

**CHAPTER ONE  
OPERATIONAL GUIDELINES FOR  
GREEN BUILDING REQUIREMENTS  
CITY OF DUBLIN**

**1.0 STATEMENT OF POLICY**

It is the policy of the City of Dublin to implement the City’s Ordinance No. 9-04 mandating green building practices for all city projects with the estimated cost of \$3,000,000 or greater. A “City Project” is any new construction or major renovation primarily funded or sponsored by the City, conducted on City-owned property, or managed by City personnel from design through construction. Also included are any buildings constructed for the City’s use under a build-to-suit program or project. Traditional Public Works Projects and Parks Projects are not considered “City Project” for the purpose of this Chapter.

The Ordinance requires that all City Projects with an estimated cost of construction of \$3,000,000 or greater achieve a Leadership in Energy and Environmental Design (LEED™) “Silver” rating under the LEED™ Rating System. All projects following the LEED system shall be registered and certified by the US Green Building Council. Projects below \$3,000,000 are required to be designed and constructed to include as many green practices as feasible.

Chapter One of the Operational Guidelines for Green Building Requirements and Green Practices was developed to assist with the implementation and monitoring of the Green Building Requirements. Chapter Two was developed to detail Operational Guidelines for Green Practices that are related to environmentally –friendly purchasing and best management practices for all other projects not captured under Chapter One.

**2.0 PURPOSE**

These Operational Guidelines for Green Building Requirements are adopted in order to identify how Green Building Requirements will be incorporated into City Projects and to specify how the Green Building Compliance Official will administer and monitor compliance with the Green Building Practices set forth in Ordinance No. 9-04.

**3.0 DUTIES OF THE GREEN BUILDING COMPLIANCE OFFICIAL**

3.1 The Compliance Official for all City Projects shall be the Green Building Coordinator for the City of Dublin.

3.2 The Compliance Official shall monitor and provide technical support for the following activities with the green building requirements set forth in Section 3 (“Mandatory Green Building Practices”) and in these regulations (“Green Building Requirements”) as follows:

- A. Review and modify where necessary, standard City forms and documents related to any work of Construction, Renovation or Demolition in order to appropriately incorporate the Green Building Requirements referenced in the preceding paragraph.
- B. Assist City Project Managers with the implementation of Green Building Requirements throughout the duration of applicable Projects to ensure compliance with the ordinance.
- D. Make recommendations to the City Manager on the appropriateness of requests for Exemptions and Waivers as defined below.
- E. Provide and coordinate training of those directly involved in implementing and verifying compliance with the ordinance requirements.

- F. Recommend changes to these Operational Guidelines, as necessary, in order to comply with applicable local, state or federal laws or regulations, or for any other appropriate reason. Such recommendations shall be made to the City Manager, who shall approve and forward the recommendations to the City Council as he/she deems appropriate. The City Manager's office will revise the Operational Guidelines to reflect any such adjustments, should they consider it necessary.
- G. Maintain data on the progress of the program and make said data available to the City Manager as necessary for reporting to the City Council.

#### **4.0 GREEN BUILDING REQUIREMENTS**

4.1 City Projects subject to the Green Building Requirements shall include, but not be limited to, the following:

- A. City Projects initiated on or after March 16, 2004. City Projects include new construction or renovation primarily funded or sponsored by the City, conducted on City-owned property, or managed by City personnel from design through construction. City Projects shall also include any Buildings constructed for the City's use under a build-to-suit program or project. These projects do not include traditional public works projects, such as bridges and roads.

4.2 All City Projects, as described below, which are initiated on or after March 16, 2004 shall be designed and constructed to meet a minimum LEED "Silver" rating, or a City approved equivalent. These requirements shall be known as "Green Building Requirements".

- A. Projects with an estimated construction cost of \$3,000,000 or greater shall follow the LEED rating system and shall be registered and certified by the US Green Building Council. The Green Building Compliance Official or his/her designee shall undertake such registration and application for certification.
- B. Projects with an estimated cost of construction of \$3,000,000 or less shall be designed and constructed using the LEED rating system, but shall not be required to be registered and certified by the US Green Building Council. The Green Building Compliance Official or his/her designee shall be responsible for verifying the appropriate green building components.

#### **5.0 INCORPORATION INTO STANDARD CITY DOCUMENTS AND CONTRACTS**

5.1 The City of Dublin shall incorporate the Green Building Requirements into the appropriate design and construction contract documents prepared for City Projects, as follows:

- A. Appropriate references to the Green Building Requirements shall be incorporated into City request for qualifications, requests for proposals, applicable sections of standard construction specifications, standard design contracts, and other documents as necessary for all City Projects. Contract documents for projects over \$3,000,000 which will be registering and applying for USGBC LEED certification will require commissioning and documentation needed to meet the USGBC LEED requirements.
- B. The USGBC LEED scorecard will be used on all City Projects for the purpose of calculating a score on the LEED™ Green Building Rating System ("Green Building Checklist"). Design consultants and contractors who are awarded City projects shall be required to use these forms to demonstrate their compliance with this Ordinance.

#### **6.0 IMPLEMENTATION OF REQUIREMENTS**

#### 6.1 Selection of Design Professionals:

- A. The selection process for Design Professionals to be employed in the design or construction of City Projects shall incorporate a requirement that such professionals demonstrate appropriate knowledge and experience with the Green Building Practices. All projects shall be required to have a LEED Accredited Professional as a key member on the project team.
- B. Design contracts shall include provisions requiring the Design Professional to incorporate the City's Green Building Requirements into the design, including commissioning and documentation requirements.

#### 6.2 Selection of Construction Professionals

- A. The selection process for Construction Professionals to be employed in the design or construction of City Projects shall incorporate a requirement that such professionals demonstrate appropriate knowledge and experience with the Green Building Practices. Contractors will be encouraged to have a LEED Accredited Professional as a key member of the project team.
- B. Construction contracts shall include provisions requiring the Contractor to comply with the City's Green Building Requirements and provide documentation as appropriate to the scope of work.

### 7.0 PROJECT THRESHOLDS

#### 7.1 Certification of Compliance:

- A. United States Green Building Council Certification: All City Projects with an estimated cost of construction of Three (3) Million Dollars or greater shall be registered and certified through the U.S. Green Building Council. The Green Building Compliance Official or his/her designee shall undertake such registration and certification.
  - 1). If a City Project described by this Section fails to achieve certification from the U.S. Green Building Council within twelve (12) months after project completion, then the Compliance Official shall assess the reasons for the failure and identify possible corrective actions. The Compliance Official may then recommend reasonable additional Green Building Requirements to achieve certification for consideration by the City Manager and City Council as appropriate.
- B. Internal Self Certification: All Covered Projects with an estimated cost of construction that is less than Three (3) Million Dollars shall not be required to be certified through the U.S. Green Building Council. The Project Manager shall be responsible for certifying that projects described by this Section meet the requirements of the applicable LEED™ Rating System.
  - 1). Documentation demonstrating compliance shall be part of the close out submittal by the Contractor. Said documentation shall be reviewed by the City Project Manager with the assistance of the Green Building Compliance Official and the Engineer or Architect of Record, to verify accuracy and compliance with the requirements of this Ordinance.
  - 2). Staff to report to City Council at it relates to the accomplishments of Green Building Practices at the time of project completion.

7.2 Under no circumstances may a City Project be segmented into smaller projects to avoid compliance with these requirements.

## **8.0 EXEMPTIONS AND WAIVERS**

8.1 The provisions of this Section may apply to all City Projects as noted above, except compliance with the provisions may be waived in unusual circumstances where the City Council has, by resolution, found and determined that the public interest would not be served by complying with such provisions using the process described below:

- A. At the design stage, the Project Manager shall submit to the Green Building Compliance Official the Green Building Checklist indicating the maximum number of credits practical or feasible for the Project and shall also describe the circumstances that make it infeasible for the Project to comply fully with the Ordinance.
- B. The Compliance Official shall review the information supplied and may meet with the City Project Manager to discuss possible ways of meeting the requirements of the Ordinance. If needed, based on the information supplied, the Green Building Compliance Official shall recommend to the City Manager whether an exemption or waiver should be granted to the project.
- B. In the event that the City Manager determines that the Green Building Requirements cannot reasonably be met, the City Manager shall request the City Council to exempt that project from the Green Building Requirements at the earliest practicable time. Reasonable efforts shall still be made to incorporate as many of the Green Building Requirements as is feasible under the circumstances.

## **9.0 Amendments**

9.1 Any amendments to these Operational Guidelines will be presented to City Council for approval.

## **10.0 Effective Date**

10.1 These Operational Guidelines shall take effect on July 19, 2005.

## **CHAPTER TWO OPERATIONAL GUIDELINES FOR GREEN PRACTICES CITY OF DUBLIN**

### **1.0 STATEMENT OF POLICY**

It is the policy of the City of Dublin to implement the City's Ordinance No. 9-04 mandating green building practices for City projects by developing Operational Guidelines which contain specifications necessary or appropriate to achieve compliance with the Green Building Practices stated in the Ordinance. It is also the interest of the City to emphasize sustainability and green practices in all operation and maintenance projects of City departments.

There are two chapters relating to Operational Guidelines relating to Green Building Requirements and Green Practices. Chapter One relates to the duties and responsibilities of the Green Building Compliance Officer as it relates to City Projects (traditional Public Works Projects and Parks Projects are not considered "City Project for the purpose of Chapter One). Chapter Two was developed to assist in the implementation of environmentally-friendly purchasing and best management practices that are not City Projects.

### **2.0 PURPOSE**

These Operational Guidelines were developed in order to:

- identify criteria for Traditional Public Works and Parks & Recreation Projects,
- specify how green and sustainable practices and products will be incorporated in the operation and maintenance of City projects,
- specify how implementation of these Operational Guidelines will be administered and monitored.

### **3.0 SPECIFICATIONS**

#### **3.1 Source Reduction**

***3.1.1 The City shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or workplace quality.***

Certain practices and purchasing strategies can help prevent waste before it is created. Such practices are suggested whenever practicable and cost-effective, but are not meant to reduce workplace safety or compromise product performance. Many are expected to reduce costs incurred by the organization for labor and operations.

Examples include:

- leasing long-life products when service agreements support maintenance and repair rather than new purchases,
- sharing equipment and occasional use items,
- choosing durable products rather than disposable,
- reducing product weight or thickness when effectiveness is not jeopardized in products
- electronic communication instead of printed,
- double-sided photocopying and printing,
- washable and reusable dishes and utensils,
- rechargeable batteries,
- streamlining and computerizing forms,

- “on-demand” printing of documents and reports as they are needed,
- buying in bulk, when storage and operations exist to support it,
- reusing and/or repairing products such as, but not limited to, equipment and office furnishings.

**3.1.2 *The City shall purchase remanufactured products (i.e. for equipment and vehicles) whenever practicable, but without reducing safety, quality or effectiveness.***

Some products can prevent waste by being “remanufactured” (see Definitions) or refurbished into a newly usable product. Examples of some of these common products are toner cartridges, tires, furniture, equipment and automotive parts. When remanufactured, these products are often lower in cost and perform comparably to new products. It is suggested that purchases of these types of products be made whenever practicable, as long as safety, performance and cost standards continue to be met.

**3.1.3 *The City shall require all equipment bought after the adoption of these Operational Guidelines to be compatible with source reduction goals as referred to in this section (3.1), when practicable.***

Examples include:

- battery-operated equipment capable of being recharged or using rechargeable batteries,
- copiers and printers capable of duplexing,
- dishwashing equipment, when washable and reusable dishes and utensils are practicable,

**3.1.4 *All buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.***

Certain products may have a higher initial purchase cost, but may require less maintenance or long-term costs over the life of the product, so it is important that buyers consider short-term and long-term costs in comparing product alternatives, when feasible. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives. Examples of products for which such cost comparisons can indicate significant differences between short- and long-term costs include, but are not limited to, parking stops, park benches and tables, office equipment, and vehicles.

This kind of comparison is sometimes referred to as “ownership costs” or “life cycle costs”. “Ownership costs” best describes the purpose here of calculating the cost of owning the product during the purchased use time. “Life cycle costs” is more complex and not specifically required. It more accurately describes an analysis of the impacts of products from initial resource extraction, through production, use, and then through disposition after use. For an example comparing the costs of purchase and use of traditional concrete parking stops with recycled plastic parking stops, see the StopWaste.Org’s Fact Sheet on “*Recycled Content Transportation Products in Alameda County*” at <http://www.StopWaste.Org/EPP>.

**3.1.5 *Products that are durable, long lasting, reusable or refillable are preferred whenever feasible.***

- 3.1.6 *The City requests vendors to eliminate packaging or use the minimum amount necessary for product protection, to the greatest extent practicable.*
- 3.1.7 *Packaging that is reusable, recyclable or compostable is preferred, when suitable uses and programs exist.*
- 3.1.8 *Vendors shall be encouraged to take back and reuse pallets and packaging materials.*
- 3.1.9 *Suppliers of electronic equipment shall be required to take back equipment for reuse or environmentally safe recycling when the City discards or replaces such equipment, whenever possible.*

Some electronic equipment has been found to contain toxic materials. In particular, the California Department of Toxic Substances Control ruled in 2001 that cathode ray tubes (CRTs) found in computer monitors and televisions are banned from California landfills to prevent the release of lead and must be properly reused or recycled. This has created an expected increased cost for safe and efficient collection and recovery of these items. Many large government and commercial purchasers of electronic equipment have responded by successfully requiring, in bid specifications, suppliers of electronic equipment to take back their equipment for reuse or environmentally safe recycling. The Silicon Valley Toxics Coalition website at <http://www.svtc.org/> has information about their “Clean Computer Campaign,” which is working for sustainability, accountability and cleaner production in the high-tech industry. See also “A Guide to Environmentally Preferable Computer Purchasing” prepared by the Northwest Product Stewardship Council Computer Subcommittee and available online at <http://www.productstewardship.net/productsElectronicsEPPGuide.html>.

- 3.1.10 *All documents shall be printed and copied on both sides to reduce the use and purchase of paper, whenever practical.*

## 3.2 Recycled Content Products

- 3.2.1 *All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines, such as those for construction, landscaping, parks and recreation, transportation, vehicles, printing paper, office paper, janitorial paper, and non-paper office products, shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.*

Purchasing products that contain recycled content, particularly postconsumer not just preconsumer (see Definitions) recycled content, creates markets for materials that are collected in recycling programs and saves valuable natural resources. It is suggested that products be purchased with the highest postconsumer content practicable. A commonly used and accepted set of minimum standards is the U.S. Environmental Protection Agency’s (U.S. EPA) Comprehensive Procurement Guidelines (CPG) that specify ranges of minimum recycled content standards for a growing list of product types (see <http://www.epa.gov/epaoswer/non-hw/procure/products.htm>). The U.S. EPA Guidelines establish minimum recycled content standards for products in the categories of paper, construction, landscaping, parks and recreation, transportation, vehicles, and nonpaper office products, as well as some other miscellaneous products like pallets, signs and mats. Consider noting on materials printed for distribution that recycled content paper was used.

Fact Sheets on purchasing parks and recreation products and transportation products in Alameda County, among other office and non-office products, are available online at

StopWaste.Org's website at <http://www.StopWaste.Org/EPP>, along with many other tools and resources for buying recycled content products.

**3.2.2 *Copiers and printers purchased shall be compatible with the use of recycled content and remanufactured products.***

Copiers and printers bought should be compatible with the use of recycled content products like paper and remanufactured toner cartridges. Purchasing specifications should also require training for equipment operators and maintenance personnel in the appropriate use of recycled products with the equipment. Specifications that require this compatibility will avoid improper uses and allow technicians to properly diagnose paper jams or equipment malfunctions without simply blaming what may be unfamiliar recycled content products.

**3.2.3 *When specifying asphalt concrete, aggregate base or portland cement concrete for road construction projects, the City shall use recycled, reusable or reground materials when practicable.***

When specifying asphalt concrete, aggregate base or sub-base, or portland cement concrete for road construction projects, preferable recycled, reusable or reground materials include, but are not limited to, in-place recycling of asphalt concrete, aggregate base and portland cement concrete; rubberized asphalt concrete; recycled aggregate base; or recycled asphalt concrete. For more information on rubberized asphalt, see the resources available from the Rubberized Asphalt Technology Center at <http://www.rubberizedasphalt.org>.

**3.2.4 *The City shall specify and purchase recycled content transportation products whenever possible, including signs, cones, parking stops, delineators, and barricades.***

When the City specifies and purchases recycled content transportation products, it is important to note that many of these products are approved by the California Department of Transportation (Caltrans). For a sample list of such products and Bay Area distributors, see the StopWaste.Org's Fact Sheet on "Recycled Content Transportation Products in Alameda County" at <http://www.StopWaste.Org/EPP>.

**3.2.5 *All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper has recycled content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content it contains.***

**3.3 Energy and Water Savings**

**3.3.1 *Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.***

High efficiency space heating systems should be purchased that use natural gas rather than electricity, and have an annual fuel utilization efficiency (AFUE) of 0.86 or greater. High efficiency space cooling equipment should be purchased with an energy efficiency rating (EER) of 11.5 or greater. When applicable, specifications should require that equipment operators and maintenance personnel be trained in the proper enabling and use of energy efficient and sleep mode functions on the equipment.

**3.3.2 *When practicable, the City shall replace inefficient interior lighting with energy-efficient equipment.***

Incandescent, mercury vapor and T12 fluorescent lamps should be replaced with compact fluorescent lamps, high-intensity discharge (HID) fixtures and low-mercury T8 or T5 fluorescent lamps. The magnetic ballasts used in older fluorescent lighting should be replaced with electronic ballasts. New lighting should be designed to use no more than 85% of the power allowed by Title 24 Energy Code. Title 24 is the State of California's energy efficiency standards for residential and nonresidential buildings (Title 24, Part 6) maintained by the California Energy Commission and described at <http://www.energy.ca.gov/title24>. Purchasers should require vendors to recycle discarded lighting fixtures and lamps appropriately.

**3.3.3 *When practicable, the City shall replace inefficient street lighting and traffic signal lights with energy-efficient equipment.***

**3.3.4 *All products purchased by the City and for which the U. S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable. 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.***

The U.S. EPA's Energy Star certification program certifies that certain products meet energy efficiency standards. Typically, this would include exhaust fans, water heaters, computers, exit signs, water coolers and appliances such as refrigerators, dishwashers and microwave ovens. Further, whenever roofs are replaced, Energy Star-qualifying roof materials should be used. The Energy Star program is described at <http://www.energystar.gov>.

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 (FEMP). FEMP is a program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products. In the Web versions of the *Recommendations* there are links to complying models for most products and some have interactive "energy cost calculators". See <http://www.eere.energy.gov/femp/technologies/eeproducts.cfm>. For basic energy cost calculators and detailed resources for performing a life cycle cost analysis to evaluate the cost-effectiveness of investments in energy saving products and projects, see [http://www.eere.energy.gov/femp/technologies/eep\\_eccalculators.cfm](http://www.eere.energy.gov/femp/technologies/eep_eccalculators.cfm).

**3.3.5 *The City shall purchase water-saving products whenever practicable.***

Water-saving products include high-performance fixtures such as toilets and conservation devices such as low-flow showerheads, faucet aerators and other water-saving devices. Purchases should support water conservation practices such as retrofitting cooling towers, replacing water-cooled with air-cooled equipment, and upgrading irrigation systems. Purchasers should consider applicable water conservation services and programs of the Dublin San Ramon Services District (DSRSD). DSRSD provides water, recycled water and wastewater services for the City of Dublin. See <http://www.dsrSD.com>. The water conservation services and programs of the East Bay Municipal Utility District (EBMUD) may also provide useful information and resources. See <http://www.ebmud.com>.

**3.3.6 *The City shall require the use of recycled water for dust control during construction of public works projects when practicable.***

Contact the Dublin San Ramon Services District (DSRSD) for information about the District's recycled water services for the City of Dublin. See <http://www.dsrSD.com>.

## 3.4 Landscaping

**3.4.1** *All landscape renovations, construction and maintenance performed by the City, including workers and contractors providing landscaping services for the City, shall employ Bay-Friendly Landscaping or sustainable landscape management techniques for design, construction and maintenance whenever possible, including, but 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.*

The principles of Bay-Friendly Landscaping recognize that the local landscape must be understood and considered in the application of sustainable landscaping management practices. For the City of Dublin, this means first evaluating the climate, topography and soil for each project and application and considering the guidance of the City's Streetscape Master Plan, for example.

Bay-Friendly Landscaping or sustainable landscape management practices include, but are not limited to:

- Managing pest problems through prevention and physical, mechanical and biological controls. The City may choose to do this by either adopting and implementing an organic pest management policy and practices or adopting and implementing an Integrated Pest Management (IPM) policy using the least toxic pest control as a last resort.
- Grasscycling (leaving the clippings on the lawn) for at least 50% of all mowings. Contact StopWaste.Org for a copy of *A Landscaper's Guide to Grasscycling* for more detailed information on successful grasscycling techniques.
- Structural pruning of trees, shrubs and other plants to improve plant health, stability and form as the preferred method of pruning. For example, removing overlapping and crowded branches, dead and broken limbs, and multiple leaders. Heading, lopping or shearing is avoided, when possible. For information and sample contract specifications for pruning, see "Landscape Maintenance Practices for Water and Green Waste Efficiency" from the Municipal Water District of Orange County, CA (714-963-3058).
- Avoiding synthetic quick release fertilizers that frequently wash through the soil before they are taken up by the plants. When possible, avoiding the use of weed and feed formulations. Fertilizing on an as needed basis, as indicated by a soil analysis. Slow release and/or organic fertilizers are preferred when possible. Slow release fertilizers make nutrients available to the plants when they are needed so their efficiency is increased making them a better value.
- Irrigation scheduling based on weather and soil moisture whenever possible. Drip irrigation is preferred whenever practical. Contact the Dublin San Ramon Services District for a water use audit. See <http://www.dsrsd.com>.
- Irrigating landscapes with recycled water. Recycled water has been effectively used for irrigation of turf areas such as school grounds, parks and golf courses, for example.

Contact the Dublin San Ramon Services District for information, resources and suitable applications for recycled water. See <http://www.dsrsd.com>.

Recycled water is rich with nutrients that benefit plants, however salt build up in the soil is a concern when considering recycled water for irrigating native or drought tolerant vegetation. According to East Bay Municipal Utility District's (EBMUD) new "Plants and Landscapes for Summer-Dry Climates" book, research conducted by University of California and several northern California water utilities suggests that many plants most commonly used in California landscapes will thrive with recycled water.

The EBMUD book cites a list of local native and drought-adapted plants that are salt tolerant. Copies are available for free from StopWaste.Org to Bay-Friendly Member Agency clients. Call (510) 614-1699.

- Limiting turf areas to recreational uses. All other landscaping (such as for views) should be accomplished with low-water plantings.
- Recycling of plant debris by composting and/or mulching. Maintaining a minimum 2-inch layer of mulch under all trees, shrubs and groundcovers and a minimum 3-inch layer in all open areas. Allowing leaf drop to become part of the mulch layer in tree, shrub and groundcover areas is preferred where possible to avoid soil compaction, reduction of nutrient levels, erosion and other undesirable effects for maintaining soil health.

Even in cases of infected leaves, such as oak leaf drop with the presence of mold, it is generally best if leaves are left on the site where they grew with good ground contact. In general, and especially with native trees, removing leaves from the site will just spread fungi spores to other sites and is not particularly effective at removing the fungus from the original site. When infected leaves have good ground contact, especially with good living soils with compost and mulch, they are colonized by a different set of decomposing organisms that assist in consuming the leaf infecting fungi. The healthier the soil, the more balanced this process becomes.

- It is suggested that compost be purchased that is produced from feedstock that includes at least 50%, by volume, regionally generated plant debris and/or food scraps and less than 0.5% by volume, physical contaminants. Procuring regionally helps the markets for local plant debris and food scraps collection and composting programs. The compost should be processed in accordance with California Code of Regulations, Title 14, Chapter 3, Article 7, Sections 17868.2-3 to promote pathogen reduction and weed seed kill and minimize heavy metal concentrations.

Bay-Friendly Landscaping is described in much more detail in the StopWaste.Org Bay-Friendly Landscape Guidelines. See <http://www.bayfriendly.org> or call (510) 614-1699 for more information.

**3.4.2 *Plants should be selected 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.***

Selecting plants that are compatible with the site and microsite, and with the mature size in mind, fosters healthy plants, limits overcrowding and the need for pruning, thereby preventing plant waste. Avoiding hedges and invasive species can also reduce waste. Selecting native plants from the Alameda County region or other Mediterranean plants that are appropriate to the microclimate, is likely to reduce watering needs and ongoing

maintenance costs. Native plants also provide food and habitat for beneficial insects, birds and butterflies. Native plants will require irrigation for the first year or two but many can thrive with little or no irrigation once established.

- 3.4.3** *The surface soils within the City limits generally consist of expansive clays. Wherever practicable considering this soil condition, the City shall limit the amount of impervious surfaces in the landscape. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways. Hardscapes and landscape structures constructed of recycled content materials are encouraged.*

Recycled content plastic or composite lumber makes a very durable bed or landscape edging. The durability of plastic or composite lumber is greater than wood as they do not rot when in contact with soil. See the StopWaste.Org's "Pointers on Using Recycled-content Plastic Lumber" for information on why, and for what applications, recycled content plastic lumber may best be used.

Permeable substitutes for impervious surfaces, such as rosin emulsion paving, are encouraged for walkways, gathering spaces and common areas because of their ability to help control stormwater drainage and retain less heat. More information on pervious paving materials can be found at the Sustainable Building Sourcebook website at <http://www.greenbuilder.com/sourcebook/perviousmaterials.html>. For more information on rosin emulsion paving, see [http://www.buildinggreen.com/products/road\\_oyl.cfm](http://www.buildinggreen.com/products/road_oyl.cfm)

### **3.5 Toxics and Pollution**

- 3.5.1** *All cleaning and disinfecting products (i.e. for janitorial or industrial use) shall at a minimum meet Green Seal standards for environmental preferability and performance.*

See <http://www.greenseal.org/> for information on Green Seal's programs and standards. The standard establishing environmental requirements for industrial and institutional cleaners (GS-37) can be found at <http://www.greenseal.org/standards/industrialcleaners.htm>. The standard for industrial and institutional floor-care products (GS-40) can be found at <http://www.greenseal.org/standards/g40.pdf>.

Much work is being done in testing products and developing specifications for environmentally preferable cleaning products in the Bay Area and across the country. A working group of government purchasers representing, among others, the City of Santa Monica, California; King County and the City of Seattle, Washington; the state of Minnesota; and the Commonwealth of Massachusetts, defined criteria for evaluating environmentally preferable cleaning products. See <http://www.state.ma.us/osd/enviro/products/cleaning.htm> for information from Massachusetts, the first member of the working group to use the consensus criteria and award contracts in April 2003. Other resources from working group members include The Center for a New American Dream at <http://www.newdream.org/clean/> and Green Seal at <http://www.greenseal.org/certproducts.htm#cleaners>. See also the Western Pollution Prevention Resources Center's website at <http://www.westp2net.org> for fact sheets, tools, and other results from the organization's janitorial products pollution prevention project as well as other environmental, health and safety information.

If cleaning or disinfecting products must be used that contain toxic materials, ensure that only the minimum amounts are used and the product is disposed of properly. When applicable, bid specifications should require that suppliers, manufacturers and/or City contractors and workers be trained in the proper use of cleaning and disinfecting products for worker health and safety, compliance with regulatory requirements, and cost-efficient product use and disposal. Proposition 65, the list of chemicals that are known to the State of California to

cause cancer, birth defects or other reproductive harm can be found at <http://www.oehha.ca.gov/prop65.html>. The Toxics Release Inventory (TRI) is a publicly available U. S. EPA database that contains information on toxic chemical releases and other waste management activities reported annually by certain covered industry groups as well as federal facilities. It includes chemicals that are classified as carcinogens under the requirements of the Occupation Safety and Health Administration (OSHA). Lists can be obtained from <http://www.epa.gov/tri/chemical/index.htm>.

**3.5.2 *The use of chlorofluorocarbon-containing refrigerants, solvents and other products shall be phased out and new purchases shall not contain them.***

The federal Clean Air Act required the phase-out of production of chlorofluorocarbons (CFC's) by the end of 1995. The only instance where this would be a concern is in the purchase of products manufactured prior to January 1, 1996).

**3.5.3 *All surfactants and detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.***

**3.5.4 *When maintaining buildings and landscapes, the City shall manage pest problems through prevention and physical, mechanical and biological controls. The City may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control as a last resort.***

Managing pests in landscapes and buildings based on an organic or Integrated Pest Management (IPM) strategy focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. In IPM, pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment. Particular pesticides to avoid due to high toxicity levels are Diazinon, Chlorpyrifos, Carbaryl, Malathion, and Pyrethroids.

Check with the Bio-Integral Resource Center ([www.birc.org](http://www.birc.org)) or UC Davis's IPM Program ([www.ipm.ucdavis.edu](http://www.ipm.ucdavis.edu)) for up-to-date resources, trainings and information.

**3.5.5 *When maintaining buildings, the City shall use products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde when practicable when purchasing materials such as paint, carpeting, adhesives, furniture and casework.***

Interior paint should contain no more than 50 grams volatile organic compounds (VOCs) per liter (50g/l) for flat paint and 150 grams per liter (150g/l) for non-flat paints, as determined in accordance with U.S. EPA Test Method 24, CFR Title 40, Part 60, Appendix A, or as updated by the Green Seal standard for paints (GS-11). See [www.greenseal.org/standards/paints.htm](http://www.greenseal.org/standards/paints.htm).

Exterior paints should have VOCs concentrations less than 100g/l for flat paint and less than 200 g/l for non-flat paints (US EPA Test Method 24 and Green Seal standard GS-11).

For routine building maintenance, purchase latex water clean-up paint; carpet with high recycled content and low VOCs; low VOCs carpet adhesives or carpet with integral adhesives; zero-VOCs construction adhesives; furniture with recycled content and using

glues, finishes and padding low in VOCs and formaldehyde; and casework specifying materials with no urea formaldehyde.

Mold inhibitors in paint for bathrooms, or other areas, add VOCs to paint as well as fungicides and mildewicides. There are products available that are water-based but use the bonding strength of the chemicals in the paint in addition to fungicides to reduce mold. The paint forms a bond that is too tight for water molecules to penetrate the surface with a generally recommended application of two coats.

**3.5.6 *The City shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:***

- ***Limiting purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, furniture and flooring, whenever practicable.***
- ***Purchasing paper and paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever possible.***

Purchasing paper, paper products and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives minimizes dioxin formation and other toxic pollutants. Processed chlorine free (PCF) paper is the preferred environmental option (see Definitions). Elemental chlorine free (ECF) processes should include enhanced processes such as extended and oxygen delignification whenever possible (see Definitions). Vendors and successful bidders should supply verification of the paper's chlorine free processing status from either a recognized certifying organization or the pulp and paper manufacturer. If the paper manufacturer buys pulp from another supplier, the pulp's chlorine free status should also be verified. For more discussion of what may constitute verification, see Section 5.2 below. For more discussion on how to identify and purchase environmentally preferable papers, see StopWaste.Org's Fact Sheets on "*Environmentally Preferable Paper Office Products in Alameda County*" and "*Environmentally Preferable Janitorial Paper Supplies in Alameda County*" at <http://www.StopWaste.Org/EPP>.

**3.5.7 *The City shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, the City shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.***

**3.5.8 *When replacing vehicles, the City shall lease or purchase the most fuel-efficient models available that are suitable for each task and through carpooling, shall minimize the number of vehicles purchased to the extent practicable.***

**3.6 Forest Conservation**

**3.6.1 *To the greatest extent practicable, the City shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, the City shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council certification.***

See <http://www.fscus.org/> for more information about the Forest Stewardship Council.

**3.7 Agricultural Bio-Based Products**

**3.7.1** *Construction, paper and paper products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.*

#### **4.0 PRIORITIES**

- 4.1 The health and safety of workers and citizens is of utmost importance and takes precedence over all other policies.
- 4.2 The City has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.
- 4.3 Nothing contained in these Operational Guidelines shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.
- 4.4 Nothing contained in these Operational Guidelines shall be construed as requiring the City, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

#### **5.0 ADMINISTRATION**

**5.1** *The Green Building Compliance Official or his/her designee shall assist City staff in implementing these Operational Guidelines in coordination with other appropriate City Departments.*

This may be done through development of an advisory committee or Green Purchasing Team consisting of members representing purchasers, printing and copying, Information Services, Public Works and construction, and all departments that purchase or specify products or award contracts for services that provide products. Examples of such a team's responsibilities from other jurisdictions that have successfully used this approach include the following:

- evaluating opportunities for substituting environmentally preferable products,
- designing and implementing programs and processes for increasing the purchase of environmentally preferable products,
- educating managers and staff about the organization's Operational Guidelines for Green Building Practices,
- ensuring that purchasing documents, specifications, and contracting procedures do not contradict each other and do not deter or inhibit the purchase of environmentally preferable products,
- providing information to facilitate the evaluation and purchase of environmentally preferable products, including identifying appropriate products and sources and providing technical assistance, and
- evaluating obstacles to purchasing such products in order to create solutions.

The Operational Guidelines may be implemented in phases, for example selecting first the products and services of most concern and priority for the City such as environmentally preferable cleaning products or energy savings. The implementation suggestions in this Section 5.0 are based on effective implementation experiences in other jurisdictions in California and across the country.

- 5.2 *As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with State law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.***

Certification should be in the time and manner prescribed by the City in purchasing or bid documents for compliance with specifications for environmental attributes. Certification may be accomplished by supplying signed verification from a recognized certifying organization such as U.S. EPA's Energy Star (<http://www.energystar.gov>), Green Seal (<http://www.greenseal.org/>), Scientific Certification Systems (<http://www.scs1.com>), and the Forest Stewardship Council (<http://www.fscus.org/>), for example. Certification can also be provided by signed verification from the manufacturer, by identifying claim verification on the product, or by completing and submitting a written certification form (see Attachment 1 for sample language for a vendor certification). This requirement for certification should apply to products for which the successful bidder claims such attributes apply to the product, including, but not limited to, recycled content, chlorine free, non-toxic, reduced toxicity, sustainable forestry, and energy-saving features.

- 5.3 *Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in these Operational Guidelines.***

Buyers should be able to provide a written explanation for product choices that do not meet the environmentally preferable purchasing criteria in the bid document. Such written explanations should be filed with the Green Building Compliance Official, or other position responsible for implementing these Operational Guidelines such as a Green Purchasing Team. The explanation should be submitted within a predetermined number of days of selecting the successful bidder and making the product choice (see Attachment 2 for a sample procurement determination form). This provides accountability that the standards in the City's Operational Guidelines for Green Building Practices are taken into account during purchasing decisions. It also helps in the evaluation process by identifying factors that prevent purchase of more environmentally preferable products and services.

- 5.4 *Purchasers shall include businesses certified by the Bay Area Green Business Program in requests for products and services.***

To demonstrate commitment to ensuring that companies providing services to the organization are in compliance with environmental laws and regulations and are taking additional steps to conserve resources, prevent pollution and minimize waste, vendors and contractors wishing to provide services should be encouraged to become certified by the Bay Area Green Business Program. The Bay Area Green Business Program is a partnership of governments and businesses that certifies the environmental performance of government agencies and businesses. Targeted industries include automotive repair, printing, hotels/event centers, restaurants, landscapers, industrial laundries and remodeling, for example. See <http://www.greenbiz.ca.gov>.

- 5.5 *Vendors, contractors and grantees shall be encouraged to comply with applicable sections of these Operational Guidelines for products and services provided to the City, where practicable.*

## 6.0 MONITORING

- 6.1 *The Green Building Compliance Official or his/her designee shall periodically evaluate the success of the implementation of these Operational Guidelines.*

As with implementation in Section 5.0 above, the evaluation can include the participation of an advisory committee or a Green Purchasing Team. The periodic evaluation may include providing a report annually to the City Council. The report could include the results of tracking the purchase of environmentally preferable products compared to the total amount of products purchased. To the extent practicable, the tracking system should build on existing methods to track purchases and include information on the annual volume and dollar amount of environmentally preferable products purchased compared to the total amount of products purchased, within general product categories. However, a simple list of the environmentally preferable products purchased is acceptable. Whenever practicable, vendors should be required to provide reports on their sales of environmentally preferable products to assist the City in this tracking.

When possible, annual reports should include an evaluation of the performance, safety, cost, and environmental benefits achieved through use of the environmentally preferable products purchased. This can include case studies or anecdotal information from purchasers or users of the products. Reports should relate progress in meeting the stated objectives of the City's Operational Guidelines for Green Building Practices (see Sections 1.0 and 2.0) and be in accordance with the Specifications categories (see Section 3.0) used in the Guidelines.

Annual reports should include notation of any barriers encountered in procurement of environmentally preferable products, recommendations for resolution, and/or description of assistance needed for overcoming the obstacles. It is suggested that the first annual report be issued within one year following the effective date of the City's implementation of the Operational Guidelines for Green Practices.

## 7.0 DEFINITIONS

- 7.1 "Agricultural Bio-Based Products" means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.
- 7.2 "Bay Area Green Business Program" is a partnership of governments and businesses that certifies the environmental performance of government agencies and businesses.
- 7.3 "Bay-Friendly Landscaping" means working with the natural ecosystems of the San Francisco Bay Area to foster soil health, to reduce runoff and pollution, prevent and reuse plant waste, and conserve water and other natural resources. Bay-Friendly Landscaping practices are described in the *Bay-Friendly Landscape Guidelines*, by StopWaste.Org.
- 7.4 "Buyer" means anyone authorized to purchase or contract for purchases on behalf of the City or its subdivisions.
- 7.5 "Chlorine free" means products processed without chlorine or chlorine derivatives.

- 7.6 “Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the City or serves in a subcontracting capacity with an entity having a contract with the City for the provision of goods or services.
- 7.7 “Dioxins and furans” are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the Environmental Protection Agency.
- 7.8 “Elemental Chlorine Free (ECF)” bleaching processes replace elemental chlorine gas with a chlorine derivative as the bleaching agent. There is a wide range of different bleaching sequences covered under this term. While all ECF processes significantly reduce the amount of dioxins created in the bleaching process, those that include enhanced processes such as extended and oxygen delignification achieve the greatest reduction.
- 7.9 “Energy Star” means the U.S. EPA’s energy efficiency product labeling program.
- 7.10 “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.
- 7.11 “Federal Energy Management Program” is a program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products.
- 7.12 The “Forest Stewardship Council” is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.
- 7.13 “Green Building Compliance Official” means the person who is authorized and responsible for enforcing the City’s Ordinance No 9-04 mandating green building practices for City projects, as designated by the City Manager.
- 7.14 “Green Building Practices” means a whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED™ Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.
- 7.15 “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.
- 7.16 “Integrated Pest Management (IPM)” is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment.
- 7.17 “LEED™ Rating System” means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other

related LEED™ Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

- 7.18 “Organic Pest Management” prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of California Certified Organic Foods (CCOF).
- 7.19 “Parks and Recreation Projects” means landscape construction projects, such as sports facilities, playgrounds, and trails, as well as sports lighting, parking, restrooms and associated infrastructure on City-owned and maintained property.
- 7.20 "Postconsumer 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.
- 7.21 “Practical” and “Practicable” mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.
- 7.22 “Preconsumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Preconsumer material does not include mill and manufacturing trim, scrap, or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.
- 7.23 “Processed Chlorine Free (PCF)” refers to a recycled product in which the recycled content is produced using no chlorine or chlorine derivatives. Any virgin content in the product must also be produced using no chlorine or chlorine derivatives.
- 7.24 “Recovered Material” means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes preconsumer and postconsumer material but does not include excess resources of the manufacturing process.
- 7.25 “Recycled Content” means the percentage of recovered material, including preconsumer and postconsumer materials, in a product.
- 7.26 “Recycled Content Standard” means the minimum level of recovered material and/or postconsumer material necessary for products to qualify as “recycled products.”
- 7.27 “Recycled Product” means a product that meets the City’s recycled content policy objectives for postconsumer and recovered material.
- 7.28 “Remanufactured Product” means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.
- 7.29 “Reused Product” means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.
- 7.30 “Scientific Certification Systems” provides independent third-party evaluation and certification of environmental claims in product manufacturing, among other programs.

- 7.31 “Source Reduction” refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced, packaging.
- 7.32 “Traditional Public Works Projects” means heavy construction projects, such as pump stations, flood control improvements, roads, bridges, as well as traffic lights, sidewalks, bike paths and associated infrastructure on City-owned and maintained property.
- 7.33 “U.S. EPA Guidelines” means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.
- 7.34 “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.

**8.0 EFFECTIVE DATE**

- 8.1 These Operational Guidelines shall take effect on July 19, 2005.

ATTACHMENT 1

**Sample Language For Vendor Certification**

The Federal Acquisition Regulation (FAR) uses the language below (or variations) for certifying a variety of environmental claims, from recycled content to ozone-depleting substances.

**Example:** Language inserted in solicitations that are for, or specify use of recovered materials:

“Recovered Material Certification. The offeror <bidder> certifies, by signing this offer <bid>, that the percentage of recovered materials to be used in the performance of the contract will be at least the amount required by the applicable contract specifications.”

**Example:** Language inserted in certain solicitations and contracts that are for, or specify use of recovered materials:

“Estimate of Percentage of Recovered Material Content for EPA-Designated Products. The contractor, on completion of this contract, shall (1) estimate the percentage of the total recovered material used in contract performance, including, if applicable, the percentage of postconsumer material content; and (2) submit this estimate to <contracting officer>.”

**Example:** Language inserted in certain solicitations and contracts where certification is required:

“The contractor shall execute the following certification:

Certification

I, \_\_\_\_\_ (name of certifier), am an officer or employee responsible for the performance of this contract and hereby certify that the percentage of recovered material content for EPA-designated products met the applicable contract specifications.

---

*(Signature of the Officer or Employee)*

---

*(Typed name of the Officer or Employee)*

---

*(Title)*

---

*(Name of Company, Firm or Organization)*

---

*(Date)*

**See Also Examples from Alameda County Source Reduction and Recycling Board’s *Resourceful Purchasing Manual* (pages 86 & 87). It can be found at <http://www.stopwaste.org/reports/rpm.pdf>.**

**Recommendation:** Modify as an attachment to the jurisdiction’s Environmentally Preferable Purchasing Policy and/or prepare different versions applicable to recycled content, energy-efficiency, or other environmental attributes as part of purchasing or bid documents.

**ATTACHMENT 2**

**Sample Procurement Determination Form**

Item: \_\_\_\_\_

\_\_\_ This item is required to meet Environmentally Preferable Purchasing (EPP) guidelines as described in [jurisdiction's policy, resolution or legislation identification information].

\_\_\_ I have considered the Environmentally Preferable Purchasing guidelines and searched for product or service options that meet them.

\_\_\_ Compliance with [jurisdiction's policy identification] was not attainable for this purchase because:

\_\_\_ Item is not available within a reasonable period of time.

(Need date: \_\_\_\_\_ Date available: \_\_\_\_\_)

\_\_\_ Item fails to meet a performance standard in the specifications.

Specifically, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_ Item is not available, or is not available from 2 or more sources.

Market research was performed by calling \_\_\_ (insert number) vendors, but only

\_\_\_\_\_ (enter name) was able to supply the item.

\_\_\_ Item was only available at an unreasonable price (i.e., EPP item cost more than non-compliant item).

Price of EPP item: \_\_\_\_\_

Price of non-compliant item: \_\_\_\_\_

\_\_\_ Compliance would conflict with state or federal law requiring that:

\_\_\_\_\_

\_\_\_\_\_  
Signature of Purchaser

\_\_\_\_\_  
Printed Name of Purchaser

\_\_\_\_\_  
Date