

**Federal Acquisition Regulation
Federal Acquisition Circular 2024-05 Summary of Rule
FAC 2024-05**

<u>Item</u>	<u>Subject</u>	<u>FAR Case</u>
I	Sustainable Procurement	2022-006

Item I — Sustainable Procurement (FAR Case 2022-006)

This final rule amends the FAR to restructure and update FAR part 23 to focus on current environmental and sustainability matters and to implement a requirement for agencies to procure sustainable products and services to the maximum extent practicable.

As a result of this rule, content related to sustainable products and services, energy savings performance contracts, hazardous and radioactive materials, pollution prevention at Federal facilities, and greenhouse gases are consolidated into single subparts at FAR subpart 23.1, 23.2, 23.3, 23.4, and 23.5, respectively. Non-environmental matters, to include requirements for a drug-free workplace and encouraging contractors to ban texting while driving, are moved to FAR part 26. The existing statutory and other Environmental Protection Agency (EPA) purchasing program requirements (previously implemented in FAR subparts 23.2, 23.4, 23.7, and 23.8) are consolidated in FAR subpart 23.1.

A new omnibus contract clause at FAR 52.223– 23, Sustainable Products and Services, will require contractors to ensure the sustainable products and services identified in the contract are delivered, incorporated, or furnished under the contract.

The rule also updates agency requirements for construction and architect-engineer contracts at FAR 36.104(b)(1) to align with the Council on Environmental Quality’s Guiding Principles for Federal Leadership in High-Performance and Sustainable Buildings.

Item II — Technical Amendments

An administrative change is made at FAR 1.106, 1.401, 4.1702, 5.704, 8.402, 8.404, 8.405–1, 8.405–2, 8.405–3, 8.405–6, 16.505, 19.305, 19.507, 28.203–1, 31.205–40, 39.000, and 52.212–3.