DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Washington, D.C 20201

September 8, 2006

TO: Facility Directors
Operating Divisions

FROM: William C. Stamper, PE
Deputy Assistant Secretary
Office for Facilities Management and Policy

SUBJECT: Transmittal of HHS Policy for Sustainable and High Performance Buildings

Attached is the HHS Policy for Sustainable and High Performance Buildings requiring each Operating Division to incorporate sustainable and high performance design principles in the planning, acquiring, siting, designing, building, operating, maintaining and decommissioning of all HHS facilities. This policy incorporates the *Guiding Principles* of the Federal Leadership in High Performance and Sustainable Buildings Memorandum of Understanding. Collaboration across the Operating Divisions was instrumental in defining the policy, and I wish to personally thank you and your staff for your participation.

The policy will be posted on the OFMP website and incorporated into the next update of the HHS Facilities Program Manual, Volume 1. If you have any questions regarding this policy, please contact Diane Stewart at (202) 205-4773.

Attachment

HHS Policy for Sustainable and High Performance Buildings

Table of Contents

1. Purpose
2. Background
3. Policy
4. Scope
5. Role and Responsibilities
6. Information and Assistance
7. Effective Date/Implementation

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 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, the Department of Health and Human Services 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. Executive Order 13327 and HHS Real Property Asset Management Plan call for the Department to establish a sustainability policy.

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 primary elements of sustainable design contained in the MOU are:

- 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

3. POLICY

All construction projects will incorporate the primary elements of the MOU into the planning, design and construction processes. Facilities constructed with Federal funds 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 (LEED™) or the Green Building Initiative's Green Globes green building rating system.

Existing facilities will incorporate the primary elements of the MOU to the maximum extent feasible in all improvements and repair projects, which have a total project cost equal to or greater than $1 million, and in all maintenance projects, which have a total project costs equal to or greater than $3 million. In addition to incorporating the primary elements of the MOU, improvements and repair projects, 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 (LEED™) or the Green Building Initiative's Green Globes green building rating system.

All leased facilities shall incorporate the primary elements of the MOU to the maximum extent feasible 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.

4. SCOPE

This policy for Sustainable and High Performance Buildings applies to all real property assets under the control of the Department and all OPDIVs, including all assets that are reported in the HHS Automated Real Property Inventory System (ARIS), whether owned and operated by HHS, or operated on behalf of HHS. This policy does not apply to tribally owned and operated facilities 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:

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 and maintenance of their facilities 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 through the FPAA.

6. INFORMATION AND ASSISTANCE

6.1 Executive Orders

Executive Order 13101: Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition

Executive Order 13123: Greening the Government Through Efficient Energy Management

Executive Order 13134: Developing and Promoting Biobased Products and Bioenergy

Executive Order 13148: Greening the Government Through Leadership in Environmental Management

Executive Order 13149: Greening the Government Through Federal Fleet and Transportation Efficiency

Energy Policy Act of 2005 (EPAct 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

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

Green Building Initiative – www.thegbi.org

7. EFFECTIVE DATE/IMPLEMENTATION

The following requirements provide a timeline for phasing in the implementation of this policy. Following this timeline will ensure sustainability has a direct link to the HHS budget process.

a. Each Landholding OPDIV shall incorporate this policy into at least one project requiring a FPAA submittal by the 2008 Fiscal Year.
b. Each landholding OPDIV shall incorporate this policy into at least 50% of projects requiring a FPAA submittal for the 2009 Fiscal Year.
c. Each landholding OPDIV shall incorporate this policy into 100% of eligible projects for the 2010 Fiscal Year and beyond.

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