

TO: General Services Agency, Procurement Department

FROM: Karen Cook, Sustainability Project Manager, GSA-Office of Sustainability

CC: Margee Witt, CEO, Blaisdell's Business Products

DATE: October 23, 2020

SUBJECT: Implementation of Blocking Provision for Certain Non-Recycled Content Items Under Master Contract No. 901848, Procurement Contract No. 20470 – Countywide Office Supplies

GSA-Procurement has issued a contract to Blaisdell & Songey, Inc. DBA Blaisdell's Business Products for the provision of office supplies to the County, for the term of July 1, 2020 to June 30, 2023. The contract includes restricted item categories that require the contractor to limit County users from ordering specific categories of products, including the following restriction:

- (15) Paper products, and printing and writing papers that are non-compliant with Sections 22150-22154 of the Public Contract Code

The purpose of this memo is to further define product categories that are subject to this restriction, and to establish a process for evaluating if the proposed non-recycled content product should be restricted.

Product Categories Subject to Restriction

[Sections 12207](#) of the Public Contract Code (PCC) defines a broad list of paper products, the following of which are relevant to this contract.

- File folders
- Hanging files
- Corrugated boxes
- Cotton fiber paper
- White wove envelopes
- Manila envelopes
- Book paper
- Note pads
- Uncoated writing papers
- Index cards
- Calendars

Exhibit F of the Contract (see attachment) identifies corresponding product categories with an asterisk (*).

Minimum Post-Consumer Recycled Content Required

[Section 12209](#) of the Public Contract Code defines the minimum post-consumer recycled content requirement for paper products as 30%, by fiber weight.

The PCC allows for variance if the local public entity determines that recycled content items are not available, or if fitness and quality are not equal.

Evaluating Alternatives for Non-Recycled Items

For the purpose of implementing this restriction in the Countywide Office Supplies contract, GSA-Procurement shall coordinate with the Contractor to ensure the Contractor completes an evaluation on non-compliant items that fall within the product categories identified with an asterisk (*) in Exhibit F of the Contract (see attachment) using the following tiered process.

1. The Contractor shall research non-compliant items and determine if there is an alternative product that contains a minimum of 30% post-consumer recycled content and is equivalent in performance. If yes, Contractor shall propose the product as an alternative with a quoted price. Once approved by the County, the non-recycled content product will be blocked and replaced by the proposed product.
2. If the answer to the first question is no, the Contractor shall research and determine if there is an alternative product that contains a minimum of 10% post-consumer recycled content and is equivalent in performance. If yes, Contractor shall propose the product as an alternative with a quoted price. Once approved by the County, the non-recycled content product will be blocked and replaced by the proposed product.
3. If the answer to the first and second questions is no, the non-recycled content contract product can remain on the Contract Items List and be available for purchase through the contract.

Regulatory Background

In September 2016, Governor Brown signed into law [SB 1383 \(Lara, Chapter 395, Statutes of 2016\)](#), establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy.

SB 1383 provided regulatory authority to CalRecycle (a State agency) to establish targets to achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. The regulation enacts procurement targets and regulatory requirements for recovered organic waste products, including paper, in order to support development of end use markets for the increase in organic waste that is expected from this law.

The regulations require jurisdictions to maintain records and report to the State annually starting January 2021 on the amount of recycled and non-recycled products purchased that fall under the provisions of the Public Contract Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended.

For more information, visit <https://www.calrecycle.ca.gov/organics/slcp>.

**EXHIBIT F
ENVIRONMENTAL CRITERIA**

MASTER CONTRACT NO. 901843 – COUNTYWIDE OFFICE SUPPLIES

Minimum requirement for all products:		
No products shall contain persistent bio accumulative toxins unless this requirement is waived by the County		
Criteria for Identifying Environmentally Preferable (Green) Products		
Item	Product Detail	Criteria required to be considered green
Binders		
Binders	Ring, cardboard or pressboard	20% postconsumer
Binders	Ring, plastic-covered paperboard	30% postconsumer (For Paperboard)
Binders	Ring, paper covered paperboard	30% postconsumer
Dated Goods		
Calendars - Desk	Non-coated paper*	30% postconsumer
Calendars - Desk	Coated paper	10% postconsumer
Desk Accessories		
Plastic Desktop Accessories	Desk organizers, sorters, trays, memo holders, note and pencil holders; PE solid plastic	25% postconsumer
Floor Mats	Plastic	10% postconsumer
Floor Mats	Rubber	75% postconsumer
Floor Mats	Plastic/Rubber Composite	100% postconsumer
Envelopes		
Envelopes - Paper	White Wove*	30% postconsumer
Envelopes - Paper	Colored (incl. Manila)	10% postconsumer
Envelopes - Paper	Kraft, unbleached or brown	10% postconsumer
Envelopes - Plastic		25% postconsumer (no vinyl)
Filing and Storage		
File folders - paper	Interior, manila or colored*	30% postconsumer
File folders - paper	Hanging, colored or unbleached*	30% postconsumer

File folders - paper	Wallet files, expanding	10% postconsumer
File folders - paper	Classification, pressboard	10% postconsumer
File folders - paper	Report covers	10% postconsumer
File folders - paper	Portfolios	10% postconsumer
Index - Dividers		10% postconsumer
Index cards	White, Colored, Lined, Unlined*	30% postconsumer
Protective Mailers		
Mailers - Paper, Industrial Paperboard	Various, i.e., photo, document, CD mailers	30% postconsumer
Mailers - Paper, Padded	Unbleached or white	5% postconsumer
Mailing - Corrugated boxes/containers	<300 psi & 300 psi	25% postconsumer
Mailers - Plastic	Padded, various sizes	10% postconsumer (no vinyl)
Post-it Notes and Other Miscellaneous Papers		
Self-Stick notes	Various colors, pop-up, regular*	30% postconsumer
Notepads, Notebooks	Steno-books, notebooks, various sizes and colors*	30% postconsumer
Other Miscellaneous Papers		
Paper - Carbonless	Printed multiple-impact copy forms	10% postconsumer
Paper - Continuous	Adding Machine	10% postconsumer, no BPA
Paper - Text and Cover	Stationery, cover stock, various sizes and colors	10% postconsumer
Paper - Cash register	Forms Bond	10% postconsumer
Paper - Checks	Check Safety Paper	10% postconsumer
Paper - Invitations, Cards	Papeteries	10% postconsumer
Paper - Stationery	Paper - Cotton*	30% postconsumer
Paper - Stationery	Paper - Text or cover*	30% postconsumer
Food Service Ware		
Plates		Paper-based
Cups - Paper		Meet ASTM D6868

Cups - Plastic		No Styrofoam
Napkins		30% postconsumer
Other Non-Paper Office Supplies		
Metal Supplies	Scissors, paper clips, binder clips	30% postconsumer
Writing Instruments - Plastic	Pens, mechanical pencils	Refillable or 30% postconsumer
Highlighters and markers	Highlighters, markers, dry erase markers	Water-based, certified AP non-toxic, conforming to ASTM D-4236; low odor for dry erase.
Batteries	AA, AAA, C, and D for non-emergency use	Rechargeable
Wooden Pencils		FSC certified

* Indicates products that must be compliant with Sections 22150-22154 of the Public Contract Code, as required by SB 1383 (Lara, Chapter 395, Statutes of 2016) regulations.