



**SUSTAINABLE ACQUISITION
WHAT DOES THIS MEAN FOR
CONTRACTORS?**

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E.O. 13514 Overview

Ensure that 95% of new contract actions, excluding weapons systems are:



- Energy Efficient (Energy Star or FEMP)
- Water-Efficient
- Biobased
- Environmentally Preferable
- Non Ozone Depleting
- Contain Recycled Content
- Non Toxic or Less Toxic Alternatives

Where such products meet agency performance requirements

Impact on Acquisition Planning

- Implement uniform definitions of sustainable acquisition and environmentally-preferable products and services
- Affirmative Procurement Plan to include new sustainable acquisition goals and requirements and to maximize the acquisition of products with certain environmental attributes.
- Defining agency requirements and translating them into a meaningful solicitation. Drafting specifications for goods and services to maximize the purchase and use of products with certain environmental attributes.
- How do agencies assess sustainability? Whole systems, components, subcomponents? What levels of sustainability are eligible for procurement preferences?
- Estimating life cycle costs
- Training of procurement officials and the implementation of consistent standards

The Requirements of CICA and Maintaining Fairness in the Procurement Process

Preferences based upon environmental attributes – once defined, how are these preferences implemented?

Consideration of preferences vs. mandatory requirements -- How do such preferences impact the evaluation of proposals?

- Evaluation of non-price/ cost factors including past performance
- Evaluation of contractor commercial supply chain elements
- Evaluation of price/ cost
- Life Cycle Cost Analysis – Will procurements be based on life cycle costs?
- Best Value Determination (Cost – Technical Tradeoff)



Should environmental attributes/ factors be considered a separate award criterion, like price/ cost?

Challenges to CICA and maintaining the integrity of the procurement process



Potential Opportunities for Contractors

- Direct sales of products and services
- Assisting the Government in achieving its goals under E.O. 13514
- Vehicle Fleets
- Leased Buildings
- Electronic stewardship and data centers Technology acquisition
- Facility Energy Audits



Potential Pitfalls for Contractors

- Compliance
- Updates to CCR and ORCA registration
- Representations and Certifications
- Potential FCA exposure
- Impact on small businesses and small business subcontracting?
- Decrease in off-the-shelf purchases
- Impact on MAS contract requirements and sales
- Management of Government purchase cards