

  
Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the Department of Energy and Environment to adopt a methodology to estimate greenhouse gas emissions that occur through the life cycle of certain foods and establish a baseline measurement of greenhouse gas emissions associated with the District’s food and beverage purchases, and to require contracting agencies to reduce overall greenhouse gas emissions associated with food and beverages according to a reduction schedule; to require the Department of Energy and Environment to prepare a report on how to reduce greenhouse gas emissions associated with District procurement; and to amend the Procurement Practices Reform Act of 2010 to require verification and signature for environmentally preferable purchasing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Green Food Purchasing Amendment Act of 2020”.

Sec. 2. Greenhouse gas emissions in food and beverage procurement.

(a) To track the greenhouse gas emissions associated with food and beverage purchases made by the District government, DOEE shall:

(1)(A) On or before January 1, 2022, in consultation with OCP, adopt a methodology for a contracting agency to estimate, to the extent practicable, the greenhouse gas emissions that occur through the life cycle of all food and beverages purchased by the contracting agency, including by third-party vendors that provide food and beverages on behalf of the contracting agency. This methodology shall:

(i) Enable a contracting agency to reliably track changes in

38 its food and beverage-related greenhouse gas emissions over time and demonstrate  
39 reductions in greenhouse gas emissions associated with food and beverages purchased by  
40 the agency; and

41 (ii) Consider the costs and feasibility of implementing the  
42 methodology.

43 (B) DOEE may allow the contracting agency to exclude from the  
44 tracking method food and beverage procurements that do not exceed \$10,000.

45 (2) On or before January 1, 2023, establish a baseline assessment of the  
46 overall annual greenhouse gas emissions associated with the District's food and beverage  
47 purchases; and

48 (3) On or before January 1, 2022, establish best practices for contracting  
49 agencies to reduce the greenhouse gas emissions associated with food and beverages  
50 purchased by the contracting agency with the goal of reducing overall greenhouse gas  
51 emissions as described in subsection (c) of this section.

52 (b) Contracting agencies shall give consideration and preference to foods,  
53 beverages, and procurement practices that will achieve the goal of reducing the  
54 greenhouse gas emissions associated with food and beverages purchased by the agency.

55 (c) The District shall reduce its overall greenhouse gas emissions associated with  
56 food and beverages purchased by the District according to the following reduction  
57 schedule as measured in relation to the baseline assessment established under subsection

58 (a)(2) of this section:

59 (1) By fiscal year 2025, a 10% reduction;

60 (2) By fiscal year 2027, an 18% reduction; and

61 (3) By fiscal year 2030, a 25% reduction.

62 (d) On or before October 1, 2025, and each October 1 thereafter, each contracting  
63 agency shall report to DOEE on its progress in reducing greenhouse gas emissions  
64 associated with food and beverages procured by the contracting agency during the  
65 immediately preceding fiscal year in a format set by DOEE and consistent with the  
66 methodology established under section (a)(1) of this section.

67 (e) Beginning January 1, 2026, and each January 1 thereafter, DOEE shall submit  
68 an annual report to the Council and the Mayor that includes:

69 (1) An update on the overall progress of the District in reducing  
70 greenhouse gas emissions associated with food and beverages procured by the District;  
71 and

72 (2) Recommendations for policy changes to further reduce greenhouse gas  
73 emissions from food and beverages or to more quickly achieve the reduction goals  
74 established under this section.

75 (f) This section shall not apply to agencies that are participating in the Good Food  
76 Purchasing Program, as that term is defined in section 101(1E) of the Healthy Schools  
77 Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01  
78 (1E)), that are demonstrating improvement on the environmental sustainability core value  
79 through reductions in greenhouse gas emissions.

80 (e) For the purposes of this section, the term:

81 (1) “Contracting agency” means an agency that is authorized to  
82 enter into a procurement contract under section 201 of the Procurement Practices Reform  
83 Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.01).

84 (2) “DOEE” means the Department of Energy and Environment.

85 (3) “OCP” means the Office of Contracting and Procurement.

86 Sec. 3. Report on greenhouse gas emissions in District procurement.

87 By January 1, 2023, the Department of Energy and Environment shall submit to  
88 the Mayor and the Council a report with recommendations for how to reduce greenhouse  
89 gas emissions associated with goods and services procured by the District, including a  
90 comprehensive list of what goods and services can be tracked using life cycle analysis  
91 data, and best practices for reducing greenhouse gas emissions associated with  
92 procurement of such goods and services.

93 Sec. 4. The Procurement Practices Reform Act of 2010, effective April 8, 2011  
94 (D.C. Law 18-371; D.C. Official Code § 2–351.01 *et seq.*), is amended as follows:

95 (a) Section 104(30) (D.C. Official Code § 2–351.04(30)) is amended by striking  
96 the phrase “product.” and inserting the phrase “product. This shall include the greenhouse  
97 gas emissions associated with the goods or services.”

98 (b) Section 1101(a) (D.C. Official Code § 2–361.01(a)) is amended as follows:

99 (1) Designate the existing text as paragraph (1).

100 (2) A new paragraph (2) is added to read as follows:

101 “(2) The certification required by paragraph (1) of this subsection shall be  
102 verified and signed by an officer at OCP or the contracting agency.”.

103 Sec. 5. Fiscal impact statement.

104 The Council adopts the fiscal impact statement in the committee report as the  
105 fiscal impact statement required by section 4a of the General Legislative Procedures Act  
106 of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

107           Sec. 6. Effective date.  
108           This act shall take effect following approval by the Mayor (or in the event of veto  
109 by the Mayor, action by the Council to override the veto), a 30-day period of  
110 congressional review as provided in section 602(c)(1) of the District of Columbia Home  
111 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-  
112 206.02(c)(1)), and publication in the District of Columbia Register.