

# Environmental Stewardship Contract and Grant Managers



As a federal contract manager, you should know that contractors are required to purchase green products, provide green services, and plan green events when using federal funds. In other words, they can be held to the same environmental requirements as federal agencies when working on any contracts, grants, or other acquisition agreements involving federal funding.

This means that contracts for products or services should follow **environmentally preferable purchasing (EPP)** guidelines, **Comprehensive Procurement Guidelines (CPG)**, **Executive Order (EO) 13423**, and any specific **Federal Acquisition Regulations (FAR)** or **EPA Acquisition Regulations (EPAAR)** requirements. Some grantees are held to environmental practices when working under grants as well. As a contract or grants manager, you are responsible for including these requirements.

Buying green reduces the environmental footprint of the federal government and brings its purchasing power to bear on the market, spurring production of environmentally preferable products and services. This influence is amplified by placing contractors and grantees under the same environmental mandates as federal agencies. And besides, it's required.

## Statutory Requirements

The **Resource Conservation and Recovery Act (RCRA)** requires all "procuring agencies" to purchase items designated by the **Comprehensive Procurement Guidelines (CPG)** when buying at least \$10,000 worth of an item. RCRA also requires

procuring agencies to establish **Affirmative Procurement Programs (APP)** and arrange for procurement of solid waste management services in a manner that maximizes energy and resource recovery. Contractors and state and local government recipients of federal grants are included in the definition of procuring agencies. Do you know how to access your APP? Your chief purchasing manager will show you.

CPG designates certain products that federal procurers and contractors are required to purchase with the most recovered material content practicable. Through CPG, EPA has designated 61 products in the following 8 categories: paper and paper products, vehicular products, construction products, transportation products, park and recreation products, landscaping products, nonpaper office products, and miscellaneous.

**FAR** requires the government to acquire supplies and services that are composed of the highest percentage of recovered materials practicable and meet various environmental goals, such as promoting energy and water efficiency, advancing renewable energy, and fostering markets for emerging technologies. Agencies should also follow FAR's **Waste Reduction Program**, whereby contractors must establish their own programs in all operations and facilities covered by federal contracts.

**EO 13423**, signed in January 2007, requires agencies to use sustainable environmental practices when acquiring goods and services, including purchasing bio-based, environmentally preferable, energy-efficient, water-efficient, and recycled-content products, and using paper of at least 30 percent post-consumer fiber content. The order also directs federal agencies to improve the energy efficiency of their buildings, promote use of renewable energy, and reduce greenhouse gas emissions.

Additional requirements for green meetings, buildings and cleaning services should be specified where applicable.



## What am I obligated to do?

Make sure the contracts and/or grants you oversee meet their environmental obligations.

You must include language in your contracts that stipulates those requirements and how to fulfil them. You must also hold state and local government recipients of federal funding, but not private grantees, to environmental mandates.

You can require contractors and grantees to purchase CPG-designated items when buying at least \$10,000 worth of an item.

For example, you can:

- require contractors to purchase environmentally preferable products,
- mandate that contractors reduce waste and recycle when providing support services at an EPA facility, and
- require contractors to follow green meeting guidelines

## References

The CPG designates 61 products in 8 categories that must be purchased with the most recovered material content practicable. <http://www.epa.gov/epaoswer/non-hw/procure/products.htm>

The EPP Database includes model contract language that directs contractors to use environmentally preferable products and services. <http://yosemite1.epa.gov/oppt/epstand2.nsf/Pages/Contracts.html?Open>

The Green Purchasing Promising Practices Guide gives examples of how other agencies have successfully developed contracts mandating EPP. <http://yosemite1.epa.gov/oppt/epstand2.nsf>

The DOI [Department of the Interior] Contracting Tools can help you analyze your project's needs and incorporate sustainable practices into your contracts. <http://www.doi.gov/greening/procure/index.html>

Meetings require the use of large amounts of resources and can be held in a more environmentally responsible manner. Green your meetings and conferences. <http://www.epa.gov/opptintr/eppt/pubs/meet/greenmeetings.htm>

The Federal Energy Management Program has model language that can be inserted into contracts that involve energy-consuming products and systems. [http://www.management.energy.gov/policy\\_guidance/Acquisition\\_and\\_the\\_Environment.htm](http://www.management.energy.gov/policy_guidance/Acquisition_and_the_Environment.htm)

The Greening Government Procurement Web page has an overview of efforts to green procurement at EPA. <http://www.epa.gov/oam/green/index.htm>

This CPG appendix has information on who is subject to RCRA and when it applies to contractors. <http://www.epa.gov/epaoswer/non-hw/procure/pdf/appendix4.pdf>

FedCenter.gov has an enormous amount of information relevant for all agencies. [www.fedcenter.gov](http://www.fedcenter.gov)

The U.S. Department of Agriculture's BioPreferred<sup>SM</sup> Web site was created for federal agencies required to purchase bio-based products. <http://www.biopreferred.gov>

## Quiz

1. The environmental mandates required for a federal agency also apply to EPA contractors, under certain circumstances.  
True or False?
2. The environmental mandates required for federal agencies apply to private grantees as well as state and local government grantees of EPA. True or False?
3. The CPG designates items that must be purchased with the most recovered material content practicable when they are bought during the course of the year in amounts greater than:  
A. \$5,000  
B. \$10,000  
C. \$20,000  
D. \$50,000
4. EPA and other agencies offer model language on various issues that can be inserted into contracts you may be handling. True or False.
5. Federal agencies, and by extension their contractors, must buy products that:  
A. Are made with recovered material  
B. Use less packaging  
C. Are energy efficient  
D. Do not create hazardous waste or toxic chemicals