

ATTACHMENT D

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA,
STATE OF CALIFORNIA

IN THE MATTER OF INCREASING THE PURCHASE OF)
RECYCLED-CONTENT PRODUCTS FOR USE WITHIN)
COUNTY FACILITIES.)

RESOLUTION NUMBER 99-322

WHEREAS, the County of Santa Barbara recognizes the importance of preserving limited and increasingly valuable landfill space, conserving natural resources, and protecting the environment; and

WHEREAS, State Law sets forth the local government goals to recycling and reduce 50% of the solid waste generated statewide, which will require aggressive recycling efforts by every city and county in the State; and

WHEREAS, it is realized that recycling is not accomplished until products made from recycled materials are procured and used; and

WHEREAS, the ability to market materials which have been collected for recycling is paramount to the success and sustainability of our recycling programs; and

WHEREAS, market development is the key to moving beyond the uneven collection of recyclable materials to stable resource recovery and reuse;

WHEREAS, due to local collection programs, significant quantities of recycled products, such as the following are today available for purchase: fine grades of paper, high quality paper products, plastics, retreated automobile tires, re-refined lubricating oil, reused automotive parts, reclaimed solvents, recycled asphalt, recycled concrete, carpet or geo-textiles composed of recycled plastics, and compost or co-compost products;

WHEREAS, it is in the public interest to promote the County's purchase of products containing recycled materials because these products substantially reduce the need for solid waste disposal facilities such as landfills;

WHEREAS, it is the intent of the Board of Supervisors, whenever economically feasible and as markets allow, to continually expand the policies of the County to utilize recycled products in the daily operations of the County; and,

WHEREAS, it is appropriate that the County adopt the following legislation to maintain and increase the economic viability of the recycled products market.

NOW, THEREFORE, BE IT RESOLVED THAT effective August 17, 1999, the County of Santa Barbara does hereby adopt and declare the following policies and procedures with respect to purchase of designated products containing recycled materials:

1. It is the goal of the County of Santa Barbara to reduce the deposit of solid waste in the County landfills by 50% through the promotion of recycling and waste reduction efforts and the purchase, where feasible, of products containing recycled materials.
2. In furtherance of this goal, the County Purchasing Agent and purchasing agents within other County Departments shall follow the procedures below to maximize purchase of products with post-consumer recycled content and environmentally preferable products.
3. After October 1, 1999, all bid documents shall include information on the County's programs to buy recycled and environmentally preferable products. The County Purchasing Agent shall assure that purchase specifications for all products do not unfairly discriminate against the use of recycled

materials and that all bidders are required to specify the percentage of recycled content in all products acquired by the County. The County Purchasing Agent shall examine the current specifications and make any changes that are necessary to promote the purchase of recycled-content products by the following procedure:

Specification Review

The County Purchasing Agent and Solid Waste and Utilities Division, shall review current specifications to:

- (a) identify and eliminate any specifications that require the use of virgin products or exclude the use of recycled or environmentally preferable products, unless it can demonstrate to the satisfaction of the Purchasing Agent that such specifications are necessary to protect human health and safety or that recycled or environmentally preferable products do not meet performance standards, unfairly eliminate competition, or are unreasonable in price, taking the price preference, durability and liability into account; and
- (b) revise specifications, where appropriate, to include recycled content and environmentally preferable criteria; and
- (c) ensure that wherever possible, the department purchases or leases copiers, printers and offset equipment capable of using both recycled paper of the appropriate grade and reusable toner cartridges where applicable, and of making two-sided copies; and
- (d) re-use and recycle to the greatest extent possible, the waste produced as a result of any County-sponsored construction or renovation project.

Recycled Product Procurement Implementation

- (a) New bid specifications will be prepared and circulated according to the procedure outlined below. Vendors shall be encouraged to provide bids on products with recycled content or which meet criteria for environmentally preferable products wherever such products meet the performance criteria specified in bid documents.
- (b) To support the purchase of recycled products, purchasing agents shall favor recycled-content products by instituting one of the following three options. They may:
 - (i) **specify** recycled content or criteria for environmentally preferable products or services as a **necessary criterion** in any bid document;
 - (ii) **accept a bid which is not the lowest bid** if (1) the lowest bid is for a non-recycled product and (2) a recycled-content product meets the performance criteria specified and (3) the bid price for the recycled-content product is within the 12% price preference accorded to recycled-content items, or (4) a bid other than the lowest bid meets the criteria for environmentally preferable products or services, or (5) a cost analysis conducted over the life and disposal of the product reveals lower total costs than are reflected in short-term analysis; or
 - (iii) **award a portion of the contract** to bidders offering recycled content or environmentally preferable products.
- (c) Unless otherwise specified, bidders and contractors shall use recycled paper and double-sided copying for the production of all printed and photocopied documents related to the fulfillment of County contracts and shall otherwise fully comply with the provisions of this policy.

Expanding Procurement Opportunities

The County Purchasing Division and the Solid Waste and Utilities Division shall:

- (a) maintain and distribute to County Departments a list of Target Environmental Procurement Products. This list shall contain:
 - (i) products which must be purchased as recycled content products and may not be purchased in virgin form;

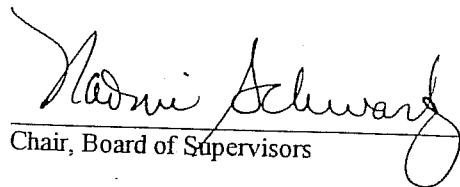
- (ii) products which are available with recycled content or which meet the criteria for environmentally preferable products, which departments shall purchase whenever possible.
- (iii) Provisions with exceptions in order to maintain health and safety, performance standards, and avoid undue financial hardship.
- (b) work jointly to identify new products on the market and make information available to County departments on recycled and environmentally preferable products and services. Examples: carpet made from recycled plastic, wallboard and insulation from recycled paper, non-chlorine-bleached paper, non-toxic cleaners, oil recycling services, ceramic kitchen supplies, etc.
- (c) where possible, establish programs to test recycled and environmentally preferable products. Examples: glassphalt, glass beads for paint and paving markers, plastic lumber (for traffic barricades and cones, fences, posts, guardrails, benches, picnic tables, decking) compost and mulch, non-toxic cleaning products; and
- (d) encourage bidders to propose demonstration and trial uses of recycled and environmentally preferable products in applications that are highly visible and will promote the use of these products.
- (e) Identify opportunities to participate in cooperative purchasing programs with the state, or other local cooperatives, or other states and counties to buy recycled or environmentally preferable products.
- (f) Monitor departments' purchases and participation in programs to carry out the intent of this resolution.
- (g) prepare a report to the Board of Supervisors semi-annually documenting the amounts and types of recycled products purchased; the cost differential from bids for non-recycled products; steps taken to promote recycled product purchases; and action steps proposed for the next six months.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 17th day of August 1999, by the following vote:

AYES: Supervisors Schwartz, Rose, Marshall, Gray, Urbanske

NOES: None

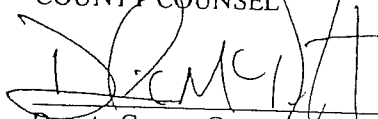
ABSENT: None


 Chair, Board of Supervisors

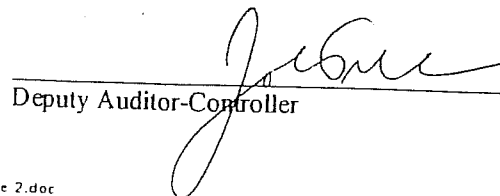
ATTEST
 MICHAEL F. BROWN
 CLERK OF THE BOARD


 Deputy Clerk of the Board

APPROVED AS TO FORM
 STEPHEN SHANE STARK
 COUNTY COUNSEL


 Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM
 ROBERT W. GEIS
 AUDITOR-CONTROLLER


 Deputy Auditor-Controller