(a) Definition. As used in this clause--

Energy-efficient product--

(1) Means a product that--

   (i) Meets Department of Energy and Environmental Protection Agency criteria for use of
       the Energy Star trademark label; or

   (ii) Is in the upper 25 percent of efficiency for all similar products as designated by the

(2) The term "product" does not include any energy-consuming product or system designed or
procur ed for combat or combat-related missions (42 U.S.C. 8259b).

(b) The Contractor shall ensure that energy-consuming products are energy efficient products (i.e.,
ENERGY STAR® products or FEMP-designated products) at the time of contract award, for products
that are--

(1) Delivered;

(2) Acquired by the Contractor for use in performing services at a Federally-controlled facility;

(3) Furnished by the Contractor for use by the Government; or

(4) Specified in the design of a building or work, or incorporated during its construction,
renovation, or maintenance.

(c) The requirements of paragraph (b) apply to the Contractor (including any subcontractor) unless--

(1) The energy-consuming product is not listed in the ENERGY STAR® Program or FEMP; or

(2) Otherwise approved in writing by the Contracting Officer.

(d) Information about these products is available for--

(1) ENERGY STAR® at http://www.energystar.gov/products; and

(2) FEMP at https://www.energy.gov/ee/femp/energy-efficient-products-and-energy-saving-technologies