

**RESOLUTION NO. 2005-152**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
IMPLEMENTING THE RECYCLED CONTENT PRODUCTS  
PROCUREMENT POLICY**

**WHEREAS**, it is the policy of the City of Elk Grove to conserve and protect natural resources for current and future citizens; and

**WHEREAS**, the California Integrated Waste Management Act of 1989 (AB 939) mandates that cities participate in and promote recycling programs; and

**WHEREAS**, the City's participation in and promotion of recycling programs can significantly reduce the volume of material entering the waste stream, thereby conserving natural resources and extending landfill life expectancy; and

**WHEREAS**, in order for recycling programs to be effective, markets for recycled post-consumer materials must be developed; and

**WHEREAS**, the enactment of a Recycled Content Product Procurement Policy is intended to broaden the use of recycled content products currently purchased and increase the recycled content of products purchased and used by the City, its contractors and grantees; and

**WHEREAS**, the City's commitment to the purchase of recycled materials will foster market development for recycled products and serve as a model for private industry and local businesses; and

**WHEREAS**, the Policy will further contribute to the City's compliance with state requirement (AB 939) that cities undertake and report market development activities; and

**WHEREAS**, it will put the City on "record" in support of progressive procurement and market development goals; and

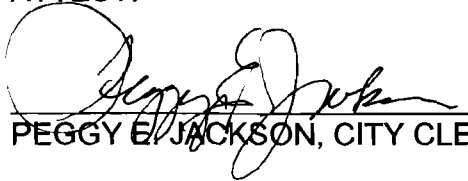
**WHEREAS**, State and Federal agencies have implemented procurement guidelines requiring government agencies to buy products made with recycled materials.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove adopts the following Recycled Content Product Procurement Policy.

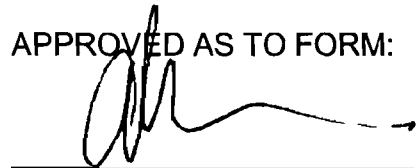
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 25th day of May 2005.

  
\_\_\_\_\_  
DANIEL BRIGGS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**CITY OF ELK GROVE**  
**RECYCLED CONTENT PRODUCTS PROCUREMENT POLICY**

**1. PURPOSE**

The City Of Elk Grove recognizes the need to strengthen markets for materials collected in local recycling collection systems and the need to be proactive and to serve as an example to other agencies and organizations in the community. The City also desires to maximize the reduction of discarded materials and ensure that every department attempts to purchase environmentally-preferred products and services without compromising overall budgetary or performance requirements. The purpose of this policy is to establish criteria that can be used in the City of Elk Grove's purchasing practices to encourage, wherever possible, the use of recycled products and recycled materials, and to continue the City's leadership role in diverting and reducing waste. This policy is enacted to demonstrate compliance with AB 939 and foster market development for recycled products.

**2. GENERAL POLICY**

The City of Elk Grove encourages the use of readily available products that contain recycled content for use, when appropriate. When considered for use, recycled products shall be of a quality, fitness, and performance equal to or better than new materials and at a cost equal to or less than new materials. When purchased, recycled products should be noted as being recycled; or, if part of a bid or if part of a larger product, the percentage of recycled material or the specific parts, which are recycled material, are identified.

Each City Department will make every reasonable effort to purchase and use recycled products or those with recycled content whenever feasible to the extent such use does not adversely affect health, safety, cost, or operational efficiency and effectiveness as determined by each department.

Each City Department will review purchasing specifications and contract requirements and, where feasible, revise such specifications and contract requirements to encourage the use of recycled products.

The City will require its contractors and consultants to specify and use recycled products in fulfilling contractual obligations whenever practicable.

The City will encourage suppliers and contractors to offer environmentally preferable products and services at competitive prices.

The City will raise staff awareness on the environmental issues affecting procurement by providing relevant information and training.

The City will comply with environmental legislative and regulatory requirements in the procurement of products and services.

The City will cooperate to the greatest extent practicable with other local governments in an effort to develop a comprehensive, consistent and effective procurement effort intended to stimulate the market for recycled products.

City Departments will work cooperatively to further the purpose of this policy. The City's economic development activities will strive to promote the markets for recycled material whenever feasible.

### **3. DEFINITIONS OF RECYCLED CONTENT**

a. "Post-Consumer Recovered Materials" means a finished material, that would normally be disposed of as a solid waste, having completed its life as a consumer item. Examples of post-consumer recovered materials include, but are not limited to, old newspapers, office paper, yard waste, steel, aluminum cans, glass, plastic bottles, oil, asphalt, concrete, and tires.

b. "Practicable" means sufficient in performance and available at a reasonable price within a reasonable time period.

c. "Pre-Consumer Recovered Materials" means material or by-products generated after manufacturing of a product is completed, but before the product reaches the end-use consumer. Examples of pre-consumer recovered materials include, but are not limited to, obsolete inventories of finished goods, rejected unused stock, and paper wastes generated during printing, cutting, and other converting operations.

d. "Total Recovered Material" means the total pre- and post-consumer recovered material contained in a product.

### **4. PURCHASE REQUISITION, SPECIFICATIONS, AND BID SOLICITATION**

Product specifications and requisition for products will conform to the following guidelines:

Product specifications and requisitions will not indiscriminately require the use of products made from virgin materials, nor specifically exclude the use of recycled-content products; unless required by the particular need of the City in that instance.

Performance standards must be reasonable and related to function, and will not be designed to exclude the purchase of recycled-content products;

To the extent such information is known, City staff will identify for the Purchasing Department (in the Purchase Requisition) products available with recycled content and vendors from whom such products are available;

Successful bidders are required to certify the percentage content of post-consumer and/or total recovered material, as specified in products to be purchased;

Bidders are encouraged to offer source reduction product alternatives if they can substantiate the source reduction benefits. The City may use the bidders or proposer's specification and commitment to use of recycled content as a factor in awarding contracts.

## **5. CONTRACTORS AND GRANTEES**

All City contractors and grantees will be required to conform to the minimum recycled-content procurement standards set forth by this policy. This requirement is applied to contractors and grantees in procuring materials or products to perform contractual services for the City, to produce or provide a work product in the City or on the City's behalf, or to conduct work funded by a grant from the City.

Contractors and grantees are further requested to report to the City the types, quantities and total dollar amounts of recycled products, which are purchased by the contractor or grantee in connection with City-funded work. The percentage of post-consumer and total recovered material content of such purchased products may also be requested to be included in the report.

Any RFP or bids for services requested by the City will include a statement that the City prefers doing business with companies that adhere to our principles. In addition, the City will request that any proposal submitted to the City is to be printed on recycled content and recyclable paper.

## **6. MONITORING AND RECORDKEEPING**

The Integrated Waste Manager will prepare and deliver to the City Council an annual status report on implementation of this policy. The report will include documentation of the types, quantities, and dollar amounts of recycled products purchased in the previous year by the City, its contractors and grantees. The annual report will address the positive and negative features of the policy and include recommendations to increase the amount of recycled content purchases.

The City may specify in contracts or other purchasing agreements that vendors are required to provide information and furnish annual vendor reports indicating the quantity, dollar amount, percentage(s) and type(s) of recycled content for products furnished to the City. A copy of this information will be forwarded to the Integrated Waste Manager or authorized representative.

Integrated Waste Manager  
City Hall  
City of Elk Grove  
8400 Laguna Palms Way  
Elk Grove, California 95758  
(916) 478-3634

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-152**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )       ss  
CITY OF ELK GROVE         )

*I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 25<sup>th</sup> day of May, 2005 by the following vote:*


**AYES 5:       COUNCILMEMBERS:       Scherman, Soares, Briggs, Leary, Cooper**

**NOES:        COUNCILMEMBERS:**

**ABSTAIN:    COUNCILMEMBERS:**

**ABSENT:     COUNCILMEMBERS:**



  
\_\_\_\_\_  
**Peggy E. Jackson, City Clerk**  
**City of Elk Grove, California**