

2510.9 Subject: Sustainable Procurement

Objective:

Seek to reduce operational environmental impacts and to promote fiscal responsibility, social equity, and community and environmental stewardship by integrating sustainability considerations into the procurement process. It is the purpose of this policy to encourage the purchase and use of sustainably preferred products (SPP) and services.

Authority:

This policy adopted by City Council April 27, 2020, Item A-2.

Direction:

The Chief Financial Officer, as an appointed official, serves at the pleasure of, and receives direction from the Mayor.

Functions:

A. Sustainability Factors

City employees should consider whenever reasonably practical the following factors when procuring, or writing specifications for materials, goods, and services.

1. Environmental Factors
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Environmental factors may include, but are not limited to, the following considered over the life cycle of the material, goods, or services being acquired:

- a. Pollutant releases
 - b. Toxicity, especially the use of persistent, bio-accumulative, and toxic (PBT) chemicals
 - c. Waste generation
 - d. Water efficiency
 - e. Greenhouse gas emissions
 - f. Energy efficiency and consumption
 - g. Use of renewable energy
 - h. Depletion of natural resources
 - i. Impacts on biodiversity
 - j. Recyclability
 - k. Recycled content
2. Social Equity Factors

Social equity factors may include, but are not limited to, the following:

- a. Human health impacts
- b. Environmental justice (disproportionate environmental and health impacts on different population groups)

- c. Fair labor practices, health and retirement benefits, safety standards, livable wages, and other worker rights, in accordance with federal and State laws, City ordinances, and City policies applicable to vendors.
- d. Inclusion of City of Orlando Minority and Women Owned Business Enterprise certified suppliers, Veteran Business Enterprise certified suppliers, LGBTQ+ certified suppliers, and other groups recognized by the City. Adhere to Chapter 57.

3. Economic Factors

Economic Factors may include, but are not limited to, the following:

- a. Use reduction – procuring only necessary products
- b. Product performance, quality, and durability
- c. Upfront and on-going Cost
- d. Life-cycle cost assessment and lowest total cost of ownership
- e. Leveraging buying power
- f. Impact on staff time and labor, including operational and maintenance requirements
- g. Long-term financial/market changes

While not all factors will be applicable to every purchase, it is the intent of this policy that City employees should make a good faith effort to consider, balance, and incorporate these factors to the extent reasonably possible.

It is not the intent of this policy to exclude competition, or to require a Using Agency or contractor to take any action that conflicts with local, state, or federal requirements or to produce or use products that do not perform adequately for their intended use or are not available at a reasonable price in a reasonable time period.

B. Sustainably Preferred Products (SPP) & Services

When preparing to purchase or lease any product or service, City Using Agencies should reduce their environmental impacts by increasing the procurement of sustainable products and services to the extent reasonably possible. To assist in the implementation of this policy, third party certification standards and specifications may be useful and used. These include, but are not limited to, the following:

1. Green Seal - Environmental Standards for green cleaners
 2. Underwriters Laboratories (UL) (formerly EcoLogo)
 3. Green Guard Standards
 4. U.S. EPA's Design for the Environment (DfE)
 5. Energy Star
 6. EPA Eco-Purchasing Guidelines
 7. U.S. Green Building Council's Leadership in Energy & Environmental Design (LEED)
 8. Biodegradable Products Institute (BPI)
 9. EPA WaterSense
 10. Rainforest Alliance Certified
 11. Forest Stewardship Council (FSC)
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12. BioPreferred (USDA)
13. Safer Choice (US EPA)
14. EPEAT Registered (highest rating available)
15. SMaRT certification (from MTS)
16. Fair Trade certification

City employees should, to the best of their ability, integrate criteria that support the purpose of this policy in their procurement decisions. Examples include, but are not limited to, replacing disposable products with reusable or recyclable products, buying products bearing third-party eco-labels and certifications where they are reasonably available and provide value for money, and looking for energy efficiency, water conservation, toxic use reduction, conservation of natural resources, and waste minimization attributes.

C. Responsibilities of Using Agencies

When reasonably practical and applicable, Using Agencies should:

1. Specify recycled and sustainably preferable products without sacrificing quality of the goods and services.
2. Practice waste prevention in accordance with material and product specifications, including, but not limited to, following material and product recycling guidelines.
3. Maximize the proportion of goods and services with acceptable environmental practices.
4. Consider electric or alternative fuel vehicles prior to the purchase of a petroleum-based vehicle when making vehicle purchases.

5. Request assistance from the Office of Sustainability in the evaluation of the SPP status of a product or service when needed or desired.
6. Write specifications or scopes of services that will provide for the use of sustainably preferred products and services whenever these products perform adequately for their intended purpose.

D. Responsibilities of Procurement and Contracts Division

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:

1. Maintaining and distributing to Using Agencies a list of resources and educational materials regarding accessing and purchasing sustainable preferable products.
2. Providing Using Agencies with information about recycled products and sustainable preferable purchasing.
3. Informing suppliers of applicable City of Orlando sustainable procurement specifications and policies for the type of material, goods, or services being acquired.
4. Structuring contracts to offer and/or feature sustainable preferable products when reasonably practical and appropriate, (e.g., certain office supplies, lubricating oils, and janitorial supplies). The Procurement and Contracts Division should coordinate with the Office of Sustainability and Resilience when contracts eligible for sustainable purchasing are being solicited, awarded, or renewed.
5. Encouraging the development of specifications aimed at eliminating barriers to recycled-content products.

6. Encouraging suppliers to offer products considered as sustainably preferable, whenever practical.

E. Responsibilities of Office of Sustainability and Resilience

The Office of Sustainability and Resilience should assist in the implementation of this policy and its goals. Such assistance should include, but is not limited to, the following:

1. Drafting and maintaining a list of resources and educational materials regarding accessing and purchasing sustainable preferable products that should be updated and provided on an annual (or more frequent) basis to the Procurement and Contracts Division and Using Agencies.
2. Providing the Procurement and Contracts Division with information about opportunities for the purchase of recycled products for distribution to Using Agencies.
3. Providing technical support and assistance on an as-needed basis to the Procurement and Contracts Division when drafting solicitations and contracts when there are opportunities to offer and/or feature recycled-content products whenever possible (e.g., office supplies, lubricating oils and janitorial supplies).
4. Providing technical support and assistance on an as-needed basis in the review of proposals, bids, and quotes.

F. Responsibilities of Vendors, Suppliers, Contractors, and Service Providers

Entities doing business with the City should comply with sustainable procurement provisions contained in City solicitations and contracts. Such requirements may include, but are not limited to, the following:

1. The use of sustainably preferable products.
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2. Legal requirements related to environmental laws and regulations, and the City's standards, which may exceed minimums outlined in the laws and regulations.
3. Legal requirements related to workplace/worker safety laws and regulations as well as the City's standards, which may exceed any minimums set out in the laws and regulations.
4. Compliance with the City's Veteran, Minority and Women Owned Business Enterprise programs and policies. Ref: P&P Chapter 57.
5. Providing the City with a Supplier Sustainability Declaration setting out the entities standards and policies regarding fair working conditions for workers and the promotion of a cleaner environment for local communities.

G. Definitions

1. Alternative Fuel Vehicle means any motor vehicle powered in whole or in part by alternative fuels; such as an electric vehicle that is a qualified fuel cell motor vehicle (as defined in 26 U.S.C. Section 30B(d)(3)); and any other type of vehicle that the Administrator of the Environmental Protection demonstrates to the United States Secretary of Energy would achieve a significant reduction in petroleum consumption.
2. Biodegradable Products Institute (BPI) was formed as a nonprofit in 1999 with the mission to promote the production, use and appropriate end of lives for materials and products that are designed to fully biodegrade in specific biologically active environments, such as industrial composting.
3. BioPreferred is a program managed by U.S. Department of Agriculture (USDA) to increase the purchase and use of bio-based products. The BioPreferred program was created by the 2002

- Farm Bill and reauthorized in the Farm Bill 2014. The increased development, purchase, and use of bio-based products reduces our nation's reliance on petroleum and foreign energy sources, increases the use of renewable agricultural resources, and contributes to reducing adverse environmental and health impacts.
4. 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.
 5. Energy Star (trademarked ENERGY STAR) is an international standard for energy efficient consumer products originated in the United States. It was created in 1992 by the Environmental Protection Agency and the Department of Energy. Devices carrying the Energy Star service mark, such as computer products and peripherals, kitchen appliances, buildings, and other products, generally use 20-30% less energy than required by federal standards.
 6. EPEAT is the leading global ecolabel for the IT sector. The EPEAT program provides independent verification of manufacturers' claims and the EPEAT online Registry lists sustainable products from a broader range of manufacturers than any comparable ecolabel. National governments, including the United States, and thousands of private and public institutional purchasers around the world use EPEAT as part of their sustainable procurement decisions.
 7. Fair Trade certification is a global movement made up of a diverse network of producers, companies, shoppers, advocates, and organizations putting people and planet first. It appears on products as an independent guarantee that disadvantaged producers in the developing world are getting a better deal.
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8. Green Guard Certification Standards have established performance-based standards to define products and processes with low chemical and particle emissions for use indoors. The standards are primarily for building materials, finishes, interior furnishings, furniture, cleaning products and electronic equipment.
 9. Green Seal is an independent, non-profit environmental labeling organization that offers expertise in green purchasing, operations, and plant improvement. This organization has helped prepare environmentally responsible criteria including specifications for many products, including paint, adhesives, degreasers, paper towels, and napkins. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers.
 10. LEED® Rating System means the Leadership in Energy & Environmental Design system developed by the U.S. Green Building Council designed for rating new and existing commercial, institutional, and high-rise residential buildings.
 11. Life Cycle Cost (LCC) means the total cost of ownership over the lifespan of the asset. It is useful as an analysis technique that takes into account operating, maintenance, the time value of money, disposal, and other associated costs of ownership as well as the residual value of the item.
 12. Practical and Practicable means 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. For energy and water consuming devices, a reasonable cost shall mean that the product has a life-cycle cost that is reasonable similar to the life-cycle costs of other similar products.
 13. Rainforest Alliance Certified seal means that some or all of the ingredients in the product were sourced from farms that are
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- certified to the Sustainable Agriculture Network (SAN) standard, which aims to promote sustainability in farming and protect farmers, forests, wildlife, and local communities.
14. Recycling means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.
 15. Safer Choice is a certification created by the U.S. Environmental Protection Agency (US EPA) that helps consumers, businesses, and purchasers find products that perform and are safer for human health and the environment.
 16. SMaRT certification is a sustainable product standard created by the Institute for Market Transformation to Sustainability (MTS) to prioritize environmental, social, and economic benefits over the supply chain. MTS is an American National Standards Institute (ANSI) accredited standards developer.
 17. 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.
 18. Sustainable Preferable Products and Services means products and services that have a lesser impact on human health and the environment when compared with competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product.
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19. The Forest Stewardship Council is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards for sustainably harvested forests developed by a broad variety of stakeholder groups.
20. Underwriters Laboratories (UL) is the largest independent, not-for-profit testing laboratory in the world. UL conducts safety and quality tests on a broad range of products, from fire doors to CCTV cameras. The laboratory provides a full spectrum of conformity and quality assessment services to manufacturers and other organizations. It also assists jurisdictional and provincial authorities, offers educational materials to consumers, and works to strengthen safety systems around the world.
21. 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.
22. U.S. EPA's Design for the Environment (DfE) developed several different programs and tools to help its stakeholders evaluate human health and environmental attributes of chemicals in products. A complete listing of all recent DfE reports and publications is available.
23. Using Agency means any department, division, commission, board, bureau, committee, institution, authority or other establishment or official of this City which utilizes any supplies, services, professional services, or any other item procured under the Procurement Code.
24. Virgin Material means any material occurring in its natural form. Virgin Material is used in the form of raw material in the manufacture of new products.

25. Waste Prevention means any action undertaken by an employee or Using Agency to eliminate or reduce the amount or toxicity of materials before they enter the municipal solid waste stream. This action is intended to conserve resources, promote efficiency, and reduce pollution.
26. WATERSENSE labeled products are backed by independent, third-party certification and meet EPA's specifications for water efficiency and performance.

Forms:

None.

Committee Responsibilities:

None.

Reference:

Chapter 7 of the City Code of Ordinances; Municipal Operations Sustainability Plan - Goal 7: 100% of municipal materials meet environmentally-preferential purchasing (EPP) and disposal standards by 2030, approved by City Council April 27, 2020, Item A-2.

Effective Date:

This policy effective June 1, 2020.
