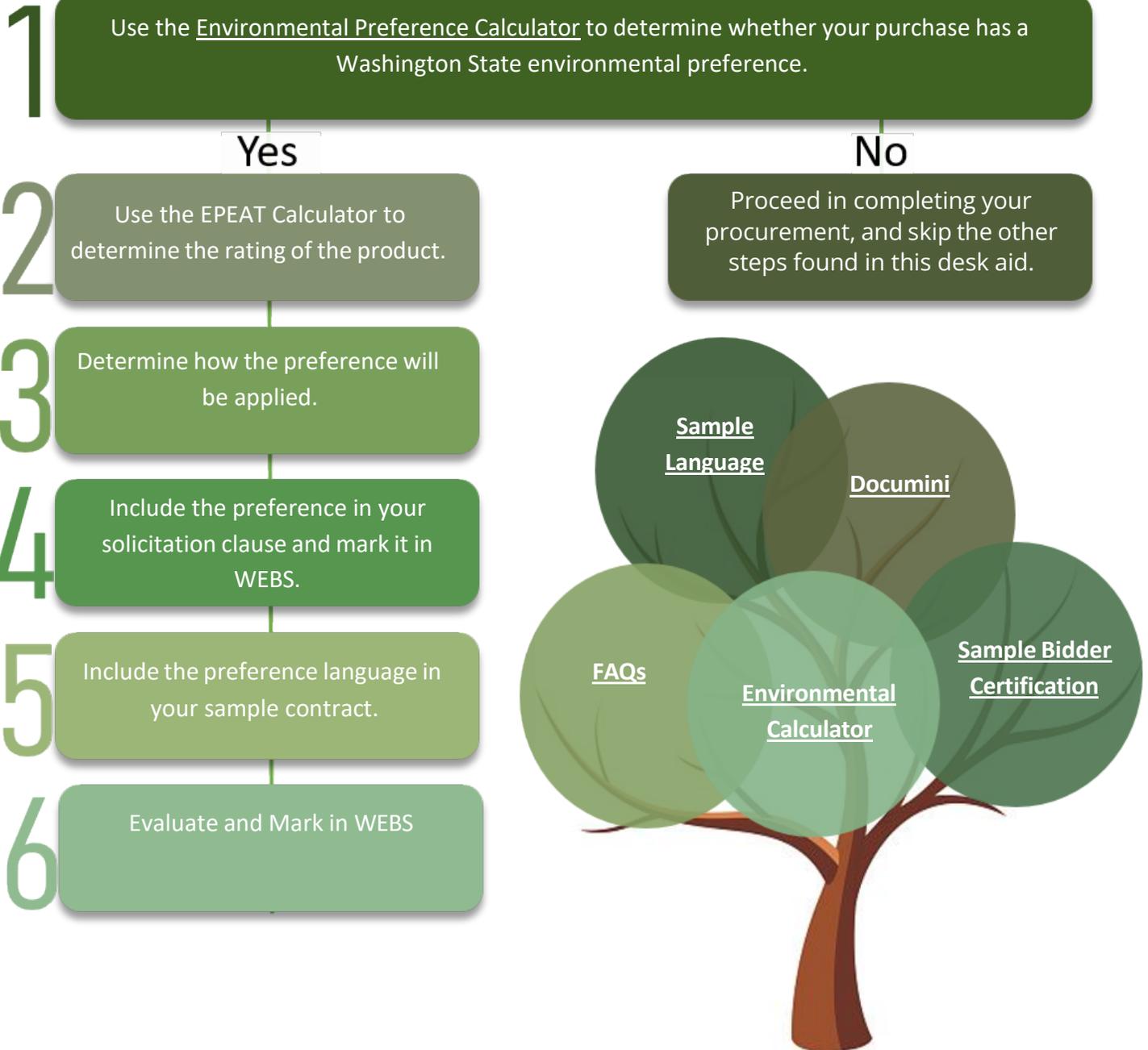




SUSTAINABLE ELECTRONICS ENVIRONMENTAL PREFERENCE (EP) DESK AID



Authorizing Sources: [RCW 39.26.265\(1\)](#) | [RCW 39.26.010\(1\)](#) | [Executive Order 20-01](#) | [POL-DES-265-00](#)

Save [this link](#) to your favorites. This document will be updated as needed and is best used online. Please avoid printing in color.



STEP 1. DETERMINE WHETHER THE PRODUCT YOU ARE PURCHASING HAS AN ENVIRONMENTAL PREFERENCE.

Use the [Environmental Risk Calculator](#) to determine whether the product you are purchasing is at risk of environmental concerns.

STEP 2. USE THE EPEAT BENEFITS CALCULATOR TO DETERMINE THE RATING OF THE PRODUCT OR PRODUCTS.

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

STEP 3. PLAN HOW THE SUSTAINABLE ELECTRONICS PREFERENCE WILL BE APPLIED. THERE ARE FOUR CONSIDERATIONS.

- A. Determine if your purchase has specific human impact, other environmental impacts, market impact, or public concerns that will affect the design of your procurement. In addition to the Environmental Preference, agencies may design their specific procurements to meet agency, market, other environmental or other needs, which may include other factors (i.e., human impact).
- B. Determine if you need to measure the environmental benefits of one or multiple items(s)
 - 1. One item: If the procurement is for a single item, and if the bidder wishes to receive the Sustainable Electronics Preference, measure the specific item using the EPEAT Benefits Calculator.
 - 2. Multiple items: If the procurement is for numerous line items (e.g., office products, multiple electronic devices), use the EPEAT Benefits Calculator to measure one or more pre-determined line items within the bid as specified within the solicitation.
For example, if the solicitation is for multiple office products, the agency could use EPEAT to measure specific items such as printers and laptops, but not the products that aren't rated by EPEAT.
- C. Determine and identify in the solicitation if the bidder must provide notification of substitute electronic products through the duration of the contract.
- D. Determine if you will give the minimum 5% preference, or if you will give a higher percentage. Determine if there will be a higher percentage for EPEAT Gold Standard than for Silver Standard?

Example #1 - One Line Item: Your agency needs to purchase 500 laptops. Following is a bid showing how you could use a cost preference of 5% for products that achieve EPEAT Silver Standard and 7% for products that achieve EPEAT Gold Standard on one line item (all 500



laptops are the same line item). Remember, you can make your Sustainable Electronics Preference higher than 5%.

Cost Preference Sample:

Product:	Notebook Computer Quantity 500 *Bid preference specified in the solicitation is 5% for EPEAT Silver Rating and 7% for EPEAT Gold Rating					
Bidder:	Unit Price	Extended Price	EPEAT RATING ²	Price Preference ³		Total Evaluated Price ¹
Bidder A:	\$899.00	\$449,500.00	Bronze	0%		\$449,500.00
Bidder B:	\$927.00	\$463,500.00	Silver	5%		\$440,325.00
Bidder C:	\$950.00	\$475,000.00	Gold	7%		\$441,750.00
Bidder D:	\$999.00	\$499,500.00	Silver	5%		\$474,525.00
Bidder E:	\$629.00	\$314,500.00	None	0%		N/A ⁴

Footnotes:

1 - Application of Price Preference in calculating Total Evaluated Price: In the example above, the Extended Price is multiplied by .95 (5% preference) or .93 (7% preference) to equal the Total Evaluated Price.

2 – EPEAT Bronze Standard is the minimum rating to be considered responsive. EPEAT Silver and Gold ratings shall receive a minimum 5% preference.

3 - The preference is applied only to those products bid that have achieved the EPEAT Silver or Gold rating/registration. Purchasers have the flexibility to offer a preference higher than 5%, but no less than 5%.

4 – Bidder E is non-responsive, as it did not meet the minimum environmental standard of EPEAT Bronze rating.

See an example bid tab for multiple line items on the following page.

Example #2- Multiple Line Items: If you require an EPEAT rating on several items in your procurement, determine how you will award the preference. Will each item receive a 5% preference if it scores an EPEAT Silver or Gold Standard rating, or will you prorate the 5% across the items requiring an environmental rating?



Bidder:	Product	Unit Price	Extended Price (200 units per product)	EPEAT RATING	Price Preference	Evaluated Price	Total Evaluated Price
Bidder A:	Notebook Computer	\$899.00	\$179,800.00	Bronze	0%	\$179,800.00	\$333,700.00
	Tablet Computer	\$810.00	\$162,000.00	Silver	5%	\$153,900.00	
Bidder B:	Notebook Computer	\$927.00	\$185,400.00	Silver	5%	\$176,130.00	\$321,530.00
	Tablet Computer	\$727.00	\$145,400.00	Bronze	0%	\$145,400.00	
Bidder C:	Notebook Computer	\$950.00	\$190,000.00	Gold	5%	\$180,500.00	\$344,660.00
	Tablet Computer	\$864.00	\$172,800.00	Gold	5%	\$164,160.00	
Bidder D:	Notebook Computer	\$999.00	\$199,800.00	Silver	5%	\$189,810.00	\$342,000.00
	Tablet Computer	\$801.00	\$160,200.00	Gold	5%	\$152,190.00	
Bidder E:	Notebook Computer	\$629.00	\$125,800.00	None	0%		NA non-responsive since notebook computer is not EPEAT rated
	Tablet Computer	\$662.00	\$132,400.00	Bronze	0%		

STEP 4: INCLUDE ENVIRONMENTAL PREFERENCE IN YOUR SOLICITATION. THIS HAS FIVE PARTS.

- A. Include an Sustainable Electronics Purpose Statement regardless of whether the product you are purchasing meets the EPEAT Bronze or higher criteria.

Sample Sustainable Electronics Purpose Statement:

All [or specified] electronic products provided under this contract must have achieved EPEAT Bronze registration or higher in the EPEAT system. The database of all products that currently meet EPEAT criteria are viewable at www.greenelectronicscouncil.org. Only products listed as Active in the online EPEAT Registry are considered to have met the EPEAT criteria.

- B. Include a statement that specifies how you will award the preference points during the evaluation.



Sample Sustainable Electronics Products Evaluation Clause:

Electronic products bid that have achieved [EPEAT Silver Standard](#) will receive YY percent preference [minimum of 5%]. Electronic products that have achieved [EPEAT Gold Standard](#) [minimum 5%] shall receive XX percent preference. If no EPEAT registered electronic product exists that meets the specific performance needs, the agency shall apply ZZ percent preference [minimum 5%] 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.

Reporting Requirements: Purchasers can use information about the number of EPEAT products they buy to calculate the associated environmental benefits and cost savings for their organization. Use the language below to require suppliers to provide information about the number of EPEAT-registered products bought under the contract.

Suppliers must provide [quarterly/semiannual/annual] reporting on the number of EPEAT registered products purchased under this contract. For each piece of equipment sold, the following information must be in the report: Product Type, number of products sold, and the EPEAT Registration Status (EPEAT Gold, Silver, Bronze, or Unregistered)

- C. Include any gradation matrix you will be using (See Examples in Step 3).
- D. Include a requirement that states that the bidder must ensure the product or products still maintain the same ratings of Silver or Gold Standard throughout the term of the contract.

When writing this requirement, consider these questions:

- What are the consequences if the product that was given preference is changed and no longer meets a Silver or Gold Standard rating during the life of the contract?
- Will the item be removed from contract until corrected?
- Will the vendor be cured/suspended/terminated due to contract performance?

- E. Include an [Sustainable Electronics Bidder Certification](#).
- F. Mark your preference in WEBS on the Manage Solicitations screen.

STEP 5: INCLUDE SUSTAINABLE ELECTRONICS LANGUAGE IN YOUR SAMPLE CONTRACT.

- A. Include language regarding Sustainable Electronics in your sample contract. An example follows:



Sample contract warranty language:

Contractor Preference – Electronic Products Meeting Environmental Performance Standards Preference: Contractor represents and warrants that, during the term of this Contract, for any product(s) for which Contractor sought and was awarded an environmental purchasing preference pursuant to RCW 39.26.265 and Washington State Procurement Policy POL-DES-265-00, such product(s) shall have achieved EPEAT Silver or Gold registration that enabled Contractor to be awarded such preference.

Notwithstanding any provision to the contrary, upon breach of warranty and Contractor’s failure to provide satisfactory evidence of compliance within thirty (30) days, Agency may suspend or terminate this Contract. The rights and remedies of the parties under this warranty are in addition to any other rights and remedies of the parties provided by law or equity, including, without limitation, actual damages, and, as applicable and awarded under the law, to a prevailing party, reasonable attorneys’ fees and costs.

- B. Include an Sustainable Electronics purpose statement regardless of whether the product you are purchasing must achieve the EPEAT Bronze registration or higher.

Sample Sustainable Electronics Purpose Statement:

All [or specified] electronic products provided under this contract must have achieved EPEAT Bronze registration or higher in the EPEAT system. The database of all products that currently meet EPEAT criteria are viewable at www.greenelectronicscouncil.org. Only products listed as Active in the online EPEAT Registry are considered to have met the EPEAT criteria.

STEP 6: RANK TESTS IN ORDER OF EPEAT RATINGS.

- A. If the bidder wishes to receive the preference, you will receive a Contractor Certification for Sustainable Electronics Preference noting the Bronze, Silver or Gold Standard rating with the bid. See [step 4.d.3](#) and the [samples section](#) of this document.
- B. If no bids are received that seek an Sustainable Electronics Preference, or if none of the bids satisfy the rating for Bronze, Silver, or Gold Standard, the agency shall evaluate and award based on best value.



Sample Language

SELECT THIS LINK FOR THE LATEST [SAMPLE ENVIRONMENTAL PREFERENCE BIDDER CERTIFICATION](#)

SAMPLE ENVIRONMENTAL ELECTRONIC PRODUCTS PURPOSE STATEMENT:

All [or specified] electronic products provided under this contract must have achieved EPEAT Bronze registration or higher in the EPEAT system. The database of all products that currently meet EPEAT criteria are viewable at www.greenelectronicscouncil.org. Only products listed as Active in the online EPEAT Registry are considered to have met the EPEAT criteria.

SAMPLE ENVIRONMENTAL ELECTRONIC PRODUCTS EVALUATION CLAUSE:

Electronic products bid that have achieved [EPEAT Silver Standard](#) shall receive YY percent preference [minimum of 5%]. Electronic products that have achieved [EPEAT Gold Standard](#) [minimum of 5%] shall receive XX percent preference. If no EPEAT registered electronic product exists that meets the specific performance needs, the agency shall apply a ZZ percent preference [minimum of 5%] 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.

Suppliers must provide [quarterly/semiannual/annual] reporting on the number of EPEAT registered products purchased under this contract. For each piece of equipment sold, the following information must be in the report: Product Type, number of products sold, and the EPEAT Registration Status (EPEAT Gold, Silver, Bronze, or Unregistered)

SAMPLE RESPONSIBLE ELECTRONIC PRODUCTS CONTRACT WARRANTY LANGUAGE:

Contractor Preference – Electronic Products Meeting Environmental Performance Standards Preference: Contractor represents and warrants that, during the term of this Contract, for any product(s) for which Contractor sought and was awarded an environmental purchasing preference pursuant to RCW 39.26.265 and Washington State Procurement Policy POL-DES-265-00, such product(s) shall have achieved EPEAT Silver or Gold registration that enabled Contractor to be awarded such preference. Notwithstanding any provision to the contrary, upon breach of warranty and Contractor's failure to provide satisfactory evidence of compliance within thirty (30) days, Agency may suspend or terminate this Contract. The rights and remedies of the parties under this warranty are in addition to any other rights and remedies of the parties provided by law or equity, including, without limitation, actual damages, and, as applicable and awarded under the law, to a prevailing party, reasonable attorneys' fees and costs.



Electronic Products Purchasing Preference Policy

FREQUENTLY ASKED QUESTIONS

1. How might agencies validate EPEAT rating?

Answer: Bidders should indicate in their bid response the EPEAT registration rating of their proposed products. Agencies can use the [EPEAT](#) website to validate the registration rating and status.

2. What products are rated by EPEAT?

Answer: The [EPEAT Registry](#) rates the following product categories: servers, computers and displays, imaging equipment, mobile phones, televisions, PCs and displays.

3. Does the EPEAT rating take into consideration Energy Star standards, PCBs, etc.?

Answer: Yes, EPEAT has incorporated Energy Star, RoHS restrictions, PCBs, labor practices, etc. in their [rating criteria](#). Therefore, if a product is rated/registered with EPEAT, there is no need to establish an additional requirement for Energy Star, RoHS, PCB preference, etc.

4. How would a purchasing entity know if there is no feasible alternative to a product containing persistent, toxic chemicals?

Answer: The Department of Ecology has designated subject matter experts as a resource to help purchasers determine if there are no feasible alternatives to a product containing persistent, toxic chemicals. Purchasers may contact Department of Enterprise Services to obtain appropriate contact information for the Department of Ecology.

5. If there is not an EPEAT or RoHS electronic product, how would a purchasing entity know what are the least hazardous materials?

Answer: The Department of Ecology has designated subject matter experts as a resource to help purchasers determine the least hazardous materials. Purchasers may contact Department of Enterprise Services to obtain appropriate contact information for the Department of Ecology.

6. What documentation to support environmental purchases is recommended?

Answer: Purchasing entities can use the EPEAT Registry to document their purchasing decisions regarding this policy and procedure. In addition, agencies will be able to use WEBS to document and track environmental preferences.

7. What are Responsible Electronics?

Answer: For the purposes of Washington State procurement, the following products are subject to this policy and training (as provided by the [EPEAT Registry](#)):

- Servers
- Computers and Displays
- Imaging Equipment
- Mobile Phones



- Televisions
- Other electronic product categories as EPEAT expands the registry's coverage.

8. Why should we be concerned about environmental preferences?

Answer: The electronics sector has multiple impacts on human health and our environment. Many electronic devices, especially TVs and computers, contain toxic materials such as lead, cadmium and mercury, as well as chemicals of concern.

As the electronics sector has grown, greenhouse gas emissions from the manufacture, use and disposal of electronics have skyrocketed. The manufacturing of IT products is an energy intensive process. According to a study by the Green Electronics Council [xii], "...[the production phase of computers] by far accounted for the largest contribution of greenhouse gas emissions, with the environmental impact from production increasing in proportion to product size." Estimated long-term risks to human health due to climate change include: increased severe weather events, extreme heat, increased rates of disease, increased air pollution, and degradation of water quality and food systems.

Other primary impacts of the IT sector include energy consumption, extraction of conflict minerals and human rights violations in the supply chain.

9. How are we exposed?

Answer: Electronic waste is one of the world's fastest growing waste streams. By buying responsible electronics and disposing of them properly at the end of life, toxic materials are kept out of the environment and valuable resources are recovered.

10. What can government and industry do?

Answer: Here is how you can move the needle on your organization's sustainability goals by using EPEAT:

Search the EPEAT Registry for free

- Explore the 4,000+ sustainable IT products on the [EPEAT Registry](#)
- Identify products you already purchase that are EPEAT-Registered
- Determine if you are purchasing [bronze, silver or gold-rated products](#)

Require your vendors to provide EPEAT-Registered products

- Work with vendors to identify cost-saving EPEAT-Registered products
- Download model [policy](#) and [contract language](#)
- Specify EPEAT in purchasing contracts, including WA state master contracts
- Require vendors to report on EPEAT-Registration status for all sales

Get Recognized as an EPEAT Purchaser

- Sign the [EPEAT Pledge](#)
- Apply for an [EPEAT Purchaser Award](#)
- Access additional [Purchaser Guidance](#)
- [Ask questions](#)

Track and measure progress

- Use [our free guidance](#) on including EPEAT purchases in GRI and CDP reports
- [Calculate cost-savings](#)



Calculate environmental benefits

11. To whom does this policy apply?

Answer: 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](#)).

12. What are the Authorizing sources?

Answer:

[RCW 39.26.265\(1\)](#)

[RCW 70.76.030](#)

[RCW 39.26.010\(1\) Definitions](#)

[Executive Order 04-01](#)

[Executive Order 20-01](#)

13. What is the effective date of the policy?

Answer: Please review the policy here: [Electronic Products Purchasing Preference - DES-265-00 | Department of Enterprise Services \(DES\) \(wa.gov\)](#)

14. Question: When do I have to complete the training?

Answer: 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 provided by DES available in the [Learning Center](#) (LC).
- 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.

CONTACTS & RESOURCES

Contact DES Customer Service, (360) 360-407-2210 or email Contractingandpurchasing@des.wa.gov.

- Questions about providing the Sustainable Electronics Preference during procurement
- The ratings of Sustainable Electronics within Master Contracts