

Electronic Products Purchasing Preference

Applies to: Any state office or activity of the executive branch of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in [RCW 28B.10.016](#), correctional and other types of institutions ([RCW 39.26.010\(1\)](#)) ([RCW 39.26.100](#)) ([RCW 39.26.102](#)).

Authorizing sources:

- State Law [RCW 39.26.265\(1\)](#)
- State Law [RCW 39.26.010\(1\) Definitions](#)
- Executive Order [Executive Order 04-01](#)
- Executive Order [Executive Order 20-01](#)

Release date: August 1, 2020

Effective date: February 1, 2021

Last update: N/A

Sunset review date: 5 years from effective date

Approved by:  Chris Liu, Director

Reason for Policy

This policy establishes the purchasing preference authorized in RCW 39.26.265(1) for agencies competitive purchases of electronic products that meet environmental performance standards relating to the reduction or elimination of hazardous materials.

Scope of Policy

- The following products are subject to this policy (reference [Electronic Product Environmental Assessment Tool \(EPEAT Registry\)](#)):
 - a. Servers
 - b. Computers and Displays
 - c. Imaging Equipment
 - d. Mobile Phones
 - e. Televisions
 - f. Other electronic product categories as EPEAT expands the registry's coverage
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Policy

In establishing environmental requirements and preferences for electronic products, agencies shall reference [EPEAT](#).

1. Preference must be given to the purchase of electronic products meeting environmental performance standards relating to the reduction or elimination of hazardous materials.
 - a. In any competitive procurement for products, identified in the Scope of this Policy, as designated in the EPEAT Registry:
 - i. Such products are required to have achieved [EPEAT](#) Bronze registration to meet minimum environmental performance standards.
 - ii. Such products that have achieved [EPEAT Silver or Gold registration](#), agencies shall apply a minimum of 5% preference to each product bid registered by EPEAT.
 - b. If no EPEAT registered electronic product exists that meet the specific performance needs of a purchaser, agencies are to give preference to those products containing the least hazardous materials. Agencies may also use other environmental product certifications that reflect a reduction or elimination of hazardous materials.
 - c. Preference language must be clearly stated and included in agency procurement requests and solicitations for applicable electronic products issued after the effective date of this policy.

2. Direct Buy Purchases

Prior to purchasing products under the direct buy policy, agencies shall give consideration to products, subject to this policy, that have achieved EPEAT registration. EPEAT registration can be found by accessing the [EPEAT Registry](#).

3. Agencies are not required to apply a preference when:

- a. Electronic products (covered under this policy) are purchased from a master contract or DES approved cooperative contract, as DES is responsible for applying the preference.
- b. A non-competitive procurement process is used.

4. Agencies will be required to complete environmental purchasing training.

- a. Within 6 months of the effective date of this policy, personnel who are responsible for small purchases, competitive procurements, and contract management activities shall complete the mandatory training available in the Learning Management System (LMS) and titled WA-State Environmental Procurement Preference.
- b. Employees assigned these responsibilities after the initial 6-month implementation period of this policy shall complete the required training within 90 days of assignment. Specifically, this applies to all new employees, employee's assigned new responsibilities/duties, and employees in new positions, who are responsible for competitive procurements.

5. Agencies will document and report compliance with this Policy.

- a. Agencies shall use Washington's Electronic Business Solution (WEBS) to report electronic product preferences that were included in solicitations posted on WEBS; and which of those attributes were included in the resulting awards.

- b. Where an agency determines that it will not apply a recycled material preference, the reasons for this determination will be documented in the procurement file and in WEBS.
- c. Agencies will document and retain purchasing decisions that reflect compliance with RCW 39.26.265 and this Policy with the procurement file.
- d. The agency's record of compliance with this policy may be factored into an agency's procurement risk assessment.

Procedures

Procedure: [EPEAT Benefits Calculator](#) – Allows purchaser to measure and report the environmental benefits gained from purchasing electronic products registered with EPEAT.

Procedure: [Environmental Procurement Preference Calculator](#) - provides guidance on which environmental requirements you need to apply to your specific procurement.

Procedure: [Environmental Preferable Purchasing Desk Aid](#)

Appendices

For sample contract language, see the [Environmental Preferable Purchasing Desk Aid](#).

Forms/Instructions

For a bidder certification environmental preference form, see the [Environmental Preferable Purchasing Desk Aid](#).

Frequently Asked Questions

FAQ: [Electronic Products Purchasing Preference Frequently Asked Questions](#)

History

Adopted

August 1, 2020

Amended

There are no amendments to this policy.

There are no prior versions of this policy.