

COMMONWEALTH OF MASSACHUSETTS—RECYCLED PAINT CONTRACT

*** This is a contract excerpt only. To view the entire contract please view the file listed after the heading, “Entire Contract:”. To find this file, search the Paint aisle on the EPP Database <notes.erg.com> for the Commonwealth of Massachusetts Recycled Paint Contract.

EPP-SPECIFIC PROCUREMENT LANGUAGE

GENERAL INFORMATION

1. Purpose of Procurement

The purpose of this procurement is to institute a statewide contract for the purchase of recycled latex paint containing a minimum of 50% post-consumer content, as well as other paint products also available with varying percentages of post-consumer recycled content. Buying recycled paint not only diverts paint from the waste stream, thus promoting cleaner water for drinking and recreation, but it also helps to lower the cost of collecting used paint and creates a demand (market) for this waste product.

8. Selection Criteria

Selection of vendors for award of contracts will be based on responsiveness of responses to this RFR. Review of bids will focus on the “best value” for the agencies and departments of the Commonwealth of Massachusetts and its political subdivisions.

All mandatory requirements **must** be met (these are designated throughout the RFR with “**must**”). Points will be given to Bidders that meet the criteria in “**desirable**” items in this RFR.

The Facilities Procurement Management Team (PMT) reserves the right to request clarification of response following bid submission. The team also reserves the right to determine that any non-compliance is insubstantial, can be corrected or that an alternative proposed by the vendor is acceptable.

9. Vendor Qualifications and References

Vendors **must** have been in the business of manufacturing and selling recycled paint for a minimum of one year and must submit documentation to certify this status.

Bidders **must** also provide three government and/or commercial business reference contacts in order to demonstrate product reliability and the ability to perform the type of effective service requested under this RFR. References should be listed on the Business Reference Form (Attachment C). Reference should be similar in scope to the specifications of this RFR.

10. Labeling

All containers under this contract **must** clearly state that the product is recycled paint and be labeled with

the name and address of the manufacturer, batch or lot numbers, date of manufacturing, type of paint, intended use, directions of application, clean-up information, and instructions to “Do Not Freeze”, as per MSDS requirements.

It is **desirable** that the percentages of post-consumer recycled content, pigments and other base materials also be clearly indicated on the label, as well as the safety and first aid information concerning what to do in case of ingestion.

It is **desirable** that the labels be printed on recycled paper with a minimum of 20% post-consumer content and that such content be clearly indicated with appropriate wording (and logo if possible) on the label. To be eligible for award points, Bidders must include verification of this information with their submission.

11. Scope of Services

Mandatory

- * Awarded contractors **must** be aware that the Commonwealth reserves the right to negotiate an increase in the post-consumer content of certain paint products if and when a higher percentage is feasible.
- * For orders of fifty (50) gallons or more, vendors **must** be able to match color to specific requirements.
- * Vendors **must** stock a minimum of five (5) multiple colors for all mandatory items indicated in this RFR.
- * Vendors **must** be able to provide a minimum selection of recycled paint products in the categories indicated below:
 - * Interior latex flat finish
 - * Interior latex satin or eggshell finish
 - * Interior latex ceiling paint
 - * Exterior latex paint
- * Vendors **must** offer these products in both one gallon and five gallon containers.
- * Color chips or color charts representing the vendor’s product line for the commodities awarded under this RFR **must** be furnished to the Facilities PMT with their response and to all interested state agencies upon request.

Desirables

- * To be eligible for award points for any of the following desirables, Bidders **must** submit information with their response on any and all options that they offer.

It is **desirable** that:

- * vendors provide additional recycled paint products under this RFR. Please indicate all other products offered on Attachment B and include the minimum post-consumer recycled content of each item in the space provided along with the price. (For any additional recycled paint products offered, the highest percentage post-consumer content currently feasible is **desirable**).
- * vendors offer multiple stock colors beyond the mandatory minimum of five for any/or all paint products.
- * vendors have the ability to match colors in quantities less than the mandatory minimum of 50 gallons.
- * vendors use paint collected from Massachusetts in their manufacturing process.
- * vendors offer a pricing discount for large volume orders.

* vendors use labeling and packaging/shipping materials made with the highest post-consumer recycled content practicable (e.g., paint can labels made with recycled paper, corrugated boxes with a minimum of 35% post-consumer content).

12. Performance Specifications

All mandatory recycled paint products listed in this section **must** meet the following specifications:

* **Recycled content** - All paint products **must** contain a minimum of 50% post-consumer recycled content; such products will represent paint derived from household hazardous waste collection programs and the manufacturer will certify that the paint meets this requirement by signing the certification included in Attachment A.

* **Prohibited materials** - Paint **must** be free from toxic materials under normal conditions of use and shall not contain lead in excess of .06 percent by weight, or non-volatile hexavalent chromates, benzene, halogen solvents, or mercury in excess of 50 parts per million for Interior and Interior/Exterior paint classifications and 100 parts per million for Exterior paints (as per federal regulations), and shall comply with existing federal regulations concerning hydrocarbon emissions and volatile organic compound content.

* **ASTM standards** - Paint products **must** meet the American Society for Testing and Materials (ASTM) standards for performance categories specified above.

* **Application properties** - Paint products **must** brush, roll, or spray easily and dry to a smooth uniform film, free from lap marks, excessive brush marks, orange peel, craters or dusting, showing no signs of streaking.

* **Odor** - The odor of the paint in the can and during application **must** not be irritating and **must** have no residual odor after 48 hours.

