

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

**August 29, 2023**

The GSA Acquisition Policy Federal Advisory Acquisition Workforce Subcommittee convened for a public meeting at 3:00 PM on August 29, 2023, virtually via Zoom, with Nicole Darnall, Chair, and Anne Rung, 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 P.M. to 5:00 P.M. EST

### **Committee Members Present:**

Nicole Darnall, Chairperson	<i>Arizona State University</i>
Anne Rung, Co-Chairperson	<i>Varis, LLC</i>
Mark Hayden	<i>State of New Mexico</i>
David Malone	<i>AquireIQ</i>

**Absent:** Gail Bassette, Darryl Daniels, Steven Schooner, Kristin Seaver, Clyde Thompson

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

Bowen Fong - *Government Wide Category Management PMO, Category Engagement Lead, GSA*

Denise Elsbernd - *Deputy Category Manager, Facilities and Construction Category, GSA*

Warren Blankenship - *Program Manager, IT Category, GSA*

### **GSA Staff Present:**

Boris Arratia	<i>Designated Federal Officer</i>
David Cochennic	<i>GAP FAC Support</i>
Skylar Holloway	<i>GAP FAC Support</i>
Jennifer Hudson	<i>Closed Captioner</i>
Tracey Romanow	<i>ASL Interpreter</i>
Nicole Pancino	<i>ASL Interpreter</i>

### **CALL TO ORDER**

Boris Arratia, Designated Federal Officer, opened the public meeting by welcoming the group before reminding the public that there will be time for comments and statements

at the end of the meeting. Boris then performed a roll call to confirm before turning the meeting over to the Chairman Nicole Darnall.

## **Welcome & Opening Remarks**

Chairman Nicole Darnall welcomed the subcommittee and thanked the speakers for joining. The group will be focusing on category management in today's meeting as the group thinks about embedding sustainability.

## **Guest Speakers**

### **Questions**

Q: Nicole Darnall – How can category management drive sustainability?

A: Bowen Fong – There's a couple of key category management principles that are in play. We create an annual agency and category management plan. There's an attention to administration priorities. Because sustainability is an administration priority, our challenge is to make sure every challenge flows through every category. When external agencies want to reach out to the acquisition workforce, they will come to us first. We challenge all the categories to support the executive order. We do this to be creative and use the initiative they plan to execute on during the next fiscal year. Denise has great examples on how they do that.

A: Denise Elsbernd – From the category management perspective under facilities and construction, we are touching many different things. In that realm there are new technologies coming out such as decarbonization of concrete. We bring in guest speakers to educate individuals within the agency and ensure that individuals on the category team and in the acquisition workforce knows about the sustainable facilities tools. This allows contracting professionals to get an understanding of all the tools that are available to incorporate. It helps them to better manage and drive that change throughout the organization. We also have initiatives, one being the "Photovoltaic Maintenance" initiative, which addresses the President's agenda of solar energy helping us to move forward in the future. We have experts that come and educate individuals on this category and collaborate with industry as well as Federal agencies and Department of Energy (DOE). We are developing a template that Federal agencies can use whether it's for one array or multiple.

Q: Nicole Darnall – You developed a template for agencies to use. Can you put more context around what that looks like generally?

A: Denise Elsbernd – It will be an acquisition template for a contracting officer to utilize if they have solar arrays that need maintenance. We collaborated with the Federal Energy

Management Program (FEMP), Department of Defense (DOD), and Lawrence Berkeley due to its technical nature. At the end of the fiscal year, we will have different variations and training on how to use the template. USDA and Forest Service have a lot of photovoltaic arrays and are maintaining them.

Q: Nicole Darnall – What does the template do for the people on the front line?

A: Denise Elsbernd – It outlines the steps to think about. It's essentially a maintenance guideline and could be used as a solicitation.

Q: David Malone - Are you currently doing a supplier sustainability assessment? All suppliers are not created equal especially with their journey with sustainability.

A: Bowen Fong – We aren't doing it as a matter of course, but that question is better directed toward each individual category. The work with the travel industry is top in mind sometimes in terms of that area which Tim Burke is the category manager. They are working on their version of the Defense Travel System (DTS) which will ensure that they are able to capture more information about all elements of purchasing and opportunities.

Q: Nicole Darnall – What are the opportunities to leverage category management to advance sustainability within GSA?

A: Kelly Seacrist – The opportunity is presented by a function of what category management is. The function of organizing in specific areas of spend which have unique buying needs, patterns, etc. The government needs to be able to have a team that can look at different types of things with sustainability being a major one with a category management lens.

Q: Anne Rung – What are you doing in the IT category to drive sustainability?

A: Warren Blankenship – We have an initiative going on for the past 9 years which is the government wide strategic solutions for desktops and laptops. Back then we were looking at the proliferation of contracts throughout the government. Data and market research showed that there were over 300 contracts for desktops and laptops which was unnecessary. The team came together between 2013 and 2015 to assemble four primary agencies that could carry the torch for this, which are GSA, NASA SEWP, NIH, and Army CHESS. In doing this, the goal was to mitigate the disparities and make everything consistent across the board which caused sustainability to stick out. We looked at FAR23 which houses all the sustainability policy as well as Executive Order 14057. We are tracking FAR cases that are still in progress including FAR2021-016 which is minimizing the risk of climate change in federal acquisitions and the other is

FAR2021-015 which is disclosure of greenhouse gas emissions and climate related financial risk. At the category level we are ensuring that all of our IT best in class vehicles have all the correct clauses, provisions and languages to meet all the sustainability demands.

Q: Nicole Darnall – You talked about including clauses. Is it a case that you all are requiring clauses?

A: Warren Blankenship – There has been an effort for the majority of the fiscal year across all categories to have all our best-in-class vehicles upgraded to support sustainability and all the required clauses are included. We have 13 best in class IT vehicles, and we are working to ensure the clauses are embedded. All of our vehicles have met the requirements except for 3, but we are waiting to get those met.

Q: Nicole Darnall – What technology are you using to help to ensure the clauses are embedded? Or is it manual?

A: Warren Blankenship – It's a manual process for us. Some agencies have automated contract writing systems and some don't.

Q: David Malone - Are you seeking to change the clauses in all your contracts in your category? Or have you done an assessment of areas where you need to do that?

Q: Warren Blankenship - We have done a complete assessment of all 13 categories, and they all met the basic requirements by including EPA and Energy Star clauses that were already in the FAR. Now we are upgrading them to include the additional provisions and clauses that EPA cited.

A: Denise Elsbernd – We have two best in class solutions. These two solutions have all the clauses in from the base that are required.

Q: Nicole Darnall – Was that process manual?

A: Denise Elsbernd – It was manual.

Q: David Malone – Have you issued any contracts that have these provisions or amended any contracts?

A: Denise Elsbernd – We have not had to amend our best-in-class contracts.

Q: David Malone – What is the current approach to compliance monitoring around the contracts?

A: Denise Elsbernd – The agencies responsible for the contracts are monitoring and handling those. At the category level we meet with the best-in-class contract holders. My group meets once a month with the program office and contracting shop to discuss any issues, challenges, or new opportunities.

Q: David Malone – Do you all have scorecards for your suppliers with KPIs that are being tracked?

A: Warren Blankenship – We are under the impression this will lead to the establishment of the KPI for sustainability which will be at the category management PMO level.

A: Bowen Fong – When EPA approached us, they had an aggressive and broad ask to ensure the FAR clauses were in every contract. The best thing would be to do it with the best-in-class solutions since there aren't many. When you move on to tier 2, it becomes thousands which would require technology to manage that. The next step would be to get select tier 2 contracts that would be able to walk in the footsteps of the best-in-class solutions. To have a KPI, you need to have data you can measure against, and sustainability is not in that equation yet. The best-in-class solutions, however, do provide transactional data. There is an opportunity to add an element to the sustainability equation that requires EPA to get with the category management folks to see what and where make the most sense to start tracking.

Q: Boris Arratia – Can you give the members an idea with how many agencies you deal with?

A: Warren Blankenship – We work with the 24 CFO Act Agencies. Most of our initiatives are across all those agencies.

A: Denise Elsbernd – We also work with the 24 CFO Act Agencies.

Q: Mark Hayden – Have tools like ChatGPT been tried yet to write contracts?

A: Warren Blankenship – We haven't. Most of our offerings are under the multiple award schedules program which has an end-to-end automation system that includes a writing system where these clauses can be updated quickly. There are other vehicles that are not as sophisticated as that. For the best-in-class vehicle under the multiple award schedules program, there is a group called the industrial operation analyst that are the compliance component for the multiple award schedules program. They touch base with the contractors to ensure they are compliant with the terms and conditions in their contract.

Q: Troy Cribb – Beyond working for the 24 CFO Act Agencies, do you work with the other small agencies? If so, what are the challenges you see with their initiatives related to sustainability?

A: Bowen Fong – When we talk about the 24 CFO Act Agencies, they are the governing body of category management. Data encompasses the entire government, and we receive transactional data from vendors. The small agencies are participating in this. In terms of working individually with smaller agencies, we are not. Hopefully we are exporting enough information for them to read and to be as transparent as possible on the initiative.

Q: Nicole Darnall – What are the opportunities to streamline the process so that contract writers don't have to continually develop language around sustainability? How do we move beyond a manual process to make this easier for individuals?

A: Warren Blankenship – In terms of language with streamlining, we've relied on changes with the FAR that have happened through the regulatory system. Each agency has its own FAR supplement and adjusts it based on what the FAR is saying. The FAR drives the language and depending on the agency, they think about what that means for them. This way the language is staying consistent and concise across the government.

Q: David Malone – Does each category have a strategy that is aligned by strategy and then agency? If so, are there corresponding contract templates that support varying categories with varying agencies? Or is it one set template across the board?

A: Bowen Fong – We are not involved in the standardization of language. If there are best practices in each category, we want to be able to share that.

Q: Anne Rung – Will your category management plans for FY24 have elements around sustainability?

A: Warren Blankenship – We will because the effort we have been working on in FY23 will move into FY24. This conversation has given me other aspects to think about in regard to sustainability and how I can work those into FY24.

A: Denise Elsbernd – We are looking to have sustainability in our FY24 plans. We are going to look and see if we want to create a government solution with that and build upon it.

Q: Nicole Darnall – Do you think GSA could be a logical place to jumpstart the conversation on standardizing data?

A: Kelly Seacrist – That concept needs to be tackled at above a common spend level.

Q: Nicole Darnall – You've spoken on embedding the FAR clauses into the different category management processes. What are your thoughts on requiring them in the request for proposal writing processes? Have you thought about embedding them into the templates that are being used to develop different RFPs?

A: Warren Blankenship – For us, a lot of our templates and checklist include the terms and conditions within the solicitations that are required. It's reinforced so they don't forget to include those clauses and provisions. Our contracting shops are vigilant in ensuring that happens.

Q: Nicole Darnall – Are you aware of efforts outside the United States to prioritize sustainability through category management? If so, what is standing out to you that could be useful here?

A: Denise Elsbernd – I began researching it since it came up in European countries. I can't comment on it since I just began the research.

Q: Nicole Darnall – From your point of view, what value do certain technologies have that you see in the current landscape and how it could be leveraged to embed sustainability into acquisitions, easily?

A: Bowen Fong – For category management we haven't considered diving deep into technologies and placing it as a front issue for us. We are still working on initiatives that are specific to certain categories. We encourage the categories to have initiatives around a handful of different administrative priorities including sustainability, supply chain, acquisitions, etc.

Q: Nicole Darnall – Are these technologies being used in other ways in category management? Is AI being used in other ways outside of sustainability for category management?

A: Bowen Fong – No, except for language recognition to ensure we are aligning some of the data correctly. Outside of that, nothing as involved in having AI craft the words in the policy we support.

Q: Nicole Darnall – EPA is advocating and prioritizing the most frequently used contract writing systems and updating them to automate the addition of sustainable procurement clauses in RFPs. What are your thoughts on this?

A: Bowen Fong – I am neutral on this. If they are pushing it, then I think it is great. It's good to continue to have a template and common language that would work well.

Q: Nicole Darnall – What are your thoughts on using the API to accelerate sustainability in the acquisition process?

A: Bowen Fong – I'm not familiar with that API, but if it's within GSA, Clifton Best would be involved with that.

Q: Anne Rung – Are you aware of small pilots or initiatives underway where technology is used to further sustainable outcomes?

A: Bowen Fong – We have asked the categories to keep their ears on the ground in case they hear things about it. At this point, we don't have anything.

Q: Nicole Darnall – Has your team ever worked with an agency project related to using modern digital tools to drive sustainability or other socioeconomic outcomes like small businesses or minority business?

A: Bowen Fong – We haven't had that conversation on the category side.

Q: Nicole Darnall – Do you have any other ideas on how to leverage technology to help the acquisition workforce drive more sustainable outcomes?

A: Bowen Fong – On the technology side, AI will be impactful. We need to get out and test the waters on what works and what is the right thing to do as a government as a whole.

Q: Nicole Darnall – Is there anything you'd like to share about the possibilities related to sustainability in GSA?

A: Bowen Fong – We've been responding to issues and using the category framework to get answers. EPA has come to us before looking for our best-in-class solutions that will comply with certain requirements. We don't have a gameplan specifically around technology.

### **Review of Key Takeaways**

The group moved to the Jamboard to collaborate and capture the big takeaways from today's conversation. The group came up with the following takeaways:

- Proposing pilots that would use AI tools to accelerate sustainability action.
- Build a stronger supplier compliance program around sustainability.
- Data quality and consistency across/within categories came-up.



- Agencies have many different cultures. Need to focus on acquisition workforce culture.
- Consider supplier assessment scorecards.
- Importance of templates for category managers to use that would embed sustainability concerns within them.
- GSA contracts need to be verified for compliance. How can this be done efficiently?
- Given the scope of categories/number of agencies, a single tech solution could be challenging.
- AI is an important tool for drafting contracts. Using standard clauses and templates are a good approach too.
- Opportunity for more supplier engagement discussions around newly added T's and C's. Not clear if those discussions occurred.
- How can we spread category management information to smaller agencies?
- Speakers were open to figuring out a way to do this. It's an important starting point.
- KPIs require data to measure against. Sustainability is not in the current equations.
- Focus on influencing the culture of the workforce.
- One to getting FAR clauses in every contract. Starting with BIC; second tier assessment will require technologies.
- Sustainability KPIs include: compliance with FAR, compliance with UN, global conduct, compliance with environmental standards, and creating a scorecard for the specific category.
- CM collaborates with agencies and industry at a higher level. This can be used to diffuse information and educate. This can help change culture.
- Need to create a way to close the loop and ensure compliance of sustainability clauses. How do we assess whether a supplier is complying?
- Scorecards would be specific to each category.
- GSA coordinates with universities for better triangulation of new ideas for category management applications.

- Who in the federal government knows the most about using AI in contract drafting? Is there a key pilot project or group?
- Vendor reporting of carbon reduction and other sustainable measurements can be audited for compliance.
- Category management approach to sustainable purchasing can be adopted across the GSA spectrum. How does this get implemented?
- Partnering with vendors is the key to making category management work. What is happening to expand this concept?

Otto Hansen from Term Scout will be joining the group for their next subcommittee meeting. Term Scout is a technology company that is taking contract clauses and automating them through crowdsourcing.

### **Public Engagement**

Nicole Darnall opened the discussion up to the public, but there were no questions or comments.

### **Closing Remarks**

Nicole Darnall thanked the subcommittee for their participation. In the next public meeting, the group will be looking at pilot opportunities that have emerged within the prism system and across other agencies.

### **Adjournment**

Boris Arratia adjourned the meeting at 5:00 P.M. EST.

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