

State Agencies Required to Purchase “Green” and Sustainable Products.

A “Green” or sustainable product should not be purchased, or used, unless it meets your required standards and specifications. The most sustainable purchase decision possible is not to purchase something unless it does the job as required. Buying the cheapest product could put a private company out of business, because that product didn’t perform efficiently enough. In State Government, purchasing the cheapest, most striped down, product could result in poor or no performance at all. That is one of the main reasons North Carolina government purchasing has been subject to “Best Value Legislation”, the state’s Best Value Statute 143-135.9. In addition, State agencies are also subject to The State of North Carolina’s “AGENCY PURCHASING MANUAL”, and to Executive Order Number 156, “State Government Environmental sustainability, Reduction of Solid Waste, and Procurement of Environmentally Preferable Products”.

State Regulations take into account cost effective purchases, not just the cheapest. For instance state code 09 NCAC 06A .0102 DEFINITIONS, defines **Best Value Procurement** as: “... a procurement process that has as a fundamental objective the reduction of total cost of ownership. The particular procurement methods used are selected so as to result in the best buy for the state in terms of the function to be performed. Competitive best value procurement allows for the use of alternate competitive purchasing techniques in addition to low price analysis in the selection of supply sources determined to represent best value.” State regulations also require Cost of Ownership be taken into account for making purchases. For example, what good is it to buy the cheapest ice machine for a State Laboratory if that cheapest design is going to triple the lab’s water bill, where a slightly more expensive design will have no effect. 09 NCAC 06A .0102 DEFINITIONS defines **Total Cost of Ownership** as; “... a summation of all purchase, operating, and related costs for a product or service. It includes but is not limited to purchase price, transportation, receiving and inspection, maintenance, operating costs, downtime, energy costs, and disposal costs.” Under Executive Order 156, State Agencies are directed to: “...to develop and incorporate policies and practices into their daily operations that preserve natural resources, conserve energy, eliminate waste and emissions, and lessen overall environmental impact.”

The State of North Carolina’s “AGENCY PURCHASING MANUAL” (effective August 1, 2000) makes extensive requirements on all State Agencies for environmental and sustainable purchasing. The manual’s major “Green” and sustainable topics are buying recycled products, purchasing for waste reduction, environmentally preferable goods and services, recyclable materials, and North Carolina Products.

For **buying recycled products**, “It is the policy of the State to encourage and promote the purchase of products with recycled content.” In fact, all state agencies are required to report annually, to DENR’s own Division of Pollution Prevention and Environmental Assistance, on the amounts and types of materials and supplies with recycled content they purchased during the year and on the progress they are making in reaching the goals for buying recycled paper and paper products.

The Manual addresses **waste reduction purchasing** as: “...*procedures and specifications to encourage the purchase or use of reusable, refillable, repairable, more durable, and less toxic supplies and products.*” DENR’s Division of Purchase and Services and the Division of Pollution Prevention and Environmental Assistance are well equipped to help any DENR or State office determine what is effective waste reduction.

State Purchasing Manual instructions for **environmentally preferable goods and services** are: “All agencies shall give consideration to environmentally preferable products that are more energy efficient, less toxic, less polluting, and which generate less waste overall.” An example from the State Purchasing Manual on state use of paper says: “*Agencies shall avoid unnecessary printing or photocopying of printed materials and shall require double-sided copying on all documents when feasible and practicable. To the extent feasible, all new and remanufactured photocopy machines and laser printers purchased shall have duplexing capabilities.*”

State Agencies across North Carolina have **recyclable materials** programs, such as aluminum cans, plastic bottles, and newspapers. The Agency Purchasing Manual allows agencies to keep and use the monies these programs bring in, unless they are under a geographical or statewide contract established and administered by the Division of Surplus Property.

For **North Carolina made products**, one little known but major purchasing requirement involves. “*Where quality and availability allow, specifications are to be based on products grown or Manufactured in North Carolina. This special interest in North Carolina products is intended to Encourage and promote their use, but is not exercised to the exclusion of other products or to Prevent fair and open competition.*”

Executive Order Number 156, “State Government Environmental sustainability, Reduction of Solid Waste, and Procurement of Environmentally Preferable Products” covers three major sustainability areas. **Environmentally Sustainable Operations and Practices area** requires State agencies to: “... *consider and minimize the environmental impacts associated with agency land use and acquisition, construction, facility management, and employee transportation. This section addresses energy efficiency, water conservation, pollution prevention, and land preservation at state-owned and leased facilities.*” **Source Reduction and Recycling of Solid Wastes area** requires State agencies to: “... *reduce and recycle material recoverable from solid waste originating at their facilities and from the construction and renovation of new facilities. New provisions include duplex copying, use of electronic communication in place of paper, and recovery and recycling of leftover food from agency food service operations.*” And, the **Purchase and Use of Environmentally Preferable Products area** requires agencies to: “... *procure goods and services that have a lesser or reduced effect on human health and the environment, including products made wholly or in part from recycled materials. This section encourages agencies to give maximum consideration to products that are more energy efficient, less toxic, less polluting, and which generate less waste overall. It raises the goal for agency purchases of recycled paper and paper products.*”

For many years DENR folks have shown resourcefulness and common sense in making environmentally friendly and sustainable purchases. State laws, executive orders and the State Purchasing Manual have required this. Sometimes the lack of information, lack of time, and/or

restrictive state rules have hamper knowing what the Best Value Purchases are. Purchasing help can be found at the DENR Division of Purchases and Services (919) 733-9746. They have detailed information and the State Purchasing Manual can be found on their web site, at <http://www.admin.enr.state.nc.us/purchase/index.html>. The Division of Pollution Prevention and Environmental Assistance is ready to help with determining what is environmental and sustainable, at (919) 715-6500, with a very detailed information website <http://www.p2pays.org>. The State of North Carolina Division of Purchase and Contract web site is also available be for detailed information and contacts at <http://www.doa.state.nc.us/PandC>. And the North Carolina to Executive Order Number 156 can be found on NC Project Green's Website at <http://www.sustainablenc.org/main/orders.htm#156>.