

1 [Public Works Construction – Use of Recycled Content Materials.]

2

3 **Ordinance amending Chapter 6 of the Administrative Code by amending Section 6.4 to**
4 **require recycled content materials to be used in public works and improvements to the**
5 **maximum extent feasible.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strikethrough italics Times New Roman*~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Findings. The Board of Supervisors finds and declares the following:

11 A. San Francisco is required by state law to divert at least 50% of its waste stream
12 from landfill, and, in Resolution No. 0679-02, the Board of Supervisors set a goal of diverting
13 75% of San Francisco's waste from landfill by 2010 and authorized the Commission on the
14 Environment to set a zero waste goal, which was established as 2020. Accordingly, the City
15 must find alternatives to landfilling for materials, such as high volume heavy construction
16 materials, that can be reused.

17 B. City public works projects generate thousands of tons of used concrete, asphalt
18 and mixed inerts which can be re-manufactured into usable construction materials. Several
19 businesses located in the City and the Bay Area accept used building materials from the City
20 and re-manufacture these materials, thus creating a readily available source of recycled
21 content building materials.

22 C. Recycled building materials meet performance standards and are frequently less
23 expensive than virgin materials. Further, the use of such materials reduces the cost of City
24 projects, creates employment, reduces emissions by transport vehicles, reduces wear and
25 tear on streets, and supports the local economy.

1 D. The Department of Public Works ("DPW") has approved the use of 100%
2 recycled aggregate and sand to manufacture non-structural concrete for curbs, gutters,
3 sidewalks and curb ramps and for use in making asphalt. DPW has also approved recycled
4 aggregate for use as base rock, building ballast, drain rock, rip-rap, and for use in cement-
5 treated base. The use of these materials effectively closes the recycling loop on City
6 construction projects.

7 Section 2. The San Francisco Administrative Code is hereby amended by amending
8 Section 6.4, to read as follows:

9 **SEC. 6.4. PREFERENCE FOR LOCAL MANUFACTURERS AND INDUSTRY; RECYCLED**
10 **CONTENT MATERIALS.**

11 **(a) Local preference.** Whenever any preference in favor of local manufacturers or
12 industry is provided by State law or ordinance or resolution of the Board of Supervisors, the
13 same shall apply to contracts under this Chapter.

14 **(b) Recycled Content Materials.**

15 **(1) Requirement.** *The department head or officer calling for bids shall specify recycled*
16 *content materials, rather than virgin materials, to the maximum extent feasible in the Advertisement for*
17 *Bids and plans for all contracts for public works or improvements.*

18 **(2) Definitions.** *For the limited purpose of this subsection, the following terms shall have*
19 *the following meanings: (A) "feasible" means that recycled content materials meet performance*
20 *specifications, are permitted to be used in the manner specified in the bid specifications under State*
21 *and local law, are available within the project's time line, and are comparable in price to virgin*
22 *materials, and (B) "recycled content materials" means a building component utilized in place of raw*
23 *or virgin material that is either reclaimed for reuse from a prior structure or assembly, or a building*
24 *material or component manufactured in part from waste materials and/or by-products recovered or*
25

1 diverted from solid waste, excluding those materials and by-products generated from, and commonly
2 reused within, an original manufacturing process.

3 (3) Department of the Environment, Reports. Contract Awarding Authorities shall (a)
4 consult with the Department of the Environment regarding available recycled content products that
5 meet the needs of the department; and (b) include information on recycled content material used on
6 public works contracts in the annual reporting to the Department of the Environment specified in the
7 Environment Code.

8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: _____
11 Catharine Barnes
12 Deputy City Attorney