

Document Code No.: CON 7-22-1-EP

Title: Sustainable Purchasing Policy

Affected Agencies: All Executive Branch Departments and Agencies

Authorities: KCC 18.20 Sustainable Purchase Policy

Keywords: sustainable purchasing, environmental purchasing, green purchasing

Sponsoring Agency: Department of Executive Services, Finance and Business Operations Division, Procurement and Payables Section



King County

Executive signature: _____

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Date signed and effective: _____

December 1, 2023

I. Purpose

This policy provides requirements for the Sustainable Purchasing Policy authorized by chapter 18.20 of the King County Code. King County Government (County) has made a commitment to sustainable purchasing practices to reduce its environmental and human health impacts and promote socially responsible procurement. The purpose of this policy is to ensure purchases of sustainable goods and services whenever they meet performance and availability requirements, price is not prohibitive, and they advance environmental sustainability goals and priority actions of the King County Strategic Plan, Strategic Climate Action Plan, Green Building Ordinance, Equity and Social Justice Strategic Plan, and Pro-Equity Contracting Executive Order. This policy and the Sustainable Purchasing Guide require all County employees to follow these purchasing requirements when making any purchase and outlines the roles and responsibilities of personnel involved with the specifying and buying of sustainable goods and services.

Applicability and Audience

This policy applies to the Administrative Offices and Executive Departments supervised by the King County Executive. The audience may also include any King County non-Executive Branch Departments adopting this policy.

II. Definitions

“Agency or Agencies” means Administrative Offices and Executive Departments supervised by the King County Executive.

“Ecolabels” means a label or symbol indicating that compliance with environmental standards established by a standard setting body has been verified. Use of the label is usually controlled by the standard-setting body.

“Environmental Certification” means a procedure by which a third party gives written assurance that a product, process, or service is in conformity with specified environmental standards.

“Environmental Standards” means technical specifications or other precise criteria to be used consistently as rules, guidelines, or definitions, to ensure that materials, products, processes, and services are fit for their purpose and meet environmental criteria.

“Federal Guidance” means the United States Environmental Protection Agency's comprehensive purchasing guidelines authorized by Congress under section 6002 of the Resource Conservation and Recovery Act, 42 U.S.C. 6962, as amended, and “Guidelines for the assessment of environmental performance standards and ecolabels.”

“Life Cycle” means consecutive and interlinked stages of a goods or services system; from resource generation and raw material acquisition through production, use, and final disposal.

“Life-Cycle Cost” means the comprehensive accounting of the total cost of ownership, including initial costs, energy and operational costs, longevity and efficacy of service, reduction of staff time, maintenance, and/or disposal costs.

“P&P” means the Procurement and Payables Section of the Finance and Business Operations Division, King County Department of Executive Services.

“Persistent Bioaccumulative and Toxic (PBT) chemical” means a class of chemicals that are especially hazardous for human health and ecosystems because they do not break down easily in the environment, accumulate in tissues of people, and/or wildlife, and are toxic.

“Per- and Polyfluoroalkyl Substances (PFAS)” means a large group of human-made chemicals widely used in industrial and consumer applications due to their unique physicochemical properties, such as water- and oil-repellence and high thermal stability. PFAS are a significant environmental and human health concern due to their widespread use, persistence in the environment (in soil, air, and water), ability to bioaccumulate in organisms, and toxicity.

“Social Cost of Carbon” means expected economic costs created from net changes in agricultural productivity, human health, property damage from increased flood risk, and the value of ecosystem services caused by carbon emissions and climate change.

“Sustainable Purchasing” means procuring goods and services in a manner that integrates fiscal responsibility, social equity, and environmental stewardship.

“Sustainable Purchasing Guide” means the complimentary guide to this policy that includes the processes and procedures necessary to comply with the requirements of this policy and to aid in the purchase of sustainable goods.

III. Policy

A. Sustainable Purchasing Requirements

Agencies shall purchase goods and services in a manner that protects human health and the environment, is fiscally responsible, and promotes social equity and other benefits to the community. Agencies shall consider life-cycle costs in addition to lowest initial cost of a good or service.

Agencies shall include steps in their procurement planning process to meet the directives of the environmental, social, and fiscal impacts in this policy.

The requirements and recommendations within this policy apply to all purchasing mechanisms per King County Code 2.93.

B. Sustainability Directives

1. The following environmental benefits shall be evaluated and prioritized for purchasing decisions:

- a. Reducing waste generation by choosing products that are durable, reusable, repairable, refillable, recyclable, compostable, salvageable, deconstructable, or made with recycled content or remanufactured parts;
- b. Lowering embodied greenhouse gas (GHG) emissions associated with a product's manufacture, transportation and use;
- c. Saving energy through the purchase of energy-efficient products and equipment and increasing the use of renewable energy such as solar or wind power;
- d. Conserving natural resources including water, petroleum, rare earth minerals;
- e. Minimizing the purchase of products containing toxic chemicals, especially perfluoroalkyl and polyfluoroalkyl substances (PFAS) and persistent, bioaccumulative, and toxic chemicals (PBTs), with a goal of phasing out all usage of products containing such chemicals;
- f. Minimizing pollutants to air and water, including indoor air emissions;
- g. Promoting transparency, including disclosure of environmental, health, economic, and social risks through the use of environmental certifications and ecolabels (as defined in Section D of this policy), Environmental Product Declarations (EPDs), Health Product Declarations (HPDs), and vendor sustainability ratings; and
- h. Other environmental impacts that may be relevant or indicated in the Sustainable Purchasing Guide.

2. The following social benefits shall be evaluated and prioritized for purchasing decisions:

- a. Using products that contain non-toxic or safer chemicals and do not contribute adverse human health or environmental impacts during their manufacture, use, or disposal;
- b. Using vendors and ecolabelled products that promote labor and human rights, including those certified as fair trade, sweatshop-free, or made without child labor; and
- c. Using pro-equity contracting, including Small Contractors and Suppliers (SCS), Minority and Women's Business Enterprises (M/WBE) vendors.

3. The following fiscal benefits shall be evaluated and prioritized for purchasing decisions:

- a. Reducing consumption by choosing reusable and repairable products, and leasing or renting, rather than buying;
- b. Ensuring performance, durability, and quality of products to maximize the useful life of assets;
- c. Accounting for all costs that are based on a total cost of ownership (TCO), life cycle cost assessment (LCCA) including social cost of carbon; and
- d. Leveraging the County's and other public entities' buying power to increase access to sustainable materials and products by using existing

partnership agreements (i.e., piggybacks and cooperatives) and seeking opportunities to create new partnerships.

C. Sustainable Purchasing Strategies and Requirements:

1. Agencies are required to purchase goods and services using the following:

- a. Refer to P&P "Sustainable Purchasing Guide," which:
 - i. Requires and recommends standards, certifications and ecolabels by goods and services;
 - ii. Identifies County contracts that include sustainable goods and services; and
 - iii. Lists requirements of County policies including those identified in the Strategic Climate Action Plan, Executive Orders, and County Code related to sustainable purchasing.
- b. Refer to the following State policies and guidance:
 - i. Use of recycled aggregates – develop and establish objectives and strategies for the reuse and recycling of construction aggregate and recycled concrete materials (RCW 70A.205.700);
 - ii. Avoid the purchase of expanded polystyrene products, except for when necessary for drugs, medical devices, and biological materials (RCW 70A.245);
 - iii. Use of non-compostable plastic trash bags with a minimum of 10% recycled content (RCW 70A.245); and
 - iv. Avoid the purchase of products containing intentionally added PFAS and other PBT chemicals, unless there is no feasible alternative (WA State EO 04-01, WA State EO 20-01).

2. Use strategies to reduce consumption, including:

- a. Reuse, repair, and repurpose goods and materials;
- b. Purchase goods that are durable and long lasting;
- c. Purchase of goods with minimal packaging;
- d. Utilize manufacturer's take-back programs;
- e. Purchase of recyclable and/or recycled products;
- f. Purchase of salvaged or deconstructed materials;
- g. Life-cycle cost assessment that accounts for raw material extraction, manufacturing, packaging, distribution, use, maintenance; and disposal of the product, including environmental and social costs; Social cost of carbon; and
- h. Consider the quality, durability, and repairability of purchased goods to make choices that maximize the useful life of assets.

D. Environmental Standards and Certifications

1. Agencies must evaluate available environmental standards, certifications, and ecolabels when conducting alternatives analysis and/or writing specifications for procuring goods.
2. Environmental standards used by the agency must meet one of these three measures:
 - a. Federal Guidance – "Recommendations of Specifications, Standards, and ecolabels";

- b. Third Party Certifications that:
 - i. Were developed and awarded by an impartial third-party;
 - ii. Were developed in a public, transparent, and broad stakeholder process; and
 - iii. Satisfy the standards for certification developed by the International Organization of Standards or other recognized standards-setting or accreditation organizations.
- c. Sustainable purchasing guidance from P&P staff.
- 3. The evaluation should include review of minimum environmental standards, certifications, and ecolabel requirements listed by goods and service categories in the Sustainable Purchasing Guide.
- 4. If the evaluation concludes that there is an appropriate and relevant ecolabel, then they must be included in the specifications.

E. Responsibilities

- 1. P&P will serve as the lead agency for the County's sustainable purchasing program by:
 - a. Providing guidance to all agencies on sustainable purchasing requirements, processes, and strategies;
 - b. Developing sustainable purchasing tools and resources such as, but not limited to, recommended standards and certifications, draft specifications, and best practices;
 - c. Including standard sustainable purchasing boilerplate language in solicitation document templates;
 - d. Assisting agencies in developing product and service specifications that meet the requirements of the County's sustainable purchasing policy;
 - e. Ensuring that sustainability criteria are included in product or service evaluations where appropriate;
 - f. Developing and providing training to employees with goods and services purchasing responsibility on the sustainable purchasing best practices that meet the intent of this policy;
 - g. Tracking and reporting biennially on the County's sustainable purchasing efforts per Strategic Climate Action Plan (SCAP) and KCC 18.50;
 - h. Promoting contracts that offer sustainable goods and services, and best practices to other public agencies;
 - i. Communicating to vendors about this policy and related requirements;
 - j. Requiring vendors to supply data for performance tracking and evaluation;
 - k. Networking and reviewing best practices of other organizations sustainable purchasing programs and leverage resources and contracts; and
 - l. Leading a sustainability committee as described in (IV. E. 3 a)
- 2. Agencies will implement the requirements of the sustainable purchasing program by:
 - a. Working with P&P to advance the goals of the County's sustainable purchasing policy and program;
 - b. Including sustainable purchasing considerations into the initial needs assessment for all product and service procurements;

- c. Ensuring employees utilize applicable goods and services environmental standards and certifications, and best practices that comply with this policy;
 - d. Identifying and pursuing opportunities to reduce overall consumption of materials;
 - e. Selecting sustainable goods and services when available on the County's contracts list over conventional goods and services, provided they meet required performance standards;
 - f. Serving on specification or best practice teams, to collaborate with P&P and other departments in setting minimum environmental requirements, recommendations, strategies, and specifications as needed;
 - g. Requiring employees with goods and services purchasing responsibility to attend training outlining the purpose and requirements of this policy and expectations for use of the Sustainable Purchasing Guide.
 - h. Encouraging broader employee attendance at internal and external trainings related to sustainable purchasing;
 - i. Ensuring internal agencies' policies and procedures reference this policy and incorporate the purchase of sustainable goods and services that meet the intent of this policy;
 - j. Cooperating in gathering data for the purposes of tracking, reporting, and evaluating sustainable purchasing activities for biennial reporting per the Strategic Climate Action Plan (SCAP) and KCC 18.50; and
 - k. Actively reviewing and seeking opportunities to leverage the impact of its purchases in supporting markets for sustainable materials and securing more competitive bids, including reviewing opportunities to "piggyback" on Washington State contracts for sustainable goods and services and join with other local and state governments for cooperative purchases.
3. Establishment of a Sustainable Purchasing Committee
- a. The County will establish and maintain an internal Sustainable Purchasing Committee (SPC) that will be chaired by P&P, include agency representatives that are responsible for purchasing, end users, and individuals who are subject matter experts in green building, toxics reduction, public health, analysis and reduction of greenhouse gas emissions, waste reduction and recycling, water quality, climate equity, sustainability, and/or environmental stewardship. The purpose of the SPC is to foster interdepartmental collaboration, information sharing, identify emerging standards and science, and to implement clear and workable standards, measures, targets, and tools necessary to advance sustainable purchasing efforts at County.
4. Partnerships
- a. The County is committed to work with other local governments, Tribes, non-profits, and state and federal agencies to make recommendations for changes to state and federal law that strengthen consumer protection and producer responsibility, support waste reduction and recycling, reduce embodied greenhouse gas emissions, proactively address and control toxic pollution including PBT's at their source, and help to advance county commitments to sustainable purchasing.

IV. Implementation Plan

- A. This policy becomes effective for all agencies on the date signed by the Executive. P&P is responsible for implementation of this policy.
- B. P&P is responsible for communicating this policy to the management structure within their respective agencies and other appropriate parties.

V. Maintenance

- A. This policy will be maintained by P&P or its successor agency.
- B. This policy will automatically expire five (5) years after its effective date. A new, revised, or renewed policy will be initiated by P&P, or its successor agency prior to the expiration date.

VI. Consequences for Noncompliance

Nothing in this chapter shall be construed as requiring a department or contractor to procure goods that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time.

Noncompliance with this policy may cause delayed or cancelled purchases if P&P needs to intervene late in the process to fulfill the requirements of this policy.

Appendices:

[KCC 18.20 Sustainable Purchasing Policy](#)

[KCC 18.50 Reporting](#)

[KCC 18.17 Green Building Ordinance](#)

[KCC 18.30 Compost Procurement and Use](#)

[KCC 2.93 Purchasing](#)

[Sustainable Purchasing Guide](#)

[Strategic Climate Action Plan \(2020\)](#)

[Clean Water Healthy Habitat Strategic Plan \(2020-2025\)](#)

[Equity and Social Justice Strategic Plan \(ESJ\)](#)

Living Wage (Ordinance 17909, [CON 7-2.1 Public Rules](#))

Contracting Opportunities Program – Small Contractor or Supplier Certification ([KCC 2.97](#))

Responsibility Determination Ordinance (#18372, 2016)

Pro-Equity Contracting ([CON 7-28-EO](#))

KC Procurement of Goods and Services ([CON-7-24-EP](#))

KC Procurement of Architecture, Engineering, and Professional Services ([CON-7-25-EP](#))

KC Procurement for Construction Contracts ([CON-7-26-EP](#))

KC Procurement ([CON-7-27-EP](#))

[Green Jobs Strategy](#)