Enterprise Services Procedure No. PRO-DES-255-00A

Recycled Content Purchasing Preference Procedure

**Applies To**: Agencies when conducting a competitive solicitation for products containing recycled material, in accordance with DES Policy #POL-DES-255-00.

**Effective Date**: \_\_\_\_\_\_\_\_\_\_\_\_\_ 2019

**Last Update**: N/A

**Sunset Review Date**: 5 years from effective date

Approved By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Chris Liu, Director

**RECYCLED CONTENT PURCHASING PREFERENCE PROCEDURE: APPLYING THE PREFERENCE**

Action By Action

**Agency**

1. Review the [Environmental Procurement Decision Tree](https://360.articulate.com/review/content/f341f906-44d0-45c8-a4e2-2bc8b5106b3e/review) that will provide guidance on which environmental requirements you need to apply to your specific procurement.
2. If a product that is subject to this policy is to be procured, review the Environmental Protection Agency’s (EPA) Comprehensive Procurement Guideline (CPG) Program (as it existed on July 1, 2001) [link]for the minimum recommended content levels or product specifications for the commodity in need.
3. Use the EPA CPG Recommended Recovered Content Levels “Post-Consumer” and “Total Recovered” percentage/percentage ranges or minimum product specifications (when EPA does not recommend any content ranges) as the basis for establishing minimum specifications and preference eligibility. Only those products that **exceed** the minimum recovered content levels or product specifications, and otherwise be at least functionally equal to all other specifications and use requirements, will be eligible for the preference. Apply all other recommendations included in the CPG as sound professional judgment dictates.
4. Add language to the solicitation. The solicitation must alert bidders of the available preference and the minimum recycled content levels or product specifications that must be exceeded to receive the preference.
5. Obtain documentation from the bidder. Product literature or written correspondence from the product producer must be provided with the bid to validate price preference eligibility.
6. Apply the preference at time of bid evaluation. When scoring the bid price of qualifying bidders, a **5% price reduction** is to be applied to those bidder’s items that qualify for the recycled content preference, but only for price evaluation purposes. This preference is to be separate from and applied after any other preferences allowed by statue.
	* + - 1. In the event of a tie, the bidder with the larger post-consumer recovered content will break the tie and determine the award.

| **Product:** | **Latex Paint - White** | **Latex Paint - Brown** | **Oil-Based Paint** | **Floor Tiles - Plastic** | **Floor Tiles – Office Use** |  |
| --- | --- | --- | --- | --- | --- | --- |
| **EPA CPG Recommends (PC/TR):** | **20% Post-Consumer and 20% Total Recovered Material Content** | **50-99% Post-Consumer and 50-99% Total Recovered Materials Content 2** | **N/A** | **90-100% Total Recovered Materials2** | **N/A** |  |
| **Bidder A:** | **$31,500.00** | **$10,000.00** | **$13,200.00** | **$22,200.00** | **$2,875.00** | **Total Evaluated Price**1 |
| **PC/TR Bid** | **20/20%** | **75/75%** | **N/A** | **95%** | **N/A** |  |
| **Price Preference** | **N/A** | **5%** | **N/A** | **5%** | **N/A** |  |
| **Evaluated Price** | **$31,500.00** | **$9,500.00** | **$13,200.00** | **$21,090.00** | **$2,875.00** | **$78,165.00** |
| **Bidder B:** | **$32,100.00** | **$9,100.00** | **$13,000.00** | **$21,800.00** | **$3,000.00** |  |
| **PC/TR Bid** | **20/25%** | **50/50%** | **N/A** | **100%** | **N/A** |  |
| **Price Preference** | **5%** | **N/A** | **N/A** | **5%** | **N/A** |  |
| **Evaluated Price** | **$30,495.00** | **$9,100.00** | **$13,000.00** | **$20,710.00** | **$3,000.00** | **$76,305.00** |
| **Bidder C:** | **$30,000.00** | **$8,900.00** | **$15,700.00** | **$20,400.00** | **$2,500.00** |  |
| **PC/TR Bid** | **25/25%** | **None Bid** | **N/A** | **100%** | **N/A** |  |
| **Price Preference** | **5%** | **N/A** | **N/A** | **5%** | **N/A** |  |
| **Evaluated Price** | **$28,500.00** | **$8,900.00** | **$15,700.00** | **$19,380.00** | **$2,500.00** | **$74,980.00** |

**1Calculation of price preference: Bid Price multiplied by .95 equals the Evaluated Price**

**2If the EPA CPG recommends a range for either of the post-consumer or total recovered content levels, agencies shall use the lower of the range as the minimum.**

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