



ACQ
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Acquisition Management System Change Request Form

Change Request Number:

(To be completed by secretariat)

25-26

Title:

T3.6.3 - Environment - Executive Order Implementation

Select the type of Change Request:

*Policy changes require FAE endorsement.

Guidance



Impacted AMS Category. Choose from drop down selections. If additional categories or sections are impacted, submit a separate CR form for each.

Section(s) impacted by CR:

Category

Guidance



Procurement Guidance T3.6.3 Environment & Conservation

PART 1: ENDORSEMENTS

**Manager, Acquisition Policy Branch
Endorsement:**

AAP-110, Procurement Policy Branch



Approved



Disapproved

Electronic Signature/Date:

**STEPHEN
BRENDAN
MANGAN**

Digitally signed by STEPHEN
BRENDAN MANGAN
Date: 2025.03.26 16:09:54
-05'00'

**Acquisition System Advisory Group
(ASAG) Chairperson Endorsement:**



Approved



Disapproved

Electronic Signature/Date:

**STEPHEN
BRENDAN
MANGAN**

Digitally signed by STEPHEN
BRENDAN MANGAN
Date: 2025.03.26 16:10:18
-05'00'

**Acquisition Policy and Oversight (AAP)
Director Endorsement:**



Approved



Disapproved

Electronic Signature/Date:

**JAKE LENO
LEWIS**

Digitally signed by
JAKE LENO LEWIS
Date: 2025.03.31
10:21:13 -04'00'

**FAA Acquisition Executive (FAE)
Endorsement:**

*Only required for Policy Changes



Approved



Disapproved

Electronic Signature/Date:

PART 2: GENERAL INFORMATION

Change Request (CR) Number: 25-26

Date Received: 3/27/25
(To be completed by secretariat)Summary
and Reason
for Change:

This revision implements Executive Orders (EOs) 14148 (Initial Rescissions of Harmful Executive Orders and Actions) and 14154 (Unleashing American Energy), both of January 20, 2025.

The revision-

- (1) removes non-statutory purchasing requirements throughout,
- (2) reorganizes Guidance to more clearly and efficiently present remaining statutory requirements, and
- (3) provides statutory citations.

See attached for a detailed explanation of the summary and reason for change.

Initiator Contact Information:

Name:
Stephen ManganPhone:
405-954-4137Organization Name:
AAP-110Routing Code:
AAP-110ASAG Member Contact
InformationName:
Stephen ManganPhone:
405-954-4137

Development, Review, and Concurrence:

AAP, AGC, AEE, AAQ, EOSH

Target Audience:

FAA Acquisition Workforce

ASAG Briefing:

☐ YES ☒ NO

(To be completed by secretariat)

Date:

ASAG Responsibilities:

Sent to ASAG Members on 3/27/25 for Awareness. No action is required.

AEB Briefing:

☐ YES ☒ NO

(To be completed by secretariat)

Date:

AEB Responsibilities:

Sent to AEB Members on 3/27/25 for Awareness. No action is required.

PART 3: FAST PUBLICATION INFORMATION



Validation of other impacted FAST locations: I confirm I have validated all other portions of the website and will submit additional CR's for any other impacted sections as necessary.

Section/Text Location:

Procurement Guidance T3.6.3

Links:

<https://fast.faa.gov/docs/procurementGuidance/guidanceT3.6.3.pdf>

Redline Validation:

NOTE: The redline version must be a comparison with the current published FAST version.



I confirm I used the latest published version to create this change/redline.



This is new content.

Attachments:

CR T3.6.3 Summary and Reason for Change

Guidance T3.6.3 redline
Guidance T3.6.3 final

Other Files:

N/A.

T3.6.3 Environment and Conservation Revised 4/2023

A Environment and Conservation Revised 4/2023

1 Sustainability Considerations Revised 1/20244/2025

2 Responsibilities Revised 9/20214/2025

3 Hazardous Material Identification and Safety Data Revised 1/20244/2025

4 Notice of Radioactive Material Revised 10/20164/2025

5 Alternatives to Ozone--Depleting Substances and Hydrofluorocarbons Revised 1/20244/2025

6 ~~Chemicals~~Integrated Pest Management Revised 1/20204/2025

7 Energy ~~Conservation~~ and Water Efficiency Revised 1/20244/2025

8 Renewable Energy ~~Attribute Certificates~~ Revised 1/20244/2025

9 ~~Water Conservation and Efficiency~~9 Reserved Revised 1/20244/2025

10 ~~BioPreferred and Biobased~~ Designated Products Revised 1/20244/2025

11 Recovered Material Preference ~~for Recycled Content Products~~ Revised 1/20244/2025

12 Reserved Revised 1/2020

13 Waste Management and Pollution Prevention Revised 1/20244/2025

14 Energy Savings Performance Contracts Revised 1/20244/2025

15 Utility Energy Service Contracts Revised 1/2024

16 Reserved Revised 4/2023

17 Environmental Review Revised 1/2024

18 Environmental Due Diligence and Real Property Revised 1/2024

19 Seismic Safety Revised 9/2021

B Clauses

C Procurement Forms Revised 9/2021

D Procurement Samples Revised 9/2021

E Procurement Templates Added 9/2021

F Procurement Tools and Resources Added 9/2021

G Appendix Revised 9/2021

~~1 Appendix—Definitions~~1 Reserved Revised 1/20244/2025

T3.6.3 Environment and Conservation Revised 4/2023

A Environment and Conservation Revised 4/2023

1 Sustainability Considerations Revised 4/2024/2025

~~a.~~ a-Contracting for Sustainable Products and Services

- ~~(1)~~ (1) FAA will ensure that all contract actions and purchases comply with statutory ~~requirements~~ mandates requiring the procurement of sustainable products and services, where applicable, to the ~~product or service~~ maximum extent practicable.
- ~~(2)~~ (2) FAA should ~~prioritize products and services that meet more than one of the applicable requirements and is encouraged to~~ procure products and services in a cost-effective manner that ~~advance~~ advances the achievement of energy and environmental performance goals. FAA will use Category Management solutions to the maximum extent practicable, which can help meet sustainability goals and better leverage the government's buying power.

~~b.~~ Purchasing Programs Required by Statute. FAA will meet statutory mandates that require purchase ~~preference~~ preferences for products that:

- ~~(a)~~ (1) Meet minimum requirements for ~~recycled content~~ products containing recovered materials as designated by Environmental Protection Agency's (EPA) -Comprehensive Procurement Guidelines (CPG) (42 U.S.C. 6962) (40 CFR part 247) (see subsection 11. Recovered Material Preference);
- ~~(b)~~ (2) Are ENERGY STAR[®]-qualified or Federal Energy Management Program (FEMP)-designated products, identified by EPA and ~~DOE; and the Department of Energy (DOE)~~ (42 U.S.C. 8259b) (10 CFR part 436, subpart C) (see subsection 7. Energy and Water Efficiency);
- ~~(c)~~ (3) Are designated ~~BioPreferred and as~~ biobased ~~designated by under~~ the U.S. Department of ~~Agriculture~~ Agriculture's (USDA) BioPreferred program (42 U.S.C. 8102b) (7 CFR part 4270) (see subsection 10. Biobased Designated Products); and
- ~~(d)~~ (4) ~~Reduce embodied carbon in construction materials to the greatest extent practicable for FAA-funded projects.~~
- ~~(4)~~ (2) ~~FAA will maximize substitution of alternatives to ozone-depleting substances in its procurements, as Are~~ identified under the EPA's Significant New Alternatives Policy (SNAP) program (42 U.S.C. 7671, et seq.) (40 CFR part 82, subpart G) (see subsection 7. Alternatives to Ozone-Depleting Substances and Hydrofluorocarbons).

~~(3) FAA should also seek sustainable products and services identified by other EPA programs, including WaterSense[®], Safer Choice[®], and SmartWay[®] as well as non-federal specifications, standards or labels that meet or exceed those recommended by EPA or meet criteria developed or adopted by consensus standards bodies as presented in OMB Circular A-119 and EPA guidelines.~~

c. ~~(4)FAA Buildings and Facilities.~~ FAA will meet statutory sustainability requirements applicable to FAA-owned buildings and facilities and FAA-leased buildings (see subsection 7. *Energy and Water Efficiency*, subsection 13. *Waste Management and Pollution Prevention*, subsection 14. *Energy Savings Performance Contracts*, subsection 15. *Utility Energy Service Contracts*, subsection 17. *Environmental Review*, and subsection 18. *Environmental Due Diligence and Real Property*).

d. *FAA-specific Standards.* FAA may ~~also~~ establish agency-specific standards, policies, programs, and incentives for sustainable acquisition, ~~as long as they provided that such~~ standards meet or exceed applicable statutory requirements.

e. *Documentation of Exceptions.* If at any point during the acquisition it is determined that a contract action cannot comply with the sustainable requirements due to an exception listed in this Section, the Contracting Officer (CO) must use the “Rationale for not Complying with the Sustainable Acquisition Requirements” template located in Procurement Templates to document the exception.

f. ~~(5)-Life-Cycle Cost Analysis.~~ FAA will consider full life-cycle costs and savings in planning and implementing projects and making cost-effectiveness determinations about investments in capital assets and services. -To assist in selecting products and services, costs should be calculated over the life of the item, not just the initial, up-front cost. -When comparing alternative products, the initial cost of the acquisition, as well as lifetime maintenance costs, operational costs, resale value, etc. should be considered in the analysis. -A product having a higher initial cost may have lower operational cost or a higher resale value and will, therefore, prove to be a better value and more cost-effective compared to ~~the~~ alternatives.

~~(6)-Contractors~~

g. *Contractors’ Use of Sustainable Products and Services.* ~~The requirement~~Statutory and AMS requirements to promote sustainable acquisition ~~applies~~apply to contractors when they are purchasing or supplying products or services for use in the performance of a contract. -The contractor ~~is~~may be required to monitor and report on its procurement activities as well as to require its applicable subcontractors to comply with sustainable acquisition requirements.

~~(7) Tracking and Reporting. FAA will track compliance toward 100 percent compliance with sustainable acquisition requirements through quarterly agency contract compliance reviews.~~

~~(8)-~~

h. *Promotion Program.* FAA should provide informational materials, statements, and training to program and procurement offices regarding the agency’s sustainable acquisition program through internal documents, newsletters, and at appropriate conferences, workshops, and meetings.

b. ~~Contracting for Sustainable Real Property~~

~~(1)Energy Star Buildings. Section 435 of the EISA mandates that all new space must be acquired in buildings having either an Energy Star label for the most recent year, or a commitment from the Lessor to earn the Energy Star label within one year of signing the lease. There are four exemptions to the requirement for the Energy Star label=~~

~~(A) No space is offered in a building with an Energy Star label in the delineated area~~

~~that meets the functional requirements of an agency, including location needs;~~

~~b. (A) The agency will remain in a building they currently occupy;~~

~~e. (A) The lease will be in a building of historical, architectural, or cultural significance verified by listing or eligibility for listing on the National Register of Historic Places; or~~

~~d. (A) The lease is less than 10,000 gross square feet of space.~~

The CO shall incorporate into the Solicitation for Offer (SFO) the provisions for Energy Star designation. The determination of whether or not a particular building meets the requirements for an exception to the requirement for an Energy Star label shall be based upon a review of supporting documentation submitted to the CO by the Lessor/Offeror.

The acquisition of space that complies shall be considered financially feasible if the rental offered for a conforming building is no more than 10% over the market rate for a comparable conventional building in the same rental market. If unable to obtain space designated as Energy Star compliant (e.g., if a compliant space is unavailable or the acquisition would not be financially feasible), the CO must provide a written statement for such inability in the Negotiator Report.

~~(2) Sustainable Buildings.~~ Executive Order (EO) 13693 sets goals for federal agency compliance with the Council on Environmental Quality Guiding Principles for High Performance and Sustainable Buildings (Guiding Principles). The EO directs the FAA to incorporate the HPSB Guiding Principles into 15% of its existing owned building inventory greater than 5,000 square feet (it should be noted that Energy Independence and Security Act (EISA) requires Energy Star-labeled buildings for 10,000 gross square feet or above) by 2025 and demonstrate annual progress thereafter toward 100% conformance.

~~(3) Electric Vehicle Supply Equipment (EVSE) for Leased Space.~~ In leased facilities or office space, FAA should work with building owners and operators to expand EVSE availability for charging fleet vehicles. FAA will separately track energy used for vehicle charging and overall facility energy consumption either through standalone electric meters or submeters or through vehicle telemetries.

2 Responsibilities Revised 9/2024/2025

a. ~~a.~~ Program Office Responsibilities.

~~(1) (4) Safety Controls.~~ Program offices are responsible for identifying hazardous materials (see subsection 3. Hazardous Material Identification and Safety) and any other safety controls that may be required in the delivery of supplies, services, or construction to FAA.

~~(2) (2)~~ When preparing specifications and purchase descriptions or utilizing statements of work (SOWs) for the acquisition of supplies, services, and construction, program offices must:

~~(A)(a)~~ Meet sustainable acquisition requirements.

~~(B)(b)~~ Review and revise specifications or requirements during the planning phase of the acquisition to be in compliance with ~~FAA's procurement of sustainable products and services. Additional information on specific products and services is contained in the sections below. The Green Procurement Compilation at <https://sftool.gov/greenprocurement> is a web-based, centralized resource to assist federal agencies with sustainable acquisition. It is searchable by product or service type and contains information on associated sustainable acquisition requirements as well as where to purchase the products.~~ applicable requirements for FAA's procurement of sustainable products, services, and facilities. To aid in this process, the subsections below identify resources for program offices to use to meet the corresponding requirements. Also visit the FAA SAVES Program [website](#) (FAA only) for sustainable products and services. ~~For construction projects, visit Federal Green Construction Guide for Specifiers at <https://www.wbdg.org/design/greenspec.php>.~~

b. ~~b.~~ *Contracting Officer (CO) Responsibilities.*

~~(1)(1)~~ *Pre-Award.* The CO must ensure:

~~(A)(a)~~ Procurement Request (PR) packages are complete;

~~(B)(b)~~ The Screening Information Request (SIR) includes all required clauses and provisions to support FAA's procurement of sustainable products and services ~~(e.g., energy and water efficient, biobased, recycled content); and includes applicable requirements related to the statutorily-required programs outlined in this section;~~

~~(C)(c)~~ All required certifications are received prior to contract award;

~~(D)(d)~~ The Rationale for not Complying with the Sustainable Acquisition Requirements is used to document any exception in the contract file; if applicable; and

~~(E)(e)~~ EPA reports (e.g. Toxics Release Inventory Form (Form R) are submitted on time; and

~~(f) Notification and coordination with EPA if a CO becomes aware of noncompliance with environmental standards (e.g. Clean Water Act (CWA), Clean Air Act (CAA)) in a prospective or performing contractor's facilities.~~

~~(2)(2)~~ *Post Award.* The CO must:

~~(a)~~

~~(A)~~ Ensure that all required post-award certifications and estimations are submitted to FAA as required.

~~(B)(b)~~ Periodically review vendor certification and estimation documents as

part of the annual report and monitoring process.

~~(C)(e)~~ Ensure that such contractors are familiar with all applicable sustainable acquisition requirements contained in contracts with FAA. - During initial contract execution, the COs should brief contractors on their role in the sustainable acquisition process.

~~(D)(d)~~ Monitor contract performance and ensure that contractors are meeting their purchasing and reporting requirements as they relate to sustainable acquisition.

~~(E)(e)~~ Ensure that contractors notify the FAA prior to delivering hazardous or radioactive material.

(3) Suspected Noncompliance. If the CO suspects noncompliance with environmental standards under the Clean Water Act (CWA) or Clean Air Act (CAA) in a prospective or performing contractor's facilities, the CO must notify EPA and coordinate necessary remedial action.

3 Hazardous Material Identification and Safety Data Revised 1/2024/2025

a. ~~a~~General. The program office should obtain information before award about hazards that may be introduced into the workplace by the supplies being acquired such as:

~~(1)(1)~~ Materials required by Federal Standard No. 313 (including revisions adopted during the term of the contract) in obtaining hazardous material; or

~~(2)(2)~~ Materials identified by a FAA technical representative as potentially hazardous and requiring safety controls.

b. ~~b~~Safety Data Sheets. As required by 29 CFR 1910.1200(g) and the latest version of Federal Standard No. 313, the successful offeror/contractor is required to submit Safety Data Sheets prior to contract award and with supplies at the time of delivery, unless the offeror/contractor certifies that the supplies are not hazardous. -The CO must provide a copy of all Safety Data Sheets received to the safety officer and program office.

4 Notice of Radioactive Material Revised 10/2016/2025

a. ~~a. The procurement team requires~~Notification Requirement. To allow FAA to prepare appropriate safeguards, contractors ~~to~~must notify FAA receiving activities prior to ~~delivering the delivery of~~ radioactive material ~~so FAA can initiate appropriate safeguards.~~ The CO may waive the notification if the contractor certifies that the notification on prior deliveries is still accurate. -However, the CO may only waive the notice after consultation with the cognizant contracting technical representatives.

b. ~~b~~Notification Timetable. The procurement team should require offerors to specify the number of days in advance of delivery that the receiving activity will be notified of an

impending delivery. -The determination of the number of days should be done in coordination with the installation/facility radiation protection officer (RPO). -The RPO is responsible for ~~insuring~~ensuring the proper license, authorization, or permit is obtained prior to receipt of the radioactive material.

5 ~~5~~ Alternatives to Ozone-Depleting Substances and Hydrofluorocarbons Revised 1/20244/2025

a. Statutory Authority. Pursuant to Title VI of the Clean Air Act (CAA) (42 U.S.C. 7671, *et seq.*), agencies must minimize the procurement of materials and substances that contribute to the depletion of stratospheric ozone and/or result in the use, release, or emission of hydrofluorocarbons (HFCs).

~~Significant New a. FAA will maximize substitution of SNAP chemicals or other alternatives to ozone-depleting substances and hydrofluorocarbons, where feasible, as identified by SNAP, to reduce overall risks to human health and the environment by lessening the depletion of ozone in the upper atmosphere. Under SNAP, EPA identifies lists of acceptable and unacceptable substitutes for ozone-depleting substances that include air conditioning and refrigeration; fire suppression; cleaning solvents; foam blowing agents; aerosols; adhesives, coatings and inks; sterilants; and tobacco expansion. FAA will ensure that the product complies with statutory mandates (e.g., biobased) if applicable to the product category. Products identified under the SNAP program as well as other alternatives to ozone-depleting substances may be purchased from the Green Procurement Compilation website at <https://sftool.gov/greenprocurement>.~~

b. ~~b.~~ Alternatives Policy (SNAP) Program. Established under the CAA, EPA's SNAP program identifies and evaluates substitutes for ozone-depleting substances. SNAP listings of acceptable alternatives can also help sectors transition away from HFCs (40 CFR part 82, subpart G). SNAP substitutes are further categorized by the following industrial sectors to which they are applicable:

- (1) Adhesives, Coatings, and Ink;
- (2) Aerosols;
- (3) Cleaning Solvents;
- (4) Fire Suppression and Explosion Protection;
- (5) Foam Blowing Agents;
- (6) Refrigeration and Air Conditioning;
- (7) Sterilants; and
- (8) Tobacco Expansion.

c. Compliance.

(1) Procedure.

(A) FAA will, to the maximum extent practicable, prioritize procuring acceptable substitutions listed under the SNAP program.

(B) Nonavailability. If there are no non-ozone depleting ~~options~~ substitutes for a particular procurement, ~~then~~ the FAA will specify in the SIR/contract that only offerors with the appropriate EPA certifications will be considered for award under EPA's Ozone Layer Protection Regulatory Programs.

6 Chemicals Management Revised 1/2020

~~a. FAA should purchase Safer Choice labeled products to reduce the overall quantity of chemicals and toxic materials acquired, used, and disposed of (e.g., aircraft cleaning products, deicers, floor care products). Under EPA's Safer Choice Program products are less toxic, and include requirements for performance, packaging, pH and volatile organic compounds. Safer Choice products may be purchased using the Green Procurement Compilation website at <https://sftool.gov/greenprocurement>. FAA will ensure that the product complies with statutory mandates (e.g., biobased) if applicable to the product category.~~

(2) Additionally Contractor Requirements.

(A) Contractors must ensure products purchased as a direct result of a contract contain no ozone-depleting substances or HFCs, when an acceptable substitute is identified under the SNAP program and available.

(B) Product Labeling. If a required substitute per (A) is not available, any products delivered under a contract that contain or are manufactured with ozone-depleting substances must be labeled by the contractor in accordance with 40 CFR Part 82, Subpart E.

(C) HFC Tracking and Reporting. When a contract requires delivery of equipment and/or appliances that typically contain 50 or more pounds of HFCs or refrigerant blends containing HFCs, the contractor must track and report the amount of HFCs contained in the delivered products as required by AMS clause 3.6.3-9 Ozone-depleting Substances and Hydrofluorocarbons.

d. SNAP Website. For further information and to locate the list of acceptable substitutes identified under the program, refer to the SNAP program website at <https://www.epa.gov/snap>.

6 Integrated Pest Management Revised 4/2025

~~b.~~ Pursuant to 7 U.S.C. 136r-1, FAA will implement EPA's Integrated Pest Management

(IPM) Principles ~~and Water Efficient Landscaping practices to reduce and eliminate the use of~~ toxic. Integrated Pest Management is a sustainable approach to managing pests by combining biological, cultural, physical, and ~~hazardous chemicals~~ chemical tools in a way that minimizes economic, health, and materials environmental risks.

7 Energy ~~Conservation~~ and Water Efficiency Revised 4/2024/2025

a. ~~In order~~ Statutory Authorities.

(1) Products and systems. Pursuant to ~~meet the objectives of EO 14057, National Energy Conservation Policy Act (NECPA), the Energy Policy Act of 2005 (EPAct 2005) (42 U.S.C. 8259b), the Energy Independence and Security Act of 2007 (EISA 2007), and the Energy Act of 2020, and FAA Order 1053.1 (series), the FAA procurement team (CO, program official, legal counsel, and others supporting a program) will~~ agencies must make energy conservation and water efficiency a contracting consideration when procuring products affecting for all procurements involving energy consuming products and systems, including construction and services contracts that include the provision of energy consuming products and systems.

(2) Buildings. Pursuant to NECPA, EISA 2007, and the Energy Act of 2020 (42 U.S.C. 8253), agencies must install in Federal buildings owned by the United States energy and water conservation measures that are life cycle cost-effective. 42 U.S.C. 6834 requires agencies to implement water efficiency measures (EPAct 2005) and to apply sustainable design principles to all new buildings and major renovations (EISA 2007).

b. Energy and Water Efficiency Programs. Per the legal mandate referenced in a.(1) agencies prioritize energy and water efficiency in procurements by purchasing in accordance with the following programs (10 CFR part 436 subpart C):

(1) ENERGY STAR® Program. ENERGY STAR is an energy-efficiency program administered by EPA in partnership with DOE. Under the program, EPA establishes energy efficiency specifications. Products that meet these specifications are eligible to display the ENERGY STAR label.

(2) Federal Energy Management Program (FEMP). FEMP is a program that assists Federal agencies in procuring energy-efficient and water-efficient products that meet statutory requirements. FEMP maintains acquisition guidance for product categories including product categories not covered by the ENERGY STAR program. FEMP sets efficiency requirements for such additional product categories which likewise have the potential to generate significant Federal energy savings. Categories under FEMP include:

(A) Appliances and Food Service;

(B) Electric Vehicle consumption. Energy Products;

(C) Electronics and Information Technology;

(D) Heating and Cooling;

(E) Lighting;

(F) Other; and

(G) Water Consuming Devices.

c. Compliance.

(1) Energy- and water-consuming products. When procuring energy- and water-consuming products, the FAA will, to the maximum extent practicable:

(A) Purchase ENERGY STAR certified and FEMP-designated products;

(B) Evaluate conservation and efficiency data ~~must be considered along with~~, estimated ~~costs over the duration of the acquisition lifecycle~~, and other relevant factors in the preparation of plans, drawings, specifications, and other product descriptions. ~~When procuring energy-consuming products;~~ and

~~a. FAA will purchase ENERGY STAR certified, or FEMP designated products.~~

~~FAA will promote electronics stewardship throughout the acquisition lifecycle and ensure a procurement preference for environmentally sustainable electronic products in accordance with statutory mandates, such as the Electronic Product Environmental Assessment Tool (EPEAT)-registered products. EPEAT is a procurement tool designed to help purchasers evaluate, compare, and select products (e.g., computer desktops, laptops, and monitors) on the basis of their environmental attributes. All EPEAT registered products are ENERGY STAR © labeled. The decision not to procure ENERGY STAR-certified and FEMP-designated products will be based on a determination that such procurement items:~~

- ~~1. Are not reasonably available within a reasonable period of time;~~
- ~~2. Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or~~
- ~~3. Are only available at an unreasonable price.~~

~~b.(C)~~ For products that consume power in standby mode ~~and~~, are listed on FEMP's Low Standby Power Devices ~~product listing~~, FAA will, and are commercially available off-the-shelf:

(i) ~~(1) Purchase~~ items ~~which that~~ meet FEMP's standby power wattage recommendation or document why such items were not purchased; or

(ii) ~~(2) If~~ items that use no more than one watt in standby power consuming mode, if FEMP has listed a product without a corresponding wattage recommendation, ~~purchase items which use no more than one watt in standby power consuming mode.~~ If meeting the one-watt requirement is impracticable, FAA will purchase items with the lowest standby wattage

~~practicable. This requirement applies only to commercially available, off-the-shelf products, where life-cycle cost effective and otherwise~~ practicable.

- ~~c. Energy efficient products (i.e., ENERGY STAR, FEMP) (may be purchased from the Green Procurement Compilation website at <https://sftool.gov/greenprocurement>.~~

~~8 Energy Attribute Certificates~~ ~~Revised 1/2024~~

- ~~a. Executive Order 14057 directs the Federal Government to lead transition to 100% net annual carbon pollution-free electricity (CFE) use by 2030, including 50% 24/7 CFE by 2030. Progress toward the net annual CFE goal is be measured by adding purchased CFE, on-site CFE, purchased energy attribute certificates (EACs), and grid-supplied CFE.~~

~~(1) Purchased CFE is electricity purchased from a qualifying CFE generation source with the associated EACs, (i.e., original associated energy attributes have not been separately sold, transferred, or retired). FAA can purchase CFE and the associated EAC from a utility provider (including through a green tariff), retail service provider, energy supply contractor, or through a power purchase agreement (PPA).~~

~~(2) On-site CFE is electricity generated at an FAA facility. To count CFE produced at FAA facilities toward the net annual CFE requirement, FAA must obtain and retire the EACs sourced from the on-site CFE generation.~~

~~(3) Purchased EACs are EACs that are procured independently from FAA's purchases of physical power, often referred to as "unbundled" EACs.~~

~~(4) Grid-supplied CFE is CFE delivered as part of default electricity service or the electricity grid mix from a utility or electric service provider.~~

~~To count toward the net annual CFE goal, FAA must source EACs from generation resources that:~~

~~(1) Produce CFE;~~

~~(2) Were placed in service on or after October 1, 2021, either as a new resource or as new capacity at an existing resource modified to increase output;~~

~~(3) Deliver CFE to the same grid region of Federal facility consumption; and~~

~~(4) Were generated within six months prior to or three months after the net annual CFE compliance year.~~

- ~~b. FAA has the option to continue purchasing renewable energy certificates (RECs) to help meet legacy renewable energy use requirements. FAA can conduct its own procurement for these RECs or can work with GSA, Defense Logistics Agency (DLA) and Western Area Power Administration (WAPA) to draw on procurement expertise and coordinate bulk purchases with other agencies. In order to count a REC toward the renewable energy target, the electricity will have been generated by a renewable generator that was placed~~

~~into service within fifteen (15) years prior to the start of the fiscal year in which FAA intends to count the REC toward the renewable energy targets. RECs purchased will be from renewable sources of electricity derived from solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project. Municipal solid waste REC purchases are discouraged as this source of renewable energy negatively impacts the FAA’s greenhouse gas emission reduction performance. In addition, RECs will meet “vintage” requirements where “vintage” refers to the period of time during which the energy the RECs represent was generated. Refer to the following table for the vintage requirements for each fiscal year:~~

<u>Fiscal Year</u>	<u>“Vintage”, i.e., Period of Generation for RECs</u>
<u>FY 2023</u>	<u>01 April 2022 – 31 December 2023</u>
<u>FY 2024</u>	<u>01 April 2023 – 31 December 2024</u>
<u>FY 2025</u>	<u>01 April 2024 – 31 December 2025</u>
<u>FY 2026</u>	<u>01 April 2025 – 31 December 2026</u>
<u>FY 2027</u>	<u>01 April 2026 – 31 December 2027</u>
<u>FY 2028</u>	<u>01 April 2027 – 31 December 2028</u>
<u>FY 2029</u>	<u>01 April 2028 – 31 December 2029</u>
<u>FY 2030</u>	<u>01 April 2029 – 31 December 2030</u>

~~RECs purchased for a given fiscal year will meet the corresponding vintage requirements in order for them to count towards that fiscal year’s Federal renewable energy requirement.~~

~~c. In order to meet EAC and/or REC reporting requirements, FAA will obtain documentation under the contract showing both transference and ownership of the EACs/RECs, and it will also include the following information:~~

- ~~(1) Number of EACs/RECs sold in megawatt hours (MWhs);~~
- ~~(2) Fuel type (renewable fuel used to generate electricity associated with EACs/RECs sold);~~
- ~~(3) Period of generation for EAC/RECs sold (month or quarter, and year);~~
- ~~(4) Cost per EAC/REC (or total purchase price);~~
- ~~(5) Location of the generation facility; and~~
- ~~(6) Date the generation facility was placed in service.~~

~~Optional additional information may include:~~

- ~~(1) Clean energy project name;~~

(2) Generator ID number; and

(3) Nameplate capacity.

Usually this documentation is in the form of an attestation from the EAC/REC provider and a certificate of transfer, which demonstrates rights to the renewable attributes of the power generated by the renewable resource transfer to the buyer.

9-Water Conservation and Efficiency Revised 1/2024

(2) The procurement team (CO, program official, *in Buildings*. FAA will comply with the legal counsel, and others supporting a program) will make mandates referenced in a.(2) by installing energy and water conservation a contracting consideration when procuring products affecting FAA water consumption. Water conservation and efficiency data will be considered along with estimated cost and other relevant factors in the preparation of plans, drawings, specifications, and other product descriptions. Water conservation technologies must be applied to the extent that the technologies are measures and applying sustainable design principles to all new buildings and major renovations unless such measures are not life-cycle cost-effective. In order to meet the objectives of EISA-2007, Energy Act of 2020, EO 14057, and FAA Order 1053.1 (series), when procuring water consuming products or are otherwise excepted per (3) *Exceptions*.

a. FAA will purchase WaterSense-certified products.

b. FAA will procure WaterSense-certified services.

WaterSense products may be purchased from the Green Procurement Compilation website at <https://sftool.gov/greenprocurement>.

(3) *Exceptions*. The decision to not procure an ENERGY STAR certified or an FEMP designated product or system will be based on a determination that such procurement items:

10-BioPreferred and Biobased Designated Products Revised 1/2024

In order to meet the objectives of EO 14057, the Farm Security and Rural Investment Act of 2002, the Food Conservation and Energy Act of 2008, and the Agricultural Act of 2014, FAA will purchase and use USDA BioPreferred and biobased products. FAA will give preference to products composed of the highest percentage of biobased material practicable. The decision not to procure such products will be based on a determination that such products within a product category:

1.(A) Are not reasonably available within a reasonable period of time;

2.(B) Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or

3.(C) Are only available at an unreasonable price.

d. ~~Biobased products are derived from plants~~ Contracting for Real Property – ENERGY STAR Buildings.

(1) Statutory Authority. Section 435 of the Energy Independence and ~~other renewable agricultural, marine, and forestry materials and provide~~ Security Act of 2007 (42 U.S.C. 17091) mandates that all new space be acquired in buildings having either an ~~alternative~~ ENERGY STAR label for the most recent year, or a commitment from the Lessor to the ENERGY STAR label within one year of signing the lease.

(2) Exceptions. The requirement for new space to be ENERGY STAR labeled is excepted if:

(A) No space is offered in a building with an ENERGY STAR label in the delineated area that meets the functional requirements of an agency, including location needs;

(B) The agency will remain in a building it currently occupies;

(C) The lease will be in a building of historical, architectural, or cultural significance verified by listing or eligibility for listing on the National Register of Historic Places; or

(D) The lease is less than 10,000 gross square feet of space.

(3) Real Estate Contracting Officer (RECO) Responsibilities.

(A) The RECO must incorporate applicable ENERGY STAR requirements into the Solicitation for Offer (SFO) in accordance with this subsection.

(B) Exception Procedure.

(i) Determination. The determination of whether a particular building meets the requirements for an exception to the requirement for an ENERGY STAR label must be based upon a review of supporting documentation submitted to the CO by the Lessor/Offeror.

(ii) Financial Feasibility. The acquisition of ENERGY STAR-compliant space is considered financially feasible if the rental rate offered is no more than 10 percent over the market rate for a comparable ~~conventional petroleum derived products. Biobased products may be purchased from the (non-ENERGY~~ STAR-labeled) building in the same rental market.

(iii) Documentation. If unable to obtain space designated as ENERGY STAR compliant (e.g., if a compliant space is unavailable or the acquisition would not be financially feasible), the RECO must provide a written statement for such inability in the Negotiator Report.

e. Resources.

(1) Green Procurement Compilation (GPC). Energy and water-efficient products and services may be purchased from the GPC (<https://sftool.gov/greenprocurement>). The GPC includes ENERGY STAR and FEMP products, as well as other categories of products and services that may serve statutory sustainable purchasing goals, including:

- (i) *Electronic Product Environmental Assessment Tool (EPEAT)*. EPEAT is a procurement tool designed to help purchasers evaluate, compare, and select products (e.g., computer desktops, laptops, and monitors) on the basis of their environmental attributes. website All EPEAT registered products are ENERGY STAR-labeled.
- (ii) *WaterSense*. Products and services that have earned the WaterSense label have been certified to be at <https://sftool.gov/greenprocurement>, least 20 percent more efficient without sacrificing performance. (see 42 U.S.C. 6249b)
- (2) The Environmental Protection Agency’s Environmental Purchasing Program (EPP) provides a search tool to help purchasers identify and procure products and services that may serve statutory sustainable purchasing goals. (<https://www.epa.gov/greenerproducts/recommendations-specifications-standards-and-ecolabels-federal-purchasing#tool>)
- (3) *ENERGY STAR Website*. For information on products under the ENERGY STAR Program, visit <https://www.energystar.gov/products>.
- (4) *FEMP Search*. FEMP-designated, energy-efficient products can be located at <https://www.energy.gov/femp/search-energy-efficient-products>.
- (5) *Standby Power Products*. For information on low standby power products, go to <https://www.energy.gov/eere/femp/low-standby-power-product-purchasing-requirements-and-compliance-resources>.
- (6) The Council on Environmental Quality’s *Guiding Principles for Sustainable Federal Buildings* guide agencies in designing, locating, constructing, maintaining, and operating Federal buildings in a sustainable manner that increases efficiency, optimizes performance, eliminates unnecessary use of resources, ensures the health of occupants, protects the environment, generates cost savings, and mitigates risks to assets, consistent with Agency and Department missions.
- (7) For construction projects, the Federal Green Construction Guide for Specifiers at <https://www.wbdg.org/design/greenspec.php>.

8 Renewable Energy Revised 4/2025

- a. *Federal Purchase Requirement*. Section 203 of EPCA 2005 requires that to the extent economically feasible and technically practicable, of the total amount of electric energy the Federal Government consumes during any fiscal year, not less than 7.5 percent is renewable energy in fiscal year 2013 and each fiscal year thereafter (42 U.S.C. 15852).
- b. *Compliance*. FAA aims to meet or exceed this target. FAA may purchase renewable energy certificates (RECs) to help meet renewable energy use targets. FAA may independently conduct its procurement for RECs or FAA may work with GSA, Defense Logistics Agency (DLA), and the Western Area Power Administration (WAPA) to draw on procurement expertise and coordinate bulk purchases with other agencies. For a REC to count toward the agency’s goal, the REC must meet certain requirements, and the

FAA must obtain documentation under the contract to enable reporting. Contact the Office of Environment and Energy (AEE) for further guidance on REC requirements.

9 Reserved Revised 4/2025

10 Biobased Designated Products Revised 4/2025

- a. Statutory Authority. Pursuant to the Farm Security and Rural Investment Act of 2002 (FSRIA) and the Energy Policy Act of 2005 (EPA 2005) (7 U.S.C. 8102), agencies must develop procurement specifications for and procure biobased products.
- b. USDA BioPreferred® Program. Established by the 2002 Farm Bill (P.L. 107-171), USDA's BioPreferred Program assists buyers, including Federal agencies and contractors, with purchasing biobased products (7 CFR part 4270). The Program designates categories of biobased products that qualify for federal purchasing preference, identifies categories for voluntary certification and labeling, and determines the minimum biobased content percentages required for each category.
- c. Compliance.
 - (1) Prioritization of Biobased Products. To the maximum extent practicable, FAA will purchase products designated as biobased under USDA's BioPreferred program.
 - (2) Exceptions. The decision not to procure biobased products will be based on a determination that biobased products within a product category:
 - (A) are not reasonably available within a reasonable period of time;
 - (B) fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the FAA; or
 - (C) are only available at an unreasonable price.
- d. BioPreferred Program Website. For information pertaining to the BioPreferred Program, USDA-designated product categories and minimum content standards, visit <https://www.biopreferred.gov>.

11 Recovered Material Preference for Recycled Content Products Revised 4/2024/2025

- a. ~~a. In order~~ Statutory Authority. Pursuant to meet the objectives of EO 14057, FAA will Resource Conservation and Recovery Act of 1976 (RCRA) (42 U.S.C. 6962), agencies must procure products that contain recycled content, are biobased, or are energy and water efficient. Recycled content products are designated in EPA's CPG and FAA is required to purchase these products at items composed of the highest percentage of recovered

~~content~~materials practicable.

~~FAA will give preference to procuring and using such products containing recovered materials versus products made with virgin materials. These products will be purchased containing the percentages of recovered materials (recycled content) indicated in the CPG. The major CPG categories are Paper and Paper Products, Vehicular Products, Construction Products, Transportation (Traffic Control) Products, Park & Recreation Products, Landscaping Products, Non-paper Office Products, and Miscellaneous Products.~~

~~b. *Printing and Writing Paper.* FAA should purchase uncoated paper (including office paper products or support services that include the supply of written documents) containing at least 50 percent post-consumer recycled fiber content whenever practicable. If not practicable, in order to meet the objectives of EO 13693, FAA will purchase uncoated printing and writing paper containing at least 30 percent post-consumer recycled content or higher.~~

~~c. *Recycled Content Products Threshold and Exceptions.* The requirement to purchase recycled content CPG items applies to all purchases, including those purchases falling under the defined threshold level or made using a purchase card and/or credit card checks. The decision not to procure such items will be based on a determination that such products within a product category:~~

~~b. Are EPA Comprehensive Procurement Guidelines (CPG) Program. As required per RCRA, EPA designates items that are or can be made with recovered materials within the CPG Program (40 CFR part 247). Recovered materials are waste materials and byproducts which have been recovered or diverted from solid waste, but such term does not include those materials and byproducts generated from, and commonly reused within, an original manufacturing process. Additionally, the CPG provides recommended practices to assist procuring agencies in meeting related obligations.~~

~~c. Compliance.~~

~~(1) Prioritization of Items Composed of Recovered Materials. Using information provided by the CPG, FAA will purchase items composed of the highest percentage of recovered materials to the maximum extent practicable.~~

~~(2) Exceptions. The decision to not procure items composed of the highest percentage of recovered materials practicable will be based on a finding that such items:~~

~~1-(A) are not reasonably available within a reasonable period of time;~~

~~2-(B) Fail fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or~~

~~3-(C) Are are only available at an unreasonable price.~~

~~d. EPA's Comprehensive Procurement Guideline (CPG) Program Website. For information~~

pertaining to the CPG Program, search for items designated within the CPG and associated minimum content standards, visit <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program#products>.

12 Reserved Revised 1/2020

~~d. When all sustainable acquisition requirements for toner cartridges cannot be met in the same product, remanufactured and recycled content should receive purchasing priority over biobased toner.~~

~~e. Recycled content products designated in the CPG may be purchased from the Green Procurement Compilation website at <https://sftool.gov/greenprocurement>.~~

~~12 Reserved~~ Revised 1/2020

13 Waste Management and Pollution Prevention Revised 1/2024/2025

~~a. a-Compliance. Pursuant to the Resource Conservation and Recovery Act of 1976 (RCRA), Non-hazardous Solid Waste. FAA will ~~divert 50% of~~ comply with federal, state, interstate, and local requirements for management and disposal of non-hazardous solid waste and hazardous waste (42 U.S.C. 6961).~~

~~b. Non-hazardous Solid Waste. sent to treatment and disposal facilities by 2025 and 75% by 2030 in order to meet the objectives of EO 14057. Each contract Contracts for contractor operation of, or maintenance at ~~a Government,~~ an FAA-owned or leased facility should ~~require contractor programs to promote and implement~~ pursue cost-effective waste prevention by first reducing overall waste generated, while also pursuing strategies that reduce disposal fees and minimize environmental impacts by diverting waste from treatment and disposal facilities, including landfill and incineration without energy recovery. Waste management may further be accomplished through employing source reduction and diversion in performing the contract strategies (such as purchasing items that require less packaging materials during shipping) and reducing printing paper use. Waste management factors must be considered, in acquisitions where their application would be meaningful and consistent with meeting FAA requirements, to the maximum extent practicable. ~~Where economically~~ These factors must be identified in the procurement planning and screening information request (SIR)/contract documents.~~

~~To facilitate compliance, where feasible, existing contracts for contractor operation of or maintenance at Government-owned or leased facilities should be modified to include the promotion and implementation of cost-effective non-hazardous solid waste reduction and diversion in contract performance.~~

~~(1) The contractor~~ contractors must track non-hazardous solid waste diversion efforts and provide a Non-Hazardous Solid Waste Diversion Report each month in accordance with AMS clause 3.6.3-7 “Waste Management and Pollution Prevention.”

~~(2)~~ A sample Non-Hazardous Solid Waste Diversion Report Form can be found in the

b. ~~b.~~ *Construction and Demolition (C&D) Waste.*

(1) ~~(1)~~ FAA will ~~also demonstrate incremental improvement on reducing~~ promote efforts to reduce the tons of non-hazardous construction and demolition (C&D) materials and debris sent to treatment and disposal facilities. Examples of materials to be diverted are as follows:

~~Examples of materials to be diverted are as follows:~~

- ~~(a)~~ (A) Soil;
- ~~(b)~~ (B) Inerts (e.g., concrete, masonry, or asphalt);
- ~~(c)~~ (C) Clean dimensional wood and pallet wood;
- ~~(d)~~ (D) Green waste (e.g., biodegradable landscaping materials);
- ~~(e)~~ (E) Engineered wood products (e.g., plywood, particle board);
- ~~(f)~~ (F) Metal products (e.g., steel, wire, beverage containers);
- ~~(g)~~ (G) Cardboard, paper, and packaging;
- ~~(h)~~ (H) Bitumen roofing materials;
- ~~(i)~~ (I) Plastics (e.g., ABS, PVC);
- ~~(j)~~ (J) Carpet and/or padding;
- ~~(k)~~ (K) Gypsum board;
- ~~(l)~~ (L) Insulation;
- ~~(m)~~ (M) Paint; and
- ~~(n)~~ (N) Fluorescent lamps.

(2) ~~(2)~~ For all construction, demolition, or facilities modernization contracts ~~over \$150 when the size of the facility exceeds 25,000 in awarded value~~ gross square feet, the contractor must submit a Waste Management Plan to the CO no later than fifteen (15) days after contract award and prior to the start of construction activities in accordance with Clause 3.6.3-22 "Construction Waste Management." (Note that

Real Property Clause 6.6.13 “Construction Waste Management” is required in all standard space leases where build-out occurs).

~~(a)~~(A) The contractor must track C&D waste diversion efforts and provide a Construction and Demolition Debris Diversion Report each month in accordance with the above clause.

~~(b)~~(B) A sample Construction and Demolition Debris Diversion Report Form can be found in the FAA AMS Statement of Work Generator and DID Library under DID FAA-EOSH-001.

~~(3)~~ ~~(3)~~ The Whole Building Design Guide (www.wbdg.org) provides a Construction Waste Management Database that contains information on companies that haul, collect, and process recyclable debris from construction projects.

c. ~~e.~~ Hazardous Waste.

~~(1)~~ (1) FAA facilities must comply with the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11001-11050) and the Pollution Prevention Act of 1990 (PPA) (42 U.S.C. 13101-13109).

~~(2)~~ ~~d.~~ Every FAA contract that provides for performance on a Federal facility must stipulate that the contractor must provide information necessary for FAA to comply with the emergency planning and toxics release reporting requirements of EPCRA and PPA.

14 Energy Savings Performance Contracts Revised ~~4/2024~~4/2025

a. An Energy Savings Performance Contract (ESPC) is a contract that allows the FAA to accomplish energy projects for its facilities with little or no upfront capital costs. Under an ESPC, a contractor (i.e., an Energy Savings Company (ESCO)) finances the up-front cost of the project, guarantees the project improvements will generate enough energy and water cost savings to pay for the project over the contract period, and is paid back from the resultant energy and water savings over the contract period. -Financed project costs may include ESCO services for the design, acquisition, financing, installation, testing, operation, and where appropriate, maintenance and repair of an identified energy conservation measure or series of measures at one or more FAA facilities. -If sufficient appropriated funding to cover the entire project is not available, or is not expected to be available in a reasonable time frame, FAA may award ESPCs to accomplish energy savings projects at FAA. -FAA may contract with an ESCO for a period not to exceed 25 years. The Energy Act of 2020 requires all federal agencies to implement 50% via performance contracts at least 50-percent of all cost-effective energy and water improvement measures identified in EISA 432 energy and water evaluations completed after December 27, 2020, ~~via performance contracts~~.

b. *Procedures.* To solicit and award an ESPC, the CO must use the procedures, selection method, and terms and conditions provided in 10 CFR Part 436, Subpart B, at the DOE [FEMP](#)

website at <http://energy.gov/eere/femp/energy-savings-performance-contracts-federal-agencies> and must use the “Qualified List” of ESCOs established by the DOE. The resulting award would be processed as an order under the applicable DOE contract consistent with AMS guidance on interagency procurement.

c. *Project Facilitator.* Federal agencies developing ~~Department of Energy (DOE)~~ indefinite-delivery, indefinite-quantity (IDIQ) ESPC projects are contractually required to work with a DOE-approved project facilitator. The project facilitator is required to be engaged with the project development process from the preliminary assessment kickoff meeting through the review of the first annual measurement and verification report. The Federal Energy Management Program (FEMP) maintains a list of DOE approved project facilitators including guidelines for contracting for project facilitator services.

d. *Training.* All COs responsible for negotiating ESPCs must take DOE FEMP-sponsored contracting training for ESPCs ([ESPC Trainings by Work Function | Department of Energy](#)).

e. All ESPCs must comply with the National Energy Conservation Policy Act (42 U.S.C 8287) as set forth in the DOT Limited Delegation of Authority of July 11, 2012 until such time as the DOE statute or implementing regulations are revised.

15 Utility Energy Service Contracts Revised 1/2024

a. Under a Utility Energy Service Contract (UESC), FAA may contract with a local servicing utility for technical services and/or up-front project financing for energy efficiency, water conservation, and renewable energy investments at one or more FAA facilities. The utility finances the capital costs of the project with little or no up-front capital costs to the FAA, and the utility is then repaid over the contract term from the cost savings generated by the project. If sufficient appropriated funding to cover the entire project is not available, or not expected to be available in a reasonable time frame, FAA may award UESCs at FAA facilities. Unlike a Energy Savings Performance Contract, a UESC is not required to include performance guarantees. Because of this, it is highly recommended that performance guarantees or assurances be incorporated into these contracts to reduce FAA risk. Performance assurances do not guarantee energy savings; however, they provide assurance that equipment installed will perform as expected. A UESC should also include measurement and verification of savings through equipment commissioning, recommissioning or retro-commissioning.

b. *Planning.* Acquisition planning for a UESC should include the following:

- (1) Inclusion of applicable performance assurance criteria in the SIR and contract;
- (2) Analysis that shows that the planned energy conservation measures are cost effective; and
- (3) A competition or alternatives analysis as part of the selection process.

c. *Procedures.* To solicit and award a [UESC](#), the CO must use the procedures, selection method, and terms and conditions provided on the Department of Energy FEMP website at <https://www.energy.gov/femp/utility-program-and-utility-energy-service->

d. All UESCs must comply with the Energy Policy Act of 1992 (42 ~~USC~~U.S.C. 8256).

16 Reserved Revised 4/2023

17 Environmental Review Revised 1/2024

- a. The National Environmental Policy Act (NEPA) requires federal agencies to incorporate environmental considerations in their planning and decision-making through a systematic interdisciplinary approach. Specifically, all federal agencies are required to consider the environmental impact of Federal actions affecting the environment. FAA Order 1050.1 (series) contains FAA's implementing procedures for complying with NEPA. The FAA integrates its environmental review under other statutes (e.g., the Endangered Species Act and the National Historic Preservations Act) into the NEPA process.
- b. The appropriate level of environmental review must be determined by the program office Environmental Specialist or the project designated Environmental Specialist. Order 1050.1F contains specific procedures for the following procurement actions:
 - (1) The acquisition and disposition of real property;
 - (2) The acquisition, repair, replacement, maintenance, or upgrading of grounds, infrastructure, buildings, structures, or facilities; and
 - (3) The acquisition of equipment.

18 Environmental Due Diligence and Real Property Revised 1/2024

FAA real property transactions are subject to the requirements of FAA Order 1050.19 (series), and Paragraph 2-7 of Order 1050.1 (series), in order to identify and minimize potential environmental liabilities associated with the condition of the property and past activities at the site. Environmental due diligence requirements must be completed prior to executing contracts for the initial acquisition or disposal of real property, including the conveyance, sale or transfer of any FAA land, buildings, and structures. The level of environmental due diligence required varies depending on the specifics of each real property transaction.

19 Seismic Safety Revised ~~9/2024~~4/2025

~~a.—General—~~

- ~~a.~~ a. It is FAA's policy to mitigate seismic hazards in FAA occupied buildings in order to ensure the safety of its employees. Every effort should be made in the space acquisition process to ensure that FAA employees are housed in seismically safe buildings. New or succeeding leases are to be for space in buildings that comply with seismic standards as described in the most recently published version of the National Institute of Standards and

Technology (NIST), [Standards for Seismic Safety for Existing Federally Owned or Leased Buildings](#) (“the Standards”) requires a “Seismic Safety Certification” to be executed by a qualified structural engineer prior to signing any new lease or succeeding lease. The requirements for the Seismic Safety Certification are found in the Standards. In addition, Section 1.3 of the Standards lists a number of *exemptions* and one *exception* that may relieve the Agency of the Seismic Safety Certification. Any exemption or exception must be applied on a case-by-case basis.

~~b.~~ *Leased Facilities*

b. . A licensed structural engineer must certify on the Life Safety Compliance/Seismic Certification the level of seismic compliance. Documentation for seismic compliance must be kept in the lease contract file. An alternate document such as a letter from the Lessor stating the building meets the seismic compliance does not take the place of the required certification form. The Standards shall apply to all, or portions of a building leased by the FAA, unless an exemption or exception applies under the provisions of the Standards.

c. *Resources.* For applicable documents related to Seismic Safety for real estate procurements, see Real Property Procurement Templates and Samples.

B Clauses

[view contract clauses](#)

C Procurement Forms Revised 9/2021

Document Name

D Procurement Samples Revised 9/2021

Document Name

E Procurement Templates Added 9/2021

Document Name
Rationale for not Complying with the Sustainable Acquisition Requirements

Document Name

G Appendix Revised 9/2021

1 ~~Appendix—Definitions~~Reserved Revised 1/2024/2025

~~**Biobased.** Products derived from plants and other renewable agricultural, marine, and forestry materials and provide an alternative to conventional petroleum-derived products.~~

~~**BioPreferred.** A U.S. Department of Agriculture (USDA) program that increases the purchase and use of biobased products. There are two major parts of the program: (1) mandatory purchasing requirements for federal agencies and their contractors; and (2) a voluntary labeling initiative for biobased products.~~

~~**Carbon Pollution-Free Electricity (CFE).** Electrical energy produced from resources that generate no carbon emissions, including marine energy, solar, wind, hydrokinetic (including tidal, wave, current, and thermal), geothermal, hydroelectric, nuclear, renewably sourced hydrogen, and electrical energy generation from fossil resources to the extent there is active capture and storage of carbon dioxide emissions that meets EPA requirements.~~

~~**Comprehensive Procurement Guidelines (CPG).** EPA’s guidelines to promote the use of materials recovered from solid waste. These guidelines ensure that recycled-content products collected in recycling programs are used again in the manufacture of new products. EPA is required 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. Currently there are 61 products designated in eight categories.~~

4/2025

~~**Electronic Product Environmental Assessment Tool (EPEAT).** A procurement tool designed using a grant from the EPA and managed by the Green Electronics Council (GEC) to help purchasers evaluate, compare, and select products (e.g., computer desktops, laptops, and monitors) on the basis of their environmental attributes. EPEAT-registered products must meet environmental performance criteria that address: materials selection, design for product longevity, reuse and recycling, energy conservation, end-of-life management, and corporate performance.~~

~~**Energy attribute certificate (EAC).** An instrument that conveys information (attributes) about a unit of energy, including the resource used to create it, and the emissions associated with its production and use. A renewable energy certificate, or REC, is a type of EAC.~~

~~**ENERGY STAR.** A joint EPA and DOE program that identifies and promotes energy-efficient products and buildings in order to reduce energy consumption, improve energy security, and reduce pollution through voluntary labeling of or other forms of communication about products.~~

and buildings that meet the highest energy efficiency standards.

Federal Energy Management Program (FEMP) Designated Products. Products designated under DOE FEMP as being among the highest 25 percent of equivalent products for energy efficiency.

Green Procurement Compilation (GPC). A comprehensive green purchasing resource developed by the U.S. General Services Administration (GSA) designed for federal contracting personnel and program managers. It identifies applicable green purchasing requirements by consolidating and organizing information from federal environmental programs in one place. The GPC allows users to quickly identify federal green purchasing requirements for the products and services bought; to search by keyword or browse by category to find products and services; to determine procurement options available to federal buyers, including applicable GSA Multiple Award Schedules, Federal Strategic Sourcing Initiative solutions, and GSA Global Supply; to learn more about federal environmental programs and other EPA recommended standards and labels; and to discover optional environmental programs and additional procurement guidance to help sustainability goals.

Hydrofluorocarbons (HFC). Compounds containing only hydrogen, fluorine, and carbon atoms. They were introduced as alternatives to ozone depleting substances in serving many industrial, commercial, and personal needs. HFCs are emitted as by-products of industrial processes and are also used in manufacturing. They do not significantly deplete the stratospheric ozone layer, but they are powerful greenhouse gases with global warming potentials ranging from 140 (HFC-152a) to 11,700 (HFC-23).

Integrated Pest Management (IPM). The implementation of diverse methods of pest controls, paired with monitoring to reduce unnecessary pesticide applications. In IPM, pesticides are used in combination with other crop management approaches to minimize the effects of pests while supporting a profitable system that has negligible negative effects.

Low Standby Power Devices. Products with low standby power—the level of power consumption that occurs when a device is in the lowest power-consuming mode—typically when the product is switched off or not performing its primary purpose. Federal agencies are required to purchase energy-consuming products with a standby power level of one (1) watt or less when compliant models are available on the market. If a product with a standby power level of one (1) watt or less is not currently available, a product with the lowest possible standby power level in the product category should be purchased.

Ozone-Depleting Substances (ODS). Compounds that contribute to stratospheric ozone depletion. ODS include chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), halons, methyl bromide, tetrachloride, hydrobromofluorocarbons, chlorobromomethane, and methyl chloroform. ODS are generally very stable in the troposphere and only degrade under intense ultraviolet light in the stratosphere. When they break down, they release chlorine or bromine atoms, which then deplete the ozone.

Recycled-Content Products. Items produced with waste materials and byproducts recovered or diverted from solid waste.

Renewable Energy. Electric energy produced by solar, wind, biomass, landfill gas, ocean-

(including tidal, wave, current, and thermal), municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

Renewable Energy Certificates (REC). The technology and environmental (non-energy) attributes that represent proof that one (1) megawatt-hour (MWh) of electricity was generated from an eligible renewable energy resource, that can be sold separately from the underlying generic electricity with which they are associated, and that were produced by sources of renewable energy placed into service within fifteen (15) years prior to the start of the fiscal year. RECs are also referred as renewable energy credits.

Safer Choice. An EPA program that helps consumers, businesses, and purchasers find products that perform well and are safer for human health and the environment. Safer Choice products are less toxic, and also include requirements for performance, packaging, pH, and volatile organic compounds.

Significant New Alternative Policy (SNAP). An EPA program that identifies and promotes alternatives to ozone-depleting substances in the following sectors: adhesives, coatings, and inks; aerosols; cleaning solvents; fire suppression and explosion protection; foam blowing agents; refrigeration and air conditioning; sterilants; and tobacco expansion.

SmartWay. An EPA public-private initiative to reduce greenhouse gas emissions and air pollution created by freight transportation in corporate supply chains. SmartWay aims to accelerate the availability, adoption and market penetration of advanced fuel-efficient technologies and operational practices in the freight supply chain, while assisting companies with fuel savings, lowering costs and reducing adverse environmental impacts.

Solid Waste. Non-hazardous solid waste, including food and compostable material but not construction and demolition materials and debris.

Sustainable Acquisition. An acquisition of goods and services in order to create and maintain conditions under which humans and nature can exist in productive harmony; and permit fulfillment of the social, economic, and other requirements of present and future generations.

Water-Efficient Landscaping. An approach that utilizes designs and plants suited to local conditions and saves water, prevents pollution and protects the environment while producing attractive landscapes.

WaterSense. An EPA program that seeks to help consumers to identify and promote high-performance products and programs that help preserve the Nation's water supply. Products and services that have earned the WaterSense label have been certified to be at least 20 percent more efficient without sacrificing performance.