

## **GSA Acquisition Policy Federal Advisory Committee (GAP FAC) Industry Partnerships Subcommittee Meeting**

**February 1, 2023**

The General Services Administration (GSA) Acquisition Policy Federal Advisory Industry Partnerships Subcommittee convened for the fifth public meeting at 3:00 PM on February 1, 2023, virtually via Zoom, with Kristin Seaver, Chairperson, and Farad Ali, Co-Chairperson, 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:**

Kristin Seaver, Chairperson	<i>General Dynamics Information Technology</i>
Farad Ali, Co-Chairperson	<i>Asociar, LLC</i>
Denise Bailey	<i>Milligan Consulting, LLC</i>
Gail Bassette	<i>Bowie State University</i>
Susan Lorenz-Fisher	<i>AmerisourceBergen Corp.</i>
Mamie Mallory	<i>Mallory &amp; Associates, LLC</i>
Nigel Stephens	<i>U.S. Black Chambers of Commerce</i>
Stacy Smedley	<i>Building Transparency</i>
Dr. David Wagger	<i>Institute of Scrap Recycling Industries</i>
Dr. Kimberly Wise White	<i>American Chemistry Council</i>

**Absent:** Deryl McKissack, Keith Tillage, & Nicole Darnall

### **Guest Speakers & Presenters:**

Holly Elwood	<i>Senior Advisor, Environmentally Preferable Purchasing Program – Office of Pollution Prevention and Toxics, Environmental Protection Agency</i>
Stephan Sylvan	<i>Team Leader &amp; Senior Advisor, Sustainability &amp; Pollution Prevention Branch - Office of Pollution Prevention and Toxics, Environmental Protection Agency</i>

### **GSA Staff Present:**

Boris Arratia	<i>Designated Federal Officer</i>
Stephanie Hardison	<i>Deputy Designated Federal Officer</i>

Skylar Holloway  
Cindy Thompson  
Daniel Swartz  
Bobby Soderholm

*GAP FAC Support Team*  
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## **CALL TO ORDER**

Stephanie Hardison, Deputy Designated 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. Any written comments can be submitted through regulations.gov. Roll call was performed before the meeting was turned over to Chairperson Kristin Seaver.

## **WELCOME & OPENING REMARKS**

Chairperson Kristin Seaver welcomed everyone and thanked everyone for their participation before going over the agenda and diving into a discussion.

## **GUEST SPEAKERS DISCUSSION**

Kristin Seaver reviewed the list of speakers the group had heard from, along with the upcoming speakers and potential speakers. Antonio Doss will speak to the group during the February 15<sup>th</sup> Industry Partnership subcommittee meeting. After a preliminary call with Antonio, a list of questions created to cover topics to hear about. The group reviewed the list of questions and added extra questions and topics that Antonio and future speakers can address. After the discussion, Kristin will refine the questions. The group continued to discuss future speakers and their topics for the subcommittee and whether they agreed on whether they would like to hear from the suggested speakers. There was also a list of Industry Partnership Business Advocacy groups compiled that would give the group a good opportunity to hear topics from them. If there are other potential speakers the group would like to listen to, the subcommittee members will add their information for the group.

Kristin reminded the group that over the next couple of weeks, the group will be hearing from speakers but will then shift their focus to the two areas of priorities and recommendations and build on that.

## **GUEST SPEAKERS**

Kristin Seaver introduced speakers Holly Elwood and Stephan Sylvan.

The federal government is the biggest purchaser in the world, and as a result, harnessing the power of our pocketbook can be a significant driver in building a more sustainable marketplace not just for the government but for all purchasers worldwide.

The program takes a lifecycle multi-attribute approach to defining environmentally preferable. We look at the environmental and public health impacts that happen during manufacturing, the use and the disposal of a product or services that procures. We help to engage in the development or the update of private sector products and service, sustainability standards, and ecolabels to help us as purchasers, have a way to identify and cure more sustainable versions of those products and services. We also assess and recommend standards and ecolabels in the market for use by federal purchasers and assist in buying products and services that meet those recommended standards and ecolabels. We assist small businesses in selling their greener products and services to the federal government and help to calculate the environmental benefits of sustainable federal procurement.

The Environmental Protection Agency (EPA) is currently in the process of expanding recommended standards and ecolabels this year. They are compiling information and building prioritization.

Purchasers have a central role in ensuring that they meet the federal sustainable purchasing requirement. When they determine what they will buy, they need to determine how they will buy it. Holly showed a few examples of how they purchase from the federal government and the different paths they can take. It's important to note that these options aren't exclusive.

Today, key contracts don't include the relevant federal sustainable procurement requirements. We have launched the sustainability check initiative. It's part of the federal category management program. This program aims to ensure the master contract documents of the largest federal contracts include the text that requires vendors to meet all relevant federal sustainability requirements. We are also encouraging managers of these major contracts to think creatively about sustainability and go beyond requirements to explore innovative opportunities to advance sustainability.

Holly showed the new directives the federal government gave to increase the focus on federal sustainable procurement efforts. Some examples were EO 14057 (Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability) and 14030 (Climate Related Financial Risk). These include minimizing climate procurement, purchasing

sustainable products and services, and using sustainable vehicles, delivery, and shipping.

The sustainability check initiative has 3 phases, and we are currently in phase 1. They are reviewing 20 of the 37 best-in-class (BIC) contracts for alignment with sustainable purchasing requirements. The assessment was conducted, and the results were returned to the BIC managers. In phase 2, we will be shifting to review some tier 1 and 2 contracts while encouraging innovation and going beyond compliance.

Holly showed the group a chart of the FY21 United States Government (USG) commonly purchased goods and services and where each process fell within their phases.

The current sustainability check initiative is in the six prioritized best-in-class category management categories: IT, facilities and construction, industrial products and services, office management, and professional services.

Holly turned the conversation over to Stephan Sylvan to explain further.

Stephan went through the steps of phase 1 and their progress. They finished a preliminary review of the high-priority best in contract based on sustainability requirements and have been sharing that with the owners of the contracts. In the future, they will deliver report cards on how well these contracts are doing against the sustainability requirements. In the review of the master contract documents, they are rated. Stephan went through how the contracts get rated and the review process they go through.

A question EPA had, which is also an opportunity for the group, is answering how automation can ensure the inclusion of all the relevant sustainable procurement clauses into Request for Proposals (RFPs) that the US government issues. There are several required sustainable clauses, and they vary depending on the product and services they apply to. The selection of applicable clauses is a time-consuming manual process that results in low compliance rates. Contract writing systems aren't helping to solve this problem. Procurement staff are in a hard situation, decreasing as these demands increase.

The federal energy management program has reviewed RFPs on Sam.gov and looked into the ones involving procurement of energy using relevant products that energy star applies to. They have consistently found that the 100% compliance goal still needs to be met. This impacts the ability to meet the net zero emissions procurement goals.

Making this easier and automating the appropriate selection of clauses on sustainable procurement, will save time and effort for purchasers and requesters while increasing compliance. The opportunity is to prioritize the most frequently used contract writing systems in the federal government today and update them to automate additional clauses into RFPs. PRISM is the most frequently used contract writing system due to its cost. We need to work with the Department of Energy (DOE) to explore this opportunity further.

We need to designate and fund a federal agency to focus on this opportunity and direct the PRISM users to explore the opportunity further in collaboration. If right, they will need to pilot the integration of Application Programming Interface (API) into the contract writing system and share the lessons learned with other agencies while requiring and encouraging RFP writers to use that contract writing system to develop RFPs. Lastly, it would be important for any initiative in this space to coordinate with any Federal Acquisition Regulation (FAR) requirements.

### **GUEST SPEAKER Q & A**

**Q:** What's currently going on to engage with industry on climate and sustainability and how are changes and efforts being received?

**A:** Holly Elwood - There's a lot going on with the government to reduce climate impact, increase sustainability and meet the zero net emissions goal. The most prominent action we take is the draft FAR 2021-05 case, which is focused on historic action to address greenhouse gas emissions and protect the federal government supply chain from climate-related financial risk. The deadline to provide comments is February 13<sup>th</sup>.

**Q:** Kristin Seaver – Are there any unintended consequences on the small business community when it comes to this? Is it a perception or reality that these requirements would limit the supplier pool?

**A:** Stephan Sylvan – I gave this question to organizations and heard back from them that a large percentage of companies offer qualified services and products defined as small and medium size businesses as Small Business Administration (SBA) does. I imagine some small businesses struggle to meet these requirements, but it shows that some qualify.

**A:** Holly Elwood – When we assess and recommend standards and ecolabels, we have a framework that we use: a set of evaluation criteria. When looking at standards and ecolabels that are the gold standard of criteria, we like to see them utilized to make sure they are the most effective and the best practice in the market. One of the criteria

is encouraging ecolabels to develop sliding scales to get products certified and make sure that we encourage and make that door as open as possible to the small business community to get that opportunity to engage in the sustainability initiatives going on.

**Q:** Mamie Mallory – The four disciplines and the contract values have the highest impact on increasing sustainability. Are we tracking if the small and disadvantaged businesses are playing in this arena?

**A:** Stephan Sylvan – In this category, management initiative primary focus is small businesses. The two topics that always come up and are an area of focus are cost saving and small businesses. It would be interesting to see if the category management initiative could track the percentage of small vendors offering sustainable products, which meet the ecolabel standards and sustainability requirements. We need more data on federal procurement and sustainability to see whether small businesses are qualifying products for these requirements. It would be good for this committee to answer how we can get that.

**Q:** David Waggoner – Is anything that Sandia is doing applicable to the work already done on energy consumption and greenhouse gas emissions to come up with the best estimate of how much progress has been made and how much is left to make in both areas?

**A:** Holly Elwood – IT is where we have the best data in calculating the environmental benefits from the alignment with our sustainable purchasing requirements. There's a calculator that can tell you what the climate change impact reduction that the agency achieved as a result of that procurement decision. The Global Electronic Council also has this and we'd be happy to share this with you.

**Q:** Kristin Seaver – Has there been risk analysis on small businesses getting pushed out due to not being able to contribute to the reduction in scope 3?

**A:** Holly Elwood – In the private sector, they are working to increase sustainability within their supply chains and address climate impacts. They created a tool called Manufacturing 2030 which is being used within the auto sector and another tool called Ecobus that is used by big purchasing organizations. Manufacturing 2030 is where suppliers put in their data on sustainability status. Any manufacturer can go into that system and see who the top performers are and who needs help. They work to provide training and help reduce climate impacts within that sector. The federal government should think about whether a system like that could be applied to our purchases.

**Q:** Kristin Seaver – How do we strengthen the connective tissue and engage better? What recommendations can we make to GSA to expand the supplier pool, so they know what’s required?

**A:** Holly Elwood – It’s important to provide supplier training to simplify this. We’ve done a few things to help by putting out a training module on this topic and a greenhouse gas emissions calculator so businesses can calculate that. We are trying to think about that need and create the tools and training, but more needs to be done. This group would be great in providing recommendations on that.

Farad Ali & Kristin Seaver thanked the speakers for speaking to the group today before turning the conversation over to Stephanie Hardison & Boris Arratia.

### **PUBLIC COMMENTS**

Maria Swaby – In regard to the groups Kristin Seaver suggested bringing in to speak to the committee, Maria has contacts at some of the agencies that would be willing to speak to the group at a local and state level.

Josh Jacobs – There are a lot of things that GSA & EPA are starting to get involved in, but they don’t have the staff that has dealt with these issues such as product category roles, life cycle assessments, and environmental product declarations that are now being used. There are a plethora of organization types using these, and it would be beneficial to have someone who is an expert working with these organizations to explain these things, how they are used and what they can mean to the group. Josh’s company is the largest Life-cycle Assessment (LCA) provider and works with all level organizations and would be able to help the group understand sustainable procurement. There are many businesses on the smaller side that don’t fully understand the requirements and that their products might fall into some of the categories. Trying to explain the executive orders that have come out of the FAR regulations around sustainability need to be put in plain language for these businesses to understand.

Steve Kooy – He is working with the government of Canada on knowing their carbon footprint of furniture and what is good and what is not good. It’s a tricky conversation, and there are a lot of great things going on, but people just need to be aware of what to do. Steve would be happy to assist the subcommittee with any help they may need.

### **CLOSING REMARKS**

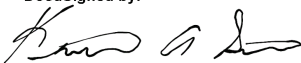
Farad Ali & Kristin Seaver thanked the speakers for speaking to the group today before turning the conversation over to Stephanie Hardison & Boris Arratia.

**ADJOURNMENT**

Stephanie Hardison concluded the meeting. The next virtual Industry Partnership meeting would be held on February 15<sup>th</sup> from 3:00 PM – 5:00 PM EST. She reminded the public that any written comments could be submitted through regulations.gov.


Stephanie Hardison adjourned the meeting 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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Kristin Seaver  
Chairperson  
GAP FAC Industry Partnerships Subcommittee

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6/16/2023

Farad Ali  
Co-Chairperson  
GAP FAC Industry Partnerships Subcommittee