



REQUEST FOR INFORMATION (RFI)

RFI 24-007

**RFI PUBLICATION DATE:
JULY 18, 2024**

**SUPPLY OF PRODUCTS COMPLIANT WITH LAW 51-2022 TO GOVERNMENT ENTITIES,
EXEMPT ENTITIES, AND MUNICIPALITIES OF PUERTO RICO**


SUBMIT QUESTIONS

By Monday, July 22, 2024 at 3:00 p.m. AST

RESPONSE TO RFI

By Tuesday, July 30, 2024 at 10:00 a.m. AST

Issued by:


Yohed R. Orama Morales
Administrador Auxiliar
de Adquisiciones Interino





1. INTRODUCTION AND BACKGROUND

1.1 BACKGROUND

Act 51-2022, enacted on June 29, 2022, aims to ban the sale and use of single-use plastics in all commercial establishments within the territorial limits of Puerto Rico. This law supports the protection of the environment and promotes the use of durable and reusable products. The ASG intends to ensure compliance with this law through the procurement of alternative products that are eco-friendly and sustainable.

1.2 DEFINITIONS AND ACRONYMS

- a. **Commercial establishment** - Shall mean any premises, restaurant, shop or similar place and any natural or legal person, carrying on any kind of commercial operation or acts of commerce for the sale or delivery of single-use plastics, for immediate use, at wholesale, retail or for retail sale.
- b. **Single-use plastic** - Shall mean the plastic artifact sold and used voluntarily, such as plastic cutlery, plates and straws, as well as cups, glasses and food containers made of expanded polystyrene for immediate consumption or for carrying some type of unprocessed or processed food.
- c. **Eco-friendly**- A product, practice, or service with a reduced environmental impact throughout its life cycle, from production to final disposal. This includes lowering pollutants, efficient resource use, and waste minimization.
- d. **Biodegradable**- A material that can decompose under natural conditions without causing harm to the environment (decomposes into non-toxic building blocks through the action of micro-organisms such as bacteria and fungi).

1.3 RFI TIMELINE

Deadline	Event
Monday, July 15, 2024	RFI Release at 4:00 pm
Monday, July 22, 2024	Last day to submit questions – 3:00 p.m., subastasinformales@asg.pr.gov
Wednesday, July 24, 2024	Last day to answer the questions submitted
Tuesday, July 30, 2024	Submit RFI – 10:00 a.m., subastasinformales@asg.pr.gov

Please also note that the RFI timeline includes target dates that may change. Participants are responsible for periodically reviewing their emails and the ASG website for all information and updates related to this RFI.

1.4 REQUEST FOR CLARIFICATIONS (RFC)

Request for clarification and questions regarding this RFI should be emailed to subastasinformales@asg.gr.gov on or before Monday, July 22, 2024 at 3:00 p.m. Said email must contain in the subject the following information: RFI number and name of the Proposer and company it represents.



2. PURPOSE & OBJECTIVES

2.1 PURPOSE

The purpose of this Request for Information (RFI) is to solicit input from potential suppliers about their capacity to provide products that comply with Act 51-2022, which prohibits the sale and use of single-use plastics in Puerto Rico. The Administration of General Services (ASG) is seeking information to understand the market's ability to meet the needs of Government Entities, Exempt Entities, and Municipalities of Puerto Rico.

2.2 SCOPE OF INFORMATION REQUESTED

2.2.1 PRODUCT INFORMATION

- Description of alternative products to single-use plastics (e.g., cutlery, plates, straws, cold and hot cups, food containers).
- Materials used in these products (e.g., cardboard, cellulose, wood).
- Certifications and compliance with eco-friendly standards.

2.2.2 SUPPLIER INFORMATION

- Company background and experience in supplying eco-friendly products.
- Capacity to meet the demands of Government Entities, Exempt Entities, and Municipalities in Puerto Rico.
- Previous experience in supplying similar products under similar regulations.

2.2.3 DISTRIBUTION AND SUPPORT

- Availability and delivery timelines for products.
- Distribution channels and logistics support.
- Any potential challenges in supplying these products and proposed solutions.

2.2.4 COST INFORMATION

- Estimated costs for the products.
- Any available pricing models or bulk purchasing discounts.

3. SUBMISSION REQUIREMENTS

3.1 RESPONSES TO THIS RFI SHOULD INCLUDE THE FOLLOWING INFORMATION

- Company name, address, and contact information.
- Detailed description of the products and their compliance with Act 51-2022.
- Information on the company's experience, capacity, and distribution capabilities.
- Estimated cost information and any pricing models.



3.2 SUBMISSION INSTRUCTIONS

Please submit your response to this RFI by Tuesday, July 30, 2024 at 10:00 a.m. to:

Email: subastasinformales@asg.pr.gov

Mailing Address: Centro Gubernamental Roberto Sánchez Vilella (Minillas) Torre Norte, Piso 13, San Juan, Puerto Rico 00911

Disclaimer:

This RFI is issued solely for information and planning purposes and does not constitute a solicitation. Responses to this RFI will not be considered as offers and will not form a binding contract. The ASG will not reimburse respondents for any costs incurred in responding to this RFI.

4. CONFIDENTIALITY

Information provided in response to this RFI will be kept confidential and used solely for the purpose of evaluating the market's ability to supply products compliant with Act 51-2022.

Thank you for your participation in this Request for Information process. We look forward to your valuable input.

5. ATTACHMENTS

- Annex 1 – Proposed Solution
- Copy of Act 51-2022



ANNEX I - PROPOSED SOLUTION

A. INTRODUCTORY SECTION

Executive Summary:

Provide a high-level description of your potential solution for providing products related to the reduction of single-use plastics and promoting a green economy.

Company Information:

Company structure
Number of employees
Location(s)
Ownership structure

Specify if the company currently has offices in Puerto Rico, including details of location and number of employees.

Overview of Relevant Experience (no more than 3 pages):

Experience in providing sustainable products
Experience in green economy initiatives
Experience in reducing single-use plastics

Contact Information:

Primary contact names and details for follow-up communications.

Include at least two contacts.

B. PROPOSED SOLUTION

Respondents are asked to address each of the following topics and questions. Answer each of the 15 numbered questions separately, while also addressing all sub-bullets in your response. Follow the RFI format and reference request number in each answer. Include discussions and examples of how your proposed solution addresses key needs related to the supply of products that reduce single-use plastics and promote a green economy.

Solution Overview:

Provide an overview of your proposed solution, describing the products you supply, the sustainability benefits they offer, and the general features they provide.

Product Specifications:

Describe the specifications of the products you offer, including:



- Types of products (e.g., reusable alternatives, biodegradable materials)
- Sustainability certifications and standards met
- Environmental impact
- Lifecycle analysis
- Packaging and transportation methods

Supply Chain and Logistics:

Describe your supply chain and logistics approach, including:

- Sourcing of raw materials
- Manufacturing processes
- Transportation and distribution methods
- Inventory management
- Scalability and capacity to meet demand

Supporting Components:

Describe any additional services or components that support the implementation of your products, such as:

- Customer education and support
- Marketing and promotional materials
- Partnerships with environmental organizations
- Programs for recycling and waste management

Green Economy Impact:

Provide a brief description or answers to the following prompts regarding the impact on the green economy:

Environmental Benefits:

Reduction in plastic waste

Decrease in carbon footprint

Conservation of natural resources

Economic Benefits:

Job creation in green industries

Cost savings for consumers and businesses

Growth of the sustainable products market

Social Benefits:

Increased awareness and education on sustainability

Improved public health through reduced pollution

Enhanced community involvement in environmental initiatives

Legacy Product Conversion:

Describe recommendations for:



- Transitioning from single-use plastics to your sustainable products
- Quality control measures
- Decommissioning single-use plastic products

Experience with Proposed Solution:

Describe your experience with implementing the proposed solution:

- Examples of previous implementations
- Success stories and case studies
- Lessons learned and best practices

Compliance and Certification:

Describe the compliance of your products with relevant regulations and standards:

- Environmental certifications
- Safety and quality standards
- Regulatory compliance

Customization and Flexibility:

Describe the customization options available for your products:

- Product design and features
- Packaging options
- Flexible solutions for different customer needs

Cost to Implement:

Provide an overview of anticipated costs:

- Estimated cost of products
- Main cost drivers
- Additional costs for customization
- Ongoing maintenance fees

Recommendations:

Provide recommendations for successful implementation:

- Pre-procurement activities to improve success and limit risk
- Additional recommendations based on industry knowledge and expertise



(H. B. 668)

(No. 51-2022)

(Approved June 29, 2022)

AN ACT

To ban the sale and use of single-use plastic products in each commercial, sales, and distribution establishment authorized to engage in business pursuant to the laws of the Commonwealth of Puerto Rico; provide a transition period to comply with the provisions of this Act; launch an awareness program for such purposes; establish penalties; and for other related purposes.

STATEMENT OF MOTIVES

Several measures have been adopted recently regarding environmental protection and significant contributions have been made to raise people's awareness of single-use plastic waste and the benefits of recycling for current and future generations. The battle has advanced steadily in sending the message about the harmful and unprecedented damages caused by plastic waste as well as plastic waste mismanagement, which are adversely affecting the environment, species, and have other collateral effects.

Single-use plastic products include plastic cutlery, plates, and straws as well as cups, mugs, and food containers made of extended polystyrene for immediate consumption or takeout. Many studies show that the main problem with these products is that this type of plastic pollutes the environment, is not compostable, and adversely affects how conventional plastic is recycled. Moreover, it can be concluded that plastic waste has a substantial impact on the environment. Only 14% of plastic waste is recycled globally, which means that the remaining 86% ends up in landfills and bodies of water.

A ban on single-use plastic on the Island seeks to protect the planet from plastic pollution, a problem that exacerbates climate change and biodiversity loss. This measure strives to contribute to cultural change. Bans raise consumer and business awareness of the "throw away" culture that is generating massive amounts of waste that have become unmanageable for the planet. Therefore, the ban on disposable plastics directs us towards a new cultural model focused on the durability and quality of the items we use, prioritizing their continuous reuse, and preventing waste.

Worldwide campaigns have been launched and legislation has been enacted to address the problem. The European Union adopted legislation to ban single-use plastic products by 2022. Other countries such as: Costa Rica, Ecuador, Jamaica, Barbados, Belize, Bahamas, Costa Rica [sic], Dominica, Grenada, Trinidad and Tobago, Haiti, and Antigua and Barbuda have also followed suit.



Likewise, there are multiple eco-friendly alternatives to single-use plastic products. For example, carton, cellulose, or wood are regarded as a sustainable alternative for making single-use cups, plates, and cutlery. This type of material, which is considered eco-friendly, has a high resistance and tolerance to high temperature liquids and food.

This measure seeks to ban the use of single-use plastic products within the territorial limits of Puerto Rico. There shall be no limitation to the use of plastics that may be used more than once or that are biodegradable. This measure conforms to the public policies adopted by several international jurisdictions, which have raised awareness of this problem and its harmful effects. This additional step is one of many more that shall be taken to integrate Puerto Rico in environmental mainstreaming and help protect the planet and the environment. The foregoing work shall be arduous and difficult, but we are certain that future generations will be grateful to us.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- This Act shall be known as the “Act to Ban the Sale and Use of Single-Use Plastic Products in Each Commercial, Sales, and Distribution Establishment Authorized to Engage in Business pursuant to the Laws of the Commonwealth of Puerto Rico.”

Section 2.- For purposes of this Act, the following terms shall have the meaning expressed below:

a. Commercial Establishment- Means any shop, restaurant, store, or similar place, and any natural or juridical person engaged in any type of wholesale or retail trade or business activity where single-use plastic products intended for immediate use are sold or delivered.

b. Single-use Plastic Product- Means the product made of plastic that is willingly sold or used, such as plastic cutlery, plates, and straws, as well as cups, mugs, and food containers made from expanded polystyrene for immediate consumption or to carry any type of processed or unprocessed food.

(c)[sic] Section 3.- Public Policy.

The conservation of the environment must be a priority for any society. Throughout its history, Puerto Rico has carried out a series of affirmative actions that direct us toward the right path of environmental conservation and protection of our resources.

However, there is more to be done. Raising awareness of the effects of plastic pollution and the serious consequences thereof must be a priority for this Administration. Therefore, it is hereby declared as public policy of the Commonwealth of Puerto Rico that particular attention must be paid to the use of plastic in our surroundings. We must address the proper disposal of this material and avoid further damaging the environment both locally and internationally. Many countries have joined in the environmental trend and taken drastic measures



such as the ones included in this Act. It is time for Puerto Rico to assume a leading role in this issue. Future generations will be grateful.

Section 4.- Prohibition.

Twenty-four (24) months after the approval of this Act and upon completion of the Education and Awareness Program established herein, every commercial establishment within the territorial limits of the Commonwealth of Puerto Rico shall cease the practice of distributing or using single-use plastic products. Likewise, the wholesale or retail sale of single-use products is hereby strictly prohibited. The use of a plastic product that is necessary for packaging any type of meat and that, due to its composition, lacks any other plastic alternative other than a single-use plastic product is hereby expressly excluded from this prohibition.

During emergency periods declared by the Governor of the Commonwealth of Puerto Rico or the President of the United States of America, single-use plastic products may be used to meet the needs of businesses and consumers during said periods. The prohibition prescribed in this Section shall resume once the emergency is over.

During this period, twenty-four (24) months after the approval of this Act, and for a period of six (6) months, any commercial establishment that fails to comply with these provisions shall receive a notice of noncompliance stating the violation of this Act. Such notice shall not entail penalties or fines and shall state the date on which a civil penalty shall be imposed if it is found to be in violation of these provisions.

Section 5.- Education and Awareness Program.

Upon the approval of this Act and without delay, the Department of Natural and Environmental Resources and the Department of Consumer Affairs shall be responsible for developing an education and awareness program to inform about the provisions of this Act and the importance of complying with the same, its environmental impact, and the benefits for present and future generations, in addition to its contribution to environmental sustainability. Likewise, such entities shall be authorized to form alliances with the private sector in order for the effective implementation of this Act.

Said entities shall be authorized to design dissemination strategies as are necessary and feasible in order to promulgate the scope of this Act. However, said entities shall be required to inform the general community in Puerto Rico about the approval of this Act, its implications, and social responsibilities.

Every commercial establishment in the Commonwealth of Puerto Rico shall place information signs on the scope of this Act directed at consumers. Entities in charge shall prescribe through regulations all that pertains to contents of such signs. Such dissemination efforts shall begin no later than thirty (30) days after the approval of this Act.

Section 6.- Penalties.



For violations of the provisions of this Act, the Secretary of the Department of Consumer Affairs, through designated officials, shall impose an administrative fine of five hundred (500) dollars on the commercial establishment for the first violation.

For the second and subsequent violations, the commercial establishment shall be punished by an administrative fine of one thousand (1,000) dollars and five thousand (5,000) dollars, respectively.

Violators shall be required to pay the administrative fine within thirty (30) days. Review may be requested within said period. If the fine is not paid within the prescribed period, a late fee equal to ten percent (10%) of the fine imposed shall be assessed thereon.

Section 7.- Rulemaking Authority.

Within sixty (60) days from the approval of this Act, the Secretary of the Department of Natural and Environmental Resources and the Secretary of the Department of Consumer Affairs shall adopt rules and regulations as are necessary to enforce the provisions of this Act.

Section 8.- Severability Clause.

If any clause, paragraph, section, or part of this Act were held to be void or unconstitutional by a court of competent jurisdiction, the ruling, holding, or judgment to such effect shall not invalidate the remainder of this Act.

Section 9.- This Act shall take effect upon its approval.