



1. SCOPE

This document establishes the requirements and specifications for implementation of Environmentally Preferable Purchasing (EPP) as mandated by the California Public Contract Code (PCC), Chapter 6, Sections 12400-12404.

The law requires, “the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods and services that serve the same purpose.” Comparison requires evaluating for associated impacts from the product’s raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, disposal, energy efficiency, product performance, durability, safety, the needs of the purchaser, and cost. As part of this solicitation bidders must be compliant with mandatory requirements and are encouraged to participate in environmental stewardship efforts by offering packaging materials that conserve natural resources and reduce environmental impacts.

2. APPLICABLE SPECIFICATIONS / STANDARDS

2.1 Specifications and standards referenced in this document are in effect on the opening of the bid proposal and form a part of this specification.

2.2 Bidder shall comply with requirements of following standards and codes as they apply:

2.2.1 California Public Contract Code, Sections 12200-12217

2.2.2 California Health and Safety Code, Sections 25214.11- 25214.26

2.2.3 California Code of Regulations, Title 8, Section 5194

2.2.4 ASTM Standard Specifications D 6400-04 and ASTM 6400-00

3. REQUIREMENTS

3.1 Post Consumer Recycle Content Certification

3.1.1 PCRC Percentages Worksheet

Contractor(s) shall complete the PCRC Percentages Worksheet listing the percentage of post consumer recycled content material for each product offered as identified and described in the pricing worksheet.

3.1.2 Letter of Certification

Contractor(s) shall sign the Letter of Certification certifying that the minimum percentage, if not exact percentage, listed in the PCRC Percentages Worksheet is accurate. The Letter of Certification shall be provided regardless of content, even if the product(s) contain no post consumer recycled material and be furnished under penalty of perjury.

3.1.3 Reportable Product Categories Table

The product categories table is provided and is for informational purposes only and identifies the 11 reportable SABRC product categories.

Within 30 calendar days from contract award, the Contractor will be required to provide a signed Letter of Certification and completed PCRC Percentages Worksheet to the State Contract

Administrator. The PCRC Percentages Worksheet shall be provided in hard copy and electronic copy (on a CD-ROM in Microsoft Excel format).

During the life of the contract, the Contractor(s) will be required to submit revised PCRC Certification Workbook information if percentages are adjusted or if substitute line items are approved by the State Contract Administrator.

3.2 Packaging, Packing and Marking

- 3.2.1 No Polyvinylchloride (PVC) plastic bags or films are permitted for packaging. Containers and corrugated boxes are to be readily recyclable, without coating or other treated substances such as wax prohibiting or limiting repulpability. Markings to be made of ink manufactured in USA or bidder to declare in writing inks are free of heavy metals.
- 3.2.2 Rigid Plastic Containers when used shall comply with the California Rigid Plastic Packaging Container Law, PRC §42300-42345. Certificate verification required <http://www.calrecycle.ca.gov/Plastics/RPPC/Certification/> .

3.3 Packaging Materials

- 3.3.1 Bidders offering bio-degradable or compostable packaging materials must ensure materials meet ASTM Standard Specifications for Compostable Plastics D 6400-04 and ASTM 6400-00 Standard for packing materials marked Biodegradable.
- 3.3.2 Paper and wood products (i.e. labeling, packaging, catalogs or wood pallets) shall be Process Chlorine Free (PCF). Bidders are encouraged to use paper and wood products produced from a company participating in a forest stewardship program where the forest is managed to conserve biological diversity, natural resources and maintain a thriving ecosystem.

3.4 Toxics in Packaging

All packages, packaging components, and packaged retail-ready products offered during the life of the contract must be in full compliance with all requirements of the Toxics in Packaging Prevention Act (Health and Safety Code (HSC) sections 25214.11-25214.26.) "Package" and "packaging components" are defined in HSC section 25214.12. Provisions for exemption from this Act are contained in HSC section 25214.14.

Upon request by the State, the awarded supplier shall provide a Certificate of Compliance which covers each type of package, packaging component, or packaged retail-ready product supplied, distributed, or sold under this specification. The certification shall be based either on direct written correspondence from the packaging product manufacturer or from any written advertisement issued by the product manufacturer including, but not limited to, the products label, the manufacturers catalog, or the manufacturers or vendors Internet Web site.

More information can be found at: <http://www.dtsc.ca.gov/ToxicsInPackaging/index.cfm>

3.5 Hazardous Substance Declaration

Products, that contain hazardous substances, as defined by California Code of Regulations, 8CCR §5194, Hazard Communication, shall comply with the requirements of the regulations including section 5194(g), Material Safety Data Sheets (MSDS).

The Contractor must provide a Material Safety Data Sheet (MSDS), via facsimile or email, to the ordering agency upon written request.

3.6 End-of-Life Management

Bidders shall take-back unused paint within eight (8) months of purchase date and submit a written plan detailing a take-back program for the paint, paint totes and containers. The take-back program shall be offered at no cost to the state and includes all transportation costs, labor, recycling and waste management. A written plan shall include, but not be limited to: Paint and Container Collection
Paint and/or container collection shall be within 30 days of an agency's notification.

3.6.1 Packaging and Shipping instruction

Packaging and Shipping instructions to include type of packaging used for shipping, weight and size limits, shipping papers, shipping labels and procedures to notify vendor of pickup.

3.6.2 Authorized Person(s) and/or Company

The person(s) and/or company authorized to pickup, transport and accept paint, paint totes and containers. The person or company authorized to pickup, transport or accept paint, paint totes and containers for take-back shall be named, contact information phone number and address provided.

3.6.3 Waste Management

A waste management plan shall identify end-of-life disposal method(s). Disposal shall be in accordance with the laws of California and may include recycling options. When recycling options are chosen, the plan is to include the name, address and phone number of the recycling facility and the name of a company representative to contact.