

City of Coral Gables City Commission Meeting
Agenda Item E-4
April 26, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Chief Procurement Officer, Mike Pounds

Public Speaker(s)

Agenda Item E-4 [Start: 10:35:11 a.m.]

An Ordinance of the City Commission of Coral Gables amending the City Code, Chapter 2, entitled “Administration” Article XIII, entitled “Procurement Code” by adding a new Section 2-778, “Sustainable (Green) Procurement and adding a new section 2-779, Procedure, to provide a preference for Sustainable Procurement in the purchase of goods and general services; providing for a repealer provision, severability clause, and providing for an effective date. (Sponsored by Commissioner Lago).

Mayor Cason: While we are waiting for him let’s do E-4.

City Attorney Leen: Yes Mr. Mayor. Item E-4 is an Ordinance of the City Commission of Coral Gables amending the City Code, Chapter 2, entitled “Administration” Article XIII, entitled “Procurement Code” by adding a new Section 2-778, “Sustainable (Green) Procurement and adding a new Section 2-779, Procedure, to provide a preference for Sustainable Procurement in the purchase of goods and general services; providing for a repealer provision, severability

clause, and providing for an effective date. This is sponsored by Commissioner Lago. This is a public hearing item. Before turning it over to Mr. Pounds, who I see at the lectern, I would just say that this applies to certain bids, but it could also be applied by the option of the Procurement Officer to RFP's as well. With that I will turn it over to Mr. Pounds.

Mayor Cason: Let me ask if we have any speaker cards?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: So we'll close the public hearing. Go ahead.

Mr. Pounds: The purpose of the proposed ordinance is to promote the procurement of sustainable environmentally preferable products and services throughout all City Departments, in order to foster the practice of responsible purchasing choices that reduce impacts on public health and the environment and support markets for environmentally preferable products for services. The idea for establishing a sustainable procurement preference was raised by Commissioner Lago last year, and was endorsed by the full Commission. The proposed sustainable procurement policy has been developed after review of sustainable procurement preference policies throughout the nation and literature that we've been able to find on the subject, again nationwide, and even overseas. The proposed policy provides a sustainable procurement preference of 5 percent on bids for goods and general services. We can provide that on an RFP as well, but we want to look at that per RFP, we don't want to do that across the board. The preference provides an opportunity for responsible, responsive bidder or proposals applying for environmentally and preferred products, or services which are within 5 percent of the bid to match the lowest responsive, responsible bid. The sustainable procurement preference is not automatically given, you have to assert it, the vendor has to assert it. The reason we do that is that quite frankly, I think there is a liability if we try to identify something that's sustainable. We would like it to be identified for us and that we can look at it and bring in Matthew Anderson and other experts on the field to review that information and determine, if it is indeed a sustainable item.

Mayor Cason: Is there a definition of sustainable when it comes to cleaning products?

Mr. Pounds: We have a definition in the ordinance, I'll read that to you.

Mayor Cason: I don't need to know it, I just wondered if there is, so there is no question of definition.

Mr. Pounds: Yes we have a definition of environmentally preferable products and services, that's what the term...

Mayor Cason: What happens if somebody says, I have a product and it matches somebody else then what happens?- you've got two exact same bids, so you start all over again, or you negotiate down.

Mr. Pounds: There are other ways that we can break a tie in the Procurement Code, and we would go to those tie-breakers. We would also look at the item and see if there are indeed equal, they may not be.

Commissioner Lago: Mayor if I may just answer your question. I think that the purpose of this ordinance and why we are bringing it forward after about a year of consideration, is in similar line and similar vein as per the ordinance that we just approved on Second Reading, which was the LEED ordinance. This should become a standard procedure for companies that want to deal or do business with the City of Coral Gables, because this is not far-reaching. This is already standard protocols that people are using in their daily habits and businesses in the private sector using in their daily habits just to be more sustainable. There has to be some sort of way to judge and to track whether an entity is fulfilling what this ordinance is calling for, and I think that if we were able to apply a sustainable green procurement process to our RFP's, and what we are going out. For example, cleaning or parks or cleaning of bathrooms, if we are going to purchase a vehicle, we just currently purchased 20 electric vehicles. When we consider making a purchase, what I want to make sure is that every staff member out of the 800-plus that call Coral Gables home for over eight hours a day, before they make a decision and spend City dollars that they just take one moment out of their day, and this also applies to E-3, which will be up for your consideration also in regards to Buy American, that they take one moment, it just takes a few moments, don't order anything online, don't just pick something from the shelves which is the most convenient and easiest method. It just takes a simple opportunity to sit down, analyze your options and really try to find something which is in the best interest of the environment, and also which is in the best interest of this country, but we'll be dealing with E-3 later. That's what basically it is. There really isn't a penalty, correct me if I'm wrong....

Mr. Pounds: No, there is no penalty.

Commissioner Lago: We haven't put like a stern number that needs to be met, it's just kind of a take into consideration ordinance, and that's why we didn't put an actual figure like a percentage or a threshold. I want it to be flexible.

Mr. Pounds: Well one of the things that is in the ordinance besides the five point preferences, it calls for City Departments whenever practical, and when specific procurement guidelines have been developed to designate environmental preferable products. It basically challenges

departments to go out and look for environmental preferable products, instead of just going with the lowest price to use instead of an aerosol product in janitorial service to use perhaps a liquid product that, it's not only cheaper, but also environmentally preferable. It also asks for departments to have their vendors, their consultants, their contractors use that environmentally preferable products whenever practical.

Mayor Cason: Any discussion? Do we have a motion?

Commissioner Keon: I'll move it.

Vice Mayor Quesada: Second.

Mayor Cason: Commissioner Keon makes the motion, the Vice Mayor seconds. City Clerk.

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: Thank you.

Commissioner Lago: Before we move onto the next ordinance Mayor if I may. I would like to see a possibility, and maybe the Manager, or through her staff, could really help us out and this is something that we talked about in the beginning. I would like for there to be some sort of tracking mechanism, because I want staff to take ownership of this ordinance. I don't want to use the word competition, because maybe friendly competition. I want people who work in the City of Coral Gables to really put their money where their mouth is and kind of say listen, we were doing the following for the last five years, but we've made the decision to purchase the following paper, which comes from recycled material and there is no additional cost to the City, or there is a two or three percent additional cost, but the life span is "X." I don't want to make your life more difficult, but I would love to be able to quantify these efforts and I would like to recognize staff.

Mayor Cason: I was going to say, that's a good thing, maybe we could have a "Sustainable Employee of the Year" – somebody come up with some great ideas, a lot of organizations have somebody comes up with an idea that saves a lot of money.

Commissioner Lago: I can get, again this is just discussion, discussion through the City Manager, through the Mayor, because I know the City Manager will probably correct me now, which is OK, she is always looking out for our best interest. We can do something like what happens with the “Police Officer of the Month,” or we can have “Sustainable Employee of the Year”, maybe have a restaurant coupon, maybe have some sort of incentive which drives a whole department, and it could be lunch for the entire department, and like I said before, this is just about taking that extra one to five minutes, and instead of just making a quick or standard purchase, which they’ve been doing for five or ten years, which is just common, just take an extra moment and really research what they are purchasing or what they are interested in purchasing. Madam Manager if you think that’s a good idea or do you think that’s something we could potentially entertain?

City Manager Swanson-Rivenbark: I’m sure we can figure that out. I think as long as the restaurant doesn’t use polystyrene.

Mayor Cason: Thank you.

[End: 10:44:13 a.m.]