

Executive Order No. 4 Interagency Committee on Sustainability and Green Procurement Green Specification Approval Process

Executive Order No. 4 (EO 4) charges the Interagency Committee on Sustainability and Green Procurement with the development of green procurement specifications for use by state agencies and public authorities. While EO 4 does not include public participation requirements, the Interagency Committee had adopted a two-step process for green specification approval in order to allow for public comment. The first time a specification is reviewed and approved by the Committee, it is posted as “tentatively approved” on the Office of General Services (OGS) GreenNY web page. The next time the Committee meets, public comments are reviewed, the Committee makes any needed edits, and if a majority of the Interagency Committee vote affirmatively for final approval, the specification or amended specification is posted as “approved.”

In recent years, the long time frame between Interagency Committee meetings (essentially annual meetings), has made the time between tentative approval and final approval unnecessarily lengthy. To remedy this situation, the Committee is adopting a new process for gathering public input on green specifications, as outlined below.

1. Following tentative approval by the Interagency Committee, draft green specifications will be posted on the OGS EO 4 (green procurement) webpage, and noticed in two of the following publications: the NYS Register, Environmental Notice Bulletin, or the NYS Contract Reporter. The Interagency Committee may determine additional appropriate outreach on a case-by-case basis.
2. Public comments will be gathered by submittal to the EO 4 email address, GreenEO4@ogs.ny.gov or by mail to either the Commissioner of OGS or the Commissioner of the Department of Environmental Conservation (DEC).
3. If no suggested edits or negative comments are received on a draft specification within 90 days of posting in the NYS Register, Environmental Notice Bulletin, or the NYS Contract Reporter, whichever is later, the draft specification will be considered approved and posted as such.
4. If suggested edits or negative comments are received on a draft specification, the Green Procurement Subcommittee will review and submit recommendations to the Interagency Committee, which will make any needed edits at the Interagency Committee’s next meeting. At the same meeting, the specification or amended specification will be voted on, and if a majority of the Interagency Committee vote in the affirmative, the specification or amended specification will be posted as approved.