

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A) ORDINANCE NO. 89-280
POLICY GIVING PREFERENCE TO THE)
PURCHASE OF RECYCLED PAPER AND) Introduced by Rena Cusma,
PAPER PRODUCTS) Executive Officer

WHEREAS, The Metropolitan Service District's Materials Markets Assistance Program of the 1986 Solid Waste Reduction Program identifies the need for institutions to support recycling programs through increased demand for products made from recycled materials; and

WHEREAS, When increased demand for products made from recycled materials is demonstrated, manufacturers will respond, thereby reducing disposal of these materials; and

WHEREAS, The public benefits since products made from recycled materials save virgin material resources, save energy, and reduce solid waste; and

WHEREAS, The State of Oregon ORS 279.729 to .739 and the Federal Resource Conservation and Recovery Act direct government procurement of products made from recycled materials; and

WHEREAS, Metro does not have guidelines pertaining to the agency's purchase of recycled paper products; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. A new Section 2.04.075 "Purchase of Recycled Paper Products" is added to the Metro Code.

2.04.075 Purchase of Recycled Paper Products and Equipment that Uses Paper:

The following criteria and standards shall apply to the purchase of paper products and equipment that uses paper:

1. In all contracts and subcontracts the District shall prefer the purchase of recycled paper products with a 50 percent (50%) recycled content or the highest percentage of recovered material practicable, when practicable includes 1) performance in

accordance with applicable specifications; 2) availability at a reasonable price; 3) availability within a reasonable period of time; and 4) maintenance of a satisfactory level of competition.

2. The District shall allow a five percent (5%) price preference for the purchase of recycled paper products and attempt to purchase jointly with other agencies to reduce the cost of recycled paper products purchases.

3. Subject to subsection 8 below, paper product procurements for Solid Waste will specify recycled paper only.

4. The guidelines in (1), (2) and (3) above will apply in all cases except where specific printing quality requirements can not be met by recycled paper products. Joint purchases may be made with other agencies to reduce the cost of recycled paper product purchases. All recycled paper purchases shall require the manufacturer's certification and verification of recovered material content. The initiating Department shall assure compliance with the provision of ORS 279.739.

5. All recycled paper products purchases shall require the manufacturer's certification and verification of recovered material content.

6. All bids for new equipment and services shall include language that will ensure the use of recycled paper and paper products.

7. Metro shall phase in equipment and paper to facilitate the use of recycled paper products wherever practicable.

8. In instances where recycled paper and paper products may void existing warranties, service agreements, or contracts, recycled paper and paper products shall not be specified.

9. All contract printing shall allow a five percent (5%) price preference when using recycled paper.

10. The use of non-recyclable goldenrod and other very bright, hard-to-bleach colored papers shall be prohibited.

ADOPTED by the Council of the Metropolitan Service District
this 9th day of February, 1989.

Sharron Kelley
Sharron Kelley, Deputy Presiding
Officer

ATTEST:

A. Marie Nelson
Clerk of the Council

I certify this ordinance was
not vetoed by the Executive
Officer.

By: Gwen Ware-Barrett
Clerk of the Council

Date: 6/9/89

COMMITTEE REPORT

Agenda Item No. 6.1

Meeting Date Feb. 9, 1989

ORDINANCE NO. 89-280, AMENDING CHAPTER 2.04 OF THE METRO CODE TO INCLUDE A PURCHASING POLICY GIVING PREFERENCE TO THE PURCHASE OF RECYCLED PAPER AND PAPER PRODUCTS

February 1, 1989

Presented by: Councilor Gary Hansen

COMMITTEE RECOMMENDATION: At its January 26, 1989 meeting, members of the Internal Affairs Committee--Councilors Bauer, Collier, Knowles, Ragsdale and me--voted unanimously to recommend Council adoption of Ordinance No. 89-280.

COMMITTEE DISCUSSION AND ISSUES: At the Committee meeting Waste Reduction staff (D. Gorham) presented a revised ordinance from that originally introduced. The major revisions were as follows:

1. The ordinance was reformatted to comply with standards for presenting amendments to the Metro Code;
2. The "price preference" provision in subsection 2. was reduced from 10 percent to 5 percent to match State of Oregon requirements; and
3. In subsection 3 the Solid Waste Department is named specifically as a department to purchase only recycled paper except for certain circumstances.

The purpose of this ordinance is to have Metro, through its use of recycled paper, help create a demand for recycled paper products which, in turn, should lead to greater recycling efforts. The Committee inquired about Public Affairs' use of recycled paper since it does a lot of work for the Solid Waste Department. Waste Reduction staff indicated whenever practicable, Public Affairs would use recycled paper, but for certain uses such as pictures, recycled paper could not be used.

DEC:gpwb
89280

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 89-280 FOR THE PURPOSE OF
ADOPTING A PURCHASING POLICY THAT GIVES PREFERENCE TO THE
PURCHASE OF RECYCLED PAPER AND PAPER PRODUCTS

Date: January 25, 1988

Presented by: Bob Martin
Debbie Gorham

FACTUAL BACKGROUND AND ANALYSIS

In 1986 the Metropolitan Service District adopted the Solid Waste Reduction Program. This program includes a Materials Markets Assistance Program and an Institutional Purchasing Program, both of which encourage secondary material market development. Metro currently gives preference to goods or services that have been manufactured or produced in Oregon. Metro does not have any guidelines pertaining to the purchase of recycled products. The lack of demand for products manufactured from secondary materials (recycled) has been a disincentive to increased recycling.

Metro could support paper recycling programs and increase market demand for paper products made from recycled material by adopting a purchasing policy that gives preference to products with a 50 percent or greater recycled paper content. After Metro adopts regulations and guidelines for procurement of paper products made with a significant content of secondary material Metro can provide assistance to other institutions and agencies also wanting to purchase recycled paper products.

FINDINGS:

A comparative study of the price, availability and quality of recycled paper versus virgin paper was conducted to determine the economic feasibility of regular purchase of recycled papers. A survey of several local vendors revealed that recycled paper prices are on par with virgin paper prices. Recycled paper and virgin paper currently have similar delivery times. Recycled paper quality compares favorably with virgin paper.

The State of Oregon has successfully used recycled paper for 10 years and is one of 24 states with a purchasing preference similar to the one proposed for Metro. The Oregon Department of General Services uses recycled xerographic paper for copy machines and offset presses. This recycled paper, also available to Metro, is put on state price agreement only after testing and approval by the state printer.

Metro may purchase recycled paper on the state contract through the Multnomah County Central Stores because intergovernmental agreements are exempt from the competitive process through the Metro Code, Section 2.04.041, subsection (a) (1). Should Metro decide to purchase paper through the state contract, the recycled xerographic paper is currently less expensive than virgin paper.

EXECUTIVE OFFICER'S RECOMMENDATION:

In 1986, a committee of staff from various Metro departments executed a study of recycled versus virgin paper. The data from the 1986 study have been combined with new information and resulted in the following recommendations. I concur with these recommendations and further recommend their adoption with this ordinance.

- 1) Recycled paper products should be purchased if the price falls within 5 percent of the lowest bid price for acceptable virgin paper products.
- 2) All Solid Waste Department paper product purchases should specify recycled paper.
- 3) The use of recycled and recyclable material should be encouraged for RFQ, RFP, RFB and other bid respondents.
- 4) The use of non-recyclable goldenrod and other very bright, hard-to-bleach colored papers should be prohibited.

ATTACHMENT A: Contains the guidelines to correspond with the above recommendations.

This staff report has been printed on recycled paper that is equal to virgin paper in price, availability and quality.

ATTACHMENT A

Purchasing policy for recycled paper products. All persons purchasing supplies, materials, equipment or personal services shall:

- (1) Review purchasing specifications currently utilized in order to eliminate, wherever feasible, discrimination against the purchase of recovered resources or recycled materials by:
 - (a) always securing a bid for recycled paper for formal contracts (purchases over \$15,000).
 - (b) when practicable¹, securing a bid for recycled paper for all informal contracts (under \$15,000).

EXCEPTIONS to above applies to:

- (a) Paper product procurements for the Solid Waste Department will specify recycled paper only, except in instances where recycled paper and paper products may void existing warranties, service agreements, or contracts.
 - (b) purchases where specific printing quality requirements can not be met by recycled paper products.
- (2) Develop purchasing practices which, to the maximum extent practicable, assure purchase of materials that are recycled or that may be recycled or reused when discarded. This includes purchase of food containers for special functions. Where practicable, beverage containers and plates shall be made from recyclable fibers.
 - (3) In performance of contract work use and require contractors to use recycled paper products to the maximum extent practicable.
 - (a) Encourage RFQ, RFP, RFB and other bid respondents to use recycled paper to the maximum extent practicable, or paper that may be recycled or reused when discarded.
 - (b) Do not purchase or promote the use of goldenrod and other very bright, hard-to-bleach colors that are not recyclable.

¹Practicable: The EPA and Congress have provided four criteria for determining the maximum amount practicable: "1) performance in accordance with applicable specifications; 2) availability at a reasonable price; 3) availability within a reasonable period of time; and 4) maintenance of a satisfactory level of competition."

Preference for recycled materials. Notwithstanding established contract award provisions requiring Metro to enter into contracts with the lowest responsible bidder, any person charged with the purchase of materials and supplies for any public use may give preference to the purchase of materials and supplies manufactured from recycled materials.

(1) A person may give preference to materials and supplies manufactured from recycled materials if:

(a) The bids of the persons or manufacturing concerns supplying the recycled materials, or the prices quoted by them, do not exceed by more than five percent the lowest bid or prices quoted by persons and manufacturing concerns offering non-recycled materials.

(b) materials meet specifications

Guidelines and procedures to encourage paper conservation. Metro staff shall encourage paper conservation.

Departments shall develop procedures to eliminate unnecessary paper use including, but not limited to, over purchase of paper, overprinting of materials, one sided printing, purchase of too high a grade of paper, purchase of paper that is not recyclable and purchase of virgin paper when recycled paper is available in the same grade.



METRO

Memorandum

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Date: December 27, 1988
To: Rena Cusma, Executive Officer
From: Marie Nelson, Clerk of the Council
Regarding: TRANSMITTAL OF ORDINANCE NO. 88-²⁸⁰~~275~~ FOR CONSIDERATION OF VETO *gpwb*

Attached for your consideration is a true copy of Ordinance No. 89-280 adopted by the Council on February 9, 1989.

If you wish to veto this ordinance, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Friday, February 17, 1989. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time stated above, this ordinance will be considered finally adopted.

I, *Unette Norley*, received this memo and a true copy of Ordinance No. 89-280 from the Council Clerk on February 14, 1989.

Dated: February 14, 1989

gpwb
ord.280



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

June 19, 1989

John Kauffman, County Clerk
Clackamas County Courthouse
807 Main St.
Oregon City, OR 97045

Dear Mr. Kauffman:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your county.

Executive Officer
Rena Cusma

Metro Council

Mike Ragsdale
Presiding Officer
District 1

Sharron Kelley
Deputy Presiding
Officer
District 7

Lawrence Bauer
District 2

Jim Gardner
District 3

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Judy Wyers
District 8

Tanya Collier
District 9

Roger Buchanan
District 10

David Knowles
District 11

Gary Hansen
District 12

- * ORDINANCE NO. 88-249, AN ORDINANCE AMENDING CHAPTER 2.04 METRO CONTRACT PROCEDURES OF THE METRO CODE IN ORDER TO CLARIFY THE DIVISION OF POWERS BETWEEN THE COUNCIL AND THE EXECUTIVE OFFICER AND MAKING OTHER CHANGES
- * ORDINANCE NO. 88-250B, AN ORDINANCE ADDING CHAPTER 5.04 TO THE METRO CODE TO PROVIDE FOR A ONE PERCENT FOR RECYCLING PROGRAM
- * ORDINANCE NO. 88-251, AN ORDINANCE FOR THE PURPOSE OF AMENDING SECTION 4.01.030 OF THE METRO CODE TO PROHIBIT ILLEGAL PARKING IN THE ZOO PARKING LOT AND OTHER AREAS ADJACENT TO THE WASHINGTON PARK ZOO, AND PROVIDING FOR THE ISSUANCE OF CITATIONS BY METRO PERSONNEL
- * ORDINANCE NO. 88-267, FOR THE PURPOSE OF REVISING METRO CODE SECTION 5.04.040 RELATING TO THE MEMBERSHIP ON THE RECYCLING ADVISORY COMMITTEE
- * ORDINANCE NO. 89-269, FOR THE PURPOSE OF AMENDING CHAPTERS 2.02, 4.01 AND 5.02 OF THE METRO CODE RELATING TO THE NAMES OF METRO FACILITIES
- * ORDINANCE NO. 89-271E, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.04 RELATING TO CONTRACTING PROCEDURES
- * ORDINANCE 88-275, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 3.02, AMENDING THE REGIONAL WASTE TREATMENT MANAGEMENT PLAN AND SUBMITTING IT FOR RECERTIFICATION

- * ORDINANCE NO. 89-280, FOR THE PURPOSE OF ADOPTING A POLICY GIVING PREFERENCE TO THE PURCHASE OF RECYCLED PAPER AND PAPER PRODUCTS
- * ORDINANCE NO. 89-282, FOR THE PURPOSE OF UPDATING THE REGIONAL TRANSPORTATION PLAN (RTP)
- * ORDINANCE NO. 89-283A, AN ORDINANCE AMENDING ORDINANCE NO. 88-247 REVISING THE FY 1988-89 BUDGET AND APPROPRIATIONS SCHEDULE TO PROVIDE FUNDING FOR THE PURPOSE OF IMPLEMENTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY SOLID WASTE REQUIREMENTS AND RESTRUCTURING THE SOLID WASTE PROGRAMS
- * ORDINANCE NO. 89-284, AN ORDINANCE ADOPTING A FINAL ORDER AND AMENDING THE METRO URBAN GROWTH BOUNDARY FOR CONTESTED CASE NO. 88-1: ZURCHER PROPERTY
- * ORDINANCE NO. 89-285A, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.02 BY ADDING SECTION 2.02.28 ESTABLISHING A SMOKING POLICY FOR METRO FACILITIES
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June 19, 1989
Page 3

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- * ORDINANCE NO. 89-292, AN ORDINANCE AMENDING ORDINANCE NO. 88-247 REVISING THE FY 1988-89 BUDGET AND APPROPRIATIONS SCHEDULE FOR ZOO OPERATIONS AND AFRICAFE BASEMENT IMPROVEMENTS

Sincerely,

Gwen Ware-Barrett
Gwen Ware-Barrett
Clerk of the Council

GWB:bfg:lc
Enclosures



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

June 19, 1989

Jane McGarvin, Clerk of the Board
Multnomah County Courthouse
1021 S.W. 4th Avenue
Portland, OR 97204

Dear Mrs. McGarvin:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your county.

- Executive Officer
Rena Cusma
- Metro Council
- Mike Ragsdale
Presiding Officer
District 1
- Sharron Kelley
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Officer
District 7
- Lawrence Bauer
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June 19, 1989
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Sincerely,

Gwen Ware Barrett
Gwen Ware-Barrett
Clerk of the Council

GWB:bfq:lc
Enclosures



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

June 19, 1989

Charles D. Cameron, County Administrator
Washington County Courthouse
150 N. First Ave.
Hillsboro, OR 97124

Dear Mr. Cameron:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your county.

Executive Officer
Rena Cusma

Metro Council

Mike Ragsdale
Presiding Officer
District 1

Sharon Kelley
Deputy Presiding
Officer
District 7

Lawrence Bauer
District 2

Jim Gardner
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Richard Devlin
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Sincerely,


Gwen Ware-Barrett
Clerk of the Council

GWB:bfq:lc
Enclosures



METRO

DATE: November 2, 1994
TO: FILE
FROM: Paulette Allen, Clerk of the Council *PA*
RE: ORDINANCE NO. 93-513

Please be advised that Ordinance No. 94-513, For the Purpose of Amending Metro Code Chapter 2.04, Adopting a Recycled Product Procurement Program for Metro, adopted on October 14, 1993 and effective 90 days after the adoption date, repealed:

- 1) Ordinance No. 89-280 and;
 - 2) Ordinance No. 89-203; and
- rescinded:
- 3) Resolution No. 89-1099.

Please refer to Ordinance No. 94-513 and/or the Metro Code for correct language.