

ENVIRONMENTALLY PREFERABLE PURCHASING POLICY

POLICY:

This policy requires employees of the City of San Pablo to purchase environmentally preferable products to create markets for environmentally preferable products and close the recycling loop. The purpose of this policy is to: minimize environmental impacts such as pollution and use of water and energy; reduce toxics that create hazards to workers and our community; conserve natural resources; comply with State requirements as contained in 14 CCR Division 7, Chapter 12, Article 12 to purchase recycled-content paper products and recycled-content printing and writing paper and recovered organic waste products and comply with State of California Public Contract Code, Sections 22150-22154 and reduce materials that are landfilled. This purchasing policy is established to document these practices and increase participation in environmentally preferable purchasing (EPP).

STRATEGIES FOR IMPLEMENTATION:

City staff will implement this policy in coordination with the Environmental Services Division. Environmental impact (e.g. recycled content, toxicity, energy usage, polluting emissions, etc.) will be the primary decision factor for functionally-equivalent products that are reasonably available at City suppliers, as long as the cost of the environmentally preferable product is not greater than 20% more than the functionally-equivalent product and does not introduce unacceptable safety trade-offs. City staff must keep record of reasoning when a non-environmentally preferable product is purchased to provide to Environmental Services Staff annually. All questions should be directed to Environmental Services staff.

To the greatest extent feasible, the City will support other local business and government agency efforts, with information and networking to develop environmentally preferable purchasing practices. The City will become a certified "Green Business" in the California Green Business Network and will support other businesses in pursuit of this certification.

1. Source Reduction

- 1.1 The City will institute practices that reduce waste, encourage reuse and result in the purchase of fewer products.
- 1.2 The City will continue to implement and expand current source reduction policies including the single-use plastic bag and plastic foam ("StyrofoamTM") ordinances.
- 1.3 Each department shall purchase products that are durable, long-lasting, reusable or refillable—as long as usage of such products does not violate government codes or regulations, such as food safety—and

avoid purchasing one-time use or disposable products. The City will prioritize use of reusable products at City-wide functions and events.

- 1.4 The City will promote electronic distribution of documents, rather than printing or copying. When producing paper documents, print and copy all documents on both sides to reduce the use and purchase of paper. Printers and copiers shall be set to default to duplex. Color default shall be set to black and white to reduce the use, disposal and purchase of ink cartridges.
- 1.5 Each department shall request vendors eliminate packaging or use the minimum amount necessary of reusable, recyclable or compostable packaging for product protection. Vendors shall be encouraged to take back packaging (e.g. crates, pallets, boxes, etc.) for reuse.

2. Recycled-Content Products

- 2.1 Each department shall purchase and use recycled-content office products, and promotional items—such as toner cartridges, binders, batteries and desk accessories—that contain the highest post-consumer content available, but no less than the minimum recycled content standards established by the Environmental Protection Agency's Comprehensive Procurement Guidelines. The City shall also include such directions in the standard professional services contract.
- 2.2 The City shall use recycled-content materials for City building and roadway construction—as long as usage of such products does not violate government codes or regulations, such as design standards—and include such directions in capital improvement project contracts.
- 2.3 All vendors shall certify in writing the minimum, if not exact, percentage of postconsumer materials in the products, materials, goods, or supplies, offered or sold
- 2.4 **Recycled Content Paper and Paper Products:**
If the fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all departments and divisions of the City shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of the Public Contracts Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended.

Recycled content for the following products are indicated here, and shall follow requirements contained within Sections 12200 and 12209, as amended:

- (1) Recycled paper products shall consist of at least 30 percent, by fiber weight, of postconsumer recycled content fiber, as specified below. Printing and writing paper shall consist of at least 30 percent, by fiber weight, postconsumer recycled content fiber.
- (2) Other paper products shall consist of at least 30 percent, by fiber weight, of postconsumer recycled content fiber, except as specified below:
 - (A) Toilet paper shall consist of at least 45 percent, by fiber weight, postconsumer recycled content fiber.
 - (B) Paper towels shall consist of at least 40 percent, by fiber weight, postconsumer recycled content fiber.
 - (C) Facial tissue shall consist of at least 10 percent, by fiber weight, postconsumer recycled content fiber.
 - (D) Toilet seat covers shall consist of at least 20 percent, by fiber weight, postconsumer recycled content fiber.
 - (E) General purpose paper wipers shall consist of at least 40 percent, by fiber weight, postconsumer recycled content fiber.
 - (F) Food serviceware, including, but not limited to, napkins, plates, bowls, food trays, takeout boxes, placemats, etc. shall consist of at least 40 percent, by fiber weight, postconsumer recycled content fiber.
 - (G) All printing contracts shall include a requirement that the printing and writing paper used shall meet the above noted recycled content requirements.

2.5 All Paper Products and Printing and Writing Paper shall be eligible to be labeled with an unqualified recyclable label as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).

2.6 Electronic Records including copies of receipts, must be kept and made available to the Environmental Services Division upon request for all Paper Products and Printing and Writing Paper purchases (both recycled-content and non-recycled content) made by a division or department or employee of the City within a given calendar year. Such records should be kept for 5 years.

2.6.1 All vendors that provide Paper Products (including janitorial Paper Products) and Printing and Writing Paper to the City shall:

- 2.6.1.1 Provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, if fitness and quality are equal to that of non-recycled item, and available at equal or lesser price.
- 2.6.1.2 Certify in writing the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products and/or Printing and Writing Paper can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website. A sample certification can be found at the end of this policy.
- 2.6.1.3 Only provide Paper Products and Printing and Writing Papers that meet Federal Trade Commission Recyclability standard as defined.
- 2.6.1.4 Provide records required herein to the purchaser with each purchase.
- 2.6.1.5 All vendors providing printing services to the City via a printing contract or written agreement, shall use Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, or as amended by Public Contract Code Section 12209.

2.6.2 All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content.

3. Energy Efficiency and Emissions Reduction Products and Practices

- 3.1 The City shall purchase U.S. EPA Energy Star certified products when available. When Energy Star labels are not available, choose energy efficient products that are in the upper 25% of energy efficiency, as designated by the [Federal Energy Management Program](#).
- 3.2 When replacing vehicles, City staff shall assess if vehicle replacement is necessary or if fleet-sharing is possible based on usage of existing vehicles. If deemed necessary, the City will procure the lowest emission vehicle possible in accordance with intended vehicle usage, with first priority for battery electric vehicles (BEV) and second priority for plug-in hybrid electric vehicles (PHEV).

4. Bio-Based Products

- 4.1 The City shall purchase bio-based products such as plates where reusable options are not available.

- 4.2 If bio-based products are purchased, they must be fiber based and certified by the Biodegradable Products Institute (BPI).

5. Water Saving Products

- 5.1 The City shall purchase U.S. EPA WaterSense labeled water saving products when available. When EPA WaterSense labels are not available, choose the most water efficient product available. This includes, but is not limited to: low-flow toilets and faucets and aerators.

6. Landscape Products and Practices

- 6.1 The City shall procure and use recovered organic waste (mulch, compost, soil products, etc.) in City landscaping projects, and will include such requirements in City landscaping contracts, to assist the city in meeting its organic waste procurement target, determined by CalRecycle. To the extent practicable, mulch and compost used or purchased in City landscaping projects should be SB 1383 eligible mulch and SB 1383 eligible compost
- 6.2 The City shall employ sustainable landscape management techniques for all landscape renovations, construction and maintenance performed by the City, including, but not limited to, integrated pest management, composting, use of SB 1383 eligible compost and mulch, grasscycling, drip irrigation and computerized central irrigation linked with the local weather station.
- 6.3 Landscaping vendors or contractors shall be required to use SB 1383 eligible mulch or SB 1383 eligible compost to the degree practicable. Vendors shall submit records to the City, including invoices or proof of Recovered Organic Waste Product procurement (either through purchase or acquisition) indicating tons or cubic yards of such materials used. Such records shall include: General description of how and where the product was used and applied, if applicable; Source of product including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were procured; Type of product; Quantity of each product; and, Invoice or other record demonstrating purchase or procurement.
- 6.4 Direct service providers such as landscape contractors shall enter into a written agreement or execute a purchase order with the city that includes enforceable provisions that include definitions and specifications for SB 1383 eligible mulch, and SB 1383 eligible compost.
- 6.5 Select plants to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted them, and perennials rather than

annuals for color. Native and drought-tolerant plants that require no or minimal watering once established are preferred.

- 6.6 Hardscapes and landscape structures constructed of recycled content materials are encouraged.

7. Green Building Products and Practices

- 7.1 All building and renovations undertaken by the City shall follow Green Building Practices for design, construction, and operation, where appropriate, as described in the LEED Rating System and meet CalGreen and MWELo requirements. Building and landscaping products, purchases, and use by the City shall be consistent with CalGreen and MWELo requirements.

8. Non-Toxic Products

- 8.1 The City shall direct City custodians to purchase and use cleaning products that meet Green Seal certification standards for EPP. The City shall include EPP requirements in janitorial contract(s), as well as requirements for recycled content toilet and facial tissue, which shall be consistent with the requirements contained in California Public Contract Code, Section 12209.
- 8.2 The City shall use products with the lowest amount of volatile organic compounds (VOCs), low or no formaldehyde and non-halogenated organic flame retardants when purchasing building materials.

9. Solid Waste Management

- 9.1 The City shall educate building occupants on where to dispose of recyclable and compostable materials. There shall be disposal containers in the common areas of each floor, and each workstation shall include a personal recycling bin. The green waste and recycling containers shall be collected at least once a week by the janitorial staff and disposed of in the larger trash enclosures in the parking lot. Recyclables and green waste shall be collected at least once a week and taken to the appropriate facilities.
- 9.2 The City shall educate building occupants on where to store used batteries and lamps. All non-rechargeable batteries and mercury-containing lamps shall be collected and stored in a separate storage box. Full boxes shall be delivered to a household hazardous waste disposal center. Other durable goods such as office equipment, appliances, audiovisual and electric powered equipment shall be diverted from landfill as e-waste or for other reuses as feasible.

10. Implementation

- 10.1 Purchasers shall use the preferred products and vendors that have been pre-approved for standard office purchases (e.g. paper, post-it notes, envelopes, etc.) whenever possible. A list will be provided to purchasers of the pre-approved products and vendors. Purchasers must still save copies of invoices and receipts or other proof of purchase to a designated electronic folder.

- 10.2 If a pre-approved produce or vendors cannot be used, purchasers shall require vendor documentation of required recycled content as indicated in this policy as well as documentation of recyclability. Purchasers shall be provided with an electronic folder location to store copies of invoices, receipts or other proof of purchase and required documentation. This information is required to be maintained by the city under 14 CCR 18993.4 which require copies of invoices, receipts or other proof of purchase describing the procurement of paper products by volume and type for all paper purchases, and certifications of recyclability.

DEFINITIONS

“Direct Service Provider” means a person, company, agency, contractor, or other entity that provides a service or services to the City through a contractual or other written agreement or as otherwise defined in 14 CCR Section 18982(a)(17).

"Energy Star" means the U.S. EPA's energy efficiency product labeling program.

"Energy-Efficient Product" means a product that is in the upper 25% of energy efficiency for all similar products, or that is at least 10% more efficient than the minimum level that meets Federal standards.

"Green Seal" is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products. "LEED Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED) Rating System, approved by the U.S. Green Building Council, and designed for rating new and existing commercial, institutional, and residential buildings.

“Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling; or as otherwise defined in 14 CCR Section 18982(a)(51).

"Post-consumer Material" means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

“Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, and publications; or as otherwise defined in 14 CCR Section 18982(a)(54).

“Procurement of Recovered Organic Waste Products” shall mean purchase or acquisition of (e.g., free delivery or free distribution from a hauler or other entity via a written agreement or contract) Organic Waste Products and end use by the City. The City’s Annual Recovered Organic Waste Product Procurement Target can be fulfilled directly by the City or

by Direct Service Providers through written contracts or agreements for Procurement of Recovered Organic Waste Products at the City's behest.

"Recycled Content Paper Products and Recycled Content Printing and Writing Paper" means such products that consist of at least thirty percent (30%) recycled materials, by fiber weight, post-consumer fiber, or as much as one hundred percent (100%) post-consumer fiber by fiber weight, consistent with requirements of Sections 22150 to 22154 and Sections 12200 and 12209 of the Public Contract Code, and as amended.

"SB 1383 Eligible Compost" means the product resulting from the controlled biological decomposition of organic solid wastes that is produced at an approved facility and in such a way that makes it eligible to meet the Annual Recovered Organic Waste Product Procurement Target, as defined by CalRecycle.

"SB 1383 Eligible Mulch" means mulch eligible to meet the Annual Recovered Organic Waste Product Procurement Target, pursuant to 14 CCR Chapter 12 of Division 7. This SB 1383 Eligible Mulch shall meet the following conditions for the duration of the applicable procurement compliance year, as specified by 14 CCR Section 18993.1(f)(4), Produced at one of the following facilities:

- A compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under 14 CCR Division 7, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10);
- A transfer/processing facility or transfer/processing operation as defined in 14 CCR Sections 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR Division 7; or,
- A solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under 27 CCR Division 2

"SB 1383 Regulations" or "SB 1383 Regulatory" means or refers to the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions regulations developed by CalRecycle and adopted in 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.

“Vendor” means a person or company who provides goods or services. A vendor can also be referred to as a supplier, contractor or direct service provider.

"Water-Saving Products" are those that are in the upper 25% of water conservation for all similar products, or at least 10% more water-conserving than the minimum level that meets the Federal standards.

"WaterSense" means a partnership program by the U.S. Environmental Protection Agency. Independent, third-party licensed certifying bodies certify that products meet EPA criteria for water efficiency and performance by following testing and certification protocols specific to each product category. Products that are certified to meet EPA specifications are allowed to bear the WaterSense label.