



Legislation Details (With Text)

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Title: Ordinance amending and supplementing the Pittsburgh Code, Title One: Administrative, Article VII: Procedures, Chapter 161: Contracts by repealing Section 161.39: Environmentally Preferred Purchases in its entirety and replacing it with a new Section 161.39: Sustainable and Socially Responsible Procurement.

Sponsors:

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Attachments: 1. 2021-2149 Cover Letter-Sustainable Procurement Mayor Letter, 2. Summary 2021-2149

Date	Ver.	Action By	Action	Result
11/30/2021	1	Mayor	Signed by the Mayor	
11/22/2021	1	City Council	Passed Finally	Pass
11/17/2021	1	Standing Committees	Affirmatively Recommended	Pass
11/8/2021	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh Code, Title One: Administrative, Article VII: Procedures, Chapter 161: Contracts by repealing Section 161.39: Environmentally Preferred Purchases in its entirety and replacing it with a new Section 161.39: Sustainable and Socially Responsible Procurement.

WHEREAS, as the second city in the United States to join the Global Lead City Network on Sustainable Procurement, the City of Pittsburgh is committed to using its purchasing power to address climate change and advance equity; and,

WHEREAS, as part of its commitment to achieving carbon neutrality by 2050, the City strives to improve its procurement policies to ensure that tax dollars are being invested in companies and products that are seeking to combat change and advance social responsibility; and,

WHEREAS, the City hopes to build on our progress of increasing contracts with Minority and Women Business Enterprises to a record level, instituting Paid Sick Leave and Living Wage ordinances for companies that contract with municipal government, procuring 100% renewable energy for the first time in 2020, and investing our pension fund in environmentally friendly and socially responsible companies; and,

WHEREAS, in accordance with its goals to become a Zero Waste City by 2030, the City is already pursuing policies to reduce consumption and improve municipal operations, including the purchase of electric vehicles for our fleet, the switch to electronic signatures, and implementing a Deconstruction Policy; and,

WHEREAS, for these reasons, the City is seeking to implement a unified Sustainable and Socially Responsible Procurement policy.

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title One: Administrative, Article VII: Procedures, Chapter 161: Contracts, Section 161.39: Environmentally Preferred Purchases is hereby repealed and replaced with a new Section 161.39: Sustainable and Socially Responsible Procurement as follows:

§ 161.39 SUSTAINABLE AND SOCIALLY RESPONSIBLE PROCUREMENT.

a. Definitions.

- (1) *City of Pittsburgh or city* - the elected officials and employees of the municipal government and all authorities.
- (2) *Sustainable Procurement* - buying products and services that have a lesser effect on the environment and human health when compared with competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product.
- (3) *Socially Responsible Procurement* - a framework of measurable policies and procedures and resulting behavior designed to benefit the workplace and, by extension, the individual, the organization, and the community.
- (4) *Environmentally Preferable Product* - products and services that have a lesser effect on the environment and human health when compared with competing products.
- (5) *Socially Responsible Product* - product or service provided by a supplier that works to advance the outcomes of inclusion, diversity, equity and well-being.
- (6) *Practicable* - sufficient in performance and available at a reasonable price.
- (7) *Recycled Material* - material that has been diverted or recovered from solid waste, and used in place of raw virgin material in producing a product. It is made from post-consumer recycled material, industrial and manufacturing waste, and other waste material.
- (8) *Recyclable Product* - a product which, after being used, can mostly be diverted from the City of Pittsburgh's solid waste stream for use in the production of another product.
- (9) *Virgin Material* - any material occurring in its natural form that has not been used as material in any product prior to use. Virgin material is used in the form of raw material in the manufacture of new products.
- (10) *Life Cycle Assessment (LCA)* - a comprehensive inspection of a product's environmental impacts through its lifetime, including the extraction of the material, transportation, manufacturing, use, and disposal.
- (11) *Life Cycle Cost Assessment (LCCA)* - the accounting of the total cost of ownership, including initial costs, operational and energy costs, durability, performance, and disposal costs.

(b) Nothing in this policy shall be construed or misunderstood as requiring a department or office to procure products that do not perform adequately or are not available at a reasonable price in a reasonable time period.

(c) The City of Pittsburgh shall:

- (1) Procure environmentally preferable products where criteria have been established by governmental or other recognized authorities, as recommended by the City's appropriate sustainability staff.
- (2) Consider the following purchasing guidelines when criteria have not been established by governmental or other recognized authorities:
 - (i) Replace disposable products with reusable and/or recyclable products;

- (ii) Support companies that focus on reducing consumption and/or perform eco-labeling by buying products with such labels in preference to others, when practicable; and
 - (iii) Evaluate, when appropriate, the environmental performance and social responsibility of vendors
 - (iv) Any other guideline as recommended by the City's appropriate sustainability staff.
- (3) Take into account the Life Cycle Assessment (LCA) and Life Cycle Cost Assessment (LCCA) of the products that it purchases;
 - (4) Work to raise staff awareness about the requirements of this section of Code, as well as environmental and social issues surrounding procurement through training and education programs;
 - (5) Comply with all regulatory and environmental requirements in procuring products and services.

(d) All City of Pittsburgh departments and offices shall identify and purchase the most environmentally responsible products and services that are practicable. Factors that should be considered when determining environmentally preferable goods and services include, but are not limited to:

- (1) Minimization of virgin material used throughout life cycle;
- (2) Maximization of recycled material;
- (3) Reuse or repurposing of existing products or materials;
- (4) Product recyclability;
- (5) Minimization of packaging;
- (6) Reduction of energy and water consumption during manufacturing and the operational use of the product;
- (7) Toxicity reduction or elimination;
- (8) Sustainable forestry practices for all wood and paper products;
- (9) Durability and maintenance requirements;
- (10) Reduction in transportation distance to reduce carbon emissions;
- (11) Ultimate disposal of the product; and
- (12) Any other factor as recommended by the City's appropriate sustainability staff.

(e) The Office of Management and Budget sourcing specialists and individual departmental personnel who have purchasing authority shall work with the City's appropriate sustainability staff to:

- (1) Evaluate each requested product to determine the extent to which specifications could include an environmentally preferable and/or socially responsible option;
- (2) Make certain that contracts issued by the procurement office and individual agents include environmentally preferable and/or socially responsible products when practicable; and
- (3) Ensure to their best ability that all purchases have been made with all guidelines in mind.

(f) The Office of Management and Budget sourcing specialists and individual departmental personnel who have purchasing authority shall include in all Request for Proposals (RFP) and Invitations to Qualify (ITQ), a requirement for vendors to provide a Sustainability, Diversity and Inclusion profile as part of their proposal document and ensure that criteria is given weight and considered during the evaluation process.

(g) All City of Pittsburgh approved vendors must report the City's purchases on a bi-annual basis in terms of environmental performance and social responsibility in a manner consistent with a form to be approved by the Directors of the Office of Management & Budget and Department of City Planning or their designee(s).

(h) *Specifications.*

The Office of Management and Budget sourcing specialists and individual departmental personnel who have purchasing authority shall work with the City's appropriate sustainability staff to include these requirements in their solicitations as practicable:

(1) Office and Operational Supplies

- a. Paper -All paper products, when practicable, must achieve Forest Stewardship Council Certification or

other best available certification, and contain a minimum of thirty (30) percent post-consumer recycled content and must be processed chlorine-free. Vendors must certify that papers meet these post-consumer content and chlorine-free specifications. Vendors shall be encouraged to provide products that contain a higher percentage of post-consumer content than the thirty (30) percent minimum.

b. Styrofoam-Polystyrene Foam - Styrofoam products shall not be purchased for food or drink. Food service providers/caterers shall be strongly encouraged to eliminate the use of Styrofoam when catering City events. Goods with the least amount of Styrofoam packaging in comparison to competing brands shall be purchased when practicable.

c. Single Use Plastics - Single use plastic products, such as plastic bags, plastic drinking containers and straws, and cutlery shall not be purchased when practicable.

d. Packaging - Products with reusable, recyclable, compostable, and/or minimal packaging shall be purchased when practicable. Purchasers shall inform vendors that this kind of packaging is preferred.

(2) Facilities and Construction Materials

a. Lighting - When practicable, interior and exterior lighting shall be replaced with energy-efficient lighting using light-emitting diodes (LED) and/or the best available technology and shall comply with Dark Sky Lighting principles, pursuant to Title Four: Public Places and Properties, Articles I: Public Right-of-Way, XI: Parks and Playground and XIV: Public Buildings.

b. Water Fixtures - When practicable, the most water efficient fixtures shall be purchased. These include, but are not limited to: low-flow faucets and showerheads, aerators, high performance toilets, and waterless urinals. Use of plumbed water filter dispensers should be used where practicable in all City facilities.

c. Wood Products - When practicable all wood and wood contained within purchased products shall meet standards equivalent to, or stricter than, those of the Forest Stewardship Council certification. Purchase or use of previously used or salvaged wood products shall be performed when practicable.

d. Heating and Cooling Equipment - All heating, cooling, and ventilation equipment shall contribute to net zero energy efficiency in any major rehab or new construction, pursuant to Section 915.08 of this Code when practicable. All efforts shall be made to purchase the most energy-efficient equipment available, with the most recent efficiency functions.

e. Cleaning supplies - When practicable, certified green cleaning products and supplies such as Green Seal Standard, UL ECOLOGO certified, GREENGUARD standard, EPA Indoor AirPLUS compliant, USDA Certified Biobased, and/or EPA Safer Choice certified supplies, or best available certified products are preferred. A non-green cleaning product may only be used if it has been identified that no equivalent "green product" exist that sufficiently meets performance expectations. In this case, a special request will be needed for the purchase. The supplier will need to supply procurement with the product specifications and identify why an exemption is necessary. The supplier shall train staff on product use.

f. Cleaning equipment - When practicable, to reduce and prevent injury, low VOC emitting and ergonomically appropriate equipment such as, but not limited to, sprayers, mops, dusters, blowers, mowers, brooms, vacuums, cleaners, toters, shovels, and spreaders should be replaced with or equipped with the appropriate air pollution filters or equipment upgrades, hand grips, wheels, and mounts designed to reduce exposure to volatile organic compounds (VOCs), fine particulate matter (PM 2.5), excessive knee, back, elbow, and/ or hand strain.

g. Recycling - Ensure staff and suppliers are educated and supplied with recycling receptacles for paper, cardboard, paperboard, plastics, cans, and bottles in accordance with the City's current recycling guidelines as established by Environmental Services. Environmental Services must be notified to collect hard to recycle items such as televisions, batteries, and non-LED lightbulbs. Such as fluorescent and compact fluorescent (CFL) lightbulbs.

(3) Electronics

a. Electronics - All energy-using products purchased by the City of Pittsburgh shall meet the U.S. EPA Energy Star certification, an international standard for energy efficient consumer products, when practicable. When Energy Star products are unavailable, purchasing units shall buy products that meet the best available

certification.

The purchase of all computers and monitors shall take into consideration the criteria established by the Electronic Product Environmental Assessment Tool (EPEAT), an evaluation tool Institute of Electrical and Electronics Engineers Family of Standards for Environmental Assessment of Electronic Products. All purchases of such equipment shall reach, at minimum, bronze designation contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Product, when practicable, as specified at:

<http://www.epeat.net>.

All copiers and printers purchased shall be compatible with recycled content and remanufactured products, and shall be programmed by the Department of Innovation & Performance to automatically copy/print double-sided.

Suppliers of electronic equipment shall be required to take back equipment for reuse or environmentally responsible recycling when deemed appropriate. When applicable, Supplier shall provide proof of recycling to the City.

The Departments of Innovation and Performance and Public Works shall consult with appropriate Sustainability Staff to develop a plan for recycling electronics.

(4) The Department of Public Works and appropriate sustainability staff shall work towards procurement of 100% renewable energy where practicable.

(5) The Office of Management and Budget and Equipment Leasing Authority along with appropriate Sustainability staff shall procure electric or sustainably fueled fleet vehicles where the technology exists and where practicable.

(6) The Departments of Mobility and Infrastructure and Public Works along with appropriate Sustainability staff shall procure electric or sustainably fueled landscaping equipment and other fossil fuel powered tools, light towers, etc. where the technology exists and where practicable.

(7) The Departments of Mobility and Infrastructure and Public Works shall explore alternative surfacing and other construction materials to work towards incorporating recyclable, cooling, permeable and other best practices.

(i) The Directors of the Office of Management & Budget and Department of City Planning or their designee(s) shall review departmental purchases bi-annually for EPP compliance and compliance with this policy. The Sustainability Coordinator (and possibly the Sustainability Commission) will work with each department and various contracting agencies in order to improve EPP purchases.

(j) The Directors of the Office of Management & Budget and Department of City Planning or their designee(s) shall implement a public-facing website to track the City's progress toward its climate goals.

(k) The Department of City Planning's Division of Sustainability and Resiliency will comprehensively review the City's progress toward more energy-efficient and environmentally-friendly procurement every three (3) years, at which time it will propose necessary amendments to this section.