Environmental Product Declarations - New State Law Goes into Effect on July 1, 2019

Mike McManus, Director of Engineering Construction & Industry Relations

A new state law signed quietly in October 2017, is scheduled to go into effect for state government contracts on July 1, 2019. The law, AB 262, “Buy Clean California Act,” was sponsored by Assembly Member Rob Bonta (D-Oakland). It requires that the California Department of General Services establish a maximum acceptable global warming potential for categories of specified materials, and then publish those values in the State Contracting Manual. This means for specific materials covered under this new law, used or supplied for State contracts, contractors will have to submit Environmental Product Declarations (EPD’s). The materials listed in the act are:

- Carbon Steel Rebar
- Flat Glass
- Mineral Wool Board Insulation
- Structural Steel

Since most people have never heard of an EPD, here is a quick summary. An EPD is an independently verified and registered document that summarizes the environmental impact of products. Generally, the impacts are referred to as “cradle to gate,” which means, for example, the impact of procuring and transporting raw materials to a plant, and the manufacturing of a particular product from those raw materials, to the point where it is transported off the site. Once the new law goes into effect
on July 1, state agencies will require a submittal for the listed materials above. The submittal must be a current, facility-specific Environmental Product Declaration, Type III, as defined by the International Organization for Standardization (ISO) standard 14025, or similarly robust life cycle assessment, for each eligible material proposed to be used.

Caltrans officials have recently announced a "pilot program" of up to 15 projects that will have the new requirement of EPD submittals in the special provisions. At a recent meeting with Caltrans, they announced that they are planning to go beyond the requirements of the new law. They will be requiring EPD's for concrete, asphalt, and aggregate, in addition to the four materials listed in the statute. Their answer to the question of why go beyond the requirements of the law was not clear. The agency's overreach seems to be rooted in a belief that eventually these additional three materials will be included in future legislation.

We are not sure how big a deal this is, but we are watching carefully. It appears that some industries and suppliers, generally large players, are already ahead of this requirement. For example, the National Ready Mix Concrete Association is an EPD Program Operator for facility specific concrete mixes, which means that they keep a public registry of EPD's and provide for independent verification of each EPD.

The troubling part is the confluence of a new regulation combined with agency overreach like we are seeing at Caltrans. The effects on small contractors and suppliers are unknown at this point, but should be part of the conversation moving forward. The other question that has not really been clarified is why require something that has so little impact on global warming in the big scheme of things?

According to a UC Davis report, California as a whole emits 459 million metric tons (MMT's) of carbon dioxide each year. 80% of those emissions come from three categories of sources, which are; transportation (cars and trucks), electricity generation, and industrial emissions. Examining the three additional categories of materials that Caltrans is planning to require EPD's, makes you wonder what is the point?

According to the same report, paving asphalt results in 0.03 MMT's of carbon emissions, concrete plants emit 0.3 MMT's, and mining of aggregates results in 0.2 MMT's of carbon emissions. So what is the point? The scary part is that the law allows for an agency to set maximum global warming potential for the eligible products that is lower than the standard set by the Department of General Services. An invitation for agency overreach.
COMMITTEE MEETINGS

AGC's Liaison Committee Meetings Now Underway
Brad Barnum, Executive Vice President

We wanted to remind you about a critical tool for public works contractors, the AGC's Industry Relations Committees. These "liaison" committees allow for an open and continuing dialogue between contractors, subcontractors, material suppliers, and public agencies. This results in successful construction projects, which utilize public tax dollars in the most efficient and effective manner possible.

AGC routinely meets with the City and County of San Diego, Port District, Airport Authority, Caltrans/SANDAG, San Diego Water Authority, and NAVFAC. The Public Building Liaison Committee doesn’t pertain to one specific agency, it does focus on public building projects. The committee often meets with representatives of local school districts to review construction bond programs.

Although the City of San Diego Liaison Committee already met last week, we wanted to share the dates and times of the other committee meetings:
January 28 - County of San Diego, 1:30 PM @ County Offices (5550 Overland Avenue, Room 120)
February 20 - Public Building Liaison Committee, 7:00 AM @ AGC
March 13 - Airport, 11:15 AM @ Airport Offices (2417-A McCain Road; Trailer A)
March 22 - Caltrans/SANDAG, 7:30 AM @ Caltrans (4050 Taylor Street)
April 8 - Port of San Diego, 11:45 AM @ Port Offices (3165 Pacific Highway)
April 16 - Water Authority, 1:00 PM @ AGC

The NAVFAC Committee meets twice a year. At the request of NAVFAC-Southwest Captain Edelson, one meeting will be with a small group of contractors, while the other will be with the entire committee (to be scheduled later in the year).

If you would like to serve on any of the committees, please click here. It will take you directly to the sign-up page on AGC's website. If you have any questions, or need additional information, please contact Robin Scott at 858-558-7444, ext. 116.
Meetings are held at the AGC office (6212 Ferris Square, San Diego, CA 92121) unless otherwise noted in red.

**January Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 29</td>
<td>1:30 PM - 3:30 PM</td>
<td>County Liaison</td>
</tr>
<tr>
<td>Jan. 31</td>
<td>11:30 PM - 1:00 PM</td>
<td>@County Affiliate Council</td>
</tr>
</tbody>
</table>

**February Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Agenda</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb. 6</td>
<td>7:00 AM - 9:00 AM</td>
<td>Safety Meeting</td>
</tr>
<tr>
<td>Feb. 13</td>
<td>11:30 AM - 1:00 PM</td>
<td>Education</td>
</tr>
<tr>
<td>Feb. 20</td>
<td>7:00 AM - 8:30 AM</td>
<td>Public Building</td>
</tr>
<tr>
<td>Feb. 22</td>
<td>12:00 PM - 1:30 PM</td>
<td>Technology Committee</td>
</tr>
<tr>
<td>Feb. 28</td>
<td>10:00 AM - 11:30 AM</td>
<td>Government Relations</td>
</tr>
</tbody>
</table>

Get involved in the AGC by serving on one or more AGC committees. This is a great way to network with fellow AGC members, and to have a voice in the industry!

**CLASSES**

**January Classes**

<table>
<thead>
<tr>
<th>Date</th>
<th>Class Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 29-31</td>
<td>Estimating Sitework Construction 3-day class</td>
</tr>
<tr>
<td>Jan. 29</td>
<td>PRIMAVERA P6 Workshop 1 day class</td>
</tr>
<tr>
<td>Jan. 30</td>
<td>Traffic Control Technician</td>
</tr>
<tr>
<td>Jan. 30</td>
<td>CPR, First Aid &amp; AED Training</td>
</tr>
<tr>
<td>Jan. 30</td>
<td>Construction Contract Administration</td>
</tr>
<tr>
<td>Jan. 31</td>
<td>OSHA Record keeping 300 Log</td>
</tr>
</tbody>
</table>
February Classes

- Feb 4: Beginning Microsoft Excel 2016 *(Offsite)*
- Feb 4: Beginning Microsoft PowerPoint 2016 *(Offsite)*
- Feb 4-8: EM 385 40-Hour with OSHA 30-Hour
- Feb 5: Construction Project Management
- Feb 5: Stormwater Monthly Breakfast Forum
- Feb 6: Blueprint Reading for Construction
- Feb 7:Flagger 4 Hour Construction Training
- Feb 11-12: OSHA 10 Hour
- Feb 13: Blueprint Reading
- Feb 13-14: CQM
- Feb 13: Fall Protection 8-Hour CPT
- Feb 13: Intermediate Microsoft Excel *(Offsite)*
- Feb 15: Advanced Microsoft PowerPoint 2016 *(Offsite)*
- Feb 19: Construction Project Management
- Feb 19-21: Fall Protection 24-Hour Competent Person
- Feb 20: Construction BMP Training
- Feb 21: Advanced Microsoft Excel *(Offsite)*
- Feb 21: Construction Law: Public Works Bid Law 101
- Feb 21: OSHA Recordkeeping
- Feb 25: Fall Protection 8 Hour
- Feb 26: Microsoft Project Workshop
- Feb 27: CPR, First Aid & AED Training
- Feb 27: Prevailing Wage Certified Payroll

For more information on classes, contact: Becca Schaffer at (858) 731-8155.

**About Monday Morning Quarterback**

AGC San Diego Chapter's Monday Morning Quarterback is a "hot off the press" and to the point Monday morning briefing on the important issues facing San Diego's construction industry. It is prepared by AGC Chief Executive Officer, Eddie Sprecco, and Executive Vice President, Brad Barnum.

Please contact Eddie Sprecco or Brad Barnum with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.