



SUSTAINABLE PROCUREMENT ADMINISTRATIVE PROCEDURE

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Administration of Metro Code Chapter 2.04.500-540 Metro's Sustainable Procurement Program

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1. Policy and Legal Authority

- 1.1. Metro's contracting authority is established under Metro Charter, the Constitution of the State of Oregon and Oregon Revised Statute 279A.
- 1.2. All procurement procedures shall be subject to authority of all other applicable laws, regulations or requirements in addition to those contained in these administrative procedures and reporting requirements.
- 1.3. These administrative procedures are issued by the Chief Operating Officer pursuant to Metro Code 2.04.520 Metro's Sustainable Procurement Administrative Rules.
- 1.4. The Chief Operating Officer delegates to the Director of Finance and Regulatory Services the authority to update these rules as circumstances dictate.

2. Purpose

- 2.1. The purpose of these administrative procedures is to ensure that Metro's procurement activities support Metro's Sustainability goals, Metro's Sustainability Plan, and to be consistent with Metro's definition of Sustainability -- using, developing and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs, from the joint perspective of environmental, economic and community objectives.. They are also intended to support a sustainable environment, economy and community.
- 2.2. These rules will act as a guide so that Metro employees and contractors may follow Metro Code; they will serve as a guide for purchasing decision making. Metro employees and contractors who represent Metro are to comply with these rules.
- 2.3. Nothing in these procedures, however, shall be construed as requiring a purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price or in a reasonable period of time.

3. Materials Sourcing

3.1. Used or Surplus Goods

- 3.1.1. Try to find the product used before purchasing a new product; check to see if such product is available internally
- 3.1.2. Post a request on the internal bulletin board to see if the product is available as surplus from another Metro facility or department.
- 3.1.3. Email Maintenance Requests at the Metro Regional Center (MRC) to find out whether there are surplus items that meet the procurement needs.

3.2. New products

- 3.2.1. If a product or service is not available from one of these used or surplus sources, procure it from a supplier.
- 3.2.2. To minimize possible packaging and shipping, determine if other Metro departments have the same needs in the same time frame. Coordinate joint procurement. (Contracts List and Procurement Contacts)
- 3.2.3. To the highest extent possible use Best Value when determining your solicitation method. Best Value means that low price is not the only factor in determining what to buy. If practical and feasible use a Request for Proposal rather than low-bid method of solicitation so that factors other than price may be included in the purchasing decision. Factors that may be considered include, but are not limited to: sustainability (both environmental and social) and life cycle cost assessment.

4. Solicitation for Goods and Services

4.1. Sustainability shall be considered in every purchase made by Metro.

4.2. **Required Qualifications** for all purchases:

The following required qualifications shall be incorporated in all Metro solicitations for procurement of goods and services to the highest extent practicable:

- 4.2.1. Purchasers will incorporate these minimum sustainability requirements into all solicitations, where appropriate and practicable. Any exception to this requirement shall be approved in writing by the procurement manager or his or her designee.
- 4.2.2. Copy Paper: All copy paper purchased for office copiers shall be recycled from 100% post consumer material and processed chlorine-free (PCF). High speed copiers shall use minimum 30% post consumer material paper.
- 4.2.3. Electronic Equipment: All electronic equipment purchased shall be Energy Star certified, where certified products are available.
- 4.2.4. Green House Gas Reduction: Green House Gas reduction preferences and/or criteria will be incorporated into specifications and scopes of work.
- 4.2.5. Least Toxic: Request "least toxic" options in specifications and scopes of work.
- 4.2.6. Water Efficiency: All water fixture and equipment purchases will be water efficient (refer to new construction and renovation standards).
- 4.2.7. Vehicles: All vehicles purchased will have a smaller environmental footprint than the vehicle replaced or, if new, will be a Green Vehicle if at all possible.
- 4.2.8. Cleaning Chemicals: All cleaning chemicals will be Green Seal certified to the GS-37 standard, or will be comparably certified.
- 4.2.9. Computers: All computers and monitors will be EPEAT Gold or Silver certified.

- 4.2.10. Fluorescent Lighting: All fluorescent lighting will meet the LEED credit for Reduced Mercury in Lamps. The maximum target for the overall average of mercury content in lamps will be 90 picograms per lumen-hour or less.
- 4.2.11. All construction or renovation projects at Metro facilities shall follow the Metro Green Building Policy, adopted by Metro Council resolution no. 11-4294A.¹
- 4.2.12. Construction demolition or deconstruction services shall, at a minimum, comply with City of Portland rules regarding construction debris recycling.² Deconstruction services are preferred.
- 4.2.13. Minority, Woman and Emerging Small Business (MWESB): All non-construction contracts between \$5,000 and \$50,000 shall be solicited to at least one MBE, one ESB and one WBE, per Metro's MWESB program.³ Use sustainable procurement as an opportunity for MWESB vendors rather than a barrier to business with Metro.
- 4.2.14. Sheltered Market Program: All construction contracts between \$5,000 and \$50,000 shall be solicited from MWESB vendors only per Metro's Sheltered Market Program.⁴

4.3. Preferred Qualifications for all purchases:

In addition to the required qualifications above, purchasers will incorporate the following preferred qualifications when procuring goods and services to the highest extent practicable:

- 4.3.1. Certified organic products
- 4.3.2. Repurposed furniture
- 4.3.3. Fair trade certified products
- 4.3.4. Locally available products and services
- 4.3.5. Durable, repairable and refillable products
- 4.3.6. Products and services certified by a third-party ecolabel
- 4.3.7. Products made of recycled and recovered content
- 4.3.8. Green vehicles that are fuel efficient or use alternative fuels
- 4.3.9. Require vendors to follow sustainable business operations which may include but not limited to use of sustainable and non-toxic cleaning products and use of alternative fuel vehicles for delivery or other services.

¹ Metro Green Building Policy Administrative Procedure, 2011.

http://library.oregonmetro.gov/files//metro_green_building_policy_resolution_11-2011.pdf

² City of Portland Construction and Demolition Debris recycling requirements, www.portlandoregon.gov/bps/41683.

³ Metro Minority, women and emerging small business program, www.oregonmetro.gov/index.cfm/go/by.web/id=24904.

⁴ Metro Sheltered Market program, <http://imet.metro-region.org/index.cfm/go/by.web/id=20041>.

- 4.3.10. Request reduced packaging through such methods as vendor take-back of packaging, packaging reuse, and recyclable packaging.
- 4.3.11. Request sustainable delivery and shipping options, such as use of renewable fuels for transportation or bicycle delivery service.
- 4.3.12. Life Cycle Cost Assessment: considering Life Cycle Cost Assessment when evaluating a product's price using a Product Stewardship model for goods or all phases of the product or service (leased carpet tiles, for example).
- 4.3.13. Request reports from selected vendors on compliance with Metro's Sustainable Procurement Administrative Procedure whenever possible.
- 4.3.14. Utilization of the following price preferences allowable by State of Oregon when purchasing agricultural products or recycled content products:
 - 10 percent price preference for agricultural products grown and transported entirely within the State of Oregon (ORS 279A.128)
 - 10 percent price preference for goods that are fabricated or processed, or services that are performed, entirely within the State of Oregon (ORS 279A.128)
 - 5 percent price preference for recycled goods as defined and explained in the EPA's Comprehensive Procurement Guidelines (ORS 279A.125)

5. Roles and Responsibilities

5.1. Department Supervisors and Managers

- 5.1.1. Include Sustainable Purchasing as an area for employee development, where practicable, to identify possible areas of improvement
- 5.1.2. Ensure that employees complete available pertinent training opportunities and ensure that such training is tracked, managed and reported as required
- 5.1.3. Designate department Sustainable Procurement Representative

5.2. Department Sustainable Procurement Representatives

- 5.2.1. Participate in training on sustainable procurement and be the resource for department staff
- 5.2.2. Serve as the point person for department evaluation of the practicability of using particular recovered or sustainable products and services
- 5.2.3. Represent the department on any agency-wide Sustainable Procurement efforts
- 5.2.4. Revise department procedures as necessary to facilitate procurement of sustainable products and services and for ease of data collection

5.3. Any Metro employee buying goods or services

- 5.3.1. Take into consideration sustainability when planning any purchase
- 5.3.2. Include the above sustainability factors in their purchases, whenever practicable
- 5.3.3. Measure and track all sustainable purchases made using Peoplesoft codes provided for tracking sustainable purchases
- 5.3.4. Participate in Metro's online sustainable procurement training
- 5.3.5. Consult early in the procurement process with appropriate parties (e.g., environmental specialists, contract specialists/contracting officers) to facilitate procurement planning and to prepare sustainable scopes of work or specifications
- 5.3.6. Monitor contract performance to ensure compliance with sustainable procurement requirements in accordance with the terms of the contract
- 5.3.7. Submit the Material Safety Data Sheet (MSDS) to Metro's chemical inventory whenever the product purchased has an MSDS.⁵

5.4. Procurement Services

- 5.4.1. Include formal and informal Sustainable Procurement Training in the Procurement Training Curriculum at least twice a year
- 5.4.2. Provide assistance to Metro buyers in writing and evaluating sustainability in solicitations and purchases
- 5.4.3. Seek opportunities for cooperative purchases, both within Metro and with other public agencies
- 5.4.4. Monitor agency compliance with these rules
- 5.4.5. Revise Procurement Procedures periodically to reflect these rules
- 5.4.6. Provide a Sustainable Procurement Toolbox and keep it maintained and updated. This toolbox will include:
 - 5.4.6.1. Solicitation and Contract templates that include appropriate sustainability language
 - 5.4.6.2. Solicitation and Contract examples that include appropriate sustainability language
 - 5.4.6.3. Lists of suitable, preferred sustainable goods and services and links to such lists
 - 5.4.6.4. Required and allowable third party certifications and advice on how to use such certifications
 - 5.4.6.5. Links to MWESB databases and resources

⁵ Metro Material Safety Data Sheet (MSDS) database, <http://imet.metro-region.org/index.cfm/go/by.web/id=18764>.

- 5.4.6.6. Guidance on purchasing less-toxic or non-toxic products and link to the Metro chemical inventory
- 5.4.6.7. Training documents and links to external training opportunities
- 5.4.6.8. Sustainable Procurement Checklist

5.5. Metro Sustainability Program

- 5.5.1. Consult with Procurement Services and Departments about how to integrate sustainability criteria into procurements and contracts consistent with the Metro Sustainability Plan⁶ for internal operations
- 5.5.2. Provide input to Procurement Services about best practices in sustainable procurement
- 5.5.3. Coordinate with Procurement Services to incorporate sustainable procurement progress into regular sustainability reports to Metro Council

6. Reporting Requirements

- 6.1. Procurement Services will report fiscal results to the Metro Council and to the Metropolitan Exposition and Recreation Commission (MERC) annually. These reports shall include, at a minimum:
 - 6.1.1. Percentage of sustainable procurements by dollar amount as compared with total overall spending and compared to a fiscal year 2012 – 2013 baseline year;
 - 6.1.2. Extent to which purchases made during the reporting year support Metro’s Sustainability Plan goals;
 - 6.1.3. List of instances in which these sustainability rules were waived during the reporting year; and
 - 6.1.4. Barriers to the procurement of sustainable products that meet Metro’s and MERC’s needs and suggestions for overcoming these barriers.

7. Sustainable Procurement Program Goals

- 7.1. An increase of 5 percent per year on the dollar amount of sustainable products purchased from the prior year. The baseline will be FY 12-13. Metro’s five year goal is to achieve a 25 percent increase from baseline year spending levels by FY 17-18;
- 7.2. An increase in the utilization of MWESB certified firms in Metro contracting, expressed as percent of total spend, consistent with Metro’s MWESB program goals; and
- 7.3. An increase in the utilization of local businesses within 400 miles of Metro.

8. Update of Administrative Procedures

⁶ Metro Sustainability Plan for Internal and Business Operations, 2010.
http://library.oregonmetro.gov/files/metro_sustainability_plan_final_2010.pdf
Sustainable Procurement Administrative Procedure
Implementing Metro Code Chapter 2.04.500-540
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8.1. These procedures may be updated periodically by an action of Metro's Chief Operating Officer.

9. **Glossary of terms**

For the purposes of this policy, the following terms and definitions apply:

Best Value Contracting: A type of contracting that allows purchasers to consider factors other than price, such as: experience, sustainability, personnel, diversity, financial capabilities.

Certified organic: An item that has been grown according to strict uniform standards that are verified by independent state or private organizations.

Contractor: Any person, group of persons, consultant, designing architect, association, partnership, corporation, or other business entity that has a contract with Metro (including suppliers) or serves in a subcontracting capacity with an entity having a contract with Metro for the provision of goods or services.

Ecolabel: A label that identifies overall environmental preference of a product or service within a specific product/service category based on Life Cycle Cost Assessment considerations and that is awarded Third Party Certification.

Environmental footprint: the area of productive land and water ecosystems required to produce the resources that one consumes and assimilate the wastes that the he/she produces.

EPEAT: Electronic Product Environmental Assessment Tool. An environmental certification for electronic equipment, commonly computers, developed by the Environmental Protection Agency and maintained by the Green Electronics Council.

Fair trade: A trading partnership, based on dialogue, transparency and respect, which seeks greater equity and contributes to sustainable development by offering better trading conditions to, and securing the rights of, marginalized producers and workers.

Green building practices: A whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation, and includes Third Party Certification.

Green vehicle: A vehicle that emits low or zero emissions; typically by fuels other than gasoline or diesel.

Habitat friendly: Development practices that reduce the impact of development on natural resources, look beyond the building envelope and focus on land development and site design that mimic nature's processes, and conserve the natural systems and hydrologic functions of a site.

LEED: Leadership in Energy & Environmental Design. A commonly used building certification system developed and maintained by the US Green Building Council.

Least toxic: No additives that are chemicals of high concern to human or environmental health may constitute part of the product except at levels consistent with background levels in the environment.

Life cycle cost assessment: The comprehensive accounting of the total cost of ownership, including the initial costs, energy and operational costs, longevity and efficacy of service, and disposal costs.

Locally available: Grown, manufactured, or assembled within 400 miles of the Metro Region or sold from a vendor located within 400 miles of the Metro Region.

MWESB: Minority-Owned Enterprise, Woman-Owned Enterprise and Emerging Small Business. A business certification developed and maintained by the State of Oregon.

Post-consumer material: A material or finished product that has served its intended use and has been discarded for disposal or recovery, having completed its life as a consumer item. Post-Consumer Material is a part of the broader category of Recovered Material.

Practicable: Satisfactory in performance and available at a fair and reasonable price.

Pre-consumer material: Material or waste remaining after manufacture of a product.

Product stewardship: Whoever designs, produces, sells, or uses a product takes responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle.

Qualification: A condition or standard that must be met or complied with.

Recovered material: Waste material and by-products which have been recovered or diverted from solid waste and includes both Post-Consumer Material and manufacturing or Pre-Consumer Material. Also known as recycled material or recycled content.

Recovered product: A product manufactured using Recovered Material and meeting the Minimum Recovered Content Standards established by Metro's Sustainable Procurement Administrative Rules.

Recycled paper: Paper meeting the Minimum Recovered Content Standards established by Metro's Sustainable Procurement Administrative Rules.

Repurpose: To give a new purpose or use to.

Solicitation: A request for a priced offer to sell goods or services.

Source, sourcing: To specify the source of

Supplier diversity: A Sustainable Business Practice that encourages the use of previously underutilized vendors as suppliers.

Sustainability: Using, developing and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs, from the joint perspective of environmental, economic and community objectives.

Sustainable procurement: Purchasing materials, products, and services in a manner that integrates fiscal responsibility, social equity, and community and environmental stewardship.

Sustainable products: Products that have a lesser or reduced effect on human health and the environment when compared with competing products that serve the same purpose. This comparison may consider Life Cycle Cost Assessment.

Third party certification: An independent, objective assessment of a service or product completed by someone other than the service provider or product manufacturer.

Total cost of ownership: A financial estimate whose purpose is to help consumers determine direct and indirect costs of a product or system.

Molly Chidsey, Julie Hoffman

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SUSTAINABLE PROCUREMENT ADMINISTRATIVE PROCEDURE

Appendix A

Administration of Metro Code Chapter 2.04.500-540

Administrative Procedure Adoption Record

Adopts this Sustainable Procurement Administrative Procedure to implement Metro Code Chapter 2.04.500-540, Metro's Sustainable Procurement Program.

Be it so ordered:

12/4/12
Date

Mark Bennett, Metro, Chief Operating Officer
Signature