

# **2019 PWR SWATeam Recommendation #6**

Name of SWATeam: PWR

SWATeam Chair: Dr. Timothy D. Stark

Date Submitted to iSEE: May 1, 2019

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## **Title: Enforcement of Sustainable Procurement**

### **Specific Actions/Policy Recommended (a few sentences):**

The PWR SWATeam kindly requests that all products that are purchased using university funds be in accordance with Section 44 of the Administrative Code, Procurement Rules for Institutes of Higher Education, Section 4.4520 “Recycled Supplies” and 4.4525 “Recyclable Supplies (Paper)”. Additional relevant sections of the Administrative Code, Procurement Rules are presented at the end of this Recommendation.

Currently these parts of the Administrative Code are difficult to enforce due to direct department access to University contracted iBuy vendor catalogs. In an attempt to gain process efficiencies, these transactions can be made without the oversight of the purchasing office. To increase compliance, the purchasing office should work with contracted vendors to modify iBuy catalogs to prioritize and promote the sale of sustainable supplies. See relevant sections of the Administrative Code, Procurement Rules shown at the end of this recommendation.

This could be facilitated by the Zero Waste Coordinator, who would work with Purchasing to monitor compliance with the code and to follow-up with campus units that are not in compliance with the code.

Additionally, the possibility of purchasing centralization should remain open for consideration in the future to achieve compliance with Section 44 of Administrative Code.

### **Rationale for Recommendation (a few sentences):**

There is already an Administrative Code in place, which mandates purchase of sustainable products in many categories, but it is not adequately enforced. A mechanism for uniformly enforcing the Administrative Code, Procurement Rules should be developed and implemented. One possibility is centralizing some purchases, e.g., office paper, cleaning products, and electronics, to comply with the Administrative Code.

### **Connection to iCAP Goals (a few sentences):**

Such a recommendation would contribute to the success of Objective 6.1 of the iCAP 2015 goals, which mandates that “by FY17, environmental standards will be applied to purchases of office paper, cleaning products, computers, other electronics, and freight/package delivery services. At least 50% of purchases in these categories will meet campus standards by FY20, and 75% by FY25).”

### **Perceived Challenges (a few sentences):**

Enforcing the Administrative Code will sometimes be difficult, particularly due to the decentralized nature of purchasing across campus. Many people are involved with purchasing and may not know that they are not following the mandates of the procurement code.

### **Suggested unit/department to address implementation:**

F&S (Zero Waste Coordinator) and Purchasing

### **Anticipated level of budget and/or policy impact (low, medium, high):**

Budget impact: Medium

Policy impact: High

Individual comments are required from each SWATeam member (can be brief, if member fully agrees):

Team Member Name	Team Member's Comments
Timothy D. Stark	I think it's a good idea to enforce existing codes/requirements and it will help achieve our iCAP goals.
Robert McKim	Implementing the existing code is a sensible and natural and important step.
Macie Sinn	Enforcing existing codes is vital to achieving our iCAP goals.
Aaron Finder	I agree with everyone above.
Maddy Liberman	I think this is a great recommendation.
Neal Shannon	<i>Not available for comment.</i>
Sowmiya Raju	I think this is a good recommendation.

**Comments from Consultation Group (if any; these can be anonymous):**

None

**Explanation and Background (can be supplied in an attachment):**

Ensuring compliance with the existing procurement code is a logical step to take and it will contribute to making purchasing more sustainable.

Below are relevant excerpts from the Administrative Code, Procurement Rules:

**Section 4.4520 Recycled Supplies**

When a public contract is to be awarded to the lowest responsible bidder or offeror, an otherwise qualified bidder or offeror who will fulfill the contract through the use of products made of recycled supplies shall be given preference over other bidders or offerors unable to do so, provided that the cost included in the bid of supplies is equal or less than other bids or offers, unless the use of the product constitutes an undue practical hardship. Nothing in this Section shall be construed to apply to a construction agency for the purposes of procuring construction and construction-related services. [30 ILCS 500/45-20] The SPO will make this determination based on justification submitted by the university.

(Source: Amended at 43 Ill. Reg. 1781, effective February 15, 2019)

**Section 4.4525 Recyclable Supplies (Paper)**

All paper supplies purchased for use by universities must be recyclable paper unless a recyclable substitute cannot be used to meet the requirements of the universities or would constitute an undue economic or practical hardship. [30 ILCS 500/45-25] Universities shall make this determination and shall include this determination in the procurement file.

(Source: Amended at 43 Ill. Reg. 1781, effective February 15, 2019)

**Section 4.4526 Environmentally Preferable Procurement**

Universities shall contract for supplies and services that are environmentally preferable, as that term is defined in Section 45-26(3) of the Code. If, however, contracting for an environmentally preferable supply or service would impose an undue economic or practical hardship on the contracting university, or if an environmentally preferable supply or service cannot be used to meet the requirements of the university, then the university need not contract for an environmentally preferable supply or service. Specifications for contracts, at the discretion of the contracting university, may include a price preference of up to 10% for environmentally preferable supplies or services. [30 ILCS 500/45-26(b)]. Universities shall make this determination and shall include this determination in the procurement file.

(Source: Amended at 40 Ill. Reg. 456, effective January 15, 2016)