



DIRECTIVES: JOB CORPS PROGRAM INSTRUCTION NOTICE NO. 20-16

TO: ALL JOB CORPS NATIONAL OFFICE STAFF
 ALL JOB CORPS REGIONAL OFFICE STAFF
 ALL USDA FOREST SERVICE CENTER DIRECTORS
 ALL JOB CORPS CENTER DIRECTORS
 ALL JOB CORPS CENTER OPERATORS

FROM: DEBRA A. CARR
 Acting National Director **Debra Carr**
 Office of Job Corps

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Date: 2021.04.09
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SUBJECT: Energy Efficiency Exemptions

1. Purpose. To provide guidance to Job Corps Centers on how to request an exemption of Energy Efficiency requirements. Centers having difficulty in meeting Energy Efficiency requirements, as per the Federal Acquisition Regulations, must have an exemption when making requests for funds from the Construction Rehabilitation and Acquisition (CRA) Budget.
2. Background. Federal Acquisition Regulations Section 52.223-15 Energy Efficiency in Energy-Consuming Products states that energy consuming products shall be energy efficient products. Energy efficient products meet the following criteria:
 - Meet U.S. Department of Energy and Environmental Protection Agency criteria for use of the Energy Star trademark label; or
 - Are in the upper 25 percent of efficiency for all similar products as designated by the U.S. Department of Energy’s Federal Energy Management Program (FEMP).

Unless:

- The energy-consuming product is not listed in the ENERGY STAR® Program or FEMP; or
- Otherwise approved in writing by the Contracting Officer.

The USC 42 Section 8259b sets the following exceptions to the Energy Star or FEMP requirement:

- An Energy Star product or FEMP designated product is not cost-effective over the life cycle of the product taking energy cost savings into account; or

- No Energy Star product or FEMP designated product is reasonably available that meets the functional requirements of the agency.

The following link has a list of all products that are either Energy Star rated or on the FEMP designated product list:

<https://www.energy.gov/eere/femp/search-energy-efficient-products>

3. Action. Centers shall submit for an exemption via the CRA request system. The request for exemption will be included in the CRA request for funds. The Division of Facilities and Asset Management (DFAM) will evaluate the request for exemption and the CRA request for funds as per the standard process. If an exemption requires Contracting Officer approval, DFAM will forward with a recommendation.

Centers will be granted exemptions when:

- The product is not listed in the Energy Star list or the FEMP designated product list. Every CRA request undergoes a sustainability review to see if it meets federal standards for sustainability. This review will verify the product is not listed and then note in the CRA request notes. This type of exemption does not require the Contracting Officer to sign off and would be approved by DFAM.
- For life cycle cost analysis exemptions, a life cycle cost analysis using the most recent version of the Building Life Cycle Cost (BLCC) program (currently BLCC version 5_3_20 for windows) will be prepared. If the Life Cycle Cost is less for a product not rated by Energy Star or a FEMP designated product, DFAM may recommend to the Contracting Officer to approve that product. Centers should submit a technical support request through their region to DFAM to get a life cycle cost for a CRA request.
- For Energy Star or FEMP designated products that are not reasonably available in a locality, at least 3 different contractors shall be required to state in writing that the Energy Star rated products or FEMP rated products or products which meet the Energy Star or FEMP specifications are not locally available. The Contracting Officer must concur.

4. Effective Date. Effective immediately until superseded.

5. Inquiries. Your designated Engineering Support Contract Project Manager. If you have questions about the CRA request system, please contact Eric Siddle 703-875-7647, siddle.eric@dol.gov