

# Sample Green Contract Language for Landscaping Services

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## Descriptions and Specifications

### 2.10 Environmental Management and Sustainability

The Contractor shall perform work under this contract consistent with the following Environmental Management System (EMS) goals and policy.

#### Goals:

- Reduce purchase and use of toxic and hazardous materials;
- Expand purchase of green products and services; increase recycling;
- Reduce energy and water use;
- Increase use of alternative fuels and renewable energy;
- Integrate green building concepts in major renovations and new construction;
- Prevent pollution at the source; and
- Continual improvement.

#### Policy:

- Protect public health and the environment by being an environmentally responsible member of the community;
- Preserve our natural, historic and cultural resources;
- Conserve natural resources by reducing what we discard, reusing items, and recycling materials, which includes purchasing products made from recycled materials;
- Integrate sound environmental practices into all our operations and business decisions
- Integrate environmental protection requirements and pollution prevention initiatives into the early planning, design and procurement of facilities, equipment and material, as well as the planning and implementation of military training activities;
- Prevent or minimize pollution at its source as we seek out ways to eliminate or further minimize use of hazardous materials and generation of hazardous waste;
- Maintain a sound partnership with regulatory agencies to sustain our compliance with existing and new environmental laws and regulations;
- Enhance our program as we develop and implement an Environmental Management System; and
- Adhere to this policy, remind one another to do so, and ensure that our entire community knows this is our policy by our actions as well as our words.

The Contractor shall maintain monitoring and measurement information to address the EMS goals and policy and provide the EMS Goals and Policy Measurement Information to the KO when requested. In the event an EMS nonconformance or environmental noncompliance associated with the contracted services, tasks, or actions occurs, the Contractor shall take corrective and/or preventative actions assume legal and financial liability for the noncompliance and take corrective action immediately to remedy the noncompliance. The Contractor shall ensure that its employees are aware of their roles and responsibilities under the EMS and how these EMS roles and responsibilities affect work performed under the contract.

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## 2.10.1 Energy Management Program

The Contractor shall comply with the installation's energy management program. The Contractor PM, or designee, shall represent the Contractor's interest at all meetings of the activity's Energy Management Board. The Contractor shall attend periodic meetings with the Installation Energy Manager, where energy and water efficiency goals and project status will be discussed to ensure that any Contractor work complements and optimizes efficiency efforts.

### 2.10.1.1 Water Conservation Plan

The Contractor shall develop, submit and implement a Water Conservation Plan per Section F.

### 2.10.1.2 Energy Efficient Products

The Contractor shall use life-cycle cost analysis in making decisions about investments in products, services, construction and other projects to lower Federal Government's costs and reduce energy consumption. The Contractor shall elect lifecycle cost-effective Energy Star and other energy-efficient products when acquiring energy-using products. For product groups where Energy Star labels are not yet available, select products that are in upper 25 percent of energy efficiency as designated by the Federal Energy Management Program. Use of high energy consuming tools or equipment is subject to approval by the contracting officer prior to use.

## 2.10.3 Sustainable Procurement and Practices

The Contractor shall develop, submit, and implement a Sustainable Procurement and Practices Plan per Section F. This plan shall identify how the Contractor will comply with all applicable Federal, state and local laws and regulation, including E.O. 13423, E.O. 13514, Installation Energy Management Program and Water Conservation Programs and energy reduction requirements. The plan shall specifically address the following components:

- Recycled Contents Products
- Energy/Water efficiency
- Energy Efficient Tools and Equipment
- Alternate Fuels and Alternate Fuel Vehicles
- Biobased Products
- Non-Ozone Depleting Products
- Environmental Preferred Products and Services
- Low/Non-Toxic and Hazardous Materials

The Contractor shall submit an annual Sustainable Delivery of Services Report per Section F.

### 2.10.3.1 Environmentally Preferable Products

The Contractor shall procure and use products that are energy-efficient (Energy Star or Federal Energy Management Program (FEMP)-designated), water efficient, bio-based, environmentally preferable (e.g., Electronic Product Environmental Assessment Tool (EPEAT)-registered), non-

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ozone depleting, contain recycled content, or are non-toxic or less toxic alternatives, where such products and services meet performance requirements.

### 2.10.3.2 Use of Recovered Materials

The Government has an affirmative procurement program to promote the purchase of products containing recovered materials. The intent is to reduce the solid waste stream and conserve natural resources by establishing markets for recycled content products and encouraging manufacturers to produce quality products containing recovered materials. Participate in this program by using, for Environmental Protection Agency (EPA) designated items, recovered materials to the maximum extent practicable without jeopardizing the intended end use of the item. The percentage of recovered materials content levels for use in the performance of this contract will be, at a minimum, the amount recommended in the EPA Comprehensive Procurement Guideline (CPG) Product Index website (<http://www.epa.gov/epawaste/consERVE/tools/cpg/index.htm>).

Use of EPA designated products is not required for products that are either not available within a reasonable period of time, are not available at a reasonable price, are not available from a sufficient number of sources to maintain a satisfactory level of competition, or fail to meet performance standards based on technical verification. EPA designation of products is an on-going process. Listings of EPA designated products containing recovered materials are found in 40 CFR 247. Make recommendation and submit Recovered Material Certification, per Section F, when a product containing recovered materials is equal to or better than the original and could be used for this contract. All changes of products must be accepted by the contracting officer before it is used.

### 2.10.3.3 Use of Biobased Products

The Contractor shall make maximum use of biobased products in accordance with the FAR Clause 52.223-2 – AFFIRMATIVE PROCUREMENT OF BIOBASED PRODUCTS UNDER SERVICE AND CONSTRUCTION CONTRACTS. Information about these products is available at <http://www.usda.gov/biopreferred>.