

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Resolution No. CR-29-2014

Proposed by Council Member Lehman

Introduced by Council Member Lehman, Toles, Olson, Franklin, Campos and Davis

Co-Sponsors _____

Date of Introduction May 13, 2014

RESOLUTION

1 A RESOLUTION concerning

2 Environmentally Preferred Purchasing Policy

3 For the purpose of implementing an Environmentally Preferred Purchasing Policy in Prince
4 George's County to reduce the amount and toxicity of solid waste generated by County
5 departments and agencies; recycle materials recoverable from County operations; and maximize
6 the procurement of recycled, energy efficient, and non-toxic products.

7 WHEREAS, Prince George's County is a very large consumer of goods and services and
8 the purchasing decisions of our employees and contractors can positively or negatively affect the
9 environment; and

10 WHEREAS, by including environmental considerations in our procurement decisions,
11 along with traditional concerns with price, performance, and availability, the County will remain
12 fiscally responsible while incorporating practices that improve public health, minimize pollution,
13 and conserve natural resources; and

14 WHEREAS, it is widely recognized that, through the procurement of environmentally
15 preferred products and services, large institutions such as the County can directly reduce the
16 environmental and health-related impacts of its consumption, lower life-cycle costs, promote
17 local economic development, and serve as a model for businesses, institutions, and individual
18 residents; and

19 WHEREAS, by focusing on environmentally preferred products and services, the County
20 can encourage manufacturers and service providers to incorporate environmental and
21 sustainability considerations into their products and operations locally and nationally; and

22 WHEREAS, the County has taken a leadership role toward a green energy future with the

1 enactment of Council Bill 83-2013 that requires clean renewable energy technology in the
2 construction or major renovation of public buildings and Council Bill 77-2012 that provides for
3 an energy conservation real property tax credit for the use of solar or geothermal energy devices;
4 and

5 WHEREAS, the County wishes to continue and expand upon a number of environmental
6 initiatives by establishing an Environmentally Preferred Purchasing Policy to reduce the impact
7 its purchases will have on the County's natural resources, public health, and on current and
8 future generations of County residents; and

9 WHEREAS, the procurement of products with nationally and regionally recognized
10 environmentally preferred product labels and certifications such as U.S. Environmental
11 Protection Agency (EPA) Water Sense, EPA Energy Star, U.S. Department of Energy appliance
12 and equipment energy standards, Green Guard, Green Seal, Forest Stewardship Council,
13 Environmental Product Declarations, U.S. Green Building Council, and Green Globes is an
14 acceptable compliance method under an Environmentally Preferred Purchasing Policy
15 established by the County.

16 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
17 County, Maryland, that the County shall have an Environmentally Preferred Purchasing Policy
18 that shall take every reasonable effort to reduce the amount and toxicity of solid waste the
19 County's departments and agencies generate; recycle materials recoverable from County
20 operations; and maximize the procurement of recycled, energy efficient, and non-toxic products
21 as long as those items meet or exceed specifications and required quality levels set forth by the
22 County and meet cost guidelines as prescribed in said policy.

23 BE IT FURTHER RESOLVED that the County's Purchasing Agent shall monitor
24 compliance with the Environmentally Preferred Purchasing Policy.

25 BE IT FURTHER RESOLVED that the County's Environmentally Preferred Purchasing
26 Policy identified in Attachment A, is attached hereto and made a part hereof.

Adopted this 17th day of June, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

Attachment A

Environmentally Preferred Purchasing (“EPP”) Policy**Purpose**

Prince George’s County is a very large consumer of goods and services. The purchasing decisions of our employees and contractors have an impact on the environment. By including environmental considerations in our procurement decisions, along with traditional concerns with price, performance and availability, the County will remain fiscally responsible while incorporating practices that improve public health, minimize pollution, and conserve natural resources.

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.

Policy

The Purchasing Agent and all 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 as long as those items meet or exceed specifications and required quality levels set forth by the County, and meet cost guidelines laid out in this policy. The Purchasing Agent shall monitor compliance with the policy.

Definitions

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.

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.

Practicable - Satisfactory in performance and available at a fair and reasonable price.

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.

Source 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.

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.

Life-Cycle Cost – The total cost of a product including procurement, use, maintenance, and disposal.

Recycled Content Products

Departments shall purchase items with the highest recovered material content level practicable that are items designated for purchase under USEPA Comprehensive Procurement Guideline Program. The Office of Central Services, in consultation with the Department of Environmental Resources, shall set a minimum recycled content standard for each designated item. The Environmental Protection Agency's ("EPA") proposed recycled-content recommendations for each product may serve as a guide for the Office of Central Services in setting these standards.

Source Reduction

When purchases are necessary, strong consideration shall be given to durable items, items having minimal packaging, and items that are readily recycled when discarded.

County departments are encouraged to:

- a) Use independent, third-party, environmental product or service label standards when writing specifications for, or procuring, materials, products, or services.
- b) Reduce product packaging and use recovered/recoverable materials when packaging is necessary.
- c) Request that vendors eliminate packaging or use the minimum amount necessary for product protection to the greatest extent practicable.

Toxics and Pollution

County 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”), highest recycled content, and low or no formaldehyde in materials such as paint, carpeting, adhesives, furniture, and casework.

d) Avoid unnecessary additives such as fragrances and dyes.

County departments shall maintain buildings and landscapes, manage pest problems through the application of prevent techniques and physical, mechanical, and biological controls.

County departments shall procure products and equipment with no lead or mercury. If a product contains lead or mercury, preference shall be given to those with lower quantities of lead or mercury and to vendors with established lead and mercury recovery programs.

County departments shall phase out chlorofluorocarbon-containing refrigerants, solvents, and similar products.

County departments shall refrain from procuring cleaning or disinfecting products (i.e. for janitorial or automotive use) containing carcinogens, mutagens, or teratogens. Every reasonable effort shall be made to avoid chemicals listed annually by U.S. EPA on the Toxics Release Inventory.

Energy Efficiency

All products purchased by the County and for which Energy Star certification is available shall meet Energy Star certification. The products include, but are not limited to; new and replacement equipment for lighting, heating, ventilation, refrigeration and air conditioning systems, water consuming fixtures and process equipment. All such components shall meet Energy Star Certification or exceed Federal Energy Management Program (“FEMP”) recommended levels, whenever practicable.

Solar thermal or on-demand heaters shall be purchased whenever practicable.

Landscaping

County departments shall:

- a) Employ sustainable landscape management techniques for design, construction, and maintenance. These techniques include, but are not limited to; integrated pest management, grasscycling, drip irrigation, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food waste programs.
- b) Minimize waste by selecting plants that are appropriate to the microclimate, and species that can grow to their natural size in the space allotted them.
- c) Place preference on native and drought-tolerant plants that require no or minimal watering once established.

- d) Limit the amount of impervious surfaces by procuring permeable substitutes such as permeable asphalt or pavers for walkways, patios, and driveways.

Training

All new employees shall be made aware of this EPP policy and the reasoning behind it during new employee orientation.

By January 1, 2015, a catalog of Environmentally Preferable Products made available through the Purchasing Agent shall be available on-line to increase awareness of opportunities to purchase Environmentally Preferable Products.

Cost

The Purchasing Agent shall advise department directors 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.

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 shall request that the environmentally responsible product be purchased.

Recycled paper at or above the post-consumer recycled content level set by the Office of Central Services under the Recycled Content Products section shall be purchased whenever possible, regardless of incremental cost.

Contractors

Vendors, contractors, and grantees shall comply with applicable sections of this policy for products and services provided to the County. In particular, vendors, contractors and grantees providing written materials to the County shall do so using both sides of the paper and on recycled paper meeting the minimum standards set in the Recycled Content Products section. In addition, the use of binders, plastic covers, and other items that impede the recycling process are especially discouraged.

If a vendor that is under contract with the County is no longer able to provide a product that meets this EPP Policy, it shall notify the Purchasing Agent and provide written justification for why compliance is not practical. Prior written consent from the Purchasing Agent, or authorized County representative, shall be required before substituting any alternative product in addition to other standard contract amendment procedures.

Program Evaluation

The Purchasing Agent shall evaluate the success of this policy's implementation and provide an annual report to the County Executive, Department of Environmental Resources, and County Council. 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.