

**CITY OF PIEDMONT**  
**Policy & Procedure**

**Policy No. 21**  
**Section: Administration/Finance**

SUBJECT: Sustainable Procurement Policy

**1.0 STATEMENT OF POLICY**

It is the policy of the City of Piedmont to:

- Protect and conserve natural resources, water, and energy;
- Minimize the contribution to climate change, pollution, and solid waste disposal;
- Institute practices that reduce waste by increasing product efficiency and effectiveness;
- Purchase products that minimize social and environmental impacts, toxics, pollution, and hazards to worker and community safety;
- Seek and support opportunities for purchasing products and services that foster supplier diversity, support local businesses, and enhance our community for all;
- Purchase products that reduce greenhouse gas emissions in their production, shipping, use and discard;
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests; and
- Comply with State requirements as contained in the SB 1383 procurement regulations (14 CCR 17402 et seq.) to procure a specified amount of Recovered Organic Waste Products to support Organic Waste disposal reduction targets and markets for products made from recycled and recovered Organic Waste materials. Departments and direct service providers and vendors must comply with the City's policies regarding Organic Waste procurement and Recycled-Content Paper procurement as provided herein.

**2.0 PURPOSE**

The purpose of this Policy is to provide the City of Piedmont a means of assuring continuity, uniformity, and environmental, social, and fiscal responsibility in its purchasing operation, and to define the responsibilities for purchasing supplies, equipment, and services. These guidelines are not intended to address every issue, exception, or contingency that may arise in the course of

purchasing activities. The basic standard that should always prevail is to exercise good judgment in the use and stewardship of City resources, including keeping within the budget authorized by the City Council. It is the responsibility of all City employees that purchasing functions are conducted with integrity and objectivity following good business and ethical practices that adhere to the City's applicable law, policies, and procedures. This Policy applies to all types of City-funded procurement and to all City divisions and employees.

This Policy is adopted in order to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets and a circular economy,
- Incorporate environmental considerations including recycled-content and recovered Organic Waste product use into purchasing practices and procurement,
- Reduce materials that are landfilled,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products and distribution systems,
- Seek manufacturers and vendors that reduce environmental impacts in their production and distribution systems or services,
- Create a model for successfully purchasing environmentally and sustainable preferable products that encourages the use of agricultural fibers, chlorine-free manufacturing processes, wood from sustainably harvested forests, and other environmentally friendly practices, and that encourages other purchasers in our community to adopt similar goals, and
- Contribute to sustainable development

### **3.0 STRATEGIES FOR IMPLEMENTATION**

The City of Piedmont shall seek out and implement sustainable procurement best practices to foster and support continuous improvement in meeting City sustainability goals and policies. Best practices include, but are not limited to, the following. Additional best practices may be developed and documented in future updates to the Policy. This Policy's requirements are dynamic and will be updated and expanded to other product and service categories as best practices and markets evolve.

#### **3.1 Source Reduction**

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

- 3.1.3 All buyers shall consider short-term and long-term costs in comparing product alternatives. 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 and replacement parts, disposal costs and expected lifetime compared to other alternatives.
- 3.1.4 The City of Piedmont shall purchase products that are durable, long lasting, reusable or refillable and avoid purchasing one-time use or disposable products, whenever possible and practicable.
- 3.1.5 The City of Piedmont shall request vendors eliminate packaging or use the minimum amount necessary for product protection. Vendors shall be encouraged to take back packaging for reuse. A vendor's willingness to reuse and recycle packaging will be used as part of the consideration in the bid process.
- 3.1.6 Packaging that is reusable, recyclable or compostable is preferred, when suitable uses and programs exist.
- 3.1.7 Vendors shall be encouraged to take back and reuse pallets and other shipping materials.
- 3.1.8 Suppliers of electronic equipment, including but not limited to computers, monitors, printers, and copiers, shall be encouraged to take back equipment for reuse or environmentally sound recycling when the City discards or replaces such equipment, whenever possible. Suppliers will be required to state their take back, reuse or recycling programs during the bidding process.
- 3.1.9 The City of Piedmont shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally sound recycling when the City discards or replaces such equipment, whenever possible. Suppliers will be required to state their take back, reuse or recycling programs during the bidding process.
- 3.1.10 Electronic distribution of documents shall be encouraged rather than printing or copying.
- 3.1.11 Whenever practicable, print and copy all documents on both sides to reduce the use and purchase of paper. Printers and copiers shall be set to default to duplex.
- 3.1.12 If feasible, provide employees the capability to fax directly from their computers. Limit the number of fax machines leased or owned by the City.
- 3.1.13 Ensure all imaging equipment is installed with energy and resource-efficient settings as default.

- 3.1.14 The City of Piedmont shall reduce the number and type of equipment needed to perform office functions to save energy and reduce purchasing and maintenance costs.

### **3.2 Recycled Content Paper Products**

All purchases of Recycled-Content Paper Products, as that term is defined in this Policy, shall conform to the following:

- 3.2.1 For printing and writing paper, if fitness and quality are equal, provide recycled-content paper products and recycled-content printing and writing paper that consists of at least 30 percent (30%), by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled paper products and printing and writing paper are available at the same or lesser total cost than non-recycled items.
- 3.2.2. Paper products and printing and writing paper offered or sold to the City must meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.
- 3.2.3 Vendors shall certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the paper products and printing and writing paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the paper products, printing and writing paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
- 3.2.4 Vendors shall certify in writing, on invoices or receipts provided, that the paper products and printing and writing paper offered or sold to the City is eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12 (2013).
- 3.2.5 The City's Public Works Department, in accordance with these procurement policies, shall obtain and maintain records of all paper products and printing and writing paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the City. Records shall include a copy (electronic or paper) of the invoice or other documentation of purchase, written certifications as required herein for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content paper products or printing and writing papers are provided, include a description of why recycled-content paper products or printing and writing papers were not provided.
- 3.2.6 Vendors shall ensure that pre-printed recycled content papers intended for distribution that are purchased or produced contain a statement that the paper is recycled content and indicate the percentage of post-consumer recycled content.
- 3.2.7 The City of Piedmont shall purchase copiers and printers compatible with the use of recycled content and remanufactured products.

### **3.3 Energy Efficient and Water Saving Products**

- 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.
- 3.3.2 When practicable, the City of Piedmont shall replace inefficient interior lighting with energy-efficient equipment provided that light quality is maintained or improved.
- 3.3.3 When practicable, the City of Piedmont shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment. Minimize exterior lighting where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.
- 3.3.4 The City of Piedmont shall purchase U. S. EPA ENERGYSTAR certified products when available. When ENERGYSTAR 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.
- 3.3.5 The City of Piedmont shall purchase water-saving products whenever practicable. This includes, but is not limited to, high-performance fixtures like toilets, low-flow faucets and aerators, and upgraded irrigation systems.

### **3.4 Green Building Products and Practices**

- 3.4.1 The City of Piedmont shall consider Green Building practices for design, construction, and operation as described in the CalGreen, LEED™ Rating System, local requirements, and other current Green Building best practices for all building and renovations undertaken by the City.
- 3.4.2 The City of Piedmont shall specify and purchase recycled content traffic control products, including signs, cones, parking stops, delineators, channelizes, and barricades.

### **3.5 Landscaping Products and Practices**

- 3.5.1 Encourage Bay-Friendly Landscaping or sustainable landscape management techniques for all landscape renovations, construction and maintenance performed by the City, including workers and contractors providing landscaping services for the City, including, but not limited to, integrated pest management, , drip irrigation, computerized central irrigation linked with the local weather station, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food scrap programs.

- 3.5.2 Choose a Bay-Friendly Qualified Landscape Professional for landscape design and maintenance services. Training and qualifications shall include landscaping locally, landscaping for less to the landfill, nurturing the soil, conserving water, conserving energy, protecting water and air quality, and creating wildlife habitat.
- 3.5.3 Select plants to minimize waste by choosing species for purchase that are appropriate to the microclimate and species that can grow to their natural size in the space allotted them,. Native and drought-tolerant plants that require no or minimal watering once established are preferred.
- 3.5.4 Hardscapes and landscape structures constructed of recycled content materials are encouraged. Limit the amount of impervious surfaces in the landscape. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

### **3.6 Toxics and Pollution Prevention Products and Practices**

- 3.6.1 Manage pest problems through prevention and physical, mechanical and biological controls when the City and its contractors maintain buildings and landscapes. Implement the City's Integrated Pest Management (IPM) policy and practices using the least toxic pest control as a last resort.
- 3.6.2 The City of Piedmont shall use interior finishes for buildings (furniture, paints, casework, flooring, sealants, wallboard, paneling, etc.) that meet indoor air quality and related best practices according to well-recognized standards such as, but not limited to, CA 01350 and the LEED green building standards.
- 3.6.3 The City of Piedmont shall purchase or require janitorial contractors to supply, industrial and institutional cleaning products that meet Green Seal, EPA Safer Choice, or UL/EcoLogo™ certification standards for environmental preferability and performance.
- 3.6.4 The City of Piedmont shall purchase, or require janitorial contractors to supply vacuum cleaners and related equipment that meet indoor air quality and related best practices according to well-recognized standards such as, but not limited to, the Carpet and Rug Institute Green Label Plus and the LEED green building standards.
- 3.6.5 The City of Piedmont shall purchase paper, paper products, and janitorial paper products that are unbleached or are processed without chlorine or chlorine derivatives.
- 3.6.6 The City of Piedmont shall avoid, where possible and practicable, the purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, furniture and flooring.

- 3.6.7 The City of Piedmont shall prohibit the purchase of food service ware containing per- and polyfluroalkyl substances (PFAS).
- 3.6.8 The City of Piedmont shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, the City should give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs. In addition, whenever lead- or mercury-containing products require disposal, the City will dispose of those products in the most environmentally safe manner possible. All fluorescent lamps and batteries will be recycled.
- 3.6.9 The City of Piedmont shall specify that all applicable office electronic products (such as, but not limited to, desktop computers, notebooks, monitors, printers, multi-function devices) be EPEAT (Electronic Product Environmental Assessment Tool) registered at the bronze level or higher.
- 3.6.10 In conjunction with California State agency requirements, the City of Piedmont shall require at least 50 percent of the quantity of paint used for architectural projects contain reused or recycled paint with a recycled content consisting of at least 50 percent post-consumer paint.
- 3.6.11 When replacing vehicles, the City of Piedmont shall consider less-polluting alternatives to diesel such as renewable diesel (R99), compressed natural gas, bio-based fuels, hybrids, electric batteries, and fuel cells, as available.

### **3.7 Bio-Based Products**

- 3.7.1 The City of Piedmont shall encourage the use of vehicle fuels to meet California's Low Carbon Fuel Standard targets, including fuel made from non-wood, plant-based contents such as vegetable oils whenever practicable.
- 3.7.2 The City of Piedmont and its contractors shall purchase biodegradable and compostable disposable products that are free of all intentionally added fluorinated chemicals as certified by the Biodegradable Product Institute (BPI), meet American Society for Testing and Materials (ASTM) standards as found in ASTM D6400-04, and meet ASTM D6868-03 standards for biodegradable plastics used as coatings on paper and other compostable substrates.
- 3.7.3 The City of Piedmont shall require contractors to provide proof of compliance with BPI and ASTM standards for compostable, biodegradable and degradable disposable products distributed at City facilities, projects, events, or for staff use.
- 3.7.4 The City of Piedmont shall not purchase, acquire, distribute or issue permit approval for the use of single-use plastic beverage bottles for use at City facilities, projects, events, or for staff use. Exemptions may be approved on a case-by-case situation.

- 3.7.5 The City of Piedmont shall prioritize the use of reusable products in place of bio-based disposable products such as food service ware at City facilities, projects, events, or for staff use.

### **3.8 Forest Conservation Products**

- 3.8.1 To the greatest extent practicable, the City of Piedmont shall purchase lumber and other wood products that meet best practices for sustainably sourced wood as defined by the Sustainable Wood for Cities guide developed by Cities4Forests or similar model guides.
- 3.8.2 The City of Piedmont shall encourage the purchase or use of previously used or salvaged wood and wood products whenever practicable.

### **3.9 Compost and Mulch Standards**

All purchases of Compost and Mulch, as those terms are defined in this Policy, shall conform to the following:

- 3.9.1 The City of Piedmont will annually procure for use or giveaway a quantity of Recovered Organic Waste Products that meets or exceeds its Annual Recovered Organic Waste Product Procurement Target as determined by CalRecycle.
- 3.9.2 The City of Piedmont Public Works Department and all workers and contractors responsible for landscaping maintenance, renovation, or construction shall:
- 3.9.2.1 Use Compost and SB 1383 Eligible Mulch produced from recovered Organic Waste, as defined, for landscaping maintenance, renovation, or construction, as practicable, whenever available, and capable of meeting quality standards and criteria specified. Mulch used for land application must meet or exceed the physical contamination, maximum metal concentration and pathogen density standards specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).
- 3.9.2.2 When the City uses Compost and Mulch comply with the City's Water Efficient Landscaping Ordinance (WELO), pursuant to Piedmont Municipal Code Section 17.34.020, if applicable. This includes the submittal of a landscape design plan with a "Soil Preparation, Mulch, and Amendments Section" with the following:
- (a) For landscape installations, Compost at a rate of a minimum of 4 cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.



- (b) Apply a minimum three- (3-) inch layer of mulch on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, leave up to five percent (5%) of the landscape area without mulch. Designated insect habitat must be included in the landscape design plan as such.
- (c) Procure organic mulch materials made from recycled or post-consumer materials rather than inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
- (d) For all mulch that is land applied, procure Mulch that meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

3.9.2.3 Those Divisions or Departments that purchase compost or mulch shall keep records, including invoices or proof of Compost and SB 1383 Mulch procurement (either through purchase or acquisition), and submit records to the Public Works Department annually and upon request.

Records shall include:

- (a) General procurement records, including:
  - (i) General description of how and where the product was used and applied, if applicable;
  - (ii) Source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Product were procured;
  - (iii) Type of product;
  - (iv) Quantity of each product; and
  - (v) Invoice or other record demonstrating purchase or procurement.
- (b) For Compost and SB 1383 Eligible Mulch provided to residents through giveaway events or other types of distribution methods, keep records of the Compost and SB 1383 Eligible Mulch provided to residents. Records shall

be maintained and submitted to the Recordkeeping Designee in accordance with the requirements specified in Section 3.9.3.3.

3.9.2.4 When procurement of Recovered Organic Waste Products occurs through a Direct Service Provider, enter into a written contract or agreement or execute a purchase order with enforceable provisions that includes: (i) definitions and specifications for Compost and SB 1383 Mulch; and (ii) an enforcement mechanism (e.g., termination, liquidated damages) in the event the Direct Service Provider is not compliant with the requirements.

3.9.2.5 Any mulch sold or otherwise provided to the City in connection with the City's compliance with the State of California's Recovered Organic Waste Product Procurement Target requirements set forth in section 18993.1 of Title 14 of the California Code of Regulations shall:

- (a) Meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in subsections 17852(a)(24.5)(A)1 through 3 of Title 14 of the California Code of Regulations; and
- (b) Be produced at one or more of the following:
  - i. A compostable material handling operation or facility as defined in section 17852(a)(12) of Title 14 of the California Code of Regulations, other than a chipping and grinding operation or facility as defined in Section 17852(a)(10) of Title 14 of the California Code of Regulations, that is permitted or authorized ; or
  - ii. A transfer/processing facility or transfer/processing operation as defined in Sections 17402(a)(30) and (31) of Title 14 of the California Code of Regulations, respectively, that is permitted or authorized under Division 7; or
  - iii. A solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under Division 2 of Title 27 of the California Code of Regulations.
  - iv. Produced at either a compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under 14 CCR Division 7, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10), OR a transfer/processing facility or transfer/processing operation as defined in 14 CCR Sections 17402(a)(30) and (31), respectively, that is permitted or authorized.

### **3.10 Renewable Energy**

All purchases of Renewable Gas, as those terms are defined in this Policy, shall conform to the following:

3.10.1 For Renewable Gas procurement (used for fuel for transportation, electricity, or heating applications), the City of Piedmont shall:

3.10.1.1 Procure Renewable Gas made from recovered Organic Waste for transportation fuel, electricity, and heating applications to the degree that it is appropriate and available.

3.10.1.2 Keep records in the same manner indicated in Section 3.9.3.3, including invoices or proof of Renewable Gas procurement (either through purchase or acquisition), for the amount of Renewable Gas procured and used by the City and submit records to the Public Works Department annually and upon request.

3.10.1.3 If the City of Piedmont procures Renewable Gas from a POTW,

- (a) Annually verify that the Renewable Gas from the POTW complies with the requirements specified in 14 CCR Section 18993.1(h), including, but not limited to the exclusion in 14 CCR Section 17896.6(a)(1) and the items listed in this Section.
- (b) Annually receive a record from the POTW documenting the tons of Organic Waste received by the POTW from: (i) a compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10), that is permitted or authorized under 14 CCR Division 7; (ii) transfer/processing facility or transfer/processing operation as defined in 14 CCR Sections 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR Division 7; or (iii) a solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under 27 CCR Division 2.
- (c) Annually receive documentation from the POTW of the percentage of biosolids that the POTW produced and transported to activities that constitute landfill disposal in order to demonstrate that the POTW transported less than twenty-five percent (25%) of the biosolids it produced to activities that constitute landfill disposal. For the purposes of this Policy, landfill disposal is defined pursuant to 14 CCR Section

18983.1(a) and includes final disposition at a landfill; use of material as alternative daily cover or alternative intermediate cover at a landfill, and other dispositions not listed in 14 CCR Section 18983.1(b).

Alternative daily cover or alternative intermediate cover are defined in 27 CCR Sections 20690 and 20700, respectively.

- (d) Annually receive documentation that the POTW receives vehicle-transported solid waste that is an anaerobically digestible material for the purpose of anaerobic co-digestion with POTW treatment plant wastewater to demonstrate that the POTW meets the requirement of 14 CCR Section 18993.1(h)(2).

3.10.2. For Electricity Procured from Biomass Conversion, the City of Piedmont shall:

3.10.2.1 Procure electricity from a biomass conversion facility that receives feedstock from a composting facility, transfer/processing facility, a solid waste landfill, and/or receives feedstock from the generator or employees on behalf of the generator of the Organic Waste and to the degree that it is available and practicable.

3.10.2.2 Keep records in the same manner indicated in Section 3.9.3.3, including invoices or proof of procurement of Electricity Procured from Biomass Conversion (either through purchase or acquisition), for the amount of Electricity from Biomass Conversion procured and used by the City and submit records to the Public Works Department annually and upon request.

3.10.2.3 Receive written notification by an authorized representative of the biomass conversion facility certifying that biomass feedstock was received from a permitted solid waste facility identified in 14 CCR Section 18993.1(i) and provide these records to the Public Works Department.

## **4.0 RESPONSIBILITIES**

- 4.1 The health and safety of workers and citizens is of utmost importance and takes precedence over all other practices. Nevertheless, the City of Piedmont recognizes its duty to act in a fiscally responsible as well as a timely manner.
- 4.2 Nothing contained in this policy 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, risk the health or safety of workers and citizens, or are not available at a reasonable price in a reasonable period of time.

- 4.3 Nothing contained in this policy shall be construed as requiring the City of Piedmont, department, purchaser, or contractor to take any action that conflicts with local, state or federal requirements.
- 4.4 The City of Piedmont 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.
- 4.5 Utilize Measure D Funds, Waste Import Mitigation Funds, or Recycled Product Procurement Funds, to support and implement Sustainable Procurement Policy to the extent allowable and eligible.

## **5.0 IMPLEMENTATION**

- 5.1 The City's Finance Director shall implement this policy in coordination with other appropriate City of Piedmont personnel.
- 5.2 The City of Piedmont shall require successful bidders to certify in writing that the sustainability 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 post-consumer material in their products, even when such percentages are zero.
- 5.3 Include businesses certified by the Bay Area Green Business Program in purchasing requests for products and services.
- 5.4 Educate vendors, contractors and grantees on how to comply with applicable sections of this policy for products and services provided to the City of Piedmont.
- 5.5 The City of Piedmont shall follow the requirements of this purchasing policy whenever sustainable procurement options are commercially available and are determined to be cost-effective.

## **6.0 PROGRAM EVALUATION**

- 6.1 The City's Finance Director shall periodically evaluate the success of this policy's implementation and report annually to the City Council.

## **7.0 DEFINITIONS**

- 7.1 “American Society for Testing and Materials” means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.
- 7.2 “Annual Recovered Organic Waste Product Procurement Target” means the amount of Organic Waste in the form of a Recovered Organic Waste Product that the City is required to procure annually under 14 CCR Section 18993.1. This target shall be calculated by multiplying the per capita procurement target, which shall be 0.08 tons of Organic Waste per California resident per year, times the City’s residential population using the most recent annual data reported by the California Department of Finance. Annually, CalRecycle will provide notice to Piedmont of its Annual Recovered Organic Waste Product Procurement Target by posting such information on CalRecycle’s website and providing written notice directly to the City.
- 7.3 “Bay Area Green Business Program” is a partnership of governments and businesses that certifies the environmental performance of government agencies and businesses.
- 7.4 “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.
- 7.5 “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.
- 7.6 “Biodegradable plastic” means the degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.
- 7.7 “Biodegradable Products Institute” (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.
- 7.8 “Buyer” means anyone authorized to purchase or contract for purchases on behalf of this jurisdiction or its subdivisions.
- 7.9 “The Carpet and Rug Institute” (CRI) is the national trade association representing the carpet and rug industry. CRI has developed and administered the “Green Label” indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners. The “Green Label Plus” testing program

incorporates additional requirements to meet California's Collaborative for High Performance Schools low-emitting materials criteria.

- 7.10 "Circular Economy" means looking beyond the current take-make-waste extractive industrial model and focusing on positive society-wide benefits when it comes to growth. It entails gradually decoupling economic activity from the consumption of finite resources, and designing waste out of the system. Underpinned by a transition to renewable energy sources, the circular model build economic, natural, and social capital. It is based on three main principles: design out waste and pollution; keep products and materials in use; and regenerate natural systems.
- 7.11 "Circular Procurement" occurs when a buyer purchases products or services that follow the principles of the circular economy, supporting the assessment of design, making, selling, re-using and recycling products to determine how to get the maximum value from them, both in use and at the end of their life.
- 7.12 "City" means the City of Piedmont.
- 7.13 "City Event" means meetings, projects, and sponsored-activities or activities co-sponsored by the City.
- 7.14 "Compost" means the product resulting from the controlled biological decomposition of organic solid wastes that are source separated from the municipal solid waste stream or which are separated at a centralized facility or as otherwise defined in 14 CCR Section 17896.2(a)(4). Compost eligible for meeting the Annual Recovered Organic Waste Product Procurement Target must be produced at a compostable material handling operation or facility permitted or authorized under 14 CCR Chapter 3.1 of Division 7 or produced at a large volume in-vessel digestion facility that composts on-site as defined and permitted under 14 CCR Chapter 3.2 of Division 7. Compost shall meet the State's composting operations regulatory requirements
- 7.15 "Compostable plastic" means plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.
- 7.16 "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 Organization] or serves in a subcontracting capacity with an entity having a contract with [the Organization] for the provision of goods or services.
- 7.17 "Degradable plastic" means plastic that undergoes significant changes in its chemical structure under specific environmental conditions.

- 7.18 “Direct Service Provider” means a person, company, agency, district, or other entity that provides a service or services to Piedmont pursuant to a contract or other written agreement or as otherwise defined in 14 CCR Section 18982(a)(17).
- 7.19 “Ecolabels” or “Consumer Information Tools” covers a range of tools and systems that seek to guide consumers to make more sustainable choices about goods and services (products) including in their use and end of life phase. Tools can take many forms (including ecolabels) and can be single- or multi-issue.
- 7.20 “EcoLogo™” is a third-party, multi-attribute eco-labeling program founded by the Canadian government in 1988. The Program compares products / services with others in the same category, develops rigorous and scientifically relevant criteria, and awards the EcoLogo to those that are environmentally preferable throughout their entire lifecycle.
- 7.21 “Electronic Product Environmental Assessment Tool” (EPEAT) is a procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select electronic products based on their environmental attributes.
- 7.22 “Electricity Procured from Biomass Conversion” means electricity generated from biomass facilities that convert recovered Organic Waste, such as wood and prunings from the municipal stream, into electricity. Electricity procured from a biomass conversion facility may only count toward the Jurisdiction’s Annual Recovered Organic Waste Product Procurement Target if the facility receives feedstock directly from certain permitted or authorized compostable material handling operations or facilities, transfer/processing operations or facilities, or landfills, as described in 14 CCR Section 18993.1(i).
- 7.23 “Energy Star” means the U.S. EPA’s energy efficiency product labeling program.
- 7.24 “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.
- 7.25 “Environmentally Preferable Purchasing” or “EPP” means the procurement of goods and services that have a reduced impact on human health and the environment compared to competing products serving the same purpose. It is an essential part of our search for high quality products and services at competitive prices.
- 7.26 “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.



- 7.27 “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.
- 7.28 “Green Economy” is defined as low carbon, resource efficient and socially inclusive. In a green economy, growth in employment and income are driven by public and private investment into such economic activities, infrastructure and assets that allow reduced carbon emissions and pollution, enhanced energy and resource efficiency, and prevention of the loss of biodiversity and ecosystem services.
- 7.29 “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.
- 7.30 “Integrated Pest Management” 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.
- 7.31 “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 residential buildings.
- 7.32 “Life Cycle Approach” reflects the incorporation of sustainability concerns from the complete life cycle of a product – all the way from extracting raw materials, manufacturing parts, assembling the product, use and disposal after end of life.
- 7.33 “Low Carbon Fuel Standard” or “LCFS” means a program regulated by the California Air Resources Board aimed at reducing the carbon intensity of transportation fuels that are sold, supplied, or offered for sale in the state through annually declining targets; or as otherwise defined in 17 CCR Section 95480 et seq.
- 7.34 “NSF/ANSI” means NSF International follows the American National Standards Institute (ANSI) standards development process. Standards are developed by joint committees (balanced stakeholder groups of public health, industry and user representatives).

- 7.35 “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).
- 7.36 “Organic Waste” means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, yard trimmings, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined in 14 CCR Section 18982(a)(4) and 14 CCR Section 18982(a)(16.5), respectively.
- 7.37 “Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling or as otherwise defined in 14 CCR Section 18982(a)(51).
- 7.38 "Post-consumer 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.
- 7.39 “Pre-consumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Pre-consumer 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.
- 7.40 “Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications; or as otherwise defined in 14 CCR Section 18982(a)(54).
- 7.41 “Procurement of Recovered Organic Waste Products” shall mean purchase or acquisition (e.g., free delivery or free distribution from a hauler or other entity via a written agreement or contract), and end use by the City or others. The City’s Annual Recovered Organic Waste Product Procurement Target can be fulfilled directly by the City and by Direct Service Providers through written contracts or agreements for Procurement of Recovered Organic Waste Products at the City’s behest.
- 7.42 “Publicly-Owned Treatment Works” or “POTW” has the same meaning as in Section 403.3(r) of Title 40 of the Code of Federal Regulations. For the purposes

of this Policy, the POTW shall be the East Bay Municipal Utility District located at 375 11th St, Oakland, CA 94607.

- 7.43 “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 pre-consumer and post-consumer material but does not include excess resources of the manufacturing process.
- 7.44 “Recovered Organic Waste Products” means products made from California, landfill-diverted recovered Organic Waste processed at a permitted or otherwise authorized operation or facility, or as otherwise defined in 14 CCR Section 18982(a)(60). Products that can be used to meet the Annual Recovered Organic Waste Product Procurement Target shall include Compost, SB 1383 Eligible Mulch, Renewable Gas from an in-vessel digestion facility, and Electricity Procured from Biomass Conversion as described herein and provided that such products meet requirements of 14 CCR, Division 7, Chapter 12, Article 12.
- 7.45 “Recordkeeping Designee” means the public employee appointed by the City Administrator or their designee to track procurement and maintain records of Recovered Organic Waste Product procurement efforts both by Piedmont and others, if applicable, as required by 14 CCR, Division 7, Chapter 12, Articles 12 and 13.
- 7.46 "Recyclability" means that the Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations Section 260.12 (2013).
- 7.47 “Recycled Content” means the percentage of recovered material, including pre-consumer and post-consumer materials, in a product.
- 7.48 “Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper” means such products that consist of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of Sections 22150 to 22154 and Sections 12200 and 12209 of the Public Contract Code, and as amended.
- 7.49 “Recycled Content Standard” means the minimum level of recovered material and/or post-consumer material necessary for products to qualify as “recycled products.”
- 7.50 “Recycled Product” means a product that meets [the Organization’s] recycled content policy objectives for post-consumer and recovered material.
- 7.51 “Recycling” means using waste as material to manufacture a new product. Recycling involves altering the physical form of an object or material and making a new object from the altered material.

- 7.52 “Renewable Gas” means gas derived from Organic Waste that has been diverted from a landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recover Organic Waste.
- 7.53 “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.
- 7.54 “Reuse” means using an object or material again, either for its original purpose or for a similar purpose, without significantly altering the physical or chemical form of the object or material.
- 7.55 “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.
- 7.56 “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants, as amended, supplemented, superseded, and replaced from time to time.
- 7.57 “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this policy, the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions regulations developed by CalRecycle and adopted in 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.
- 7.58 “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.
- 7.59 “State” means the State of California.
- 7.60 “Sustainable Consumption and Production” means the use of services and related products, which respond to basic needs and bring a better quality of life while minimizing the use of natural resources and toxic materials as well as the emissions of waste and pollutants over the life cycle of the service or product so as not to jeopardize the needs of future generations.
- 7.61 “Sustainable Development” means development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

- 7.62 “Sustainable Procurement” or “Sustainable Public Procurement” means a process where organizations meet their needs for goods, services, works, and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organization, but also to society and the economy, while minimizing damage to the environment.
- 7.63 “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.
- 7.64 “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.

Initiated by: Public Works Department  
Approved by: City Council

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