

### Subpart 2922.8—Equal Employment Opportunity

#### 2922.802 General.

Executive Order 11246, as amended, sets forth the Equal Opportunity clause and requires that the Secretary of Labor promote full realization of equal opportunity for all persons regardless of race, color, religion, sex, or national origin. No DOL contracting officer may contract for supplies or services in a manner to avoid applicability of the requirements of E.O. 11246.

## PART 2923 ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

### Subpart 2923.2—Energy And Water Efficiency and Renewable Energy.

Sec.

2923.271 Purchase and use of environmentally sound and energy efficient products and services.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c); 42 U.S.C. 8262(g).

SOURCE: 69 FR 22991, Apr. 27, 2004, unless otherwise noted.

### Subpart 2923.2—Energy And Water Efficiency and Renewable Energy

#### 2923.271 Purchase and use of environmentally sound and energy efficient products and services.

The Department will implement policies and procedures that comply with the intent and specific goals mandated by the following statutes and executive orders and any other issuances as may be mandated to maximize cost efficient energy management:

(a) The GSA Federal Supply Schedule Products Guide identifies the recycled and recycled-content items available in the GSA FSS supply system. Copies of the guide may be obtained, without cost, from the GSA, Centralized Mailing List Service, P.O. Box 6477, Fort Worth, Texas, 76115, or by calling (817) 334-5215. See also GSA Advantage! at: [www.gsaadvantage.gov](http://www.gsaadvantage.gov).

(b) Executive Order 13123, *Greening the Government Through Efficient Energy Management*, dated June 8, 1999, requires agencies to select for procurement those energy consuming goods or products which are the most life cycle cost-effective (see FAR 7.101). Green purchasing includes the acquisition of recycled content products, environmentally preferable products and services, biobased products, energy- and water-efficient products, alternate fuel vehicles, and products using renewable energy.

(1) To the extent practicable, each program official must require vendors of goods or products to provide appropriate data that can be used to assess the life cycle cost of each good or product, including building energy system components, lighting systems, office equipment and other energy using equipment.

(2) In preparing solicitations and evaluating and selecting offers for award, contracting personnel must consider the life cycle cost data along with other relevant evaluation criteria. If life cycle costing is not used, the contract file must be documented to reflect the rationale for not obtaining and evaluating the data.

(c) Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, dated September 14, 1998, requires agencies to comply with executive branch policies for the acquisition and use of environmentally preferable products and services and implement cost-effective procurement preference programs favoring the purchase of these products and services.

(d) Executive Order 13148, *Greening the Government Through Leadership in Environmental Management Systems*, dated April 21, 2000. This Executive Order assists with developing an environmental management system. The following sources are provided as references for the subject matter indicated:

(1) The Office of the Federal Environmental Executive provides references to all greening the Government executive orders, web links to other relevant cites, and information on biobased and bioenergy products. <http://www.ofee.gov/gp/gp.htm>.

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(2) The Comprehensive Procurement Guidelines program is part of the Environmental Protection Agency's continued effort to promote the use of materials recovered from solid waste. This listing provides information on products made from recycled materials, such as the carpeting and insulation used in office buildings, or reams of office paper. [www.epa.gov/cpg](http://www.epa.gov/cpg).

(3) ENERGY STAR is a government-backed program helping businesses and individuals protect the environment

through superior energy efficiency. See also <http://www.eere.energy.gov/femp/procurement>. [www.energystar.gov](http://www.energystar.gov).

(4) The Alternative Fuels Data Center is a one-stop shop for agency alternative fuel and vehicle information needs. <http://www.afdc.nrel.gov>.

(5) The Defense Logistics Agency has created an electronic mall for buying environmentally preferable products. [www.emall.dla.mil](http://www.emall.dla.mil).

**PARTS 2924–2927 [RESERVED]**

## SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

### PART 2928—BONDS AND INSURANCE

#### Subpart 2928.2—Sureties and Other Security for Bonds

Sec.

2928.204 Alternatives in lieu of corporate or individual sureties.

#### Subpart 2928.3—Insurance

2928.305 Overseas workers' compensation and war hazard insurance.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 69 FR 22991, Apr. 27, 2004, unless otherwise noted.

#### Subpart 2928.2—Sureties and Other Security for Bonds

2928.204 Alternatives in lieu of corporate or individual sureties.

Upon receipt of any of the types of securities listed in FAR 28.201 or FAR 28.203, the contracting officer must verify the validity of the security and coordinate the retention of the security with the Chief Financial Officer. Contracting officers may obtain access to Department of Treasury Circular 570 through the Internet at <http://www.fms.treas.gov/c570/index.html>.

#### Subpart 2928.3—Insurance

2928.305 Overseas workers' compensation and war hazard insurance.

The authority of the Agency Head to recommend to the Secretary of Labor waiver of the applicability of the Defense Base Act (42 U.S.C. 1651, *et seq.*) to any contract, subcontract, work location, or classification of employees, is delegated to the HCA.

### PART 2929—TAXES

#### Subpart 2929.1—General

Sec.

2929.101 Resolving tax problems.

#### Subpart 2929.3—State and Local Taxes

2929.303 Application of state and local taxes to Government contractors and subcontractors.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 69 FR 22991, Apr. 27, 2004, unless otherwise noted.

#### Subpart 2929.1—General

2929.101 Resolving tax problems.

Contract tax problems or questions must be referred by the contracting officer to the Office of the Solicitor for resolution.

#### Subpart 2929.3—State and Local Taxes

2929.303 Applications of state and local taxes to Government contractors and subcontractors.

(a) Contractors may only be treated as agents of the Government for the purposes set forth in FAR 29.303(a) upon the written review and approval of the Assistant Secretary for Administration and Management.

(b) Requests for approval under paragraph (a) of this section must be submitted by the HCA through the Office of the Solicitor, to the Division of Acquisition Management Services, for further action.

### PART 2930—COST ACCOUNTING STANDARDS ADMINISTRATION

#### Subpart 2930.2—CAS Program Requirements

Sec.

2930.201-5 Waiver.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 69 FR 22991, Apr. 27, 2004, unless otherwise noted.

#### Subpart 2930.2—CAS Program Requirements

2930.201-5 Waiver.

(a) The HCA is authorized to waive CAS requirements as provided in FAR 30.201-5.