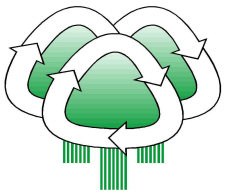
Green Public Procurement in Europe

2006

Conclusions and recommendations



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http://europa.eu.int/comm/environment/gpp/media.htm#state

CONTENT

SUMMARY

The European Commission is initiating activities to increase the level of Green Public Procurement (GPP [1]) in all Member States. A first step has been a study conducted by a Consortium of consultants to:

1. measure the current level of GPP across the 25 Member States of the EU, and
2. make available examples of environmental technical specifications for products and services identified as the most suitable for 'greening'.

The measurements have been performed on the basis of responses to 860 on line questionnaires and by analysing the use of environmental criteria in more than 1000 tender documents. The findings can be categorised as follows: GPP performance of countries, barriers to GPP and differences in GPP by product.

The findings have been described extensively in an interim report that has been made public on http://europa.eu.int/comm/environment/gpp/. A summary of the findings are as follows:

- **Performance by country**: The study highlighted that there are 7 countries (Austria, Denmark, Finland, Germany, Netherlands, Sweden and UK: the 'Green-7') that consistently have more tenders with green criteria than the 'Other-18' and respondents from these countries rated their GPP activities more highly on the questionnaires. These 'Green-7' exhibit some or all of the following traits:
  - Strong political drivers, national guidelines and programmes for GPP
  - Public information resources via websites and eco-labels
  - Innovative tools like life cycle thinking and green contract variants
  - Environmental management systems
- **Barriers**: The results regarding the four main barriers to GPP are:
  1. Green products would be more expensive
  2. Lack of knowledge
  3. Lack of managerial and political support
  4. Lack of tools and information
  5. lack of training

[1] "Green Public Procurement is the approach by which Public Authorities integrate environmental criteria into all stages of their procurement process, thus encouraging the spread of environmental technologies and the development of environmentally sound products, by seeking and choosing outcomes and solutions that have the least possible impact on the environment throughout their whole life-cycle"

– **GPP by product**: Tenders for various product groups have been analysed for the use of environmental criteria. These criteria were then categorised as either 'light green' (1-3 clear environmental specifications) or 'solid green' (more than 3 clear environmental specifications).

The following table shows the spread of solid green criteria between the 'Green-7' and the entire 25 within each product group analysed.

Product group (examples)	% of solid green all 25	% solid green in 'Green-7'
Paper, printed matter	21%	50%
Construction work	14%	60%
Etcetera	-	-

The measurement identified the need for further guidance, information, training and tools. In order to provide this, good practices have been gathered from the analysed tender documents.

The consortium collated these good practices (adding currently available information sources like websites and eco-labels and other relevant information) for 11 product groups, that were identified by the study as being suitable for *immediate* greening. This information will be made publicly available via http://europa.eu.int/comm/environment/gpp/. This information has been structured to act as a practical GPP tool, targeted specifically at purchasers and others involved in public procurement.

Recommendations: On the basis of the measurement study, coordination with Commission Services and the ETAP High Level Group and two European GPP events (London, October 2005: Graz, April 2006), the following recommendations have been drafted by the Consortium:

Recommendations for organisations and individuals working on the national GPP action plans of the Member States:

1. Enable GPP by offering adequate information in the national language. An important step forward would be the creation of (linked) national and European GPP knowledge bases (naturally in the form of websites as they are

accessible for everyone and can be updated easily). The European Commission has already initiated the European GPP knowledge base (which will contain the research on the 11 product groups conducted by the consortium).

2. Create training programs designed to increase GPP know-how, accompanied by a GPP communication plan. The training should consist of two levels (1) the initial level and (2) detailed GPP courses as the end level for specialists. It is vital to stimulate the use of procurement instruments like life cycle costing, functional/outcome based specifications, use of eco-labels, requests for variants, weighted award criteria and contract conditions.
3. Ensure strong political and managerial support and synchronize this support with concrete measures in the form of target setting. Stimulating the implementation of environmental management systems should be considered as well.
4. Perform national and European GPP benchmarking on the basis of analysing random tender documents (this is a proven and efficient methodology). Combining this with target setting will make benchmarking an even stronger instrument.
5. Develop a national implementation plan that can be monitored and mastered, possibly through a step-by-step approach, gradually involving more organisations and expanding the green product portfolio. The concept of 'low hanging fruit' fits into this approach: copying and learning from other organisations and countries (especially from the 'Green-7') and starting with products that are easier to 'green'.

Recommendations for purchasers and other stakeholders in the operational procurement process:

1. At all time ensure compliance with the European Directives on public procurement.
2. Exploit GPP networks, as knowledge, experience and information are widely available in Europe and in each individual member state. Networks may also be used for creating opportunities for purchasing of larger volumes, thus creating more purchasing power for greening.
3. Strive for a standard structure in the procurement/tender documentation with selection criteria, product specifications, award criteria and contract clauses, each with appropriate green aspects/information. Ensure clear relations between the green aspects/information in this structure.

1 INTRODUCTION

The European Commission, the Directorate-General for the Environment (DG-ENV), commissioned a service contract to a consortium of five European organisations, see annex 1, to "develop a measurement tool and measure the current level of green public procurement across the European Union (EU) and make available examples of environmental technical specifications for a series of product and service groups identified as most suitable for 'greening'".

According to the requirements of DG-ENV, the contract -or study- has been conducted in three stages between April 2005 and April 2006:

1. The definition stage: to reach consensus in Europe about what GPP is in practical terms for the purpose of the study.
2. The assessment stage: to map the status of GPP in the 25 Member States.
3. The recommendations stage: aimed at increasing the quality of GPP, i.e. by the identification of best practices.

1.1 DEFINITION AND ASSESSMENT STAGES

The stages 1 and 2 were completed in October 2005. In cooperation with DG-ENV and the ETAP high level working group, GPP has been defined in practical terms for the purpose of the study as: "Green Public Procurement is the approach by which Public Authorities integrate environmental criteria into all stages of their procurement process, thus encouraging the spread of environmental technologies and the development of environmentally sound products, by seeking and choosing outcomes and solutions that have the least possible impact on the environment throughout their whole life-cycle".

In stage 2 the status of GPP in Europe was measured by analysing over 1000 tender documents advertised on the EU TED database and by analysing the answers on 860 questionnaires from public bodies from all 25 member states. The findings of the measurements have been described in detail in an interim report (http://europa.eu.int/comm/environment/gpp/pdf/report_facts.pdf). A summary of the findings has been included in this final report in chapter 2.

1.2 THIS REPORT

This report is the result of the third / recommendations stage and is at the same time the final report of the service contract. Results and conclusions of the European GPP event in Graz in April 2006 have also been included in this report. The report is targeted at policymakers and purchasing and sustainability executives of all public bodies in Europe. The report is a stand-alone document. For this purpose some parts of the interim report of stages 1 and 2 have been copied into this report. Still, reading the complete interim report will hugely increase the understanding of GPP in Europe.

This final report comprises recommendations to support the development and implementation of future European and national action plans of DG-ENV and of the Member States. These recommendations have been described in chapter 6.

Furthermore practical information is included, that can and should be used directly by purchasers to 'green' their procurement process and the products they buy (The information is based on findings from stage 2, combined with information form public sources like eco-labels. Naturally the information cannot be exhaustive). This information will become publicly available on a website of DG-ENV. This information will be subject to continuous change, as new greener products and processes will come to the market. The website of DG-ENV will be kept up-to-date in this respect. So for future reference only the DG-ENV website should be consulted for up to date product related information and not this report.

During the work in the first two stages the Consortium worked in close cooperation with DG-ENV and with representatives of the ETAP high level working group and the designated GPP co-ordinators in each Member State. The consortium wants to express her gratitude for this cooperation, as it helped the consortium substantially and stimulated the member states towards GPP.

2 STATUS OF GPP IN EUROPE

This chapter describes the status of GPP in Europe. The chapter is a summary of the interim report containing the full description of the findings. The status of GPP has been measured in the first stages of the study in two different and independent ways:

- By means of a questionnaire for purchasers of public organisations
- By analysing tender documents issued by public organisations.

This methodology doesn't allow to find out what the actual outcome of the procurement processes has been, in other words: whether the organisations at stake actually also bought a green product. For this verification a study with a different scope and magnitude is required.

2.1 FINDINGS OF THE STUDY

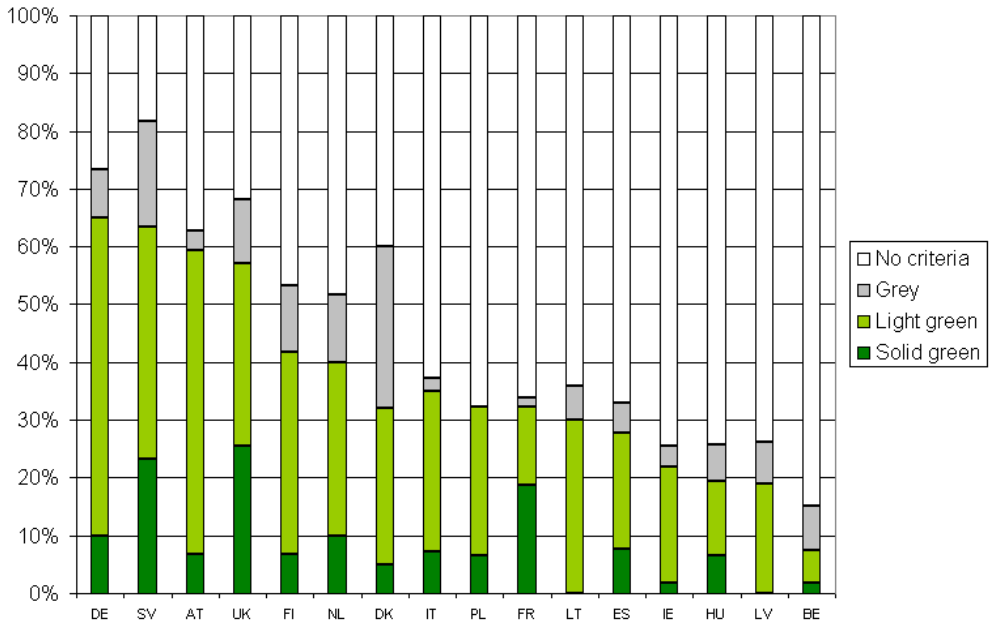
The findings of the measurements have been categorised in three ways so as to allow them to form the basis for benchmarking as well as for defining actions in national plans:

- GPP performance of countries
- Differences in GPP by product groups
- Barriers to GPP.

The overall objective of the study is to find and communicate best practices and best methodologies and strategies in order to enable more GPP in Europe. Therefore the study focussed on general differences by country and not, like a benchmark, on absolute figures per country with one 'champion'.

2.1.1 Performance by country

The study highlighted that there are 7 countries (Austria, Denmark, Finland, Germany, Netherlands, Sweden and UK) hereafter known as the 'Green-7', that are currently implementing more elements of GPP, meaning that they consistently have more tenders with green criteria than the 'Other-18' countries and that they rated themselves more highly on the questionnaires; see the two figures below.



Overview of analysed tenders and the found criteria.

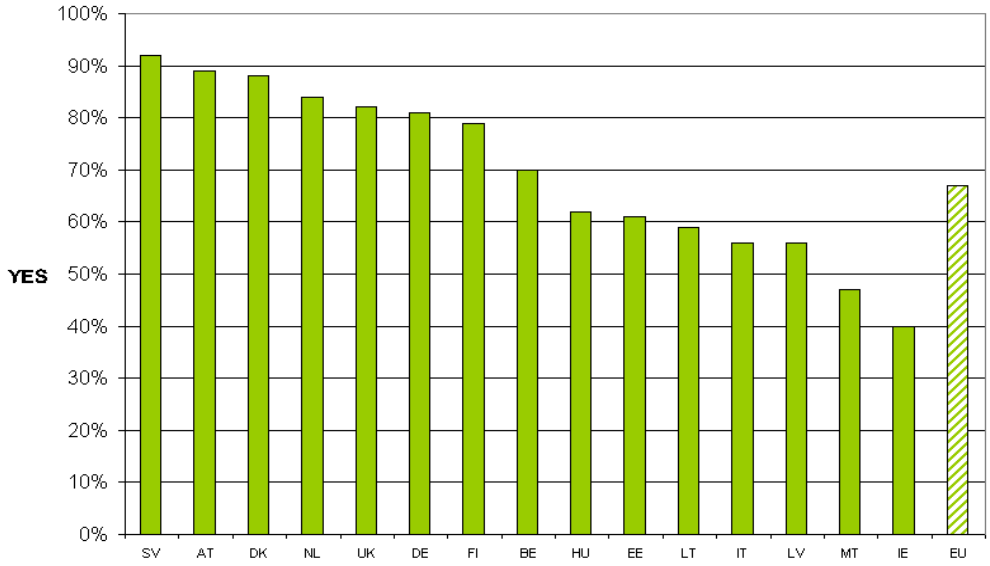
'No criteria' means that no green specifications were found;

'grey' means that attempts for green specifications were found, but these would not lead to a green purchase;

'light green' means 1-3 clear specifications;

'solid green' means more than 3 specifications were found.

The Czech Republic, Estonia, Luxembourg, Malta, Cyprus, Slovakia, Greece, Slovenia and Portugal are excluded from the figure, because the number of received tender documents is below 30 and therefore it is not possible to provide reliable figures.



Positive answers per country to the question: "Are there environmental criteria taken into account in your organisation when purchasing?". Poland, Cyprus, Luxembourg, Slovenia and Slovakia are excluded from this table due to a response of less than 30 questionnaires.

The 'Green-7' exhibit some or all of the following characteristics:

- Strong political drivers and/or national guidelines.
- National programmes: GPP has been the subject of a national programme and the issue has been addressed for a number of years.
- Information resources: all have GPP websites and information resources available (often containing product related criteria and specifications).
- Innovative procurement techniques: 60% of questionnaire respondents from the 'Green-7' are using the following tools: life cycle costs as an award criterion, functional specifications / request for environmental variants; compared with 45% from the Other 18.
- Environmental management systems: 33% of the questionnaire respondents of the 'Green-7' stated that they had an environmental management system which addressed GPP compared with 13% from the other 18 countries.

2.1.2 Differences in GPP per product

Environmental criteria and specifications per product have been identified and measured in the tender document analysis. The questionnaire also included some questions related to product groups.

The following section summarises the types of environmental criteria found in the tenders:

Unclear criteria: A large number of tenders analysed – regardless of the product group- did contain references to the environment. However these criteria and references were not well defined and it would be unlikely that they would result in a greener purchase. An example of an unclear environmental criterion would be a tender stating that: "packaging should be from environmental friendly material" (without further specifying which materials should be considered environmental friendly). This high level of unclear reference highlights a lack of training in this area which has been mentioned by 25% of respondents as one of the main barriers to GPP.

It is interesting to note that the results gained from the tender analysis differed from the answers given in the questionnaires. It is clear that organisations perceive that they are implementing GPP more than they are actually doing it: 67% of all questionnaire respondents perceive that they use environmental criteria when purchasing, while in reality only 36% of the tender documents of all 25 Member States actually contain environmental criteria. Only two 'very green' Member States (Sweden and Germany) include green specifications in just over 60% of their tender documents.

Well defined criteria: That is environmental criteria and references that will probably lead to greener purchasing.

The table below shows three categories of environmental criteria with a separate column for the 'Green-7' countries. The meanings of the categories are:

- 'not' means that no green criteria were found that would lead to a greener product: so this includes unclear criteria.
- 'light' means that 1-3 clear criteria were found in the tender document. An example of a well-defined criterion is: "personal computers must fulfil the requirements for energy use as defined for the Energy Star label".
- 'solid green' means more than 3 criteria were found.

Product group	**# tenders analysed**	**% not green**	**% light green**	**% solid green**	**% solid 'Green-7'**
Sewage- and refuse-disposal services, sanitation and environmental services	30	18%	52%	30%	18%
Transport equipment	80	42%	36%	11%	14%
Office machinery	100	50%	41%	9%	18%
Construction work	60	51%	36%	13%	23%
Furniture and other manufactured goods	40	56%	30%	15%	21%

Chemical products, rubber, plastic	30	56%	28%	16%	45%
Food products and beverages, Restaurant services	40	57%	38%	5%	0%
Architectural, engineering, construction, installation and related technical consultancy services	70	64%	27%	9%	14%
Cleaning services	30	65%	35%	0%	0%
Medical devices	80	68%	30%	3%	6%
Paper, printed matter, printing services	50	69%	13%	19%	50%
(Electrical) machinery and communication equipment	90	70%	21%	8%	7%
Transport and communication services	50	71%	18%	11%	18%
Education, health and recreational services	40	83%	17%	0%	0%
Professional services	40	86%	11%	3%	0%
Computer and related services	40	92%	9%	0%	0%

- Some product groups are more suitable for greening than others. Professional services such as advertising, general management, research and auditing services seldom contain environmental criteria whereas furniture construction etc often do
- As could be expected the 'Green-7' have considerable higher 'solid' green figures on most product groups, which means that the other countries can learn form the 'Green-7'.
- The different levels of GPP between certain products are considerable.

2.1.3 Perceived barriers to GPP

The questionnaire provided the following results regarding the main barriers to GPP as perceived by public purchasers:

Obstacle	**All**	**'Green-7'**	**Other 18**
Perception that environmentally friendlier products would be more expensive	44%	46%	38%
Lack of knowledge about the environment and how to develop environmental criteria	35%	27%	37%
Lack of management support (including money and time), strategic focus and organisational policy strongly promoting GPP	33%	34%	32%
Lack of practical tools and information (e.g. handbooks, internet-tools)	25%	21%	30%

Lack of training for public procurement officers	25%	24%	27%

- The perceived additional costs associated with greener products are seen as a strong barrier in all the countries (even though this is not necessarily the case).
- Lack of information and tools are also rated highly however in the 'Green-7' this was felt to be less of a barrier.
- The high percentage stating that lack of management support is a barrier shows that senior officials within the public sector across Europe do not have a high awareness of the importance of the GPP agenda: or their awareness is not explicit to their purchasing staff.

2.2 PRELIMINARY CONCLUSIONS & RECOMMENDATIONS

On the basis of the measurement a number of preliminary conclusions and initial recommendations were presented and discussed in October 2005 at a European GPP event in London. The conclusions and recommendations were:

- Aspirational targets for GPP in Europe are feasible and can strongly lean on the current practice of the 'Green-7'. Products that are currently being acquired with 'solid green' criteria can be considered as low hanging fruit. Objectives on these products can be adopted in the national GPP action plans.
- Purchasers state that a 'lack of information' and 'lack of tools' are important obstacles for GPP. However, the 'Green-7' did not rate these obstacles as high. Therefore it can be ascertained that communication, dissemination and practical training is *extremely* important if a country is to increase its level of GPP.
- An important step forward would be the creation of (linked) national and European GPP knowledge bases, naturally in the form of websites. These websites should contain -or link to- all important GPP information (green criteria, specifications, best practice, eco-labels) on products and procurement procedures (buying green book, legal information, EU procurement regulations). The maintenance of the European website could be distributed over a number of Member States. The EC obviously could have a role in terms of coordinating and enabling this knowledge base.
- The measurements have uncovered a significant difference between the theory and the practice of 'green' purchasing; knowledge is available in a number of countries (particularly in the 'Green-7'), but it is not always applied

everywhere - ‘knowing green’ versus ‘doing green’ Thus exploring several communication channels in the national action plans is recommended, specifically including training programs. Promising channels are GPP Networks, GPP training and the Internet.

- Managerial support and political support have been mentioned as the third most important obstacle for GPP by more than 33% of respondents. This concern is equally distributed over all 25 Member States. Therefore GPP deserves strong national support in each Member State. The implementation of EMS (Environmental Management Systems) by public bodies would be an important signal with respect to this support.
- Purchasers in Member States should be stimulated to use the criteria of eco-labels, even if they are not European labels or not from their own country.
- Benchmarking - both nationally and on the European level - is recommended as this will be a strong tool to measure progress and help steer action plans, thus increasing the levels of GPP. The experience of the consortium study demonstrates that analysing random tender documents is an efficient and effective benchmarking tool. In order to obtain objective European average figures an annual measurement by the EU would be appropriate. This would also be the yardstick for the national measurements. The yardstick might comprise:
  - GPP levels of ‘light green’ and ‘solid green’ in all Member States: thus also an average for all MS.
  - GPP levels per product group for most frequently purchased products, like the top 11 (and eventually all products groups). The concept of the ‘top-11’ products will be explained and detailed in paragraph 4.1.

3 STAGE THREE OF THE STUDY

The objective of the third stage of the study is to identify best practice and make this practice suitable for dissemination, in other words readily usable in the procurement process.

3.1 THE APPROACH OF STAGE THREE

In order to reach the above mentioned objective the following activities and analyses have been performed:

- The product groups suitable for greening have been identified. For this analysis information from the study and from various national GPP websites and eco-label schemes was used.
- The tender documents - and specifically those identified as 'light and solid' green - were analysed for their potential ability to be considered and identified as 'best practice'.
- Organisations that claimed in the questionnaire to have best practice examples were approached and asked to make their examples available.
- The networks of the Take-5 consortium were used to identify examples outside the information that was gathered during the first and second stages of the study.
- The examples thus identified were then integrated and verified upon compliance with the European Directives on public procurement (Directives 2004/17/EC and 2004/18/EC).
- The result was then structured into a GPP information database, which, in the 2nd half of 2006, will be part of the European Commission green purchasing website.

3.2 FINDINGS AND CONCLUSIONS OF STAGE THREE

The result - the content - of the third stage of the study in the form of an information database will be described in chapter 4. In this paragraph process aspects of the study are being described in order to put the content into perspective. The following should be taken into account:

3.2.1 The measurement is about what purchasers ask

The measurement -second stage of the study- is based on what public purchasers have written in tender documents with respect to environmental criteria and not on what the actual end purchase has been. Any well-defined/clear reference to the environment was considered to be a valid signal, even if this reference would not definitely lead to an actual green purchase (for example if the criteria have only been used as award criteria and not as specifications). However, it is the best indication of the fact that the purchasing organisation had (at least) the intention to conduct a green procurement process. The consequence is that many tenders have been identified with green elements, although not all of these tenders can be considered complete, nor fully compliant with public procurement legislation.

3.2.2 Compliance with European Directives

The measurement in the second stage of the study focussed in the first place on identifying environmental elements in the collected tender documents. All tenders containing environmental elements were analysed and included in the report. However, it should be noted that in many cases, the 'environmental' references were not in all aspects fully compliant with public procurement legislation. This was even the case for the tenders of the 'Green 7'. Although many useful specifications have been identified, it has been very difficult to identify 'perfect green' tendering procedures. This again highlights that there is a considerable need for training, not only of Green public procurement, but also about public procurement in general. Green public procurement should be usefully integrated into general public procurement training.

A recurring example of non compliance with the Directives is that Environmental Management Systems are often requested either as selection or award criteria. NB: This is not allowed because the public procurement directives request that there must be a link between selection and award criteria on the one hand and the object or service or work purchased on the other hand. However, what is allowed is for a suppliers' EMS certificate to act as proof of fulfilling a specific environmental selection criterion which can be included in certain services and works contracts (where appropriate), namely proof of the capacity of the tenderer to take environmental management measures during the performance of the contract.

Another recurring mistake is the lack of transparency as regards the way in which the tenders will be assessed against the award criteria set forth (lack of weighing and often also lack of clear award criteria).

3.2.3 Integrated tender documentation

Another general observation is, that the structure of tender documents varies considerably, and that some documents are rather confusing, containing 'scattered green elements': It is often hard to identify what are the selection criteria (obligatory requirements related to the financial and technical capacity of the bidders) and what are the weighted award criteria (which relate to the bids themselves and against which the bids are compared one against the other in order to choose the one presenting best value for money). It also seems that public purchasers often mix up these criteria.

As a conclusion, general training on tendering and composing clear tender documents should be offered to public purchasers: it is necessary to familiarize the purchasers with the logical "flow" of a public sector procurement procedure:

1. The identification of the need
2. The description of the subject matter of the tendering procedure
3. The definition of clear and transparent minimum specifications
4. The inclusion of clear and transparent weighted award criteria which allow for an objective comparison of bids
5. The non negotiable contract performance clauses that need to be complied with after the award of the contract.

If properly prepared and supported by environmental advisers GPP would benefit hugely from such training.

3.2.4 Green outcomes

In addition to the analysis of the collected tender documents (for the purpose of the survey), a number of examples of tendering procedures with green outcomes has also been identified by the Take-5 Consortium. The examples have been selected on the basis of their successful green outcome and not just on the basis of green criteria in tender documents in the procurement process. This selection has been added to the study in order to illustrate which practices will lead to effective real green purchases. Green specifications of these products have been added to the information database, though they don't originate from the measurements in stage 2 of the study.

3.2.5 National websites / information sources

A number of national websites with green specifications and national eco-labels have been analysed. Information from this analysis has been included in the information database.

This activity cannot and should not be considered as the integration of all available information in Europe because this was not within the scope of the study. The collected information comprises mainly general information on the product groups and links to national websites and eco-labels for more details. Purchasers should always consult these national information sources for up-to-date and detailed information.

An important result from the analysis of eco-labels is that the information from these labels has often not been structured in a way that is synchronized with the public procurement process. In other words, the procurement process demands 'green' information on specifications, on award criteria and on contract clauses. Yet the information in eco-labels is often not structured this way. Furthermore eco-labels often comprise information, that cannot be used directly as criteria in a public procurement process (like social criteria). This observation has been confirmed on a number of occasions during the GPP event in Graz.

3.2.6 Results of the analysis

Although the objective of the 3rd stage of the study was to identify straightforward '100% best practice green procurement processes' this appeared not to be feasible due to the fact that such a 'best practice green procurement process' should comply with:

- The European Directives on public procurement: for example requiring 'ISO 14001' or an 'EMS' is not in accordance with the Directives.
- Solid green product criteria, describing all relevant environmental specifications of the product: for example just requiring the return of packaging material is not considered 'solid green'.
- Clear award criteria, which make it predictable for suppliers to estimate the potential of winning a contract by offering 'light green' or 'solid green' alternatives
- Inclusion of the Life cycle cost of the product or service in the award criteria : as the Life cycle cost in principle demonstrates the economic advantage of

buying green products and services, by including not only the purchase price, but also the costs incurred for the use phase of the product and of its disposal.

Such 100% best practices could hardly (if not at all) be identified from the inventory of over 1000 tender documents of all 25 Member States.

Thus the ambition of the 3rd stage of the study had to be adjusted: all 'good practices' have been gathered and have been completed with comments, clarifications and alternatives.

3.2.7 Overall conclusion

The overall conclusion to be drawn from the previously mentioned methodological aspects of the 3rd stage of the study is that the information database resulting from the GPP study is the first step - or pilot - towards a genuine European GPP knowledge base. This pilot should be seen as a puzzle where a lot of the pieces are still to be filled in, but the greater picture is already visible.

The roles of this pilot information database are:

- To give an overview of product groups that are suitable for greening
- To supply important green criteria per product group, without having the ambition to be complete or completely detailed
- To widely illustrate GPP in order to make it clear that it can be implemented right now and without barriers
- To give a variety of practical solutions for purchasers for a variety of products, without being exhaustive
- To give, where feasible, certain levels of greening in combination with the green specifications, so that organisations can reflect their green ambition in their procurement process.
- To give guidance on what can /should be done at each procurement stage including the contract drafting stage

4 BEST PRACTICE

In this chapter the results have been described of the 3rd stage of the study. For the approach and methodology reference is made to paragraph 3.1. The examples and 'Best Practices' of all product groups -the full database of GPP information- have been listed in a separate document called '*GPP Europe 2006: examples and best practice'*. One example -paper- has been included in this report as annex 2.

4.1 PRODUCT GROUPS

First the product groups suitable for greening have been selected, based on the measurements in the study and on the basis of experience, practical know-how and analysis of the Take-5 Consortium. The selection criteria were:

- The environmental impact of greening. In other words: what is the added value for the environment if greener versions of these products would be purchased by public bodies.
- The availability of green versions of these products in the market.
- The available examples (good and best practice) of public sector green purchasing of these products. The differences between scores on several product groups as measured in the 'Green-7' and the other MS, show that there is room for greening for these product groups, at least in the 'Other-18', but in most cases also in the 'Green-7'.

The following 11 product groups have been selected. For these 11 product groups good and best practices have been identified.

1 Construction work
2 Transport: buses and bus services
3 Transport: passenger cars
4 Cleaning products/services
5 Clothing
6 Electricity
7 IT devices: computers and monitors
8 IT devices: printers and copiers
9 Food
10 Paper
11 Furniture

4.2 STRUCTURE OF THE INFORMATION

The best practice information of the 11 product groups has been structured in such a way that it supports purchasers in their procurement process. So supporting information -if applicable and available- is included for each step, starting with the 'analysis of the need' for the product up to developing 'award criteria' and 'contract clauses'.

Thus the following information blocks have been included for each product in the document '*GPP Europe 2006: examples and best practice'*.

1 Needs analysis:

How to analyse the need for the product before buying it ….

2 Environmental aspects:

Production	
Use	
Waste	

3 Cost aspects:

Life cycle costs	Depending on the local situation all costs involved in having and using a product

4 Recommendations on target setting

Recommendation	Quick win	Solid	Advanced
Possibilities and consequences to buy the product light green, mid green etc…			

5 Relevant eco-labels

Name	Website	Language

6 Sources for consultation of GPP criteria for this product

Website	Language

7 Relevant criteria for green public procurement

#	Criteria
1	……
2	…….

8 Examples of criteria used in tender documents

The examples in this section are taken from tender documents which were collected for a study to assess the level of green public procurement in the European Union. The examples have been commented on by the research group concerning the environmental focus and the correct use of criteria, in accordance with public procurement law.

Example # 1	**Level: Quick win**
Technical specifications	

Example # 2	**Level: Quick win**
Product	
Source	
Technical specifications	
Remarks by the research group about the environmental focus and purchasing criteria	
Strong elements: Weaker elements: Consider:	

Example #3	**Level: Advanced**
Product	
Source	
Technical specifications	
Contract clauses	
Remarks by the research group about the environmental focus and purchasing criteria	
Strong elements: Weaker elements:	

5 USERS INSTRUCTIONS

This chapter contains the instructions for purchasers on how to use the GPP information database. This instruction is based on the current structure of the information. When the information will have been made available on the EU website, revised instructions will be supplied on the website.

5.1 SCOPE AND DISCLAIMER

- Before going into the users instructions it is important to understand the scope of the information per product group. The information should be considered as 'just one image of a movie', because the information is the result of a study of some good and best practices in 2005/2006 and available environmental criteria could have changed since this date and will continue to change.
- The study did not include a complete and detailed analysis of *all* available information on the subject of green procurement. So the information only describes current possibilities and real situations.
- These circumstances change continuously and new best practices arise every day, so it is vital that users of the information always link to the original information sources. Those sources are complete and dynamic and will be kept up to date, while the information linked to this report is static. Furthermore every procurement situation is different from the other, so copying best practice information will not automatically lead to a new best practice. Purchasers hold their own responsibility for their procurement processes and for the tender documents' texts.

The above mentioned issues lead to the following disclaimer:

"The good practices presented here are indicative and cannot be considered binding to the Commission in any way. It should also be noted that the legal evaluation of those practices is subject to the evolution of Commission practice and case-law of the Court of Justice".

5.2 COMPLIANCE TO DIRECTIVES

GPP (Green Public Procurement) should comply with the European Directives on public procurement (2004/17/EC and 2004/18/EC). An in-depth analysis of over

1000 tender documents from all 25 Member States showed that many tenders, although initially marked as 'green' because of the inclusion of some environmental criteria, were not in fact fully compliant with these European Directives. In many cases, the criteria were not clear enough to allow bidders to understand what was expected from them, or to allow purchasers to make an objective comparison of the offers. In many cases, reference was made to environmental management systems in the award criteria or technical specifications, whereas this is forbidden by the Directives. Sometimes, reference was made to national eco-labels only, and so on. Although often these practices will have led to purchasers buying environmentally sound products, they cannot be promoted as best practice because of the lack of legal compliance (see annex 3 for an overview of 'do's and don'ts' within the legal framework of GPP).

Naturally the information database and recommendations from this study do take the Directives into account with a focus on the possibilities and opportunities of 'greening'. The study didn't extensively deal with other (outside greening) aspects of the Directives. As a matter off course the full procurement process -not just the green aspects- must comply with the European Directives. This must be considered as SOP (Standard Operating Procedure) for professional procurement.

An important aspect of non-compliant procedures is that green criteria in such a procedure are worthless. Only a compliant procedure will really stimulate and force vendors towards offering green products according to the specifications.

5.3 PURCHASING STRATEGY

Although purchasers should be given basic understanding of the green side of the product, one should always keep in mind that the primary task of a purchaser is to purchase, and it is unrealistic to expect them to spend a lot of time educating themselves to become specialists in environmental aspects. Therefore the report includes this paragraph which contains some strategic advice for purchasers on how to start incorporating environmental issues in their daily practice.

- There are environmental aspects which could be solved on a more general level than the day-to-day tendering. For example take-back and recycling of packaging could be included in all standard contracts clauses of an organization. This way they would require no special attention in the preparation of the individual tender documents. Identification of these general

environmental aspects should be taken very seriously by each organisation when starting up a green procurement policy.

- The EU and the Member States should make GPP easy for purchasers, by offering them ready-made criteria to be copied and pasted to their tender documents. The GPP knowledge base resulting from this study should be seen as a first step in this direction, however extensive extra effort is needed to compose generally accepted yet still challenging European criteria.
- Prior to the availability of a mature GPP knowledge base purchasers should give priority to the use of eco-label criteria in the description of product specifications, regardless their country of origin, on the condition that such products are available on the market.

5.4 STEP BY STEP GREENING

The information per product group has been structured in such a way as to support a step by step approach to greening the procurement process:

1. The key to the information is the product group as this is the starting point for all procurement.
2. The first step in the procurement process is to establish the need for the product, so from the point of view of the environment information about the need is supplied. What green aspects should be taken into account when discussing the need for the specific product? Are there alternative ways to meet the need that have less impact?
3. Then for each product general impact information has been provided, to give purchasers a basic understanding of the potential environmental impacts of the product. This basic understanding is certainly valuable for all concerned with the product in the organisation.
4. The next step in the procurement process is supported by benchmarking information. Each organisation should make the choice as to how green their procurement process should become. This is the so called EU aspirational target translated into practical information for the purchaser.
5. The next step is to develop the green specifications for the product, for which web-sources and eco-label sources have been supplied. Especially in this step it is vital to go to the original sources and not just rely on the information in the report '*GPP Europe 2006: examples and best practice'*.

6. Finally the purchaser is supported by examples with green criteria. These criteria have been copied from a number of sources including web-sites, eco-label schemes and tender documents.

5.5 ASPIRATIONAL TARGETS

Aspirational target setting is an important tool for European Green Public Procurement (GPP). This tool can be applied in several ways:

- The GPP information database contains three green levels of criteria per product group: light-green, mid-green and solid-green, indicating the impact of the product on the environment. Solid-green has the lowest impact, meaning it is the best for the environment.
- A public organisation may use these targets as a general policy when implementing GPP. For example it can decide to purchase, during the first year of implementation, all its products on the basis of the 'light-green' criteria, on the basis of 'mid-green' criteria in the second two years and on the basis of the 'solid-green' criteria from in the 4th year.
- The purchaser may also use this information individually in a procurement process when asking for alternatives, in order to receive offers from the market with a different environmental impact.
- The targets may also be used in combination with product groups and/or types of public organisation: i.e. start with solid-green criteria on transportation products and services and ICT or start with mid-green criteria for all hospitals in a region or in a country.

5.6 HOW TO USE ECO-LABELS AND OTHER OPEN SOURCES

The Best practices that will be disseminated via the EU website for GPP (initially via the report '*GPP Europe 2006: examples and best practice'*), include the use of product-specific environmental criteria, which have been composed on the basis of this study, and are freely accessible to any interested party.

A number of GPP guiding systems on the Internet have been prepared to help public purchasers in such a way that the criteria should be 'ready-to-use'. However, most systems are national, in the national language and often refer to national regulations and systems (e.g. for regulations concerning taking back of packaging), and this means that purchasers from other countries must take this into account and they should sometimes partly modify the proposed criteria.

A number of eco-labels in Europe are also freely accessible. European Directive 2004/18/EC is clear about the use of such eco-labels in article 23(6):

Where contracting authorities lay down environmental characteristics in terms of performance or functional requirements as referred to in paragraph 3(b) they may use the detailed specifications, or, if necessary, parts thereof, as defined by European or (multi-) national eco-labels, or by and any other eco-label, provided that:

- *those specifications are appropriate to define the characteristics of the supplies or services that are the object of the contract,*
- *the requirements for the label are drawn up on the basis of scientific information,*
- *the eco-labels are adopted using a procedure in which all stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and*
- *they are accessible to all interested parties.*

Referring to eco-label criteria raises a number of questions, which can be solved in several ways, depending on the situation (size of the contract, impact on the environment, policy of the organisation etc.).

- First question is 'which eco-labels and corresponding criteria should be included?' One solution is to include all the eco-labels and corresponding criteria, on the condition that they fulfil the requirements given in the EU procurement directive. Thus some examples could be given including text that allows all appropriate ones, referring to the conditions stated in directive 2004/18/EC, article 23(6) (see 4.3.5).
- Another solution is to refer only to one eco-label, but then recognition must be stated that products complying with equivalent criteria, with or without them being covered by an eco-label, will be accepted.
- Preferably one should refer to all product related environmental criteria in an eco-label criteria document and not to part of them, in order to have a well-balanced green product: a purchaser would not naturally know the effect of leaving certain criteria out.
- The eco-label should preferably also be used/recognized as proof of the fact that the right product has been delivered: The eco-label itself is evidence of meeting the individual criteria set (thus encouraging companies to get the eco-label). Otherwise technical documentation from the supplier (possibly verified

by an independent third party) can be proof of compliance with the individual criteria.

5.7 EXAMPLE: ECO-LABELS + CLEANING PRODUCTS

Technical specifications

For example: Cleaning products must fulfil the product related criteria of the Nordic Swan eco-label for 'cleaning services' (www.svanen.nu/Eng/criteria/). Only the product-related criteria of the eco-label are meant here, such as the used raw material or the content of certain chemicals for example.

- Criteria regarding the production process can be used when they are linked to the subject matter of the contract, meaning that they contribute to the characteristics of the product, without necessarily being visible.
- Be aware that one cannot specify labels that include social criteria. E.g.: FSC as it has social clauses. However one can refer to the environmental criteria of such a scheme.

Proof of compliance with the technical specifications

Attach the certificate of the eco-label Nordic Swan, or other appropriate means of proof, like a certificate from a recognised body or a self-declaration fulfilling standard ISO 14021, indicating clearly to the purchaser the fulfilment of the required criteria.

Award criteria

Do the offered products fulfil the product-specific criteria of a certain eco-label for this kind of products? Or: Which of the offered products fulfil the product-specific criteria of a certain eco-label for this kind of products? If so, how will this be assessed? (points given/weighting?)

Proof of compliance with the award criteria

For products that fulfil the criteria, attach the certificate of the eco-label, or other appropriate means of proof, like a certificate from a recognised body or a self-declaration fulfilling standard ISO 14021 (ISO 14021 provides guidance on the terminology, symbols, testing and verification methodologies that an organization

should use for self-declaration of the environmental aspects of its products and services.)

EMS (environmental management systems)

Please note that the eco-label criteria about EMS and other environmental management measures cannot be considered in tendering procedures for the supply of goods. They can however be used as selection criteria in services or works contracts, if appropriate, namely if the purchaser considers it necessary that the bidder demonstrates its capacity to take environmental management measures throughout the performance of the contract, he can ask him to demonstrate this, amongst other things by way of an EMS (such as EMAS or ISO 14001).

Which eco-labels

One can reference eco-labels according to the EU directives:

"…the requirements for the label are drawn up and adopted on the basis of scientific information using a procedure in which stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and providing the label is accessible and available to all interested parties" (directive 2004/18/EC, article 23).

6 RECOMMENDATIONS

This chapter contains the final recommendations from the Consortium to the stakeholders of GPP in Europe: the European Commission, Member States, and Public bodies in the Member States. The preliminary recommendations as described in paragraph 2.2 have been used as well as new material gathered in the 3rd stage of the study. The recommendations have been clustered for Policy Makers to support the drafting of national action plan as well as for Management and Operational Staff (purchasing and environmental) to support the actual green procurement process.

6.1 POLICY MAKERS

When initiating or updating national action plans for GPP or when initiating supporting actions for GPP at the European level it should be well taken into account that

GPP is already a proven concept.

Thus the recommendations for policy makers are:

- **Get GPP on the political agenda**: Political and managerial support have been mentioned as the third most important obstacle for GPP by more than 33% of respondents. This concern is equally distributed over all 25 Member States. Therefore GPP deserves strong national support in each Member State in the form of a national GPP policy. Several communication channels should be explored in the national action plans spreading the national (and European) GPP policy. GPP in Europe can be brought to a higher average level just by copying policies (also partially) from one country to the other, thus reducing the barriers -mentioned in this study- as perceived by purchasers.
- **Set targets**: Aspirational targets for GPP in Europe are feasible and can strongly lean on the current practice of the 'Green-7' countries. Products that are currently being acquired with 'solid green' criteria can be considered as low hanging fruit. Targets or objectives can be formulated in a number of ways:
    - National GPP action plans could focus on certain product groups and set targets and due dates for these products. These targets could be raised through the years.

  - National GPP action plans could focus on certain types of public organisations -like hospitals- and set targets and due dates for implementing GPP.
  - Also a differentiation to region or geographical area is possible, for example implementing GPP in all organisations in a certain province.
  - A combination of aspects may be feasible as well.
- **Knowledge base**: An important step forward would be the creation of a European GPP knowledge base, consisting of (linked) national knowledge bases, naturally in the form of websites. These websites should contain -or link to- all important information (green criteria, specifications, best practice, eco-labels) on products and procurement procedures (buying green book, legal information, EU procurement regulations). The EC would obviously have a leading role in terms of coordinating and enabling this knowledge base. The knowledge base is most important to make GPP easy for purchasers.
- **Enable and stimulate training**: Training has been mentioned by purchasers as an important barrier to GPP. Policy makers should create the opportunities for and stimulate national training programs.
- **European consensus on information**: While extending the GPP knowledge base from the study to a genuine European version, creation of consensus is vital for its success. Furthermore -keeping in mind purchasers all over Europe- user friendliness and simplicity of the information are critical success factors.
- **Synchronisation of eco-label information**: The criteria developed for eco-labels (European and national) should be synchronized with the public procurement process, or at least eco-labels should contain a section specifically for GPP, thus creating a clear and legally correct working environment for purchasers.
- **Benchmarking**: In combination with national action plans, benchmarking -both nationally and on the European level- is recommended as it will be a strong tool to measure and help steering these action plans, thus increasing the levels of GPP. Experience in the study demonstrates that analysing tender documents is an efficient and effective benchmarking tool.. In order to obtain objective European average figures an annual measurement by the EU would be appropriate. This would be the yardstick for the national measurements.

6.2 MANAGEMENT AND OPERATIONAL STAFF

The study demonstrates that purchasers actually 'do' GPP quite often in the 'Green-7', but also in all other countries. This means that

GPP is proven practice.

Therefore recommendations for management and operational staff are:

- **Professionalism** is the key to GPP with a focus on:
  - compliance with the European Directives on public procurement, ànd
  - integrating green criteria and aspects into the whole procurement process.

  Both deserve the utmost attention of all purchasers and should be considered as the responsibility of each individual public purchaser.
- **Communicate**: Once policies have resulted in national action plans it is important to inform all those whom it will affect, i.e. understanding that procurement is not the sole responsibility only of the purchaser, but the user, specifier and budget holder should be involved as well. Thus communication is an important operational task. Promising channels are GPP Networks, GPP training and the Internet. This communication applies for the whole public sector, thus supporting purchasing staff when they are implementing and 'doing' GPP in their organisations.
- **Managerial support**: As indicated above, political and managerial support has been mentioned as the third most important obstacle for GPP by more than 33% of respondents. The implementation of EMS (Environmental Management Systems) by public bodies would be an important instrument and signal with respect to managerial support.
- **Do what you know**: GPP is proven practice and most purchasers know what it is. Information is available as well as examples. The challenge is to use all the building blocks and turn concept into practice: 'knowing green' versus 'doing green'.
- **Training**: Purchasers state that a 'lack of information' and 'lack of tools' are important obstacles for GPP. However, the 'Green-7' did not rate these obstacles as high. Therefore it can be ascertained that communication, dissemination and practical training are *extremely* important to increase the level of GPP.

- **Use eco-labels**: Prior to the existence of an European GPP knowledge base purchasers in Member States should be stimulated to use the criteria of eco-labels, even if they are not European labels or not from their own country. As said before Eco-labels should be used carefully, taking legal aspects well into account.

ANNEX 1: PRODUCT GROUPS

#	Product Group	Environmental impact	Availability green criteria
1	Construction work	- In general, for buildings, the biggest impact is in the use phase from: energy use for electricity, space heating and cooling, water heating - Extraction of raw material from renewable and non-renewable resources - Processing of materials: energy and (harmful) chemicals are needed - Harmful emissions to air/water during construction - Noise during construction - Paints and varnishes are used - Transport of material to construction site - Disposal of materials during construction and when demolishing the building	- Several sources (websites, studies, etc.)
2	Transport: buses and bus services	- Emission of greenhouse gases - Emission of among others CO, NO_x and particulates with a detrimental impact on air quality - Extraction of raw material from renewable and non-renewable resources - Use of fossil fuels from limited sources - Noise emissions - Disposal of materials when demolishing the vehicles	- Several websites - EU wide emission standards - Criteria for specific buses by Blaue Engel
3	Transport: passenger cars	*Same as for buses and bus services*	- Several websites - EU wide emission standards
4	Cleaning products/services	- Use of substances hazardous to the (aquatic) environment and human health - Air pollution through use of volatile organic compounds (VOCs) - Bioaccumulation from non- and poorly biodegradable chemicals - Use of resources for packaging - Waste from packaging	- Several websites - Several eco-labels
5	Clothing	Impacts from growing cotton: - Water and soil contamination through use of pesticides and fertilizers resulting in eutrophication, acidification and ecotoxity - Soil erosion, loss of biodiversity Other: - Use of non-renewable resources for synthetic fibres	- Several websites - Several eco-labels
6	Electricity	- Emission of greenhouse gases - Emission of among others CO, NO_x and particulates	- Several websites - Several eco-labels

		with a detrimental impact on air quality - Polluting impacts of extracting fossil fuels (oil spills, gas leaks) - Water pollution from coal mining - Nuclear wastes are a serious environmental and health issue - Use of fossil fuels from limited sources - Wastewater discharges from power plants can have an impact on surface water habitats (e.g. through contamination such as suspended solids, temperature, etc). - Some solid wastes from fossil fuel power stations are likely to be hazardous in nature, for example ash and oily waste.	
7	IT devices: computers and monitors	- Energy use in use phase - Use of non-renewable natural resources - Use of harmful chemicals for flame retardants, PVC and other harmful substances - Disposal of hazardous material - Use of resources for packaging - Waste from packaging	- Several websites - Several eco-labels
8	IT devices: printers, copiers	*Same as for computers and monitors*	- Several websites - Several eco-labels
9	Food	- Water and soil contamination through use of pesticides and fertilizers resulting in eutrophication, acidification and ecotoxity - Soil erosion, loss of biodiversity - Use of genetically modified organisms (GMO) has been discussed extensively. A communis opinio has not been reached yet, though some regulation exists. - Use of energy for processing food and transportation - Use of resources for packaging - Waste from packaging	- Several sources (websites, studies, etc.) - Several eco-labels
10	Paper	- Air emissions of sulphur and greenhouse gases - Emissions to water of chlorine compounds and organic waste - Energy consumption - Use of fibres from primary forests - Use of metal complex dye stuffs or pigments	- Several eco-labels
11	Furniture	- Use of material from renewable and non-renewable resources - Use of chemicals for paints	- Several eco-labels

ANNEX 2: EXAMPLE GPP INFORMATION PAPER

To be completed with final version of the paper specifications, to be approved by European Commission.

ANNEX 3: 'DO'S AND DON'TS' OF GPP

An interpretation of the legal possibilities to use certain environmental aspects, which still seem to be unclear in public purchasing: environmental management systems[1] (EMS), environmental management measures[2] (emm), eco-labels, and production processes is given in the table.

Please note that there is a large number of other environmental aspects which can be used. Examples can be found at http://europa.eu.int/comm/environment/gpp , e.g. >Guidelines >Handbook on environmental public procurement.

This approach was developed at the Graz conference 3.-4.4.2006 in the Session "G - Legal framework of GPP: do's and don'ts", by the facilitator Ari Nissinen, and commented by the audience.

The conference website: www.iclei.org/itc/gpp2006.

	DO **= You can present requirement or award criteria connected to:**	**Grey area: no clear statement in** - **directive 2004/18/EC** - **EU Court cases** - **'Buying green' handbook by European Commission**	**DON'T** **= Do not present requirement or award criteria connected to:**
Selection criteria	Specified environmental management measures (emm) in service or works contracts[3]		~~EMS~~ in supply contracts ~~EMM in supply contracts~~
Technical specifications	Criteria of eco-label(but exclude those of EMS and emm[6]) Production of organic food Production of electricity by renewables Most important environmental impacts of other production processes[4]		~~Bearing an eco-label~~ ~~Only one or few environmental aspects of the production processes, which evidently don't focus on the most important environmental impacts of the production~~[4]
Award criteria	Criteria of eco-label (but exclude those of EMS and emm[6]) Production of electricity by renewables Production of organic food	Most important environmental impacts of other production processes[5]	~~EMS~~ ~~EMM~~ ~~Bearing an eco-label~~ ~~One or few environmental aspects of the production processes, which evidently don't focus on the most important environmental impacts of the production~~[5]
Contract clauses	Specified EMM to be organized during the contract		

Footnotes to the table

1) E.g. according to ISO 14001 or EMAS.

2) 'Environmental management measures' (emm) are e.g. for cleaning services: the cleaning staff has been trained to choose the correct cleaning agents and use the correct amounts. For construction works: arrangements for the separation of waste, the staff has been trained to do this right, and there is surveillance of proper separation.

3) You can accept EMS as a means of proof/verification.

4) In annex VI of Directive 2004/18/EC (see also section below: ‘Relevant points in Directive 2004/18/EC about the use of production-process-criteria’) is written that technical specifications can mean ‘production processes and methods’. In addition, in the EC handbook on environmental public procurement is stated: “However, since all technical specifications should bear a link to the subject matter of the contract, you can only include those requirements which are related to the manufacturing of the product and contribute to its characteristics, without necessarily being visible.”

Evidently these should include the most relevant environmental aspects of the production process, so fulfilment of these specifications truly determines a ‘green’ product. An option for the future could be that examples of such ‘sets of criteria for production’ that really determine green products are offered e.g. by the EU eco-label and the Nordic Swan eco-label criteria for various paper products.

5) Each award criterion should be “linked to the subject-matter of the public contract in question” (see Article 53 of Directive 2004/18 in section below: ‘Relevant points in Directive 2004/18/EC about the use of production-process-criteria’). At the moment it has not been clearly stated what kind of production aspects could have this kind of link. It is clear and reasonable that one cannot present so detailed criteria for the production processes, as one can present for the physical and functional properties of the purchased product. Evidently one should be able to say that the 'environmental criteria set for production' focuses on the most relevant environmental aspects of the production and this way determines the 'environmental characteristics' of the product.

There is one judgement of the EU Court of Justice (Case C-448/01), indicating that electricity from renewable energy sources can be used as an award criterion. It shows that the production process can have a link to the final product, but at the same time it must be recognized that the case of electricity is special, as there is a directive about promoting the use of renewable energy sources for electricity production. Similarly organic production can evidently be used as an award criterion, as there is a directive about organic production.

Please note that different interpretations may be applied for technical specifications and award criteria in this respect, as production processes have been explicitly mentioned in the directive in the point of possible technical specifications, but not in the point of award criteria.

6) For service contracts, you can exclude EMS and emm by stating e.g.:

> "Please note that possible eco-label criteria about environmental management systems (EMS) and measures (emm) are not considered in the technical specifications or award criteria, but a part of them may be present in the selection criteria."

For supply contracts, you could exclude EMS and emm by stating e.g.:

> "Please note that possible eco-label criteria about environmental management systems (EMS) and measures (emm) are not considered in this tender document, as they cannot be used as a basis of criteria in the purchase of goods."

Relevant points in Directive 2004/18/EC about the use of production-process-criteria

Technical specifications

(29) …Contracting authorities that wish to define environmental requirements for the technical specifications of a given contract may lay down the environmental characteristics, such as ***a given production method***, and/or specific environmental effects of product groups or services. …

Article 23, 6:

Where contracting authorities lay down environmental characteristics in terms of performance or functional requirements … they may use the detailed specifications, or, if necessary, parts thereof, as defined …by… any other eco-label, provided that:
- those specifications are appropriate to define the characteristics of the supplies or services that are the object of the contract, …

ANNEX VI

1. (b) 'technical specification', in the case of public supply or service contracts, means a specification in a document defining the required characteristics of a product or a service, such as quality levels, environmental performance levels, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, use of the product, safety or dimensions, including requirements relevant to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labelling, user instructions, ***production processes and methods*** and conformity assessment procedures;

Award criteria

Article 53, 1:

1. Without prejudice to national laws, regulations or administrative provisions concerning the remuneration of certain services, the criteria on which the contracting authorities shall base the award of public contracts shall be either:

(a) when the award is made to the tender most economically advantageous from the point of view of the contracting authority, ***various criteria linked to the subject-matter of the public contract in question***, for example, quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost-effectiveness, after-sales service and technical assistance, delivery date and delivery period or period of completion, or

(b) the lowest price only.