

# State Procurement Manual

DOA-3449 N(R06/94) Formerly AD-P-12

		Number PRO-D-19
		Effective 5-1-01
Section GENERAL POLICIES	Agencies Affected ALL	Replaces 3-1-91
Title RECYCLING PROCUREMENT		Page 1 of 7

AUTHORITY:

<p>Wis. Stats. 16.70(1), (2) 16.70(11), (11m), (12), (13) 16.71, 16.72(4), 16.75(1)(a) 16.72(2), (a), (b)</p> <p>16.72(2)(e)</p> <p>16.72(2)(f)</p> <p>16.73(4)(a), (b) 16.75(1m) 16.75(8)(a), (9)</p> <p><u>66.0131(1)(a)</u></p> <p><u>287.05(12)</u></p> <p>Wis. Adm. Code Chapter Adm 7.03</p>	<p>agency definitions recycled definitions authority to set policy definitions of standard, non-standard specifications specification revision for recycled products specification revision</p> <p>cooperative purchasing life cycle cost purchasing selections (including paper purchase) local governmental purchasing solid waste priorities definitions</p>
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SCOPE:

- to establish policy on recycling-related procurement in accordance with 1989 Wisconsin Act 335, including:
  - the purchase of recycled products;
  - the purchase of products with reduced waste;
  - the purchase of products that can be recycled;
  - the choice of durable, multiple-use products; and
  - the use of life cycle costing.
- to define the procedures that agencies will follow in purchasing products with recycled content
- to establish procedures to monitor and evaluate compliance with program requirements

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- DEFINITIONS (STATUTORY):
- I. "Agency" means an office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority.
  - II. "Local governmental unit" is a political subdivision of this state, a special purpose district in this state, an agency or corporation of a political subdivision or special purpose district, or a combination or subunit of any of the foregoing. Local governmental unit includes counties, cities, villages, towns, school districts and Vocational, Technical and Adult Education districts.
  - III. "Recovered material" is a product which is recovered from solid waste in a form identical to the original form for a use that is the same as or similar to the original use. The recycling of old glass containers into new glass containers is an example of using recovered material.
  - IV. "Recycled material" is a product which is manufactured from solid waste or paper mill sludge. Plastic lumber that is manufactured from old milk jugs is an example of a recycled material.
  - V. "Recyclable material" is material in waste for which there exists a commercially demonstrated processing or manufacturing technology which uses the material as a raw material. Glass containers and plastic milk jugs used as examples in items III. and IV. are also types of recycled materials.

POLICY: > The Bureau of Procurement and state agencies will achieve the goals of recycling and waste reduction procurement by revising specifications, bidding effectively, and purchasing recycled products. The Bureau's role is to assist state agencies in complying with current state law. The majority of the following specific material requirements, timetables, deadlines, and compliance requirements come directly from 1989 Wisconsin Act 335, as amended by later legislation.

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- CONTENT:            I.            Specification revision
- A.            State agencies will write product specifications which incorporate requirements for recycled materials and recovered materials when technically and economically feasible.
1.            Specifications for the following priority categories were reviewed and revised by January 1, 1991.
- a.            Paper and paper products;
- b.            Plastic and plastic products;
- c.            Glass and glass products;
- d.            Motor oil and lubricants;
- e.            Construction materials, including insulating materials;
- f.            Furnishings, including rugs, carpet, and furniture; and
- g.            Highway equipment, including signs, signposts, reflectors, guardrails, lane dividers, and barricades.
2.            Specification revision for all other products was completed by May 1992.
- B.            Specifications should include requirements that:
1.            Minimize solid waste in accordance with the state solid waste management priorities, which are:
- a.            The reduction of the amount of solid waste generated (such as reduced packaging);
- b.            The reuse of solid waste;
- c.            The recycling of solid waste;

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- d. The composting of solid waste;
  - e. The recovery of energy from solid waste; and
  - f. The burning of solid waste.
- 2. Favor durable, multiple-use items over single-use disposable products.
  - 3. Acknowledge ultimate disposal and recyclability of products.
- C. Specifications should use life cycle costing if appropriate.
- 1. Specifications should use life cycle costing when it is appropriate to include the costs of waste disposal or to evaluate durability or reusability.
  - 2. Life cycle cost formulas may include, but are not limited to the applicable costs of energy efficiency, acquisition and conversion, money, transportation, warehousing and distribution, training, operation and maintenance and disposition or resale.
  - 3. Bid specifications should state whether or not life cycle costs will be used in the bid evaluation. If life cycle costing is used for bid evaluation but the details are not included in the bid specifications, then the terms, conditions, and evaluation criteria will be available upon request at the time of the bid opening.
- D. In the case of paper, specifications will use the Environmental Protection Agency (EPA) definitions of the terms recovered material and postconsumer recovered material.
- 1. Based on the following general recycled content criteria, paper specifications will achieve the maximum postconsumer content that is reasonable available from at least two manufacturers and that satisfies

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performance standards. The criteria for determining realistic recycled content specifications are:

- a. Adequate supply;
- b. Competitive market with at least two manufacturers producing the specified content; and
- c. Reasonable price.

E. Specifications should not contain unnecessary prohibitions to products made from recycled materials or recovered materials.

## II. Bidding procedures for recycled products

- A. Agencies will determine the suitability of recycled products for their use by determining appropriate performance and/or quality requirements.
- B. Price and availability of recycled products will influence an agency's choice of one of the following bid structures.
  1. The recycled product is specified and bid independently.
  2. The recycled product and its nonrecycled counterpart are combined into a single low bid category only when both products are definitely comparable in price.
  3. The recycled product and nonrecycled counterpart are included on one bid but are in different lots for which separate awards can be made.
  4. Bidding the recycled product is encouraged as an option or an alternative.
  5. Information on recycled products is requested but does not form an integral part of the specification.
- C. Agencies are expected to award to vendors of recycled products if possible.

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- III. Purchasing recycled products through contracts
- A. Statewide purchasing contracts will include standard commodity recycled products when:
    - 1. Quality and performance have been demonstrated;
    - 2. Consistent and adequate supplies have been proven;
    - 3. A competitive market exists; and
    - 4. The product has a reasonable price (often within 10% of the nonrecycled counterpart).
  - B. Statewide Bureau of Procurement mandatory contracts will often show recycled products as options until the criteria in A. definitely have been satisfied. Optional recycled products often will have a higher price than the non-recycled counterpart, and apparently similar items may not, in fact, be equivalent. An agency may choose not to purchase optional recycled products, but will document the reason in its agency file.
  - C. The Bureau will issue optional contracts for recycled products which are more experimental in nature.
  - D. Where equivalent recycled products are available at the same price as nonrecycled items, agencies will purchase the recycled product.
- IV. Recycled paper purchase requirement for each agency
- A. The average recycled content of all paper purchased, measured as a proportion by weight of the fiber content, must be at least 40% of all purchased paper.

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## B. Definitions

1. "Paper purchases" include procurement of paper and paper products, as well as paper purchased through services where paper is a substantial portion of the overall cost of the service, such as printing, quick-copy, and computer print-out.
2. "Calculating the recycled fiber content by weight" means multiplying the percentage recycled by the weight of the paper purchased.
3. "Mill certification" is a letter from a paper mill that confirms the recycled content of contracted paper using the EPA definitions of the words recovered material and postconsumer recovered material.
4. Paper purchases should be claimed by the end-user of the product.
  - a. If a printing service is provided by a state agency, paper purchases should be applied to the customer agency. If doubt exists as to which agency should count the purchase, consider whether or not the customer agency has a choice about which printer or copy center to go to.
  - b. Paper purchases for materials that are printed by one agency but used or distributed by other agencies should be applied to the agency that has contract administration responsibility.

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