



County of Monterey Contracts/Purchasing Procurement Policy
PP1001 Environmentally Preferable Purchasing and Practices (EPPP) Policy

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1. PURPOSE

The County of Monterey is a large consumer of goods and services. As such, the purchasing practices of County departments have a significant impact on our environment. By purchasing climate-friendly products which have no or little impact on price or performance, the County can remain fiscally responsible while promoting practices that help improve public health and safety, reduce greenhouse gas emissions, and conserve natural resources. According to the National Association of Counties, the most important benefit counties are realizing from sustainability efforts are cost savings. The County currently has established practices for ensuring cost savings in purchasing goods and services such as publicly soliciting for contracts to ensure competitive price options and utilizing contracts which reap volume discounts as frequently as possible. Integrating climate-friendly product and service considerations into our current practices will assist in furthering the County's cost savings efforts. Climate-friendly purchasing practices include purchasing products which contain recycled content or are derived in part or in full from renewable resources, have limited chemical toxins, and are energy star rated. The County should aim to do business with vendors who promote waste reduction and sell products which can be reused and who are otherwise certified as sustainable by a third party and this should be reflected in the vendor selection process.

2. DEFINITIONS

- 2.1. Compost:** The product resulting from the controlled biological decomposition of organic solid wastes that are source separated from the municipal solid waste stream or which are separated at a centralized facility or as otherwise defined in [14 CCR Section 17896.2\(a\)\(4\)](#).
- 2.2. Organic Waste:** Solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, yard trimmings, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges, or as otherwise defined in [14 CCR Section 18982\(a\)\(46\)](#). Biosolids and digestate are as defined in [14 CCR Section 18982\(a\)\(4\)](#) and [14 CCR Section 18982\(a\)\(16.5\)](#), respectively.
- 2.3. 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\(a\)\(51\)](#).
- 2.4. 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, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications; or as otherwise defined in [14 CCR Section 18982\(a\)\(54\)](#).
- 2.5. Recovered Organic Waste Products:** Products made from California, landfill-diverted



recovered Organic Waste processed at a permitted or otherwise authorized operation or facility, or as otherwise defined in [14 CCR Section 18982\(a\)\(60\)](#). Products that can be used to meet the Annual Recovered Organic Waste Product Procurement Target shall include Compost, SB 1383 Eligible Mulch, Renewable Gas from an in-vessel digestion facility, and Electricity Procured from Biomass Conversion as described herein and provided that such products meet requirements of [14 CCR, Division 7, Chapter 12, Article 12](#).

- 2.6. **Recyclability:** Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction are eligible to be labeled with an Unqualified Recyclable Label as defined in [16 Code of Federal Regulations Section 260.12 \(2013\)](#) and below.
- 2.7. **Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper:** Products that consist of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of [Sections 22150 to 22154 and Sections 12200 and 12209 of the Public Contract Code](#).
- 2.8. **Renewable Gas:** Gas derived from Organic Waste that has been diverted from a landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recover Organic Waste, or as otherwise defined in [14 CCR Section 18982\(a\)\(62\)](#).
- 2.9. **SB 1383:** The Short-Lived Climate Pollutants Act, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants primarily by diverting food waste from landfills. [Senate Bill 1383 of 2016](#) was approved by the Governor on September 19, 2016, and added [Sections 39730.5, 39730.6, 39730.7, and 39730.8](#) to the Health and Safety Code, and added [Chapter 13.1 \(commencing with Section 42652\) to Part 3 of Division 30 of the Public Resources Code](#).
- 2.10. **SB 1383 Eligible Mulch:** 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\(f\)\(4\)](#):
 - 2.10.1. Produced at one of the following facilities:
 - 2.10.1.1. 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\(a\)\(10\)](#);
 - 2.10.1.2. 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,
 - 2.10.1.3. A solid waste landfill as defined in [Public Resources Code Section 40195.1](#) that is permitted under [27 CCR Division 2](#).
 - 2.10.2. Meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in [14 CCR Sections 17852\(a\)\(24.5\)\(A\)1 through 3](#).
- 2.11. **Unqualified Recyclable Label:** Label provided by the vendor indicating that at least 60 percent of consumers or communities where the items are sold have access to recycling facilities for the products.
- 2.12. **Electricity Produced from Biomass Conversion:** Products that meet the requirements and standards of the regulations in order to county towards meeting the jurisdiction's procurement target as specified in [14 CCR Section 18993.1](#). Eligible recovered organic waste products are



limited to those that are derived from California, landfill-diverted recovered organic waste processed at a permitted or otherwise authorized operation or facility.

2.13. Direct Service Providers: A person, company, agency, district, or other entity that provides a service or services to the County pursuant to a contract or other written agreement.

2.14. Environmentally Preferable Products: Are products that have lesser impact on human health and the environment when compared with competing products. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, and/or disposal of the product.

3. POLICY

It is the policy of the County of Monterey, applicable to all departments and divisions, to incorporate environmental considerations including recycled-content and recovered product use into purchasing practices and procurement. This Environmentally Preferable Purchasing and Practices (EPPP) Policy will help the County to:

- a) Protect and Conserve natural resources, water and energy;
- b) Minimize the County's contribution to climate change, pollution, toxins, and solid waste disposal;
- c) Increase the use of and identify environmentally preferable products and distribution systems;
- d) Support strong recycling models;
- e) Create an example for successfully purchasing environmentally preferable products; and
- f) Comply with State requirements as contained in SB 1383 procurement regulations to procure products and services to reduce impact on human health and the environment.

4. **SUSTAINABLE PURCHASING PROGRAMS:** The following programs will ensure that the County meets the goals of this policy.

4.1. The Climate-Friendly Solicitation Program:

4.1.1. Requests for Proposals (RFPs):

4.1.1.1. Climate Friendly Checklist: Requests for Qualifications and Requests for Quotations (RFQs) shall contain a standard checklist of climate friendly considerations. Vendors wanting to do business with the County will need to indicate which of the climate-friendly items are applicable. All items on the checklist utilized in the solicitation will be incorporated into the vendor selection process. Items included in the checklist submitted by the vendor must be incorporated into the contract and scope as represented in Appendix A.

4.1.1.2. Sustainable Selection Criteria: Add a minimum of 5 percentage points for businesses that demonstrate a commitment to sustainability and incorporate triple bottom line methodology in both their scope of work for the project and their day-to-day business operating processes and procedures, including but not limited to Green Business Certification, or meeting any of the third part labels outlined in Appendix B. These may be awarded as bonus points.



See Appendix C for an example of sustainable selection criteria.

4.2. Recycled and/or Refurbished Office Products Program:

- 4.2.1. All County personnel procuring goods on behalf of County business will purchase recycled content and environmentally preferable products unless such products do not perform satisfactorily and/or cost more than 10% higher than non-recycled products.
 - 4.2.1.1. SB1383 Requirements: Specifically, as required by SB1383, if fitness and quality of the Recycled-Content Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all departments and divisions of the County, Direct Service Providers, and vendors shall purchase these products whenever the total cost is no more than ten percent (10%) of the total cost for the non-recycled items.
 - 4.2.1.2. Recordkeeping: All Departments are required to keep their own records of recycled paper procurement and submit those records annually by the end of Q1 to the Recordkeeping Designee.
 - 4.2.1.3. Recordkeeping Designee: The Environmental Health Department will select an employee to act as the Recordkeeping Designee that will be responsible for obtaining records pertaining to Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper.
- 4.2.2. Energy Star Computer Program: All Computer equipment (monitors, towers, scanners and printers) ordered must be Energy Star rated at a minimum.

4.3. Recovered Organic Waste Product Procurement Program:

- 4.3.1. SB 1383 requires an annual procurement target of 0.08 tons of recovered organic waste product per County resident population. County population is determined by the most recent annual data reported by the California Department of Finance. The County shall comply with this requirement through one or both of the following methods:
 - 4.3.1.1. Directly procuring recovered organic waste products for use, sale, or giveaway.
 - 4.3.1.2. Requiring, through a written contract or agreement, that a Direct Service Provider procures recovered organic waste products and provides written documentation of such procurement to the County.
- 4.3.2. The following conversion factors are utilized to convert tonnage in the annual recovered organic waste product procurement target to equivalent amounts of recovered organic waste products. The County may use one or more of the following products listed below to meet their SB 1383 procurement targets. One ton of organic waste in a recovered organic waste product procurement target shall equal:
 - 4.3.2.1. 21 diesel gallon equivalents (DGE) of renewable gas in the form of transportation fuel;
 - 4.3.2.2. 242 kilowatt-hours of electricity derived from renewable gas;
 - 4.3.2.3. 22 therms for heating derived from renewable gas;
 - 4.3.2.4. 650 kilowatt-hours of electricity derived from biomass conversion; Or
 - 4.3.2.5. 0.58 tons or 1.45 cubic yards of compost.
- 4.3.3. Recordkeeping:
 - 4.3.3.1. The County must keep records of this procurement including the following:
 - 4.3.3.1.1. General description of how and where the product was used and



- applied, if applicable;
- 4.3.3.1.2. Invoice or other record or documentation demonstrating purchase, procurement, 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;
- 4.3.3.1.3. Type of product;
- 4.3.3.1.4. Quantity of each product; and,
- 4.3.3.1.5. Invoice or other record demonstrating sale or transfer of material to giveaway location if applicable.
- 4.3.3.2. Vendor Giveaways: Vendor giveaways must be specified in a franchise agreement or other agreement and vendors must submit the above records to the County.
- 4.3.3.3. Recordkeeping Designee: The Environmental Health Department will select an employee to act as the Recordkeeping Designee that will be responsible for obtaining records pertaining to Procurement of Recovered Organic Waste Products.
 - 4.3.3.3.1. The Parks Department will be responsible for executing the recovered organic waste product procurement program and must submit all records to the Recordkeeping Designee.

4.4. Green Buildings Program:

- 4.4.1. All County buildings must be built to [CalGreen Tier 1 Standards](#). All contracts for construction must include this requirement in the contract.

5. ROLES AND RESPONSIBILITIES: This section is intended to provide information on the roles and responsibilities of the programs outlined in section 4.

5.1. County Departments Responsibilities:

- 5.1.1. Eliminate unnecessary purchases by participating in waste audits and County purchasing audits conducted by the Sustainability Program or consultants.
- 5.1.2. Go Paperless wherever possible. Utilize HIPPA compliant email, DocuSign and Rightfax to eliminate the need for printing and paper usage. In cases where printing is necessary and for all County memos and mailings, double sided printing should be used.
 - 5.1.2.1. Reduce the number of personal printers and utilize network printers wherever possible; utilize secure printing if needed.
- 5.1.3. Ensure that internal policies and procedures reference this policy, as appropriate.
- 5.1.4. Incorporate the use of sustainable products and services that meet the intent of this policy in operations.
- 5.1.5. Consolidate orders and minimize transportation impacts when possible.

5.2. P-Card Users Responsibilities:

- 5.2.1. Take and pass the Sustainable Purchasing Academy Course in order to hold a P-card which is part of the P-card user training course.
- 5.2.2. Avoid the purchase of products containing or emitting toxins by choosing products that are certified by one of the third parties in Appendix B. Utilize the Climate-



Friendly Purchasing Checklist as outlined in Appendix A to Comply.

- 5.2.2.1. Ensure all inks purchased or printed through a third-party vendor are non-toxic to comply with SB1383.
- 5.2.3. Recycled Products: Consistent with the requirements of [Sections 22150-22154 of the Public Contract Code](#), the County shall purchase recycled products, as defined in Section 12200 instead of nonrecycled products whenever recycled products are available at the same or a lesser total cost than nonrecycled items. Consistent with the requirements of SB1383, all paper products and printing and writing paper shall contain a minimum of 30 percent post-consumer recycled content and shall be eligible to be labeled with an Unqualified Recyclable label as defined in the definitions.
 - 5.2.3.1. Recordkeeping: Records of the below purchases must be kept and submitted to Environmental Health annually to comply with SB1383.
 - 5.2.3.1.1. Printing and Writing Paper also including business cards, letterhead stationery, envelopes, business forms, and other pertinent documents.
 - 5.2.3.1.2. Paper Products including, but are not limited to, janitorial supplies, shop towels, hand towels, facial tissue, toilet paper, seat covers, corrugated boxes, file boxes, hanging file folders, and other products composed largely of paper.
 - 5.2.3.1.3. Records of exemptions for any of the above products must be kept as per [Section 6](#) of this document.
- 5.3. Facilities and Project Managers Responsibilities:**
 - 5.3.1. Avoid the purchase of products containing or emitting toxins by choosing suppliers that are certified by one of the third parties listed in Appendix B.
 - 5.3.1.1. Use the Climate Friendly Checklist in Appendix A for cleaning supplies in solicitations.
 - 5.3.2. Include requirements for new buildings and major retrofits to be built to [CALGreen Tier 1 standards](#).
 - 5.3.3. Follow the [Recycled Products Guidelines above \(5.2.3\)](#) for contractors, janitorial staff and County staff purchases, bids and contracts.
- 5.4. Fleet Manager Responsibilities:**
 - 5.4.1. Include the Sustainability department in annual emails to departments with vehicle purchase updates.
 - 5.4.2. If purchasing an EV, notify the Sustainability department to apply for rebates and incentives.
- 5.5. Procurement Department Responsibilities:** The Procurement and Contracts Division should assist in the implementation of this policy and its goals. Such assistance should include, but is not limited to, the following:
 - 5.5.1. Educating Staff: Maintaining and distributing to departments and purchasing agents a list of resources and educational materials and/or courses regarding accessing and purchasing environmentally preferable products including recycled products.
 - 5.5.2. Sustainable Contracts: Structuring contracts to offer and/or feature environmentally preferable products, (e.g., certain office supplies, lubricating oils, and janitorial supplies) and ensuring environmentally preferable specifications for the product or service being solicited are considered;



- 5.5.2.1. Integrate standard sustainable procurement language into solicitation templates and maintain and update such language to incorporate evolving standards.
 - 5.5.2.2. Ensure that evaluation criteria for selecting a product or service encourages sustainable factors by providing for 5% of the scored points to be based on environmental factors, such as being a certified green business or being certified by any of the third-party labels in Appendix B, and/or incorporate minimum specifications.
 - 5.5.2.3. Ensure that the qualification of a company as a responsible bidder includes criteria for incorporating environmentally responsible goods, materials, and practices, where practical;
 - 5.5.2.4. Default to electronic proposals and generally work to obtain fewer hard copies of proposals, distributing electronic versions when possible.
 - 5.5.2.5. Photocopy requested documents produced by grantees and contractors on post-consumer recycled paper. Require all contractors and grantees to submit all requested documents to the County on recycled paper to meet SB1383 requirements. This shall include, but is not limited to, drafts, reports, training manuals, bids, responses to inquiries and permit applications.
- 5.5.3. Supplier Requirements: Inform suppliers of applicable County of Monterey sustainable procurement specifications and policies for the type of material, goods, or services being acquired. Encourage vendors to bring forward environmentally preferable products and services approaches, solutions and alternatives.
- 5.6. Sustainability Department Responsibilities:**
- 5.6.1. Drafting and maintaining a list of resources and educational materials regarding accessing and purchasing environmentally preferable products that should be updated and provided on an annual basis to Procurement and Contracts Division and Departments.
 - 5.6.2. Updating the Sustainable Purchasing Policy and training as needed.
 - 5.6.3. Assisting in the consideration of life cycle analyses of product costs and/or emissions.
 - 5.6.4. Reporting on Sustainable Procurement metrics in Municipal Climate Action Plan updates.
- 5.7. Information Technology Department (ITD) Responsibilities:** In addition to the responsibilities of all County agencies, departments and divisions, County ITD can, by virtue of their position, affect change in the County's processes, which could result in significant waste prevention. Specifically, County ITD shall:
- 5.7.1. Ensure systems and software applications utilize electronic correspondence, reporting and retention while emphasizing the "paperless office" in application training.
 - 5.7.2. Assist all County agencies, departments and divisions in setting up all computers and printers to promote this policy including the removal of banner pages and setting the default to two-sided copying.
- 5.8. Direct Service Providers/ Vendors Responsibilities:**
- 5.8.1. Comply with MWEL requirements, as applicable as defined in [Monterey County, California – Code of Ordinances Chapter 16.63 - Standards for landscaping](#).
 - 5.8.2. Comply with Recovered Organic Waste Products and Recycled-Content Paper and Recycled-Content Printing and Writing Paper requirements. Exemptions must be



- documented per [Section 6](#)
- 5.8.3. Submit within 30 days of procurement the applicable documentation as described in [Section 7](#) of this policy.
 - 5.8.4. Submit on an annual basis the applicable certification documents for mulch as applicable.
 - 5.8.5. If hardcopy documents are required, all contractors and grantees will submit those documents to the County on recycled paper. This shall include, but is not limited to, drafts, reports, training manuals, bids, responses to inquiries and permit applications.
- 5.9. Paper Products and Printing and Writing Paper Vendors Responsibilities:**
- 5.9.1. Only provide Paper Products and Recycled-Content Printing and Writing Paper that meet Federal Trade Commission Recyclability standard as defined in [Title 16 Code of Federal Regulations Section 260.12](#).
 - 5.9.2. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the County. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
 - 5.9.3. Certify in writing, under penalty of perjury, that the Paper Products and Printing and Writing Paper offered or sold to the County is eligible to be labeled with an Unqualified Recyclable Label as defined in [Title 16 Code of Federal Regulations Section 260.12](#).
 - 5.9.4. Provide records to the County of all Paper Products and Printing and Writing Paper purchased from the vendor within thirty (30) days of the purchase. Records shall comply with [Section 4.2](#) of this policy. Exemptions must be documented per [Section 6](#).

6. EXEMPTIONS

Nothing in this policy shall be construed as requiring the purchase of products that do not perform adequately or are not available at a reasonable price (> 10% the cost of a virgin product). In those instances where it is deemed impractical to procure a recycled-content item, a specific explanation for the finding must be included in the purchasing record.

7. MONITORING/ REPORTING

Collaboratively, the Purchasing Department and Purchasing Coordinators of each Department, Environmental Health, Sustainability, Public Works, Facilities and Parks, and ITD, shall prepare and deliver to the County Administrative Officer an annual status report on the implementation of this policy and a formal recycled products list to aid in purchasing and monitoring goals. The report shall include documentation of the types, quantities, and dollar amounts of recycled products purchased in the previous year by the County, its contractors and grantees. This report shall be submitted to CalRecycle pursuant to [14 CCR Division 7, Chapter 12, Article 13](#). See Appendix D for reporting template.



EFFECTIVE DATE OF POLICY: This Policy shall go into effect immediately.

Revision History

Date	Editor	Revisions
10/26/2021	C. Ramirez;	Drafting Policy