



APPENDIX C

HHS Policy for Sustainable and High Performance Buildings

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1. PURPOSE

To promote the health of the public and our employees and minimize potential impacts of our mission activities on the environment, each Operating Division (OPDIV) of the Department of Health and Human Services (HHS) will incorporate sustainable and high-performance design principles in the planning, acquiring, siting, designing, building, operating, maintaining and decommissioning of all facilities.

2. BACKGROUND

In January 2006, HHS joined 18 other federal agencies and authorities in signing the Federal Leadership in High Performance and Sustainable Buildings Memorandum of Understanding (MOU) at the White House Summit on Federal Sustainable Buildings. A provision of that MOU was to establish implementation strategy within 180 days of the date of signature. The Executive Order 13327 – Federal Real Property Asset Management and the HHS Real Property Asset Management Plan call for the Department to establish a sustainability policy.

In September 2006, the Department issued its initial policy for Sustainable and High Performance Buildings. In December 2006, the Department issued its initial plan for implementing the policy.

In January 2007, Executive Order 13423 – Strengthening Federal Environmental, Energy, and Transportation Management required Agencies to incorporate sustainable practices consistent with the MOU Guiding Principles.

As outlined in the MOU, sustainability is the outcome of an integrated process of facility development incorporating a balance of life-cycle cost, environmental impact and occupant health and safety, security, and productivity. The *Guiding Principles* of sustainable design contained in the MOU are:



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- Employ Integrated Design Principles
 - Integrated Design
 - Commissioning
- Optimize Energy Performance
 - Energy Efficiency
 - Measurement and Verification
- Protect and Conserve Water
 - Indoor Water
 - Outdoor Water
- Enhance Indoor Environmental Quality
 - Ventilation and Thermal Comfort
 - Moisture Control
 - Daylighting
 - Low-Emitting Materials
 - Protect Indoor Air Quality during Construction
- Reduce Environmental Impact of Materials
 - Recycled Content
 - Bio-based Content
 - Construction Waste
 - Ozone Depleting Compounds

This update to the policy incorporates the Department's implementation strategy and the requirements of E.O. 13423.

3. POLICY

3.1 All construction¹ projects will incorporate the *Guiding Principles* of the MOU into the planning, design, construction, operation, maintenance, and decommissioning processes. Construction projects under the scope of this policy, which have a total project cost equal to or greater than \$3 million, will obtain certification from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEEDTM) or the Green Building Initiative's Green GlobesTM System.

3.2 Existing facilities will incorporate the *Guiding Principles* of the MOU to the maximum extent feasible in all improvement, repair and maintenance projects. In addition to incorporating the *Guiding Principles* of the MOU, improvements and repair projects, which have a total project cost equal to or greater than \$10 million and/or impacting 40% or more of the overall floor area, will obtain certification from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEEDTM) or the Green Building Initiative's Green GlobesTM System.

¹ Construction includes new buildings, additions and build-to-lease buildings as defined in the HHS Facilities Program Manual, Volume 1, 19 May 2006.



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In addition, existing buildings shall be assessed for compliance with the *Guiding Principles* of the MOU to ensure that 15% or more of the HHS capital asset building inventory incorporates the sustainable practices in the *Guiding Principles* by FY 2015. The HHS capital asset building threshold for incorporating sustainable practices in existing buildings is 5,000 gross square feet or more, excluding housing. HHS will develop a strategy to incorporate sustainable practices into housing.

3.3 All new lease actions² 5,000 useable square feet (usf) or more will incorporate the *Guiding Principles* of the MOU to the maximum extent feasible. New lease actions under 5,000 usf will consider the *Guiding Principles* as one criterion for lease evaluation.

Requests for waivers shall be considered on a case-by-case basis for individual projects. The Deputy Assistant Secretary, Office for Facilities Management and Policy, Office of the Assistant Secretary for Administration and Management (OFMP/ASAM) must approve waivers and any other exceptions to the provisions of this policy as required by E.O. 13423.

3.4 To the maximum extent feasible sustainable design practices shall be considered in the design requirements for facilities funded through extramural construction grants of \$1 million or more.

4. SCOPE

This policy for Sustainable and High Performance Buildings applies to all buildings under the control of the Department and all OPDIVs, including all buildings that are reported in the HHS Automated Real Property Inventory System (ARIS), whether owned or leased and operated by HHS, or operated on behalf of HHS. This policy does not apply to tribally owned and operated buildings under the authorities of P.L. 93-638.

5. ROLES AND RESPONSIBILITIES

5.1 Deputy Assistant Secretary, Office for Facilities Management and Policy, Office of the Assistant Secretary for Administration and Management

The HHS Office for Facilities Management and Policy will serve as the principal point of contact for sustainable design and construction activities and will:

² Lease actions include all new leases, renewals, extensions, permits, agreements, or licenses for real property assets that are reported in the HHS Automated Real Property Inventory System.



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- a. Monitor compliance with this policy for all capital assets as defined in OMB Circular A-11 Part 7.
- b. Review and approve exceptions to this policy for capital assets through the Facilities Project Approval Agreement (FPAA) documentation.
- c. Conduct an annual Lessons Learned workshop to address sustainability and its application in HHS projects.

5.2 Operating Divisions (OPDIVs)

Individual OPDIVs will manage the planning, design, construction, operation, maintenance, and decommissioning of their buildings to ensure compliance with this policy. Each OPDIV shall develop a plan that includes:

- a. Policies, procedures and plans to ensure compliance with this policy and the Department's Implementation Plan and Guidelines associated with this policy.
- b. A data collection mechanism that ensures the reporting requirements of this policy are achieved.
- c. A self audit process to assess the OPDIV's implementation progress and compliance with this policy.
- d. Documentation of sustainability on individual projects and leases through the FPAA and/or sustainability Checklists.

6. INFORMATION AND ASSISTANCE

6.1 Executive Orders and Statutes

Executive Order 13327: Federal Real Property Asset Management

Executive Order 13423: Strengthening Federal Environmental, Energy, and Transportation Management

Energy Policy Act of 2005 (EPAAct 2005)

6.2 Other Directives

OMB Circular A-11, Part 7, Planning, Budgeting, Acquisition, and Management of Capital Assets

The Federal Leadership in High Performance and Sustainable Buildings, Memorandum of Understanding



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Affirmative Procurement Plan, Purchasing Environmentally Preferable Products and Services at the Department of Health & Human Services - <http://intranet.hhs.gov/environmental/documents/APPMay2007.doc>

6.3 Assistance

FedCenter - www.fedcenter.gov

US Green Building Council – www.usgbc.org

Office of the Federal Environmental Executive – www.OFEE.gov

Whole Building Design Guide – www.wbdg.org

EO 13423 Technical guidance for Implementing the Five Guiding Principle for Federal Leadership in High Performance and Sustainable Design – www.wbdg.org/sustainableEO/

Green Globes™/MOU Mapping Guide – www.thegbi.org/assets/pdfs/MappingTheEnvironmentalExecutiveObjectiveAndGreenGlobesV1.pdf

LEED™/MOU Mapping Guide www.wbdg.org/pdfs/mou_lead_guide.pdf

Green Building Initiative – www.thegbi.org

Labs21 Environmental Performance Criteria – www.labs21century.gov/toolkit/epc.htm

7. EFFECTIVE DATE/IMPLEMENTATION

This policy directive is effective upon date of signature and transmittal.