UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

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PROCUREMENT MEMORANDUM 2011-04

ACTION

MEMORANDUM FOR: BUREAU PROCUREMENT OFFICIALS
HEADS OF CONTRACTING OFFICES

FROM: for Kima L. Evans
Helen Hurcombe
Senior Procurement Executive
and Director for Acquisition Management

SUBJECT: Green Procurement Program Implementation: Training, Review, and Reporting

Background

The Administration has identified environmental sustainability as a major initiative. Executive Order (EO) 13514, Federal Leadership in Environment, Energy, and Economic Performance, issued October 2009, requires that 95% of new contract actions meet sustainable acquisition (aka "green" procurement) requirements beginning in Fiscal Year (FY) 2011. The Department's Strategic Sustainability Performance Plan (SSPP), effective FY 2011, incorporates sustainable acquisition performance goals from the EO. To maintain a "green" progress rating under the Office of Management and Budget's (OMB) Environmental Stewardship Scorecard (Scorecard), the Department of Commerce (DOC) must conduct green purchasing training, monitoring, and corrective action, and review 5% or more of applicable FY 2011 first quarter contract actions to demonstrate compliance with the 95% sustainable acquisition goal. A copy of OMB's Scorecard is included as Attachment A.

Maintaining the Department's "green" status on OMB's Scorecard is a top priority of DOC's leadership. There are many opportunities to acquire products and services sustainably across Commerce's acquisition spectrum, whether the requirement is for electronics, paper, office supplies, design and construction, cafeteria operations, conference services, or lighting, to name a few. Although it is ultimately the customer's responsibility to incorporate sustainability into their procurement plans and requirements, acquisition and other stakeholders including the Office of Administrative Services (OAS), which manages DOC's Sustainable Energy and Environmental programs, and the Office of Chief Information Officer (OCIO), are responsible to help ensure that sustainable products and services are specified and acquired to the maximum extent possible.

Federal Acquisition Regulation (FAR) revisions are pending for Sustainable Acquisition and Biobased procurement and DOC policy updates will follow their issuance. Efforts by GSA are reportedly underway to improve the ability of the Federal Procurement Data System to collect data for sustainable acquisition reporting, however the results are not expected to be in place before FY 2012.

Purpose

The purpose of this procurement memorandum is to require Bureau Procurement Officials (BPOs) and Heads of Contracting Offices (HCOs) to take necessary action to promote and implement sustainable acquisition within the Department.

Required Actions

As part of the responsibilities for promoting and implementing DOC's Green Procurement Program (GPP) at Commerce Acquisition Manual (CAM) 1323.70, BPOs shall undertake the following actions effective immediately:

1. **Use FAAPS to ensure Advance Acquisition Planning addresses Sustainable Acquisition.** DOC's Forecasting and Advance Acquisition Planning System (FAAPS) shall be used to promote green acquisition. FAAPS has been revised to include an element entitled "Sustainable (i.e., Environmental) Acquisition Preference(s)." Helping procurement requestors complete the sustainability element, indicating whether the requirement is or is not subject to Federal Environmental Procurement Preference(s), can be a useful starting point for educating customers about the requirements for specifying and buying sustainable products and services. Review of the sustainability element by requestors, environmental and Office of the Chief Information Officer (OCIO) designees, and acquisition staff, can help ensure DOC requirements are properly identified, specified, and acquired in accordance with CAM 1323.70 and DOC's SSPP.

2. **Work closely with your customers, environmental and OCIO designees, to ensure opportunities for acquiring sustainable products and services are identified and executed.** Make sure customers understand their responsibilities for ensuring that environmental preferences are maximized and addressed early in the acquisition planning process and that their requirements specify green products and services or provide documentation justifying pertinent exceptions (see CAM 1323.70). Also, ensure that acquisition personnel include green purchase descriptions/elements and required FAR clauses in solicitations and contracts. Encourage customers and acquisition staff to consult environmental and OCIO designees for help with requirements definition, market research, sourcing advice and, where appropriate, for exception concurrences.

3. **Report Sustainable Acquisition Training Completed by December 15, 2010.** Ensure that sustainable acquisition training for acquisition personnel,

contracting officer representatives (CORs), and Purchase Card holders is given, completed and reported by December 15, 2010. Acceptable training for acquisition personnel and CORs is completion of Defense Acquisition University's (DAU) "Green Procurement" (CLC 046), which conveys 2 Continuous Learning Points (CLPs) and can be used towards maintaining Federal Acquisition Certification. Other acceptable training is presentation of and/or individual reading and completion of Office of Federal Environmental Executive's (OFEE) Green Purchasing Training, "What is Green Purchasing, Anyway". OFEE's training, posted December 23, 2009, is located at http://www.fedcenter.gov/_kd/Items/actions.cfm?action=Show&item_id=14261&destination=ShowItem . Acceptable training for purchase card holders is completion of GSA's Smart Pay training, which includes a green module, or completion of DAU CLC 046 or OFEE's training. We expect virtually every cardholder will have already taken GSA's Smart Pay training, but please submit training information for statistical purposes. Use Attachment B to report training completed.

4. **Submit (i) Monthly Reports of Applicable Contract Actions Received and/or Acquired (Including Culmulative Total) and (ii) Quarterly Reports of Applicable Contract Actions Reviewed and Corrective Action Taken. Note: Due to the timing of OMB's Scorecard review, the first round of the Monthly and Quarterly reports is due December 15, 2010, covering October 1 through November 30, 2010.**

   Both the Monthly and Quarterly reports will use Attachment C, an Excel spreadsheet, to report applicable contract actions and associated activity. Applicable contract actions are those requirements for products and services subject to designated federal environmental procurement preferences programs: Recovered Material and biobased products; energy efficient products (Energy Star, Federal Energy Management Program (FEMP), Low Standby Power); Electronic Product Environmental Assessment Tool (EPEAT) registered; Water Efficient Products; Alternative Fuel Vehicles/Alternative Fuels/Hybrids; Environmentally Preferable Products and Services; Waste Prevention (e.g., recycled and double-sided printing/copying and use of minimum 30% or more post consumer fiber paper).

   Monthly Reports: When preparing the Monthly report, complete all data elements, except for the Corrective Action Box and Compliance Checked Column, for each applicable contract action The Monthly report covers actions for the preceding month and also includes a running culmulative report to date. It is due within 15 days after the end of the month. However, the first round of Monthly reporting will include a report for October and November (and a culmulative report covering October and November) and be due December 15, 2010. The Monthly report for December will be due January 15, which shall include all December actions, as well as a cumulative action report from October through December, and so on.

Quarterly Reports: When preparing the Quarterly report, complete all data elements including the Corrective Action Box and Compliance Checked column. The Quarterly report is "built" on Monthly reports. The Quarterly report supports DOC's scorecard requirements and the first submission (for a partial quarter) is due December 15, 2010 for the period October through November 2010. The next Quarterly report will cover an extra month, Dec, plus Jan, Feb, and March, and be due April 15. After that, standard quarters will apply.

In preparing the Quarterly report, BPOs must ensure at least 5% of applicable actions awarded are reviewed to demonstrate compliance with the 95% sustainable acquisition scorecard goal. To accomplish this, BPOs must randomly select at least 5% of the applicable actions, review them for demonstrated compliance with the sustainable acquisition (i.e. green procurement) requirements in accordance with CAM 1323.70, and then, in the Compliance Checked column, indicate "Y" if the action reviewed demonstrates compliance or "N" if it does not. BPOs must also indicate any corrective action taken for the period reported by completing the Corrective Actions box.

5. Ensure that acquisition professionals, CORs, and customers, read and understand CAM 1323.70, Green Procurement Program (GPP), and that acquisition professionals coordinate closely with customers, program offices and environmental and OCIO designees. In addition to the resources detailed in the GPP, additional resources are available in the Green Products Compilation (posted Jun 30, 2010) in the "Acquisition" section of http://www.fedcenter.gov , the federal site dedicated to environmental and energy related resources. DOC's SSPP and EO 13514 are also posted on Fedcenter.gov.

The Sustainable Acquisition Training Completed Report and the first Quarterly Report shall be submitted to Nancy Barrere at nbarrere@doc.gov and OAS's Greg Falzetta at GFalzetta@doc.gov with a copy to me at hhurcombe@doc.gov no later than December 15, 2010. Both reports will be used in conjunction with the annual Office of Federal Procurement Policy/OFEE/OMB Green Survey and late Fall/early January OMB Scorecard evaluation process. Monthly reports shall be submitted to Nancy Barrere at nbarrere@doc.gov and OAS's Greg Falzetta at GFalzetta@doc.gov by the 15th of every month.

Please direct any questions to Nancy Barrere at 202-482-5519.

Attachments: A -- OMB's Environmental Stewardship Scorecard
B -- Report of Sustainable Acquisition Training Completed
C -- Monthly Reports of Applicable Contract Actions Received And/or Acquired (Including Culmulative Total) and Quarterly Reports of

Applicable Contract Actions Reviewed and Corrective Action Taken

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