



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

June 19, 2018

Ordinance 18750

Proposed No. 2018-0157.2

Sponsors Upthegrove

1 AN ORDINANCE related to the purchase of sustainable
2 goods and services; amending Ordinance 9240, Section 1,
3 as amended, and K.C.C. 18.20.010, Ordinance 9240,
4 Section 2, as amended, and K.C.C. 18.20.020, Ordinance
5 17074, Section 1, and K.C.C. 18.20.030, Ordinance 9240,
6 Section 16, as amended, and K.C.C. 18.20.070, Ordinance
7 9240, Section 17, as amended, and K.C.C. 18.20.080,
8 Ordinance 9240, Section 18, as amended, and K.C.C.
9 18.20.090 and Ordinance 9240, Section 19, and K.C.C.
10 18.20.100, adding a new section to K.C.C. chapter 18.20
11 and repealing Ordinance 17074, Section 1, and K.C.C.
12 18.20.030 and Ordinance 9240, Section 6, as amended, and
13 K.C.C. 18.20.040, Ordinance 17085, Section 2, and K.C.C.
14 18.20.050 and Ordinance 9240, Section 9, as amended, and
15 K.C.C. 18.20.060.

16 **STATEMENT OF FACTS:**

- 17 1. In 2016, King County spent 1.5 billion dollars on purchased goods and
18 services, including construction services.
- 19 2. Forty-six percent of the county's operational greenhouse gas emissions

- 20 comes from purchasing these goods and services.
- 21 3. Purchased goods and services have inherent social, human health,
22 environmental and economic impacts.
- 23 4. King County has required the purchase of recycled and
24 environmentally preferable goods and services since the 1990s.
- 25 5. King County has a responsibility to make procurement decisions that
26 promote and encourage the county's commitment to sustainability and
27 meet the objectives of the Strategic Climate Action Plan, Equity and
28 Social Justice Ordinance and Strategic Plan by supporting small and local
29 businesses, considering environmental impacts including greenhouse gas
30 emissions, and requiring fiscal sustainability of purchasing choices,
31 including product durability and life-cycle resource use.
- 32 6. Environmental goods and services, technologies, and certification
33 standards are rapidly changing in the marketplace.
- 34 7. The federal government provides guidance on environmental product
35 standards and certifications and the use of ecolabels to validate
36 sustainability.
- 37 8. King County policies should include strong requirements for
38 sustainable purchasing while providing flexibility to take advantage of
39 new goods and services, technologies and standards.
- 40 9. Strengthening the commitment to sustainable purchasing allows the
41 county to be innovative and demonstrate leadership by incorporating
42 progressively sustainable best practices, specifications, standards and

43 strategies in procurement decisions.

44 10. King County has won awards from the Sustainable Purchasing
45 Leadership Council and other organizations recognizing the county's
46 sustainable purchasing practices.

47 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

48 SECTION 1. Ordinance 9240, Section 1, as amended, and K.C.C. 18.20.010 are
49 each hereby amended to read as follows:

50 The purpose of this chapter is to ensure that King County agencies purchase
51 ~~((recycled and other environmentally preferable))~~ sustainable goods and services
52 whenever ~~((the products))~~ they meet the price and performance requirements of the
53 county and advance the goals and priority actions of the King County Strategic Plan,
54 Strategic Climate Action Plan, Green Building Ordinance and Equity and Social Justice
55 Strategic Plan.

56 NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 18.20 a
57 new section to read as follows:

58 The definitions in this section apply throughout this chapter unless the context
59 clearly requires otherwise.

60 A. "Federal guidance" means the United States Environmental Protection
61 Agency's comprehensive purchasing guidelines authorized by Congress under section
62 6002 of the Resource Conservation and Recovery Act, 42 U.S.C. 6962, as amended, and
63 guidelines for performance standards and ecolabels.

64 B. "Social cost of carbon" means expected economic costs created from net
65 changes in agricultural productivity, human health, property damage from increased flood

66 risk, and the value of ecosystem services caused by carbon emissions and climate change.

67 C. "Sustainable goods and services" for the purposes of this chapter, "goods"
68 shall have the same meaning as "intangible personal property" as defined in K.C.C.
69 chapter 2.93, such that "goods" include materials, products, supplies, or equipment
70 supplied by a contractor and "services" shall have the same meanings as "services,"
71 "technical services" and "professional services" as defined in K.C.C. chapter 2.93, such
72 that "services" include labor, work, analysis, or similar activities supplied by a contractor
73 to accomplish a specific scope of work. To be "sustainable," the good or service must
74 also provide environmental, social, and economic benefits while protecting public health
75 and environment over the entire life cycle of the good or service, from the extraction of
76 raw materials through final disposal.

77 D. "Sustainable purchasing" means procuring sustainable goods and services in a
78 manner that integrate fiscal responsibility, social equity and community and
79 environmental stewardship.

80 E. "Total life-cycle cost" means the comprehensive accounting of the total cost of
81 ownership, including initial costs, energy and operational costs, longevity and efficacy of
82 service, and disposal costs.

83 SECTION 3. Ordinance 9240, Section 2, as amended, and K.C.C. 18.20.020 are
84 each hereby amended to read as follows:

85 A. In accordance with this chapter, ((D))departments shall ((buy-recycled and
86 other-preferable products)) purchase sustainable goods and services whenever
87 ((practicable)) they meet price, performance and availability requirements.

88 B. Departments shall implement sustainable purchasing by including in their

89 procurement planning process, for all goods and services purchased in accordance with
90 K.C.C. chapter 2.93, consideration of the factors and strategies in subsections C. through
91 F. of this section as either performance or responsibility criteria and adherence with
92 subsection G. of this section.

93 C. Environmental factors to be considered when purchasing goods and services

94 include, but are not limited to:

95 1. Recycled content;

96 2. Pollutant releases;

97 3. Toxicity, especially the use of persistent, bioaccumulative and toxic

98 chemicals;

99 4. Waste generation;

100 5. Greenhouse gas emissions, which also factors in the location and

101 transportation of goods;

102 6. Energy and water consumption;

103 7. Depletion or degradation of natural resources;

104 8. Impacts on biodiversity and habitat;

105 9. Social cost of carbon and

106 10. Use of local businesses.

107 D. Social equity factors to be considered when purchasing goods and services

108 include, but are not limited to:

109 1. Human health impacts;

110 2. Fair wage, also known as living wage, in accordance with K.C.C. chapter

111 3.18; and

112 3. Use of small contractors and suppliers, in accordance with K.C.C. chapter
113 2.97.

114 E. Fiscal factors to be considered when purchasing goods and services include,
115 but are not limited to:

116 1. Use reduction;

117 2. Product or material performance, quality, durability and repairability;

118 3. Life-cycle cost assessment; lowest total life-cycle cost;

119 4. Leveraging buying power;

120 5. Impact on county staff time and labor; and

121 6. Long-term financial or other market changes.

122 F. Departments shall promote and encourage strategies to reduce consumption,
123 thus lessening the impact on landfills, resource depletion, impact on human health and
124 greenhouse gas emissions. The strategies may include, but are not limited to:

125 1. Procuring goods delivered in minimal packaging;

126 2. Reducing the procurement of goods that contain and perpetuate the use of
127 toxics;

128 3. Procuring goods that are durable, long-lasting, reusable, recyclable,
129 repairable, remanufactured or refurbished or that otherwise create less waste; and

130 4. Any one or more of manufacturer, vendor and municipal take-back programs.

131 G. In those contracts for which a department utilized sustainable purchasing,

132 ~~((F))~~the county shall require its selected goods or services contractor((s)) or

133 consultant((s)) to use ~~((recycled and other environmentally preferable products))~~

134 sustainable goods and services and minimize waste whenever practicable in the

135 fulfillment of the contract.

136 ~~((C. The county shall promote the use of recycled and other environmentally~~
137 ~~preferable products by publicizing its environmental purchasing policy and its~~
138 ~~implementation, consistent with this chapter.))~~

139 NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 18.20 a
140 new section to read as follows:

141 A. Departments are required to evaluate the use of independent, third-party
142 environmental good or service label standards when applicable when writing
143 specifications for or procuring goods or services, to ensure that they are sustainable, so
144 long as the labels:

- 145 1. Were developed and awarded by an impartial third-party;
- 146 2. Were developed in a public, transparent, and broad stakeholder process; and
- 147 3. Satisfy the standards for certification developed by the International
148 Organization of Standards or other recognized standards-setting or accreditation
149 organizations.

150 B. The procurement and payables section of the finance and business operations
151 division, in consultation with departments, shall establish minimum environmental
152 standards for goods and services in accordance with Strategic Climate Action Plan goals,
153 measures and targets, federal guidance, third-party certified environmental standards and
154 best practices.

155 SECTION 5. The following are each hereby repealed:

- 156 A. Ordinance 17074, Section 1, and K.C.C. 18.20.030;
- 157 B. Ordinance 9240, Section 6, as amended, and K.C.C. 18.20.040;

158 C. Ordinance 17085, Section 2, and K.C.C. 18.20.050; and

159 D. Ordinance 9240, Section 9, as amended, and K.C.C. 18.20.060.

160 SECTION 6. Ordinance 9240, Section 16, as amended, and K.C.C. 18.20.070 are
161 each hereby amended to read as follows:

162 All departments are responsible for:

163 A. Assigning appropriate personnel to evaluate opportunities for buying
164 ~~((recycled and other environmentally preferable products))~~ sustainable goods and
165 services reflected in federal guidance or communicated by the procurement and ~~((contract~~
166 ~~services))~~ payables section of the finance and business operations division through its
167 sustainable purchasing implementation guidance document, other tools and training for
168 departments;

169 B. Purchasing ~~((recycled and other environmentally preferable products))~~
170 sustainable goods and services whenever practicable and as required or recommended by
171 the sustainable purchasing implementation guidance document; ((and))

172 C. ~~((Reporting evaluation results and purchases of recycled and other~~
173 ~~environmentally preferable products to the procurement and contract service section by~~
174 ~~February 28 of each year))~~ Working with the procurement and payables section of the
175 finance and business operations division to set appropriate environmental standards and
176 certifications for various goods categories, conducting sustainable purchasing training,
177 including encouraging employee attendance at internal and external trainings related to
178 sustainable purchasing;

179 D. ~~((Educating employees in paper conservation practices and implementing~~
180 ~~paper reduction strategies, such as increasing use of electronic drafts, and reducing the~~

181 ~~standard number of document copies wherever practicable.))~~ Ensuring internal policies
182 and procedures provide for the implementation of this chapter;

183 E. ~~((Working with the appropriate information technology service units and~~
184 ~~copier service providers to ensure printing and copying preferences are set to double~~
185 ~~sided as the default setting))~~ Encouraging pilot testing for sustainable goods and services;
186 and

187 F. Ensuring contractors and consultants use and supply sustainable goods and
188 services and minimize waste whenever practicable.

189 SECTION 7. Ordinance 9240, Section 17, as amended, and K.C.C. 18.20.080 are
190 each hereby amended to read as follows:

191 The solid waste division is responsible for:

192 A. Providing information and technical assistance to external agencies, such as
193 local governments, schools, colleges and other public and private organizations to
194 increase their purchase of ~~((recycled and other environmentally preferable products))~~
195 sustainable goods and services; and

196 B. ~~((Preparing press releases and fact sheets publicizing the successes of the~~
197 ~~program;~~

198 C.)) ~~Assisting the procurement and ((contract services))~~ payables section of the
199 finance and business operations division in fulfilling its responsibilities under this
200 chapter~~((; and~~

201 D. ~~Providing technical assistance to county departments in evaluating paper~~
202 ~~reduction strategies and educating employees in implementing paper conservation~~
203 ~~measures))~~ as related to recycled materials and products, waste reduction, green building,

204 toxics reduction and recycling.

205 SECTION 8. Ordinance 9240, Section 18, as amended, and K.C.C. 18.20.090 are

206 each hereby amended to read as follows:

207 The procurement and ~~((contract services))~~ payables section of the finance and
208 business operations division is responsible for:

209 A. Assigning appropriate personnel to fulfill the requirements of this policy;

210 B. ~~((Preparing or revising bid documents and contract language where necessary~~
211 ~~to implement this chapter))~~ Assisting agencies in developing sustainable purchasing
212 specifications and integrating these requirements into contracting practices;

213 C. Developing and maintaining an implementation guidance document, training
214 and other tools to assist agencies in specifying and buying sustainable goods and
215 services;

216 D. Researching opportunities for procurement of ~~((recycled and other~~
217 ~~environmentally preferable products and))~~ sustainable goods and services by
218 communicating these to appropriate county departments for evaluation and purchase
219 through the implementation guidance document, website and training;

220 ~~((D. Collecting data on purchases by departments of recycled and other~~
221 ~~environmentally preferable products; and))~~

222 E. Establishing minimum environmental standards for goods and services and
223 setting priorities in accordance with Strategic Climate Action Plan goals, measures and
224 targets, state and federal guidance, third-party certified environmental standards and best
225 practices;

226 F. Providing education and training to agencies to support implementation of this

227 chapter; and

228 G. Collecting purchase data, ((P))preparing information and providing staff

229 support as necessary for the preparation of the report required in K.C.C. 18.50.010.

230

Ordinance 18750 was introduced on 3/19/2018 and passed by the Metropolitan King County Council on 6/18/2018, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci

No: 0

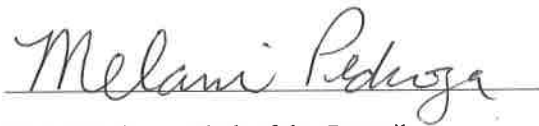
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Melani Pedroza, Clerk of the Council



APPROVED this 27 day of JUNE, 2018.



Dow Constantine, County Executive

Attachments: None