



**US Army Corps
of Engineers®**

ENGINEERING AND CONSTRUCTION BULLETIN

No. 2017-23

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SUBJECT: Sustainable Acquisition Requirements

CATEGORY: Guidance

1. **References:**

a. USACE Directorate of Contracting (DOC) Policy Alert #18-006, Sustainable Acquisition Guidance, 1 Nov 2017

b. Unified Facilities Criteria (UFC) 1-200-02, High- Performance and Sustainable Building Requirements, Change 01, 1 Oct 2017

2. **Purpose.** This Engineering and Construction Bulletin (ECB) provides guidance to Engineering and Construction (E&C) personnel for complying with Federal sustainable acquisition requirements.

3. **Applicability.** This ECB applies to all solicitations and contracts for products and/or services issued by or on behalf of E&C, to include Military Programs, Civil Works, and Work for Others.

4. **Background.** Federal Acquisition Regulation (FAR) requires that specific sustainability-related provisions and clauses be included in solicitations and contracts for which the provisions/clauses have applicability. The FAR provisions/clauses relate to energy conservation, waste reduction, recycled content of materials, biobased products, and other considerations. Depending on the specific characteristics of products and/or services being acquired, these provisions/clauses may apply and thus may need to be included in solicitations and contracts.

5. **Requirements.** The USACE Directorate of Contracting recently issued Policy Alert #18-006, Sustainable Acquisition Guidance (Ref. 1.a), requiring contracts personnel to include federally-mandated sustainability provisions and clauses in all applicable solicitations and contracts. The Policy Alert is attached and includes a list of the FAR provisions and clauses. E&C personnel must work collaboratively with contracts staff as needed to help understand the scope of products and services being acquired. Personnel must identify which provisions/clauses apply and understand the implications that such requirements have on design, construction, and other activities. Project-related materials should be consistent with these requirements, including but not limited to, drawings, specifications, calculations, costs, and schedules. Note that for building construction, many requirements have been incorporated in UFC 1-200-02 (Ref. 1.b) and the Unified Facilities Guide Specifications.

6. **Guidance.** Policy Alert #18-006, includes decision-making tables to assist contracts staff and requirements generators in identifying applicable FAR provisions and clauses. Different types of activities (e.g., buildings, infrastructure, landscaping, etc.) have different sets of typical

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requirements. The Alert includes references where additional information and guidance can be found.

7. **Points of Contact.** HQUSACE point of contact for this ECB is the Acting Chief, E&C Division, Bob Rizzieri, P.E., PMP, CCM, CECW-EC, (202) 761-7423. Technical point of contact for this ECB is Kate White, Ph.D., P.E., CECW-EC, (202) 761-4163.

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Acting Chief, Engineering and Construction
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Encl.

Attachment A – USACE DOC Policy Alert #18-006, Sustainable Acquisition Guidance

ATTACHMENT A: USACE DOC Policy Alert #18-006, Sustainable Acquisition Guidance

From: HQ CECT-Policy Mailbox
Sent: Wednesday, November 1, 2017 12:29 PM
To: [Recipients]
Subject: USACE Policy Alert #18-006 – Sustainable Acquisition Guidance

ALCON,

1. **BLUF:** Solicitation provisions and contract clauses must comply with sustainable acquisition requirements contained within the Federal Acquisition Regulation (FAR).
2. **SYNOPSIS:** This USACE Policy Alert is to disseminate federally-mandated sustainable acquisition requirements that must be considered when preparing solicitations and contracts and included whenever applicable. The attached tables list specific FAR provisions and clauses and identifies those clauses that must be considered for each type of contract.
3. **IMPACT:** The information contained in this alert helps ensure contracts are in full compliance with federal sustainable acquisition mandates.
4. **ACTION:** Contracting personnel shall include specific sustainability-related FAR provisions and clauses in solicitations and contracts for which the provisions/clauses have applicability. The attached tables and references may be used as a guide for selecting these requirements.
5. **ACCESS TO ALERT:** Please disseminate this information to the entire Acquisition Community. The alert and related documents may be viewed at the following link:
<https://cops.usace.army.mil/sites/CT/P/Policy%20Alerts/Forms/AllItems.aspx>
6. **QUESTIONS:** The POC for this alert is Roberta A. Hanks-Graves at HQ-CECT-PolicyMailbox@usace.army.mil. Please include the subject of this alert in the "Subject" block.

Very Respectfully,

Contracting Policy Division
Directorate of Contracting
U.S. Army Corps of Engineers, HQ

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The following is provided to help identify FAR provisions and clauses to include in solicitations and contracts. Table 1 below summarizes the sustainability provisions/clauses and provides weblinks for additional information. Table 2 identifies which provision/clauses typically apply for different types of contracts (e.g., buildings, infrastructure, landscaping, computers, janitorial, vehicles/fleets, etc.).

Table 1. FAR Sustainability-Related Provisions and Clauses

Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52.204-4	Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper	Requires contractors to print and copy documents double-sided on at least 30% post-consumer recycled-content paper. https://www.law.cornell.edu/cfr/text/48/52.204-4	Applicability: Contracts exceeding the Simplified Acquisition Threshold (currently \$150,000). https://www.law.cornell.edu/cfr/text/48/4.303
52-223-1	Biobased Product Certification	Requires offeror to certify that biobased products to be used or delivered will comply with contractual requirements, if purchasing as a direct result of contract. https://www.law.cornell.edu/cfr/text/48/52.223-1 Also see 52-223-2	Applicability: Contracts requiring products within USDA-listed categories (e.g., cleansers, linens, carpets, oils, lubricants, coatings, paint remover, etc.). https://www.law.cornell.edu/cfr/text/48/23.406 Exceptions: 1) Cannot be acquired competitively within time frame required per contract schedule; 2) Does not meet

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-2	Affirmative Procurement of Biobased Products under Service and Construction Contracts	<p>Requires contractors to make maximum use of biobased products. https://www.law.cornell.edu/cfr/text/48/52.223-2</p> <p>Also see 52-223-1</p>	<p>contract performance requirements; 3) Is not available at a reasonable price (life cycle costs significantly higher); or 4) Is to be used for spacecraft system, launch support, or combat or combat-related missions. https://www.law.cornell.edu/cfr/text/48/52.223-2 https://www.wbdg.org/FFC/FED/EO/eo13693_instructions.pdf</p> <p>References:</p> <ul style="list-style-type: none"> - USDA-listed Categories (full list): https://www.law.cornell.edu/cfr/text/7/part-3201/subpart-B - USDA BioPreferred Products Catalog: https://www.biopreferred.gov/BioPreferred/ - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement
52-223-4	Recovered Material Certification	<p>Requires offeror to certify that minimum recovered material content percentages required by contract will be met for products within EPA-listed categories. https://www.law.cornell.edu/cfr/text/48/52.223-4</p> <p>Also see 52-223-9 and 52-223-17</p>	<p>Applicability: Contracts requiring the delivery or specifying the use of products within EPA-listed categories (e.g., vehicular products, construction products, park/recreation products, landscaping products, office products, etc.). https://www.law.cornell.edu/cfr/text/48/23.406</p> <p>Exceptions: 1) Commercially available off-the-shelf items; 2) Clause 52-223-9 required only for contracts exceeding \$150,000. https://www.law.cornell.edu/cfr/text/48/23.406</p>
52-223-9	Estimate of Percentage of Recovered Material Content for EPA-Designated Items	<p>Requires contractors to submit estimates of the percentage of the total recovered material content for products delivered and/or used, including the percentage of post-consumer material content if applicable. Alternative language is provided if estimates need to be verified. https://www.law.cornell.edu/cfr/text/48/52.223-9</p> <p>Also see 52-223-4 and 52-223-17</p>	<p>References:</p> <ul style="list-style-type: none"> - EPA-listed Categories (full list, including subcategories): https://www.law.cornell.edu/cfr/text/40/part-247/subpart-B - EPA Comprehensive Procurement Guidelines; supplier directory and EPA-recommended recoverable percentages https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-10	Waste Reduction Program	Requires contractors to establish a program to promote cost-effective waste reduction and affirmative procurement programs in all operations and facilities covered by contract. https://www.law.cornell.edu/cfr/text/48/52.223-10	Applicability: Contractor operation of Government-owned or -leased facilities and all solicitations and contracts for support services at Government-owned or -operated facilities https://www.law.cornell.edu/cfr/text/48/23.705
52-223-11	Ozone-Depleting Substances	Requires contractors to label products which contain or are manufactured with ozone-depleting substances and report annually on the amount of hydrofluorocarbons delivered to the Government under contract. EPA's SNAP program is also referenced for identifying substitute substances. https://www.law.cornell.edu/cfr/text/48/52.223-11	<p>Applicability: Contracts requiring delivery of ozone-depleting substances and hydrofluorocarbons (e.g., refrigeration equipment, AC equipment, clean agent fire suppression systems/equipment, bulk refrigerants, fire suppressants, solvents, corrosion prevention compounds, foam sealants, fluorocarbon lubricants, etc.) https://www.law.cornell.edu/cfr/text/48/23.804</p> <p>Exceptions: Contracts for supplies delivered outside U.S. and outlying areas, and contracts for services performed outside U.S. and outlying areas. https://www.law.cornell.edu/cfr/text/48/23.804</p> <p>Reference: - EPA SNAP program: https://www.epa.gov/snap/overview-snap</p>

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-13	Acquisition of EPEAT-Registered Imaging Equipment	Requires contractors to furnish/deliver only imaging equipment (e.g., copiers, printers, scanners, etc.) that are EPEAT bronze-registered or higher. https://www.law.cornell.edu/cfr/text/48/52.223-13	<p>Applicability: Products delivered; acquired by contractor for use at Federally controlled facility; or furnished by contractor for use by the Government. https://www.law.cornell.edu/cfr/text/48/23.705</p> <p>Exceptions: 1) No EPEAT standard for such product; 2) No EPEAT-registered product meets agency requirements; 3) Agency head provided an exemption; 4) Agency determines EPEAT-registered product will not be cost effective over the life of the product; or 5) Product not to be used in the U.S. https://www.law.cornell.edu/cfr/text/48/23.704</p> <p>References: - EPEAT Registry: https://ww2.epeat.net/searchoptions.aspx - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement - Imaging Equipment Definition: https://www.law.cornell.edu/cfr/text/48/23.701</p>

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-14	Acquisition of EPEAT-Registered Televisions	<p>Requires contractors to furnish/deliver only televisions that are EPEAT bronze-registered or higher. https://www.law.cornell.edu/cfr/text/48/52.223-14</p> <p>Also see 52-223-16 regarding computer displays</p>	<p>Applicability: Products delivered; acquired by contractor for use at Federally controlled facility; or furnished by contractor for use by the Government. https://www.law.cornell.edu/cfr/text/48/23.705</p> <p>Exceptions: 1) No EPEAT standard for such product; 2) No EPEAT-registered product meets agency requirements; 3) Agency head provided an exemption; 4) Agency determines EPEAT-registered product will not be cost effective over the life of the product; or 5) Product not to be used in the U.S. https://www.law.cornell.edu/cfr/text/48/23.704</p> <p>References: - EPEAT Registry: https://ww2.epeat.net/searchoptions.aspx - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement - TV Definition: https://www.law.cornell.edu/cfr/text/48/23.701</p>

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-15	Energy Efficiency in Energy-Consuming Products	<p>Requires contractors to ensure that energy-consuming products are energy efficient products (i.e., ENERGY STAR products or FEMP-designated products) at the time of contract award.</p> <p>https://www.law.cornell.edu/cfr/text/48/52.223-15</p>	<p>Applicability: Products delivered; acquired by contractor for use at Federally controlled facility; furnished by contractor for use by the Government; or specified in the design of a building or work, or incorporated during its construction, renovation, or maintenance.</p> <p>https://www.law.cornell.edu/cfr/text/48/23.206</p> <p>Exceptions: 1) No Energy Star or FEMP-designated product is reasonably available that meets the functional requirements; 2) No Energy Star or FEMP-designated product is cost-effective over the life of the product taking energy cost savings into account; 3) Product is to be used for combat or combat-related missions; or 4) Otherwise approved by the Contracting Officer in writing.</p> <p>https://www.law.cornell.edu/cfr/text/48/23.204 https://www.law.cornell.edu/cfr/text/48/52.223-15</p> <p>References:</p> <ul style="list-style-type: none"> - Energy Star Product Finder: https://www.energystar.gov/productfinder/ - FEMP Designated Product Guidance: https://energy.gov/eere/femp/search-energy-efficient-products - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-16	Acquisition of EPEAT-Registered Personal Computer Products	Requires contractors to furnish/deliver only personal computer products (e.g. desktops, notebooks, displays, etc.) that are EPEAT bronze-registered or higher. https://www.law.cornell.edu/cfr/text/48/52.223-16	<p>Applicability: Products delivered; acquired by contractor for use at Federally controlled facility; or furnished by contractor for use by the Government. https://www.law.cornell.edu/cfr/text/48/23.705</p> <p>Exceptions: 1) No EPEAT standard for such product; 2) No EPEAT-registered product meets agency requirements; 3) Agency head provided an exemption; 4) Agency determines EPEAT-registered product will not be cost effective over the life of the product; or 5) Product not to be used in the U.S. https://www.law.cornell.edu/cfr/text/48/23.704</p> <p>References: - EPEAT Registry: https://ww2.epeat.net/searchoptions.aspx - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement - Personal Computer Product Definition: https://www.law.cornell.edu/cfr/text/48/23.701</p>

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Provision/ Clause	Title	Requirement	Applicability, Exceptions, and References
52-223-17	Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts	<p>Requires contractors to maximize the use of products containing recovered materials. https://www.law.cornell.edu/cfr/text/48/52.223-17</p> <p>Also see 52-223-4 and 52-223-9</p>	<p>Applicability: Contracts requiring the delivery or specify the use of products that are within EPA-listed categories (e.g., vehicular products, construction products, park/recreation products, landscaping products, office products, etc.). https://www.law.cornell.edu/cfr/text/48/23.406</p> <p>Exceptions: 1) Cannot be acquired competitively within time frame required per contract schedule; 2) Does not meet contract performance requirements; or 3) Is not available at a reasonable price (life cycle costs significantly higher). https://www.law.cornell.edu/cfr/text/48/52.223-17 https://www.wbdg.org/FFC/FED/EO/eo13693_instructions.pdf</p> <p>References: - EPA-listed Categories (full list, including subcategories): https://www.law.cornell.edu/cfr/text/40/part-247/subpart-B - EPA Comprehensive Procurement Guidelines; supplier directory and EPA-recommended recoverable percentages https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program - GSA Green Procurement Compilation: guidance and supplier directory, https://sftool.gov/greenprocurement</p>

Additional information on sustainable acquisition requirements may be found on the following websites:

1. USACE Sustainable Acquisitions (public website): <http://www.usace.army.mil/Business-With-Us/Contracting/Sustainable-Acquisitions/>
2. USACE Headquarters Contracting Policy Division (internal website): <https://cops.usace.army.mil/sites/ct/p/defaults.aspx>
3. Sustainability Laws, Executive Orders, and Regulations: <https://sftool.gov/learn/2/legal-requirements#laws>

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Table 2 identifies FAR provisions/clauses and specifications that should be considered for different types of contracts. The types of contracts are listed below. Overseas acquisitions may differ.

1. Janitorial or Custodial
2. Construction and Renovation – Buildings
3. Construction – Infrastructure (e.g., roads, bridges, barriers, dams, levees, wells, pump stations)
4. Dining Facilities
5. Computer and Computer-Related Equipment and Installation
6. Laundry Services
7. Groundskeeping or Landscaping
8. Vehicle or Fleet Maintenance
9. Copying and Printing

Table 2. Selection of Provisions/Clauses and Specifications Based on Contract Type

Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
Janitorial or Custodial	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify that the contractor will use recycled-content paper products and trash bags for contractor-furnished supplies. • The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., cleaners, wax strippers, air fresheners) for all contractor-furnished supplies. <p>Clauses:</p> <ul style="list-style-type: none"> • FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) 	<p>Other specifications for sustainable products could include:</p> <ul style="list-style-type: none"> • Low or no toxic or hazardous chemicals • Use of reusable microfiber mops and rags • Energy efficient cleaning equipment • Use of chemicals and products that do not contain ozone-depleting

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Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<ul style="list-style-type: none"> • FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts • FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) • FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items • FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts 	<p>substances (ODS). Note that if FAR clause 52.223-11 is included, it does not indicate compliance with sustainability requirements. This clause requires contractors to label products with ODS, but does not address the use of alternatives.</p> <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> • FAR Clause 52.223-10 – Waste Reduction Program • FAR Clause 52.223-15 – Energy Efficiency in Energy-Consuming Products
Construction & Renovation - Buildings	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated 	Other specifications for sustainable

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Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<p>products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify individual products that the contractor will ensure contain recycled-content (e.g., insulation, restroom dividers, roofing materials) for all contractor-furnished supplies.</p> <ul style="list-style-type: none"> The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., interior wall panels, plastic insulating foam, plastic lumber) for all contractor-furnished supplies. The PWS should specify the use of energy- and water-efficient building-related products and equipment, and provide a link to the list of DOE Covered Product Categories (https://energy.gov/eere/femp/search-energy-efficient-products). Alternatively, the PWS should specify individual products that the contract will ensure meet energy efficiency requirements (e.g., light fixtures, gas water heaters, central air conditioners, windows, doors), and water efficient requirements (e.g., faucets, showerheads, toilets) (when applicable to the work to be performed) for all contractor-furnished equipment. The PWS should specify that all deliverables be printed double sided on paper that contains post-consumer fiber (recycled content). <p>Clauses:</p> <ul style="list-style-type: none"> FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts FAR Clause 52.223-15 – Energy Efficiency in Energy-Consuming Products 	<p>products could include:</p> <ul style="list-style-type: none"> Use of Sustainable Design and Development principles Low or no toxic or hazardous chemicals (e.g., low VOC paint) Use of chemicals and products that do not contain ozone-depleting substances (ODS). Note that if FAR clause 52.223-11 is included, it does not indicate compliance. This clause requires contractors to label products with ODS, but does not address the use of alternatives. Use of biobased products for equipment maintenance

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Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<ul style="list-style-type: none"> FAR Clause 52.204-4 – Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper 	<p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> FAR Clause 52.223-10 – Waste Reduction Program
<p>Construction - Infrastructure (e.g., roads, bridges, barriers, dams, levees, wells, pump stations)</p>	<p>Specifications:</p> <ul style="list-style-type: none"> The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify individual products that the contractor will ensure contain recycled-content (e.g., cement, concrete, non-pressure pipe) for all contractor-furnished supplies. The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., wood and concrete sealers, erosion control materials, sorbents) for all contractor-furnished supplies. The PWS should specify that all deliverables be printed double sided on paper that contains post-consumer fiber. <p>Clauses:</p> <ul style="list-style-type: none"> FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items 	<p>Other specifications for sustainable products could include:</p> <ul style="list-style-type: none"> Low or no toxic or hazardous chemicals Energy efficient equipment Use of biobased products for equipment maintenance <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> FAR Clause 52.223-10 – Waste Reduction Program FAR Clause 52.223-15 – Energy Efficiency in Energy-Consuming Products

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Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<ul style="list-style-type: none"> • FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts • FAR Clause 52.204-4 – Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper 	
Dining Facilities	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify individual products that the contractor will ensure contain recycled-content (e.g., paper products, signage) for all contractor-furnished supplies. • The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., disposable containers, disposable cutlery, cleaning products) for all contractor-furnished supplies. • The PWS should specify the use of energy efficient food service equipment and appliances and provide a link to the list of DOE Covered Product Categories (https://energy.gov/eere/femp/search-energy-efficient-products). Alternatively, the PWS should specify individual products that the contract will ensure meet energy efficiency requirements (e.g., dishwashers, ovens, fryers, refrigerators) for all contractor-furnished equipment. • The PWS should specify that all deliverables be printed double sided on paper that contains post-consumer fiber (recycled content). <p>Clauses:</p> <ul style="list-style-type: none"> • FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) • FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts 	<p>Other specifications for sustainable products could include:</p> <ul style="list-style-type: none"> • Low or no toxic or hazardous chemicals • Use of chemicals and products that do not contain ozone-depleting substances (ODS). Note that if FAR clause 52.223-11 is included, it does not indicate compliance with sustainability requirements. This clause requires contractors to label products with ODS, but does not address the use of alternatives.

USACE Sustainable Acquisition Requirements

Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<ul style="list-style-type: none"> • FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) • FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items • FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts • FAR Clause 52.223-15 - Energy Efficiency in Energy-Consuming Products • FAR Clause 52.204-4 – Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper 	<ul style="list-style-type: none"> • Use of biobased products for equipment maintenance and cleaning <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> • FAR Clause 52.223-10 – Waste Reduction Program • FAR Clause 52.223-14 - Acquisition of EPEAT-Registered Televisions
Computer and Computer-Related Equipment and Installation	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify the use of energy efficient computers and computer-related equipment and provide a link to the list of DOE Covered Product Categories (https://energy.gov/eere/femp/search-energy-efficient-products). Alternatively, the PWS should specify individual products that the contract will ensure meet energy efficiency requirements (e.g., computers, monitors, enterprise servers) for all contractor-furnished equipment. <p>Clauses:</p> <ul style="list-style-type: none"> • FAR Clause 52.223-15 - Energy Efficiency in Energy-Consuming Products • FAR Clause 52.223-16 – Acquisition of EPEAT-Registered Personal Computer Products 	None
Laundry Services	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated 	Other specifications for sustainable

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Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<p>product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., general purpose laundry soap, pretreatment/spot removers) for all contractor-furnished supplies.</p> <ul style="list-style-type: none"> The PWS should specify the use of Energy Star appliances or, more specifically, Energy Star commercial clothes washers. <p>Clauses:</p> <ul style="list-style-type: none"> FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts FAR Clause 52.223-15 - Energy Efficiency in Energy-Consuming Products 	<p>products could include:</p> <ul style="list-style-type: none"> Low or no toxic or hazardous chemicals Use of recycled content or biobased laundry baskets or bags Energy efficient dryers <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> FAR Clause 52.223-10 – Waste Reduction Program
Groundskeeping or Landscaping	<p>Specifications:</p> <ul style="list-style-type: none"> The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify individual products that the contractor will ensure contain recycled-content (e.g., hoses, compost, lawn and garden edging) for all contractor-furnished supplies. The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., dust suppressants, fertilizers, erosion control materials) for all contractor-furnished supplies. <p>Clauses:</p>	<p>Other specifications for sustainable products could include:</p> <ul style="list-style-type: none"> Low or no toxic or hazardous chemicals (such as reduced use of pesticides) Energy efficient equipment Use of chemicals and products that do not contain ozone-depleting

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Type of Contract	What Should Be Included in the Contract	
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	<ul style="list-style-type: none"> • FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) • FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts • FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) • FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items • FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts 	<p>substances (ODS). Note that if FAR clause 52.223-11 is included, it does not indicate compliance. This clause requires contractors to label products with ODS, but does not address the use of alternatives.</p> <ul style="list-style-type: none"> • Use of biobased products for equipment maintenance <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> • FAR Clause 52.223-10 – Waste Reduction Program • FAR Clause 52.223-15 – Energy Efficiency in Energy-Consuming Products

USACE Sustainable Acquisition Requirements

Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
Vehicle or Fleet Maintenance	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify individual products that the contractor will ensure contain recycled-content (e.g., retread tires, engine coolants, re-refined lubricating oil) for all contractor-furnished supplies. • The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., diesel fuel additives, engine crankcase oil, parts wash solution) for all contractor-furnished supplies. • The PWS should specify that all deliverables be printed double sided on paper that contains post-consumer fiber (recycled content). <p>Clauses:</p> <ul style="list-style-type: none"> • FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) • FAR Clause 52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts • FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) • FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items • FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts • FAR Clause 52.204-4 – Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper 	<p>Other specifications for sustainable products could include:</p> <ul style="list-style-type: none"> • Low or no toxic or hazardous chemicals • Alternative-fueled vehicles • Energy efficient equipment • Use of chemicals and products that do not contain ozone-depleting substances (ODS). Note that if FAR clause 52.223-11 is included, it does not indicate compliance with sustainability requirements. This clause requires contractors to label products with ODS, but does not address the use of alternatives.

USACE Sustainable Acquisition Requirements

Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
		<ul style="list-style-type: none"> • Use of biobased products for equipment maintenance <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> • FAR Clause 52.223-10 – Waste Reduction Program • FAR Clause 52.223-15 – Energy Efficiency in Energy-Consuming Products
Copying & Printing	<p>Specifications:</p> <ul style="list-style-type: none"> • The PWS should specify that the contractor meet the recycled content requirements set forth by EPA and provide a link to the list of EPA-designated products (https://www.epa.gov/smm/comprehensive-procurement-guideline-cp-g-program). Alternatively, the PWS should specify individual products that the contractor will ensure contain recycled-content (e.g., paper, printer ribbons, toner cartridges) for all contractor-furnished supplies. • The PWS should specify that the contractor meet the BioPreferred Program requirements set forth by USDA and provide a link to the list of USDA-designated product categories (https://www.biopreferred.gov/BioPreferred/faces/pages/ProductCategories.xhtml). Alternatively, the PWS should specify individual products that the contractor will ensure contain biobased content (e.g., inks) for all contractor-furnished supplies. • The PWS should specify the use of energy efficient imaging equipment and provide a link to the list of DOE Covered Product Categories 	<p>Other specifications for sustainable products could include:</p> <ul style="list-style-type: none"> • Low or no toxic or hazardous chemicals • Use of chemicals and products that do not contain ozone-depleting substances (ODS). Note that if FAR clause 52.223-11 is

USACE Sustainable Acquisition Requirements

Type of Contract	What Should Be Included in the Contract	
	To meet mandatory requirements (Typical)	To meet other potential requirements
	<p>(https://energy.gov/eere/femp/search-energy-efficient-products). Alternatively, the PWS should specify individual products that the contract will ensure meet energy efficiency requirements (e.g., copiers, fax machines, printers) for all contractor-furnished equipment.</p> <ul style="list-style-type: none"> The PWS should specify that all deliverables be printed double sided on paper that contains post-consumer fiber (recycled content). <p>Clauses:</p> <ul style="list-style-type: none"> FAR Provision 52.223-1 – Biobased Product Certification (should be included in solicitations) FAR Clause 52.223-2 – Affirmative Procurement of Biobased Products Under Service and Construction Contracts FAR Provision 52.223-4 – Recovered Material Certification (should be included in solicitations) FAR Clause 52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items FAR Clause 52.223-17 – Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts FAR Clause 52.223-15 - Energy Efficiency in Energy-Consuming Products FAR Clause 52.223-13 – Acquisition of EPEAT-registered Imaging Equipment FAR Clause 52.204-4 – Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper 	<p>included, it does not indicate compliance with sustainability requirements. This clause requires contractors to label products with ODS, but does not address the use of alternatives.</p> <ul style="list-style-type: none"> Use of biobased products for equipment maintenance <p>Other clauses to support sustainability could include:</p> <ul style="list-style-type: none"> FAR Clause 52.223-10 – Waste Reduction Program

For more information, see *Guidance for Reviewing Army Contracts for Compliance with Sustainable Procurement Requirements*, Army Public Health Center, Oct. 2016.

<https://www.wbdg.org/FFC/ARMYCOE/POLICY/ArmySustainableProcurementContractReviewGuidanceOct2016.pdf>