



## Legislation Details (With Text)

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<b>Enactment date:</b>	4/27/2010	<b>Enactment #:</b>	11
<b>Effective date:</b>	5/3/2010		
<b>Title:</b>	Ordinance amending the Pittsburgh City Code Title Six, Conduct, Article I: Regulated Rights and Actions, Chapter 619: Refuse Collection and Recycling, by deleting §619.10 City Procurement of Recycled Products and at Title One, Administrative, Article XII: Procedures, Chapter 161: Contracts, by adding § 161.39 Environmentally Preferred Purchases.		
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Date	Ver.	Action By	Action	Result
5/3/2010	1	Mayor	Signed by the Mayor	
4/27/2010	1	City Council	Passed Finally	Pass
4/21/2010	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
3/10/2010	1	Standing Committee	Held for Cablecast Post Agenda	Pass
3/2/2010	1	City Council	Read and referred	

Presented by Mr. Peduto

Ordinance amending the Pittsburgh City Code Title Six, Conduct, Article I: Regulated Rights and Actions, Chapter 619: Refuse Collection and Recycling, by deleting §619.10 City Procurement of Recycled Products and at Title One, Administrative, Article XII: Procedures, Chapter 161: Contracts, by adding § 161.39 Environmentally Preferred Purchases.

**WHEREAS**, the adoption of Environmentally Preferred Purchasing (EPP) practices will require purchasing officials to buy products that have minimal impact on the environment, including energy-efficient appliances, products that contain the maximum level of post-consumer waste and/or recyclable content, and products that are both durable and reusable, and

**WHEREAS**, these practices encourage the purchase and use of materials, products, and services that best align with the City's fiscal, environmental and performance goals, and

**WHEREAS**, the purchase of these products and materials will minimize toxicity, conserve energy, natural resources, and material and maximize recycled content and recyclability.

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1.** The Pittsburgh City Code is hereby amended at TITLE SIX, CONDUCT, ARTICLE I: REGULATED RIGHTS AND ACTIONS, CHAPTER 619: REFUSE COLLECTION AND RECYCLING, by deleting §619.10 CITY PROCUREMENT OF RECYCLED PRODUCTS, as follows:

**§ 619.10 CITY PROCUREMENT OF RECYCLED PRODUCTS.**

~~The Department of Finance or its designee shall review and revise all product procurement specifications to purchase products containing recycled materials, wherever feasible. The Department shall submit an annual report to the Mayor and Council on its activities and progress in increasing its purchase of products containing recycled materials.~~

**Section 2.** The Pittsburgh City Code is hereby supplemented at TITLE ONE, ADMINISTRATIVE, ARTICLE XII: PROCEDURES, CHAPTER 161: CONTRACTS, by adding §161.39 ENVIRONMENTALLY PREFERRED PURCHASES, as follows:

**§ 161.39 ENVIRONMENTALLY PREFERRED PURCHASES**

**(a) Definitions**

(1) City of Pittsburgh or city- the elected officials and employees of the municipal government and all authorities.

(2) Environmentally Preferred Purchasing - 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) Practicable -sufficient in performance and available at a reasonable price.

(4) 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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 (e.g. ENERGY STAR, EPA Eco Purchasing Guidelines).

(2) Consider the following purchasing guidelines when criteria have not been established by governmental or other recognized authorities (e.g. ENERGY STAR, EPA Eco Purchasing Guidelines)..

(i) Replace disposables with reusables and/or recyclables;

(ii) Support companies that perform eco-labeling by buying products with such labels in preference to others, when practicable; and

(iii) Evaluate, when appropriate, the environmental performance of vendors

(3) Take into account the LCA and LCCA of the products that it purchases;

(4) Work to raise staff awareness about the environmental 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 of existing products or materials;

(4) Product recyclability;

(5) Minimization of packaging;

(6) Reduction of energy and water consumption;

(7) Toxicity reduction or elimination;

(8) Sustainable forestry practices for all wood and paper products;

(9) Durability and maintenance requirements; and

(10) Ultimate disposal of the product.

(e) Department of Finance purchasing agents and individual departmental personnel who have purchasing authority shall:

(1) Evaluate each requested product to determine the extent to which specifications could include an environmentally preferable option;

(2) Make certain that contracts issued by the procurement office and individual agents include environmentally preferable products when practicable; and

(3) Ensure to their best ability that all purchases have been made with all guidelines in mind.

(f) All City of Pittsburgh approved vendors must report the City's purchases on a bi-annual basis in terms of environmental performance in a manner consistent with a form to be approved by the Sustainability Coordinator.

(g) Product Specifications

(1) Paper -All paper products, when practicable, must contain a minimum of 30% 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 30% minimum.

(2) 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.

(3) 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 Federal government's energy efficiency purchasing guidelines, as established by the Energy Policy Act of 2005, and designated by the Federal Energy Management Program at:

<[http://www1.eere.energy.gov/femp/technologies/eeep\\_purchasingspecs.html](http://www1.eere.energy.gov/femp/technologies/eeep_purchasingspecs.html)>.

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 possess the capability to copy/print double-sided.

Suppliers of electronic equipment shall be required to take back equipment for reuse or environmentally responsible recycling when deemed appropriate.

(4) Heating and Cooling Equipment- All heating, cooling, and ventilation equipment shall be Energy Star certified when practicable. All efforts shall be made to purchase the most energy-efficient equipment available, with the most recent efficiency functions.

(5) Lighting- When practicable, the interior and exterior lighting shall be replaced with energy-efficient lighting, including but not limited to compact fluorescent light bulbs (CFL); T8 and/or T5 fluorescent tubes; light-emitting diodes (LED); and energy efficient ballasts.

(6) 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.

(7) Wood Products- When practical 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.

(8) Plastics- Plastic products that are recycled and/or recyclable, such as bags, cutlery, and food/beverage containers, shall be used when practicable.

(9) 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.

(h) The City of Pittsburgh's Sustainability Coordinator will 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.

(i) The Office of Sustainability and Energy Efficiency 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.