

# STATE OF COLORADO

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John W. Hickenlooper  
Governor

## D 2018 026

### EXECUTIVE ORDER

#### Greening of State Government

Pursuant to the authority vested in the Governor of the State of Colorado, and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order restating and amending Executive Order D 2015 013, where applicable, to reflect the State's goals for the Greening of State Government and reflect the State's commitment to efficient and sustainable government operations.

#### I. Background and Purpose

The daily activities of State government have a significant impact on the quality of Colorado's public health, environment, and use of natural resources. Through a series of executive orders starting in 2003, Colorado State government has led by example in reducing energy consumption, increasing use of renewable energy, decreasing the environmental impact of State vehicles, and reducing greenhouse gas emissions. The 2012 Colorado Greening Government Report Card, which summarized outcomes on a series of multi-year goals and initiatives, highlighted numerous achievements including a 21% reduction in energy use per square foot in State facilities, annual savings of 40 million kWh and 150 million gallons of water as a result of energy performance contracting, design and construction of 54 LEED-certified buildings, and a 5.3% reduction in petroleum use. Collectively these actions continue to save taxpayer money and reduce impacts on Colorado's environment and public health.

Since 2005, the Colorado Greening Government Coordinating Council (the Council) has been at the forefront of these efforts, serving as a resource to State agencies and departments and supporting achievement of past sustainability goals. This Executive Order establishes a new Council, changing its name to the Greening Government Leadership Council. Each Executive Director shall designate one representative to participate on the Council. The Council will continue to support efforts to make State government operations more sustainable and ensure that Colorado remains a nationally recognized and highly regarded leader in advancing outstanding State government business practices that promote a healthy environment and foster economic and social vitality. The Council, working through each agency-appointed representative, will continue to serve as a resource to State agencies and departments to develop,

implement, and evaluate strategies that support achievement of the Greening Government goals and directives listed below. On an annual basis the Council will collect data for each of the goals and directives listed below and provide the Administration with a report card on progress toward goals and agency and department accomplishments.

This executive order establishes responsibility for environmental leadership in all State agencies and departments. The Executive Director of each agency and department shall support development and implementation of plans, programs, and policies that incorporate sustainability practices into daily agency decision-making and long term planning across all agency and department activities and functions. With support from the Council, agencies and departments will engage staff in efforts to achieve these goals through education, training, and opportunities for participation. Executive Directors will be made aware of agency and State progress through annual meetings with their Greening Government Leadership Council representative.

This Executive Order restates and amends, where applicable, Executive Order D 2015 013, which set one- and five-year goals in the areas of energy and water efficiency, petroleum reduction, greenhouse gas emissions reduction, and environmental preferable purchasing, and outlined high level directives in each area to ensure that the State successfully meets these goals which apply to all executive agencies and departments. The goals and directives in this Executive Order supersede previous Greening Government Executive Orders D 014 03, D 005 05, D 011 07, D0012 07, and D 2010-006.

## II. Greening Government Goals

I hereby direct the Greening Government Leadership Council to work with all executive State agencies and departments to achieve the goals listed below. Collectively, all executive State agencies and departments shall:

1. Energy and Water Management
  - a. Reduce energy consumption per square foot by a minimum of 2% annually (normalized for weather) and at least 12% by FY 2020 from a baseline of FY 2015. Executive State agencies and departments shall further achieve an absolute reduction of energy consumption by 5% over the same time period.
  - b. Reduce potable water consumption by a minimum of 1% annually (normalized for weather) and at least 7% by FY 2020 relative to an FY 2015 baseline.
2. Vehicle Petroleum Consumption
  - a. Reduce average petroleum-based fuel consumption per vehicle by a

minimum of 4% annually and at least 20% by FY 2020 from a baseline of FY 2015 or 2% annually and at least 10% by FY 2020 for vehicles deemed exempt. Executive State agencies and departments shall further achieve an absolute reduction in petroleum-based fuel consumption by 15% or 7.5% for vehicles deemed exempt over the same time period.

3. Environmentally Preferable Purchasing

- a. In FY 2017, at least 50% of white office paper collectively purchased by all executive State agencies and departments must contain a minimum of 30% post-consumer waste content, increasing annual purchases by 10% to at least 90% of paper purchases by FY 2020.

4. Greenhouse Gas Emissions

- a. Reduce greenhouse gas emissions by a minimum of 1% annually and at least 5% below FY 2015 levels by FY 2020.

III. Directives

The following are applicable to all executive State agencies and departments headed by appointees of the Governor. I hereby order State agencies and departments to achieve these actions:

1. Energy, Water, and Petroleum-Based Fuels Management

- a. Accurate utility and fuel use and cost information is essential to creating meaningful baselines and tracking achievement of Greening Government goals. All executive State agencies and departments are therefore directed to utilize EnergyCAP to track energy, water (potable and nonpotable), and petroleum-based fuels on a monthly and annual basis. As the administrator of EnergyCAP, the Colorado Energy Office (CEO) will work with each agency and department to facilitate adoption and use of EnergyCAP and ensure that all FY 2015 baseline data are entered by March 31, 2016.

2. Energy and Water Management at State-Owned Facilities

- a. By October 31, 2016, and each October thereafter, each State agency and department shall deliver to their Executive Director and the Council an energy and water management report (template to be provided by the Council) that reports on progress made to reduce energy and water consumption in the previous fiscal year and identifies actions that will be taken in the current fiscal year. This document shall include at minimum:

- i. Actions taken, best management practices implemented, utility costs (monthly and annual), utility benchmarking status (on consumption) for facilities, retro- and ongoing-commissioning efforts, and results of energy and water efficiency efforts in the previous fiscal year including progress toward Greening Government goals, and
  - ii. Actions that will be taken in the current fiscal year to continue agency efforts to find and capitalize on opportunities to reduce energy and water (potable and non-potable) consumption.
- b. All agencies and departments shall include in their capital construction or capital renewal request for new construction and substantial renovations:
  - i. Funding necessary to meet the State's High Performance Certification Program.
  - ii. Analysis of on-site renewable energy generation or the purchase of renewable clean energy.
  - iii. Documentation on how the agency plans to meet C.R.S. 24-30-1305.5 on reporting utility data to the Office of the State Architect (OSA) through either a nationally recognized building certification program or other OSA accepted procedure.
- c. With support from the OSA, all executive agencies and departments with State-owned facilities shall complete a feasibility study for Energy Performance Contracting (EPC) every five years following the guidelines maintained by the CEO and OSA. For facilities that have not undergone a feasibility study or where the last study was conducted prior to July 1, 2010, the agency or department shall initiate a study by March 31, 2016. For those facilities where an EPC is found to be feasible, viable, and economically sound, the agency or department shall initiate the EPC process with the support of CEO and OSA. As part of the controlled maintenance and capital renewal request process, agencies must reference the most recent EPC feasibility study and demonstrate that requested items cannot be completed as part of an EPC.
- d. Executive agencies and departments shall investigate opportunities to transition from potable to non-potable water sources (i.e. well or ditch) where appropriate. Using non-potable water reduces the energy and chemicals used to purify and transport potable water. Agencies and

departments shall report out on progress in this area as part of the annual energy and water management report.

3. Vehicle Petroleum Consumption

- a. This Executive Order covers all State fleet vehicles including those managed by the Department of Personnel and Administration (DPA) and Colorado Department of Transportation (CDOT). Institutions of Higher Education are encouraged to comply with the stated goals and directives for petroleum reduction. Exempt vehicle status will be determined mutually between DPA and agencies requesting exemptions on a one-time basis prior to establishing the baseline report.
- b. Members of the CEO, CDOT, Colorado Department of Public Health and Environment (CDPHE) and DPA shall establish a State fleet Sub-Council to help develop, implement, and improve programs, plans, and policies that save money, reduce emissions, promote domestic fuel use, and conserve natural resources. The Sub-Council, led by DPA, shall include fleet coordinators or other agency representatives and members from institutions of higher education as appropriate. Sub-Council members shall be appointed by agency and department Executive Directors. The Sub-Council shall:
  - i. Develop standard procedures and formulas for modeling and monitoring potential alternative fuel vehicles (AFVs) and fuel reduction efforts that link acquisition and operations budgets.
  - ii. Create an anti-idling policy for use by all executive State agencies and departments by June 30, 2016; enforcement of this policy will be required of all agencies and departments with the support of DPA.
  - iii. Create a process that allows fleet coordinators to replace vehicles before standard retirement age with alternative fuel vehicles if replacement is deemed cost-effective.
  - iv. Identify and evaluate other fuel-saving practices and develop procedures for their implementation.
  - v. Evaluate alternative financing options for State fleet vehicles including leasing, energy performance contracting, and other options that may reduce costs for the State vehicles.
- c. DPA and CDOT shall establish policies and procedures to promote the cost-effective use of non-petroleum fuel vehicles and other fleet efficiency improvements wherever feasible. These policies shall strive for the use of non-gasoline and non-diesel based fuels a minimum of 90% of the time

when deemed cost-effective.

- d. In alignment with the multi-state effort Colorado helped lead, the State fleet and CDOT will purchase natural gas vehicles whenever possible as determined by DPA and CDOT consistent with C.R.S. 24-30-1104 where natural gas fueling is available or planned. Where natural gas vehicles are not viable options, the State fleet and CDOT will consider other alternative fuel vehicles including plug-in electric, hybrid, and propane vehicles. All new vehicles purchased by the State fleet and CDOT will either be alternatively fueled or exceed the appropriate CAFE standard; purchasing decisions shall be based off of a life cycle cost analysis.
- e. In order to provide maximum flexibility and to support similar efforts by local governments, DPA and CDOT shall include alternative fuel and hybrid vehicles in annual State pricing agreements. Each solicitation shall include a variety of AFVs including compressed natural gas, hybrid, electric, and propane vehicles. DPA and CDOT shall explore opportunities to expand State pricing into alternative fuel and fuel efficient heavy duty equipment. DPA and CDOT shall also include idle reduction technologies and telematics solutions in the State bid and budgeting process. DPA shall collaborate with agencies through a process that enhances fleet coordinators' input into the bid specification process.
- f. All executive agencies and departments shall evaluate opportunities to improve commuting options for employees including the installation of workplace charging for electric vehicles, coordinating with CEO as needed for technical guidance and support.

#### 4. Environmentally Preferable Purchasing

- a. DPA shall develop a process to track the purchase of white office paper and the percentage of purchases that contain at least 30% post-consumer recycled content off of State price agreements and establish an FY 2016 baseline by June 30, 2016. Council members shall work with their agency purchasing staff to track the purchase of white office paper and the percentage of purchases that contain at least 30% post-consumer recycled content from other sources over the same time period.
- b. The State Purchasing Office (SPO) shall work with the Council, executive State agencies and departments, and vendors to identify top State spend categories in existing price agreements and provide a report to the Council and Executive Director of DPA by March 31, 2016. By June 30, 2016, the Council, working with the SPO, shall develop an EPP initiative that

includes quantifiable goals and metrics beginning in FY 2017 and continuing through FY 2020 for the top categories and price agreements. These shall be presented to the Executive Director of DPA for review and approval.

- c. The SPO, working with the Council, shall develop best practices and guidelines to increase EPP for inclusion in the Commercial Card Guidance by June 30, 2016. Starting in FY 2017, on an annual basis the SPO and Council shall review and update the Guidance as needed. This review shall include an evaluation of opportunities to improve data-gathering and analysis of procurement card spend as it relates to EPP.
- d. On an annual basis, the SPO and Council shall review and update the Environmentally Preferable Purchasing Policy as needed with the first review and update occurring no later than June 30, 2016.
- e. The Council, working with the SPO, shall develop a set of recommended EPP products and services that can be utilized by State agencies to meet EPP goals and metrics by June 30, 2016.

#### 5. Recycling and Waste Management

- a. All State agencies and departments, working with CDPHE and the Council, shall develop and submit a plan for waste prevention and diversion to the Council by December 31, 2016. These plans must set clear goals for expanding waste prevention and diversion efforts within the agency or department as well as identify a measurement plan to assess progress toward goals. By June 30, 2017, the Council shall develop quantifiable goals and metrics for recycling and waste diversion across State Government beginning in FY 2018 and continuing through FY 2020. These shall be presented to CDPHE's Director of Environmental Programs for review and approval.

#### 6. Greenhouse Gas Emissions

- a. On an annual basis all executive agencies and departments shall provide the Council with any necessary information not captured in EnergyCAP that is needed to calculate greenhouse gas emissions and complete the annual greenhouse gas emissions report.

#### 7. Leased Facilities

- a. Executive agencies and departments in leased space not owned by the

State will be exempt from the Greening Government energy, water, and greenhouse gas goals for that space unless they meet all of the following criteria:

- i. Lease 75% or more of a building (leased space must be sub-metered),
  - ii. Leased square footage is 10,000 SF or greater, and
  - iii. Agency pays utility bills OR has access to utility bills.
- b. DPA and the Council shall prepare a set of Greening Government Best Practices for State Agencies in Leased Space for use by agencies and departments exempted from the energy and water goals by June 30, 2016.

DPA and the Council shall create a green lease policy with standards similar to the directives for energy and water as outlined in this executive order for all new leases and renewals by June 30, 2016. When reasonable, space certified under ENERGY STAR or other high performance building certification program will be given preference when negotiating any new lease.

8. Annual Report Card

- a. By December 15, 2016 and each year thereafter, the Council shall prepare a report card for the Administration that highlights progress toward goals and agency and department accomplishments for the prior fiscal year.

IV. Amendments

Section III. 2. is hereby amended to add the following:

- e. Agencies may count electricity generated through on or off-site solar, wind, or other renewable technology toward the reduction in energy use goal. To be eligible, the renewable energy must have been generated after initial execution of Executive Order D 2015 013.
- f. State agencies, with the support of CEO, shall participate in local benchmarking and transparency ordinances by making utility data and other required information available for State-owned buildings located in those jurisdictions.

Section III. 3. is hereby amended to add the following:

- g. In support of the Colorado Electric Vehicle Plan, as directed by Executive



Order D 2017 015, Supporting Colorado's Clean Energy Transition, State agencies are directed to achieve the following:

- i. Increase the number of State workplaces with more than 25 employees that offer workplace charging by 2020. DPA and CEO, working with other State agencies, shall develop a policy to allow State agencies to provide workplace charging to their employees at no cost. DPA shall update the Fiscal Rule regarding perquisites to implement the Executive Order and to authorize a policy that provides further detail on workplace charging.
- ii. State agencies will prioritize purchase of electric vehicles (EVs) for light-duty applications, increasing the number of EVs (battery EVs or plug-in hybrid EVs) in operation or on order from 32 EVs in January 2018 to at least 200 EVs by end of calendar year 2020.
- iii. DPA and CEO will work with State agencies to identify and address barriers in the State's vehicle planning and procurement processes that limit increased adoption of EVs.
- iv. DPA and CEO will investigate establishing a price agreement for EV charging stations.

Section III. 4. b. is hereby amended to add the following:

- i. By December 31, 2018, SPO will research and identify replacement contracts that provide more environmentally preferable products available for Facilities Maintenance, Repair, and Operations (MRO) and Janitorial Products purchased off State price agreements. The SPO will also include requirements for more robust reporting and vendor-provided training.
- ii. By December 31, 2019, the SPO will research and identify replacement contracts that provide more environmentally preferable products available for Office Supplies purchased off State price agreements. The SPO will also include requirements for more robust reporting and vendor-provided training.
- iii. In FY 2020, the SPO will establish a baseline for environmentally preferable products purchased off the Facilities Maintenance, Repair, and Operations and the Office Supplies price agreements for use in establishing future EPP goals.

- iv. The GGLC will work with SPO to identify opportunities to improve EPP language in State solicitations and contracts by June 30, 2018. The SPO will engage a consultant to develop the EPP language for review by the GGLC and SPO by December 31, 2018. The GGLC and SPO will then distribute the final EPP language to purchasing staff and agency end users by March 30, 2019.
- v. The SPO will continue to work with the GGLC and State agencies to incorporate environmentally preferable requirements into new State price agreements as the opportunity arises to increase availability of environmentally preferable products and services.

Section III. 5. a. is hereby amended to read as follows:

By June 30, 2019, all State agencies and departments shall estimate a baseline waste diversion rate at the agency/department's most impactful building, complete the State Agency Waste and Recycling Program Assessment, set an agency-specific goal to improve on the baseline waste diversion rate by the end of FY2020, and adopt at least five strategies from the Recycling and Waste Management Strategies: Menu of Options. Each agency or department is required to report on any change in its waste diversion rate by June 30, 2020. The GGLC shall calculate a statewide waste diversion rate based on the agency diversion rates.

V. Duration

This Executive Order shall remain in force until further modification or rescission by the Governor.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this eleventh day of  
September, 2018.

A handwritten signature in blue ink, appearing to read "John W. Hickenlooper".

John W. Hickenlooper  
Governor