

Maryland Green Purchasing Committee Approved Specification – Aggregate

HOW TO USE THIS DOCUMENT:

This document sets the minimum requirements for environmentally preferable aggregate products purchased by the State of Maryland. Vendors are required to follow and, when possible, go beyond these standards in their product offerings to the maximum extent practicable when such products are cost competitive and meet form, function and utility requirements.

For State procurement officers, this document outlines the legislation, statutes, and regulations that mandate State purchasing practices for aggregate products. The document also provides boilerplate language to be included in State procurement contracts associated with aggregate products.

For the purpose of this specification, aggregate is defined as stone and sand products found in concrete, asphalt paving, construction entrances, filters, infiltration trenches, sand filters, and enhanced filters.

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Table of Contents

1. ENVIRONMENTALLY PREFERABLE PURCHASING: LEGISLATION, STATUTES, AND REGULATIONS	3
2. PROHIBITED PRODUCTS	3
3. MINIMUM REQUIREMENTS FOR AGGREGATE PRODUCTS – General	4
4. MINIMUM REQUIREMENTS FOR AGGREGATE PRODUCTS – Sourcing	4
A. MUNICIPAL SOLID WASTE (MSW)	4
B. DREDGED MATERIAL	4
C. CONSTRUCTION WASTE	4
5. ENVIRONMENTALLY PREFERABLE PRODUCT RECOMMENDATIONS	5
A. AGGREGATE - General	5
6. ENVIRONMENTALLY PREFERABLE PURCHASING LANGUAGE	5
7. APPENDIX	6

1. ENVIRONMENTALLY PREFERABLE PURCHASING: LEGISLATION, STATUTES, AND REGULATIONS

For Procurement Officers and Agencies

Environmentally Preferable Purchasing (COMAR: [21.11.07.09](#))

“All procurement agencies shall purchase environmentally preferable products and services unless purchasing environmentally preferable products and services would limit or supersede any requirements under any provision of law or result in the purchase of products and services that:

- (1) Do not perform adequately for the intended use;
- (2) Exclude adequate competition; or
- (3) Are not available at a reasonable price in a reasonable period of time.”

Mercury and Products that Contain Mercury (COMAR: [21.11.07.07](#))

“All procurement agencies shall give a preference under this regulation to procuring products and equipment that are mercury-free. If mercury-free products and equipment that meet the agency's product performance requirements are not commercially available, the procurement agency shall give preference under this regulation to products containing the least amount of mercury necessary to meet performance requirements.”

Bill [HB 586](#), Enacted as Maryland Chapter 170, 2023 Laws of Maryland:

“The Maryland Green Purchasing Committee... shall establish specifications for purchasing of compost, mulch, soil amendments, or aggregate produced from municipal solid waste, food waste, dredged materials, construction waste, yard waste, clean wood waste, or other recycled or organic materials.”

For Contractors, Bidders, and Offerors

Verifying Environmental Claims (State Finance and Procurement Article [§14-410](#))

“A bidder or offeror for a procurement contract shall certify in writing that any claims of environmental attributes made relating to a product or service are consistent with the Federal Trade Commission’s Guidelines for the Use of Environmental Marketing Terms.”

2. PROHIBITED PRODUCTS

- Crushed glass that contains more than 1% percent contaminants by weight shall NOT be used.
- Sand with more than 1% by weight of any combination of diabase, greystone, calcareous, or dolomitic sand is prohibited.
- Products produced from crushing operations are prohibited in filtering applications.
- Recycled concrete is prohibited in drainage applications and shall NOT be used in the structural part of any administration project **except** RCGAB (Recycled Concrete Graded Aggregate Base) used as pavement base material.

3. MINIMUM REQUIREMENTS FOR AGGREGATE PRODUCTS – General

The State of Maryland is committed to the procurement of sustainable products which minimize harm to the environment and human health. To the extent practicable, aggregate products shall incorporate recycled organic materials as opposed to virgin materials.

Aggregate must have the following requirements:

- Must derive from a naturally occurring source of recycled materials, including dredged materials, glass, or construction waste.
- Aggregate products used in Maryland State Highway Administration projects shall comply with Maryland Department of Transportation SHA Standard Specification for [Construction and Materials](#) (Section 900).

4. MINIMUM REQUIREMENTS FOR AGGREGATE PRODUCTS – Sourcing

A. MUNICIPAL SOLID WASTE (MSW)

- Must be sourced from glass or construction waste.

B. DREDGED MATERIAL

- The State requires that aggregate products produced from dredged material adhere to the Maryland Department of Environment’s [Innovative Reuse and Beneficial Use of Dredged Material Guidance Document](#).

C. CONSTRUCTION WASTE

- Aggregate products derived from construction waste must comply with the Maryland Department of Transportation State Highway Administration Standard [Specification for Construction and Materials](#) (Section 900).
- Must be construction material that was used on a previous construction project.
- Must be screened and washed to remove dust.
- For instances when stormwater management is being installed, aggregate material types sourced to support the guidelines from the Maryland Department of Environment (MDE) [Guide to Common Construction Materials and Components Document](#) should utilize recycled content as defined in the guide.

5. ENVIRONMENTALLY PREFERABLE PRODUCT RECOMMENDATIONS

A. AGGREGATE - General

- The State recommends that aggregate products are supplied from one single source.
- If applicable, bidders are encouraged to provide an Environmental Product Declaration (EPD) or Health Product Declaration (HPD) for aggregate products.

6. ENVIRONMENTALLY PREFERABLE PURCHASING LANGUAGE

Instruction to Procurement Officers: Please include the following language to your solicitation if it does not already exist.

A. On Environmentally Preferable Purchasing:

The State of Maryland is committed to purchasing environmentally preferable products and services (EPPs). Maryland’s State Finance & Procurement Article §14-410 defines environmentally preferable purchasing as “the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods or services that serve the same purpose.”

Accordingly, Bidders/Offerors are strongly encouraged to offer EPPs to fulfill this contract, to the greatest extent practicable.

B. On Maryland’s Green Purchasing Reporting Requirements:

The State of Maryland requires, at a minimum, from the Contractor annual sales data over the life of this contract; the State also reserves the right to request quarterly sales data over the life of this contract.

The report shall include, at a minimum, details about the third-party sustainability certifications and other environmental attributes of products and services sold on this contract per the contract specifications.

To facilitate consistent reporting on this contract, the Contractor will be provided with a VENDOR GREEN SALES REPORT template from the Green Purchasing Committee (GPC), the Office of State Procurement (OSP) or the Department of General Services (DGS).

C. On Environmental Claims

All environmental benefit claims made by the Contractor concerning products or services offered on this contract must be consistent with the [Federal Trade Commission’s Guidelines for the Use of Environmental Marketing Claims](#).

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7. APPENDIX

Aggregate: Stone and sand products found in concrete, asphalt paving, construction entrances, filters, infiltration trenches, sand filters, and enhanced filters.

Construction Waste: Waste generated from construction, renovation, demolition, roads, bridges, piers, and dams.

Dredged Material: Sediment excavated or otherwise removed from the bottoms of the navigable waters of the United States to maintain navigation channels and docks.

Environmental Product Declaration: A transparent, objective report that communicates what a product is made of and how it impacts the environment across its entire life cycle.

Health Product Declaration: A full disclosure of the potential chemicals of concern in products by comparing product ingredients to a set of priority “hazard” lists based on the GreenScreen for Safer Chemicals and additional lists from other government agencies.