

RESOLUTION NO. 3154

TITLE: THE RECYCLED PRODUCT POLICY

WHEREAS, Senate Bill 66, which was approved in the 1991 legislative session, imposed requirements on local government purchasing practices to minimize waste and encourage recycling, and

WHEREAS, it is the policy of the City to conserve and protect natural resources; and

WHEREAS, the maintenance of a quality environment for the people of Albany is a concern for our community; and

WHEREAS, the volume of solid waste generated by the City, an increased rate in the City's consumption of products and materials, including paper products, and the absence of adequate programs and procedures to encourage the reusing and recycling of these products and materials threaten the quality of the environment in our community.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the following policies and procedures relating to reusing, reducing, recycling, and purchasing products manufactured from reclaimed resources are hereby approved.:

Definitions.

"Recycled products" are all materials, goods, and supplies that contain at least 50 percent secondary and post-consumer waste (by weight). At least 10 percent of the total weight of these products must consist of post-consumer waste.

"Recycled paper" must contain at least 50 percent secondary materials (by weight), or 25 percent post-consumer waste.

"Post-consumer waste" is defined as a finished material that would normally be disposed of as a solid waste, having completed its life cycle as a consumer item. This does not include manufacturing waste.

"Secondary waste" includes products and fragments of products of the manufacturing process. This may include post-consumer waste but does not include excess virgin resources of the manufacturing process.

Departments to use recovered resources and recycled materials; notice to prospective contractors.

(1) All departments responsible for the purchase of supplies, materials, equipment, or personal services shall:

- a) Review their procurement specifications currently utilized in order to eliminate, wherever economically feasible, discrimination against the procurement of recovered resources or recycled materials.
- b) Provide incentives, wherever economically feasible, in all procurement specifications issued for the maximum possible use of recovered resources and recycled materials.

- c) Develop purchasing practices that, to the maximum extent economically feasible, assure purchase of materials that are made from recycled materials or materials that may be recycled or reused when discarded.
- d) Establish management practices that minimize the volume of solid waste generated by reusing paper, envelopes, containers and all types of packaging and by limiting the amount of materials consumed and discarded.
- e) Use and require persons with whom they contract to use, in the performance of the contract work, to the maximum extent economically feasible, recycled paper.
- f) Any invitation to bid or request for proposal shall include the following language: "Vendors shall use recyclable products to the maximum extent economically feasible in the performance of the contract work set forth in this document."

(2) Prior to the purchase, lease, or rent of office copiers, department purchasing personnel must ascertain that the warranty for service is valid with the use of recycled paper containing a minimum of 50 percent post-consumer waste.

Preference for recycled materials.

(1) Although state law requires the City and all public agencies to enter into contracts with the lowest responsible bidder, state law allows public agencies to give preference to a contractor using materials and supplies manufactured from recycled materials if:

- a) The recycled product is available;
- b) The recycled product meets applicable standards;
- c) The recycled product can be substituted for a comparable nonrecycled product; and
- d) Recycled product costs do not exceed the costs of nonrecycled products by more than five percent.

(2) A department may give preference to the purchase of materials and supplies manufactured from recycled materials exceeding the five percent cost differential with City Manager approval.

(3) A department may also give preference to products or contractors that reduce the amount of waste generated.

(4) A department must require the bidder to specify the percentage of recycled paper in paper products or recycled material in other products offered. Both the post-consumer and secondary waste content of the product must also be reported.

(5) Except for specifications that have been established to preserve the public health and safety, all purchasing specifications will be established in a manner that encourages the purchase of recycled products.

Recycled Oil.

(1) The City Motor Pool or any vendor contracted for the purpose of maintaining City vehicles will purchase lubricating oil and industrial oil from the seller whose oil product contains the greater percentage of recycled oil, unless a specific oil product containing recycled oil is:

- a) not available within a reasonable period of time or in quantities necessary to meet the City's needs;
- b) not able to meet the performance requirements or standards recommended by the equipment or vehicle manufacturer, including any warranty requirements; or
- c) available at a cost greater than five percent of the cost of comparable virgin oil products or other percent preference as approved by the City Manager.

(2) To encourage the oil industry to process oils that contain the maximum content of recycled oil the City Motor Pool will:

- a) describe the preference for recycled oil products in publications used to solicit bids from suppliers, including procurement solicitations, and invitations to bid;
- b) describe the City's recycled oil policy at bidder's conferences;
- c) whenever possible, inform the industry trade associations about the City's preference program.

(3) The City will include in its specifications for vehicle maintenance services the use of recycled oil products when the criteria in Subsection (1) of this section are met.

Retread Tires.

The State of Oregon Department of General Services and Department of Environmental Quality in cooperation with the Oregon retreading industry are currently developing policy relating to the use of retreaded tires for the State of Oregon. Following the release of the state policy, the City's recycled product purchasing policy will be revised to include the purchase of retread tires.

Paper Products.

(1) The City shall give preference to the purchase of paper products that reduce production of solid waste or contain recycled paper.

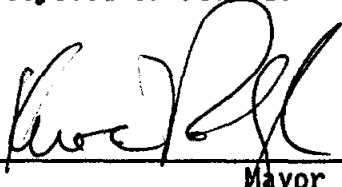
(2) The City shall give a preference to the suppliers of recycled paper. This preference may be up to 12 percent of the lowest bid for nonrecycled paper products without specific approval from the City Manager.

(3) Specifications for paper products, including janitorial supplies, issued by the City shall require recycled paper contracts to be awarded to the bidder whose paper product contains the greater percentage of post-consumer waste if the fitness, quality, and price meet the requirements in this section and that the type of recycled content does not preclude the material from being further recycled.

Recycling and reusing solid waste.

(1) All City departments will establish a system for the separation and collection of solid waste that can be recycled or reused.

DATED this 22nd day of April, 1992.



Mayor

ATTEST:



Deputy City Recorder