

GSA Acquisition Policy Federal Advisory Committee (GAP FAC) Acquisition Workforce Subcommittee Meeting

January 17, 2023

The General Service Administration (GSA) Acquisition Policy Federal Advisory Committee (GAP FAC) Acquisition Workforce Subcommittee convened for the fourth public meeting at 3:00 PM on January 17, 2023, virtually via Zoom, with Darryl Daniels, Chair, and Nicole Darnall, Co-Chair, presiding.

In accordance with FACA, as amended, 5 U.S.C. App 2, the meeting was open to the public from 3:00 PM to 5:00 PM EST

Subcommittee Members Present:

Darryl Daniels, Chairperson	<i>Jacobsen Daniels Assoc.</i>
Nicole Darnall, Co-Chairperson	<i>Arizona State University</i>
Gail Bassette	<i>Bowie State University</i>
Mark Hayden	<i>New Mexico General Services Department</i>
Anne Rung	<i>Varis, LLC</i>
Kristin Seaver	<i>General Dynamics Information Technology</i>
Clyde Thompson	<i>GovStrive, LLC</i>
David Malone	<i>Director, Procurement & Supply Management</i>
Steven Schooner	<i>George Washington University</i>

Guest Speakers & Presenters:

Holly Elwood	<i>Senior Advisor, Environmentally Preferable Purchasing Program – Office of Pollution Prevention and Toxics, Environmental Protection Agency</i>
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GSA Staff Present:

Boris Arratia	<i>Designated Federal Officer</i>
Stephanie Hardison	<i>Deputy Designated Federal Officer</i>
David Cochenic	<i>GAP FAC Support Team</i>
Skylar Holloway	<i>GAP FAC Support Team</i>
Sylvia Yang	<i>Closed Captioner</i>
Daniel Swartz	<i>ASL Interpreters</i>
Jill Lamoreaux	<i>ASL Interpreters</i>

CALL TO ORDER

Boris Arratia, Deputy Federal Officer, opened the public meeting by welcoming the group before reminding the public that there would be time for comments and statements at the end of the meeting. He reminded the group that all shared materials, recordings, and meeting minutes would be posted to the GAP FAC website under each subcommittees. The meeting was then turned over to Chairperson Darryl Daniels.

WELCOME & OPENING REMARKS

Chairperson Darryl Daniels welcomed everyone and discussed the previous Full Committee meeting. He asked for any comments or suggestions from the group before reviewing the agenda.

Co-Chair Darnall believes the group would benefit from hearing from voices within FAI or other places where training and educational exercises are moving forward. She is working on securing an individual who can talk to the group but would also like the subcommittee to draw on their network of individuals who can come and present. The group would eventually like to hold a panel where 2 or 3 people in the acquisition workforce discuss their challenges and procurement.

Chairperson Daniels asked the Chairs of the other committees, Kristin Seaver and Steven Schooner if the priorities of the Acquisition Workforce currently align with the direction that their committees are going in.

Kristin Seaver mentioned the first focus area of Industry Partnership is engagement and expansion. Those focuses are independent of the work of the Acquisition Workforce. The second focus area is centered around measures, motivations and methods, which can be connected moving forward. She is unsure how at the moment, but it is possible.

Steven Schooner spoke on clear lines between policy and workforce. Policy would talk about what or how and workforce would be about making it possible; however until the acquisition workforce understands this, it won't make a difference in what the committee does. He will meet Jeff Koses to speak about the pending Federal Acquisition Regulations (FAR) rule and why the committee isn't going into that.

When guest speaker Holly Elwood presents to the group, it would be a good time for the members to ask about the EPA's voice concerning the FAR rule. The EPA is having conversations about making things easy, which could connect with policy, and the federal acquisition workforce.

Steven also mentioned that Jeff Koses has been speaking to the group on Defense Acquisition University (DAU), Federal Acquisition Institute (FAI), and the core competencies and fundamental skills. Anything this subcommittee can do to push that forward would be great. On the FAI webpage, there is a link to a course on introducing sustainable procurement to program managers. It would be great if the full committee could have permission to view that course.

David Malone wants to ensure the group keeps sight of the fact that the acquisition staff represents 1 to 2% of the population they serve. A lot is expected of the acquisition workforce when it comes to issues, but it's outside of the interest of many of the people that the acquisition workforce supports. They need things and services. From his experience, policies get written, but people figure out ways to get around them. When senior leaders ask questions about equity and sustainability, it causes the staff to understand it's important. Whatever we do, we need to always help the acquisition workforce to tell the story of why it's important and what's happening now regarding sustainability.

Chairperson Daniels agrees that it is a concern that the acquisition workforce is expected to be responsible for equity, inclusion and procurement, which needs to be addressed. At the end of the day, it will likely fall on the acquisition workforce to address those concerns. It might be something the Industry Partnership needs to be cognizant of.

Kristin reflected on the speakers that presented to their team. The speakers have a hard time figuring out who to reach out and speak to. The lack of the ability to reach out leads to a lack of engagement.

Co-Chair Darnall reminded the committee of the two priorities they have. One relates to the core competencies and ensuring the acquisition workforce is set, and the other relates to critical levers that the committee can pull to create that culture shift.

KEY PRIORITIES DISCUSSION

Chairperson Daniels suggested focusing on one priority for this meeting, dissecting it and figuring out where the group wants to go.

Co-Chair Darnall reviewed the first priority the group came up with. Based on the priority, the group needs to understand the training and resources already available through the DAU and FAI. They also need to learn about other certifications and core competencies to serve as a model for recommendations around environmental competencies.

The group began to line up who they could recruit to discuss more about priority one. Nick West was a suggested speaker who works on what GSA is currently doing and the migration to the new curriculum. Joanie Newhardt was another speaker who could give the group a higher-level perspective from GSA. Finally, Jeff Koses was another speaker suggested. The group was looking for a connection to the DAU, and Jeff Birch was suggested as a possible link.

Steven explained the line between DAU and FAI. DAU is for the defense agencies and FAI is for everyone else. DAU is well-funded, whereas FAI isn't. DAU has unlimited infrastructure and massive support. FAI is a skeletal organization that outsources everything. FAI is adopted and embracing more DAU content. A fair number of federal agencies that aren't DOD agencies need to train their people from the ground up. One of the best ways to develop professional expertise is to hire people that the DOD has already recruited, trained, and driven through this certification process.

The group feels they are on the right track to identifying speakers. Still it will also be good to hear about other certifications and core competencies to serve as a model for recommendations around environmental competency.

Chairperson Daniels asked the group if it would be good to hear from industry partners on sustainability issues and what they are doing within their industries that support certain core competencies of project managers understanding products, systems and where there might be an alliance with procurement folks. If they don't understand one another, then it won't work.

Co-Chair Darnall mentioned it would be good to think about how the recommendations for certain certifications would be another layer of certifications the acquisition workforce already has to undertake. It would be good to see what that would look like.

David does a lot of work for the institute of supply management, where they use a set of core competencies. A sustainability study was conducted in 2021, and some of the institute's resources would be good to bring into the subcommittee. David will send the study and try to see if there's a contact to bring in as a guest speaker.

Mark Hayden spoke about his time on a committee at the National Association of State Procurement Officials (NASPO) and how they have best practices for the states. In terms of sustainability, they can participate in setting standards or helping to guide the subcommittee. It would be good to hear from someone at NASPO.

The group agreed that GSA, FAI, DAU and looking at states for practices and doing focus groups for acquisition workforce professionals would be their pathway forward.

PUBLIC COMMENTS

The subcommittee opened the floor to the public and Troy Cribb agreed that it would be great to hear from Joanie Newhardt as she is knowledgeable about educating the acquisition workforce. Troy also applauded the subcommittee on the work they've done thus far.

GUEST SPEAKER

Co-Chair Darnall introduced speakers Holly Elwood and Steven Sylvan.

Holly Ellwood will be presenting opportunities to the group about what they might be able to do to advance federal sustainable procurement. They will only cover some of the opportunities, but they would discuss the ones they see as key opportunities and challenges.

In 1993 the Environmental Protection Agency (EPA) was directed to help federal agencies procure more sustainable products and services with the goal of trying to harness the power of the federal pocketbook to drive towards making a more sustainable marketplace for everyone because what we asked for in the federal government gets made not only for us but for others around the globe.

Their program focuses on taking a life cycle, multi-attribute approach to defining what environmentally preferable means. They look at key environmental impacts associated with the manufacturer, the use and disposal of the products, and the services utilized by the federal government. They help to engage in building product sustainability standards and service sustainability standards in areas of key high federal spend where there are known environmental and public health impacts. They also assess and recommend private sector standards and eco labels for use and federal purchasing along with helping the feds to buy products that meet those standards and help small businesses to be able to sell those products and services to the federal government. Lastly, they try to help answer the question.

The purchaser determines what they need and how they will buy it. There are different options available, and depending on what's being purchased will decide if they purchase a card or a contract. They can use an existing contract or create a new one. These contracts are considered best-in-class since they help agencies procure one or more of the top ten goods and services used by the federal government. They have been reviewed and determined to be aligned with key indicators of excellence. Some of the government-wide acquisition contracts are considered best-in-class contracts. There are over 500,000 vendors that supply goods and services to the federal

government. Purchasers can ensure that more sustainable products and services are being procured by conducting market research to determine which federal sustainability procurement applies to that product or service. They can also determine if federal sustainability procurement requirements are included in the contracts they're looking at. If they're trying to use an existing contract, they can require Request for Proposals (RFPs) and task orders, provision of compliant products and seeking them in online catalogs. They can provide data on sustainable procurements made via the federal procurement data system, which is a way tracking is done on purchases. Ideally, they can require vendors to provide reports of compliant products that may have been bought through a vehicle through them to inform what kind of data will be put into the Federal Procurement Data System (FPDS).

The problem is the key major existing contracts and RFPs sometimes include federal sustainable procurements. They are working to address these issues and have conducted research and activities to figure out how to solve them.

The Sustainability Check Initiative is being conducted in partnership with the Category Management Leadership Council. It works closely with the Council on Environmental Quality (CEQ), GSA, the Office of Management and Budget's, Office of Federal Procurement Policy. The goal is to ensure that all the master contract documents that are priority best-in-class used in the federal government have maximum alignment with the federal sustainable purchasing requirements. On top of this, best-in-class solution managers are being encouraged to think innovatively about sustainability, go beyond what's required in the sustainable purchasing requirements and think about ways they can encourage us to procure more sustainable products and services.

This work is driven by several existing FAR requirements and green executive orders. Executive orders 14057 and 14030 have specific directions to the federal government to ensure sustainable procurement. They are directed to minimize the risk of climate through procurement, to purchase sustainable products and services, and expand the requirements on not just what is statutorily required but to procure products that meet the water sense program at EPA to buy more water-efficient products. They direct the safer choice program to ensure the products bought are safer products. They direct the SmartWay program to ensure vehicle purchases and equipment environmental impact and meet our specifications in eco-labels in the program.

Currently, they are in phase 1 of the Sustainability Check Initiative and are focused on 20 of the 37 best-in-class contracts. The 37 contracts are referred to as tier 3. Focusing on these contracts is because they allow them to demonstrate innovation in the federal

government and lead by example. They are also trying to focus on those where there is the highest opportunity for sustainability impacts to be achieved. After completing phase 1, they shift to phase 2, which looks at the tier 2 contracts where there is \$80 billion in spending and 404 contracts, and tier 1 contracts which are \$90 billion in spending at 1,152 contracts. Phase 3 is about reporting needs and improving the data shared throughout the federal government on compliance with meeting these requirements.

The current focus is to look at best-in-class category management for IT, facilities and construction, industrial products and services, office management, professional services, and transportation and logistics services, which are looked at in phase 2.

Some of the groundwork undertaken in phase 1 was presented to the group. Some examples were ensuring all key players were aligned and building a team. A key part was developing a review tool that allowed you to look at a particular best-in-class contract and check a slew of boxes. Draft contracts were procured for the best-in-class contracts that don't meet one or more sustainability requirements. By doing this, they could copy and paste clauses into the contracts when revisited to bring them up to requirements. They are close to finalizing the review process and will be able to issue a report soon.

The review process puts contracts into categories. Pending review means the review hasn't happened yet. Not yet compliant means additional action is needed and that there was at least one missing sustainability clause requirement. The commitment made is the next step which means there were missing contract clauses to sustainability however, the contract will be updated during the next review. The sustainability check means all the requirements were found in the contract.

The second opportunity area covers automation opportunities to advance sustainable procurement. The EPA could use wisdom and guidance from the committee on what makes the most sense regarding where to put attention for the federal government and where opportunity seems ripest.

Several required sustainable procurement clauses vary by product and service and there's a selection of applicable clauses that are currently left to RFP writers. It's time consuming for those putting the RFP together, and they are often consumed with other activities they don't have time to become experts on. Often, mistakes are made, understandably and we know from the data from the Federal Energy Management Program (FEMP) that there are low compliance rates with the sustainable procurement

requirements getting incorporated into the RFPs effectively. The current contract writing systems are not helping to solve this problem, but they could.

Holly shows some of the FAR clauses that exist today related to sustainability and vary by product and services by what they are applied to. A new sustainability text is being integrated through the FAR through FAR 23.703.

Federal Energy Management Program (FEMP) has paid its contractors to look at RFPs put up on sam.gov to evaluate and determine whether they incorporate the required clauses or if the product meets the FEMP designation and energy star requirements. Today there is 70% compliance with the FEMP requirement and 67% with the energy star requirement, which is up substantially from a couple of years ago but still needs to be 100%, which is where it needs to be.

They want to consider using contract writing systems to simplify this, to make purchasers' lives easier and all of the contracting officers across the federal government and to save resources on time spent on putting the piece together while increasing compliance and integrating it into standard practice. The opportunity to explore the prioritization of the frequently used contract writing systems and update them to automate additional sustainable procurement clauses into the RFP.

Research was conducted on this top in 2015 and Holly can share a link for anyone interested in looking at it more in-depth. They found that 80% of federal agencies as of 2105, use prisms as their contract writing system. The Department of Energy (DOE) has a prism user group for the federal space that allows folks managing the agency's use of prism to get together regularly, share information, and try to help each other have best practices in terms of how they use these systems. Prism has the capability to automate adding sustainable procurement requirements into RFPs. Compusearch manages prism and confirmed they can do it today, as of 2015. GSA in response to the research and findings, moved to create an Application Programming Interface (API) that would allow the facilitation of adding and automating the incorporation of sustainable requirements into the prism system, which could be used in any contract writing system across the federal government. There was work done with Compusearch and other contract writing system providers to make sure that was true and that they could utilize API within their systems.

It would be helpful to designate and fund a federal agency to focus on this opportunity further and update the information on hand now about the status of contract writing systems in the federal space. They also want to direct the prism users group to explore this opportunity further and if they want to look into it further, they can talk to

Compusearch and ask them how to activate this capability. The integration of this information and automation of the inclusion of clauses into RFPs piloted by one particular agency would be great. The idea was shopped around in 2016 and there was no interest in it since there were other priorities that were ranked higher and there was concern if API would cause problems to the overall contract writing system. There needs to be a look at how RFP writers are using the system and if there is a way to influence that to take advantage of automation more.

GUEST SPEAKER QUESTIONS & ANSWERS

Q: Steven Schooner – what are your observations on workforce familiarity, workforce openness, and what this group might be able to do to accelerate that? In this context, I'd love to hear some thoughts about how what you're doing gets translated.

A: Stephan Sylvan - When you're dealing with a large workforce of contracts in a diversity of agencies and programs, you can't train your way out of this problem by yourself. You have to have a system so that sustainability is the default. Where it's not the default, it needs to be as easy as possible, or you're just not going to get to the compliance we're all after here. The training should be the icing on the cake.

A: Holly Elwood – I agree and that's what's exciting about focusing on the BIC and making sure they are truly the best-in-class. We're hoping that is going to create a model that can be utilized and can ripple through the rest of the contracting community and can get people comfortable with these clauses and with sustainability as a topic being incorporated in a way that makes this easier across the board through the sustainability check effort. We need to automate the selection of RFPs into the process as well.

Q: Anne Rung - How do you make it easy and reduce friction in terms of automation technology? How do you train and is that a certification? Category managers have teams under them. Have you observed that these teams may be a place to start for the training focal areas? Not just the leaders but the actual teams underneath them? In your experience working with the category teams and the acquisition workforce, generally, it's a broad group of people. Is there a specific group you feel would advance us if we focused on them?

A: Holly Elwood – The solution managers and the category team leads are critical in all of this and having a one or two day training for them would make a huge impact. There's potential to do category management specific training so that there could really be an opportunity to have conversations specific to the product and service category

they're focused on because there is variation in things they need to be thinking about based on what kinds of products and services they're trying to help us buy. Getting all the BIC solution managers together to have that conversation would be helpful. Getting sustainability leads in the federal government to be a part of that would be helpful, because there's not a place where that happens right now. We need to create those spaces where those conversations happen directly.

Q: Steven Schooner – In terms of creating space for these conversations, can you describe in a sentence or two of what creating a space would look like?

A: Holly Elwood – For example, in the federal IT space in terms of sustainability, it's a composition of people who are responsible for ensuring we are procuring and using IT sustainability in the federal government. Most of the people are sustainability people in the sustainability shops of their agencies. Sometimes it's the property management people, but they are not usually in the CIO office or our office of mission support, which is the folks who buy the stuff. We need to talk to those people. We just got made into a working group under the CIO council to make that connection to broaden the conversation.

Co-Chair Darnall – There's a lot of discretion that takes place based on what information a different procurement officer's managing. That discretion is necessarily causing low compliance with sustainability. You're asking questions related to how there is a way to operate at a higher level to remove that discretion so that each of the different RFPs that go through sam.gov has already passed the threshold. It's our second priority, looking at critical levers and tools to empower the acquisition workforce, it seems this is a significant one we should pay attention to.

Stephan Sylvan – Lawrence laboratory produced software that would scan RFPs for sustainability language. Software like this could go into sam.gov and scan text to determine if the requirements are in the text. If it's not in there, it can't be posted until it's included and then the next phase would be ensuring vendors meet their legal requirements in contracts.

Holly Elwood – IRS has built a scanning tool called doc scout and they're using it to automate a review of various contracts and RFPs. They would be willing to expand that to cover all sustainability clauses. More money would be needed for that, but there's an opportunity there.

Q: Kristin Seaver – If we had full compliance, what is the unintended consequence of restricting the supplier pool? Have you learned anything about why compliance is low?

Is there a perception that it's not needed or is it that the workload is heavy that they can't handle it?

A: Holly Elwood - We analyzed our team several years back about what federal perceptions were about sustainability requirements in general. FEMP has delved more into that. I'm happy to reach Chris Pane and ask him to see if they have the most recent focus groups they did and to share that with this group.

A: Stephan Sylvan – There are so many different places where a procurement professional might go in terms of resources and information. There's a big effort to make the acquisition gateway the definitive resource. Regarding reducing the supply pool, there was a question of if small vendors could meet all these sustainability requirements. A very large percentage qualifying for a green seal or any number of US sustainability standards were defined as small businesses. I imagine that data is still true. Small vendors do qualify in large numbers.

Chairperson Daniels thanked Holly and Stephan for presenting to the group and answering questions and hoped they would come back to present to the group.

CLOSING REMARKS

Troy Cribb thanked Holly and Stephan for joining today and thought the discussion was outstanding. She stated a takeaway is jumping to the idea that training isn't always the easiest solution. If there are ways to shortcut things and take things off their plate is food for thought. She appreciates everything that leads toward that direction and would be happy to get Holly and Stephan back.

ADJOURNMENT

Boris Arratia, DFO, adjourned the meeting. The meeting adjourned at 5:00 PM EST. I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

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Chairperson

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