

SUSTAINABILITY CLAUSES FOR THE ARMY RESERVE

The Office of the Secretary of Defense requires bi-annual reporting on Army contract compliance in meeting sustainable procurement goals. The Department of Defense (DoD) Strategic Sustainability Performance Plan Sub-Goal 7.1, All Procurements Conducted Sustainably, outlines the requirements for compliance with the goal. The Sub-Goal requires that all contract and procurement actions for applicable products and services, meeting DoD performance requirements, must adhere to the principles of sustainability.

Sustainable products and services ...

- are energy efficient (such as Energy Star or Federal Energy Management Program (FEMP)-designated products).
- are water efficient (such as WaterSense products).
- are biobased (such as United States Department of Agriculture (USDA) BioPreferred products).
- are environmentally preferable (products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose (such as products labeled Safer Choice by the United States Environmental Protection Agency (EPA)).
- are non-ozone depleting.
- contain recycled content.
- are non-toxic or less-toxic alternatives.

There are two sets of Quick Guides provided that support the goal: 1) Procurement – direct procurement of goods by Army Reserve purchase card holders and 2) Contracts for Goods and Services – inclusion of mandated Federal Acquisition Regulation (FAR) clauses into contracts for goods and services (purchases by contractors).

The Procurement Quick Guides, provided at the links below, support Item 1 and the selection of goods.

<https://www.milsuite.mil/book/groups/arimd-sustainability-programs-branch-solid-waste-team>

<https://sustainableusar.com/ProcurementQuickGuides>

The following Contract Quick Guide, supporting Item 2, identifies the FAR clauses that are required to be included in the different categories of contracts, to ensure that contractors are meeting the same sustainable principles for work done for the Army Reserve. These must be referenced but do not need to be explicitly listed in the text. A summary of the FAR clauses required to be referenced by each contract category is included in Table 1 of this Summary Guide.

In addition, there are specifications that need to be included in the text of the contract. These specifications should support the clauses and provisions and give additional detail as to their application and the expectations of the government. For example, in the context of Provision 52.223-1, Biobased Product Certification, the following may be added as text: *"The contractor shall maximize the use of biobased products in the execution of this contract, to include cleaning products, lubricants and other materials provided that are associated with contract tasks. Particular attention will be given to designated products that appear on the USDA BioPreferred list. The web site www.biopreferred.gov will be consulted when identifying designated products with biobased content."*

See the REQUIRED SPECIFICATIONS SAMPLE LANGUAGE section of individual contract guides for specific detail.



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Select the name of the FAR provision or clause to read its full text.

FAR CLAUSE 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

FAR PROVISION 52.223-1

BIOBASED PRODUCT CERTIFICATION

Requires the offerer to certify that biobased products (within categories of products listed by the USDA in 7 CFR, Part 2902, Sub-Part B) will be used or delivered in the performance of the contract

FAR CLAUSE 52.223-2

AFFIRMATIVE PROCUREMENT OF BIOBASED PRODUCTS UNDER SERVICE AND CONSTRUCTION CONTRACTS

Requires contractors to make maximum use of biobased products that are USDA-designated items

FAR PROVISION 52.223-4

RECOVERED MATERIAL CERTIFICATION

Requires the offerer to certify that the products offered meet the minimum content level required in the solicitation

FAR CLAUSE 52.223-9

ESTIMATE OF PERCENTAGE OF RECOVERED MATERIAL CONTENT FOR EPA-DESIGNATED ITEMS

Requires contractors to submit estimates of the percentage of the total recovered material content for EPA-designated item(s) delivered and/or used in contract performance, including, if applicable, the percentage of post-consumer material content

FAR CLAUSE 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

FAR CLAUSE 52.223-11

OZONE-DEPLETING SUBSTANCES

Requires contractors to label products which contain or are manufactured with ozone-depleting substances

FAR CLAUSE 52.223-13

ACQUISITION OF EPEAT-REGISTERED IMAGING EQUIPMENT

Requires contractors to furnish only imaging equipment that is Electronic Product Environmental Assessment Tool (EPEAT) Bronze-Registered or higher

FAR CLAUSE 52.223-14

ACQUISITION OF EPEAT-REGISTERED TELEVISIONS

Requires contractors to furnish only televisions that are EPEAT Bronze-Registered or higher

FAR CLAUSE 52.223-15

ENERGY EFFICIENCY IN ENERGY-CONSUMING PRODUCTS

Requires contractors to ensure that energy-consuming products are energy efficient products (Energy Star products, FEMP-designated products, etc.) at the time of contract award

FAR CLAUSE 52.223-16

ACQUISITION OF EPEAT-REGISTERED PERSONAL COMPUTER PRODUCTS

Requires contractors to furnish only personal computer products that are EPEAT Bronze-Registered or higher

FAR CLAUSE 52.223-17

AFFIRMATIVE PROCUREMENT OF EPA-DESIGNATED ITEMS IN SERVICE AND CONSTRUCTION CONTRACTS

Requires contractors to maximize the use of products containing recovered materials that are EPA-designated items in the execution of the contract, unless one of the three exceptions (price, performance, availability) applies

See www.acquisition.gov/sites/default/files/current/far/html/FARTOCP52.html for the full FAR Part 52, Solicitation Provisions and Contract Clauses.

TABLE 1
SUMMARY OF FAR CLAUSE/CONTRACT CATEGORY

	Janitorial	Construction and Renovation	Construction Infrastructure	Dining Facilities	Computers and Related Equipment	Laundry Services	Groundskeeping and Landscaping	Vehicle or Fleet Maintenance	Copying and Printing
FAR Clause 52.204 -4, Printed or Copied Double-Sided on Post-Consumer Fiber Content Paper		X	X	X				X	X
FAR Provision 52.223 -1, Biobased Product Certification	X	X	X	X		X	X	X	X
FAR Clause 52.223 -2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts	X	X	X	X		X	X	X	X
FAR Provision 52.223 -4, Recovered Material Certification	X	X	X	X			X	X	X
FAR Clause 52.223 -9, Estimate of Percentage of Recovered Material Content for EPA - Designated Items	X	X	X	X			X	X	X
FAR Clause 52.223 -10, Waste Reduction Program	O	O	O	O		O	O	O	O
FAR Clause 52.223 -13, Acquisition of EPEAT -Registered Imaging Equipment									X
FAR Clause 52.223 -14, Acquisition of EPEAT -Registered Televisions				O					
FAR Clause 52.223 -15, Energy Efficiency in Energy-Consuming Products	O	X	O	X	X	X	O	O	X
FAR Clause 52.223 -16, Acquisition of EPEAT -Registered Personal Computer Products					X				
FAR Clause 52.223 -17, Affirmative Procurement of EPA - Designated Items in Service and Construction Contracts	X	X	X	X			X	X	X

X = Required O = Consider if applicable

APPENDIX 1

ACRONYMS USED

BP = BioPreferred
 CFR = Code of Federal Regulations
 CPG = Comprehensive Procurement Guidelines
 DoD = Department of Defense
 EPA = United States Environmental Protection Agency
 EPEAT = Electronic Product Environmental Assessment Tool
 ES = Energy Star
 FAR = Federal Acquisition Regulation
 FEMP = Federal Energy Management Program
 FEMP LSP = Federal Energy Management Program Low-Standby Power
 ODS = Ozone-Depleting Substance
 PWS = Performance Work Statement
 SC = Safer Choice
 USDA = United States Department of Agriculture
 WS = WaterSense

APPENDIX 2

ONLINE RESOURCES

Select a link to access the website.

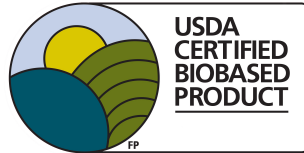
EPEAT Product Search (ww2.epeat.net/searchoptions.aspx)
 Energy Star Product Search (www.energystar.gov/productfinder/)
 EPA Safer Choice Product Search (www.epa.gov/saferchoice/products)
 WaterSense Product Search (www.epa.gov/watersense/product-search)
 USDA BioPreferred Products (www.biopreferred.gov/BioPreferred/faces/catalog/Catalog.xhtml)
 FAR Contract Language (www.acquisition.gov/sites/default/files/current/far/html/FARTOCP52.html)
 Department of Energy - Covered Products (<https://energy.gov/eere/femp/search-energy-efficient-products>)
 EPEAT Contract Language (www.epa.gov/greenerproducts/electronic-product-environmental-assessment-tool-epeat)
 EPA - Designated Recycled Content Products (www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program)
 FEMP Low-Standby Power Product Search (www1.eere.energy.gov/femp/technologies/search_standbypower_center.aspx)



ARMY RESERVE SOLID WASTE PROGRAM

APPENDIX 3

RECOMMENDED LABELS AND CERTIFICATIONS



Select a label to see certified product guides online.

Visit www.epa.gov/greenerproducts/recommendations-specifications-standards-and-ecolabels-federal-purchasing for more details on the EPA's recommended labels and certifications.