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GUIDE FOR SUSTAINABLE PUBLIC PROCUREMENT PRACTICES IN THE REPUBLIC OF MOLDOVA

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Disclaimer

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TABLE OF ABBREVIATION

CA	Contracting authority
CO_2	Carbon dioxide
CPV	Common Procurement Vocabulary
EU	European Union
EMAS	Eco-Management and Audit Scheme
FSC	Forest Stewardship Council
GDP	Gross Domestic Product
GHG	Greenhouse gas
GPP	Green Public Procurement
GEN	Global Ecolabelling Network
ICT	Information and Communication Technologies
ISO	International Organization for Standardization
OECD	Organisation for Economic Cooperation and Development
LCC	Life cycle costs
PC	Personal computer
PPA	Public Procurement Agency
PPL	Public Procurement Law
PVC	Polyvinyl chloride
SDGs	Sustainable Development Goals
SP	Sustainable Procurement
SPP	Sustainable Public Procurement
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNIDO	United Nations Industrial Development Organization

INTRODUCTION

The Republic of Moldova puts an ultimate goal to shift into circular economy models, following an international and European trend on promotion of circular economy, sustainable consumption and production patterns. It ratified the Public Procurement Agreement of the World Trade Organization in June 2016. This, together with the Moldova-European Union Association Agreement, previously signed in 2014, requires Moldova to take all measures to liberalize trade and develop the public procurement system in compliance with international best practices, including considering social and environmental aspects.

Since 2015, the national regulatory framework and practices in the field of public procurement have evolved considerably. Public procurement principles such as transparency, competition, non-discrimination, environmental protection and the promotion of sustainable development through public procurement were introduced to lead to state budget and planning savings. The Republic of Moldova aims at applying general principles for public procurement considering environmental and social factors. Introduction of the sustainability elements in the public procurement process can help to reduce the environmental impacts of goods and services, procured and consumed by the government. With sustainability issues moving progressively to the top of national and global priorities' agenda, the adoption of effective sustainable public procurement practices has become a necessity.

Public procurement represents a significant part of public expenditure. In the European Union (EU), public expenditure on works, goods and services represents around 14% of the EU's Gross Domestic Product (GDP), which is around €1.8 trillion per year. In the Republic of Moldova, this indicator reaches approximately 10% of GDP, or almost 20 billion lei MD (in 2022, approximately 1.12 billion USD). Therefore, incorporation of the principles of sustainable development into the public procurement system will also have a direct impact on social, economic and environmental aspects.

The Sustainable Public Procurement (SPP) concept aims to promote the sustainable and balanced development of the country in the way that economic, environmental (climate, water resources, energy resources, etc.) and socio-economic aspects are considered in the process of public procurement.

The impact on socio-economic spheres will directly influence jobs' araciality and conditions or the development of the local market, as the market will also develop considering consumers demand (where the government is the biggest consumer in the country).

Reflection of the environmental aspects in the public procurement system will help to improve environment and accelerate environmental protection process in the country. SPP can help Moldova achieve Sustainable Development Goals (SDGs) (in particular, SDG 12 on Responsible Consumption and Production) and other commitments under international environmental agreements. The public sector can also encourage the private sector to reduce its impact on the environment and motivate it to develop green production and services, apply innovative models.

Every product or service bought has economic, social, and environmental impacts throughout its life cycle, from raw material extraction, product manufacture and to the use, disposal and/or recycling it. SPP can help to reduce negative impacts occurred in the consumption and/or production of products and services.

By buying more sustainable products and services, public institutions can convey a strong market signal and help drive markets towards more sustainability.

This Guide is prepared in particular for Contracting Authorities (CA) and it describes how CA may purchase goods, works or services with a reduced environmental impact. It suggests how to mainstream sustainability into existing public procurement procedures.

The purpose of this Guide is to explain the concept of SPP to the CA and to increase the level of awareness of public institutions regarding the acquisition of products, services and works, which includes, when it is possible, sustainability criteria in the award documentation. The Guide provides general provisions on SPP and specific information related to 5 priority products selected for SPP pilot tenders in the Republic of Moldova: organic fruits and vegetables, energy/ecologically efficient windows and doors, personal computers, motor vehicles, printer paper. It aims to present an analysis of the national regulatory framework, public procurement procedures, technical specification for 5 priority products, and demonstrates European best practices regarding the possibility for public institutions to consider environmental aspects in public procurement and to deliver results related to sustainable development from the perspective of environmental protection.

One of the key activities supported by the EU4Environment project was the review of the public tender procedures and launch of pilot public tenders for 5 prioritized products that include sustainability criteria. The purpose of this activity was to train the CAs participating in the project to apply sustainability criteria in the award documentation, as well as to familiarize suppliers/producers with the concept of sustainable development and on how the sustainability criteria could be used in future procurement procedures. Lessons learned from the launch of these public pilot tenders will be presented further in this Guide as case studies.

1. NOTIONS AND CONCEPTS

1.1. GREEN PUBLIC PROCUREMENT

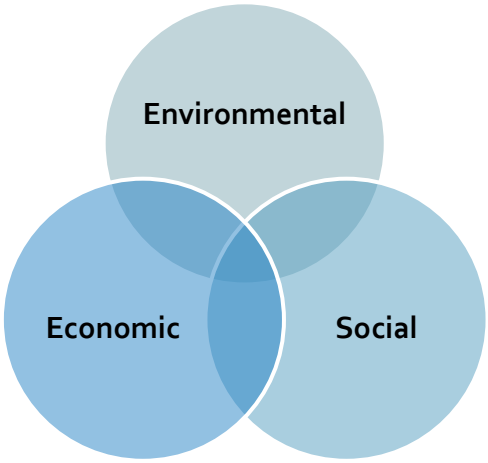
Green Public Procurement (GPP): Procuring goods, services and works with a reduced environmental impact throughout their life cycle.

In the EU, the European Commission defines green public procurement (GPP) as "a process whereby public authorities seek to procure goods, services and works with a reduced environmental impact throughout their life-cycle when compared to goods, services and works with the same primary function that would otherwise be procured".[1]

1.2. SUSTAINABLE PUBLIC PROCUREMENT

Sustainable Procurement (SP) is a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment.

The definition of "Sustainable procurement" has been adopted by Marrakech Task Force on Sustainable Public Procurement in the report Procuring the Future in 2006[2].



Sustainable Public Procurement seeks to achieve the appropriate balance between the three pillars of sustainable development i.e. **economic, social and environmental**[3] [4]

Sustainable development requires the CAs to consider social, economic, and environmental aspects and criteria while exercising their rights and obligations. None of the mentioned aspects shall have priority over others; rather, the right balance should be achieved. CAs have the opportunity to apply SPP criteria at any stage of procurement, from market research to contract enforcement and monitoring.

[1] https://ec.europa.eu/environment/gpp/what_en.htm

[2] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69417/pb11710-procuring-the-future-060607.pdf

[3] https://www.oneplanetnetwork.org/sites/default/files/from-crm/sustainable_public_procurement_implementation_guidelines.pdf

[4] https://ec.europa.eu/environment/gpp/versus_en.htm

1.3. SUSTAINABLE DEVELOPMENT

Sustainable development means meeting the needs of the present whilst ensuring future generations can meet their own needs.

It has three pillars: economic, environmental and social. To achieve sustainable development, policies in these three areas have to work together and support each other.[5]

In 2015, world leaders agreed on **Agenda 2030**, a set of **17 Sustainable Development Goals** and 169 targets proposed by the United Nations.[6]

In September 2015, the Republic of Moldova, together with 192 other UN member states, adopted the Declaration of the Summit on Sustainable Development, through which it undertook to implement the **2030 Agenda for Sustainable Development**[7]. Thus, by 2030, our country, along with other countries, is going to mobilize its efforts to eliminate all forms of poverty, to combat inequalities and to address climate change issues, ensuring that no one is left behind.

[5] https://policy.trade.ec.europa.eu/development-and-sustainability/sustainable-development_en

[6] https://sdgs.un.org/goals

[7] https://sdgs.un.org/2030agenda

1.4. PRODUCT LIFE CYCLE

As mentioned, GPP aims to direct conventional procurement processes towards purchasing products, services and works that have a low environmental impact throughout their entire life cycle. This involves developing scientific and verifiable criteria **based on a life cycle approach** that can be included in procurement guidelines.

There are **five key stages** in the life cycle of a product categories or service:

Raw materials	•The supply of the necessary materials for the product or service.
Production	•Transformation of raw materials and assembly of products.
Distribution	•Bringing the product to the end user.
Use	•Where the end user derives direct value from the product or service.
End of life	•What happens when the end user is done with the product or service.

Products' use is related to resources consumption in different ways throughout their life cycle. This should be considered when determining the purchase criteria. Products can be broadly classified into five categories based on environmental impact[8]:

1. **Raw material intensive product:** Most of the impact is created by the materials contained in the product. This includes energy consumption and waste generation in the production of raw materials, as well as social impacts such as disrupting local communities' access to minerals. Typical high-impact materials would include virgin metals, natural extracts such as perfume ingredients, and energy-intensive materials such as bricks and concrete. Electronic and electrical equipment are typical of products in this category.
2. **Manufacturing intensive product:** The processing of raw materials during production has the greatest impact through energy consumption, waste production and health and safety issues. Typical intensive manufacturing products use materials that undergo extensive processing during the manufacturing process or that produce large amounts of waste. Examples include many durable goods and chemicals.
3. **Distribution intensive product:** These products have maximum impact when they are distributed to different retailers in multiple regions. Such products also involve transportation, which adds to their environmental impact. Examples of these products include air transport and chilled fresh fruit and vegetables.
4. **Use intensive product:** Such products have the greatest impact on the environment during their use/operation. These products are also usually durable and go through several cycles of use. Examples include automobiles, dishwashers, and laser printers.

[8] "A Review of LCA Methods and Tools and their Suitability for SMEs (Small and medium-sized enterprises)"; Hannele Lehtinen et al., University of Manchester.

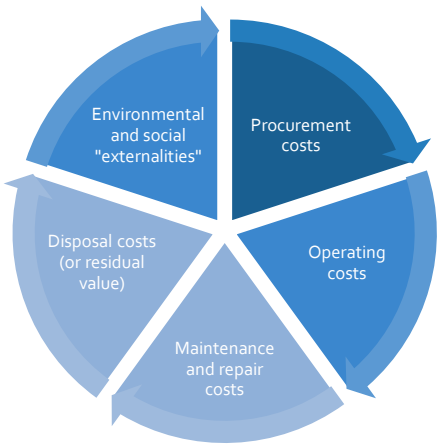
5. **End-of-life intensive product:** These products generate the maximum impact at the end of their life, are usually non-biodegradable, contain hazardous substances and are difficult to recycle or dispose of safely. Examples of such products are different types of batteries.

Procurement criteria in this framework can be defined based on key environmental impacts across a product's life cycle stages.

1.5. LIFE CYCLE COSTS

Life cycle costs (LCC) -
the total money that has to be spent ona product, process, activi ty, etc. during its existence.

When you purchase a product, service or work, you always pay a price. Purchase price, however, is just one of the cost elements in the whole process of purchasing, owning and disposing. LCC considers all the costs that will be incurred during the lifetime of the product, work or service:



- Purchase price and all associated costs (delivery, installation, insurance, etc.),
- Operating costs, including energy, fuel and water use, spares, and maintenance,
- End-of-life costs (such as decommissioning or disposal) or residual value (i.e. revenue from sale of product).

LCC may also include the *cost of externalities* (such as greenhouse gas emissions, climate change impact, pollutant emissions, social costs and others)[9][10].

Life cycle costs

Acquisition	Use	Disposal
•Procurement price •Delivery •Installation •Training	•Electricity •Water •Consumables supplies •Maintenance •Repair •Renovation	•Collection •Recycling •Treatment •Disposal

[9] https://dictionary.cambridge.org/dictionary/english/life-cycle-cost
[10] https://green-business.ec.europa.eu/green-public-procurement/life-cycle-costing_en

1.6. CIRCULAR ECONOMY

Circular economy is a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products as long as possible. In this way, the **life cycle of products is extended.**

In practice, it implies reducing waste to a minimum. When a product reaches the end of its life, its materials are kept within the economy wherever possible thanks to recycling. These can be productively used again and again, thereby creating further value.

This is a departure from the traditional, *linear economic model*, which is based on a take-make-consume-throw away pattern. This model relies on large quantities of cheap, easily accessible materials and energy[11].

The "R" Principles of Circular Economy

Recycle	•Recycle materials or resources by disassembling components and separating parts.
Reduce	•Reduce consumption of energy and materials by applying lean design principles and producing products that are made to last.
Re-use	•Reuse products by transferring them to another user. The marketplaces like eBay have already taken hold on consumers' markets and it's starting to be used in industries as well.
Repair	•Repair components and parts so that products can be used longer by the user. With the slow-down of throw-away consumption, consumers will be thinking about purchasing products that last and the "repair" business will get a boost.
Refurbish	•To achieve circular economy, businesses can look into recovering and refurbishing old products to be sold again or transformed in new products.
Recover	•Recover embedded energy from non-recyclable waste material where feasible. Non-recyclable waste may at least be converted into energy through waste-to-energy processes such as combustion and gasification.
Refuse	•Refuse is linked to user choices, opting to stop buying or using certain products.

[11] https://www.europarl.europa.eu/news/en/headlines/economy/20151201STO05603/circular-economy-definition-importance-and-benefits

1.7. ECOLABELS AND INTERNATIONAL STANDARDS ISO 14020 SERIES

Ecolabels and standards are a valuable tool in determining the environmental performance of a product.

Ecolabelling is, according to ISO 14020, a set of voluntary tools with the aim of stimulating the demand for products and services with environmental effects by providing essential information about their life cycle to satisfy the buyer's demand for environmental information.

The ecolabel is awarded to a wide range of product groups[12].

The ecolabel - is a graphic symbol applied to the product, packaging, in a brochure or other informative document that accompanies the product/service and which provides the necessary information regarding the criteria for awarding the ecological label to products and services on the market.

Ecolabel is a patented logo for easy recognition of a product or service that meets the established environmental leadership criteria (Type 1). An impartial third party awards it.[13]

At present, there are three main types of ecolabels: Type I, Type II and Type III:

Overview of labels and their application for environmental best practice				
	Ecolabel Type I	Certification scheme Type I-like	Self-declaration Type II	Environmental product declaration Type III
ISO reference	ISO 14024		ISO 14021	ISO 14025
3rd Party Verified	Yes	Yes	Not required but recommended	
Life Cycle-based	Yes	Yes		Yes
Environmental focus	Full set of environmental (and social) criteria	Specific envirenmental impact	Specific envirenmental impact	Everall impact (often shown as matrix)
Comparability between products possible	Sometimes	Sometimes	---	Typically
Communication method	Seal or label	Seal or label	Declaration, sometimes with seal or graphical element	Environmental product declaration
Type of communicatin	Business-to-consumer	Business-to-consumer	Business-to-consumer	Business-to-consumer

Source: UNEP training materials on eco-labelling, 2023.

[12] https://environment.ec.europa.eu/topics/circular-economy/eu-ecolabel-home/product-groups-and-criteria_en

[13] https://globalecolabelling.net/organisations/

Type 1 ecolabels cover the whole life cycle and all relevant environmental aspects and has absolute requirements. All stages from raw materials to production, use, disposal and recycling are included in the assessment when the requirements are established.

Type 1 is generally considered the 'gold standard' of ecolabeling, due to its independent verification, comprehensive approach, and widespread use. By choosing Type 1 it is guaranteed a product that has passed certain strict environmental requirements.

The Global Ecolabelling Network (GEN) is the leading network of the world's most credible and robust ecolabels. https://globalecolabelling.net/

The ISO 14020 family of standards provide principles and requirements for communicating environmental aspects and environmental impacts of products through environmental statements (e.g. self-declared environmental claims (ISO 14021), **ecolabels (ISO 14024)**, environmental product declarations (EPDs) (ISO 14025) and footprint communications (ISO 14026)).[14] [15]

Mostly, the labels can help to save time in preparation of the tender/award documents, while ensuring that high environmental standards are applied in the procurement procedures by contracting authorities.

Examples of ecolabels:

The European Ecolabel[16] (Type 1) is a voluntary system, established in 1992 to encourage businesses to produce or buy products and services that are environmentally friendly. The products and services that have received the ecological label bear the well-known logo of the European flower to allow consumers - including public and private purchases - to easily identify ecological products.

[14] https://www.iso.org/obp/ui#iso:std:iso:14020:en

[15] https://www.iso.org/standard/79479.html

[16] http://ec.europa.eu/environment/ecolabel/index_en.htm

The Forest Stewardship Council (FSC)[17] is an international, non-governmental organization dedicated to promoting responsible management of the world's forests. Since its foundation in 1994, FSC has grown to become the world's most respected and widespread forest certification system. The Forest Stewardship Council (FSC) certifies forests to ensure their environments are responsibly managed and meet the highest environmental and social standards.

The Nordic Swan Ecolabel[18] (Type 1) is the official sustainability ecolabel for products from the Nordic countries. It was introduced by the Nordic Council of Ministers in 1989.

The Blue Angel[19] (Type 1) has been the ecolabel of the German Federal Government for more than 40 years. It is an independent and credible label that sets stringent standards for environmentally friendly products and services.

ENERGY STAR[20] is the trusted, government-backed symbol for energy efficiency helping us all save money and protect the environment through energy-efficient products and practices.

[17] https://fsc.org/en
[18] http://www.nordic-ecolabel.org/
[19] http://ec.europa.eu/environment/ecolabel/index_en.htm
[20] https://www.energystar.gov/

Energetic European label [21] was created to provide to buyers accurate, comparable and easily recognizable information on the energy consumption, performance and other features of household appliances. This information allows any person to identify how a product is energy efficient and assess the potential reduction in energy costs. All information contained in the label is based on standard tests under European law. The label initially classified products from A to G, with A being the most efficient energy class and G the least efficient. Revised European legislation introduced for classes up to A +++ to allow the adaptation to technological developments and to allow further differentiation of products in terms of energy efficiency.

"Organic Agriculture - Republic of Moldova". This is a sign that confirms the production process is controlled by inspection bodies and ensures that the product is produced according to organic farming exigencies. The mark is registered and recognized by 16 countries in the European Union. Organic products grown in the Republic of Moldova have applied eco-label on the package with mark "Organic Agriculture - Republic of Moldova" [22].

The Republic of Moldova has its own ecological labeling system, in accordance with EU requirements. The eco-label symbol has been registered at the State Agency for Intellectual Property. Thus, products and services conforming to the primary environmental criteria will be easier to identify, facilitating the application of best practices for the protection of the environment and public health, as well as the recycling of products. The Government of the Republic of Moldova approved Decision no. 204/2023 for the approval of the Regulation on ecological labeling, a document that will enter into force in April 2024[23]. This type 1 ecolabel is newly developed and needs to be promoted to be applied by national producers.

Case Study 1. Procurement of computers and printer paper.

Following the launch of the public pilot tender to procure computers and printer paper, the following **lessons were learned:**

- It is important to understand the importance of using such a useful tool as the eco-label. The ecolabel is a "homework" to be done by EO for CA. Requesting the ecolabel as an evidence and a proof of the product's compliance with sustainability criteria, CA no longer has to look for and indicate which of its technical parameters are sustainable.
- Requesting the ecolabel for computers and printer paper should become a common practice for CAs in the Republic of Moldova.

[21] https://commission.europa.eu/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/energy-label-and-ecodesign/about_en
[22] https://www.legis.md/cautare/getResults?doc_id=114734&lang=ro#
[23] https://www.legis.md/cautare/getResults?doc_id=136729&lang=ro

1.8. ENVIRONMENTAL MANAGEMENT SYSTEMS

Among green labels certified by independent bodies are labels awarded to companies that apply environmental management systems: EMAS (EU) and ISO 14001 (International).

EMAS[24] is a management tool developed by the European Commission for enterprises and other organizations to evaluate, report and improve their environmental performance. EMAS system is primarily used by organizations located in the EU or in the European Economic Area; although it can be used by organizations located elsewhere, but it is always checked by a European accreditation body.

ISO 14001[25] is an internationally agreed standard that sets out the requirements for an environmental management system. It helps organizations improve their environmental performance through more efficient use of resources and reduction of waste, gaining a competitive advantage and the trust of stakeholders. ISO 14001 was revised at the end of 2015.

1.9. IMPACTS & OPPORTUNITIES OF SPP

SPP is implemented as a public policy tool in support of national sustainable development objectives in the area of public procurement. Given the wide range of national development objectives, the benefits of SPP are often represented in terms of the three dimensions of sustainable development – social, environmental and economic.

The Sustainable Purchasing Leadership Council has identified over 60 impacts and opportunities that can (and should) be addressed via institutional purchasing.[26]

In the figure below + indicates an increase, - indicates a decrease.

[24] http://ec.europa.eu/environment/emas/index_en.htm
[25] https://www.iso.org/iso-14001-environmental-management.html
[26] https://www.wto.org/english/tratop_e/gproc_e/gp220217/farid_yaker.pdf

Environmental	Social	Economic
Environmental factors affect the natural systems on which life depends, now and in the future	**Social factors** affect the social systems on which communities depend, now and in the future	**Economic factors** affect the health of the markets on which commerce depends, now and in the future
•+ biodiversity preservation •+ climate adaptation •+ resource optimization •+ soil health stewardship •- acidification •- desertification •- eutrophication •- freshwater pollution •- greenhouse gas emissions •- habitat depletion •- human health impacts •- land use change • marine pollution •- ozone depletion •- radiation pollution •- resource depletion •- smog- waste •- water consumption	•+ anti-discrimination •+ community engagement •+ diversity/equal opportunity •+ employee engagement •+ equal remuneration •+ fair trade •+ freedom of association •+ grievance & remedy processes •+ human rights •+ indigenous rights •+ occupational health & safety •+ right to collective bargaining •+ sustainable compensation •+ training and education •+ worker rights •- child labor •- forced/compulsory labor •- human trafficking •- sourcing from conflict zones	•+ fair dealings •+ innovation research / investment •+ open competition •+ transparency of information •+ use of diverse suppliers •+ use of HUB zones •+ use of local suppliers •- conflicts of interest •- corruption (bribery, extortion…) •- dividing territories •- dumping •- exclusive dealing •- misleading market claims •- monopoly (seller collusion) •- monopsony (buyer collusion) •- patent misuse •- price fixing- product tying •- refusal to deal

2. LEGAL FRAMEWORK IN THE REPUBLIC OF MOLDOVA RELATED TO SPP

The public procurement system in the Republic of Moldova is regulated by **Public Procurement Law No 131 of 03/07/2015.[27] Recently this Law was reviewed according to the** Directive 24/2014/EC of the European Parliament and of the Council of the European Union. **Among others,** the Law sets the preconditions to use of sustainable elements in the selection and award criteria (including technical specifications), and clauses of environmental contract performance. Some examples are described below:

on legislation: The Public Procurement Law 5 gives the CA a right to establish technical specifications with special conditions, aimed at achieving social effects, environmental protection and sustainable development promotion.

on qualification: Sustainability standards are one of the qualification requirements.

on procedure: In case the CA includs environmental protection in the award documentation, the EO has the obligation to justify certain environmental protection standards.

on complience: Violation of obligations in the field of environment constitutes grounds for exclusion of the tenderer from the award procedure.

In order to implement the Public Procurement Law no. 131 of 03.07.2015, in cooperation with the United Nations Environment Program (UNEP), within the EU-funded "European Union for the Environment (EU4Environment)" Action, the Public Procurement Agency drafted the Government Degree on SPP, which would facilitate the promotion of use sustainability criteria for priority products in the Republic of Moldova. The draft Degree was exposed for public consultations with interested public authorities (procurers), suppliers, as well as civil society organizations working in the area of sustainable development, environmental protection and public procurement. The draft Degree together with the received comments and suggestions from the stakeholders, was sent to the Ministry of Finance of the Republic of Moldova for promotion and further steps.

In addition, the Ministry of Finance has approved standard tender documents that help CAs to conduct public procurement procedures with the indication of sustainability criteria.[28] [29] Secondary normative acts and tender documents can be accessed on the official website of the Public Procurement Agency[30].

On 17.11.2022 by Law no. 315 the Parliament of the Republic of Moldova adopted the National Development Strategy "European Moldova 2030", which is a national document of long-term strategic vision, which indicates the directions of the country's development and adapts the priorities, objectives, indicators, but also the targets of the international commitments undertaken by the Republic of Moldova, in the national context, including the Agenda for Sustainable Development 2030.[31]

[27] https://www.legis.md/cautare/getResults?doc_id=135662&lang=ro

[28] https://www.legis.md/cautare/getResults?doc_id=127989&lang=ro

[29] https://www.legis.md/cautare/getResults?doc_id=126683&lang=ro

[30] https://tender.gov.md/ro/con%C8%9Binut/legisla%C5%A3ie

[31] https://www.legis.md/cautare/getResults?doc_id=134582&lang=ro

In 2023, the National Program for the Development of the Public Procurement System for the years 2023-2026[32] was approved by the Government Decision no. 625 of 30.08.2023, which aligns with the objectives of the 2030 Sustainable Development Agenda that the Republic of Moldova, and it is currently under implementation. The Action Plan regarding the implementation of this Program includes several measures aimed at implementing sustainable public procurement.

The Ministry of the Environment of the Republic of Moldova developed the Program for the Promotion of the Green and Circular Economy in the Republic of Moldova for the period 2024-2028. The Action Plan for the implementation of this Program includes a specific objective on accelerating the promotion of green and sustainable public procurement. As of February 2024, the Program is exposed for public consultation and will soon be approved by the Government.

[32] https://www.legis.md/cautare/getResults?doc_id=139302&lang=ro

3. PROCUREMENT PROCESS WITH SPP CRITERIA

3.1. GENERAL ASPECTS REGARDING THE PUBLIC PROCUREMENT PROCEDURE WITH SPP CRITERIA

The procurement process is the same whether a contracting authority purchases a product, a service / a work that may be considered "sustainable" or not. The following aspects are relevant in case an CO decide to include SPP criteria into the procurement process:

- The principles governing public procurement.
- The law governing the award process.

The regulatory principles of relations regarding public procurement are set out in PPL No 131/2015[33], and they aspects can be applied by the Cas in the case of SPP integration throughout the whole process of public procurement, as follows:

a. efficient use of public money and minimization of contracting authorities' risks;
b. transparency of public procurement;
c. ensuring competition and combating anti-competitive practices in the field of public procurement;
d. environmental protection and promotion of sustainable development through public procurement;
e. maintaining public order, good morals and public safety, protecting health, protecting human life, flora and fauna;
f. liberalization and expansion of international trade;
g. free movement of goods, freedom of establishment and provision of services;
h. equal treatment, impartiality, non-discrimination with regard to all bidders and economic operators;
i. proportionality;
j. mutual recognition;
k. assuming responsibility within public procurement procedures.

In the following chapters, it will be analysed how the SPP criteria are suggested to be applied at each stage of the public procurement process, from the identification of needs and planning to the conclusion of the contract and the monitoring of its execution.

[33] https://www.legis.md/cautare/getResults?doc_id=135662&lang=ro#

3.2. PLANNING OF PROCUREMENT PROCEDURES

The whole process of planning public procurement procedures can be divided into several stages.

3.2.1. The identification of the needs

The identification of the needs is based on a detailed analysis of the existing problems in the field of activity of the CA, and also of the opportunities that can be fruitful in order to develop the respective field and/or improve the current situation.

It is recommended that at the needs identification stage, the CA will determine those products, services or works for which the SPP criteria are to be applied in the procurement process. For this purpose, the CA will consult the **List of prioritized products** to be procured with the application of the SPP criteria, developed within the framework of the project on the "European Union for Environment Action" (EU4Environment).

Thus, responsible SPP practices are also about buying products/works/services to meet governmental needs and avoid waste generation. At this stage, careful evaluation may determine that there is really no need for this purchase. For this purpose, when identifying the needs, the CA will take into consideration the **"R" Principles of Circular Economy**, set out in chapter 1, point 1.6 of these guidelines.

Nevertheless, to determine their needs with respect to CAs shall consider other factors no less important, namely:

- **Cost considerations**. Are there alternative sustainable products that would have the same cost compared to usual procurement, or will sustainable procurement affect the budget? In assessing the costs, all **costs throughout the life cycle** must be considered: the procurement price, running costs (consumption/water energy, maintenance costs) and disposal.
- **Criteria availability**. Despite the fact that for many groups of products and services criteria for sustainable procurement have already been developed and can be readily placed directly in the specifications without the need for extensive research on environmental performance, developing sustainable criteria for certain products for which such criteria were not developed, can be a real challenge for the Contracting Authority. In these circumstances, this aspect should be taken into consideration before the initiation of the procurement procedure.

3.2.2. Market consultation

However, in cases when the CA considers that there is a real need for goods, works or services, before initiating the procurement process, as well as before examining the SPP criteria, it is advisable that CA conducts a market survey to get a complete picture of the product'/service' avalability, technologies and other potential solutions.

Making a **preliminary analysis of the market** can provide information about the availability of products or services, their estimated value and is useful for identifying the type of procurement procedure (open, restricted tenders or competitive dialogue), and how to establish requirements for sustainable public procurement in the tender documents.

A **dialogue with the representatives of the market** prior to the initiation of the procurement procedure can help identify innovative solutions, which the CA could not achieve independently. This dialogue can also help identify the criteria that will be applied in the procurement process, and the market may be a valuable provider of information on products, existing requirements necessary for the CA.

3.2.3. Determination of estimated value of public procurement contracts

The estimated value of the public procurement contract represents an economic concept that expresses the most likely price that is intended to be paid for the purchase of goods, services or works, on a certain date, in certain particular situations.

The calculation of the estimated value of a public procurement contract is based on the total value to be paid, without value added tax, estimated by the contracting authority.

The estimated value of the public procurement contract is determined before the initiation of the procedure for awarding the respective contract. This value must be valid at the time of the publication of the participation notice.

3.2.4. Preparation and publication of the Public Procurement Plan

Once the CA has prioritized its needs and decided whether to undertake sustainable or conventional procurement, it has to develop a **procurement plan** for 1 year. This plan is a viable tool for the CA to define its intention of sustainable/ecologic procurement and give an impetus to the market to focus and / or refocus on products, works and environmental services, as demand always gives birth to the offer.

When developing Public Procurement Plan, the public procurement working group should give answers to the **following questions**:

What do we need? (Name of products, services and works)

Why/For what do we need it? (Explaining the need for products, services and works)

When do we need it? (Indicate approximate period for goods, services and works procurement)

How much? (it is estimated the value of the goods, services, works, related costs)

Which are the expected results? (Indicate the expected cost-effectiveness).

CA will carry out the planning of public procurement procedures in accordance with the provisions of the Regulation on the way of planning public procurement contracts, approved by Government Decision no. 1419 of 28.12.2016.[34]

The public procurement plan should include information about:

- contract's object-purpose (identifying a "sustainable" title)
- CPV (Common Procurement Vocabulary) code related to products, services or works;
- estimated value (MDL);
- procurement approach, respectively the award procedure;
- expected date for launch of procedure;
- expected date for the completion of the procedure;
- person in charge for contract award.

3.2.5. Selection of procurement procedure

The legislation of the Republic of Moldova provides to CA a number of procedures that can be used, including in the case of SPP. When choosing the procurement procedure specific elements should be considered to enable the CA to identify steps through which environmental criteria can be applied, so as to ensure the maximum efficiency of environmental policy through public procurement contracts.

According to the provisions of art. 46 of PPL No 131/2015[35], the public procurement contract can be awarded through the following procedures:

- **open tender**
- **restricted tender**
- **competitive dialogue**
- **negotiated procedures**
- **request for price offers**
- **solutions competition**
- **acquisition in the case of social services and other specific services**
- **partnership for innovation**

The basic procedures for awarding the public procurement contract are the **open tender** and **the restricted tender**. Other public procurement procedures can be used only under the conditions expressly established by the PPL No 131/2015.

[34] https://www.legis.md/cautare/getResults?doc_id=96902&lang=ro

[35] https://www.legis.md/cautare/getResults?doc_id=135662&lang=ro#

The CA has the right to use the following **specific techniques and instruments** for awarding public procurement contracts:

- the framework agreement
- the dynamic procurement system
- the electronic auction
- electronic catalogs

The SPP criteria can also be applied in **low-value procurements**, regulated by the Regulation on low-value public procurements, approved by Government Decision no. 870/2022[36].

The procedures referred to above offer the possibility of inclusion of environmental requirements at different procurement stages, such as technical specifications, qualification and selection criteria, award criteria or contract clauses. Those stages will be the subject of the following chapters where they are described in more detail.

Case Study 2. Procurement of organic vegetables and fruits.

Following the launch of the public pilot tender to procure the organic vegetables and fruits, the following **lessons were learned**:

It is important to understand that the production of organic products takes a long period of time compared to other conventional (manufactured) products. This is explained by the specifics of agricultural production, where factors such as annual production, planting season, harvesting season, land size, crop rotation, etc. must be considered. Therefore, in order to successfully purchase organic vegetables and fruits, one must consider:

- It is essential that agricultural producers know the needs of the contracting authorities well in advance, which will allow them to plan their production. Thus, contracting authorities must highlight separately in their annual procurement plans the list and estimated quantity of organic fruits and vegetables that they intend to procure during the year. This information will send a strong message to producers, which will allow them to aggregate annual demand, adjust production and plan participation in public procurement procedures.
- Review and re-evaluate the current approach to the seasonal procurement of sustainable and organic food products, by moving to aggregated/centralized procurement, as well as by using the special mode of award, namely the framework agreement.

[36] https://www.legis.md/cautare/getResults?doc_id=134614&lang=ro

3.2.6. Transparency of public procurements

In order to ensure transparency and publicity to public procurement, the CA shall elaborate, disseminate and publish different notices provided by the legislation on public procurement, depending on the types of procedures used for the award of contracts.

Notice types under the PPL No 131/2015 are:

- **notice of intention;**
- **participation notice;**
- **award notice.**

All the notices mentioned above are mandatory and must be published in the Public Procurement Bulletin in accordance with applicable law and will include at least the information set out in the Annex. 3 to PPL No. 131/2015. The title of the procurement contract or subject matter specified in the notice of intention / participation is recommended to mention ”sustainable” in order to inform market players about the fact that the CA intend to initiate a SPP procedure. It should therefore clearly state the intention of the CA to procure in a sustainable way. The inclusion of a sustainable title for the procurement contract makes the EO know from the start what the CA wants, including the fact that certain SPP criteria will be considered when assessing tenders.

3.3. SPP CRITERIA IN THE BIDDING DOCUMENTS AND PROCUREMENT CONTRACT

3.3.1. General aspects regarding the bidding documents and procurement contract

Bidding documents are the primary tool for attracting tenders in public procurement procedures and their quality directly results in obtaining the best value for public money and to meeting the expected needs of CAs.

So, it is necessary to analyse the key points of application of the SPP criteria formulated by the CA in the award documentation.

The award documentation shall include all formal requirements, technical requirements and financial requirements, which allow an objective description of the item of the contract, and on the basis of which the EO will draw up his bid.

Information, which may include SPP criteria:

Technical specifications

- Minimum requirements for goods, services or works reflecting SPP criteria (Ecolabels, energy efficiency requirements)

Award criteria

- Evaluation criteria will generate benefits for tenderers who submit technical proposals complying with SPP criteria set by the CA in technical specifications

Qualification requirements for potential tenderers

- Technical and professional capacities which demonstrate that the EOs have sufficient skills to perform the contract (environmental management systems etc.)

Contract

- Contractual clauses (on transportation, packaging, etc.)

3.3.2. Technical specifications

The starting point for the preparation of an award documentation is the technical specifications of the procurement object. The product specification is an objective description of the products, services or works required by the contracting authority.

The technical specifications represent requirements, technical characteristics that allow each product, service or work to be described objectively so as to correspond to the needs of the contracting authority.

The level of detail of the technical specifications may vary depending on:

- the strategic importance of the contract for the CA,
- the complexity of the contract to be awarded and the volume of activities covered by it,
- the degree of innovation required in fulfilling the objective of the contract,
- availability of the necessary standards to describe the requirements of the CA.

Thus, in the composition of the technical specifications, the CA will initially indicate those technical requirements / specifications that will correspond to the SPP criteria.

Technical specifications based on eco-labels

For the EU countries, eco-labels and the sets of the European Union criteria are useful sources of information in the development of specifications within public procurement procedures.

Labels can be used in two different ways in the context of technical specifications:

- to help CAs to draw up technical specifications in order to define the characteristics of goods or services they purchase;
- to check the compliance with these requirements, by accepting the label as a means to demonstrate compliance with technical specifications.

Mostly, the labels can help to save time in preparation of the tender/award documents, while ensuring high environmental standards that are applied in the procurement procedures by CAs.

The issue with the use of eco-labels is that obtaining this certification is voluntary for EOs participating in the public procurement procedure, and the application of eco-labels may in some way restrict competition.

However, the national PPL No 131/2015 (art. 37, para. 15) regulates the conditions, as well, when they can be applied[37]:

a) such specifications are appropriate to define the characteristics of the goods or services the supply or provision of which is the object of the public contract;
b) the requirements for the eco-label were developed on a scientific basis;
c) the eco-label was adopted by a specific procedure that allowed the involvement of all stakeholders - government authorities, consumers, manufacturers, distributors, environmental organizations;
d) the eco-label is accessible/available to any interested person.

At the same time, the Contracting Authority has the right to admit that the offered services which have an eco-label are considered to fulfil implicitly the required technical specifications, but cannot consider the offer as non-compliant for the sole reason that the offered goods or services do not have a precise eco-label provided that the bidder demonstrate in an adequate way that the offered products or services correspond to the required technical specifications (PPL No 131/2015, art. 37, para. 18).

3.3.3. GPP criteria in the EU

A number of GPP criteria for a range of products and services were established at the EU level. They were developed to facilitate the integration of environmental requirements in the documents for awarding public procurement contracts. The EU GPP tend towards achieving a better balance between the environmental performance, considerations of cost, commercial availability and ease of verification, so that CAs who procure can choose, according to their needs, the inclusion of all or certain requirements in the tender documents.

[37] https://www.legis.md/cautare/getResults?doc_id=135662&lang=ro#

The term GPP criteria includes not only the selection and award criteria, but also specifications and contract performance clauses, and the identification of sustainable criteria represents a very important step for the implementation of green procurement.

The covered groups of products and services are the following[38]:

- Cleaning products and services;
- Copying and graphic paper;
- Combined heat and power (CHP);
- Office Buildings;
- Electrical and electronic equipment in the health care sector;
- Electricity;
- Food and catering services;
- Furniture;
- Gardening products and services;
- Imaging equipment;
- Indoor lighting;
- Office IT equipment;
- Road Design, Construction and Maintenance;
- Sanitary tapware;
- Street lighting and traffic signals;
- Textiles;
- Toilets and urinals;
- Transport;
- Wall panels;
- Waste water infrastructure;
- Water-based heaters.

3.3.4. Award criteria based on environmental aspects

In the Republic of Moldova, the national legislation on public procurement stipulates 4 award criteria[39]:

[38] https://green-business.ec.europa.eu/green-public-procurement/gpp-criteria-and-requirements_en

[39] https://www.legis.md/cautare/getResults?doc_id=135662&lang=ro# , art. 26.

The lowest price and **the lowest cost** are usually used when technical specifications are clear and well defined. If the desired sustainability criteria have already been specified in the technical specifications, the CA may choose to use lowest price as the award criteria.

When using the **lowest price** criterion, environmental requirements must be included in the technical specifications. Only those offers that correspond to the specifications can be evaluated under this criterion. In these circumstances, a contract awarded under this criterion can be called environmental only if the technical specifications included environmental requirements.

Evaluation factors included in the award criterion the best quality-price ratio and the best quality-cost ratio

- price
- quality
- technical and functional characteristics
- delivery deadlines
- post-sales services
- technical assistance
- environmental performance
- life cycle cost
- etc.

The best quality-price ratio and **the best quality-cost ratio –** are usually used when the CA intends to award the public procurement contract to an EO whose offer has the "best value for money". Due to this it is most advisable criterion to take into consideration environmental aspects.

In this case:

A. the CA has the opportunity to establish specifications for the contract, placing greater focus on functional performance that is intended to be obtained from bidders;

B. Specifications against which the offers will be evaluated represent the extended compulsory requirements from the bidding documents. The failure to meet these specifications will not result in rejection of the offer, but their compliance could give an advantage in the evaluation process (in cases when such specifications are subject to some evaluation factors);

C. contract award is based on various factors, coupled with the specific purpose of the contract, such as the quality of proposed solutions, additional technical characteristics, functional characteristics, environmental characteristics, running costs, cost/efficiency, post- sales services and technical assistance, delivery terms, timeframe for work completion, guarantees granted in connection with the proposed technical solutions.

CA shall specify the method of evaluation in the tender documentation.

The national legislation does not provide an exhaustive list of those leaving to the discretion of CA to identify and to provide expressly those in the awarded documents.

Due to the fact that **the best quality-price ratio** and **the best quality-cost ratio** criterion require evaluation factors and it is advisable that criteria take into consideration environmental aspects as well.

When the contracting authority buys something, it always pays a price. The purchase price is just one of the cost elements in the whole process of purchase, holding and disposal. LCC means considering all costs that will be incurred during the life of the product, work or service:

- Purchase price and all associated costs (delivery, installation, insurance, etc.).
- Operating costs, including energy, fuel and water use, spares, and maintenance.

- End-of-life costs, such as decommissioning or disposal.

The policy of saving costs - and environmental protection at the same time - by using the approach based on "**life cycle cost**" can be implemented in various ways:

Savings on use of energy, water and fuel

- The costs of energy, water and fuel consumption during use are often a significant proportion of the total cost of owning a product, work or service and its environmental impact over its life cycle. Reducing this consumption has a financial and environmental effect.

Savings on maintenance and replacement

- Sometimes, an environmentally friendly alternative will be one that will increase the time to replacement and / or reduce the amount of maintenance work that needs to be done. For example, the choice of materials outside a building can have a major effect on the frequency of maintenance and cleaning activities. The most sustainable option will be the one that helps to avoid such costs, and this can be evaluated as part of the LCC.

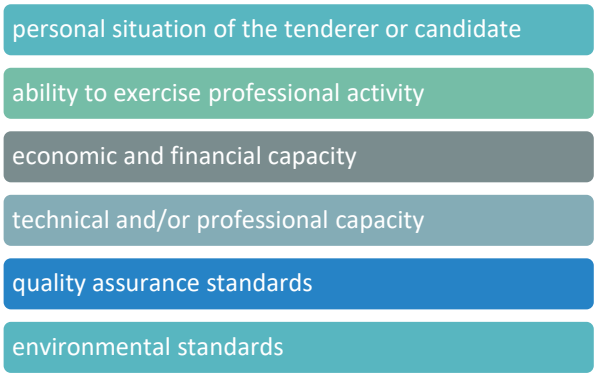
Savings on disposal costs

- Disposal costs are easily overlooked when purchasing a product or construction project. Disposal costs will eventually have to be paid. Ignoring these costs will result in an expensive purchase. Disposal costs range from the cost of physical removal to the payment for safe disposal. In some cases, there may be a situation when the goods can be sold or recycled profitably.
- Including in the award criteria the amount and composition of the waste can save the money and protect the environment. Once the approximate cost of waste disposal has been calculated, it should be possible to transpose the environmental criterion of waste reduction into an economic one.

3.3.5. Qualification requests for potential bidders

The qualification criteria are minimum requirements stated by the CA for bidders to verify that they have sufficient technical, professional and financial skills to perform a procurement contract. When assessing the ability to perform a contract, CAs may consider the specific experience and competence relating to environmental matters that are relevant to the contract subject matter.

The CA will apply proportionate qualification and selection criteria related to the contract subject matter referred only to[40]:



An EO can be excluded from the proceedings, if he/she has violated legislation on environmental protection to the extent that this has undermined his/her professional conduct.

Among the criteria concerning the technical capacity, a useful instrument for integrating environmental criteria is the experience resulting from previously executed contracts. Thus, when the contract is an environmental-friendly one, this criterion can be used to identify whether the bidder has experience in the respect of such contracts. However, the CA is obliged to clearly establish what type of information or documents the economic operator must submit to prove this.

Another environmental condition that can be requested by a CA is the implementation of an environmental management system. There are two environmental management systems used most frequently. These are the 'Environmental Management and Audit of Community Scheme EMAS (1) and European/International Standard for Environmental Management Systems EN/ISO 14001 (2).

Moldova national legislation is in line with EU best practice requirements and CAs have the right to include requirements for environmental management, in this regard, they may require certificates issued by independent bodies attesting that the economic operator meets certain standards of environmental protection, it should be in line with[41]:

a) either to the Community Environmental Management and Audit Scheme (EMAS);
b) the ecological management standards based on the series of European standards or international, certified by bodies conforming to Community law or the European or international standards on certification.

The EMAS system is applied largely by companies established in the EU or in the European Economic Area, but the ISO system is open to businesses around the globe without limitations within some geographic regions, including in Europe. Environmental management systems support organizational tools designed to improve the overall environmental performance of the organization involved. These allow organizations to have a clear picture of impacts of their activities on the environment, help them to focus on significant impacts and manage them efficiently to continuously improve environmental performance.

[40]Law on public procurement No 131 of 03/07/2015, art. 18
[41]Law on public procurement No 131 of 03/07/2015, art. 24

Relevant areas for improvement include the use of natural resources such as water and energy, training and information of employees, use of environmentally sound production methods, purchase of green office products, production of green products, etc.

3.3.6. Contract clauses establishment

The public procurement contract is perceived as being outside of public procurement procedure, but contract clauses at the procurement stage can contain environmental or sustainable requirements, and the PPL No 131/2015 expressly provides for this right granted to CA.

Sustainable requirements in contractual clauses

- encouraging workplace training
- employment of the unemployed, youth and persons with integration difficulties
- reducing the level of unemployment
- training unemployed and young people
- environment protection
- improving working conditions and safety
- rural development and training of farmers
- protecting and supporting small and medium enterprises

Thus, the CA may develop contractual clauses to achieve a number of objectives that ensure sustainable development by considering **environmental requirements** among others[42].

However, the law also imposes a condition for such clauses - they should be included in the notice of intention/invitation to bid or in bidding documents for economic operators to know from the start what are CAs expectations from the contract execution, and at the same time to defend their rights in cases where contract clauses are drafted in a discriminatory manner.

Contract clauses must not be assimilated to evaluation criteria, qualification, selection or technical specifications, or these must be formulated in such a way that they can be executed by any economic operator which has been awarded a public contract.

Legislation is rather drastic on the execution of the contract, and the EO is obliged to execute public contract clauses unconditionally, respecting the quality and price requirement[43]. At the same time, EO has contractual liability and for contravention and/or administrative non-execution of contract terms, administrative penalty may be considered, even the inclusion in the list of debarred suppliers in cases where EO the non-performance caused damage to the CA or the affected its activity.

[42]Law on public procurement No 131 of 03/07/2015, art. 73
[43]Law on public procurement No 131 of 03/07/2015, art. 76, par. (5)

Contractual clauses when purchasing goods

- In contracts for goods procurement, the contractual clauses regarding protection of the environment or sustainability can be included in the terms of delivery
- The product will be delivered in the appropriate quantity. Bulk delivery by using single transport is more environmentally efficient compared to a delivery made through several shipments. Specifying a maximum number of deliveries per week or month can also be another way of achieving the same result;
- deliveries to be performed outside the peak traffic hours in order to minimize the traffic congestion effects of delivery process;
- Requiring that the supplier takes back (and recycles or reuses) any packaging that comes with the product – this has the double advantage of centralising packaging prior to reuse or recycling and encouraging the supplier to cut down on any unnecessary packaging.
- Requirements relating to materials, production processes or special methods may be included in the contractual clauses of supply contracts.

Contractual terms for works or services procurement

- application when appropriate, of specific environmental management measures in accordance with a third party certificate, such as, for example, ISO 14001 or EMAS
- use of dosage indicators in order to ensure that appropriate quantities of cleaning product are used
- efficient use of resources such as electricity and water

Economic operator's staff training

- They should be aware of the CA environmental policy and of the environmental impact of their work

Transport of needed materials and tools

- delivery of materials in concentrated form which may be subsequently diluted on site
- reusing containers or packaging for transport
- disposal of the packaging

The existence of environmental-friendly and/or sustainability contractual clauses will achieve the objectives set by the CA only if their implementation is rigorously monitored.

Monitoring compliance with contract requirements can be achieved in different ways[44]:

- economic operator should prove compliance with contractual terms;
- CA may conduct spot checks;
- verification by a third party of the way of contract execution, and in this regard civil society can be a reliable partner.

Monitoring of the appropriate execution of the contract clauses lies with the CA.

[44]Buying Green! A handbook on green public procurement 3rd Edition , pag. 66

4. SPP CRITERIA FOR SELECTED PRODUCTS FOR SPP PILOT TENDERS IN THE REPUBLIC OF MOLDOVA

4.1. SUSTAINABLE CRITERIA OF FRESH VEGETABLES AND FRUITS

4.1.1. The field of application

Fresh vegetables and fruits have been selected as priority products for SPP pilot tenders in the Republic of Moldova according to the UNEP SPP methodology[45] and the recommendations on sustainability criteria use prepared for the following list of products:

- Potatoes (CPV 03212100-1);
- Cabbage (CPV 03221400-0);
- Carrots (CPV 03221112-4);
- Beetroot (CPV 03221111-7);
- Onion (CPV 03221113-1);
- Apples (CPV 03222321-9).

These fresh vegetables and fruits are most frequently purchased from the vegetables and fruits group for food preparation in institutions such as hospitals, schools, kindergartens, prisons, army, etc.

4.1.2. Environmental impacts

In order to use sustainability requirements to purchase fresh vegetables and fruits, their impact on environment must be determined. Table 1 below shows impacts on environment from buying fresh vegetables and fruits during their lifecycle, as well as the sustainable solutions.

Table N1. ***Key environmental impacts of fresh vegetables and fruits during their lifecycle.***

Key environmental impacts during the lifecycle of a product	Ways of solutions
• Energy used in farming, agricultural activities. • Land use and land-use change (e.g. destruction of natural habitats, particularly forests and related CO_2 emissions associated with the production of fruits and vegetable. • Production and use of fertilisers and pesticides. • Water use and water pollution.	• Organic food products. • Food waste prevention. • Other waste: prevention, sorting and disposal. • Energy and water consumption.[46]

[45] https://wedocs.unep.org/bitstream/handle/20.500.11822/35412/IPE.pdf

[46] EU GPP criteria for fresh vegetables and fruits, p.5, available at: https://ec.europa.eu/environment/gpp/pdf/190927_EU_GPP_criteria_for_food_and_catering_services_SWD_(2019)_366_final.pdf

Key environmental impacts during the lifecycle of a product	Ways of solutions
• Emissions of pollutants such as methane or nitrites from farming and agricultural activities. • Disposal of waste.	

4.1.3. Technical specifications for fresh vegetables and fruits

Technical specifications contain requirements regarding the subject of the contract. Here, the contracting authority is entitled to stipulate requirements regarding the quantity, packaging, content, terms of supply and other aspects that it considers important regarding the fresh vegetables and fruits it purchases. The Public Procurement Law (PPL) no. 131/2015 gives the right to the contracting authority to submit requirements for any stage of the life cycle of the products - in practical terms it means that the contracting authority has the right to describe not only the characteristics of the goods in the procurement documentation, but also to come up with the requirements on how and where they are produced or transported.

In turn, tenderers must be given the opportunity to acknowledge the conformity of the fresh vegetables and fruits they offer by referring to an ecological and/or an organic label in addition to other means of proof on the conformity to the requirements. Table N2 below shows the technical specifications used to describe the relevant products.

Table N2. ***Technical specifications for fresh vegetables and fruits***

Products/ Aspect	Technical specifications
Potatoes	Fresh aspect; Integral; Well-covered with their jackets; Tough, intact; Unsprouted; Healthy; No external or internal defects that affect the product aspect and quality; Without strange odour and/or taste; Without spots of green/blue-grey/black colour; Without holes, black pulp or other internal defects; Without cracks, cut-offs, or traces of bites or hits; There shall be allowed no dry potato tubers, with the signs of rottenness, frostbitten potato tubers or with any other changes that make them impossible to be used; There shall be allowed the tubes with eyeholes, but the green area shall not exceed 1/8 of the tuber area; The vegetables shall come in satisfactory condition, to the place of destination.
Cabbage	Fresh and integral, healthy and clean cabbage heads, which are fully formed and typical for their botanical species by their colour and shape; Not attacked by diseases or insects that make them impossible to be used; Without visible traces of strange substances; Without damages resulting from frosts; The cabbage shall be cleaned from leaves up to green or white leaves, which are tight and which form the cabbage head.

Products/ Aspect	Technical specifications
Carrots	Fresh presentation; Integral; Healthy; Tough; Clean, without visible strange elements; Without pests; Without damages caused by pests; Not forked, having no secondary roots; Without rods; Without tendency to sprout; Without abnormal external wetness; Without strange odour and/or taste; Without breaks and cracks; Without damages caused by frosts; Without green ends or purple nuances; The vegetables shall come in satisfactory condition, to the place of destination.
Beetroot	Fresh, integral, health and clean roots; Without damages caused by pests; Without excessive wetness on the surface, without damages with the shape and colour that are typical for this species of beetroot, with the length of remaining stalks not exceeding 2.0 cm, or without stalks; The deviations, but not ugly ones, shall be allowed from the typical shape; There shall be allowed the roots with skinned-over cracks, which do not change the typical shape.
Onion	Intact; Healthy, without traces of mildew or changes Clean, without visible strange elements; Without damages caused by frosts; Dry enough; Without abnormal external wetness; Without hollow or tough stems; Without pests; Without damages caused by pests; Without visible external buds; Without strange odour and/or taste; The vegetables shall come in satisfactory condition, to the place of destination.
Apples	Integral; Healthy, without traces of mildew or changes; Clean, without visible strange elements; Not attacked by parasites (pests); Without pests; Without abnormal external wetness; Without strange odours and/or tastes; Resistant to carriage and handling; The fruit shall come in satisfactory condition, to the place of destination.

4.1.4. Selection criteria for fresh vegetables and fruits

The selection criteria mainly focus on the ability of the economic operator to execute the public procurement contract. When evaluating it, in addition to other requirements provided in PPL 131/2015,

the contracting authorities have the right to consider the specific experience and competence related to environmental aspects that are relevant to the object of the public procurement contract. They may request evidence (verification) of the operators' ability to apply environmental measures when performing the public procurement contract. The contracting authority is also authorized to require the economic operator to comply with social, environmental and labor law norms in order to promote sustainable development.

It is possible to introduce environmental elements into the selection criteria of an economic operator by establishing provisions in the procurement terms regarding the technical and professional capabilities of an economic operator. In this regard, it should be borne in mind that, in terms of technical and professional compliance, the contracting authority is authorized to determine the necessary requirements, such as sufficient human and technical quality, as well as the work experience of the economic operator and environmental management system.

In addition to common qualification and selection criteria the contracting authority must request from the economic operator **reference standards showing that the products are organic**: domestic eco-certification or any other eco-certification acknowledged by the Republic of Moldova.

4.1.5. Award criteria for fresh vegetables and fruits

When purchasing organic vegetables and fruits, one of the following criteria can be used: **lowest price** or **the best quality-price ratio.**

If such a criterion of awarding as 'The best quality-price ratio' is applied, the following may be used as assessment factors:

- Reference standard – eco-certification of the product;
- Minimal energy use during transportation and storage - requirement for the economic operator to supply the products by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles;
- Packaging with recyclable materials or no hazardous materials in packaging.

The above assessment factors are provided merely as an example, while the contracting authority shall choose and use them, relying on the individual terms, conditions and needs. Before coming up with particular criterion (or technical demand thereof), contracting authority should make sure that it does not negatively impact market participants.

4.1.6. Contract execution clauses for fresh vegetables and fruits

During the execution of the contract, the contracting authority may impose the following requirements for its execution:

1. **Requirements to product packaging**:
   - The package shall be recyclable;
   - Delivery of small quantities shall be avoided;
   - There shall be foreseen the possibility to return the package to the economic operator, after the products are consumed;
   - Minimal packaging;

- Energy and water conservation for the packing house;
- No hazardous or toxic materials in packaging;
- Waste management for packing house;
- Environmental management system for the packing house.

2. **Delivery requirements**:
   - Frequent delivery of small quantities shall be avoided;
   - Delivery shall be realised outside the rush hours;
   - Delivery shall be realised by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles.

The contracting authority is obliged to perform supervision over the implementation of the procurement contract. This obligation relates, among others, to the performance of the requirements determined for the implementation of SPP and, in turn, plays an important role in public procurement procedures with sustainability criteria.

During the contract management process, the economic operator may be required to periodically provide an information in order to determine compliance of a certain part of the delivered goods with the required standards.

Therefore, in order to verify that an economic operator has fulfilled the above-mentioned activities, the contracting authority is entitled to conduct monitoring and controlling actions. If the contracting authority wishes to use these rights, it shall define the rules for such inspection in the terms of procurement, in such a way that the principle of free enterprise is not restricted and that there is no unjustified interference with universally recognized rights.

4.2. SUSTAINABLE CRITERIA OF ENERGY-EFFICIENT DOUBLE-GLAZED WINDOWS AND DOORS

4.2.1. The field of application

The "energy efficient windows and doors" product group includes the following:

- Windows, doors and related articles (CPV 44221000-5);
- Windows (CPV 44221100-6);
- Doors (CPV 44221200-7);
- Doors with mosquito nets (CPV 44221212-4);
- Double windows (CPV 44221111-6);
- Carpentry for constructions (44230000-1);
- Installation of doors, windows and related elements (CPV 45421100-5);
- Installation of doors and windows (CPV 45421130-4);
- Non-metallic carpentry installation works (CPV 45421150-0);
- Installation of windows (CPV 45421132-8).

Energy efficient windows and doors have been selected as priority products according to the UNEP SPP methodology for SPP pilot tenders in the Republic of Moldova and the recommendations on sustainability criteria use prepared for these products. This product group is purchased by any public institution.

4.2.2. Environmental Impacts

In order to use sustainability requirements to purchase energy efficient windows and doors, their impact on different aspects that contribute to sustainable development must be determined. The impact on the environment generated by Polyvinyl chloride (PVC) carpentry is determined by:

- High thermal and acoustic protection;
- The lifespan can reach 50 years;
- The PVC profile is fire resistant, it self-extinguishes from the beginning of a fire;
- Windows made of virgin PVC can be recycled and reused.

Table 3 below shows Office Building Design, Construction and Management (doors and windows fall under this category) impacts on one of the key aspects of sustainable development – the impact on the environment.

Table N3. ***Key environmental impacts of energy efficient windows and doors***

Key environmental impacts during the lifecycle of a product	Ways of solutions
Key environmental areas • Primary energy consumption and associated greenhouse gas emissions during use of and travel to and from the building • Depletion of natural resources, embodied energy and emissions associated with the manufacturing and transportation of building materials • Waste generation during site preparation. construction, use and demolition of the building • Deterioration in indoor air quality due to emissions of hazardous substances from building products and the intake of particulate air pollution from the external environment • Pollution of the local environment and deterioration of local air quality due to emissions from vehicles used to travel to and from the building • Water consumption during use of the building Key life cycle environmental impacts and parameters for resource use: • The following environmental impact categories along the product life cycle are considered to be the most important ones: global warming potential, acidification, exploitation of renewable	• Design and construction to achieve high energy efficiency performance and low associated CO_2 emissions • Installation of high efficiency and renewable energy technologies which make use of site-specific opportunities to reduce energy consumption and CO_2 emissions • Design and specification to reduce the embodied impacts and resource use associated with construction materials • Design, specification and site management to minimise construction and demolition (C&D) waste and to use building products or materials with a high recycled or re-used content • Specification of fit-out and finishes that minimise hazardous emissions to indoor air • Ventilation design in order to ensure healthy air and minimise the intake of external air pollution • Specification and installation of water saving technologies • Installation of physical and electronic systems to support the ongoing minimisation of energy use, water use and waste arisings by facilities managers and occupiers • Implementation of staff travel plans to reduce transport related fuel use and CO2 emissions,

Key environmental impacts during the lifecycle of a product	Ways of solutions
and non-renewable primary energy resources eco-toxicity, human toxicity, eutrophication, abiotic resource depletion and water consumption, use of secondary and re-used materials and waste material flows	including infrastructure to support electric vehicles and cycling.[47]

4.2.3. Technical specifications for energy efficient windows and doors

The technical specifications contain requirements related to the object of the contract, and the contracting authority, according to the provisions of the Public Procurement Law no. 131/2015, is entitled to submit requirements for any stage of the life cycle of the products - in practical terms it means that the contracting authority has the right to describe the characteristics of the requested goods and come up with the requirements regarding how they are produced or transported.

In turn, tenderers must be given the opportunity to recognize the conformity of the products they offer by reference to an eco-label, as far as ecolabel is applicable. Table N4 below shows the technical specifications used to describe the relevant products.

Table N4. ***Technical specifications for energy efficient windows and doors.***

Products/ Aspect	Technical specifications
Energy-efficient double-glazed windows and doors	The Terms of Reference, the Section **'Materials, Compatibilities, Technical Regulations and Applied Standards'** shall specify the quality, conformity and applicability of materials, laws, technical regulations and applied standards, acceptance of materials and works, service life of works and liability for the terms, conditions and quality of works. Technical requirements to the materials used upon procurement of works on carpentry replacement (PVC windows and doors). **Minimum technical specifications for the carpentry**: - PVC profile of class 'A', with the exterior wall thickness of ≥2.8 mm; - Profile with a minimum of 5 sections, which are reinforced with galvanised steel with the thickness of a minimum of 1.5 mm, with special anti-corrosion coating, - Eco-profiles (without lead) – Green Line or equivalent certification, - Thermal transfer factor: K=max. 1.5 W/mpK - Double-glazed windows, Low-e windows with argon or krypton, 32 mm (4-10a-4-10a-4k), - Noise insulation – min. 35 dB, - Fire safety – class 'C', according to EN 13501[48] or an equivalent directive,

[47] EU GPP criteria for Office Building Design, Construction and Management, p.8, available at: https://ec.europa.eu/environment/gpp/pdf/swd_2016_180.pdf

[48] https://www.eurolab.net/en/testler/yangin-testleri/en-13501-1-yapi-malzemelerinin-ve-yapi-elemanlarinin-yangin-siniflandirmasi-bolum-1-yangina-tepki-testlerinden-elde-edilen-verileri-kullanarak-siniflandirma/

Products/ Aspect	Technical specifications
	- Water proofing – class '7A' according to EN 12208 or an equivalent directive, - Wind load behaviour – class 'C3' according to SREN 12210 and SREN 12424 or an equivalent directive, - Air permeability – class 3 according to SR EN 12207 or an equivalent directive, - Eco-maintenance (profile cleaning shall not require chemical substances), - Carpentry shall not need painting, - Antistatic-treated profiles, - Sustainable fittings, tilt-turn opening, increased safety degree, - Opening resistance: windows – at least 10,000 cycles, doors – at least 100,000 cycles, - Profile warranty period – at least 10 years, - Fitting warranty period – at least 5 years. The windows shall be fully assembled and finished from interior and exterior, subject to abidance by the minimum requirements as set forth by the effective rules, and they shall also have the relevant aesthetic aspect, without cracks, faults or defects. *Remark: The contracting authority may also stipulate the window and door sketches, in the tender documents, depending on the establishment's needs.

4.2.4. Selection criteria energy efficient windows and doors

Qualification and selection criteria in addition to common criteria for procurement of energy-efficient double-glazed windows and doors are:

- Carpentry reference standards: Green Line or equivalent certification,
- Management system certification according to EN ISO 14001/EMAS[49] standard or an equivalent standard,
- Quality management system certification for carpentry production, according to ISO 9001 Standard[50].

4.2.5. Award criteria energy efficient windows and doors

When purchasing energy-efficient double-glazed windows and doors, one of the following criteria can be used: **lowest price** or **the best quality-price ratio.**

If such a criterion of awarding as 'The best quality-price ratio' is applied, the following may be used as assessment factors:

- Reference standard – eco-certification of the product;

[49] https://op.europa.eu/en/publication-detail/-/publication/cca83b1c-5b40-4dc5-b186-62fd0b9c620c

[50] https://www.iso.org/iso-9001-quality-management.html

- Minimal energy use during transportation and storage - requirement for the economic operator to supply the products by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles;
- Packaging with recyclable materials or no hazardous materials in packaging;
- Carpentry reference standard – eco-certification of the product;
- Profile capacity to be recycled;
- Number of sections of a PVC profile.

The above assessment factors are provided merely as an example, while the contracting authority shall choose and use them, relying on the individual terms, conditions and needs.

4.2.6. Contract execution clauses for energy efficient windows and doors

During the execution of the contract, the contracting authority may impose the following requirements for its execution:

1. **Requirements to product packaging**:
- The package shall be recyclable;
- There shall be foreseen the possibility to return the package to the economic operator, after the products are consumed;
- No hazardous or toxic materials in packaging;
- Waste management for packing house;
- Environmental management system for the packing house.
2. **Delivery requirements**:
- Delivery shall be realised outside the rush hours;
- Delivery shall be realised by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles.
3. **Environmental management system**.

4.3. SUSTAINABLE CRITERIA OF PERSONAL COMPUTERS

4.3.1. The field of application

The " personal computers " product group includes the following:

- Personal computers (CPV 30213000-5) or Stationary computers:
  - Desktop computers;
  - Integrated desktop computers;
  - Desktop Thin Clients;
  - Desktop workstations (or Workstations).
- Portable computers (CPV 30213100-6):

- Notebook computers;
- Two-in-one notebooks;
- Mobile Thin Clients;
- Mobile workstations.

Personal computers have been selected as priority products according to the UNEP SPP methodology for SPP pilot tenders in the Republic of Moldova and the recommendations on sustainability criteria use prepared for these products. This product group is purchased by any public institution.

4.3.2. Environmental Impacts

In order to use sustainability requirements to purchase personal computers, their impact on different aspects that contribute to sustainable development must be determined. These criteria for computers focus on the most significant environmental impacts during their life cycle, which have been divided into four distinct categories:

- Product lifetime extension;
- Energy consumption;
- Hazardous substances;
- End-of-life management.

The impact on the environment generated by personal computers it is shown in Table 5.

Table N5. ***Key environmental impacts of personal computers.***

Key environmental impacts during the lifecycle of a product	Ways of solutions
Key environmental areas • Use of finite resources and critical raw materials to produce IT products. • Air, soil and water pollution, bioaccumulation and effects on aquatic organisms due to raw material extraction and processing, and hazardous substances used in products. • Energy consumption and resulting greenhouse gas • emissions from production and use. • Generation of potentially hazardous waste electronic equipment upon final disposal.	• Extended services and warranty. • Design for durability, upgradeability and reparability. • Extending a product's life at the end of its service life (reusability). • Purchase of energy-efficient models. • Purchase of products with a restricted amount of hazardous constituents and reduced potential for hazardous emissions upon disposal. • Design for dismantling and end-of-life management to maximise the recovery of resources. • Purchase of refurbished/remanufactured equipment.[51]

[51] EU GPP criteria for computers, monitors, tablets and smartphone, p.8, available at: https://ec.europa.eu/environment/gpp/pdf/210309_EU%20GPP%20criteria%20computers.pdf

4.3.3. Technical specifications for personal computers

Table N 6 below shows the technical specifications used to describe the relevant products.

Table N6. ***The technical specifications for personal computers.***

Products/ Aspect	Technical specifications	Verification
Personal computers	PC (personal computer for the office) central unit, inclusively the keyboard and mouse*: International brand name, Processor: Processor frequency: a minimum of … GHz, Cache processor: a minimum of … MB, RAM memory: a minimum of … GB as installed with the frequency of … MHz, memory type – …, Hard Disk: a minimum of …, Graphic card …, Optical unit: …, High Audio Definition, LAN/WLAN network interface: …, Ports: a minimum of …, Included peripheral devices for data input: Keyboard + Mouse, Operating system: …, Warranty: a minimum of 24 (36) months. * The contracting authority shall fill out the technical parameters, relying on their individual needs.	The tenderer must provide a written declaration that the products supplied will be warranted in conformity with the contract specifications and the related service level agreement.
Product lifetime extension	1.Reparability, reusability and upgradeability: 1.1. Service agreement associated with the supply of ICT equipment • Provision of an extended service agreement, • Continued availability of spare parts. 1.2. Supply of ICT equipment • Manufacturer's warranty, • Design for reparability, • Functionality for secure data deletion. 2. Rechargeable battery life and endurance (applies to portable computers): • Rechargeable battery endurance, • Minimum requirements for electrical performance, • Information on battery state of health, • Battery protection software. 3. Mobile equipment durability testing (applies to portable computers): • Drop testing, • Temperature stress, • Ingress protection level – semi-rugged and rugged devices, 4. Interoperability and reusability of components: • Standardised port, • Standardised external power supply (for portable computers),	The tenderer must provide a declaration that the requested spare parts will be available for X years [minimum 2, to be defined] for each model provided. Equipment holding a relevant Ecolabel fulfilling the specified requirements will be deemed to comply. The tenderer must provide: A statement that the applicable parts are replaceable by the end-user and/or a technician. The service/repair manual with instructions on how to replace the parts through a direct link to the document on the manufacturer's website.

Products/ Aspect	Technical specifications	Verification
	• External power supply: detachable cables, • Backward compatibility: adapters.	Equipment holding a Ecolabel fulfilling the specified requirements will be deemed to comply.
Energy consumption	Minimum energy performance of computers	For each model delivered, the tenderer must provide the valid Energy Label
Hazardous substances	• Restriction of chlorinate and brominate substances in plastic parts	The tenderer must provide the computer's certificate of conformity
End-of-life management	• Marking of plastic casings, enclosures and bezels	

4.3.4. Selection criteria for personal computers

The selection criteria for economic operators in the case of the purchase of personal computers will focus on the following aspects:

- Reference standards for PC energy-efficiency: **Energy Star** or equivalent certification,
- Registration number in the 'List of Producers of Electrical and Electrical Household Waste' kept by the Environmental Agency via the information subsystem, which is integrated into the Automated Information System 'Waste Management'[52].

4.3.5. Award criteria for personal computers

When purchasing personal computers, one of the following criteria can be used: **lowest price** or **the best quality-price ratio.**

If such a criterion of awarding as 'The best quality-price ratio' is applied, the following may be used as assessment factors:

- Reference standards for PC energy-efficiency;
- Electrical power consumption (Improvement in energy consumption above the specified threshold for computers);
- Possibility for the economic operator to supply the products by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles;
- Restriction of Substances of Very High Concern;
- Avoidance of regrettable substitution;
- Recyclability of plastic casings, enclosures and bezels – separable inserts and fasteners;
- Recyclability of plastic casings, enclosures and bezels – paints and coatings;
- Provision of an extended service agreement,
- Continuous availability of spare parts,
- Producer's warranty,

[52] https://siamd.gov.md/portal/deee.html

- Restricted substance controls.

For portable computers:

- Further rechargeable battery endurance;
- Ingress protection level – semi-rugged and rugged devices;
- Mobile equipment durability testing;
- ICT equipment without accessories.

The above assessment factors are provided merely as an example, while the contracting authority shall choose and use them, relying on the individual terms, conditions and needs.

4.3.6. Contract execution clauses for personal computers

During the execution of the contract, the contracting authority may impose the following requirements for its execution:

- Service agreement;
- Delivery shall be realised outside the rush hours;
- Delivery shall be realised by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles;
- Provision of an extended service agreement,
- Continuous availability of spare parts,
- Producer's warranty.

4.4. SUSTAINABLE CRITERIA FOR MOTOR VEHICLES

4.4.1. The field of application

The "motor vehicles" product group includes the following:

- Vehicles (CPV 34100000-8);
- Cars (CPV 34110000-1).

Motor vehicles that have been selected as priority products according to the UNEP SPP methodology for the SPP pilot tenders in the Republic of Moldova and the recommendations on sustainability criteria use prepared for these products. And this product group is purchased by any public institution.

4.4.2. Environmental Impacts

In order to use sustainability requirements to purchase motor vehicles, their impact on different aspects that contribute to sustainable development must be determined.

The impact on the environment generated by motor vehicles it is shown in Table 7.

Table N7. ***Key environmental impacts of motor vehicles***

Key environmental impacts during the lifecycle of a product	Ways of solutions
Key environmental areas • greenhouse gas (GHG) and air pollutant emissions produced by energy consumption during the use phase, • GHG and air pollutant emissions produced along the supply chain of the energy carriers, • environmental impacts produced during the manufacture of batteries for electric vehicles, • noise emissions produced by the vehicle and tyres during the use phase.	• require criteria on type-approval CO2 emissions for cars, • require criteria based on air pollutant emissions performance for cars, • require criteria on rolling resistance of tyres, • require criteria on energy efficiency of electric cars, • require criteria on battery warranties, • require criteria on vehicle and tyres noise emissions, • require service providers to have key competences and to apply key environmental management measures and practices, • require service providers to provide adequate and frequent training for their staff, • require criteria on tyres and lubricants for maintenance activities.[53]

4.4.3. Technical specifications of motor vehicles

Table N 8 below shows the technical specifications used to describe the relevant products.

Table N 8. ***The technical specifications for motor vehicles***

Products/ Aspect	Technical specifications	Verification
Motor vehicles	Body type - Motor cylinder capacity – a minimum/maximum of ...*, Fuel – ..., Gearbox – …, Traction – …, Pollution level – **Euro 6 Standard**, Atmospheric pollutant emissions – …, Number of seats – …, Engine power – a minimum/maximum of ..., Wheels – …, Braking system – …, Fuel consumption, according to the manufacturer's information – a minimum/ maximum of ...,	The tenderer must provide the vehicle's certificate of conformity. The tenderer must provide the vehicle's technical sheet that includes relevant information. The tenderers must present a declaration with the warranty terms.

[53] EU GPP criteria for road transport, p.9, available at: https://ec.europa.eu/environment/gpp/pdf/criteria/EU%20GPP%20criteria%20for%20road%20transport.pdf

Products/ Aspect	Technical specifications	Verification
	Tank capacity – a minimum/maximum of ..., Maximum allowed weight – ..., Vehicle dimensions: - Length – a minimum/maximum of ..., - Width – a minimum/maximum of ..., - Total height, together with the roof rails – ..., - Wheelbase – a minimum/maximum of ..., Trunk volume – a minimum/maximum of ..., Spare wheel – …, Ground clearance – a minimum/maximum of ..., EQUIPMENT (optionally): 1. ABS with electronic brake distribution (EBD) and emergency brake assist, 2. Front driver and passenger airbags, 3. Lateral front airbags, 4. ASR + ESP (anti-spin regulation and electronic stability systems), 5. HSA (hill start assistant), 6. Tyre pressure monitoring system, 7. Central locking with remote control, 8. Electric front and rear electric windows, 9. Personal board computers, 10. Stop-Start function, 11. Fog lights, 12. Manually controlled air conditioning unit, 13. Roof rails, 14. Tyre pressure monitoring system, 15. External temperature display, 16. External rear-view windows with electric and defrosting control, 17. Heated front seats, 18. Free-hands key, 19. Navigation device with a minimum 7-inch screen, 20. Reverse parking-assist system, 21. Video camera for the reverse parking-assist system, 22. Anti-theft system. IN ADDITION THERETO: - Winter tyres, - Rims for winter tyres, - Rubber salon mats, - Front/rear mud guards, - Medical kit, - Fire extinguisher, - Reflective vest, - Warning triangle, - Towing hook, - Warranty – a minimum/maximum of …, - Year of manufacturing – … **Sustainability criteria:** 23. **CO_2 emissions and energy efficiency,**	

Products/ Aspect	Technical specifications	Verification
	24. **Atmospheric pollutants emissions**, 25. **Energy consumption displays.** The vehicles must be equipped with a mechanism showing the fuel consumption level to the vehicle driver. 26. **Information about traffic and route optimisation**. The vehicles must be equipped with the systems informing about the traffic and optimising the route, thus providing the vehicle driver with the services for information supply before going on the route, in order to help the driver to avoid the traffic and to take decisions on route optimisation. This system must be an integrated system, i.e. it must be an integral communication module, which is composed of a modem and a subscriber identification module (SIM), which is permanently integrated into the motor vehicle. 27. **Minimum battery warranty** (for hybrid or electrical motor vehicles).	

* *CA will fill in the blanks with relevant information depending on its needs.*

4.4.4. Selection criteria for motor vehicles

The selection criteria for economic operators in the case of the purchase of motor vehicles will focus on the following aspects:

- Reference standards: EURO 6 Standard,
- The bidder must provide the certificate of conformity for the vehicle.

4.4.5. Award criteria for motor vehicles

When purchasing motor vehicles, one of the following criteria can be used: **lowest price** or **the best quality-price ratio.**

If such a criterion of awarding as 'The best quality-price ratio' is applied, the following may be used as assessment factors:

- Lower CO_2 emissions,
- Energy efficiency,
- Improved air pollutant emissions performance,
- Fuel consumption,
- Zero tailpipe emission capability,
- Speed limiter. The points shall be given to the vehicles, which are equipped with a speed limiting device, i.e. a board device that tacitly limits the vehicle speed up to a certain maximum speed,
- Extended warranty.

The above assessment factors are provided merely as an example, while the contracting authority shall choose and use them, relying on the individual terms, conditions and needs.

4.4.6. Contract execution clauses for motor vehicles

During the execution of the contract, the contracting authority may impose the following requirements for its execution:

- Extended warranty.

4.5. SUSTAINABLE PROCUREMENT CRITERIA FOR PRINTER PAPER

4.5.1. The field of application

The "printer paper" product group includes the following:

- Paper for photocopiers and xerography (CPV 30197642-8);
- Paper for photocopiers (CPV 30197643-5).

The recommendations discussed in this chapter apply to the printer paper that have been selected as priority products according to the UNEP SPP methodology. And this product group is purchased by any public institution.

4.5.2. Environmental Impacts

In order to use sustainability requirements to purchase printer paper, their impact on different aspects that contribute to sustainable development must be determined.

The impact on the environment generated by printer paper it is shown in Table 9.

Table N 9 ***Key environmental impacts of printer paper***

Key environmental impacts during the lifecycle of a product	Ways of solutions
Key environmental areas • Forest destruction and potential loss of biodiversity, • Emissions to air and water during pulp and paper production, • Energy and water consumption during production, • Chemical consumption during production, • Waste generation during production such as rejects and sludge.	• Procurement of paper based on post-consumer recovered paper fibres (recycled paper) or paper based on legally and/or sustainably harvested virgin fibre, • Procurement of paper produced through process characterised by low energy consumption and emissions,

Key environmental impacts during the lifecycle of a product	Ways of solutions
	• Avoidance of certain substances in paper production and bleaching.[54]

4.5.3. Technical specifications for printer paper

Table N 10 below shows the technical specifications used to describe the relevant products.

Table N 10. ***The technical specifications for printer paper***

Products/ Aspect	Technical specifications	Verification
Printer paper	Format – A4, Class 'C' as a minimum, Packaging: 500 sheets/top, packed in boxes having 5 packs each, Colour – white, Weight – 80+/-0.6 g/square metre, Thickness – a minimum of 104 microns, White hues (at least 147%), No electrostatic powder, Printing capacity – 91%, Tensile strength – a maximum of 3.2 kN/m, Ash – a maximum of 10%, Humidity – a maximum of 4.5% of the weight, Whitening without chlorine use (Chlorine Free), Made from 100% recovered paper fibres or based on virgin fibre stemming from legally and/or sustainably harvested sources (also potentially containing a percentage of recovered fibres).	The tenderer must provide supporting documentation that the products meet the specified criteria.

4.5.4. Selection criteria for printer paper

The selection criteria for economic operators in the case of the purchase of printer paper will focus on the following aspects:

[54] EU GPP criteria for Copying and graphic paper, p.2, available at: https://circabc.europa.eu/ui/group/44278090-3fae-4515-bcc2-44fd57c1d0d1/library/9aac4fa8-155e-4faa-9c9c-597fe2be1339/details

- Paper reference standards: FSC (Forest Stewardship Council®), Blue Angel label, European Ecolabel, Nordic Swan label, or any other equivalent standard.

4.5.5. Award criteria for printer paper

When purchasing printer paper, one of the following criteria can be used: **lowest price** or **the best quality-price ratio.**

If such a criterion of awarding as 'The best quality-price ratio' is applied, the following may be used as assessment factors:

- Reference standard – eco-certification of the product,
- Possibility for the economic operator to supply the products by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles,
- Paper class (A, B or C).

The above assessment factors are provided merely as an example, while the contracting authority shall choose and use them, relying on the individual terms, conditions and needs.

4.5.6. Contract execution clauses for printer paper

During the execution of the contract, the contracting authority may impose the following requirements for its execution:

- Delivery shall be realised outside the rush hours;
- Delivery shall be realised by vehicles having the reduced impact on the environment: Euro 6 Standard as a minimum, by electric or hybrid vehicles.

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