

Chapter 10.16
RECYCLED PRODUCT PROCUREMENT POLICY

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10.16.010 Purpose. The purpose of this chapter is to ensure that King County agencies purchase recycled and other environmentally preferable products whenever the products meet the price and performance requirements of the county. (Ord. 14811 § 26, 2003: Ord. 9240 § 1, 1989).

10.16.020 Policies.

A. Departments shall purchase recycled and other environmentally preferable products whenever practicable.

B. The county shall require its contractors and consultants to use recycled and other environmentally preferable products whenever practicable.

C. The county shall promote the use of recycled and other environmentally preferable products by publicizing its environmental purchasing policy and its implementation, consistent with this chapter. (Ord. 14811 § 27, 2003: Ord. 9240 § 2, 1989).

10.16.030 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

A. "Department" means any executive department and administrative office as defined by King County ordinance or other applicable law and includes, but is not limited to, all county agencies not associated with a department, such as the King County prosecuting attorney, the King County assessor, the King County sheriff and the King County council.

B. "Designing architect" means any architect or engineer performing architectural or engineering services for the county in connection with a county construction project and who is chiefly responsible for the project's design.

C. "Environmentally preferable products" means products that have fewer or reduced negative impacts on human health or the environment compared to competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, operation, maintenance, reuse and disposal of the product.

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D. "Federal guidance" means guidelines provided by the United States Environmental Protection Agency, the Office of the Federal Environmental Executive, Federal executive orders or other guidelines offered by federal agencies.

E. "Oil" means engine lubricating, gear, hydraulic, fuel, and other types of oil.

F. "Postconsumer material" means material has been previously used by consumers that is diverted from the solid waste stream.

G. "Practicable" means satisfactory in performance and available at a fair and reasonable price.

H. "Recovered material" means waste material that has been recovered from the solid waste stream, but does not include material generated from and commonly reused on site in an original manufacturing process

I. "Recycled paper" means paper meeting recycled content standards in federal guidance.

J. "Recycled product" means a product manufactured with the maximum practicable amount of recovered material, especially postconsumer material.

K. "Rerefined lubricating oil" means engine lubricating oil meeting rerefined content standards set forth in federal guidance.

L. "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, except wastes identified in WAC 173-304-015 including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities, sludge from wastewater treatment plants and septage from septic tanks, woodwaste, dangerous waste, and problem wastes. "Solid waste" includes all liquid, solid and semisolid materials that are not the primary products of public, private, industrial, commercial mining and agricultural operations. Unrecovered residue from recycling operations is "solid waste." (Ord. 14811 § 29, 2003: Ord. 14199 § 142, 2001: Ord. 9240 § 3, 1989).

10.16.060 Rules and regulations for procurement of paper products.

A. Departments shall purchase recycled or other environmentally preferable paper whenever practicable.

B. Departments shall use recycled paper for all imprinted letterhead paper and business cards.

C. Departments shall publicize the county's use of recycled paper by including a recycling logo and an indication of recycled content on all printed material, to the extent practicable.

D. Departments shall use both sides of sheets of paper whenever practicable.

E. Departments shall require all contractors or consultants submitting proposals to use recycled paper and use both sides of sheets of paper whenever practicable, as determined by the department. (Ord. 14811 § 30, 2003: Ord. 9830 § 2, 1991: Ord. 9240 § 6, 1989).

10.16.090 Rules and regulations for procurement of lubricating and fuel oils.

A. Departments shall purchase environmentally preferable oils whenever practicable.

B. When department specify rerefined lubricating oil in procurements, they shall purchase rerefined oil if the price is no more than ten percent higher than the price of nonrerefined oil. (Ord. 14811 § 31, 2003: Ord. 9240 § 9, 1989).

10.16.160 Responsibilities of departments. All departments are responsible for:

- A. Assigning appropriate personnel to evaluate opportunities for the purchase of recycled and other environmentally preferable products reflected in federal guidance or determining by the procurement and contract services section;
- B. Purchasing recycled and other environmentally preferable products whenever practicable; and
- C. Reporting evaluation results and purchases of recycled and other environmentally preferable products to the procurement and contract service section by January 31 of each year. (Ord. 14811 § 32, 2003; Ord. 9240 § 16, 1989).

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10.16.170 Responsibilities of the solid waste division. The solid waste division is responsible for:

- A. Providing information and technical assistance to local governments, schools, colleges and other public and private organizations interested in purchasing recycled and other environmentally preferable products;
- B. Preparing press releases and fact sheets publicizing the successes of the program;
- C. Assisting the procurement and contract services section in submitting the annual report to the council which is due in April of each year; and
- D. Assisting the procurement and contract services section in fulfilling its responsibilities under this chapter. (Ord. 9240 § 17, 1989).

10.16.180 Responsibilities of the procurement and contract services section. The procurement and contract services section is responsible for:

- A. Assigning appropriate personnel to fulfill the requirements of this policy;
- B. Preparing or revising bid documents and contract language where necessary to implement this chapter;
- C. Researching opportunities for procurement of recycled and other environmentally preferable products and communicating these to appropriate county departments for evaluation and purchase;
- D. Collecting data on purchases by departments of recycled and other environmentally preferable products; and
- E. Preparing and submitting a report to the solid waste division each year by March 31, describing the progress of departments in implementation of the environmental purchasing policy, including the following elements:
 - 1. Quantities, costs and types of recycled and other environmentally preferable products purchased;
 - 2. A summary of savings achieved through the purchase of recycled and other environmentally preferable products;
 - 3. A summary of program promotional efforts; and
 - 4. Recommendations for changes in procurement policies. (Ord. 14811 § 35, 2003; Ord. 9240 § 18, 1989).

10.16.190 Exemptions. Nothing in this chapter shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time. (Ord. 9240 § 19, 1989).

10.16.200 Effective date. The provisions of this chapter shall apply to all county procurement processes, including invitations to bid, and requests for proposals initiated after March 31, 1990. (Ord. 9240 § 20, 1989).

10.16.210 Severability. Should any section, subsection, paragraph, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 9240 § 21, 1989).