

Environmentally Preferred Purchasing Policy for the City of Durham
Adopted May 2009

I. PURPOSE

To recognize the goals set forth in the City of Durham Solid Waste Management Plan and the Durham Local Action Plan for Greenhouse Gas Emission Reductions and for Durham to be a responsible environmental leader.

Durham is a very large consumer of goods and services and the purchasing decisions of our employees and contractors can positively or negatively affect the environment. By including environmental considerations in our procurement decisions, along with our traditional concerns with price, performance and availability, we will remain fiscally responsible while promoting practices that improve public health and safety, reduce pollution, and conserve natural resources. The purpose of this document is to establish the framework for a sustainability-based purchasing program for Durham.

By giving preference to environmentally friendly products whose quality, function, and cost are equal or superior to more traditional products, this policy will:

- conserve natural resources
- minimize pollution
- reduce the use of water and energy
- eliminate or reduce environmental health hazards to workers and our community
- support strong recycling markets
- reduce materials that are landfilled
- increase the use and availability of environmentally preferable products
- reward vendors who reduce environmental impacts in their production and distribution systems or services
- create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals
- support locally produced goods and services
- educate ourselves, our vendors, and our end users

It is not the intent of this policy to require a department, buyer or contractor to: take any action that conflicts with local, state or federal requirements; procure products that do not perform adequately for their intended use; exclude adequate competition; or pursue products not available at a reasonable price in a reasonable period of time.

II. POLICY

All City departments shall take every reasonable effort to reduce the amount and toxicity of solid waste they generate, recycle materials recoverable from their operations, and maximize the procurement of recycled, energy efficient, and non-toxic products. Department directors shall monitor compliance with the policy.

III. DEFINITIONS

1. Environmentally Responsible - products or product usage procedures which are acknowledged to have minimal impact on the environment. Such products or procedures should reduce environmental impact through their composition and/or recyclability or by reduction in quantity and toxicity of waste products, energy use or water consumption.
2. Fiscally Responsible - The cost factor or purchase price for recycled products, or for more environmentally responsible items, should be consistent with a suggested variance of 10% above the acquisition cost for similar or less environmentally responsible items. Additional costs should be counter balanced by savings from improved usage procedures.
3. Recycled Product(s) - Products made with an identifiable percentage (1% - 100%) of post consumer material content or of discarded virgin materials salvaged from the industrial waste stream. High-content recycled products contain a minimum of 50% of post consumer material.
4. Waste Reduction - The act of avoiding, eliminating and reducing the amount of solid waste at the source of generation, at the point of usage and at the time of its discard.
5. Non-Toxic Product(s) - Any item which is not considered hazardous waste and that does not otherwise pose a threat to short or long-term human health during its use.
6. Energy-Efficient Product(s) – Products that meet the US Environmental Protection Agency’s Energy Star qualifications or US Department of Energy’s Federal Energy Management Program (FEMP) and vehicles that meet the US Environmental Protection Agency’s SmartWay qualifications.
7. Life-Cycle Cost – The total cost of a product including procurement, use, maintenance, and disposal.

IV. PURCHASING

All City employees shall make every reasonable effort to reduce the impact of purchased products and to purchase environmentally responsible products.

1. The Purchasing Division and all Departments shall purchase products that are made with recycled, non-toxic, and/or recyclable materials and that minimize environmentally harmful processes and products in their production, as long as those items meet or exceed specifications and required quality levels set forth by the City, and meet cost guidelines laid out in this policy. The City will give special emphasis to products and materials made from post-consumer recycled materials.

2. When purchases are necessary, strong consideration shall be given to durable items, items having minimal packaging, and items that are readily recycled when discarded.
3. City departments are encouraged to use independent, third-party, environmental product or service label standards when writing specifications for, or procuring, materials, products, or services.
4. City departments shall make every reasonable effort to procure chemicals and products that have low toxicity or are non-toxic, except for water treatment purposes. Products with the following attributes should be favored:
 - a) Have the fewest adverse health effects such as skin, eye, nose, throat, and lung irritation from toxic compounds.
 - b) Contain the fewest chemicals that can enter the food chain to be consumed by aquatic plants and animals.
 - c) Contain the fewest volatile organic compounds (VOC's) that can escape during product use.
 - d) Avoid unnecessary additives such as fragrances and dyes.
 - e) Reduce product packaging and use recovered/recoverable materials when packaging is necessary.
5. Departments shall purchase and use rechargeable batteries where applicable.
6. Departments shall purchase and use recycled paper (minimum 20% post-consumer recycled content) for all documents whenever possible. Documents printed on recycled paper shall include the recycling symbol when possible.
7. All departments shall be provided with a constant supply of recycled paper in a 20-100% post consumer range, with 100% post consumer recycled paper being the goal depending on availability and quality.
8. All new business cards shall be printed on recycled card stock and shall display the recycling symbol.

V. ENERGY EFFICIENCY

1. New and replacement equipment for lighting, heating, ventilation, refrigeration and air conditioning systems, water consuming fixtures and process equipment and all such components shall meet or exceed Federal Energy Management Program (FEMP) recommended levels, whenever practicable.
2. All products purchased by the City of Durham and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification. See www.energystar.gov. When Energy Star labels are not available, products shall meet or exceed the FEMP recommended levels. See www1.eere.energy.gov/femp/procurement/eep_requirements.html

3. Solar thermal or on-demand water heaters shall be purchased whenever practicable. Where renewable forms of energy are unavailable or not practicable, natural gas shall be used in lieu of electricity for water heating.

VI. TRAINING

1. All new employees will be made aware of this policy and the reasoning behind it during New Employee Training.
2. A catalog of Environmentally Preferable Products made available through the Purchasing Division shall be available on-line to increase awareness of opportunities to purchase Environmentally Preferable Products.

VII. COST

Department Heads are advised that the purchase of some Environmentally Responsible products may exceed the costs of comparable products. This factor alone should not determine whether an Environmentally Responsible product should be purchased, although it should be a factor in the decision. All purchases shall be handled in a fiscally responsible manner. Generally, for non-paper products, if the life-cycle cost of the environmentally responsible product does not exceed the cost of the alternative by more than 10%, and the product meets all necessary specifications, departments are required to request that the environmentally responsible product be purchased. Recycled paper should be purchased whenever possible, regardless of incremental cost.

VIII. PROGRAM EVALUATION

The Purchasing Manager shall evaluate the success of this Policy's implementation and provide an annual report to the City Manager. The report shall relate progress in meeting the goals and objectives of this Policy and note any barriers encountered, recommendations for resolution, and or/description of assistance needed to continuously improve staff's ability to meet this Policy's objectives for the procurement of environmentally preferable products and services.

IX. CONTRACTORS

1. Vendors, contractors, and grantees shall comply with applicable sections of this policy for products and services provided to the City of Durham. In particular, vendors, contractors and grantees providing written materials to the City shall do so using both sides of the paper and on recycled paper meeting minimum standards of the US EPA Guidelines and labeled as such. In addition, the use of binders, plastic covers, and other items that impede the recycling process are especially discouraged.
2. If the buyer making the selection from competitive bids or requesting department seeks to purchase products that do not meet the environmentally preferable purchasing criteria in

this Policy, the buyer or department shall provide a written justification to the Purchasing Manager for why compliance is not practicable, e.g. the product is not technically practical, economically feasible, or available within the timeframe required.

3. If a vendor that is under contract with the City of Durham is no longer able to provide a product that meets this Environmentally Preferred Purchasing Policy, it shall notify the Purchasing Manager and provide written justification for why compliance is not practical. Prior written consent from the Purchasing Manager, or authorized City representative, shall be required before substituting any alternative product in addition to other standard contract amendment procedures.
4. Contractors and grantees whose contracts with the City total less than \$1,000 are exempt from this policy, but are encouraged to follow this policy to the greatest extent possible.