

F. ~~Recycled~~ Sustainable Product Procurement Policy:

1. ~~1.~~ Purpose.—This subsection shall be known as the "Cook County Forest Preserve District RecycledSustainable Product Procurement

Policy." Its purpose is to promote ~~market development of recycled products, recyclable products,~~sustainable product procurement and biodegradable and reusable alternatives to plastic, and equipment capable of using such materials by establishing preferential purchasing programs applicable to all Forest Preserve District departments and contractors, thereby diverting materials from the solid waste stream.

2. ~~2.~~ Policies.—All departments shall, whenever practicable, use ~~recycled products and recyclable~~sustainable products to meet their demands. "Sustainable products" are defined in Subsection 1-8-2.F.3.

a. ~~1.~~ The Forest Preserve District will limit the procurement of single-use plastics while encouraging the purchase of sustainable materials and biodegradable and reusable alternatives to plastic. This limitation shall not apply to purchases made for the health and safety of District patrons and/or employees, or to meet requirements under the Americans with Disabilities Act.

b. Employees will utilize the District's Green Purchasing Guidelines included in Purchasing Policy to reduce negative environmental impact by maximizing the procurement of sustainable products.

c. Whenever practicable, all departments shall use sustainable products.

d. The Forest Preserve District shall, whenever practicable, require, support its contractors and consultants to use recycled products and recyclableto use sustainable products in fulfilling contractual obligations to the Forest Preserve District.

b. ~~In procuring designated products pursuant to this subsection, the Forest Preserve District Board of Commissioners shall require recovered material and/or post-consumer material content to be factors in determining the lowest responsive bid in any competitive bidding procurement process.~~

e. The Forest Preserve District shall educate its concessionaires on sustainable products to facilitate use of such products in concessions provided to the District public.

3. ~~3.~~ Definitions.—The following terms shall have the assigned definitions for all purposes under this subsection:—

a. ~~1.~~ "Contractor" or "contractor" means any person, group of persons, association, partnership, corporation or other type of business entity which has a contract with the Forest Preserve District ~~or which serves in a subcontracting capacity with an entity having a contract with the Forest Preserve District for the provision of goods and/or services.~~

b. ~~_____~~ "Designated products" or "designated products" means all products that have been or may be identified pursuant to Section Subsection 1-8-2.F.4. of this section as products that can be procured with significant levels of recovered sustainable materials.

c. ~~_____~~ "Purchasing Agent" means the director of the Forest Preserve District's purchasing department or such individual's designee.

d. ~~_____~~ c. "Minimum content standards" means standards set by the Forest Preserve District Board of Commissioners, or in their absence, standards or guidelines currently promulgated by the United States Environmental Protection Agency, specifying the minimum level of recovered materials and/or post-consumer material necessary for designated products to qualify as recycled products.-

e. ~~_____~~ d. "Paper and paper products" means all items manufactured from paper or paperboard.

f. ~~_____~~ "Post-consumer paper material" means paper, paperboard, and fibrous waste including corrugated boxes, newspapers, magazines, mixed waste paper, tabulating cards and used cordage after the point at which they have passed through their end use as consumer items.

g. ~~_____~~ "Post-consumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from the solid waste stream for the purposes of collection, recycling, and disposition.

h. ~~_____~~ e. "Practicable" or "practicable" means:

(1) ~~_____~~ Able to perform in accordance with applicable specifications;

(2) ~~_____~~ Offered as the low bid under the procedures in Section 1-8-2.F.5.b.;.

(3) ~~_____~~ Available within a reasonable period of time; and

(4) ~~_____~~ Maintaining a satisfactory level of competition.

i. ~~_____~~ "Recovered material" f. "Purchasing Agent" means material and byproducts which have been recovered or diverted from solid waste, but does not include those materials and byproducts generated from, and commonly reused within, an original manufacturing process (such as mill broke or home scrap).

j. ~~_____~~ "Recovered paper material" means paper waste generated after the completion, director of a paper-making process, such as post-consumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. Recovered paper material, however, shall not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extractive or woodcutting processes, or forest residue such as bark.

k. ~~_____~~ "Recycled designated product" means a product designated in or pursuant to Section 1-8-2.F.4. of this subsection that meets or surpasses the Forest Preserve District's minimum content standards, and all other criteria for qualification as specified in this subsection. purchasing department or their designee.

- ~~l. "Reusable product" means a product that can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.~~
- ~~m. g. "Recyclable" or "recyclable" means that the product is technically capable of being recycled, and that economic markets for collecting and recycling the product exist within a reasonable distance, including steel and plastic.~~
- h. "Recycle" or "recycle" or "recycling" means any process by which materials that would otherwise become municipal waste are collected, separated or processed and returned to the economic mainstream in the form of new, reused or reconstituted products, but does not include the recovery of materials for fuel in combustion or energy production processes. For lubricating oil, the term recycling is to be synonymous with re-refining. For toner cartridges, the term recycling is to be synonymous with remanufacture.
- ~~n. "Recyclable" means that the product is technically capable of being recycled, and that economic markets for collecting and recycling the product exist within a reasonable distance, including steel and plastic.~~
- ~~o. "Chlorine free paper or paper products" means recycled paper in which the virgin content is unbleached or bleached without chlorine or chlorine derivatives, or virgin paper which is unbleached or processed with a sequence that includes no chlorine or chlorine derivatives.~~
- i. "Reusable" or "reusable" means that an item can be used several times for an intended end use before being discarded, such as a washable food or beverage container or a refillable ball point pen.
- j. "Single-use plastic" means plastic water bottles, bags (grocery bags, produce bags), straws and stirrers, disposable utensils (forks, knives, spoons, cutlery), disposable dishes (plates, bowls, cups), food packaging (wrappers, containers), cotton swabs with or without stems, containers, trays, cartons, lids, and other items that are designed for one-time use including those for beverages, prepared food, or leftovers from meals and that are made of plastic, are not compostable, and are not accepted in residential curbside recycling pick up.
- k. "Sustainable product(s)" or "sustainable product(s)" means products that are, as applicable, non-plastic, recycled, recyclable, biodegradable, compostable, organic, reusable, and efficient.
4. ~~Designated Products and Recycled-Designated~~Sustainable Products.-For all purposes of this subsection, the products listed in this subsection or added pursuant to it are designated as products that can be readily procured with significant levels of ~~recovered~~sustainable materials, ~~and relevant certifications.~~ Designated products shall qualify as ~~recycled-designated~~sustainable products if they meet minimum content standards ~~established in this chapter.~~ Designated products shall include:
- a. ~~a.~~ Paper and paper products;
 - b. ~~b.~~ Non-paper office products;
 - c. Parks and recreation products;
 - d. Transportation products;
 - e. Vehicular products;
 - f. Miscellaneous products;

- 1. Compost products;₁
- e. ~~2.~~ Horticultural mulch made with ~~recycled~~ land-clearing and other wood debris;₁
- d. ~~3.~~ Construction aggregates made with ~~recycled~~ cement concrete, tire rubber, glass or asphalt;₁
- e. ~~4.~~ Cement and asphalt concrete containing glass cullet, ~~recycled~~ fiber or plastic, or tire rubber;₁
- f. ~~5.~~ Antifreeze;₁
- g. ~~Recycled plastic~~ 6. Plastic products, including lumber shapes, refuse carts, traffic cones, insulation, receptacle liners and recycling bins, traffic barriers and office products;₁
- h. ~~7.~~ Retreaded tires and products made from ~~recycled~~ tire rubber, including rubber mats and playfield surfaces;₁
- i. ~~8.~~ Toner cartridges for computer printers;₁
- j. ~~9.~~ Lubricating oil and hydraulic oil with re-refined oil content;₁
- k. ~~10.~~ Insulation products;₁
- t. ~~11.~~ Paint;₁
- m. ~~12.~~ Wood products ~~containing fifty (50) percent or more reused or deconstructed wood~~;₁
- n. ~~Carpeting made from recycled fibers;~~
- o. ~~Office furniture;~~
- p. ~~13.~~ Carpet, and
- 14. All steel products;₁
- g. ~~q.~~ Other products as designated by the ~~purchasing agent.~~ Purchasing Agent.

5. ~~Requirements for Purchasing Contracts.~~

a. ~~Invitations to bid issued by the Forest Preserve District for the purchase of tangible goods shall contain no terms, requirements or specifications prohibiting or discouraging post-consumer or recovered~~ sustainable material content, unless a user department provides the ~~purchasing agent~~ Purchasing Agent with satisfactory evidence that, for technical reasons and for a particular end use, a product containing such materials will not meet reasonable performance standards. In determining the lowest responsive and responsible bid for the purchase of ~~designated products~~ tangible goods pursuant to invitations to bid issued, the ~~purchasing agent~~ Purchasing Agent shall use the procedures and evaluation criteria specified in this subsection. If the lowest price offered for a ~~recycled designated~~ sustainable product is not more than the specified percentage higher than the lowest offered price for ~~that another version of the same designated~~ product that is not ~~recycled~~ sustainable, the offered price for the ~~recycled designated~~ sustainable product shall be considered the low bid if such bidder is otherwise responsive and responsible. The specified percentage will ~~not be less than~~ ten (10) percent. However, nothing contained in this subsection shall preclude user departments from requiring ~~post-consumer or recovered~~ sustainable material content as a bid specification.

- b. ~~Each contractor supplying the Forest Preserve District with recycled designated products pursuant to an invitation to bid shall provide acceptable certification from all product manufacturers that the products being supplied meet or surpass Forest Preserve District~~

~~minimum content standards, and shall agree to reasonable verification procedures specified by the purchasing agent.~~

- ~~c. Invitations to bid issued for designated products, whether recycled or not, shall require the bidders, if awarded a purchasing contract, to provide quarterly summaries of the quantities purchased by user departments, unless the purchasing agent determines that this requirement would significantly reduce the number of bids received by the Forest Preserve District.~~
- ~~d. The Forest Preserve District shall not purchase any item whose original manufacturer places restrictions on the remanufacturing of such item by other businesses.~~

6. ~~Rules and Regulations for Procurement of *Paper and Paper*~~Sustainable Products.

a. ~~The Forest Preserve District recycled paper procurement goal for user departments (expressed as percentage of the total volume of paper purchased) shall be not less than sixty (60) percent.~~is defined in the Green Purchasing Guidelines. Each department shall be responsible for making its best effort to meet or surpass these goals.

- ~~b. The purchasing agent shall adopt minimum content standards for recycled paper products. Minimum content standards shall, at minimum, be consistent with standards presently promulgated by the United States Environmental Protection Agency, unless the purchasing agent determines that a different standard would significantly increase recycled product availability or competition.~~
- ~~c. The purchasing agent shall use a percentage factor of at least ten (10) percent in the process of determining the lowest responsive and responsible bidder for paper and paper products. For paper or paper products which are both recycled and chlorine-free, the percentage factor will not be less than fifteen (15) percent. The purchasing agent may elect to establish higher percentages to meet the goals set forth in subsection (a) herein.~~
- ~~d. All imprinted letterhead paper, copy paper, computer printer paper, and note pads used by Forest Preserve District departments shall be recycled paper containing at least thirty (30) percent post-consumer content.~~

e. ~~b. Printing press services provided by the Forest Preserve District or purchased by the Forest Preserve District from an outside vendor shall utilize soy or other vegetable-based inks. If lithographic ink is used in printing performed by the Forest Preserve District or in printing services purchased by the Forest Preserve District from an outside vendor, the ink shall contain not less than the following percentages of vegetable oil:~~sustainable inks and follow the minimum standards in the Green Purchasing Guidelines.

- ~~(1) News ink, forty (40) percent;~~
- ~~(2) Sheet-fed and forms ink, twenty (20) percent;~~
- ~~(3) Heat-set ink, ten (10) percent.~~

~~High quality color process printing on high speed heat set presses is excepted when slow drying time significantly increases production costs.~~

- ~~f. Departments shall publicize the Forest Preserve District's use of recycled paper by printing the words "Printed on Recycled Paper" on all letterhead paper and on the title page of all reports printed on recycled paper.~~

~~g.~~ c. To reduce the volume of paper purchased, departments shall use both sides of paper sheets whenever practicable.

~~h.~~ The purchasing agent may enter into joint purchasing with other local and state agencies to reduce the cost of recycled paper product purchases.

~~i.~~ d. All bids for new equipment and services shall include language that will encourage the use of recycled paper and papersustainable products, wherever practicable.

~~7.~~ Responsibilities of the Purchasing Department.—The ~~purchasing department~~Purchasing Department is responsible for:

~~a.~~ Revising or amending standard bid documents and contract language where necessary to implement this division.

~~b.~~ Working with ~~Using Departments~~using departments and any employees designated by the General Superintendent to work on green initiatives, adopt and update minimum content standards or other specifications for designated ~~recycled~~sustainable products.

c. Providing training to staff on the importance of transitioning away from single-use plastics; and providing support to staff in transitioning to more sustainable procurements.

~~8.~~ Exemptions.—Nothing in this subsection shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended end use or are not available at a reasonable price in a reasonable period of time.

~~9.~~ Effective Date of Subsection. This subsection shall apply to all Forest Preserve District procurement processes, including invitations to bid and requests for proposals, initiated after June 1, 2005.

~~10.~~ Severability. ~~9. Severability.~~ Should any section, subsection, paragraph, clause or phrase of this subsection be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this subsection.

~~11.~~ 10. Third Party Rights.—Nothing herein shall entitle any third party to challenge the award of any contract by the Forest Preserve District to any contractor or subcontractor, nor otherwise create rights in any bidder or prospective contractor.