

Executive Order No. 4 (2008)

Establishing a State Green Procurement and Agency Sustainability Program

WHEREAS, the State of New York ("State") is dedicated to the simultaneous pursuit of environmental quality, sound public health, economic prosperity and social well-being; and

WHEREAS, the production, use and disposal of materials, and the generation and use of energy, can have significant impacts on environmental quality and public health; and

WHEREAS, State government is a major consumer of materials and energy; and

WHEREAS, the State's policies include conserving, improving and protecting natural resources and the environment; preventing water, air and land pollution; and enhancing the health, safety and welfare of State residents and their overall economic and social well-being; and

WHEREAS, it is the State's policy to promote cost effective methods to reduce energy and resource consumption, and reduce or eliminate the use of hazardous substances and the generation of hazardous substances, pollution and waste at the source; and

WHEREAS, the State's solid waste management priorities include reducing the generation of solid waste, reusing materials, and recycling materials that cannot be reused; and

WHEREAS, by making sound choices in the course of their daily activities, such as the commodities, services, and technology they consume, and the amount of waste they generate, State agencies and public authorities can minimize potential environmental and health impacts on workers and the public; and

WHEREAS, the State's procurement of commodities, services and technology can be enhanced through State agency and public authority choices that minimize the potential environmental and health impacts of their activities; and

WHEREAS, State government can be a leader in environmental stewardship through the use of green procurement and sustainable management practices.

NOW, THEREFORE, I, DAVID A. PATERSON, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and laws of the State of New York, do hereby order as follows:

A. Definitions

- 1. "State agency" or "agency" shall mean any State agency, department, office, board, commission or other instrumentality of the State, other than a public authority.
- 2. "Public authority" or "authority" shall mean a public authority or public benefit corporation created by or existing under any State law, a majority of whose members is appointed by the Governor (including any subsidiaries of such public authority or public benefit corporation), other than an interstate or international authority or public benefit corporation.

B. Interagency Committee on Sustainability and Green Procurement

- 1. There is hereby established an Interagency Committee on Sustainability and Green Procurement (the "Committee"). The Committee shall be comprised of the Director of the Budget, the Commissioner of General Services, the Commissioner of Environmental Conservation, the Commissioner of Health, the Commissioner of Economic Development, the President of the Urban Development Corporation, the Commissioner of Transportation, the President of the Environmental Facilities Corporation, the President of the New York State Energy, Research and Development Authority, the Chair of the Power Authority of the State of New York, and the Executive Director of the Dormitory Authority of the State of New York. The Commissioner of General Services and the Commissioner of Environmental Conservation shall serve as co-chairs of the Committee.
- 2. Members of the Committee may designate an executive staff member to represent them and participate on the Committee on their behalf. A majority of the members of the Committee shall constitute a quorum, and all actions and recommendations of the Committee shall require approval of a majority of the total members of the Committee.

C. Green Procurement Lists and Specifications

- 1. The Committee, no later than September 1, 2008, and annually thereafter, shall select a minimum of three "priority categories" of commodities, services or technology, and at least twelve "priority commodities, services and technology" within each of the priority categories, for which the Committee shall develop "green procurement lists" ("procurement lists") and "green procurement specifications" ("procurement specifications") for use by State agencies and public authorities in the procurement of commodities, services and technology. The Committee shall focus on commodities, services and technology that reasonably will: (a) reduce or eliminate the health and environmental risks from the use or release of toxic substances; (b) minimize risks of the discharge of pollutants into the environment; (c) minimize the volume and toxicity of packaging; (d) maximize the use of recycled content and sustainably managed renewable resources; and (e) provide other environmental and health benefits.
- 2. The Committee, no later than December 1, 2008, shall develop: (a) procurement specifications to be used for the development and issuance of new contracts and new solicitations for priority commodities, services and technology; and (b) procurement lists of priority commodities, services and technology that are available under existing procurement arrangements that satisfy the requirements of this order.
- 3. In developing the procurement lists and procurement specifications, the Committee shall consider the following factors: (a) protection of the public health and the environment, including the health of children and other vulnerable populations; (b) avoidance of risks from the use or release of toxic substances; (c) pollution reduction and prevention; (d) sustainable resource management and use, and sustainable manufacturing and production processes; (e) reduction of greenhouse gases; (f) the use of renewable resources, remanufactured components and recycled content; (g) waste reduction, recyclability and compostability; (h) quality, durability and utility; (i) minimizing adverse impacts throughout a commodity's or technology's life cycle; (j) cost; (k) extended producer liability; and (l) legal and regulatory requirements applicable to the use and procurement of commodities, services and technology.
- 4. The Committee may review the priority categories, priority commodities, services and technology, procurement lists and procurement specifications periodically and revise or supplement them as appropriate in a manner consistent with the requirements of this section.
- 5. The Committee shall establish specific goals to achieve reasonable reductions in the amount

of solid waste generated and paper consumed annually by State agencies and authorities. The Committee shall also develop and implement strategies to assist State agencies and authorities to achieve such reduction goal

D. Sustainability and Environmental Stewardship Programs

- 1. Each State agency and authority shall develop and implement a Sustainability and Environmental Stewardship Program, which shall include:
 - (a) specific projects, programs and policies designed to achieve compliance with the requirements of this Order; and
 - (b) specific projects, programs and policies designed to reduce the public health and environmental impacts of the activities and operations of the agency or authority, including: (i) the reduction or elimination of the use and generation of toxic substances, pollution and waste; (ii) the reduction, reuse, recycling and composting of solid waste; (iii) increasing energy efficiency; (iv) increasing the use of renewable energy sources; (v) conserving water and other natural resources; and (vi) maximizing the use of environmentally preferable or "green" commodities, services and technology.
- 2. Commencing no later than July 1, 2008, all copy paper, janitorial paper and other paper supplies purchased by each State agency or authority shall be composed of 100% post-consumer recycled content to the maximum extent practicable, and all copy and janitorial paper shall be process chlorine-free to the extent practicable, unless such products do not meet required form, function or utility, or the cost of the product is not competitive.
- 3. Commencing no later than July 1, 2008, all State agency and authority publications shall be printed on 100% post-consumer recycled content paper. Where paper with 100% post-consumer recycled content is not available, or does not meet required form, function and utility, paper procurements shall use post-consumer recycled content to the extent practicable. Non-recycled content shall be derived from a sustainably-managed renewable resource to the extent practicable, unless the cost of the product is not competitive.
- 4. State agencies and authorities shall rely on and use the procurement lists and specifications issued by the Committee when developing new solicitations and contracts for the procurement of commodities, services and technology, and for the procurement of commodities, services and technology under existing contracts, unless the head of the agency or authority determines: (a) that such commodities, services or technology will not meet required form, function or utility; (b) the cost of the commodities, services or technology is not competitive; or (c) there is an emergency or other compelling public health or safety reason not to purchase such commodities, services or technology. Such form, function, utility or other determination shall be presented in the procurement record, and notice of the determination shall be provided to the Committee Chairs.
- 5. All State agencies and authorities shall, to the extent practicable: (a) implement effective programs to source separate recyclable materials, including paper, metal, glass and plastic, that will maximize materials recovery; (b) implement effective programs to reduce waste; (c) use locally available compost, mulch and soil amendments produced from secondary materials; and (d) utilize secondary materials in construction.

E. Training and Staff

State agencies and authorities, no later than September 1, 2008, shall assign an employee
to serve as a Sustainability and Green Procurement Coordinator ("Coordinator").
Coordinators shall be given full management support and provided with the necessary

resources to enable the agency or authority to comply with this order.

- 2. The Committee shall design and implement training and outreach programs for Coordinators and assist them with the training of appropriate staff, vendors and contractors.
- 3. The Commissioner of General Services, no later than September 1, 2008, shall select an employee to serve as Director of Green Procurement, who shall assist the Commissioner of General Services in carrying out his or her duties under this order
- 4. The Office of General Services, the Department of Environmental Conservation, the Environmental Facilities Corporation, and the New York State Energy Research and Development Authority are authorized to assist State agencies and authorities in complying with this order, including through the development and implementation of Sustainability and Environmental Stewardship Programs.

F. Reporting

- 1. The Committee, no later than December 1, 2008, shall develop a format for a progress report to be used by State agencies and authorities to inform the Committee of: (a) the progress each agency and authority has made toward achieving the goals described in or established pursuant to this order; (b) the effectiveness of the procurement lists and specifications; and (c) the specific sustainability projects that have been implemented and the effectiveness of such programs.
- 2. Each State agency and authority, no later than March 1, 2009, and on March first each year thereafter, shall submit a progress report to the Committee in the form and containing the information specified by the Committee. At a minimum, such report shall describe the agency or authority's efforts regarding waste reduction and recycling activities, recycled products procurement, quantities of waste generated and materials recycled, incentives and disincentives to waste reduction and recycling, and recommendations for additional measures to encourage efficient use of the State's resources.
- 3. The Committee, on or before June 1, 2009, and on June first each year thereafter, shall submit a report to the Governor, which shall compile the information submitted by State agencies and authorities pursuant to this section and report on progress made on the implementation of this order.
- G. Sustainability and Green Procurement Advisory Council

There is hereby established a Sustainability and Green Procurement Advisory Council ("Council"), which shall consist of 11 members appointed by the Governor who have experience in the fields of green procurement, public health, waste prevention and recycling, energy efficiency, workplace safety, labor relations, environmental protection, environmental justice, or chemical manufacturing. The Governor shall select a Chair of the Council from among its members. The Council shall meet at the times requested by the Committee and provide such advice and assistance as the Committee may require.

H. Miscellaneous

- 1. Every agency and public authority of this State shall furnish such information and assistance as the Committee determines is reasonably necessary to accomplish its purposes.
- 2. Executive Order 142, issued on January 16, 1991, is hereby revoked and superseded by this Executive Order.

Given under my hand and the Privy Seal of the State in the City of Albany this twenty-fourth day of April in the year two thousand eight.

David A. Paterson

Governor

Charles O'Byrne Secretary to the Governor

New York State Contract #	
Contractor	

THE NEW YORK STATE OFFICE OF GENERAL SERVICES

CENTRALIZED CONTRACT FOR THE ACQUISITION OF

MICROCOMPUTER SYSTEMS AND RELATED SERVICES

operated exclusively on ULSD by February 12, 2007. It also requires that such vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities with more than half of its governing body appointed by the Governor utilize BART.

As a contract vendor the Law may be applicable to vehicles used by contract vendors "on behalf of" State agencies and public authorities. Thirty-three percent (33%) of affected vehicles must have BART by December 31, 2008, sixty-six percent (66%) by December 31, 2009 and one-hundred percent (100%) by December 31, 2010. The Law provides a list of exempted vehicles. Regulations currently being drafted will provide further guidance as to the effects of the Law on contract vendors using heavy duty diesel vehicles on behalf of the State. The Law also permits waivers of ULSD and BART under limited circumstances at the discretion of the Commissioner of Environmental Conservation. The Law will also require reporting from State agencies and from contract vendors in affected contracts.

Therefore, the bidder hereby certifies and warrants that all heavy duty vehicles, as defined in NYECL §19-0323, to be used under this contract, will comply with the specifications and provisions of NYECL §19-0323, and any regulations promulgated pursuant thereto, which requires the use of BART and ULSD, unless specifically waived by NYSDEC. Qualification and application for a waiver under this Law will be the responsibility of the bidder.

17. ENVIRONMENTAL ATTRIBUTES AND NYS EXECUTIVE ORDER 4:

New York State is committed to environmental sustainability and endeavors to procure products with reduced environmental impact. One example of this commitment may be found in Executive Order No. 4 (Establishing a State Green Procurement and Agency Sustainability Program), which imposes certain requirements on state agencies, authorities, and public benefit corporations when procuring commodities, services, and technology. More information on Executive Order No. 4, including specifications for offerings covered by this Contract, may be found at http://www.ogs.state.ny.us/EO/4/Default.asp. The Executive Order No. 4 specification for desktop and laptop computers adopted in October 2008, for example, requires EPEAT (Electronic Product Environmental Assessment Tool) registration, and references other considerations such as trade-in, recycling and use of certain flame-retardant chemicals. State entities subject to Executive Order No. 4 are advised to become familiar with the specifications that have been developed in accordance with the Order, and to incorporate them, as applicable, when making purchases under this Contract. State entities subject to Executive Order No. 4 are further advised to utilize the EPEAT website (http://www.epeat.net/) and search tool to identify products that meet their needs and satisfy their obligations under the Order.

18. USE OF RECYCLED OR REMANUFACTURED MATERIALS:

New York State supports and encourages vendors to use recycled, remanufactured or recovered materials in the manufacture of products and packaging to the maximum extent practicable without jeopardizing the performance or intended end use of the product or packaging unless such use is precluded due to health or safety requirements or product specifications contained herein. Refurbished or remanufactured components or products are required to be restored to original performance and regulatory standards and functions and are required to meet all other requirements of this bid solicitation. Warranties on refurbished or remanufactured components or products must be identical to the manufacturer's new equipment warranty or industry's normal warranty when remanufacturer does not offer new equipment. See "Remanufactured, Recycled, Recyclable or Recovered Materials" in Appendix B, OGS General Specifications

19. BULK DELIVERY AND ALTERNATE PACKAGING:

New York State encourages the use of innovative packaging that reduces the weight of packaging and the generation of packaging waste. A bidder/contractor is encouraged to use reusable materials and containers and to utilize packaging configurations that take advantage of storage containers designed to be part of the product for the shipment of multi-unit purchases. New York State recognizes that these packaging methods are in the development stage and may not be currently available. Authorized Users are urged to inquire about these programs at the time of purchase and determine the best solution for their needs.

20. TAKE-BACK/RECYCLING:

- A. A State agency is reminded of its obligation to comply with the NY State Finance Law §§167 and 168 regarding surplus property redistribution before utilizing take-back, recycling, or other options for disposition of computer equipment that is still in operable condition. These provisions require donation of usable computer equipment to State Education Department (or other state agencies) prior to declaration of equipment as surplus or waste.
- B. If an Authorized User avails itself of a Contractor's take back/recycling program, then Contractor shall provide certification of data destruction from hard drives if surrendered with the machines. Contractor shall not require an Authorized User to surrender the hard drive, as an Authorized User may wish to retain the hard drive for security purposes. Contractor shall advise the Authorized User in advance if the retention of the hard drive results in additional fees or reduction in trade-in value.

14

Desktop and Laptop Computers

Specifications for

Computers

Covered Products:

For the purposes of this category, computers include both stationary and portable units, including desktop computers, notebook (which includes laptops) computers, and Tablet PCs. Although computers must be capable of using input devices and displays, computer systems do not need to include these devices on shipment to meet this definition.

Definitions:

Computer: means a computer <u>central processing unit (CPU)</u> and, where attached to a CPU, such computer cases, computer memory, cards and other peripheral devices as may reasonably be viewed functionally as one unit. (As defined in State Finance Law Article XI, Section 168, General definitions 1a.)

Desktop Computer: A computer where the main unit is intended to be located in a fixed location, often on a desk or on the floor. Desktops are not designed for portability and utilize an external monitor (although some more modern systems offer integrated systems which incorporated the CPU, monitor and devices in a single unit), keyboard, and mouse. Desktops are designed for a broad range of office applications including, email, web browsing, word processing, standard graphics applications, etc.

Flame Retardants (FRs): are chemicals added to products containing plastics and/or other synthetic materials to inhibit ignition and the spread of flames.

Notebook and Tablet Computers: A computer designed specifically for portability and to be operated for extended periods of time without a direct connection to an AC power source. Notebooks and tablets must utilize an integrated monitor and be capable of operation off an integrated battery or other portable power source. In addition, most notebooks and tablets use an external power supply and have an integrated keyboard and pointing device, though tablets use touch-sensitive screens. Notebook and tablet computers are typically designed to provide similar functionality to desktops except within a portable device.

Standard Setting and Certification Programs:

Various national and international standards apply to computer products. They are defined here as a guide.

Restriction of Hazardous Substances (RoHS) Directive – A European Parliament and Council Directive restricts the use of certain hazardous substances in electrical and electronic equipment. It bans the placing for sale on the EU market of new electrical and electronic equipment containing more then agreed levels of lead, cadium, mercury, hexavalent chromium, polybrominated biphenyl (PBB) and polybrominated diphenyl ether (PBDE) flame retardants.

For additional information on RoHS please visit http://www.rohs.gov.uk/

ENERGY STAR® - is a voluntary energy efficiency program sponsored by the U.S. Environmental Protection Agency. The ENERGY STAR® program makes identification of energy efficient computers easy by labeling products that deliver the same or better performance as comparable models while using less energy and saving money. ENERGY STAR® qualified computers and monitors automatically power down to 15 watts or less when not in use and may actually last longer than conventional products because they spend a large portion of time in a low-power sleep mode. For additional information on the ENERGY STAR® program, including product specifications and a list of qualifying products, visit the ENERGY STAR® website at http://www.energystar.gov.

Electronic Product Environmental Assessment Tool (EPEAT) – EPEAT is a system to help purchasers in the public and private sectors evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes through a set of performance criteria for the design of products. The EPEAT

website registry includes products that have been declared by their manufacturers to be in conformance with the environmental performance standard for electronic products - IEEE 1680- 2006. Three of the 23 EPEAT required criteria are that the registered computers must be ENERGY STAR®, are in compliance with provisions of European RoHS Directive, and PC manufacturers have provisions of product take-back service. For additional information on EPEAT please visit the EPEAT site at http://www.epeat.net/

Specifications:

Environmental Performance:

All Desktop, Notebook, and Tablet PCs shall be registered Electronic Product Environmental Assessment Tool (EPEAT) Silver or better in the EPEAT registration system and meet or exceed all of the following 6 optional EPEAT criteria for standard configuration and standard option form factors:

- 4.1.2.1 Elimination of intentionally added cadmium
- 4.1.5.1 Elimination of intentionally added hexavalent chromium
- 4.1.6.2 Large plastic parts free of certain flame retardants classified under European Council Directive 67/548/EEC
- 4.1.7.1 Batteries free of lead, cadmium and mercury (not applicable for Monitors)
- 4.1.8.1 Large plastic parts free of PVC
- 4.8.2.2 Packaging 90% recyclable and plastics labeled

This standard includes the requirements of RoHS, ENERGY STAR®, and Energy Law, Article 5, Section 5-108a.

Note: All Desktop and Notebook PCs purchased through OGS' Aggregate PC Purchase Initiative are registered EPEAT Silver or better in the EPEAT registration system, and meet the above listed criteria. The Desktop PC-Business Class category is registered as EPEAT Silver and meets or exceeds numerous optional EPEAT criteria for standard configurations and standard option form factors. This enables NY State and Local Government to maximize Environmental Preferred Purchasing considerations by acquiring PCs that meet or exceed industry standards for energy efficiency and environmental concerns.

Affected entities not using the Aggregate PC Purchase Initiative are encouraged to purchase PCs which meet the EPEAT Gold standard and the 6 optional criteria listed above plus:

• 4.8.3.2 Minimum postconsumer content guidelines

Bulk Delivery and Alternate Packaging:

New York State encourages the use of innovative packaging that reduces the weight of packaging and the generation of packaging waste. Bidders/contractors are encouraged to use reusable materials and containers and to utilize packaging configurations that take advantage of storage containers designed to be part of the product for the shipment of multi-unit purchases. New York State recognizes that these packaging methods are in the development stage and may not be currently available. Companies are urged to consider more of these options, and state contractors are urged to offer these services as part of their contract price list. Authorized users are urged to inquire about these programs when purchasing computers and determine the best solution for their needs.

Take-Back / Recycling*:

When replacing equipment, affected entities should work with the contractor during the purchasing process to evaluate available trade-in options, regardless of manufacturer. Contractors are required to offer programs that include take-back or trade-in, and proper environmental disposal of equipment (including equipment manufactured and sold by others).

State agencies are reminded to follow the NY State Finance Law § 167 regarding surplus property redistribution before utilizing take-back, recycling, or other options for disposition of any units that are still in operable condition. This standard requires donation of usable equipment to education (or other state agencies) prior to declaration of equipment as surplus or waste.

Affected entities are reminded to receive certification of data destruction from hard drives if surrendered with the machines; or, if for security purposes you are required to keep the hard drive, to negotiate this with the contractor as there may be additional fees or trade-in value reductions associated with retaining the hard drive.

If units are being transferred for disposition, a record of each disposition shall be retained by the affected entity. Documentation shall be provided to the affected entity demonstrating that these products have been disposed of in environmentally sound manner in compliance with applicable local, state and federal laws. The contractor or disposing entity shall provide assurance to the affected entity that all exports of used electronics collected for reuse, recycling or disposal will be in compliance with the laws of the importing country.

*Note: One of the criteria for EPEAT certification is:

"The marketing and sale to institutions of all covered products shall include the option to purchase, at a competitive price, a take-back or recycling service that meets the U.S. EPA environmental standard defined in the "Plug-In to eCycling Guidelines for Materials Management published May 2004."

Disclosure of Flame Retardants in Computers:

NYECL §37-0111 recognizes that brominated flame retardants constitute substances hazardous to the environment, and prohibits any person to manufacture, process or distribute in commerce a product, or a flame-retardant part of a product, containing more than one-tenth of one per centum of pentabrominated diphenyl ether (pentaPBDE) or octabrominated diphenyl ether (octaPBDE), by mass. Brominated flame retardants are a class of halogenated flame retardants. Because New York State Executive Order No. 4 mandates ongoing development of lists and specifications for the procurement of commodities, services and technology that reasonably will reduce or eliminate the health and environmental risks from the use or release of toxic substances, bidders responding to solicitations are encouraged to disclose all flame retardants used in the products offered, including but not limited to penta, octa or decaPBDE and submit with their response a description of their efforts, if any, to utilize non-halogenated or other flame retardant compounds and/or design strategies that reduce the need to utilize flame retardant compounds. In addition, bidders are encouraged to offer products that meet flame retardancy standards or flammability requirements without added flame retardants with particular attention to halogenated flame retardants. Voluntary responses received will be forwarded to the Executive Order No. 4 Interagency Committee on Sustainability and Green Procurement for informational purposes to enable its periodic review and supplementation of green procurement lists and specifications for use by New York State Agencies and Authorities.





PURCHASING DEPARTMENT

STATE UNIVERSITY OF NEW YORK **COLLEGE AT GENESEO**

SUPERSEDES NO .:

POLICY NO.: P-190

PAGE NO.: 1 of 5

SUBMITTED BY: Rebecca E. Anchor

EFFECTIVE DATE: January 2, 2008

TITLE: Flammability and Energy Conservation Standards

FLAMMABILITY AND ENERGY CONSERVATION STANDARDS

PURPOSE

The purpose of this procedure is to provide guidance for compliance with DASNY (Dormitory Authority of the State of New York) fire safety and flammability requirements and compliance with applicable energy conservation standards.

11. SCOPE

The scope of this policy applies to all aspects of the state purchasing functions throughout the University.

PROCEDURE III.

See DASNY procedures for flammability and energy conservation dated 06/25/02 herein on the following pages.



Office of Procurement - Purchasing

Procedures

Flammability and Energy Conservation Standards (Revised 06/25/02)

<u>Purpose</u>

The purpose of this procedure is to provide guidance for compliance with DASNY fire safety and flammability requirements and compliance with applicable energy conservation standards.

Flammability Procedure

The procedure applies to all upholstered furniture, mattresses, draperies and similar items constructed of fabric that are purchased by DASNY. These requirements are as follows:

- <u>Upholstered Furniture</u>: CAL (California Technical Bulletin) 117, a test of the filling materials and fabrics used in the manufacturing of upholstered furniture, or CAL 133, a composite test that assesses the fire retardant properties of all furniture components after assembly.
- Mattresses: CAL 129, US Government Standard FF-4-72 (pursuant to 16 CFR part 1632) and Boston Fire Code BFD IX-11, composite tests specifically referring to the fire retardant properties of all mattress components after assembly.
- Box Springs United States Government Standards for flammability of mattresses FF-4-72 (pursuant to 16 CFR part 1632).
- <u>Drapery Panels and Fabrics</u>: NFPA 701, a component test of all fabric.
- Accordion Fold Doors: Class B or Class C flame spread rating as determined by tests conducted in accordance with ASTM E84/NFPA 255. Whether the Class B or Class C standard will be used is dependent upon the occupancy; consult Code Compliance prior to commencing the procurement.
- Reupholstered Furniture Filling Materials CAL 117

These requirements are in effect for all purchases made by the Dormitory Authority, regardless of the intended use of the facility where the commodity is to be used.

Energy Conservation Procedure

The procedure applies to all energy-using products and appliances that are purchased by the Authority. The procedure will assure compliance with existing regulations, including NYS Executive Order #111 and NYS Energy Law §5-108-a. Executive Order #111 requires the use of Energy Star® products, when available. NYS Energy Law §5-108-a empowers the New York State Energy Research and Development Authority (NYSERDA) to set minimum energy standards for several specific groups of equipment, including, but not limited to: fluorescent lamp ballasts, central air conditioners, room air conditioners, package terminal air conditioners, heat pumps, electric motors, refrigerators, freezers, refrigerator-freezers, water heaters, lamps, luminaries, dishwashers, clothes washers, clothes dryers, furnaces, boilers, and chillers.





Office of Procurement - Purchasing

Procedures

Flammability and Energy Conservation Standards (Revised 06/25/02)

Units Involved

Purchasing
Interior Design
Project Management
Code Compliance
DASNY Clients
Outside Design Consultants
Outside Architects
Outside Vendors
New York State Energy Roses

New York State Energy Research and Development Authority (NYSERDA)

Procedure

Flammability Standards

- At the commencement of a project, the Interior Designer, Purchasing Coordinator (PC) and/or the Assistant Purchasing Coordinator (APC) shall outline DASNY flammability requirements with respect to upholstered furniture, mattresses, draperies and fabrics to the client. When an outside architect and/or an outside design consultant are employed, they also will be briefed on these requirements. The additional expense shall be discussed, as well as the safety and risk management issues involved.
- 2) DASNY Interior Design or an outside design consultant shall only specify items that meet the approved DASNY flammability requirements.
- The PC or APC shall assure that all IFBs and request for quotations include a statement that clearly delineates the fire safety and flammability testing requirements. The statement shall, at a minimum, appear as a notation, in a bold font, at the beginning of the detailed specifications portion of the IFB. Requests for quotations shall contain a clear statement as to the flammability requirements on the quotation request form (if one is utilized). Note that while it is unlikely that applicable items would be procured pursuant to a RFP, similar disclosures and requirements are applicable should the situation arise.
- 4) Items procured via a NYS Office of General Services Contract that have been identified by OGS in the contract as meeting fire safety standards, shall not be subject to further certification documentation by DASNY. The PC or APC shall, however, request this information from the company, should it be required by the client or should it be deemed necessary for any other reason. Items purchased through other centralized contracts shall have to meet the same documentation standards outlined in this procedure.
- 5) The PC or APC will direct any questions regarding applicable tests for a particular item to the DASNY Code Compliance Unit.
- 6) Vendors submitting pricing on covered items shall be required to supply a manufacturer's statement on company letterhead certifying that the goods being furnished meet or exceed any



Office of Procurement - Purchasing Procedures

Flammability and Energy Conservation Standards (Revised 06/25/02)

and all applicable flammability standards. Bids failing to include this statement from the manufacturer may be considered incomplete and non-responsive. Quotations must include a statement from the vendor submitting the quote, that the goods meet the applicable flammability standard. The successful vendor must provide a manufacturer's statement to the same effect prior to the issuance of a purchase order.

- 7) DASNY reserves the right to request bidders to submit certification and documentation from an independent testing laboratory that the subject items meet the applicable standards.
- 8) In the event that CAL 133 is required and a bidder submits pricing on an item for which the components have passed flammability testing, but the composite item itself has not been tested, the manufacturer shall have thirty (30) days from a request by DASNY to fabricate and test the composite item and submit an independent laboratory statement certifying the results.
- 9) Should any question arise as to the validity, appropriateness or the specific results of any laboratory test, the PC or APC shall consult the DASNY Code Compliance Unit and advise the Chief of Purchasing and Interior Design (CPID) of the status and outcome of the situation.
- 10) All certifications and related documentation received, in accordance with this policy, shall be maintained with the procurement record. A copy of the certification(s) and documentation will be transmitted to the facility at the time of the award of the procurement, or as soon thereafter as practical. A copy of the transmittal letter will be maintained in the procurement record.

Energy Conservation Standards

- In compliance with NYS Executive Order #111, all energy-using equipment shall be Energy Star® rated unless there is no product with an Energy Star® label that meets the need that is being addressed through the procurement. The PC or APC will utilize the Energy Star® website (http://www.energystar.gov/products/) or accessible printed materials in determining the availability of Energy Star® products.
- Pursuant to NYS Energy Law §5-108-a, the NYS Energy Research and Development Authority (NYSERDA) has been charged with developing minimum efficiency standards for specific groups of energy-using products and appliances. The Chief of Purchasing and Interior Design shall disseminate information relative to these standards as they take effect and they shall be included as an appendix to this procedure. All equipment purchased by DASNY shall meet or exceed any standard set by NYSERDA.
- 3) Should any standard set by NYSERDA exceed Energy Star®, the standard set by NYSERDA in accordance with NYS Energy Law shall prevail.

Instructions



Office of Procurement - Purchasing

Procedures

Flammability and Energy Conservation Standards (Revised 06/25/02)

- Nothing contained in this procedure shall prevent or discourage a client from requesting that items be specified to exceed standards that are referenced in this procedure.
- Any client that requests DASNY to issue an "in-house" purchase order or designates a vendor for any commodity that falls within the scope of this procedure shall certify to DASNY, in writing, that the commodity meets the flammability contained herein.
- All upholstered furniture will be required to meet the CAL 117 flammability testing standard. If the facility in which the furniture is to be located is not fully sprinklered, then the upholstered furniture must meet the flammability requirements of CAL 133.
- For the purposes for this procedure, the following shall not be considered as upholstered furniture: a) furniture that is procured solely for outdoor use; b) furniture procured solely for exercise purposes (e.g., weightlifting benches, vaulting horses); and c) furniture containing less than one-half inch of stuffing material where the horizontal and vertical surfaces do not meet.
- Reupholstered furniture shall be constructed using filling materials that meet the CAL 117 standards.
- The above referenced thirty (30) day laboratory test deadlines may be extended for a reasonable period of time at the sole discretion of DASNY, should the circumstances warrant an extension. The decision to grant an extension can be made by the PC or APC. Factors to be considered include, but are not limited to, the complexity of the testing, the availability and workloads of laboratories for the testing, the time required to assemble a sample item for composite testing, the vigilance of the potential vendor in attempting to secure the test, the project schedule, etc.
- DASNY reserves the right to request copies of test reports directly from the laboratories that perform them.
- The cost of testing will be borne by the bidder or potential vendor. Should a situation arise whereby it is determined that it would be impractical to require a vendor to bear the cost of testing, the Authority may elect to reimburse the testing expense to the vendor.
- In situations where it is impractical to provide each facility with a copy of certifications and documentation related to this procedure (i.e., repetitive purchases for various facilities pursuant to term contracts), the certifications and documentation shall be filed with the procurement record and made available to any affected facility upon request.

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Desktop Computers

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UL Environment	10/13/2015 Active	1 Flat Panel	21 6.		United Star Integrated Desk *			14609
EPEAT (Green Electronics Council)	6/12/2013 Active	6 Flat Panel 21.5	25	sk Product is in Gold	United Sta ⁻ Integrated Desk Product is	HP Pro 600 G1 All-in-One Business PC () Hewlett-Packard	. HP Pro	10462
EPEAT (Green Electronics Council)	1/7/2014 Active	6 Flat Panel 19.5 in	23	sk Product is in Gold	United Sta Integrated Desk Product is in	HP Pro 400 G1 AIO Business PC (19.5†Hewlett-Packard	HP Pro	11674
EPEAT (Green Electronics Council)	3/11/2014 Active	· 6	23	sk Product is in Gold	United Sta Integrated Desk Product is in	HP Pro 400 G1 AIO Business PC (21.5†Hewlett-Packard	HP Pro	11903
EPEAT (Green Electronics Council)	6/9/2014 Active	6 Flat Panel 23 in	22	sk Product is in Gold	United Star Integrated Desk Product is in	HP Pro 400 G1 23-inch Non-Touch AiO (Hewlett-Packard	HP Pro	12202
EPEAT (Green Electronics Council)	1/13/2014 Active	6	21	sk Product is in Gold	United Star Integrated Desk Product is in	HP Pav 22 TouchSmart All-in-One PC (El Hewlett-Packard	HP Pav	11686
EPEAT (Green Electronics Council)	1/13/2014 Active	6	. 21	sk Product is in Gold	United Star Integrated Desk Product is in	HP Pav 21 TouchSmart All-in-One PC (El Hewlett-Packard	. HP Pav	11685
EPEAT (Green Electronics Council)	1/13/2014 Active	6	21		United Sta Integrated Desk Product is in	HP Pav 23 All-in-One PC (ENERGY STAR) Hewlett-Packard	HP Pav	11684
EPEAT (Green Electronics Council)	1/16/2014 Active	6 Flat Panel 23	21	sk Product is in Gold	United Sta Integrated Desk Product is in	HP Pav 23 TouchSmart All-in-One PC (Ef Hewlett-Packard	HP Pav	11731
EPEAT (Green Electronics Council)	9/5/2013 Active	6 Flat Panel 23	21	k Product is in Gold	United Star Integrated Desk Product is in	HP Env TouchSmart 23se All-in-One PC (Hewlett-Packard	HP Env	10936
EPEAT (Green Electronics Council)	9/5/2013 Active		22	k Product is in Gold	United Star Integrated Desk Product is in	HP Env Recline23 TouchSmart Beats SE . Hewlett-Packard	HP Env	10942
EPEAT (Green Electronics Council)	9/5/2013 Active	6 Flat Panel 27 in	22		United Sta ⁻ Integrated Desk Product is in	HP Env TouchSmart 27 All-in-One PC (E) Hewlett-Packard	HP Env	10935
EPEAT (Green Electronics Council)	6/23/2014 Active	6 Flat Panel 23	21	k Product is in Gold	United Star Integrated Desk Product is in	HP Env Beats All-in-One PC (ENERGY ST/ Hewlett-Packard	HP Env	12328
EPEAT (Green Electronics Council)	5/16/2014 Active	6 Flat Panel 21.5	25	k Product is in Gold	United Sta ⁻ Integrated Desk Product is in	HP Elit 800 G1 21.5-inch Non-Touch AiC Hewlett-Packard	HP Elit	12099
EPEAT (Green Electronics Council)	9/2/2014 Active	6	23	k Product is in Gold	United Star Integrated Desk Product is in	HP Elit. 800 G1 Touch All-in-One Busines Hewlett-Packard	HP Elit	12840
EPEAT (Green Electronics Council)	9/2/2014 Active	6 Flat Panel 23	24		United Sta ⁻ Integrated Desk Product is in	HP Elit 800 G1 All-in-One Business PC (E Hewlett-Packard	HP Elit	10461
EPEAT (Green Electronics Council)	9/9/2014 Active	6 Flat Panel 23 in	24	k Product is in Gold	United Stal Integrated Desk Product is in	HP Elit. 705 G1 23-inch Non-Touch AiO F Hewlett-Packard	HP Elit	12880
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EPEAT (Green Electronics Council)	1/13/2014 Active	6	21	k Product is in Gold	United Sta Integrated Desk Product is in	20 All-in-One PC (ENERGY STAR) Hewlett-Packard	∓	11676
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EPEAT (Green Electronics Council)	1/23/2014 Active	6 Flat Panel 18.5"	23	k Product is in Gold	United Sta ⁻ Integrated Desk Product is in	205 G1 All-in-One Business PC (E Hewlett-Packard	¥	11706
EPEAT (Green Electronics Council)	3/27/2014 Active	6 Flat Panel 21.5	22	k Product is in Gold	United Star Integrated Desk Product is in	Slate 21 Pro 200s All-in-One PC (Hewlett-Packard	Ŧ	11959
EPEAT (Green Electronics Council)	3/27/2014 Active	6 Flat Panel 21.5	22	k Product is in Gold	United Star Integrated Desk Product is in	Slate 21 Pro 200k All-in-One PC (Hewlett-Packard		11958
EPEAT (Green Electronics Council)	6/9/2015 Active	\vdash			United Star Integrated Desk Product is in	(ENERGY STA		14069
EPEAT (Green Electronics Council)	8/3/2015 Active	įω	21 6.	k Product is in Gold	United Star Integrated Desk Product is in	Pavilion All-in-One Hewlett-Packard	¥	14271
EPEAT (Green Electronics Council)	9/15/2015 Active	1	24 6.	k Product is in Gold	United Sta Integrated Desk Product is in	EliteOne 705 G2 23-in Touch All- Hewlett-Packard		14454
EPEAT (Green Electronics Council)	9/29/2015 Active	1	24 6.	k Product is in Gold	United Star Integrated Desk Product is in	ProOne 600 G2 21.5-in Non-Tou Hewlett-Packard		14532
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EPEAT (Green Electronics Council)	10/5/2015 Active	1 Flat Panel 23 in	24 6.		United Star Integrated Desk Product is in	EliteOne 800 G2 23-in Touch GP Hewlett-Packard		14585
EPEAT (Green Electronics Council)	10/5/2015 Active	1 Flat Panel			United Star Integrated Desk Product is in	EliteOne 800 G2 23-in Non-Touc Hewlett-Packard		14584
EPEAT (Green Electronics Council)	10/5/2015 Active	1 Flat Panel			United Star Integrated Desk Product is in	EliteOne 800 G2 23-in Non-Touc Hewlett-Packard		14583
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EPEAT (Green Electronics Council)	5/22/2014 Active	6	17	Product is in Silver	United Sta Desktops	Chromebox G1 HP Chromebox fi Hewlett-Packard	퓩	12114
EPEAT (Green Electronics Council)	1/23/2015 Active	H		Product is in Silver	United Sta Desktops	Pavilion Mini 300 Desktop Strea Hewlett-Packard .		13427
EPEAT (Green Electronics Council)	6/9/2015 Active	<u>.</u>		Product is in Silver	United Star Desktops	sktop	푸	14072
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EPEAT (Green Electronics Council)	7/9/2015 Active	ъ		Product is in Silver	United Star Desktops	ENVY Desktop Hewlett-Packard		14182
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6.1 Flat Panel 17.3-inch

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