



## FAR Clauses Applicable to Electronics Stewardship

Updated: 01/17/2008

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### PURPOSE

This document outlines environmental purchasing criteria and required electronics stewardship activities which apply to federal agencies under the Federal Acquisition Regulation (FAR). The Federal Electronics Challenge (FEC) encourages Partners to also review agency supplements to the FAR for agency-specific requirements regarding green purchasing and other electronics stewardship activities.

### FEDERAL ACQUISITION REGULATION PARTS

#### FAR Part 2, Definitions of Words and Terms

*Subpart 2.1* includes definitions for:

- Energy-efficient product
- Energy-efficient standby power devices
- Environmentally preferable
- Ozone-depleting substance
- Pollution prevention
- Recovered material
- Virgin material

#### FAR Part 4, Administrative Matters

*Subpart 4.3* states preferences for double-sided printing and copying on recycled paper for all contractor documents.

#### FAR Part 7, Acquisition Planning

*Subpart 7.103(n)* requires that agencies specify their needs for printing and writing paper consistent with the minimum content standards, and comply with the policy regarding procurement of products containing recovered materials, and environmentally preferable and energy-efficient products and services.

*Subpart 7.105(b)(16)* requires written acquisition plans to discuss all applicable environmental and energy conservation objectives associated with the acquisition and any environmentally-related requirements to be included in solicitations and contracts.

#### FAR Part 11, Describing Agency Needs

*Subpart 11.101(b)* mandates that requirements documents achieve the maximum practicable: 1) energy efficiency, including using products containing energy-efficient standby power devices and renewable energy technologies; and (2) use of recovered material, other materials that are environmentally preferable, energy- and water-efficient products, and renewable energy technologies.



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*Subpart 11.3* addresses setting requirements for products containing virgin materials and recovered materials. The subpart allows for the acquisition of used, reconditioned, or remanufactured parts. The subpart also defines special requirements for printing and writing paper.

### **FAR Part 12, Acquisition of Commercial Items**

*Subpart 12.301(e)(3)* allows a contracting officer to use the provisions and clauses contained in Part 23 regarding the use of recovered material when appropriate for the item being acquired.

### **FAR Part 13, Simplified Acquisition Procedures**

*Subpart 13.201(f)* states that environmental procurement requirements apply at or below the micro-purchases threshold, such as acquisitions made with purchase card.

### **FAR Part 23, Environment, Energy and Water Efficiency, Renewable Energy Technologies, Occupational Safety, and Drug-Free Workplace**

Due to the detail of these subparts, the FEC recommends that you refer to the complete text of the Federal Acquisition Regulation, available at <http://www.arnet.gov/far/>.

*Subpart 23.2* specifies the authorities, policy and requirements for acquiring energy-efficient products.

*Subpart 23.4* specifies the authorities, policy and requirements for acquiring products with recovered material content.

*Subpart 23.7* specifies the authorities, policy and requirements for acquiring environmentally preferable products and services.

*Subpart 23.705* specifically addresses mandatory use of the Electronic Product Environmental Assessment Tool (EPEAT).

### **FAR Part 42, Contract Administration and Audit Services**

*Subpart 42.302(a)(68)* specifies that that contracting officer must monitor the contractor's compliance with environmental requirements specified in the contract, including the use of environmentally preferable products, energy-efficient products, and materials or delivery of end products with specified recovered material content.

### **FAR Part 52, Solicitation Provisions and Contract Clauses**

*Subpart 52.204-4* is the text of the clause requiring documents to be printed or copied double-sided on recycled paper.

*Subpart 52.211-5* is the text of the clause that requires specification of material composition (virgin material, recovered material, etc.).



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*Subpart 52.223-4* is the text of the clause that requires certification of the minimum recovered material content required in the solicitation.

*Subpart 52.223-9* is the text of the clause that requires an estimate of percentage of recovered material content for EPA-designated products for contracts exceeding simplified acquisition threshold and specify use of EPA designated item.

*Subpart 52.223-10* is the text of the clause that requires contractors to establish a program to promote cost-effective waste reduction in all operations and facilities covered by contract.

*Subpart 52.223-16* is the text of the clause that requires use of the IEEE 1680 standard (and EPEAT) for the environmental assessment of personal computer products.

### REFERENCES

The Federal Acquisition Regulations are available online from the Office of Federal Procurement Policy, at: <http://www.acqnet.gov/far/>.

### CONTACT INFORMATION

If you have questions related to this resource or need other assistance with the Federal Electronics Challenge, please contact your Regional Champion. The list of FEC Regional Champions is available at <http://www.federalelectronicschallenge.net/champions.htm>.

Partners may also request technical assistance via email to [partner@electronicschallenge.net](mailto:partner@electronicschallenge.net).

### FEDERAL ELECTRONICS CHALLENGE

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