for data input to FPDS-NG.
- Including environmental considerations (reuse, recycling, waste reduction, and green procurement) as a selection criterion.
- Assisting organizations and personnel involved in the procurement process in utilizing the FPDS-NG and the DLA GPR tool at www.dlis.dla.mil/erlsgpr to track performance.
- Complying with procedures for monitoring and annually reviewing the effectiveness of the GPP.

IV. Installation Environmental Managers

Installation environmental managers are responsible for:

- Implementing an awareness program to promote green procurement that covers the program components appropriate for products and services purchased at the installation along with implementation of Federal Acquisition Regulation requirements at the installation.
- Advising the procurement request originators and contracting officers on best practices for acquisition strategies with green products and services.
- Providing procurement request originators and contracting officers with current Federal requirements and listings of green products and services.
- Providing procurement request originators with information and tools supporting non-mandatory GPP initiatives, such as the web links for EPA Green Cleaning Product recommendations, the EPA EPP database, and green product catalogs or listings from the GSA and DLA.
- Providing green procurement consultation support to all personnel and organizations involved in the purchasing process, including personnel and organizations that define requirements, write specifications, order, purchase, or contract for products or services.
- Providing recommendations to management personnel across all organizations involved in the purchasing process on the preparation, implementation, and monitoring of the GPP.
- Supporting and monitoring the organization's or installation's achievement of green procurement objectives and targets within the EMS.
- Attend GPP training, as required.

V. Installation and Operational Commanders

Installation and operational commanders are responsible for:

- Designating the installation GPP manager(s).
- Signing and supporting the organization or installation GPP policy and plan.
- Ensuring that all organizational personnel are trained in green procurement and such training is tracked, managed, and reported as necessary to ensure all personnel involved in the procurement process are knowledgeable and competent to comply with green procurement requirements relevant to their procurement/purchasing action(s).
- Ensuring appropriate personnel are accountable for the GPP through inclusion of green procurement responsibilities in job descriptions and performance standards.
- Establishing and updating installation-level objectives and targets for green procurement.
- Routinely evaluating the performance of subordinate units relative to their green procurement objectives and targets.
- Recommending personnel and projects for nomination for White House Closing the Circle Awards.
- Attend GPP training, as required.

VI. Installation or Organization GPP Manager(s)

Installation or organization GPP Managers are responsible for:

- Serve as technical point of contact for installation/organization personnel regarding green procurement requirements and implementation.
- Organize and participate in installation or organizational meetings/forums addressing green procurement and its implementation.
- Initiate and develop the installation GPP by identifying opportunities for the procurement of green products and services, providing information on green products to installation purchasing activities, and publishing a green procurement policy and plan.
- Document and promote the initiatives and accomplishments of the GPP and disseminate lessons learned.
- Monitor the progress of the GPP objectives and targets within the EMS.
- Investigate and recommend training sources and maintain records of green procurement training of requirements generators, procurement personnel, and GCPC holders.
- Recommend changes in policies or procedures to improve the GPP when necessary.
- Periodically review written justifications for the purchase of noncompliant products to determine their installation-wide consistency and validity.
- Establish procedures to collect GPP data to support reporting requirements.
- Review and update the installation GPP every three years or sooner if regulations or requirements change, new products are designated, or operational changes affect procurement.
- Attend GPP training, as required.

VII. Military Department and Agency Heads

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

- Promoting DoD's GPP.
- Providing policy and guidance to component/agency personnel on implementing the GPP.
- Ensuring that each installation has an effective GPP that is appropriate for the nature of its purchasing and contracting activities.
- Establishing procedures to collect data that meets reporting requirements.
- Utilize and analyze procurement data for the purpose of management evaluation of green procurement performance, when such data is maintained in the FPDS-NG, DLA GPR tool at [Defense Logistics Information Service \(DLIS\)](#), or other databases operated by procurement organizations.
- Implement and operate the GPP in a manner that meets or exceeds the requirements of all relevant laws, regulations, and E.O.s.
- Define Senior Management at Agency-level to facilitate senior management reviews.

VIII. Agency Procurement Executive - Director, Defense Procurement Acquisition Policy, and Strategic Sourcing

The Director, DPAPSS and associated staff are responsible for:

- Ensuring that all appropriate acquisition courses offered through the Defense Acquisition University incorporate green procurement training to ensure a sufficient level of proficiency.
- Issuing procurement policies and regulations in consonance with green procurement requirements.
- Issuing contract language supporting sustainable/green procurement or operations.
- Sharing best practices in DENIX; [Green Procurement/Biobased Best Practices](#).
- Promoting the Department's GPP.
- Working in consonance with the Agency E.O. 13423 Senior Officials to review and analyze green procurement indicators, including the preparation of the annual report to the Office of the Federal Procurement Policy (OFPP) and the OFEE.
- Utilizing FPDS-NG data, DLA Environmental Reporting Logistics System (ERLS) GPR tool at www.dlis.dla.mil/erlsgpr, and contract management review data to track performance.
- Serves on Defense Acquisition Regulation System Environmental Committee.

IX. Agency E.O. 13423 Senior Official - Deputy Under Secretary of Defense (Installations and Environment)

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

- Promulgating the Department's policies and regulations in conjunction with the Director of Defense Procurement and Acquisition Policy.
- Sharing best practices.
- Coordinating education and promotional activities.
- Working in consonance with the Senior Acquisition Executive to review and analyze green procurement indicators, including the preparation of the annual report to the OFPP and OFEE.
- Utilizing FPDS-NG data, the DLA GPR tool at www.dlis.dla.mil/erlsgpr, and environmental audit data to track performance.

WHERE CAN I GET TRAINING ON GREEN PROCUREMENT?

Green Procurement:

- **Buying Green: A Multi-Functional Approach to Pollution Prevention.** To order the manual or obtain more information on training offered by the DLA Training Center call (614) 692-5969, 1-800-458-7903, (269) 961-7046, or fax (269) 961-7055.
- **Green Procurement Training.** The U.S. Army Center for Health Promotion and Preventive Medicine offers onsite Green Procurement training at DoD facilities to credit card buyers, procurement request originators, and contracting personnel. Call (410) 436-5202 or visit <http://chppm-www.apgea.army.mil/gwswp/greenpro.aspx>.
- **DAU Contracting Courses:** <http://www.dau.mil>. **Online course available from DAU:** DAU Purchase Card Continuous Learning Module (click on CLG tab then CLG001): [DAU Continuous Learning Module CLG001-DoD Government Purchase Card](#)
- **DAU Green Purchasing Continuous Learning Module:** (click on CLC tab then CLC046) [DAU Continuous Learning Module CLC046-Green Procurement](#)
- **Air Force Environmental Safety and Occupational Health (ESOH) Training Network Computer-based Training Course:** <http://esohtn.com/>
- **OFEE GPP Training:** <http://ofee.gov/gp/training.asp>

Federal Energy Management Program (FEMP):

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

Related Training:

- **Buy Recycled Training Manual 5th Edition:** Contact Maryland Environmental Services, 2011 Commerce Park Drive, Annapolis, MD 21401 (410-974-7252)
- **Department of Energy Environmental Pollution Prevention Information Clearinghouse:** <http://www.hss.energy.gov/pp/archives/otherinfo.htm>

ADDITIONAL REGULATORY AND PROGRAM GUIDANCE

Below is a list of additional regulatory and program guidance related to GPP. This list is not all inclusive.

<u>Public Law 107-171</u>	Known as the “Farm Bill,” this law establishes the USDA biobased product program. USDA designates biobased items for Federal agencies to purchase and provides recommendations for agencies purchasing these items with biobased content.
<u>Section 6002 of the RCRA</u>	RCRA Section 6002 requires the EPA to issue Comprehensive Procurement Guidelines (CPGs) that list designated items that are or can be made with recovered materials. It also established some of the fundamental requirements for recovered material procurement including applicability, acceptable exceptions, certifications and estimations, and exclusion of specifications for virgin materials.
<u>Energy Policy Act (EPA) of 2005</u>	The EPA Act is a comprehensive piece of legislation that covers numerous topics in the areas of energy and water conservation, alternative energy sources, reduction in fossil fuel use, and sustainable building design. It includes specific procurement requirements for energy efficient products and the increased use of cement/concrete with recovered mineral content.
<u>Federal Acquisition Regulation (FAR) Subpart FAR 23.2</u>	This subpart prescribes policies and procedures for acquiring energy- and water-efficient products and services, and products that use renewable energy technology.
<u>FAR Subpart 23.4</u>	This subpart prescribes policies and procedures for acquiring Environmental Protection Agency (EPA)-designated products or U.S. Department of Agriculture (USDA)-designated items through AP programs required by the RCRA of 1976 and E.O. 13423.
<u>FAR Subpart 23.7</u>	This subpart prescribes policies and procedures for acquiring energy-efficient, water conserving, and environmentally preferable products and services.
<u>40 CFR Part 247</u>	The CPGs are published in 40 CFR Part 247 of the Federal Register. This part contains some general affirmative procurement requirements and the specific recycled content item designations.
<u>Executive Order 13423</u>	Consolidated and strengthened several “Greening the Government” E.O.s. This E.O. addresses vehicles, petroleum conservation, alternative fuels, energy efficiency, renewable power, sustainable building, water conservation, procurement, toxic chemicals, and electronics management. Procurement practices have a role in each of these areas. The implementing instructions also require increased solid waste diversion and maintenance of cost-effective waste prevention and recycling programs in all facilities.
<u>Executive Order 13221</u>	"Energy Efficient Standby Power Devices" – Requires Federal agencies to purchase products that use no more than one watt in their standby power consuming mode. DOE’s FEMP program develops lists of recommended products that meet this requirement.
<u>Executive Order 13150</u>	"Federal Workforce Transportation" – Establishes programs providing incentives for Federal employees to use mass transportation and vanpools.
<u>Section 314, 2003 National Defense Authorization Act</u>	Tracking systems and training related to the procurement of environmentally preferable procurement items.

<p><u>CPG Items</u></p>	<p>The EPA CPGs list 61 items which can be purchased with recycled content, such as paper and paper products, construction products, rerefined oil, etc. The Agency must require that 100 percent of purchases meet or exceed EPA's recycled content recommendations. A written justification/waiver is required for non-compliance.</p>
<p><u>Recovered Materials Advisory Notices (RMAN)</u></p>	<p>EPA issued RMANs provide purchasing guidance and recommend recovered and postconsumer material content levels for designated items. RMAN recommendations are guidance and therefore are not codified in the CFR. The RMANs recommend recycled-content ranges for CPG products based on current information on commercially available recycled-content products. RMAN levels are updated as marketplace conditions change.</p>
<p><u>Federal Green Construction Guide for Specifiers</u></p>	<p>The Federal Green Construction Guide for Specifiers was developed by EPA, the Federal Environmental Executive, and the Whole Building Design Guide, to help Federal building project managers meet mandates established by statute and E.O.s, as well as EPA and DOE program recommendations. The specifications reference several North American forest certification standards and other information pertinent to green construction.</p>
<p><u>GSA Products</u></p>	<p>GSA is one of the three central management agencies in the Federal Government. The goals are to avoid "senseless duplication, excess cost, and confusion in handling supplies," as well as to provide space for the Government to do its work. GSA provides a wealth of green supplies and services. Details may be found at GSA's environmental website.</p>
<p><u>Defense Logistics Agency</u></p>	<p>The DLA procures common usage items for all military departments and DoD agencies. Their automated procurement system DoD Electronic MALL (DoD EMALL, https://www.emall.dla.mil) provides for a simple method by which green products may be acquired. DLA also operates a web based GPR tool (http://www.dlis.dla.mil/erlsgpr/).</p>
<p><u>USDA BioPreferred Program</u></p>	<p>The USDA BioPreferred program is a resource for producers of biobased products, military departments and DoD agencies required to purchase them, and others interested in renewable products. The program includes information on submitting products for designation, instructions on meeting requirements to purchase biobased materials, and many other useful topics.</p>
<p><u>ENERGY STAR®</u></p>	<p>ENERGY STAR® is a joint program of the EPA and the DOE helping to save money and protect the environment through energy efficient products and practices.</p>
<p><u>Federal Energy Management Program (FEMP)</u></p>	<p>The DOE's FEMP works to reduce the cost and environment impact of the Federal government by advancing energy efficiency and water conservation, promoting the use of distributed and renewable energy, and improving utility management decisions at Federal sites. Additionally, the FEMP provides information on how to buy products with low standby power.</p>
<p><u>Electronic Product Environmental Assessment Tool (EPEAT)</u></p>	<p>EPEAT is a system to help purchasers evaluate, compare and select desktop computers, notebooks, and monitors based on their environmental attributes. EPEAT also provides a clear and consistent set of performance criteria for the design of products, and provides an opportunity for manufacturers to secure market recognition for efforts to reduce the environmental impact of its products.</p>

ANNUAL E.O. 13423 SUSTAINABLE PRACTICES/FSRIA REPORTING REQUIREMENTS FOR SERVICES/AGENCIES

The annual reporting requirements can be obtained by clicking on the following hyperlink and opening the appropriate file.

[E.O. 13423 Sustainable Practices Annual Data Call Format and Requirements](#)

DoD GPP MANAGEMENT ASSESSMENT

Assessing your GPP

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

Policy:

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

Planning:

- Has the organization established objectives/targets for GPP performance (purchases of green products and services) that are consistent with the nature and quantity of purchasing activities?
- Does the organization have written procedures for setting, tracking, and updating objectives and targets?
- Are documented procedures in-place to achieve these objectives and targets?
- Have responsibilities been determined and documented?
- Has accountability been established through inclusion of GPP responsibilities in job descriptions and performance standards of key players?

Implementation and Operation:

- Is the organization's GPP awareness training program tailored specifically to the nature and quantity of purchases typically made by the organization?
- Does the organizations's GPP assign responsibility for implementation of the GPP awareness training program to a specific person/office?
- Does the GPP awareness training program provide initial and refresher training to all personnel involved with preparation of specifications/statements of work, purchases with government credit cards, contracting/ procurement?
- Does the organization have a documented process for tracking initial and refresher training for all personnel involved in the procurement process?
- Does the organization have documented procedures to ensure green procurement opportunities are identified for each purchasing action?
- Does the organization have documented procedures to ensure green products or services are purchased preferentially in each purchasing action?
- Does the organization have documented procedures to ensure that the relevant green procurement contract language and FAR clauses are incorporated in all contracts?
- Does the organization have documented procedures to ensure that the green procurement requirements are executed in accordance with contract requirements and that such execution is verified?

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- Does the organization have documented procedures for justifying and granting approval for decisions not to purchase EPA- and USDA-designated items with recovered material or biobased content and energy efficient products designated by ENERGY STAR®/DOE?

Checking and Corrective Action:

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

Management Review:

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

DoD GREEN PROCUREMENT METRICS

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

1. The Codes in the CAR (or successor data capture report), using data from the Federal Procurement Data System-Next Generation (or successor system).
2. Purchases of Federally-defined indicator items as determined using data from Defense Logistics Agency's GPR/ERLS at [Defense Logistics Information Service \(DLIS\)](#).
3. Personnel trained in green procurement using data from the Defense Acquisition University's training information database.
4. Organizations participating in the FEC.
5. Number of negative contract audit findings that indicate lack of compliance with GPP requirements.

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

1. Percent reduction in the number of "Not Required" codes in Use of EPA-Designated Products field in CAR (or corresponding fields in successor data capture system), and percent increase in the number of "Meets Requirements" codes in Use of EPA-Designated Products field in CAR (or corresponding fields in successor data capture system).
2. Increase in the purchases of Federally-defined indicator items.
3. Increase in the percentage of personnel trained in green procurement.
4. Increase in organizations or installations participating in the FEC.
5. Decrease in contract audit findings indicating lack of compliance with GPP requirements.

ACRONYMS

AP	Affirmative Procurement
CAR	Contract Action Report
CPG	Comprehensive Procurement Guidelines
DAU	Defense Acquisition University
DLA	Defense Logistics Agency
DoD	Department of Defense
DOE	Department of Energy
DPAP	Defense Procurement and Acquisition Policy
DUSD(I&E)	Deputy Under Secretary of Defense for Installations and Environment
E ² S ²	Environment, Energy, & Sustainability Symposium & Exposition
EMALL	DoD Electronic MALL
EMS	Environmental Management System
E.O.	Executive Order
EPA	U.S. Environmental Protection Agency
EPAct	Energy Policy Act of 2005
EPEAT	Electronic Product Environmental Assessment Tool
EPP	Environmentally Preferable Purchasing
ERLS	Environmental Reporting Logistics System
ESOH	Environmental Safety and Occupational Health
FAR	Federal Acquisition Regulation
FEC	Federal Electronics Challenge
FEMP	Federal Energy Management Program
FPDS-NG	Federal Procurement Data System-Next Generation
FSRIA	Farm Security and Rural Investment Act of 2002
FY	Fiscal Year
GCPC	Governmentwide Commercial Purchase Card
GPP	Green Procurement Program
GPR	Green Procurement Reporting
GSA	General Services Administration
IT	Information Technology
OFEE	Office of the Federal Environmental Executive
OFPP	Office of Federal Procurement Policy
OSD	Office of the Secretary of Defense
OUSD	Office Under the Secretary of Defense
RCRA	Resource Conservation and Recovery Act of 1976
RMAN	Recovered Materials Advisory Notice
USDA	U.S. Department of Agriculture
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology, and Logistics

TERMINOLOGY

Acquisition – acquiring by contract using appropriated funds for supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, or demonstrated and evaluated. Acquisition begins when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation, selection of sources, contract award and financing details, contract performance and administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract.

Affirmative Procurement Program (APP) – a program assuring CPG items composed of recovered materials and USDA-designated biobased items will be purchased to the maximum extent practicable, consistent with Federal law and procurement regulations.

Agency – means an executive agency as defined in section 105 of title 5, United States Code, excluding the Government Accountability Office. For the purpose of the E.O., military departments, as defined in 5 U.S.C. 102, are covered under the auspices of DoD.

Biobased Product – a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials.

Certification – provided by offerors/bidders/vendors, it is written documentation certifying the percentage of recovered materials contained in products or to be used in the performance of the contract is at least the amount required by applicable specifications or other contractual requirements. Certification on multi-component or multi-material products should verify the percentage of postconsumer waste and recycled material contained in the major constituents of the product.

Component – one of the subordinate organizations that constitute a joint force. Normally a joint force is organized with a combination of Service and functional components.

Components of the Federal Green Procurement Preference Program:

- EPA-designated recycled content products
- EPEAT-registered electronic equipment
- Environmentally preferable products and services
- ENERGY STAR® and FEMP-designated energy-efficient products
- Water-efficient products
- USDA-designated biobased products
- Alternative fuel vehicles and alternative fuels
- Non-ozone depleting substances
- Low or non-toxic and hazardous substances or products containing low or non-toxic constituents
- Renewable energy sources and sustainable building materials

Comprehensive Procurement Guideline (CPG) Program – a procurement program through EPA, authorized by Congress under Section 6002 of the RCRA and EO 13101, which requires EPA to designate products that are or can be made with recovered materials, and to recommend practices for buying these products. Once a product is designated, procuring agencies are required to purchase it with the highest recovered material content level practicable.

Cost-Effective Procurement Preference Program – a procurement program favoring more environmentally-sound or energy-efficient products and services than other competing products and services, where price and other factors are equal.

Designated Item – an available EPA CPG item or category of items, made with recovered material, advancing the purpose of RCRA when purchased; or a USDA-designated biobased item made with biobased content, advancing the purpose of the FSRIA (“Farm Bill”) when purchased.

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

Environmentally Preferable – products or services having a lesser or reduced effect on human health and the environment when compared with competing products or services serving the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal.

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

Green Products/Services – for the purposes of this document, Green Products and Services are defined as products and services meeting the requirements of one or more of the components of Federal green procurement preference programs as defined in RCRA Section 6002; FSRIA (“Farm Bill”) section 9002; the Energy Policy Act of 2005 (EPAct 2005); E.O.s 13423, 13221, and 13150; Electronic Stewardship requirements; and any Federal Green procurement Program implemented after the date of this document.

Installation – a grouping of facilities, located in the same vicinity, which support particular functions. Installations may be elements of a base.

Life Cycle Cost – the sum of the present value of capital costs, installation costs, operating costs, maintenance costs, and disposal costs over the lifetime of the project, product, or measure.

Life Cycle Assessment – the comprehensive examination of a product’s environmental and economic aspects and potential impacts throughout its lifetime, including raw material extraction, transportation, manufacturing, use, and disposal.

Micro-purchase – an acquisition of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold.

Micro-purchase Threshold – \$3,000; (1) for acquisitions of construction subject to the Davis-Bacon Act, \$2,000; (2) For acquisitions of services subject to the Service Contract Act, \$2,500; and (3) For acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack, as described in 13.201(g)(1), except for construction subject to the Davis-Bacon Act (41 U.S.C. 428a) – (i) \$15,000 in the case of any contract to be awarded and performed, or purchase to be made, inside the United States; and (ii) \$25,000 in the case of any contract to be awarded and performed, or purchase to be made, outside the United States.

Minimum Content Standard – the minimum recycled content or biobased content set in specifications, standards, contract scopes of work or other documents specifying the government’s minimum needs. They are based on the recycled content levels recommended by EPA or the minimum biobased content levels recommended by USDA and are set to assure the recycled content or biobased content required is the maximum available without jeopardizing the intended item use or violating the limitations of the minimum content standards set forth by EPA’s and USDA’s guidelines.

Objective – an overall environmental goal arising from the environmental policy that an organization sets to achieve and which is quantified where practicable.

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

Postconsumer Material – a material or finished product whose life as a consumer item has concluded, after having served its intended use and being discarded for disposal or recovery. "Postconsumer material" is a part of the broader category of "recovered materials." It is also referred to as "postconsumer waste."

Practicable – capable of performing in accordance with applicable specifications, available at a reasonable price and within a reasonable period of time, while maintaining a satisfactory level of competition with other products is being maintained.

Preference – when two products or services are equal in performance characteristics and price, the Government, in making purchasing decisions, will favor the more environmentally-sound or energy-efficient product.

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

Procurement Guidelines – regulations issued by EPA pursuant to Section 6002 of RCRA and by USDA pursuant to Section 9002 of FSRIA: (1) identifying items produced (or can be produced) with recovered materials or biobased materials, respectively, and where procurement of such items will advance the objectives of RCRA or FSRIA; and (2) providing recommended practices for the procurement of such items.

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

Recovered Material – waste materials and by-products recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within an original manufacturing process.

Recycled Material – a material utilized in place of raw or virgin material in product manufacturing consisting of materials derived from postconsumer waste, industrial scrap, material derived from agricultural wastes, and other items, all of which can be used in new product manufacture.

Recycling – the series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of new products other than fuel for producing heat or power by combustion.

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

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

Target – detailed performance requirement, quantified where practicable, applicable to the organization or parts thereof, that arises from the environmental objectives that needs to be set and met in order to achieve those objectives.

Unreasonable Price – when recycled product cost is greater compared to virgin material cost. (Unreasonable price is not a factor when minimum content standards are specified in the

statement of work/procurement request, because price estimates will only be obtained from vendors who can supply products meeting recovered material content requirements.)

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

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