

Exhibit A
COUNCIL/ADMINISTRATIVE POLICY

Subject: ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (“EPPP”)	Policy No: 10-25	Date: May 9, 2023
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1.0 STATEMENT OF POLICY

It is the policy of the City of Brentwood, to the greatest extent practicable, to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness.
- Purchase environmentally preferable products and services that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety.
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead and mercury free, and use sustainably harvested wood.

2.0 PURPOSE

This Policy is adopted in order to:

- Conserve natural resources
- Minimize environmental impacts such as pollution and use of water and energy
- Eliminate or reduce toxics that create hazards to workers and our community
- Promote practices that protect the health and safety of public and worker health
- Support strong recycling markets
- Reduce materials that are landfilled
- Increase the use and availability of environmentally preferable products that protect the environment
- Identify environmentally preferable products and distribution systems
- Incentivize manufacturers and vendors to reduce environmental impacts in their production and distribution systems or services
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals

3.0 PRIORITIES

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- 3.1 The health and safety of workers and citizens is of utmost importance.
- 3.2 City of Brentwood has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.
- 3.3 Nothing contained in this policy shall be construed as requiring a department, 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 in a reasonable period of time.
- 3.4 Nothing contained in this policy shall be construed as requiring City of Brentwood, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

4.0 SPECIFICATIONS

4.1 Source Reduction

- 4.1.1 City of Brentwood shall institute practices that reduce waste and result in the purchase of fewer products, whenever practicable and cost-effective.
- 4.1.2 City of Brentwood shall purchase remanufactured products such as toner cartridges, tires, furniture, equipment and automotive parts, whenever practicable.
- 4.1.3 All City of Brentwood buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.
- 4.1.4 Products that are durable, long lasting, reusable or refillable are preferred, whenever feasible.
- 4.1.5 City of Brentwood requests vendors to eliminate packaging or use the minimum amount necessary for product protection. Packaging that is reusable, recyclable or compostable is

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preferred, when suitable programs exist. Vendors shall be encouraged to take back and reuse pallets and other shipping and packaging materials, whenever feasible.

4.1.6 City of Brentwood shall consider provisions in contracts with suppliers that require suppliers to take back products for reuse or environmentally safe recycling when City of Brentwood discards or replaces such equipment, whenever practicable.

4.1.7 All documents shall be printed and copied on both sides to reduce the use and purchase of paper, whenever practical. This feature will be enabled on those copiers where the feature is available.

4.2 Recycled Content Products

4.2.1 Copiers and printers purchased shall be compatible with the use of recycled content and remanufactured products.

4.2.2 In accordance with California Public Contract Code, Sec. 10409, City of Brentwood shall purchase re-refined lubricating and industrial oil for use in its vehicles and other equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.

4.2.3 When specifying asphalt concrete, aggregate base or portland cement concrete for road construction projects, City of Brentwood shall use recycled, reusable or reground materials, when practicable.

4.2.4 City of Brentwood may specify and purchase recycled content transportation products, including signs, cones, parking stops, delineators, channelizers and barricades.

4.2.5 All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper has recycled content. Whenever feasible, the statement should indicate the percentage of post-consumer recycled content it contains.

4.3 Energy and Water Savings

4.3.1 Where applicable and practical, energy-efficient equipment shall be purchased with the most up to date energy efficiency functions. This includes, but is not limited to, high efficiency space heating and cooling systems.

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- 4.3.2 When practicable, City of Brentwood shall replace inefficient interior lighting with energy efficient equipment.
- 4.3.3 When practicable, City of Brentwood shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment.
- 4.3.4 When considering electronic products, City of Brentwood will include in its specifications that for products where U. S. EPA Energy Star certification is available, the products must meet the latest Energy Star certification standards, when practicable. When Energy Star labels are not available, choose energy efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program when practical.
- 4.3.5 City of Brentwood shall purchase water-saving products, whenever practicable.

4.4 Green Building

The City of Brentwood shall recommend that all building and renovations undertaken by City of Brentwood shall follow Green Building Practices for design, construction, and operation, where appropriate, as described in the LEED™ Rating System.

4.5 Landscaping

- 4.5.1 City of Brentwood shall recommend that all landscape renovations, construction and maintenance performed by City of Brentwood, including workers and contractors providing landscaping services for City of Brentwood, shall employ sustainable landscape management techniques for design, construction and maintenance whenever possible, including, but not limited to, integrated pest management, grass-cycling, drip irrigation, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food waste programs.
- 4.5.2 Plants should be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted them, and perennials rather than annuals for color. Native and drought-tolerant plants that require no or minimal watering once established are preferred.

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4.5.3 Hardscapes and landscape structures constructed of recycled content materials are encouraged. City of Brentwood shall limit the amount of impervious surfaces in the landscape, wherever practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

4.6 ***Toxics and Pollutants***

4.6.1 To the extent practical, City of Brentwood shall purchase, use and require custodial contractors to use, industrial and institutional cleaning products that meet Green Seal certification standards for environmental preferability and performance.

4.6.2 The use of chlorofluorocarbon and halon-containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.

4.6.3 All surfactants and detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.

4.6.4 When maintaining buildings and landscapes, City of Brentwood shall manage pest problems through prevention and physical, mechanical and biological controls in accordance with the City of Brentwood Integrated Pest Management (IPM) program which practices using the least toxic pest control as a last resort.

4.6.5 When maintaining buildings, City of Brentwood shall use products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde when practicable when purchasing materials such as paint, carpeting, adhesives, furniture and casework.

4.6.6 City of Brentwood shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Purchasing paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever possible.
- Prohibiting purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, office binders, furniture, flooring, and medical supplies whenever practicable.

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4.6.7 City of Brentwood shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, City of Brentwood shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

4.6.8 When replacing vehicles, City of Brentwood shall consider less-polluting alternatives to diesel such as compressed natural gas, bio-based fuels, hybrids, electric batteries, and fuel cells, as available.

4.7 Forest Conservation

4.7.1 To the greatest extent practicable, City of Brentwood shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner.

4.7.2 City of Brentwood encourages the purchase or use of previously used or salvaged wood and wood products whenever practicable.

4.8 Bio-Based Products

4.8.1 Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged, whenever practicable.

4.8.2 Paper, paper products and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged, whenever practicable.

4.8.3 Bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery, are encouraged, whenever practicable.

5.0 IMPLEMENTATION

5.1 The City Manager, or designee, shall implement this policy in coordination with each Department.

5.2 As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with State law, vendors shall be required to specify the minimum or actual percentage of recovered and post-consumer material in their products, even when such percentages are zero.

5.3 Upon request, buyers making the selection from competitive bids shall be

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able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.

- 5.4 When purchasers are requesting goods or services, they should review businesses certified by the Contra Costa County Green Business Program and include businesses that meet requirements in the request. View certified Green Businesses at greenbusinessca.org.
- 5.5 Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the City of Brentwood, where practicable.

6.0 PROGRAM EVALUATION

The City Manager or designee shall periodically evaluate the success of this policy’s implementation.

7.0 DEFINITIONS

- 7.1 “Bay Area Green Business Program” is a partnership of governments and businesses that certifies the environmental performance of government agencies and businesses.
- 7.2 “Bio-Based Products” means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues, but does not include products made from forestry materials.
- 7.3 “Buyer” means anyone authorized to purchase or contract for purchases on behalf of City of Brentwood or its subdivisions.
- 7.4 “Chlorine free” means products processed without chlorine or chlorine derivatives.
- 7.5 “Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with City of Brentwood or serves in a subcontracting capacity with an entity having a contract with City of Brentwood for the provision of goods or services.
- 7.6 “Dioxins and furans” are a group of chemical compounds that are classified as persistent, bio-accumulative, and toxic by the U.S. Environmental Protection Agency (EPA).
- 7.7 “Energy Star” means the U.S. EPA’s energy efficiency product labeling program.
- 7.8 “Energy Efficient Product” means a product that is in the upper 25% of energy efficiency for all similar products, or that is at least 10% more

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efficient than the minimum level that meets State of California efficiency standards and State Title 24.

- 7.9 "Environmentally Preferable Products and Services" means products and services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose.
- 7.10 "Federal Energy Management Program" (FEMP) is a program of the Department of Energy that issues a series of Product Energy Efficiency Recommendations that identify recommended efficiency levels for energy-using products.
- 7.11 "Green Building Practices" means a whole-systems approach to the design, construction, and operation of buildings and structures that help mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED™ Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.
- 7.12 "Green Seal" is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products.
- 7.13 "Integrated Pest Management" (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.
- 7.14 "LEED™ Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED™ Rating System, approved by the U.S.
- 7.15 "Organic Pest Management" prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those

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products on the approved list of California Certified Organic Foods (CCOF).

- 7.16 "Post-consumer Material" means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.
- 7.17 "Practical" and "Practicable" mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.
- 7.18 "Pre-consumer Material" means material or by-products generated after manufacture of a product is completed but before the product reaches the end- use consumer. Pre-consumer material does not include mill and manufacturing trim, or scrap, which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.
- 7.19 "Recovered Material" means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and post-consumer material, but does not include excess resources of the manufacturing process.
- 7.20 "Recycled Content" means the percentage of Recovered Material, including pre-consumer and post-consumer materials, in a product.
- 7.21 "Recycled Content Standard" means the minimum level of recovered material and/or post-consumer material necessary for products to qualify as "recycled products."
- 7.22 "Recycled Product" means a product that meets City of Brentwood's recycled content policy objectives for post-consumer and recovered material.
- 7.23 "Remanufactured Product" means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.
- 7.24 "Reused Product" means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.
- 7.25 "Source Reduction" refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no,

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or reduced, toxic constituents; and products marketed with no, or reduced, packaging.

- 7.26 "U.S. EPA Guidelines" means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002, and any subsequent versions adopted.
- 7.27 "Water-Saving Products" are those that are in the upper 25% of water conservation for all similar products, or at least 10% more water conserving than the minimum level that meets the Federal standards.