



MAY 10 2006

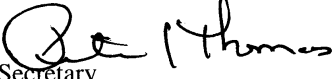
**United States
Department of
Agriculture**

**Office of the
Assistant Secretary
for Administration**

**1400 Independence
Avenue SW**

**Washington, DC
20250-0103**

TO: Deputy Administrators for Management

FROM: Peter J. Thomas 
Acting Assistant Secretary
for Administration

SUBJECT: Biobased Product Procurement

Annually, USDA purchases billions of dollars of products and services. Many of these products can be produced from biobased resources and used in lieu of products derived from non-renewable resources such as petrochemicals. In order to leverage the Federal Government's buying power to stimulate new markets and technologies for biobased products, Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA) (7 U.S.C. 8102) directed USDA to prepare guidelines, policies, and procedures addressing recommended practices that will implement a mandatory Federal-wide procurement preference program for designated biobased items.

This memorandum is to inform you of the Federal guidelines requiring all Federal agencies to increase the purchase and use of biobased products and to encourage your agency's management and program officials to be early adopters of the Biobased Program. Early adoption is voluntary for individual contracting activities and management contractors. But, along with enhancing energy security, early adoption has the advantage of developing familiarity with biobased products that will be mandatory for purchase when the program is ultimately implemented.

As defined by Section 9002 of FSRIA, a designated biobased product is a product determined by the Secretary to be a commercial or industrial product (other than food or feed) that is composed, in whole or in significant part, of biological products or renewable domestic agricultural materials (including plant, animal and marine materials) or forestry materials. Presently, six (6) items have been designated, with several hundred more in the pipelines (http://www.biobased.oce.usda.gov/files/Round_1_Final_Rule.pdf).

The increased procurement and use of biobased products is a Departmental priority. The importance and impact of the program to USDA's constituency base is considerable. To fulfill USDA's leadership responsibilities, USDA must demonstrate its commitment to increase the procurement and use of biobased products.

A procurement preference shall be established for USDA designated biobased items in all USDA contracts when practical. However, USDA program and contracting officials are encouraged to consider the inclusion of biobased items

that have not yet been designated. Once an item is designated, USDA shall procure only those products that meet the designation criteria. In either circumstance, the procurement of biobased products applies to only those biobased products that are reasonably available, meet relevant industry performance standards, and are reasonably priced.

To implement the requirements of Section 9002 of FSRIA, Departmental Administration is:

1. developing procurement policies, guidelines, procedures, and an Affirmative Procurement Plan (APP) for designated biobased products (See www.usda.gov/biobased); and
2. working with USDA, Federal, and industry officials, to identify biobased procurement opportunities and to assist program managers in developing Statements of Work that include biobased products.

Each Deputy Assistant for Management (DAM) is responsible for taking a personal and proactive commitment to promote the Department's biobased program. Each DAM should:

1. identify biobased procurement opportunities for the remainder of fiscal year 2006 and take the appropriate procurement action to ensure designated biobased products are acquired in accordance with applicable USDA and Federal policy. (See 7 CFR Part 2902, Section 2902.4, dated February 10, 2005).

Many opportunities exist in the following service categories: (1) Facilities Operations Support Services, (2) Construction, (3) Landscaping and Grounds Keeping (4) Maintenance and Repair of Vehicles and Trailers, (5) Maintenance, Repair and Alterations, (6) Custodial and Janitorial Services, and (7) Food Services/Cafeteria.

2. ensure that procurement opportunities are identified where biobased products can be used and incorporated into your agencies fiscal year 2007 Office of Small and Disadvantaged Business Utilization's (OSDBU) procurement forecast and every procurement forecast thereafter.
3. ensure that contracting officers incorporate the following sentences into the synopsis description being submitted to the Federal Business Opportunities (FedBizOpps) for all procurement requirements that include biobased products.

“This procurement requires the use of biobased products to the extent that such products are reasonably available, meet agency or relevant industry performance standards, and are reasonably priced. Such products should first be acquired from among qualified products that fall under the

umbrella of items designated through the Federal Biobased Products Preferred Procurement Program (FB4P).”

You are encouraged to share this memorandum with your management/program officials, and other personnel responsible for developing contract requirements. You are also encouraged to use the tools on our web site to expand the award of biobased contracts and orders (www.usda.gov/biobased). Those interested in learning more about the Biobased Program or for assistance in identifying procurement opportunities within your agency, please contact either Mike Green, 202-720-7921 or Shana Love, 202-205-4008.

THIS PAGE INTENTIONALLY BLANK

May 23, 2006

AGAR ADVISORY

**UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF PROCUREMENT AND PROPERTY MANAGEMENT
PROCUREMENT POLICY DIVISION
AGAR ADVISORY NO. 82**

**Requisite Language for Federal Business Opportunities (FedBizOpps) Solicitation
Descriptions When Designated Biobased Items are Included as Part of a USDA Contract
Requirement**

INTRODUCTION: The purpose of this Agriculture Acquisition Regulation (AGAR) Advisory is to 1) standardize FedBizOpps synopsis language for USDA contract requirements that contain biobased products and 2) improve a business' ability to identify USDA contract requirements that contain biobased product requirements through a FedBizOpps synopsis.

SUMMARY:

Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA), 7 U.S.C. 8102, charges the Department of Agriculture (USDA) with the development and implementation of a comprehensive affirmative procurement program (APP) to increase the procurement and use of biobased products. USDA's APP is available at <http://www.usda.gov/procurement/biobased/APP.pdf>.

Biobased products are commercial or industrial products that are composed in whole, or in significant part, of biological products or renewable domestic agricultural materials or forestry materials. Over 150 categories (Items) of biobased products have been identified for designation by the Secretary. A detailed description of each Item category can be found at <http://www.biobased.oce.usda.gov/public/categories.cfm>.

The biobased procurement program to increase the procurement and use of biobased products is an important issue to USDA leadership. The importance and impact of the program to USDA's customers is considerable. Its success will stimulate new markets and help create new investment, job formation, and income generation in rural America.

OBJECTIVE:

To increase the purchase and use of biobased products at USDA

Strategies to meet the objective include:

- 1 . Promote biobased product awareness and requirements to USDA staff at all levels and to other Federal users;
2. Ensure that potential vendors are able to easily identify those USDA solicitations that contain biobased product requirements; and
3. Ensure designated biobased products receive a preference for inclusion as requirements in appropriate USDA contracts over the simplified acquisition threshold.

ACTION:

Program officials are responsible for identifying the contract needs of their respective organizations. Where possible, they should consider including biobased products to replace non-biobased products for a specific contract requirement. When developing the statement of work (SOW) for a contract requirement that contains biobased products, program personnel should conduct a market research to determine availability and cost of the identified biobased products. Once the SOW has been completed, it shall be forwarded to their cognizant contracting office serving their organization.

The contracting officer (CO) shall ensure, when biobased products have been included in a contract requirement, that the following two sentences are incorporated into the Synopsis description submitted to the Federal Business Opportunities (FedBizOpps):

“This procurement requires the use of biobased products to the extent that such products are reasonably available, meet agency or relevant industry performance standards, and are reasonably priced. Where available, these products should first be acquired from among qualified products that fall under the umbrella of items designated through the Federal Biobased Products Preferred Procurement Program (FB4P)”.

EFFECTIVE DATE

The provisions of this Advisory are effective immediately.

If you have any questions or comments regarding this advisory, please contact Mike Green by phone at (202) 720-7217, fax at (202) 720-8972, or by e-mail at Mike.Green@usda.gov

EXPIRATION DATE: Effective until canceled.

[END]