

ENVIRONMENTALLY PREFERABLE PURCHASING POLICY

1.0 Purpose

The County of Santa Clara (the “County”) recognizes that the products and services it purchases have human health, environmental, economic and social impacts and it is committed to sustainability through purchasing products and services that will enable it to meet its current needs without compromising the ability of future generations to meet their own needs.

2.0 Goals

The County desires to purchase products and services that:

- Have a lesser or reduced effect on human health and the environment when compared to competing products and services that serve the same purpose;
- Reduce the County’s consumption of resources;
- Conserve water and other natural resources;
- Preserve biodiversity;
- Minimize the release of greenhouse gases into the environment;
- Improve indoor and outdoor air quality;
- Promote zero waste;
- Advance extended producer responsibility by purchasing from suppliers who offer “take-back” services for their products and packaging at the end of their useful life;
- Minimize exposure to toxic chemicals that pose risks to human health;
- Reduce the impact of packaging and transportation;
- Maximize energy efficiency and the use of renewable energy;
- Meet or exceed sustainability standards established by federal, state and local governments and independent third party organizations;
- Are remanufactured, are refurbished and/or contain recycled content, particularly post-consumer material; and
- Are offered by suppliers who demonstrate in their business practices a commitment to the goals set forth in this policy.

Products and services that meet the goals set forth above are referred to herein as “Environmentally Preferable Products and Services.”

3.0 Policy

The County shall purchase Environmentally Preferable Products and Services, unless they (1) are not available with reasonable competition, (2) are not available within a reasonable time frame, (3) are not cost-effective or (4) do not perform as required for the County’s intended use.

All County departments and employees shall comply with the terms of this policy and shall use their best efforts to achieve the goals set forth herein.

Nothing in this policy shall be construed as requiring any department or employee to terminate an existing contract to comply with this policy.

4.0 Implementation

The County shall establish a team to assist with the implementation of this policy (the “EPP Team”). The EPP Team shall be comprised the Director of Procurement, the Director of the Department of Agriculture and Environmental Management, the Director of the Department of Facilities and Fleet Services, the Chief Executive Officer of the Santa Clara Valley Health and Hospital System and County Counsel, or their respective designees. The County Executive may require the participation of additional departments, in its discretion. The directors or designees, as applicable, shall actively participate as part of the EPP Team to ensure that the County complies with this policy.

(A) The EPP Team shall:

- (1) Formulate a plan to implement this policy;
- (2) Identify Environmentally Preferable Products and Services;
- (3) Develop product-related administrative guidelines;
- (4) Consult with County departments concerning opportunities to purchase Environmentally Preferable Products and Services; and
- (5) Prepare and submit to the Board of Supervisors an annual report summarizing the implementation of this policy during the previous year; policy related goals for the following year; and recommended changes, if any, to the policy or its implementation.

(B) The Director of Procurement shall:

- (1) Collaborate with County departments in the development and evaluation of technical and performance specifications of Environmentally Preferable Products and Services;
- (2) Include Environmentally Preferable Products and Services specification in County solicitations and evaluation criteria, unless they (1) are not available with reasonable competition, (2) are not available within a reasonable time frame, (3) are not cost-effective or (4) do not perform as required for the County’s intended use;
- (3) Develop and implement a strategy to educate suppliers about the policy; and
- (4) Communicate to suppliers the requirements set forth in this policy with respect to all Environmentally Preferable Products and Services supplied in connection with the performance of any contractual obligations with the County.

(C) County Departments shall:

- (1) Include Environmentally Preferable Products and Services specifications in County solicitations and evaluation criteria, unless they (1) are not available with reasonable competition, (2) are not available within a reasonable time frame, (3) are not cost-effective or (4) do not perform as required for the County’s intended use;
- (2) Comply with the product related administrative guidelines developed by the EPP Team;
- (3) Comply with this policy with respect to all products and services purchased, irrespective of the method of acquisition;
- (4) Collaborate with the Director of Procurement to fulfill the purpose of this policy;

- (5) Identify one or more liaisons to support the EPP Team to fulfill the purpose of this policy
- (6) Facilitate departmental use of Environmentally Preferable Products and Services through internal training, information dissemination, development of internal procedures, and other means;
- (7) Require liaisons and/or appropriate staff to attend and participate in product-specific end user group meetings and environmentally preferable purchasing trainings;
- (8) Participate in the identification, selection and pilot testing, if necessary, of Environmentally Preferable Products and Services; and
- (9) Provide feedback to the EPP Team regarding technical and performance specifications, availability and cost of Environmentally Preferable Products and Services.