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The Coalition for Government Procurement

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February 26, 2008

VIA E-MAIL

Mr. Jim Daumit
Office of Federal Procurement Policy
Office of Management and Budget
Room 9013
725 17th Street NW
Washington, DC 20503

RE: Proposed OFPP Policy Letter

Dear Mr. Daumit:

We appreciate this opportunity to comment on the proposed policy letter released December 28, 2007. We believe that the policy letter, as it stands, would be an unfair and unrealistic mandate imposed on government contractors.

The Coalition for Government Procurement is a non-profit association of over 350 companies that sell commercial services and products to the federal government primarily through MAS contracts and GWACs. Our membership includes small and large businesses and accounts for 70% of sales on the GSA schedule program and approximately half of all federal commercial item acquisitions.

The Coalition believes that OFPP should not set a mandate for the acquisition of green products and services. When government encourages and promotes the use of new technologies without a mandate, better results can be achieved. A recent example of this is the updated Section 508 Disability Access Standards. Government consistently promoted items that would fall under this category without issuing a mandate. This gave the commercial market time to evolve and produce compliant products that would meet these standards.

Giving industry a chance to offer their expertise on reviewing existing requirements or developing potential new programs ensures a robust

dialogue on the issue and shows good faith in finding the best solution for all stakeholders.

If OFPP leadership decides to move ahead with implementation of a green contracting policy, we believe a number of pressing issues should be addressed before they proceed. We believe OFPP should consider how the policy will impact certain groups of contractors. Mandates can have a disproportionate affect on small businesses since they have fewer resources to implement and manage any new requirements that cause significant changes in the way they do business. The Coalition has seen this occur with contract bundling.

The term “green”, whether describing products and services, or purchasing policies, has not been defined in either this proposed policy letter or within the provisions of Executive Order (E.O.) 13423, or the sections of the various Acts which this policy letter would address. “Green” cannot be singularly or accurately defined to cover the numerous acquisition areas that the OFPP policy addresses. **In other words, there is not a “one-size-fits-all” definition for “green” that is appropriate for the purposes of the policy.** Therefore, the Coalition recommends that “green” be deleted from the proposed policy.

It is also important to note that there are no existing “green” standards for many of the commercial items the government buys. While standards exist for IT products and even environmentally-friendly buildings, no standards are in place for such items as tools, furniture, office products, and countless other items the government purchases daily. The Coalition is concerned that the OFPP mandate did not take these items into account when crafted. We have previously seen the Department of Defense try to adopt mandates for all procurements that were originally designed for one type of item. The results were significant delays in implementation and higher costs for DOD and its suppliers. We would not like to see the same problems arise here.

The Coalition believes that commercial items should be bought in the government market much as they are commercially. Imposing government-only standards on commercial items will increase costs and reduce competition by driving some suppliers out of the market. We strongly recommend against adopting a government-only mandate for commercial item acquisition.

We are also concerned over the lack of explicit definitions for certain requirements in the policy letter. An example would be the “...mandatory and preferred sources...,” which is mentioned in the *Supplementary Information* section, but not defined in a specific way in the policy itself. Coalition members would like the opportunity to discuss requirement specific issues with OFPP before it moves forward with this policy.

The Coalition supports the evolution toward green solutions but does not support a mandate as the mechanism to get there. We would like to express our willingness to participate in any voluntary, commercial market-based, standard setting process for green products.

We are pleased to discuss these comments with you if so requested. We look forward to our continued partnership.

Regards,

A handwritten signature in cursive script that reads "Larry Allen". The signature is written in dark ink and is positioned above the printed name.

Larry Allen
President