



GENERAL SERVICES POLICY STATEMENT

POLICY NO: P-250
POLICY TITLE: ENVIRONMENTALLY RESPONSIBLE PURCHASING POLICY
EFFECTIVE DATE: 12/14/04

PURPOSE: The purpose of this Policy is to reduce negative impacts to human health and the environment through the development of criteria for county purchases that:

1. Reduce exposure of county residents, staff and visitors to potentially toxic chemicals by purchasing products for use in County operations that minimize harm to human health or the environment;
2. Improve the air quality for Clark County residents and visitors by purchasing vehicles and motorized equipment that minimize emissions of air pollutants;
3. Protect the quality of Clark County's ground and surface waters by minimizing the use of chemicals known to contaminate local water resources through toxicity, bioaccumulation or persistence;
4. Preserve resources locally and globally by purchasing practices that:
 - Maximize water and energy efficiency;
 - Utilize renewable energy sources;
 - Maximize post-consumer recycled content;
 - Utilize readily recyclable or compost-able materials; and
 - Facilitate long-term commodity use through product durability, repair-ability, and reuse.

SCOPE: The Environmentally Responsible Purchasing Policy applies to all County departments that procure goods and services. This policy is considered as an advisory to all other County representatives. Elected officials will have the sole responsibility of determining their participation in this program.

POLICY: The areas, responsibilities, practices and procedures that are outlined as part of this policy are formalized to ensure compliance with purchasing practices that will result in the purchasing of products which will minimize the impact on human health and the environmental.

Authorized by _____

Definitions:

Green Purchasing List - A list of criteria have been identified, evaluated and recommended by the Green Team. Products that meet the criteria on the Green Purchasing List will have a lesser impact on human health and the environment compared to other similar products. This list of approved criteria is Exhibit I and will be periodic updated as described in the Guidelines below.

Green Team - A cross-functional team of County staff formed to oversee the County’s environmental procurement efforts and measure the results. This will be a standing committee as described in the Guidelines below.

Targeted Product Category - This is a broad category of products routinely purchased by the County which have been identified by the Green Team within which environmentally responsible alternative products are readily available.

- Office Products
- Construction/Facility Maintenance Products
- Park Products & Landscaping/Vegetation Maintenance Products
- Transportation Products
- Vehicles & Vehicular Products

Watch List – product types that have been identified as potential candidates for the Green Purchasing List. This may include the products whose criteria are being reviewed, examined, or tested.

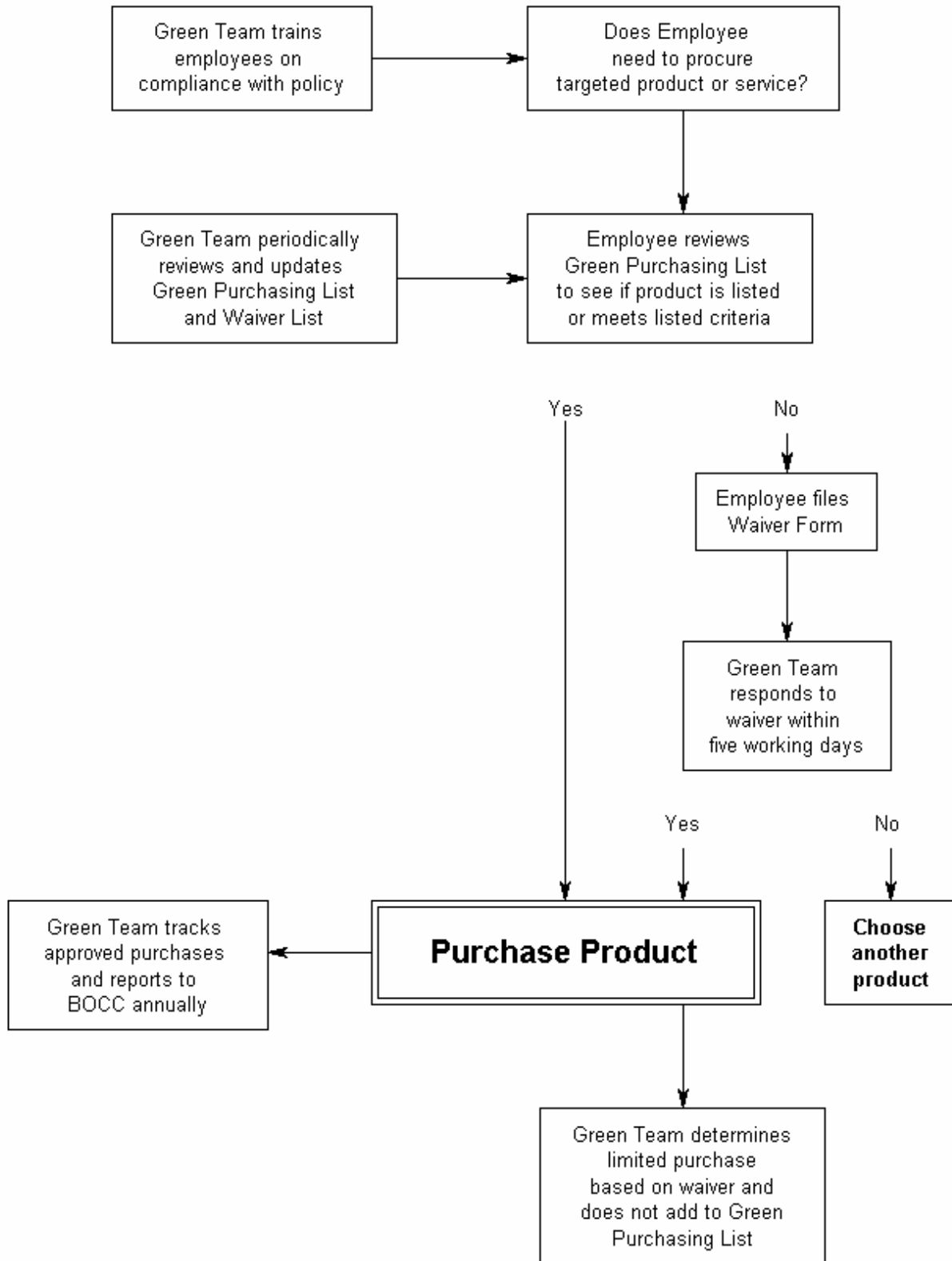
Guidelines:

The Green Team will consult with County department users, technical experts, and others to maintain the environmental criteria by which to evaluate products. The following factors may be considered in establishing the criteria: human health impacts; environmental impacts; greenhouse gas and air pollution emissions; groundwater and surface water contamination, water and energy efficiency; renewable energy sources; recycled content; durability; and ability of the product to be recycled, reused or composted at the end of its life cycle. The Green Team shall identify potential product criteria and create a Green Purchasing List. The Green Team shall notify all County departments of any revisions to the Green Purchasing List.

When procuring through direct buy, Central Stores, quote, bid or RFP, purchasers shall review the Green Purchasing List for guidance as to which specific product criteria is approved for such a purchase. For those product types listed, only those products which meet the criteria listed on the Green Purchasing List may be purchased. If a specific product is sought that does not meet the criteria on the Green Purchasing List, a waiver from the Green Team may be sought as described in the following section.

Flow chart of the procedures for purchasers is shown in Table below.

Procedure:



Any County department entering into a new contract shall incorporate the criteria on the Green Purchasing List into the bid and RFP documents. Contractors/vendors that supply products and/or services shall provide or use products that meet the criteria listed from the Green Purchasing List. A waiver may be sought for a specific procurement process by submitting the waiver application to the Green Team as described in the following section.

Departments shall contact the Green Team for technical assistance in determining the most appropriate language to include in bid and RFP specifications and which areas shall be subject to environmentally responsible purchasing. Specification language may include a base bid with an option for environmentally responsible products and services. If requested, a member of the Green Team shall be available to provide technical assistance in the review of bid and RFP responses. This technical assistance shall also be available to assist in the development of contractual language after a vendor has been selected.

Any department extending the term of an existing contract shall, when feasible, incorporate the criteria on the Green Purchasing List into the contract.

The Green Team shall evaluate and amend the Green Purchasing List as other products and performance criteria become available and pricing conditions change. A "Watch List" has been developed and product criteria on this list will be reviewed periodically for addition to the Green Purchasing List. The team will utilize the expertise of county staff, through user-groups or other means, to review, examine, and test environmentally responsible products. Any product that receives a waiver shall be evaluated by the Green Team for its criteria to be included on the Green Purchasing List. The Green Team will approve product criteria additions to the Green Purchasing List when there is no overall cost impact. Any product criteria addition to the List which results in an overall cost increase to the County up to \$10,000 will be recommended to the County Administrator for approval. Product criteria additions which have a cost impact greater than \$10,000 will be submitted to the Board for approval. In addition to cost impacts, each recommendation will include any environmental impacts that may result from a product if their criterion is added to the Green Purchasing List. The \$10,000 limit is to coincide with the amount in the Purchasing Policies for bids and RFP's. If those benchmarks are changed, the limit in this policy will also change to the same amount.

WAIVERS:

An application for a waiver (Exhibit II) shall be filed with the Green Team. The Green Team shall respond to the requesting department within 5 days of receipt of a waiver application. A department may request a waiver under the following circumstances:

- (a) Emergency - Such purchases are allowed when it is necessary to respond to an emergency which endangers public health or safety. In such case, the director of the County department shall notify the Green Team in writing of the emergency that prevented compliance within two business days following the emergency.
- (b) Performance Standards - When no product criterion on the Green Purchasing List meets departmental performance standards, the department shall:
 - demonstrate that they have thoroughly tested each product criteria on the Green Purchasing List and none meet the department's performance standards or timelines;
 - develop a reasonable plan to minimize use of the selected product and/or protect employees and public from exposure; and

- investigate alternatives to the selected product during the waiver period.
- (c) Cost Prohibitive – When a product criterion on the Green Purchasing List is cost prohibitive, the requesting department shall:
- demonstrate that the product criterion on the Green Purchasing List is cost prohibitive as weighed against the potential environmental and health impacts posed by the use of the product;
 - develop a reasonable plan to minimize use of the selected product and/or protect employees and public from exposure; and
 - investigate alternatives to the selected product during the waiver period.
- (d) Product Availability – When the product criterion on the Green Purchasing List is not available in the local market, the requesting department shall:
- demonstrate that the product criterion on the Green Purchasing List is not available in the local market and the need to obtain locally is weighed against the potential environmental and health impacts posed by the use of the product;
 - develop a reasonable plan to minimize use of the selected product and/or protect employees and public from exposure; and
 - investigate alternatives to the selected product during the waiver period.
- (e) Other – The Green Team may determine that a waiver should be granted upon a showing that the requesting department has been able to:
- demonstrate a reasonable basis for a waiver;
 - develop a reasonable plan to minimize use of the selected product and protect employees and public from exposure; and
 - investigate alternatives to the selected product during the waiver period.

Waivers that are approved which relate to a specific contract shall be effective only for the duration of that contract.

TRAINING:

The Green Team shall implement a training program for County employees and contractors for the purpose of compliance with this Policy. The training program will include ongoing training to staff, purchasing agents, and others involved in purchasing decisions and product use.

REPORTING:

The Green Team shall submit an annual report to the Board of County Commissioners on the progress of this Policy. The annual report shall pertain to information related to compliance with this Policy including:

- Quantities of purchases
- Cost/savings
- Approved and recommended changes to the Green Purchasing List
- The status of product evaluations conducted
- Assessment of program effectiveness
- Projections of future procurement opportunities