

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

**February 2, 2023**

The General Services Administration (GSA) Acquisition Policy Federal Advisory Policy & Practice Subcommittee (PPS) convened for its fifth public meeting at 3:00 PM on February 2, 2023, virtually via Zoom, with Steven Schooner, Chair, and Luke Bassis, 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

### **Committee Members Present:**

Steven Schooner, Chairperson	<i>George Washington University</i>
Luke Bassis, Co-Chair	<i>Port Authority of New York and New Jersey</i>
Richard Beutel	<i>George Mason University</i>
Antonio Doss	<i>US Small Business Administration</i>
Jennie Romer	<i>Environmental Protection Agency</i>
Nigel Stephens	<i>US Black Chamber of Commerce</i>
Anish Tilak	<i>Rocky Mountain Institute</i>
Leslie Cordes	<i>Ceres</i>
Amlan Mukherjee	<i>Michigan Technological University</i>
Stacey Smedley	<i>Building Transparency</i>
Dr. Kimberly White	<i>American Chemistry Council</i>
Dr. David Waggoner	<i>Institute of Scrap Recycling Industries</i>

**Absent:** Mark Hayden and Mamie Mallory

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

Porter Glock - *Procurement Analyst* *The Office of Federal Procurement Policy*

### **GSA Staff Present:**

Boris Arratia	<i>Designated Federal Officer</i>
Stephanie Hardison	<i>Deputy Designated Federal Officer</i>
Adam Sheldrick	<i>GAP FAC Support Team</i>
Skylar Holloway	<i>GAP FAC Support Team</i>
Annabelle Thompson	<i>Closed Captioner</i>
Daniel Swartz & Jill Lamoreaux	<i>ASL Interpreters</i>

## **CALL TO ORDER**

Boris Arratia, Designated Federal Officer (DFO), 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 then performed a roll call to confirm attendance and a quorum. After meeting the quorum, he turned the meeting over to Chairman Steven Schooner.

## **INTRODUCTIONS & REMARKS**

Chairman Steven Schooner ran through the agenda before introducing Porter Glock from The Office of Federal Procurement Policy (OFPP).

## **GUEST SPEAKERS & DISCUSSIONS**

Porter Glock works within the budget, overseeing federal procurement policies and leading the sustainability portfolio.

The Federal Acquisition Regulation (FAR) council comprises NASDA, DoD, and GSA, and they help write the rules of federal procurement that end up in the FAR. There are three current sustainability rules in place.

The first rule, Disclosure of Greenhouse Gas Emissions and Climate Related Financial Risk, asks the FAR council to require suppliers to disclose Greenhouse Gas (GHG) emissions, science-based targets, and their climate related financial risk. A Securities and Exchange Commission (SEC) rule similar to this requires publicly traded corporations to have certain disclosures. Through these climate risks and disclosures, it helps the government better understand climate change, risk, or vulnerability, and it also helps to mitigate some of the worst impacts and effects of climate change by looking at emissions and driving down emissions. Canada and California have also introduced similar rules. This effort is occurring not just nationally but globally. There are a number of private entities leading this and disclosing their reduction targets and climate related financial risk.

The second case is minimizing the risk of climate change and federal acquisition. It's asking the FAR council to consider climate change within transactional procurement. There were many comments received which were supportive of the climate action path the federal government is taking. The issue with this rule is how members of the acquisition workforce consider climate change in the current environment when they are not climate experts. We need to inform them of the right tools and resources.

The third case is sustainable procurement, which implements the product and service preferences in EO 1457. This is a change that instructed agencies that use appropriated funds to use the EPA recommendations and ecolabels programs beyond that of the statutory requirements. The EPA has an Environmental Purchasing Program

team that has a number of purchasing programs ranging from their labels and programs and analyzes and evaluates third-party labels against the standard set of criteria. Relying on in-house experts at the Environmental Protection Agency (EPA) and not contracting officers to look at labels allows new standards and labels to come into place, which grows supplier based and the labeling process.

There are a number of administration priorities in sustainable acquisition and sustainable purchasing that are enumerated in EO 14057. Net zero federal buildings include carbon-free electrify, net zero emissions, and low embodied carbon and construction materials. A number of working groups established under that EO are looking at ways to incorporate this into sustainable procurement when possible. It also looks at marketplace capabilities, government capabilities, and how to make them implementable for the contracting officers.

As a government, we want to buy low embodied carbon materials to buy clean, however, we need to implement this for our contracting officers. Under the Inflation Rock Act (IRA), there is a lot of money for the EPA to analyze EPDs and standardize that. The goal is for the partners at EPA to develop an Environmental Products Declaration (EPD) label or nutrition label that will allow for easy transactional procurement of construction materials or requirements to buy lower embodied carbon cement. It's risky to have the contracting officer go off and buy that low-embodied concrete material. We will need to educate and inform contracting officers on these issues.

Policies & tools we are looking at to achieve the net zero goal is to look at how to change practices. These are demonstrations to show people how to do things as opposed to telling them to be more sustainable. We need to increase education. FAC-C and other programs recognize that contracting officers have different skills, abilities and needs based on what they are buying and ensure people have expertise in that area.

There has been work informing program managers on climate mitigation and resilience requirements. Climate considerations were built into the capital program guides, including a climate consideration checklist to ensure correct planning.

There's a lot to do with the general sustainability training since the finalization of the sustainable procurement rule. Sustainability courses are the most widely attended voluntary courses. There's interest in this, but ensuring the training is up to date is a big part. With these training and awards, we need to focus on the contracting officers and the Contracting Officer Representatives (CORs).

Another important area is to automate issues to the best of our ability. This is part of a work in category management. If we get category management right and up to date with the most recent requirements, those benefits flow down to everyone under that

contract. Highlighting GSA schedules can also help us to achieve these goals. Another non-FAR based rule we are focusing on is a pilot that demonstrates successes and failures and shares those amongst the workforce. The piloting helps us to get those successes and share them externally. There are opportunities for various green sources available to the community. There's a lot of different tools out there to consider green options. They aren't user-friendly, and our office is looking to see how we can change that.

A general success is that there is a willingness to act. Sustainable purchasing was limited, and now there's a plethora of White House policy officers involved and interested in this area. It comes with challenges but emphasizes the desire to act in this area.

## **QUESTIONS & ANSWERS**

**Q:** Steven Schooner – We are trying to hear from informative voices. Who are your go to voices? Who are the sources of information that you find most productive? If you have the opportunity to broaden that, who are the voices outside of the country and state and local level you have found helpful?

**A:** Porter Glock – The Nordic region has great examples of large infrastructure projects and carbon considerations, which is something they have looked at. The UK is working on supplier disclosure rules. Andrew Maoic is the current Chief of Sustainability Officer of the United States. He has an acute understanding of the office of federal procurement policy, our roles and responsibilities, and our players there. Betty Crimens has been our advocate and helper in our climate disclosure rule. She understands it the best in our office. On sustainable products, Katie Newhouse has a large background in building supply chains.

**Q:** Boris Arratia – What is your perspective on the sustainability scorecard

**A:** Porter Glock - OMB manages an annual sustainability scorecard for the agency and there is an interest in the need to track. We are looking at where the government manages and evaluates its scope one emissions. The scorecard uses the Federal Procurement Data System (FPDS) on sustainable attributes. A standard report available that says where bio-preferred energy efficient materials are covered in the contract.

That report helps inform the scorecard on acquisition.

**Q:** Nigel Stephens – What are your views on using credits or points in RFPs or proposals, and how does it correlate or differ from past performance?

**A:** Porter Glock – We are in touch with the Alliant & OASIS team, track efforts to evaluate sustainability and climate considerations and procurement, and encourage

point systems to understand that. We encourage using points, but the application must be clear, transparent, and fair. Some areas are easier than others when it comes to this.

**Q:** Steven Schooner – Are there any insights into a schedule as to what might be in the three rules mentioned, and which rules do you think would be part of the FAR part 23 Clean Up?

**A:** Porter Glock – The FAR case status report has these. The Sustainable Procurement (FAR 2022-06) description talks about how it organizes FAR part 23 for consistency and clarity and is an overhaul. The report has been delivered and the rule is getting close. Minimizing the Risk of Climate Change is in the drafting stage and will have a report later this month.

**Q:** Steven Schooner – What happens when the disclosure rule for social costs for greenhouse gas gets implemented? Is there a need to train the workforce on what the disclosures mean, or is there another approach we should be taking?

**A:** Porter Glock – A lot of our efforts focus on our areas of need. Contractors will need to know about the disclosure rule and what it means. A certain subset of contracting officers that are in-house expertise will know when exemptions may apply or when you may be able to access an agency. You want everyone to know the core of it; however, if there's a deeper, more problematic issue, someone will need to know how to fix that and we need to find those people and build in-house expertise because we aren't expecting the acquisition workforce as large to do this.

**Q:** Steven Schooner – Is there thinking in your office about what kind of performance assessment would be helpful other than scorecards to determine if you're succeeding or not?

**A:** Porter Glock – When the proposed rule is finalized, we will have scope one and two emissions data reported to Sam for the major contractors. We will be able to see if emissions are going up and down based on that. Another is major contracts with GDP disclosures and the dollars covered by that. That is a way to measure the federal spend covered by emissions reporting.

**Q:** Luke Bassis – Where would you suggest we go from here?

**A:** Porter Glock – Quick wins that come to mind are cataloging and organizing information for contractors or specialists in the sustainability world in a digestible manner. Another win is emphasizing the need for labels and procurements for actionable data. Not having designated parties that can make evaluations on things limits us. Inventorying and determining from a contractor's point of view the best way to make a portal or to understand what you're buying and where to look for data will

also help. One thing that has been tried numerous times is the ability to use Artificial Intelligence (AI) to look at Request for Proposals (RFPs) to scan for keywords and make the system easier. There have been talks and efforts to move this way in sustainability.

**Q:** Steven Schooner – Is someone doing the spend analysis in our \$600 billion plus a year and correlating that with potential impact so we can focus on policies, procurement, or contractors that will have the biggest return on investment? Who speaks on policies to the program managers?

**A:** Porter Glock – We have representation on the program leadership council, where they work with a lot of program management issues. We also have people doing a spend analysis and they do that on every rule and those conversations are happening. The regular impact analysis for disclosure rules discusses who is doing what currently and who isn't doing what.

## **GOAL SETTING DISCUSSION**

Steven Schooner led the goal-setting discussion. The question imposed on the group was how do we move from the abstract to the concrete? How will the group make things actionable? Steve went around to hear everyone's thoughts on where they felt they could contribute and what direction they would like the group to go.

Luke Bassis – Embracing technology and how it can simplify sustainable procurement.

Steven Schooner – Framing the discussion on performance measurement rather than what's happening with scorecards and pending disclosure rules. Driving people to the high-volume low value of environmentally preferred products. Making the federal acquisition workforce more cognizant of these important disclosures and why they are doing it.

Nigel Stephens –Incentivizing private sector entities to bring the best capabilities and options for climate change and sustainability to the government through the procurement process.

Jennie Romer – Using technology like AI to better manage things and make it easy for procurement officials.

Amlan Mukherjee – Creating a community of expertise to look at what procurement-related work has been put out and look at these tools, learn from lessons and verify things.

Kimberly Wise White – Focusing on decision frameworks that drive the climate and sustainability objectives to see what you need to do to reach a certain goal.

Anish Tilak – Ways to streamline education and training. Finding topic areas where centralization is an issue and how we can identify that and make recommendations. Prioritizing environmental attributes and ensuring there is sufficient information for contractors.

Antonio Doss – Putting in place mechanisms that informs the community of contractors of the direction we are going in and what they need to do to get there.

## **PUBLIC COMMENTS**

Niels Holch was present and thought the committee was doing a great job.

## **CLOSING REMARKS**

Cassius Butts thanked the group and presenter for a fantastic meeting and participation. Anyone with questions, comments, or concerns, is more than welcome to set up a time to chat with him or Troy.

Steven Schooner appreciated the subcommittee for voicing what they care about.


Luke Bassis was excited to hear what folks are passionate about and is looking forward to continuing the conversation.

## **ADJOURNMENT**

Boris Arratia concluded the meeting and reminded the group that materials from the meeting could be found on the GSA website and the shared member drive.

He adjourned the meeting at 5:00 P.M. EST.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

DocuSigned by:  
  
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2/15/2024

**Luke Bassis**  
Co-Chairperson  
GAP FAC Policy & Practice Subcommittee

Former Chair, Steven Schooner was succeeded by Luke Bassis on September 28, 2023.