

## Prohibition of City Funding for Purchase of Single-Serving Bottled Water – Administrative Policy 5.1.11

### PURPOSE

To provide guidelines for the purchase of single-serving bottled water with City funds.

### AUTHORITY

Council Policy titled “Prohibition of City Funding for Purchase of Single-Serving Bottled Water”, Council Policy No. 1-19, approved on June 3, 2008.

### DEFINITION

“Single Serving Water Bottle” means any brand or type of water bottled in a container that is less than 1 liter (1000ml) or 33.8 ounces.

### POLICY

#### I. Departmental Purchase of Single-Serving Water Bottles:

1. The Department Director or designee shall be responsible for the purchase of single-serving bottled water and ensure consistency with the intent of Council Policy 1-19.
2. In lieu of purchasing single-serving bottled water, Departments hosting meetings or other City-funded events water must serve tap water using reusable water pitchers kept in good sanitary conditions.
3. Purchase of single-serving bottled water is allowable in limited circumstances as outlined below in accordance with Council Policy 1-19:
  - Public safety emergencies, investigations, and extended deployments or activation of the Office of Emergency Services;
  - High risk of cross-contamination with non-potable water such as at the Water Pollution Control Plant; or
  - Situations where there are no reasonable alternatives to bottled water, such as large public events and when large quantities of water may need to be distributed for health and safety reasons.
4. Departments can process the Single-serving [Bottled Water Purchase Waiver](#) form which needs to be approved by the Department Director.
5. Departments will maintain documentation when an exception is granted and a Single-serving Bottled Water Purchase Waiver is used. Waiver forms are kept for a minimum of two years in a central departmental file.

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6. Finance reports annually about the use of Waivers to the Council through the Environmentally Preferable Procurement Report.
7. This policy does not preclude employee-funded water “clubs” or any bottled water purchased or provided by an individual or company using private funds.

### II. Contractor and Grantee Purchase of Single-serving Bottled Water:

The following contract provisions must be part of each City contract where:

- a. The contract provides for the City to pay reimbursable expenses, or
- b. The contract services include provision of food and beverages, including, for example, catering, promotional activities, or events organizing.

#### *Contract provisions:*

Contractor/Consultant/Grantee agrees that, in the performance of this Agreement, it shall adhere to City Council Policy 1-19, the following provisions of which are made applicable to those under contract with the City:

1. It is the policy of the City of San Jose that public (City) funds should not be used for the purchase of single-serving bottled water.
2. The following circumstances shall constitute exceptions to the Policy:
  - a. Public safety emergencies, investigations, and extended deployments or activation of the Office of Emergency Services;
  - b. High risk of cross-contamination with non-potable water such as at the Water Pollution Control Plant; or
  - c. Situations where there are no reasonable alternatives to bottled water, such as large public events and when large quantities of water may need to be distributed for health and safety reasons.

Pursuant to administrative policy, an invoice for payment of City funds to be used for purchase of bottled water under exception number **2.c.** must be accompanied by a waiver form signed by the department head of the department that administers the contract. A copy of the [Contractors' Waiver Request](#) form can be found at: <http://www.sanjoseca.gov/esd/sustainability/bottled-waterFAQ.asp>.

