

# SB 1383 Procurement Requirements

Metropolitan Washington  
COG Recycling Committee  
June 15, 2023



**Karen Cook**  
Sustainability Project Manager  
County of Alameda, CA  
[Karen.Cook@acgov.org](mailto:Karen.Cook@acgov.org)  
[acsustain.org](http://acsustain.org)



Alameda County  
**SUSTAINABILITY**  
*Local Action, Global Impact.*

# Background:

## Purpose of SB 1383 Legislation

- To substantially reduce methane emissions resulting from the decomposition of organic waste in landfills, a significant source of greenhouse gas (GHG) emissions contributing to global climate change.
- Statewide goals:
  - Reduce the disposal of organic waste by 75% by 2025.
  - Recover at least 20% of currently disposed surplus food by 2025.

*Procurement requirements are meant to drive market development for recovered organic waste products.*

# New Mandatory Programs

## Many Staff Involved



# Covered Materials

## Paper Products



## Recovered Organic Waste Products



# Paper Purchasing\* Requirements

1. Purchase paper products with a minimum of 30% post-consumer recycled content
2. Ensure that the paper purchased is recyclable in local recycling programs
3. Maintain records certifying compliance

<b>Printing &amp; Writing Papers</b>	<b>Paper Office Supplies</b>	<b>Printed Materials</b>	<b>Janitorial Papers</b>
<ul style="list-style-type: none"><li>• Copy paper</li><li>• Watermark</li><li>• Note pads</li><li>• Offset</li></ul>	<ul style="list-style-type: none"><li>• File folders</li><li>• Envelopes</li><li>• Sticky notes</li><li>• Boxes &amp; packaging</li></ul>	<ul style="list-style-type: none"><li>• Calendars</li><li>• Brochures</li><li>• Magazines</li><li>• Posters</li><li>• Newsprint</li></ul>	<ul style="list-style-type: none"><li>• Toilet paper</li><li>• Paper towels</li><li>• Facial tissues</li><li>• Toilet seat covers</li></ul>

\*Definition from SB 1383 regulations: “Paper Purchase” means all purchases by a jurisdiction of items in the following categories: (A) Paper products. (B) Printing and writing papers.

# Compliance Pathways May Differ

## Centralized Paper Commodity Contracts

- Single or small number of vendors
- Can include contract provisions
- Vendor reporting may be available

## Centralized Print Services Contracts

- Single or small number of vendors
- Can include contract provisions
- Vendor reporting more difficult due to variety of products sold

## Decentralized Paper Purchases

- Unknown list of vendors
- Many departmental buyers
- Vendor reporting not available

Contract regulations strategy

Department training-focused strategy



1

# Recycled Content

Purchase papers with a minimum of 30% post-consumer recycled content (PCR)

- Reinforces existing public contract code<sup>1</sup>
- PCC allows for exceptions for fitness, quality, or higher cost
  - Can still be in compliance if you document reasons in your implementation record

22150. (a) If fitness and quality are equal, each local public entity shall purchase recycled products, as defined in Section 12200, instead of nonrecycled products whenever recycled products are available at the same or a lesser total cost than nonrecycled items.

<sup>1</sup>Public Contract Code [Section 22150-22154](#)



Alameda County

**SUSTAINABILITY**

*Local Action, Global Impact.*

# Recyclability

**Purchase papers that are eligible to be labeled with an “unqualified recyclable label<sup>1</sup>”**

- Means recycling facilities are available to 60% of consumers where product is sold
- Require vendors to certify recyclability in writing
- Will not be enforced for products that cannot be recycled, like janitorial papers



## Maintain all documents supporting compliance

- Proof of purchase describing volume and type for **all paper products**
  - Invoices; must list paper type and quantity
  - Usage reports
- Vendor certification:
  - Post-consumer recycled content (this can be waived if available on website, catalog, etc.)
  - Recyclability
- All other documentation supporting compliance
  - Such as the reason for purchase of products with less than 30% PCR

# Pros and Cons of Regulation

- More “teeth” in advancing recycled content purchasing
- May inspire centralized contracts, allowing for more control
- Increase visibility into agency purchasing practices due to need for documentation
- Significant extra documentation burden
- Pulls staff time away from other impactful work



## Purchasing

[Bids and Specifications](#)[Climate Impacts of Purchasing](#)[For Vendors](#)[Green Purchasing Roundtable](#)[Purchasing Policy](#)[Resources](#)[SB 1383 Paper Procurement Resources](#)[Success Stories in Purchasing](#)[Supply Chain Sustainability Report](#)

## SB 1383 Paper Procurement Resources

City and counties across California are required to purchase paper with 30% post-consumer recycled content and that is recyclable, due to a new [State law](#) aimed at combating climate change.

Alameda County Office of Sustainability is taking a leadership role in supporting local government compliance with these regulations. Please check out the resources below to learn more.

### Green Purchasing Roundtable Webinars

We have hosted a series of webinars on the SB 1383 Paper Procurement to help build understanding of the regulations, provide tips for implementation and build capacity of current or potential paper vendors working with cities in the County.

Workshop 1 for cities: Paper Procurement Overview and Resources

- [Recording](#)
- [Slides](#)

Workshop 2 for cities: Compliant Paper Purchasing With or Without a Contract

### Resources for Cities

- [Factsheet](#)
- [Sample Questions for Vendors](#)
- [Select SB 1383 Compliant Office Paper Products](#)
- [Bid Excerpts](#)
- [Contract Piggybacking Resources](#)
- [Select SB 1383 Complaint Market Assessments for Paper Towels](#)
- [Select SB 1383 Complaint Market Assessments for Toilet Paper](#)
- [Select SB 1383 Compliant Market Assessment for Copy Paper](#)



Purchasing 30% post-consumer recycled content paper is now law in California for cities and counties.

<https://www.acgov.org/sustain/what/purchasing/sb1383.htm>

# Paper Procurement Documentation Examples

# Proof of Purchase: Option 1

- Require vendor to provide paper type and quantity on invoice
- Maintain invoice location in implementation record for auditing purposes
- Information on recycled content and recyclability must also be maintained

DESCRIPTION	QTY
Alameda County Admin Final Budget Books '21-'22	52 122.5
1. Final Budget Books	
Q 10 Color	
Q 15 B/W	
2. Final Summary Budget Books	
Q 10 Color	
Q 17 B/W	
Guts - 20#, 8.5x11"; Cvr - 4/4 + 2-sided gl UV, 10 mil poly, 9x11"; Tabs = 100# Classic Wood Grain Cvr (Cool Gray-6), die cut, collated, Punch & black Coil, 11 blue index separators)	
- proofs,	
	SUBTOTAL

# Proof of Purchase: Option 2

Paper for May 1 - June 30 2022 by Amount	
Row Labels	Sum of Quantity
06/2022 (PAPER, XERO, 30% Re	5
06/2022 PAPER, XERO, 30% Re	15
20 lb 11" x 17" Copy Paper 100	9
20 lb 8.5" x 14" Multi-Use 100	16
20lb 8.5" x 11" Multi-Use 30%	63
20lb, 8.5" x 11" 96 Bright 500	103
20lb, 8.5" x 11" Copy paper 10	155
20lb, 8.5" x 11" Copy paper 30	5
20lb, 8.5" x 11" Multi-Use 30%	30
20lb, 8.5" x 11" Premium Color	90
20lbCpyppr100Rec92Br5kWHT	30
24lb, 8.5" x 11" Print Paper 3	84
28lb, 8.5" x 14" Print Paper 1	2
80lb 8.5" x 11" Smooth Paper 3	34
CAS054901 (PAPER, XERO, 30% Re	371
DMR8822 92 Bright Micro Perf 3	50
HAM125534 28lb, 8.5" x 11" Pri	10
SPRINGHILL Index WHT 110 52.9m	5
UNV15807 Printout Paper, 1-Par	20
<b>Grand Total</b>	<b>1,097</b>

Summary Office Paper May-Jun 22

For commodity contracts (e.g., copy paper, janitorial paper)

- Maintain usage reports in implementation record



# Certification Form On-Contract Purchases

Beginning January 1, 2022, jurisdictions are required to purchase and obtain documentation certifying that paper products and printing and writing papers:

1. Contain a minimum 30% postconsumer recycled content (PCRC)<sup>1</sup>
2. Are eligible to be labeled with an unqualified recyclable label<sup>2</sup>

All Contractors doing business with the County of Alameda shall certify in writing under penalty of perjury:

1. The minimum percentage, if not the exact percentage, of PCRC material in the paper products and printing and writing papers offered or sold to the jurisdiction, regardless of whether the product meets the minimum content requirements specified in law.
2. That the paper products and printing and writing papers offered or sold to the jurisdiction are eligible to be labeled with an unqualified recyclable label as defined in 16 CFR Section 260.12. If products cannot be recycled, please provide an explanation in the comments.

Business Name: Vince's Office Supply Inc DBA The Office City  
 Address: 3167 Corporate Place, Hayward CA 94545  
 Phone: 650-385-2631

Email: [billj@theofficecity.com](mailto:billj@theofficecity.com)

Certification form for Master Contract No. 901849, COUNTYWIDE OFFICE PAPER

Please clearly print or type your responses. Attach additional pages as necessary.

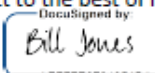
Item #	Product Description	% PCRC	Reason if PCRC is less than 30%	Recyclable (y/n)
VER10980356	PAPER, RECYCLED,100%,OPTIMUS GREEN	100%		Y
CAS054901	PAPER,MULT,RECY,8.5X11,WHT	30%		Y
HAM86700	PAPER,MLT-USE,LTR,20#,RECY,WHT	30%		Y
CAS054901RM	PAPER,MULT,RECY,8.5X11,WHT, 500 SH/#	30%		Y
CASMP2201BE	PAPER,MULT,8.5X11,20#,BLU	30%		Y
CASMP2201PK	PAPER,MULT,8.5X11,20#,PNK	30%		Y
KEL2002602	PAPER,8.5X11,30%RECY,SMOOTRH,WHITE	30%		Y
CASMP2201GRP	PAPER,8.5X11,FIREWX,GDRO	30%		Y
CASMP2201OR	PAPER,MULT,8.5X11,20#,ORC	30%		Y
CASMP2201CY	PAPER,MULT,8.5X11,20#,CAN	30%		Y

Comments: *(Please provide reasoning for sale of any products that are not recyclable )*

During the last 12 months many mills have stopped producing any paper that isn't in high demand. For example, your color copy paper was the Boise brand and was 30% recycled. Boise stopped making these papers and the replacement is not recycled. Most of the rest of your non-recycled paper purchased does not have a recycled alternative.

**Certification**

I certify under penalty of perjury under the laws of the State of California that the above information is true and correct to the best of my knowledge.

Signature   
 Printed Name William Jones

- Obtain from vendors at time of contract and whenever product list is updated.



# CalRecycle Recordkeeping Tool

Implementation Record Requirements	Description or Data	File Location	Regulatory References
Copies of invoices, receipts or other proof of purchase that describe the procurement of paper products by volume and type for all paper purchases.			14 CCR Section 18995.2(f)(1) 14 CCR Section 18993.4(a)(1)
Copies of all certifications or other verification required under 14 CCR Section 18993.3:  The jurisdiction shall require all businesses from whom it purchases paper			

◀ ▶ ... Edible Food Recovery | ROWP Procurement | **Paper Procurement** | Inspection and Enforcement | ... (+) ⋮

<https://www.calrecycle.ca.gov/organics/slcp/recordkeeping/implementationrecord>



# Recovered Organic Waste Products Procurement

# Recovered Organic Waste Requirements

- Procure\* a minimum target amount of recovered organic waste products every year
- Maintain compliance record including:
  - Purchasing invoices and other records
  - Contracts & MOU of agreements
- Report annually to CalRecycle

\* Procure = obtain for use or to give away, either directly or via a contract with a direct service provider



# Annual Purchasing Target

- Alameda County is required to procure a target amount of compost or mulch products annually
  - Phase-in schedule for target:

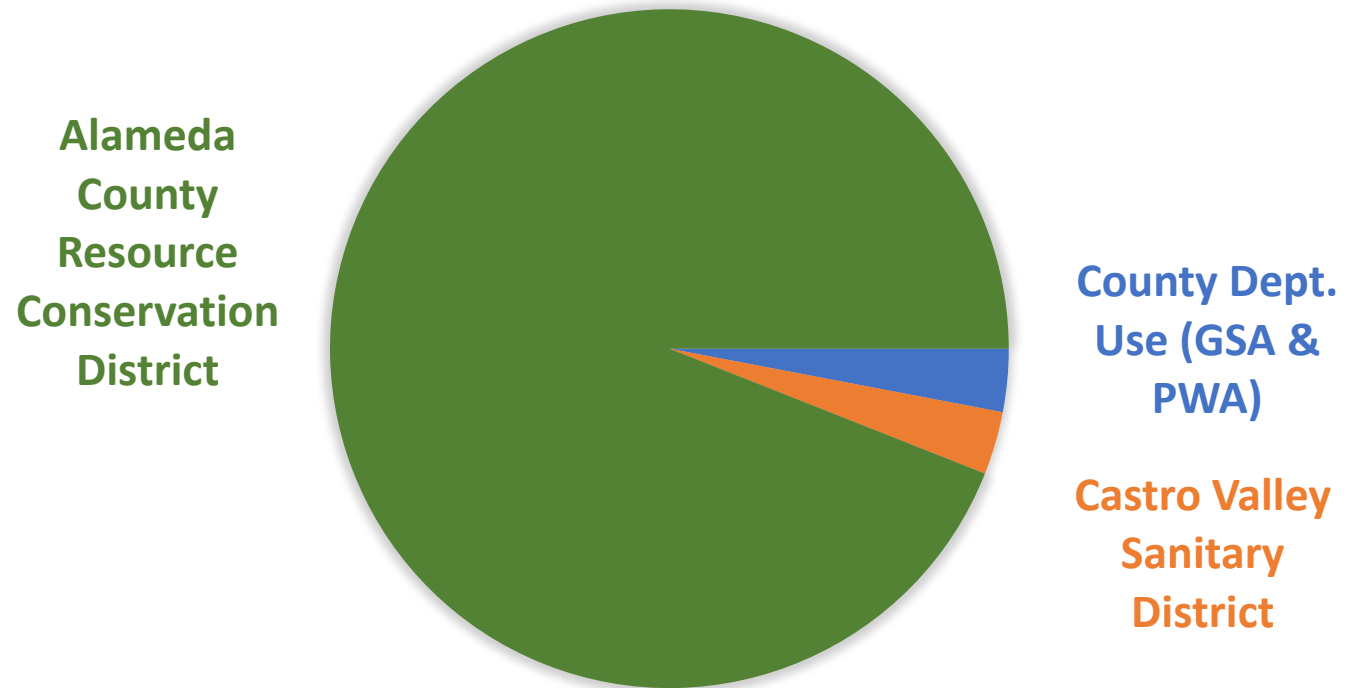
Year	Phase-in of Target	Compost* (cubic yard)	Approximate acreage covered**	Approximate cost
2023	30%	5,100	150	
2024	65%	11,100	325	
2025	100%	17,000	500	\$600K to \$1.7M

\*Mulch can be substituted for compost to meet annual target

\*\*Assumes ¼ inch thick application

# Procurement Strategies Overview

- Direct procurement and use on County landscapes and public rights-of-way
- MOU with Castro Valley Sanitary District to count compost give-away program
- MOU with Alameda County Resource Conservation District to operate compost subsidy program for farmers, ranchers, and community gardens



Estimated proportion of annual purchasing to meet full target, by procurement strategy

# Thank You!