



## **CITY OF CITRUS HEIGHTS PURCHASING POLICY**

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### **SCOPE OF POLICY**

The provisions of this policy shall apply to:

- (a) All contracts funded by the City of Citrus Heights and the Successor Agency to the Community Redevelopment Agency of the City of Citrus Heights for research and development, professional studies, design and engineering, construction and construction-related matters, to the extent allowed by applicable law.
- (b) The purchase of goods and services (including professional services, except for the services of physicians or attorneys), leases of real property, or the sale or purchase of real property.
- (c) Transfers between funds.
- (d) The disposition of surplus property.

### **OVERVIEW OF THE PURCHASING PROCESS**

The purchasing process is centralized (the Purchasing Agent coordinates purchases) for the following goods and services: computer hardware and software, office supplies and machines, vehicles, and phones. The purchasing process is decentralized (the Initiator, the person or department requesting the merchandise or service, seeks out potential vendors, obtains the bids, and interacts with the vendor) for all other goods and services. The Purchasing Agent/Initiator is responsible for assuring that adequate budgeted funds are available. A purchase order may be requested from the Finance Department. Receipt of the merchandise or service is checked by the Purchasing Agent/Initiator. Approved invoices are forwarded to Finance for payment. Staging of purchases in order to avoid bidding procedures or authorization limits is prohibited. For projects that are not federally funded, a 5% bid evaluation pricing preference will be given to businesses based in Citrus Heights. Each department is responsible for establishing a system of checks and balances throughout the purchasing process to help deter possible fraudulent activity.

### **PURCHASING AGENT**

The Purchasing Agent shall be the Finance Director and shall report to the City Manager. The Purchasing Agent is responsible for overseeing the procurement of centralized goods and services, the administration of the Contracting and Purchasing Policy and the management of surplus City property.

### **GIFTS AND UNAUTHORIZED PURCHASES**

City employees, officers or officials are not entitled to any special consideration from vendors and merchants in their personal affairs nor are such city employees, officers, or officials to attempt to procure materials for the personal use of any other person. City employees, officers or officials shall not solicit or accept gifts except for those items that can be shared by all staff such as food and flowers. Except for emergencies or other authorized exemption, no purchases shall be made without specific authorization as outlined in this policy. The person ordering the unauthorized purchase may be held personally liable for the costs of the purchase or contract.

## **PURCHASING AUTHORIZATIONS**

The following authorization limits apply to all purchases except Public Works Projects. See “Special Types of Purchases” (below) for additional information. Public Works Projects purchasing authorizations and information are listed at the end of this document.

### *Formal Bid – purchases more than \$50,000*

Authority to award – City Council.

Formal bid or Request for Proposal process is required.

Award to the lowest cost, responsive, responsible bidder. In the event of a tie, award to the business located in Citrus Heights.

Staging of purchases in order to avoid authorization limits is prohibited.

### *Formal Bid – purchases more than \$25,000 and up to \$50,000*

Authority to award – City Manager.

Quotes must be received from three competitive sources.

Award to the lowest cost, responsive, responsible bidder. In the event of a tie, award to the business located in Citrus Heights.

Staging of purchases in order to avoid authorization limits is prohibited.

### *Open Market – purchases more than \$5,000 and up to \$25,000*

Authority to award – City Manager.

If practical, quotes must be received from three competitive sources.

Award to the lowest cost, responsive, responsible bidder. In the event of a tie, award to the business located in Citrus Heights.

Staging of purchases in order to avoid authorization limits is prohibited.

### *Small Purchases – purchases of \$5,000 or less*

Authority to award – Department Head or authorized designee.

Seek competitive quotations when feasible or rotate awards to local vendors.

Award to the lowest cost, responsive, responsible bidder. In the event of a tie, award to the business located in Citrus Heights.

## **SPECIAL TYPES OF PURCHASES**

Purchases requiring Competitive Sealed Bids

Purchases requiring Competitive Sealed Proposals

Contracting for Professional Services

Cooperative Purchasing

Sole Source Purchasing

Open (Blanket) Purchases

Petty Cash Reimbursement

Credit Card Purchases

Emergency Purchases

### **Purchases requiring Competitive Sealed Bids**

- (a) All contracts greater than \$50,000 shall be awarded by competitive sealed bidding. The City Manager is authorized to award contracts up to \$50,000. City Council approval is required for awards greater than \$50,000. Contracts shall not be knowingly staged or separated into smaller units or segments solely for the purpose of evading competitive bidding requirements.
- (b) Competitive Sealed Bidding Process.
- (1) Invitation and Notice: An invitation for bids shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement. Adequate public notice of the invitation for bids shall be given not less than ten (10) calendar days prior to the date set forth therein for the opening of bids for contracts under \$50,000 and (thirty) 30 days for contracts over \$50,000. Such notice may include publication in a newspaper of general circulation a reasonable time prior to bid opening. The public notice and all invitations to bid shall state the place, date and time of bid opening and shall state that the bids should be submitted to the City Clerk or designee of the City Clerk.
- (2) Bid Opening: Bids shall be opened publicly in the presence of one or more witnesses at the place and not earlier than the time designated in the invitation for bids. The amount of each bid and such other relevant information as the City deems appropriate, together with the name of each bidder shall be open to public inspection in accordance with the policy.
- (3) Bid Evaluation and Acceptance: Bids received at or prior to the time set for bid opening shall be unconditionally accepted without alteration or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluations that are not set forth in the invitation for bids.
- (4) Correction or Withdrawal of Bids: Subject to any provisions of federal or state granting authorities to the contrary, correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, shall be in accordance with this section. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, no corrections to bid or provisions shall be permitted but, in lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if:
- (A) The mistake is clearly evident on the face of the bid document; or
  - (B) The bidder submits evidence that clearly and convincingly demonstrates that a mistake was made.

All decisions to permit the correction or withdrawal of bids shall be supported by a written determination made by the City.

- (5) Award: The contract shall be awarded by appropriate written notice to the lowest cost, responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.
- (c) Multi-Step Sealed Bidding: When it is considered impractical to prepare initially a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation.
- (d) Cancellation of Invitations: An invitation for bids, a request for proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation. Each solicitation issued by the City shall state that the solicitation may be cancelled and that any bid or proposal may be rejected in whole or in part at the City's discretion with or without a showing of good cause.
- (e) Determination of Non-responsibility: If a bidder or offeror who otherwise would have been awarded a contract is found non-responsible, a written determination of non-responsibility, setting forth the basis of the finding, shall be prepared by the City Manager or his or her delegate. The unreasonable failure of a bidder or offeror to supply promptly information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to such bidder or offeror. A copy of the determination shall be sent promptly to the non-responsible bidder or offeror. The final determination shall be made part of the contract file and be made a public record.
- (f) Right of Nondisclosure: Information furnished by a bidder or offeror in reliance upon a written offer of confidentiality by the City pursuant to this section shall not be disclosed by the City outside of the office of the purchasing agent or using agency without prior written consent by the bidder.
- (g) Use of Subcontractors: All contracts between the City of Citrus Heights and its consultants, vendors, and contractors shall state that "should you (the consultant, vendor, or contractor) utilize subcontractors, vendors or consultants to fulfill this contract with the City, you agree to use all reasonable efforts to include Citrus Heights-based businesses in your bidding processes."
- (h) Bid and Payment Bonds: Bid and payment bonds or other security may be requested for supply contracts or service contracts, as the City Attorney deems advisable to protect the City's interests. Any such bonding requirements shall be set forth in the solicitation. Bid or payment bonds shall not be used as a substitute for a determination of a bidder's or an offeror's responsibility.

### **Purchases requiring Competitive Sealed Proposals**

- (a) When the City determines that the use of competitive sealed bidding is either not practicable or not advantageous to the City, a contract may be entered into by use of the competitive sealed proposals method.
- (b) Competitive Sealed Proposals Process.

(1) Request for Proposals and Notice: Proposals shall be solicited through a request for proposals. Adequate public notice of the request for proposals shall be given in the same manner as provided for Competitive Sealed Bids; provided, the minimum time shall be fifteen (15) calendar days for contracts in the amount of \$50,000 or less and thirty (30) calendar days for contracts in the amount of more than \$50,000.

(2) Evaluation Factors: The request for proposals shall state the relative importance of price and other evaluation factors.

(3) Interviews with Responsible Offerors and Revisions to Proposals: As provided in the request for proposals, interviews may be conducted with responsible offerors whose proposals are responsive to the request for proposals for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.

(4) Award: Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the City, taking into consideration price and the evaluation facts set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

(c) Cancellation of Invitations: See “Competitive Sealed Bids” (d) above.

(d) Determination of Non-responsibility: See “Competitive Sealed Bids” (e) above.

(e) Right of Nondisclosure: See “Competitive Sealed Bids” (f) above.

(f) Bid and Payment Bonds: See “Competitive Sealed Bids” (g) above.

(g) Use of Subcontractors: See “Competitive Sealed Bids” (h) above.

### **Contracting for Professional Services**

(a) For the purpose of procuring the services of accountants, architects, engineers and other professionals, the City department or agency using such a professional may award a contract for service in accordance with the purchasing authorizations and limitations of this policy. Special consideration for design/architect services is noted in (b)(4) below.

(b) Selection Procedure.

(1) Request for Qualifications and Notice: Adequate notice of the need for the desired professional services shall be given by the City through a request for qualifications. The request for qualifications shall describe the services required, list the types of information and data required of each offeror, and state the relative importance of particular qualifications.

(2) Statement of Qualifications: Persons engaged in providing the designated types of professional services may submit statements of qualifications and expressions of interest in providing such professional services. The City may specify a uniform format for statements of qualifications. Persons may amend these statements at any time by filing a new statement.

(3) Interviews: The head of the City department or agency or his or her designee using the professional services may conduct interviews with any offeror who has submitted a statement of qualifications for the purpose of ranking the qualifications of the offerors,

based on the evaluation factors set forth in the request for qualifications. Interviews shall not disclose any information derived from statements submitted by other offerors.

(4) Award: Award shall be made to the offeror determined to be the best qualified based on the evaluation factors set forth in the request for qualifications, and negotiation of compensation determined to be fair and reasonable. If compensation cannot be agreed upon with the best-qualified offeror, then negotiations will be formally terminated with the selected offeror. If statements were submitted by one or more offerors determined to be qualified, negotiations may be conducted with such other offeror or offerors, in order of their respective qualification ranking, and the contract may be awarded to the offeror then ranked best qualified if the amount of compensation is determined to be fair and reasonable. In the case of design/architect services, the city will pick the most qualified candidate and THEN open the price envelope and negotiate price.

- (c) Cancellation of Invitations: See “Competitive Sealed Bids” (d) above.
- (d) Determination of Non-responsibility: See “Competitive Sealed Bids” (e) above.
- (e) Right of Nondisclosure: See “Competitive Sealed Bids” (f) above.
- (f) Bid and Performance Bonds: See “Competitive Sealed Bids” (g) above.
- (g) Use of Subcontractors: See “Competitive Sealed Bids” (h) above.

### **Cooperative Purchasing**

The City Manager is authorized to enter into cooperative purchasing arrangements with other governmental entities without separate competitive bidding by the City if a governmental agency has solicited bids and awarded a contract for services or materials which the City desires to obtain, and participation in such a purchase is agreeable to the bidder awarded the contract and the City Manager finds that participation in such group purchasing agreement is for the benefit of the City.

### **Sole Source Purchasing**

A contract may be awarded without competition when the City determines in writing, after conducting a good faith review of available sources, that there is only one source for the required supply, service or construction item. The City Manager or his or her designee shall conduct negotiations, as appropriate, as to price, delivery and terms. A statement of the basis for the sole source determination shall be placed in the contract file.

### **Open (Blanket) Purchases**

Open procurement can be used when very similar goods or services are purchased frequently during the year. Generally, the individual purchases are small in relation to the total amount authorized. Examples are dead animal removal and office supplies. Bids and approvals must be obtained annually using the same criteria as for a single item purchase order.

### **Petty Cash Reimbursement**

The Petty Cash Fund is used to reimburse purchases which were originally paid out-of-pocket by a City official or employee. Mileage reimbursement is also paid from the Petty Cash Fund. Petty Cash reimbursements will either be paid in cash or by check, depending on the amount. Reimbursement requests less than \$50 will be paid in cash. Reimbursement requests greater than \$50 will be paid by check on the next accounts payable check date.

## **Credit Card Purchases**

Each Department Head will be responsible for the credit cards issued in their department. Only a Department Head can request a new CAL-Card, using the CAL-Card Request Form (Attachment A). The credit card can only be used for authorized transactions.

- (a) Credit card purchases are limited to Small Purchases only. Guidelines and conditions for small purchases as set forth in this policy will be as follows:  
The credit card shall *not* be used for:
- Cash advances
  - Services
  - Alcoholic beverages
  - Gambling or betting
  - Securities or insurance
  - Political or religious organizations
  - Tax payments
  - Court costs, fines, bail or bond payments
  - Lease or rental items
- (b) Credit cards are issued to individual employees and are to be used for official City business only. No personal transactions are allowed. Credit cards belong to the City and can be cancelled or revoked at any time at the discretion of the City Manager.
- (c) The Cardholder's purchasing limit is determined according to specific needs and will be set by the Department Head and approved by the City Manager.
- (d) Prior to receiving a credit card from the CAL-Card Administrator (Finance Manager), the employee must sign "Acknowledgement of Receipt of City Bank Card" (Attachment B). By signing this form, the employee acknowledges 1) receipt of card, 2) purchasing limits, 3) and understands the rules/guidelines of the credit card portion of the Purchase Policy.
- (e) Each cardholder is to maintain and attach a CAL-Card Description Form (Attachment C) to their monthly statement. Maintaining and submitting this form is mandatory.
- (f) It is the responsibility of the employee to furnish receipts for all credit card purchases.
- (g) CAL-Cards may be used for travel expenses such as meals not provided by the conference/seminar (meal expenses including gratuity must not exceed the Maximum Federal Rate), parking expenses, and fuel for a rental vehicle.
- (h) If there is a missing receipt and/or missing detail it is required that the employee write a memorandum, addressed to the City Manager providing information of the missing receipt and/or detail. Payment for purchases without receipts may become the responsibility of the employee.
- (i) The Approving Official (Department Head) shall be responsible for receiving statements from Cardholders over whom they have authority each month. Approving Officials are responsible for reviewing the statements, assuring all purchases are authorized and comply with the Purchasing Policy, signing and forwarding the statements and backup by the 15<sup>th</sup> of the month to the Finance Department.
- (j) Should an employee lose or have his/her credit card stolen, it is their responsibility to contact the credit card company immediately. Also, they must notify their supervisor in

writing one (1) working day after discovery. The supervisor must also notify the Purchasing Agent as soon as possible.

- (k) The cardholder is responsible for returning the CAL-Card to their Department Head upon termination.

### **Emergency Purchases**

Notwithstanding any other provisions of this chapter, the City may make emergency purchases of supplies, services, or construction items when there exists a threat to public health, welfare, or safety; provided that such emergency purchases shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. In the case of contracts less than \$50,000, this determination shall be made by the City Manager and, in the case of contracts in the amount of \$50,000 or more, this determination shall be made retroactively by the City Council.

### **TRANSFERS BETWEEN FUNDS**

The following authorization limits shall apply to all transfers between funds:

*Transfers of more than \$50,000*

Authority to transfer – City Council.

*Transfers of up to \$50,000*

Authority to transfer – City Manager.

### **OPPORTUNITIES FOR CITRUS HEIGHTS AND SMALL DISADVANTAGED BUSINESS ENTERPRISES**

- (a) It is the policy of the City of Citrus Heights to ensure full and equitable opportunities for Citrus Heights and Small Disadvantaged Business Enterprises to participate as contractors in the provision of goods and services to the City. Policies and programs that enhance the opportunities and entrepreneurial skills of Citrus Heights and Small Disadvantaged Business Enterprises will best serve the public interest because the growth and development of such businesses will have a significant positive impact on the economic health of the City
- (b) On projects that are not Federally Funded, it is the City of Citrus Heights' policy that a 5% bid evaluation pricing preference be given to businesses located within its City limits. The public interest is also served by continuing to encourage businesses to locate and remain in Citrus Heights.
- (c) Initiators will make it a priority to seek vendors that are members of the Citrus Heights Chamber of Commerce and other Chambers that encourage diversity in the private sector.

### **SURPLUS SUPPLIES AND EQUIPMENT**

- (a) Surplus property is used to generically describe any City property that is no longer needed or useable by the holding department. The Purchasing Agent or designee has the authority to declare item(s) with a market value of less than \$10,000 surplus. Items with a market value greater than \$10,000 will be formally declared surplus by the Council.



Each department shall periodically review its equipment, material, and inventory, and shall promptly notify the Purchasing Agent of any surplus property.

- (b) The Purchasing Agent or designee shall determine or approve one of the following methods of disposition that is most appropriate and in the best interest of the City:
  - (1) *Transfer to Another Department*: Surplus property may be transferred between City departments.
  - (2) *Trade-In*: Property declared as surplus may be offered as a trade-in credit toward the acquisition of new property. All trade-in offers will be submitted to the Purchasing Agent for review and approval.
  - (3) *Disposal*: The Purchasing Agent may offer surplus property for sale. All surplus property is for sale “as is”, with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability of the property offered for sale. Appropriate methods of disposal are as follows:
    - (A) *Public Auction*: Surplus property may be sold at public auction. City staff may conduct Public Auctions, use internet auction sites, or the City may contract with a professional auctioneer.
    - (B) *Sealed Bids*: Sealed bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest responsible bidder.
    - (C) *Selling for Scrap*: Surplus property may be sold as scrap if the Purchasing Agent deems that the value of the raw material exceeds the value of the property as a whole.
    - (D) *Negotiated Sale*: Surplus property may be sold outright if the Purchasing Agent determines that only one known buyer is available or interested in acquiring the property.
    - (E) *No Value Item*: Where the Purchasing Agent determines that specific supplies or equipment are surplus and of minimal value to the City due to spoilage, obsolescence of other cause or where the Purchasing Agent determines that cost of disposal of such supplies or equipment would exceed the recovery value, the Purchasing Agent shall dispose of the same in such manner as he or she deems appropriate and in the best interest of the City.
- (c) Proceeds from the sale or trade-in of surplus property shall be returned to the appropriate fund.

### **PUBLIC WORKS PROJECTS**

- (a) Public works projects over \$5,000 are subject to bidding and other requirements set forth by statutes. “Public works contracts” include contracts for a project for the erection, improvement, painting, or repair of public buildings and works; work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; street or sewer work, except maintenance or repair; and furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.
- (b) Public works projects over \$1,000 are subject to prevailing wage law. “Public works contracts” for the purpose of prevailing wage law are defined as the construction, alteration, demolition, or repair work done under contract and paid for in whole or in part out of public funds.

- (c) Most of the public contracting statutes are contained in the California Public Contract Code. Other sources of public contracting statutes can be found in The Public Resources Code, Business and Professions Code, Civil Code, Government Code, Labor Code, and the Code of Regulations.

### **FEDERAL AWARDS**

Contract files for federally funded projects must follow Committee of Sponsoring Organizations of the Treadway Commission (COSO) guidance (Attachment D), records shall be retained for three years and shall contain the following documentation according to OMB (Office of Management and Budget) requirements:

- (a) Verification that procurement provides for full and open competition.
- (b) Documentation for the cost or price analysis resulting in contractor selection.
- (c) Grantee and subgrantee procedures will provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items.
- (d) Buy vs. lease analysis must be documented (buildings, vehicles, equipment, etc.).
- (e) Proof that the City has verified via the Federal EPLS website (www.sam.gov) that each contractor has not been suspended or debarred from bidding on federally funded projects.
- (f) Certification from the contractor that subcontractors used by the approved contractor have not been suspended or debarred.
- (g) Justification for lack of competition when competitive bids are not obtained.
- (h) Cannot name a brand-name product in bid.
- (i) Cannot have unnecessary requirements such as bonding, unnecessary experience, etc. that would restrict competition.
- (j) Citrus Heights businesses are not given a bid evaluation pricing preference.
- (k) Grantees and subgrantees will have protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to the awarding agency.

### **ENVIRONMENTALLY PREFERABLE PURCHASING POLICY**

#### **STATEMENT OF POLICY**

It is the policy of Citrus Heights to:

- institute practices that reduce waste by increasing product efficiency and effectiveness,
- purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and
- 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-free and mercury-free, and use wood from sustainably harvested forests.

#### **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,
- 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,
- reward manufacturers and vendors that 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.

## **SPECIFICATIONS**

### **Source Reduction**

- Citrus Heights shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or workplace quality.
- Citrus Heights shall purchase remanufactured products such as laser toner cartridges, tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness.
- Citrus Heights shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in this section, when practicable.
- All 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.
- Products that are durable, long lasting, reusable or refillable are preferred whenever feasible.
- Citrus Heights requests vendors to eliminate packaging or use the minimum amount necessary for product protection, to the greatest extent practicable.
- Packaging that is reusable, recyclable or compostable is preferred, when suitable uses and programs exist.
- Vendors shall be encouraged to take back and reuse pallets and packaging materials.
- Suppliers of electronic equipment, including but not limited to computers, monitors, printers, and copiers, shall be required to take back equipment for reuse or environmentally safe recycling when Citrus Heights discards or replaces such equipment, whenever possible.

### **Recycled Content Products**

- All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines, such as those for printing paper, office paper, janitorial paper, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous, and non-paper office products, shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.
- Copiers and printers bought shall be compatible with the use of recycled content products.
- In accordance with California Public Contract Code, Sec. 10409, Citrus Heights 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.
- When specifying asphalt concrete, aggregate base or portland cement concrete for road construction projects, Citrus Heights shall use recycled, reusable or reground materials when practicable.
- Citrus Heights shall specify and purchase recycled content transportation products, including signs, cones, parking stops, delineators, and barricades.
- All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content.

### **Energy and Water Savings**

- Where applicable and practicable, 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 systems and high efficiency space cooling equipment.
- When practicable, Citrus Heights shall replace inefficient lighting with energy-efficient equipment.
- All products purchased by Citrus Heights and for which the U. S. EPA Energy Star certification is available shall meet Energy Star certification, 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.
- Citrus Heights shall purchase water-saving products whenever practicable.

### **Green Building - Construction and Renovations**

All building and renovations undertaken by Citrus Heights shall follow Green Building practices for design, construction, and operation, where appropriate, as described in the LEED™ Rating System.

### **Landscaping**

- All landscape renovations, construction and maintenance by Citrus Heights, including workers and contractors providing landscaping services for Citrus Heights, shall employ sustainable landscape management techniques for design, construction and maintenance whenever possible, including, but not limited to, integrated pest management, grasscycling, drip irrigation, composting, and procurement and use of mulch and compost.
- 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 when practicable. Native and drought-tolerant plants that require no or minimal watering once established are preferred.
- Hardscapes and landscape structures constructed of recycled content materials are encouraged. Citrus Heights 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.

### **Toxics and Pollution**

- To the extent practicable, no cleaning or disinfecting products (i.e. for janitorial or automotive use) shall contain ingredients that are carcinogens, mutagens, or teratogens. These include chemicals listed by the U.S. EPA or the National Institute for Occupational Safety and Health on the Toxics Release Inventory and those listed under Proposition 65 by the California Office of Environmental Health Hazard Assessment.
- The use of chlorofluorocarbon-containing refrigerants, solvents and other products shall be phased out and new purchases shall not contain them.
- All surfactants and detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.
- When maintaining buildings and landscapes, Citrus Heights shall manage pest problems through prevention and physical, mechanical and biological controls where practicable. Citrus Heights may implement pest management practices using the least toxic pest control as a last resort.
- When maintaining buildings, the Citrus Heights shall use products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde when purchasing materials such as paint, carpeting, adhesives, furniture and casework as practicable.
- Citrus Heights 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.
- Citrus Heights shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, Citrus Heights shall

give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

- When replacing vehicles, Citrus Heights shall consider less-polluting alternatives to diesel such as compressed natural gas, biobased fuels, hybrids, electric batteries, and fuel cells, as available.

### **Forest Conservation**

To the greatest extent practicable, Citrus Heights shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, Citrus Heights shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system.

### **Agricultural Bio-Based Products**

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

## **PRIORITIES**

- The health and safety of workers and citizens is of utmost importance and takes precedence over all other policies.
- Citrus Heights has made and continues to make 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.
- 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.
- Nothing contained in this policy shall be construed as requiring the Citrus Heights, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

## **IMPLEMENTATION**

- The Finance Director shall implement this policy in coordination with other appropriate jurisdiction personnel.
- 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 postconsumer material in their products, even when such percentages are zero.

- Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.
- Purchasers shall include businesses certified by the Sacramento Sustainable Business Program in requests for products and services.
- Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the Citrus Heights, where practicable.

## **PROGRAM EVALUATION**

The Finance Director shall periodically evaluate the success of this policy's implementation.

## **DEFINITIONS**

- "Agricultural 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.
- "Buyer" means anyone authorized to purchase or contract for purchases on behalf of this jurisdiction or its subdivisions.
- "Chlorine free" means products processed without chlorine or chlorine derivatives.
- "Contractor" means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with Citrus Heights or serves in a subcontracting capacity with an entity having a contract with Citrus Heights for the provision of goods or services.
- "Dioxins and furans" are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the Environmental Protection Agency.
- "Energy Star" means the U.S. EPA's energy efficiency product labeling program.
- "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 efficient than the minimum level that meets Federal standards.
- "Federal Energy Management Program" 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.
- The "Forest Stewardship Council" is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.
- "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 nontarget organisms, and the environment.

- “LEED™ Rating System” means the self-assessing system developed by the U.S. Green Building Council designed for rating new and existing commercial, institutional, and high-rise residential buildings.
- “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 products on the approved list of California Certified Organic Foods (CCOF).
- "Postconsumer 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.
- “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.
- “Preconsumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Preconsumer material does not include mill and manufacturing trim, scrap, or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.
- “Proposition 65” means a list of chemicals that are known to the State of California to cause cancer, birth defects or other reproductive harm.
- “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 preconsumer and postconsumer material but does not include excess resources of the manufacturing process.
- “Recycled Content” means the percentage of recovered material, including preconsumer and postconsumer materials, in a product.
- “Recycled Content Standard” means the minimum level of recovered material and/or postconsumer material necessary for products to qualify as “recycled products.”
- “Recycled Product” means a product that meets [jurisdiction’s] recycled content policy objectives for postconsumer and recovered material.
- “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.
- “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.
- “Sacramento Sustainable Business Program” is a free service sponsored by local government agencies and utility providers. It certifies and promotes businesses



and other organizations that pledge to adopt environmentally friendly practices and conserve resources.

- “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, or reduced, toxic constituents; and products marketed with no, or reduced, packaging.
- The “Toxics Release Inventory” (TRI) is a publicly available U. S. EPA database that contains information on toxic chemical releases and other waste management activities reported annually by certain covered industry groups as well as federal facilities.
- “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.
- “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.

#### **EFFECTIVE DATES**

This policy shall take effect on December 9, 2016.