



Joint Green Public Procurement

Manual

- A Guide for Public Authorities -



pro►EE – Public Procurement boosts Energy Efficiency

pro-EE aims at improving energy efficiency through sustainable public procurement. The project focuses on innovative products with higher economical and technical energy saving potential and develops model procedures and networking approaches which can be implemented by any public authority in Europe.

pro-EE is designed to:

- bring together suppliers and consumers to agree on specific products and develop strategies for their distribution, thereby sharing the risks and benefits of developing new products and fostering the innovation process.
- set up a partnership between market actors in six European countries to devise innovative procedures for public authorities and thus influence suppliers of energy efficient products and services.
- implement these procedures in pilot cities.

One central outcome of pro-EE are experiential recommendations for the integration of sustainable procurement approaches and strategies into the policies of local and regional authorities.

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Introduction: the European perspective

Communities all over the world are facing the dramatic consequences of climate change, excessive use of natural resources, threats to biodiversity and increasing poverty. Our unsustainable consumption practices are at the heart of all of these problems. Sustainable procurement – spending public money responsibly on products and services that foster sustainable development – must therefore be a priority.

Sustainable procurement means thinking carefully about what you buy: buying only what you really need, purchasing products and services with high environmental performance, and considering the social and economic impacts of your procurement.

Public authorities in Europe spend €1.6 trillion a year on goods and services equivalent to 16% of EU GDP. From constructing energy efficient public buildings to buying low emission vehicles, from buying organic or Fair Trade food to installing water-saving toilets public procurement can have a huge impact in driving the market towards sustainability.

The European Commission and GPP

The European Commission is strongly promoting green public procurement (GPP) within the European Union Member States. A website has been set up which contains a great deal of useful information on the topic, including the Commission's Handbook on GPP - Buying Green - http://ec.europa.eu/environment/gpp/index_en.htm

National Action Plans (NAPs) – the status quo

The European Commission encourages Member States to draw up publicly available National Action Plans (NAPs) for greening their public procurement. These should contain an assessment of the existing situation and ambitious targets for the next three years. The NAPs should also clearly state what measures will be taken to achieve this. They should be drawn up for the first time by the end of 2006 and then revised every three years.

The NAPs will not be legally-binding but will provide political impetus to the process of implementing and raising awareness of greener public procurement. They will also allow Member States to choose the options that best suit their political framework and the level they have reached. At the same time, they will enable an exchange of best practices in facilitating greener public procurement (EC 2010)

The document National GPP policies and guidelines contain a comprehensive overview of the state of affairs in the 27 EU Member States (updated 30th June 2009).

Policy and legislation

DG INFSO PCP website, includes EC Communication and Staff Working Paper on Pre-commercial Procurement: Driving innovation to ensure sustainable high quality public services in Europe and a series of experts' presentations

European Commission Green Public Procurement (GPP) website provides advice for policy-makers and practitioners working on GPP. The European Commission's Buying Green! Handbook on GPP is also available on the website as is the EU GPP Training Toolkit

PRO INNO Europe® is an initiative of Directorate General Enterprise and Industry which aims to become the focal point for innovation policy analysis, learning and development in Europe, with the view to learning from the best and contributing to the development of new and better innovation policies in Europe

Environmental Technologies Action Plan (ETAP) was adopted by the European Commission in 2004. The objective of this ambitious plan is to further environmental technologies to improve the environment and European competitiveness. Eco-innovation and green public procurement are two main areas of action

Projects and initiatives

The Covenant of Mayors is a European initiative by which towns, cities and regions voluntarily commit to reducing their CO₂ emissions beyond this 20 % target. This formal commitment is to be achieved through the implementation of Sustainable Energy Action Plans (SEAPs). The current guidebook provides detailed step-by-step recommendations for the entire process of elaborating a local energy and climate strategy, from initial political commitment to implementation. It is divided into 3 parts. Part I relates to the description of the overall SEAP process and covers the strategic issues. Part II gives guidance on how to elaborate the Baseline Emission Inventory and Part III is dedicated to the description of technical measures that can be implemented at local level by the local authority in the different sectors of activity, like public procurement
<http://www.eumayors.eu/mm/staging/library/SEAP.pdf>

The project Buy Smart, funded by the European program "Intelligent Energy Europe", provides free consultation and information material on green procurement. The central strategic objective of the project is to increase the share of energy efficient procurement in Europe. This will lead to a higher market impact and therefore support the production and the use of energy efficient goods and services. The project is addressed to both private companies and public authorities. Aside from answering general questions we offer procurement tools for the product groups building components, green electricity, household appliances, lighting, office equipment and vehicles.

Sustainable Procurement Campaign, Procura⁺ is an initiative designed to help support public authorities in implementing sustainable procurement – and help promote their achievements. The Campaign offers a wide range of tools (e.g. purchasing criteria), guidance (e.g. methodologies, case studies) and a framework to assist public authorities in making their procurement actions sustainable.

SMART SPP – innovation through sustainable procurement is promoting the introduction of innovative highly energy efficient technologies in the last stages of development into the market. This is done through encouraging early market engagement between public authority procurers and suppliers in the pre-procurement phase, including the issue of tenders. Download latest guidance and tool at <http://www.smart-spp.eu/guidance>

The DEEP project (funded by the EU's Intelligent Energy Europe Programme), was aimed at promoting opportunities for increasing energy efficiency in the public buildings sector. The website contains a selection of useful resources, such as purchasing guidelines for energy efficient construction, green electricity and IT equipment and a tool for calculating the life-cycle costs of products.

EURO-TOPTEN - Reducing energy consumption: making efficient products the normal and best choice for consumers, retailers and manufacturers.

Introduction: arguments for joint green public procurement

Public procurement in the EU accounts for an average of 16% of GDP. Public bodies can pursue various forms of procurement involving green, social or innovation objectives that have a huge influence on the development of general sustainability. Public bodies have to consider more criteria and they are more limited in their financial frames, in such areas as the business community. Energy related products focussed on in this “pro-EE” project have major impacts in top policy areas and can provide a lot of advantages from the point of view of a free market actor. To start, the following arguments should be mentioned:

Cost efficiency (product and management costs)

The Upper Austrian central public procurement department was founded in 1996 and saved approximately 7 million Euro through product bundling and standardizing. That is a percentage of approximately 20 % from the actual yearly turnover. The turnover of approximately 33 million Euro will be increased to 100 million Euros through new product groups in the future. The main savings could be achieved by the following product groups:

- Telecom services (fixed network and mobile)
- Post services
- Standard IT
- Furniture
- Energy (heating and electricity)
- Cars (personal cars)
- Cleaning services (most savings through new common standards)
- Machines, Tools and equipment
- Facility Services (lift, security, etc.)
- Clothes for industrial safety and service clothing

Considering of the total cost of ownership (TCO), it was interesting that some products seemed to be initially too expensive, but after looking at the TCO they were not. So the department initiated an "old household device changing program" and stated that the pay back time of an A++ refrigerator, compared to an A or B device, is approximately 3-5 years. By getting funds for energy efficiency depending on the types chosen, this time will be reduced to one year. As a result, there should be no question of what to do. In 2009 the administration changed devices for approximately 50, 000 Euro. This action will go for three years and shall set an example to other public institutions, civil organisations and citizens. Working as "Change Agents" in the area of public procuring the goal must be to standardise the offer of household devices. For the car-tender it was extremely essential to take into consideration the total cost of ownership.

Example of the city of Maroussi/Greece

In the framework of the pro-EE project an examination of the potential savings for the replacement of lighting equipment was conducted with the City of Maroussi. The city set in motion a procurement procedure that called for new street lighting equipment to replace old-type luminaries that operated with high pressure mercury lamps, with new ones that operate with metal halide lamps. The nominal savings that can be achieved through just one lamp substitution are presented in the following table:

Type of Lamp	High Pressure Mercury	Metal Halide
Wattage (W)	250	150
Screw Base	E40	E40
Luminous flux (lm)	12,700	17,000
Lifespan (h)	16,000	32,000
Price (€/unit)	8.89	22.66
Operation time in one year (h/y)	3,650	3,650
Total Electricity Consumed per year (kWh/y)	912.50	547.50
Electricity price (€/kWh)	0.1	0.1

Yearly energy savings		40.00%
in kWh		365.00 kWh
in €		36.50
in CO ₂ emissions	0.90 kg/kWh produced electricity	328.50 kg

Joint Green Public Procurement Example with participation of Greece

Greek municipalities of Holargos, Amaroussion and Kalithea/Rhodes have been partner participants of the “Local Authorities EMAS and Procurement” Project (LEAP). In the framework of the project, seven Greek municipal companies participated in a joint procurement scheme for recycled paper. The implementation of the joint procurement was carried out through the following stages:

1. setting up of an evaluation committee that consists of representatives from all 7 municipal companies
2. determination of the required technical characteristics (criteria) for the recycled paper
3. approval of the call for tenders
4. completion of identical contracts between each of the municipal companies and the awarded supplier

The cost savings for participating in a joint procurement scheme compensated adequately for the additional cost of integrating green criteria in the procurement; in some cases this yields savings of up to 2.5%.

Example from Spain – Green public procurement from 10-30% cheaper than standard procurement

An evaluation of the offers received by *Ihobe* (The Basque Public Agency for Environmental Management of the Basque Department of the Environment and Regional Planning) in 2008 in response to their tender for supplies and services reveals that the offers that fulfilled the environmental criteria were also the least expensive. *Ihobe* is responsible for instituting the green public procurement programme at all levels of public administration in the Basque country (Spain). The programme consists of a manual with criteria for several product groups, a website with good practices, working groups with the different administrations, discussion forums with Basque companies, training session, etc.

At the beginning of the year 2008, *Ihobe* made the call for tenders for the confirmation of suppliers for office paper, office materials, ITC equipment and the services of copying and offset printing. In the tenders compulsory and essential environmental criteria were

required. After evaluating all the offers, it was determined that the offers that fulfilled all the compulsory and environmental criteria were about 10 to 30% cheaper than the more expensive ones. In some cases, even in offers of conventional products, there were offers that did not fulfil the minimum environmental specifications and were more expensive than offers that were environmentally better.

A common misconception is that it is more expensive to incorporate environmental criteria in public procurement. However, *Ihobe's* procurement demonstrates the opposite.

The positive results obtained by *Ihobe* are due to the clear transmission of a message to the bidders, following a trajectory and methodology initiated in 2005 (same type of tenders and environmental criteria both in 2005 and at the beginning of 2008) and to the dialogue established with the bidders through the GPP forums and other fields of work. Other fields of work include the Ecodesign programme or the Ekoscan (Basque environmental management system) programme.

In 2006 the *Ihobe* obtained successful results when they tendered for environmentally friendly furniture for their new office after having worked with some companies in Ecodesign. The less expensive results of their tender were complied better with their environmental criteria.

Regarding the tenders of 2008, the main environmental specifications for each product group where:

Product group	Compulsory criteria	Valuable criteria
Office paper	100% recycled paper Totally chlorine free (TCF)	Meet the ecological criteria of a Type I ecolabel
Office material made of paper	100% recycled paper	TCF Meet the ecological criteria of a Type I ecolabel
Other Office material	Rechargeable	Made of PE, PP or cellulose % of recycled material Without heavy metals Water based In recycled or returnable packaging
ITC equipment	Minimum guaranty of 3 years Spare parts at least 3 years	More guaranty and spare parts Staff training Active search of green alternatives Knowledge and information of the environmental characteristics of equip. (energy, noise, emissions...)
Copying and digital printing	100% recycled paper Totally chlorine free (TCF)	Meet the ecological criteria of a Type I ecolabel Remanufactured toners Toners no classified with certain R-phrase Meet the Energy Star Low noise, ozone, styrene, dust and VOC emissions
Offset Printing	80% recycled paper TCF Inks without heavy metals Computer-to-plate printing	Meet the ecological criteria of a Type I ecolabel Water based inks Vegetal based inks No classification with certain R-phrase of several products Waterless offset printing Recycled packaging

In general terms, the greenest offers complied with most of the criteria, but in some cases it lacked important information such as information regarding the transport of vehicles for the delivery of the products (emissions, EURO standard, etc.).

In terms of which green criteria, most of suppliers complied with: paper products that were certified with a type I ecolabel, ITC equipment that complied with the Energy Star standard, photocopy machines that complied with the sound and substances emissions set in the Blue Angel ecolabel, toners that did not contain substances classified as hazardous, reusable or recycled transport packaging were used, printing companies didn't use chlorinated cleaning substances, low VOC inks were used and the amount of produced waste paper was controlled.

Benefit on experience of partners

Upper Austria initiated an informational platform for public procurers on regional basis that is scheduled to meet twice a year. From the beginning to the end of 2008, all 9 Austrian regions were very interested in being a member of this platform. The Austrian hospitals were also interested in joining this platform and will be invited to the 4th meeting in March 2010. This platform will be a turning point for the Austrian action plan for sustainable public procurement. Once a year they meet with ministerial procurers, chambers of agriculture and commerce as well as with the national public procuring office (BBG GesmbH). Each player is very enthusiastic about the results of changing information.

Innovation (technical, financial)

The Governments of the European member states should speed up the introduction of new products (like LEDs for street light) by various tools. A strong example is the co-ordination of pilots. In The Netherlands 350 pilots are organized. In 2008-2009 35 pilots of 28 communities were co-ordinated with a common type evaluation (e.g. perception measurement, same methods of evaluation previous and new situation etc). The co-ordination provides a lot of information and has an important impact on awareness.

Furthermore another rather surprising example of joined procurement is the initiative of a group of Companies and organisations for a common tender for electric cars. It includes companies (like ING, Philips, Post), Ministries, and communities (Rotterdam). The tender is open for every partner that wants to participate for at least ten electric cars. The common tender is now writing its criteria. They will give criteria or three different cars. The tender already covers 3000 electric cars. By co-operation between such a group of companies you can really create an impact and a demand.

pre commercial procurement activities in Upper Austria

Public authorities are in a special situation because they are forced to think on an economic level like private institutions, but they must also boost innovative technologies that will benefit the public welfare. Therefore, it makes sense to create processes and platforms to co-operate with developers and traders of new technologies. The idea is to give support from an independent official authority which is a quality signal in the market. There are the following phases which will lead to a market penetration of technologies:

phases	Responsibility technology developer and trade companies	Responsibility politician level	Co-operation form
Technology development phase	Technology development	Support in investigation	Technology clusters; research tenders, technology programs
Technology	Technology	Design of pilot	Platforms for

demonstration phase	preparation; definition of investigation program	projects, grants, partner finding; information activities	private public partnerships
Market entrance	Enhanced technology preparation; information activities	Financial support schemes; information activities	Platforms for private public partnerships
Market penetration	Enhanced technology preparation; information activities	Procurement by tenders	Platforms for private public partnerships

Examples of technology support in Upper Austria

The region of Upper Austria has 1.4 million inhabitants and a surface of 11,980 square kilometres. In the fields of renewable energy sources and energy efficiency, Upper Austria plays a leading role with approximately 30 % of its primary energy consumption is produced from renewable energy sources. The basis for this success is a comprehensive regional energy action plan, determining clear goals as well as numerous implementation measures. By 2030, space heating and electricity shall be produced to 100 % from renewable energy sources.

Upper Austrian Cluster for sustainable Energy

The “Oekoenergie-Cluster“ (www.oec.at) is a network of businesses from the areas of renewable energy sources and energy efficiency. It is the goal of the Oekoenergie-Cluster to foster innovation and competitiveness of green energy businesses and thereby to contribute to a positive market trend in the field of sustainable energy production and use. Due to its active energy technology sector, the high market penetration of renewable energy sources and innovative efficiency technologies as well as the large number of enterprises involved in this field, Upper Austria provides excellent conditions for this network. The OEC is managed by the O.Ö. Energiesparverband, the energy agency of Upper Austria, and is financially supported by the Regional Government/Department of Economics of Upper Austria. So far, more than 150 companies and organisations and 40 companies from South Bohemia have joined the OEC partnership. Activities include: developing and updating of information tools; organising training courses, business events and workshops on specific sectoral topics; launching, developing and supporting co-operation projects between OEC partners and with technology transfer facilities (such as universities or research institutes); cooperating with other networks and “clusters”; launching, developing and supporting research projects of OEC partners, for example supported by the “Energie-Technologie-Programm ETP” (the Upper Austrian Energy Technology R & D Programme); representing the OEC internationally; supporting export activities of the cluster partners in co-operation with the Chamber of Commerce; networking with energy agencies and institutions from other countries; compiling information material on green energy topics, promoting the OEC in Austria and abroad; and implementing PR, market research and market development projects

Upper Austrian platform for technology demonstration and procurement

Under the framework of the "pro-EE" project, two departments of the Upper Austrian regional government founded a partnership that strengthened the effect of their activities: The Upper Austrian Academy for Environment and Nature is able to cooperate flexibly with external partners in developing and launching pilot projects. Flexibility is necessary to the instruments, especially in the disposition of finance sources or information activities.

The Upper Austrian Department for Building Management and Procurement is a central service unit for more than 200 departments and has regular contacts with many companies and procuring organisations. Both departments cooperate in commercial and pre-commercial procurement.

Pre-commercial procurement

New technologies can be tested under the “pro-EE” label in Upper Austria in cooperation with product developers and traders by launching pilot projects. Until recently, new technologies were developed without strategic plan and contacts were made more or less by accident. Experience has shown that for new technologies there are single actors and networks working in parallel with each other. To bridge the contact, several activities were used. Firstly, regular conferences were organised that focused on energy issues. For example, in September 2009 as a part of a three day conference on energy technologies, three parallel workshops provided the opportunity to formulate necessary framework conditions for future technology penetration. The results were presented in a plenary session to policy makers. The conference was successful in facilitating contacts between representatives of companies and authorities, using short screen presentations and in depth discussions during the excursions. During the conference, a pilot project for promoting solar-LED-street-lamps and electric vehicles was launched.

Secondly, the main goal is the establishment of regular platform meetings of the responsible procurers in the region, the municipalities and the technological developers and traders. In Upper Austria, 444 municipalities have worked independently in procurement activities until recently. Cost intensive products, such as tractors, and buildings framework conditions were established to avoid large financial support from the region. As a result of the pro-EE project, annual platform member meetings will be organised starting in September 2009. The challenge is to change old habits of buying products that do not fulfil environmental criteria.

From an economic perspective, cooperation has been ensured since September 2009 by a special program of the Upper Austrian Academy for Environment and Nature which facilitated the first contact phase. The goal is to create a comprehensive view of the CO₂-reduction potential and the cost situation of climate friendly technologies in Upper Austria through 2020 and 2030. The Energy Institute of the University of Linz was instructed to calculate the different technologies which marked the first step towards meeting the main measures of the energy concept. The program will enable process oriented cooperation with technology representatives. In practise, new technologies can be included by new or updated calculations. Anticipated barriers to be overcome will have to be discussed and concrete actions should be defined. One of the results of this discussion could be a technology pilot project.

Activities – first pilot projects

Test and demonstration stand for solar-LED-street lightning systems

Recently several companies have developed new products for LED based off-grid lightning systems. The products are in a stage of development that involves testing and demonstrations prior commercial procurement. Therefore, a network was established by the regional authority in Upper Austria that involves developers, research institutes and electricity companies. Five product developers were interested in cooperating. The energy company "Wels Strom" provided space in their "light product-street" without charge. The institute ASIC (Austrian Solar Innovation Centre) and the technical University of Wels are responsible for the research program. Representatives of municipalities have the possibility

to get individual advice services. Excursions have been planned by the Upper Austrian Academy for Environment and Nature. The first is a kick-off event during the Upper Austrian conference on energy technologies in September 2009.

Test and demonstration projects for communal e-mini-trucks

Mini-trucks are very suitable for municipal services like transportation of food for elderly people, gardening of green areas and waste management. The mini-trucks can travel the short distances and are efficient despite the frequent starts and stops. Two companies in Upper Austria offer products which are worth for testing and demonstration. The project is now embedded in a larger project and is ready for a national call for regional e-mobility.

Innovations on financing instruments – "virtual CO₂-certificates" as example in Upper Austria

Up until recently, only a few sectors CO₂ was included as external cost in human activities. The European Emission Trade Scheme provides a good example. In this project the Upper Austrian Academy for Environment and Nature internalise CO₂-prices and use them as extra funding for climate measures. In a cooperation with contracting companies, measures are co-financed so that they produce positive payback conditions and thereby boost the measures. The saved CO₂-emissions are calculated by the contractor and verified by an external advice company. The saved emissions are emission certificates and used to compensate for other emissions that result from seminar activities of the Upper Austrian Academy for Environment and Nature. Retrofitting street lightning in a small municipality was initially supported.



“Exoikonomo” Program in Greece

The Greek Ministry of Development in cooperation with the Central Union of Municipalities and Communities of Greece and the Institute of Public Authorities has recently developed the “Exoikonomo” Program, which aims at helping public authorities introduce a sustainable development plan. The program is co-financed by the EU in the framework of the National Strategic Reference Framework (ESPA). This programme has a 70% subsidy for energy investments at the local level in three different pillars (municipal buildings, transportation and mobility plans, outdoor lighting and infrastructure). The programme has an overall budget of 100 million Euros (72 million Euros of the foreseen grants). The first round of applications will be open until the end of July 2009 and the approved projects are scheduled to begin before the end of 2009. As previously stated, this programme is aimed towards local municipalities with populations of more than 10,000 inhabitants. Different sets and categories of measures are mandatory for each project proposal and will be evaluated and approved based on the magnitude of the municipality in levels of registered inhabitants. This programme fosters municipal participation in joint procurements for Energy Efficient products, as each could achieve cost savings (it is foreseen that similar works, associated products to be bought and installed, are going to occur in groups of municipalities).



Good practise examples from cities in Portugal

In June 2009 Torres Vedras Municipality installed a pilot LED street lightning system. The equipment meets the criteria for the purchasing process by taking into account the yield, lifetime, colour temperature and monitors the energy consumption and management. Another important environmental criterion was that the equipment should

not have any toxic substances. Very recently, Cascais municipality also installed a pilot LED system in the Pedra do Sal Centre. They plan to procure more LED lighting systems and the technical and environmental criteria will be discussed with the potential suppliers.

Examples financial innovations: energy service contracting for sport facilities in San Sebastian, Spain

As part of the Agenda21 Action Plan of the City of San Sebastian, which was approved in 2004, the City Council is implementing Energy Efficiency and the Rational Use of Energy in public purchasing. One of the first actions was the contracting of an energy service company (ESCO) for the maintenance of thermal installations in the buildings, facilities and equipment of the Municipal Sports Institute (Patronato Municipal de Deportes) in 2005. The objective of this type of contract is to encourage improvements in energy efficiency through the pre-financing of all necessary measures by the Energy Service Company. The achieved savings guarantee the return of investment to the company. After the contract period of 10 years, energy and financial savings revert back to the City Council.

The mandatory improvement works stated in the contract are directed towards all facilities, installation of heat recovery, pipe insulation upgrade, replacement of boilers, installation of energy meters and installation of a cogeneration module and thermal solar energy.

Factors vital to the success of this Energy Service Contract are: technical reports regarding the improvement potential and maintenance of the installations in facilities embedded in Environmental Management Schemes (ISO 14.001); and the installation of thermal sensors to control the level of comfort for the users of the buildings.

In 2009, a new Energy Service Contract for the Supply of Electricity and Maintenance was initiated (2009-2014). The contract includes a mandatory investment of 246, 000 Euros for a lighting system improvement in all facilities during the first year of the contract.

The first Energy Service Contracting in Public Buildings in the Basque Country was implemented by the City of Vitoria in 1999. In 2008, 320 municipal buildings were added to the Energy Service Contracting; as a result, CO₂ emissions were reduced by 2000 tons.

The tender documents can be downloaded at: www.donostia.org
<http://www.vitoria-gasteiz.org>

In December 2009, the Council of Ministers approved Energy Service Contracts in 330 buildings in the General Administration of the Spanish State in order to reduce their energy consumption by 20% by 2016.

A model tender document for Energy Service Contracting in Public Buildings was developed by IDAE (Institute for Diversification and Saving of Energy, Spanish Ministry of Industry, Tourism and Trade):

<http://www.idae.es/index.php/mod.pags/mem.detalle/idpag.51/relcategoria.2595/relmenu.143/lang.uk>

Joint green public procurement in practice

Models of joint public procurement

There are different approaches to use a common public procurement scheme in the European countries. At a first glance the perfect model seems to be a procedure in which the partners are tendering as equal legal partners (full joint green public procurement (FJGPP)). In practise, it can mean that all tendering steps are organised together or there is a common organisation in charge. The number of units of products and services are fixed by adding the demand of the partners involved. Due to the different legal framework conditions of each partner, this model cannot be applied in different countries. Other obstacles have to be taken into consideration, such as partnership conditions, different timeframes of product demand, complicated procedures and organisational matters, etc. FJGPP will be the solution in a only a few, selected cases. A simpler model is based on different roles of the partners: One partner organises the tender individually but all of the conditions can be applied to the other partners (piggy backing joint green public procurement (PBJGPP)). Often the companies delivering goods and services agree to such a deal without knowing its exact effect on the other partners. The model can be simply applied if all partners are making their purchases under simplified modalities in their national procurement acts. For Austria this means that regional procurement can tender products and services simplified up to 100,000 Euro typically by dealing with a handful of potential delivering companies. All 444 municipalities can use the fixed conditions individually up to 100, 000 Euro. In addition, it should be mentioned that in a future simplification there could be a model based only on an information exchange of tender conditions by using platforms. In that case, partners share common knowledge but all partners make contacts with companies individually.

Practice example in Spain: Joint Procurement Scheme of the autonomous Government of Catalonia

In 2005, the autonomous Government of Catalonia approved a Government Agreement in order to boost the greening of tenders and to establish a monitoring Commission, with members from both the regional Department of Environmental and the Department of Finance. The Commission had two main assignments: the incorporation of environmental criteria in framework agreements for all centralized joint purchasing (like IT equipment, vehicles, cleaning services or furniture) and the development of guidelines with joint environmental criteria for decentralised purchasing (i.e. maintenance of buildings, textiles, and publications). At the end of 2009, for 6 of the 10 product groups of the EU GPP Toolkit, the framework agreements already included environmental criteria.

Public administrations (city councils, etc) and other public organisms (public universities, etc) were then allowed to participate in the centralized and joint procurement scheme managed by the Central Commission on Supplies (Comissió Central de Subministraments, CCS) of the Department of Finance of the Autonomous Government of Catalonia is very easy:

During the first stage, a public entity and CCS must sign an agreement that regulates inter-administrative collaboration. During the second phase, a public entity directly contracts suppliers and services included in the scheme, thus avoiding the involved legal procedure as described by public procurement regulations (call for tender, bidders' selection, etc). The entity adheres to the contract amount and addresses only the suppliers identified in the framework agreement. The framework agreement, which has followed all legal and transparency requirements, facilitates future contracts. Therefore, the public entity is not

required to do the call for tenders (bidders have already been identified) or specify the type of product (model, label, etc.).

Once the agreement has been signed, it operates only with the identified groups of products and services. The option to purchase via internet is explicitly mentioned in the contract's model.

At the beginning of 2010, nearly 300 public entities participated in the joint purchasing system of the autonomous Government of Catalonia.

Source:

http://mediambient.gencat.cat/cat/compra_verda/inici.jsp

<http://www.gencat.cat/economia/ambits/contractacio/ccs/organismes/index.html>

Joint Criteria for Green Public Procurement

Public procurement, which often focuses only on price competition during acquisition of, for example, office equipment or cars for public fleets, is still an underestimated instrument in innovation and environment policy. There is still a lack in the overall strategy to include side effects like the fostering of regional economy or image enhancement. At the same time, in view of the global economic crisis, extra investments envisioned for the public sector can create new jobs. Thus the various processes to boost sustainability in public procurement can now successfully contribute to solve several problems.

The project pro-EE running under the EU's Intelligent Energy Program focuses on one of the program's main working fields: the improvement of energy efficiency in public procurement in six European regions. The work plan includes the elaboration of "joint green criteria". The joint criteria functions as a common denominator, ambitious but still practicable for each country, while each country is free to apply even more ambitious criteria. The common criteria shall not only consist of a selection of indicators, but also of a selection of concrete figures for energy efficiency.

Concerning the establishment of joint green criteria there are various models to choose from: installing ambitious criteria right from the start, setting up ambition levels (Basque country) or including minimum criteria and giving bonus points for better products (Upper Austria). Each country will choose its approach in order to provide products with highest energy efficiency.

Research results for energy relevant products – challenges to be met

The development of proposals for green public procurement (GPP) criteria takes place on a local level (like in the city of Vienna) as well as on national or EU level. Many of these proposals are comparable to the thresholds set for energy consumption or CO₂ emissions (Energy Star criteria). Differences exist in other environmental criteria such as noise reduction, content of harmful substances or the ease to repair. The criteria depend on the product group.

Since there are two different models that address cost savings from lesser energy consumption, the assignment of energy criteria is more complicated than for environmental criteria. Commonly lower energy consumption is assigned to the environment criteria. Another approach involves incorporating the cost-benefits from low energy consumption

into the price criteria. In this case, prices are calculated by the total cost of ownership model (TCO model). Additionally, the EU will allow one step more in the future, the inclusion of external costs to avoid CO₂ emissions (vehicles). (Proposal for a Directive of the *European* Parliament and of the Council of 8 July 2008).

http://europa.eu/legislation_summaries/transport/transport_energy_environment/tr0007_en.htm

When choosing the criteria the GPP proposal's official status needs to be kept in mind. The criteria listed on the EU's GPP homepage will be fully supported in the future; however, as of now it is only voluntary. It is reasonable to use the EU criteria listed under the "Green Public Procurement (GPP) Training Toolkit" program as a guideline. Taking into account the goal of enhanced environmental criteria, the EU's "comprehensive" model is preferable to the "score" model. The website presents 18 criteria sheets online (including IT and vehicles), but more are scheduled to be released.

Proposal for joint GPP criteria

Green Public Procurement faces various problems. In a TCO model additional costs for GPP can occur. Energy criteria often have a good pay back effect; however other environmental criteria like eco-friendly material or noise reduction may raise the overall cost.

Purchasers often face the practical problem of a lack of extra funds for environmental criteria. If products are more expensive due to their eco-friendly design, then the purchasers buy fewer products. This results in environmental departments which desire GPP but find themselves limited due to financial resources.

Even if higher energy efficiency is not automatically linked to higher prices and there is payback from energy saving products, determining budgets for investments and energy costs can still be an obstacle in GPP. Introducing a maximum limit of additional costs could be a possible solution to this problem.

The following proposal is flexibly designed to fulfil the public sectors' various needs and premises for GPP. The proposal meets the following minimum requirements:

- Partners will include a TCO approach - at least including energy consumption either in cost criteria or in environmental criteria.
- Basis for the pro-EE product group is the EU's "Comprehensive GPP criteria model". For further standard product groups, ICLEI as an advisory body in the project, offered to provide support for the development of additional proposals linked to activities in the EU scheme.
- Partners may exclude criteria if the extra costs based on a TCO model are higher than 10 percent compared to non green products. All criteria under 10 percent of the extra costs must be fulfilled. The core GPP criteria are obligatory.
- The green criteria have a significant influence (more than 20 percent), both in the technical specifications and, if possible, in the award criteria.

pro-EE partners analysed the following contract awarding procedures being generally used in various countries or regions:

Green criteria in technical specifications

Green Public Procurement faces various challenges. Additional costs for GPP can arise in a TCO model. Energy criteria can often have a good payback effect; however other environmental criteria, such as the use of eco-friendly materials or noise reduction, may have the reverse effect and increase costs.

Country	Award criteria
EU	The EU-level works with percentages for weighting criteria
Region of Upper Austria	The region works with percentages for weighting criteria
Mainz (Germany)	Adapted percentage-model: criteria/price
Cities in Greece	100 percent price (However it is envisaged that the price should account between 50 and 65 percent of the total points given for awarding the contract.)
Cascais, Torres Vedras (Portugal)	Percentage-model (green criteria are seldom used)
Ferrara (Italy)	Percentage-model

Further info:

<http://ec.europa.eu/environment/gpp>

Green criteria in the EU and partner countries

Example of the region of Upper Austria

The Eco-Manual "Ökoleitfaden" (arranged by an environment program in 2008, resulting in an environmental policy) can be used for sustainable procurement and is based on the "core" criteria (and partially on "comprehensive" criteria). This applies to the 26 product groups that the Central Procurement of Upper Austria is responsible for. For some of these groups it is difficult to fix the sustainable criteria (e.g. insurance companies). Within this product group and in all other groups more attention will be given to the social aspects of procurement (e.g. throughout contract performance clauses).

Generally there was a large focus on energy efficiency, impact on the users and the environment, the life cycle costs and on the disposal of waste within all the product groups. For example, the ecological award criteria of an IT tender covering PCs and Notebooks were weighted with 20 % and 25 %, respectively. The minimum criterion was to have a supplier with a certificated environment management system such as ISO 14001 or EMAS.

This Eco-Manual is an obligatory declaration between the head of the department and the procurement team. In addition, the manual is a commitment from Upper Austria to sustainable ecological procurement and it shall set a positive example to other public procurements, private companies and people. A coordination between this Eco-Manual and with the federal public procurement office within the National Action Plan for sustainable Procurement has been scheduled. Upper Austria developed a monitoring paper which works on a traffic light basis.



Example – the National Action Plan of Portugal for sustainable green public procurement

In July 2006 a working group on GPP was established by the government with the goal of developing a National Action Plan. The plan states that 50% of public procurement will include environmental criteria by 2010. The plan was approved by the government in 2007 (Resolução do Conselho de Ministros nº 65/2007). After the publication of the National Action Plan, the working group created a set of environmental criteria for several product and service groups. Priority sectors defined in the plan are public works, including lightning and equipments; transportation, including services; energy; office equipment; office consumables; cleaning products; management and maintenance of public equipments and infrastructure services.

Following the National Action Plan, training of public procurers on GPP was scheduled for May 2008. This plan is mainly for central public administration, as local administration will be involved at a later stage. After the publication of the National Action Plan, the National Agency for Public Procurement was created. The agency had the assignment of negotiating framework agreements for all central public administration in a wide range of product categories. At the same time, these procurement activities were implemented though by an electronic platform, which was obligatory for all public organizations. As the number of product categories increase, the purchases of central administration will be have to be made through the platform. The National Agency is progressively integrating environmental criteria into framework agreements, but afterwards is still possible for the procuring organization to negotiate further environmental criteria.

Spain: NAP on GPP and Action Plan on Energy Efficiency in Buildings of the General State Administration

In Spain, a National Action Plan on GPP was adopted in January 2008 by the Council of Ministers. In accordance with the EU GPP Toolkit, eight product groups were identified as priority product groups, including construction and maintenance, energy, transport, office equipment, paper and publications, furniture, cleaning products and services, and events. For each of this product groups specific goals were fixed both at a quantitative level (general reduction of consumption) and at a qualitative level (environmental and energy efficiency criteria based on the EU GPP Toolkit). The levels of green purchases are fixed between 25% and 100%, depending on each product group. Codes for good practices were developed. An inter-ministerial commission is responsible for the implementation of these codes.

Training is performed by the Ministry of Environment with the support from experts from private institutes such as Ecoinstitut Barcelona.

In the field of energy efficiency, the Spanish NAP on GPP assumes the goals of the Action Plan on Energy Efficiency in Buildings of the General State Administration, which is implemented by the IDAE (Institute for Diversification and Saving of Energy, Spanish Ministry of Industry, Tourism and Trade). The goal of the plan is to reduce energy consumption by 9% by 2012 and by 20% by 2016.

Joint Green Public Procurement in different European countries

Joint green public procurement – Upper Austria

National framework conditions

Legal basis for Austrian procurement is a law entitled, "Bundesvergabegesetz 2006 – BVergG 2006". In 2009, the threshold for comprehensive tendering procurement was raised from 40,000 to 100,000 Euro. In the pro-EE project all product offers were organized under these thresholds. In practice, the threshold is valid for every actor and not summarized. In that case the procurer is able to work with a number of sellers individually.

Upper Austria is a member of the leading group of the National Action Plan for Sustainable Public Procurement. This plan would implement sustainable buying in all Austrian public procurement institutions. The criteria for 16 product groups, including the 10 groups mentioned on the GPP homepage of EU, are fixed in a paper and were approved on 20th of July 2010 by the federal government. The core criteria are minimum voluntary criteria and the comprehensive criteria shall be for more advanced organisations. The problem public procurers have is they need to buy sustainable goods and there is no specific information with reliable criteria. To solve this problem, all of the information will be put together with the new European criteria onto one homepage (www.nachhaltigebeschaffung.at). The homepage will be promoted as the "sustainable one and only".

If someone would like to buy green products then first step should be to look at this homepage. The homepage shall be used as a platform where everybody can present and share their individual projects and results.

The best projects should be presented then as an exemplary example (e.g. pricing model for printed or copied sites instead of buying printers or copying devices; energy contracting in national buildings, etc) and they will be given an annual awarded from an expert jury.

Often high initial costs are a barrier for purchasing goods. This, and other budget problems, shall be discussed by a financial expert team to find appropriate solutions. One suggestion is to make a special budget for sustainable buying (for example 10 % of total budget), but only if the TCO indicates that the investment will pay itself back within a specified amount time (e.g. 3-5 years depending on the lifetime of the product).

General problems are to be discussed on a product by product basis in workshops with experts in these groups. Then it will be discussed in a leading group that consists of different ministries, the chamber of commerce, the chamber of agriculture, the chamber of work, the representative of the public procurers of the 9 counties of Austria, the representative of the national buying department and the Austrian association of towns and communities. The results will be monitored by the Ministry of Environment according to the monitoring system set by the European community.

Actors

A central institution that primarily supports national procurement is entitled "BBG – Bundesbeschaffungsgesellschaft" and was established in 2001 by the Ministry of Finance. Its goal is to establish a central procurement platform for procurement done by national authorities. The BBG is also open to regional and municipal authorities. More than 30 product groups are offered and they cover a wide range of goods and services. Most of the items can be purchased electronically via the e-shop.

Procurement for the regional administration is done by a newly established department of the regional administration as a part of the Department for Building Management and Procurement. The office was established in Summer 2006 to ensure efficient procurement, and collaboration with the national procurement institution, BBG. There are five different established purchasing groups that cover everything from IT, office materials (i.e. paper), office and other electric appliances to fuels and maintenance. The procurement office purchased goods worth in total about 28.35 million Euros in 2007. Within the pro-EE project a process was started to include green criteria in purchasing procedures ("Ökoleitfaden"). The Upper Austrian Association of Municipalities supports the activities especially by those taken by advertisers.

Municipalities are acting as purchasers but are controlled by the regional Department for Municipal Affairs concerning financing aspects. This department facilitates access to the e-shop from the national procurement institute. Previous experience has shown that municipalities are more likely to buy local products in an effort to support smaller companies. Green criteria are very seldom established as a standard.

Information about green products is available on the internet can be found under www.topprodukte.at. Some Austrian energy and environmental agencies provide advice services and brochures.

The new partnership under the pro-EE project will boost green products in municipalities and in regional authorities

In line with the goals of the pro-EE project, the tenders organised by the Department for Building Management and Procurement of Upper Austria are open for municipalities as well. Green criteria are an essential part of the tenders. Conditions for the municipalities are the same as for the regional authority. As a rule, the procurement activities are limited to 100, 000 Euros per activity in order to avoid complicated process rules of the Austrian Public Procurement Act ("Bundesvergabegesetz"). If green products yield extra costs or if the TCO balance is not sufficient, grants will be provided for municipalities.

Approximately half of all municipalities have joined the "Climate Alliance" and therefore have the opportunity for a "10,000 Euro Special Grant Support Scheme" provided by the Region of Upper Austria. In theory, all 'climate' related activities that have not been foreseen in the standard acts are supported in this scheme. The pro-EE project goes one step further by playing an active role in organising active purchasing services for municipalities, and therefore facilitating climate policy at municipal level. Extra funding can be raised by the regional government for special activities for all 444 municipalities. In 2007 higher mineral oil taxation was established to provide additional funds for climate measures in these regions. In Upper Austria this resulted in an extra budget of approximately 9.5 million Euros annually. The policy and measures linked to this budget are designated every year through a special process that provides opportunities to purchase green products in municipalities.

Concrete actions under the regional platform

During 2009 the first tenders for green products were organised and product data sheets were published for bicycle stands, LED-Christmas lightning and an exchange program for electric appliances (<http://www.klimarettung.at/de/108/>). In some cases, member municipalities of Climate Alliance get financial support in the form of the exchange program for bicycle stands, LED-Christmas lightning systems.

Upper Austrian experience and recommendations

- regional procure institutes get often better financial conditions than the bigger national institute, there is no rule for a better price through bulk purchases
- cooperation between the national and regional procure institutes makes sense depending on products and product number
- for small municipalities local economy is a main issue, so centralized purchasing institutes have to organize decentralized solutions too (e.g. network of traders)
- communal purchasers often do not get all of the information sent to the municipality
- local climate or energy oriented workgroups and regional managing institutes are a good basis to boost green public procurement in municipalities

In addition, green procurement is supported on the European level through communication, "Public Procurement for a Better Environment" (COM (2008) 400/2).

Joint green public procurement – Germany

National framework conditions

In Germany, according to the country's federal structure, the authority to control cooperation between municipalities lies with the individual federal states. The latter have passed the according laws on joint projects and cooperation entitling municipalities to fulfil duties they are responsible for jointly. Duties can either be undertaken in an institutionalised form by a joint utilities body, or the necessary authority transferred to a participating municipality who will perform the duty for the other(s) in the future according to an agreement based on public and private law. So duties are transferred with an agreement based on public and private law or on a statutory basis.

In principle, coordinated procurement of contracting authorities that are in themselves independent constitutes a balancing act between the savings measures introduced by public bodies and preserving the market for the benefit of smaller companies. In saying this, municipal procurement co-operations and cooperating joint ventures are subject to cartel law.

When a municipality submits an invitation to tender jointly with other communities, it is essentially a purchasing cartel, which is in principle prohibited according to § 1 of the Act against Restraints on Competition (*Gesetz gegen Wettbewerbsbeschränkungen*, GWB), as the joint purchase and procurement group established as a consequence is based on a cooperation agreement of the participating municipalities, which results in an anticompetitive measure in the sense of § 1 of the GWB (full explanation in Schindler, S. 2008. Public Electronic Procurement kommunaler Einkaufsgemeinschaften, p.190, 200, 201).

However, anticompetitiveness does not regularly exist so that no forbidden cartel as per §1 of the GWB occurs (see Schindler, S. 2008. Public Electronic Procurement kommunaler Einkaufsgemeinschaften, p.208). It must therefore be assessed on a case-by-case basis whether a discernible influence on the market exists. Specifically, the market share of the respective purchasing group on the relevant market provides an indication of this. According to the de minimis notice of the German Federal Cartel office of 13.3.2007, the threshold lies at a market share of more than 15 per cent (details in Schindler, S. 2008. Public Electronic Procurement kommunaler Einkaufsgemeinschaften, p.211 ff., 220).

A further problem for cooperation between municipalities in Germany stems from § 99 para. 1 sentence 2 of the GWB. Those representing the interests of cities and communities have always argued that a straightforward cooperation between municipalities constitutes an organisational transfer of duties within public authorities and thus does not represent procurement on the external market.

The European Court of Justice added this to their ruling of 09.06.2009 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:180:0002:0003:EN:PDF>). However, the ECJ's ruling must not be considered a blanket carte blanche for all one-sided, isolated contracting of a municipality by another with the services to be provided (e.g.: delivery of power for a city's administrative buildings by the municipal utility of another city without first issuing an invitation to tender). According to the ruling from the ECJ, these kinds of scenarios should also not arise without an invitation for tender first being issued.

Not directly, but at least indirectly, it will be concluded from the ECJ's ruling that cooperations without tenders on a basis of public law are limited "regional cooperations" similar to municipal joint utility companies. A cooperation without a tender between remote municipalities (e.g.: Flensburg with Garmisch-Partenkirchen) should be hard to imagine legally hereafter." (Norbert Portz, 09.06.2009. www.dstgb-vis.de/home/rechtsprechung/dstgb_begruesst_eugh_entscheidung_kein_vergaberecht_bei_interkommunalen_kooperationen/index.html)

A clarifying article (§ 99 para. 1 sentence 2 of the GWB) on cooperation between municipalities was abandoned in the 2009 public procurement law reform, waived at the last minute without reason on the recommendation of the Economic Committee.

Some actors

The following are among those to have adopted different approaches and products in Germany:

- The state of Rhineland-Palatinate
- The Greater Stuttgart Region
- Municipal trade and performance society (Kommunale Wirtschafts- und Leistungsgesellschaft - KWL) a "subsidiary of the city and municipality association of Lower Saxony, the NSGB".

Concrete actions

Rhineland-Palatinate

In 2010, the federal state of Rhineland-Palatinate introduced an invitation for tender for IT products that the municipalities could participate in. Criteria for the consumption of resources during manufacture, energy efficiency within companies, disposal and social aspects were taken into consideration.

www.mainz.de/C1256D6E003D3E93/files/20100316_Werle.pdf/%24FILE/20100316_Werle.pdf

Greater Stuttgart Region (Verband Region Stuttgart)

The focus of the cooperation within the scope of the project launched in June 2002 for the joint invitation to tender and procurement for cities and municipalities in the Stuttgart region was the realisation of bundled invitations to tender in the product fields of office supplies, IT equipment and paper following clarification of the legal and organisational

feasibility. Tenders were awarded on the basis of an agreement valid for the respective invitations to tender.

In June 2009, the fourth joint Europe-wide tender for office supplies and IT equipment was concluded in which the cities and municipalities of Böblingen, Esslingen a. N., Gäufelden, Herrenberg, Kornwestheim, Leonberg, Ludwigsburg, Remseck, Sindelfingen, Vaihingen a. d. Enz, Weil im Schönbuch, das Landratsamt Göppingen, the Ludwigsburg District Office, Böblingen-Sindelfingen adult education centre, the Wirtschaftsförderung Region Stuttgart GmbH (WRS) and Verband Region Stuttgart participated. The price-performance ratio improved for all those involved in the tender by between 3 and 30 per cent depending on the composition of the product catalogue and the procurement practices for the first tender.

In general, it can be said that particularly the smaller administrations were able to enter the large customer segment as a result of the bundling in terms of pricing, whereby better prices were achieved due to the ordering of larger quantities.

Further information: <http://www.region-stuttgart.org/vrs/main.jsp?navid=65>

Municipal trade and performance society (Kommunale Wirtschafts- und Leistungsgesellschaft -KWL)

The municipal trade and performance society (*Kommunalen Wirtschafts- und Leistungsgesellschaft*, KWL) of the association of cities and municipalities of Lower Saxony (*Niedersächsischen Städte und Gemeindebund*, NSGB). The KWL affords long-standing experience in joint procurement. In 1996, the structure of the NSGB, which mainly comprises smaller rural municipalities, led to the association to see the need to bundle the municipalities' requirements to achieve better prices with different service providers in the fields of energy, fire brigade supplies, internet and telephone services, among others.

Further information (only in German):

http://www.kommunaleinkauf.de/kwl_aktuell/index.php

Information about green products in Germany is available online at:

Information service for green public procurement
www.umweltbundesamt.de/produkte/beschaffung/



Joint green public procurement – Greece

National framework conditions

The CRES PROEE team, in close collaboration with the Ministry of Development on energy policy issues, assisted in the formulation of a new Ministerial Degree, effective on June 17th, 2008. This *joint Ministerial Degree* (JMD) tackles the issue of energy saving measures in the public sector in relation to the acquisition of energy consuming products and maintenance/management of the building stock. Within the JMD, energy standards for electrical and office equipment are set based on a minimum set of energy requirements. The standards aim to formulate a new procurement law for the public sector that will incorporate energy award criteria.

Through previous collaboration activities with local authorities, the “OTA21”, the Municipalities’ Association of North – East Attica Region, CRES established an important project partnership. The first achievement was the co organization of the event “Energy Efficiency & Excellency in Local Authorities”, which was hosted at the Conference Centre of Municipality of Nea Ionia.

The identification phase for the most prominent categories of products for a joint public procurement resulted, based on a variety of parameters (ownership status, technology achievements, level of interest, climate factors and social criteria), in the joint consideration of *lighting products and office equipment categories* with the other partners. However, depending on the results from the JGPP targets for Greece, other set of products could be considered of specific importance for the Greek public sector (thermal solar systems, electric scooters, RES lighting systems).

An official letter and informational material was sent to eleven member municipalities of DAFNI and CoM: Ios, Kea, Korthi, Lipsi, Milos, Moudros, Nisyros, Oia, Poseidonia, Skyros, Hydra. All of the aforementioned municipalities are located on islands and they are all members of DAFNI Network for Sustainability. They participate in the CoM and have similar and uniform characteristics and needs. The aforementioned municipalities are ideal pro-EE project participants because they are autonomous regions, not connected to the main electricity grid, they are committed to achieve certain targets signed under the CoM and their island electricity generation emits high quantities of CO₂ (from an environmental perspective).

Some actions

The City of Maroussi

The City of Maroussi, partner in the pro-EE Project, prepared and planned the development of a local energy plan. With the adaptation of the tool “Energy Efficiency Scan” (a tool that captures an overview and analyses all the fields of activities concerning energy efficiency), the City of Maroussi undertook the scan and set up an action plan. The Energy Efficiency Scan is the first step of the Activity Plan and corresponds to the evaluation of pre-existing activities. The European and National Funding Office of the Municipality of Amaroussion are under the pro-EE project’s management and they disseminated useful material via e-mail to each department. Afterwards, bilateral meetings were arranged between the European and National Funding Office with the related departments of: the Environmental, Planning and Quality of Life Organization, the Integrated Procurement Department and the Transportation Office.

Under the framework of actions concerning the integration of energy efficiency criteria in the public procurement, the City of Maroussi integrated the replacement of 2500 lighting systems in 2009. The old lighting operated with high pressure mercury lamps, whereas the new ones operate with metal halide lamps. The replacement yields an estimated energy savings of up to 40%. In order to effectively implement the pro-EE actions, a comprehensive approach strategy was identified that defines two distinguished priorities, as described in Figure 1.

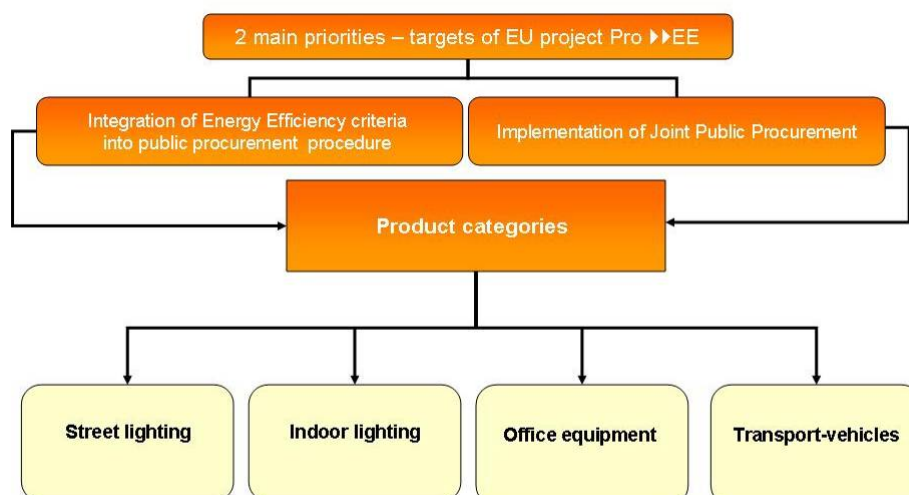


Figure 1

A leaflet was produced that describes the methodology and procedure for implementing a joint public procurement scheme in Greece in addition to a flowchart that visually presents the proposed actions.

NEEAP for the Tertiary / public sector

The public sector is to set an example for the improvement of energy efficiency measures, as the 2006/32/EC Directive states. To accomplish this, the application of energy efficient technologies and RES systems has been proposed. The use of energy efficiency criteria in calls for tender and contests for public procurement is considered necessary. Within this framework, joint public procurements schemes are welcome and the development of a central public procurement office could become a reality in the process of implementing the EEI (energy efficiency improvement) measures as mentioned in the First Greek NEEAP (National Energy Efficiency Action Plan). The table below summarises one of the measures in relation to the public sector. The whole list of measures can be found in http://ec.europa.eu/energy/demand/legislation/doc/neeap/greece_en.pdf.

Title of Measure DM1.	Compulsory installation of central solar thermal systems to meet hot water requirements
Category	<ul style="list-style-type: none"> ○ Institutional ○ Exemplary role of the public sector
Regional application	All of Greece
Target group	<ul style="list-style-type: none"> ○ Existing and new buildings larger than 1 000 m². ○ Private buildings leased by public bodies.
EEI actions targeted	<p>Legislation to provide for compulsory incorporation of central solar thermal systems to meet the hot water requirement in public sector buildings such as, indicatively,</p> <ul style="list-style-type: none"> ○ hospitals, ○ sports centres, ○ buildings of charities and buildings used for other purposes in which there is a high requirement for domestic hot water. <p>Monitoring of the quality of the installation and of the efficiency of the system by an accredited body.</p>
Effectiveness	Solar thermal systems will replace 50-100% of conventional fuels and electricity, depending on the climatic conditions in each area, the load and the position of the building.
Anticipated annual energy savings in 2010 and 2016	<p>The following energy savings are anticipated:</p> <ul style="list-style-type: none"> ○ 2010: 10 GWh ○ 2016: 250 GWh. <p>Total cost of implementation: EUR 100m.</p>
Status of implementation and exact timeframe	<p>Staged implementation:</p> <p>from 2009 to the end of 2012 – buildings larger than 1 000 m²;</p> <p>from 2014 – buildings larger than 500m²;</p> <p>2016 – all buildings.</p>

Greek experience and recommendations

During the examination of the potential for implementing the project's targets in the Greek public authorities, a rather significant barrier was recognized: the *lack of a centralized*

procurement agency for the municipalities belonging into the same prefecture. Such an absence may create further problems, such as the *bureaucracy* arising through procedures for joint procurement, *individual management of procurement needs* by each public authority, as well as *complication of the legal-administrative issues and processes*. An important parameter linked to the administrative individualities is the *differing allocation of procurement responsibilities among the municipalities*. In certain municipalities the procurement department belongs directly to them, while in others it is allocated to limited companies of the municipality.

One of the most prominent obstacles to overcome is a general reluctance from public authorities to participate in a JGPP, which possibly comes from their *bonds with the local community and retailers*.

For future joint procurement schemes, the focus will be laid upon the implementation of an energy efficient joint public procurement. To achieve this target certain steps must be followed:

1. Establishment of a concrete network of public authorities who are concerned and motivated to integrate energy efficient characteristics in their procurement procedures.
2. Consolidate and resolve any open legal issues related with joint tender procedures between public authorities and municipal companies. Determination of the proposed JGPP scheme in relation to the nature of participants
3. Agreement on common criteria for certain products among public authorities belonging to the established network.
4. Organization of a joint procurement of products selected, including the reviewing and further development of a call of tender based upon the already compiled model call of tender.



Joint green public procurement – Italy

Municipality of Ferrara pro-EE approach

National framework conditions

The starting up of *Italian Legislation on GPP* could be set up in 2003 with the coming into force of the *Ministerial Decree 203 (Decreto Ministeriale n°203/03)* according to which any Public Administration had to invest at least 30% of total supplying in products deriving from recycled materials, *per year and per category of product*. That was the first step to introduce the concept of *green products and services* in the Italian legislative framework, even if it was referred to recycling only. The Law was, then, followed by several application laws organised *per material* (e.g.: paper, wood, plastic, etc.) specified in deep details referring to their conformity to international standards, their adequacy to due costs plus a description of the documents to be provided in order to give the evidence of recycled material and be registered in an official list of recyclers.

A more recent Law helped indirectly GPP by implementing the use of environmental criteria in tenders under European threshold, held by Public Administrations. We are referring to the new *Italian Law for Tenders (Decreto Legislativo n°163/2006)*, *affecting the principles of the European Directives 2004/17/EC and 2004/18/EC*. The main innovation of that Decree is to make direct reference to environment as one of the possible criteria to be considered in awarding a tender. It is clearly stated, in fact, that the principle of economy can be subordinated to criteria in protection of environment, health and sustainable development (article 2, paragraph 2). In particular, this Law offers Public Administrations the opportunity of adding to the traditional principle of the best price (article 82), based on the lowest offer you can get, the most economically advantageous

principle (article 83), that can include the environmental characteristics also in terms of energy-consumption reduction and decrease in the use of natural resources.

Recently, the National Action Plan for GPP came into force aiming at increasing in Public Administrations and other suppliers the awareness of preferring *green products and services* with specific minimum criteria, in order to reduce their negative impacts on the environment. The Plan is involving a wide range of products and services such as furniture, building materials, waste management, energy devices, ICT products, stationery etc. The core of the text stresses the importance of Public Administration in pushing the market towards GPP for the rationalisation of public supplies in consideration of a new cost-benefit and *Life Cycle Costing* approach who takes into account environmental performances and even eco-innovation.

In the meanwhile, new laws have just entered into force in many regions underlining the importance of introducing sustainable criteria in Public Administration supplying.

As far as *Region Emilia-Romagna is concerned*, the *Regional Law n°28/2009* states that all the Municipalities, with a minimum population of 5,000 inhabitants, have to draw up a GPP Action Plan to foresee the introduction of environmental criteria in the call for tenders and other ways of supplying products and services. The criteria are concerning the reduction in the use of natural resources, the implementation of renewable sources of energy, the decrease in the production of waste, the abatement of pollutant emissions, the reduction of environmental risks.

The above mentioned legislative framework represents, then, the basic foundation of the pro-EE methodology carried out by the Local A21, the Department of Environment and the Department of Informative Systems of the Municipality of Ferrara.

Some Actions

The Municipality of Ferrara, playing the role of Mentor City for Italy in pro-EE Project, was one of the first Italian public administrations to implement sustainable actions with a “bottom up” participative approach derived from the principles of Agenda21. This was an outcome of the *Declaration of Rio in 1992* which addressed local actions concerning environmental issues (e.g.: sustainable transportation plan, economic growth, waste management, and energy efficiency plan). As a result, since 1994, the Municipality of Ferrara has been carrying out a voluntary specific *Green Public Procurement Manual* regarding different categories of products: organic food, recycled paper, low-consumption printing machines and energy from renewable sources. Furthermore, the involvement of the whole administration in their Environmental Management System (ISO 14001), contributed to strengthen the attention to environmental impacts and to focus on how to overcome them by improving continuously.

The Municipality of Ferrara focused on selecting a category of products excluded by the GPP Manual and introducing a new tool of purchasing that could push the market towards more energy efficient products and services. Local A21 involved the *Municipal Informative Systems Department* by charging them to buy *Information and Communication Technology (ICT)* Products (such as Personal Computers, Printers, Scanners, Laptops, PC Screens etc.) for the whole Administration.

In order to fulfil an innovative under threshold call for tender, Local A21 focused on the Electronic Market for Public Administration (*MEPA - Mercato Elettronico per la Pubblica Amministrazione*) that consists on a digital market where selected suppliers offer their products and services to Public Administrations that are able to buy both through Direct Orders, by selecting the products listed in the platform, or *Request of Offer*, carried out by a specific Public Administration and addressed to one or more suppliers.

Local A21 contacted CONSIP, a *public stock company created in 1997 by the Italian Ministry of Economy and Finance (MEF)* who is implementing, at national level, a

program of rationalization of public spending on goods and services through the use of information technology and innovative tools such as the MEPA Electronic Market.

Local A21 and the Municipal Informative Systems Department selected the minimum criteria, fixed at national level by CONSIP for ICT products with special regard to laptops. According to the new *Italian National Plan on GPP*, if the minimum criteria are followed in the tender the procurement can be considered “green”. The criteria mainly address to:

- energy consumption requiring the last version of Energy Star (e.g.: Energy Star 5.5) Nordic Swan or equivalent;
- noise reduction referring to ISO 7779 and ISO 9296 requirements or equivalent;
- long-lasting batteries according to European Directive 2006/66/EC;
- LCD monitors containing not more than 3 mg of mercury with preference to Ecolabel, Nordic Swan or equivalent.

In addition to those criteria, Local A21, together with the Municipal Informative Systems Department, paid a special attention to the best cost-benefit relationship trying to calculate the best price of the products in order to fix it in the tender as the maximum price accepted. Local A21 in cooperation with the Municipal Informative Systems Department drew up the *Tender Specification* describing products and their technical characteristics and integrated it with *Technical Specification* that introduces and evaluates environmental further implementing criteria referring to specific eco-labels in their up-dated versions or equivalent, thus respecting the principle of free competition stated at national and European level.

Local A21 and the Municipal Informative Systems Department decided to start by testing energy-efficient purchases at local level with the view to influence a wider range of Italian municipalities and provinces in joining future Requests of Offer.

The use of an Electronic Marketplace

The methodology adopted for supplying ICT products supported by the Local A21 of the Municipality of Ferrara was addressed by two main targets:

- increase the awareness on the benefits of buying more efficient green ICT products inside and outside the administration without increasing considerably the costs of products;
- create a best practice to be transferable to other public administrations.

The Local A21, in accordance with the Department of Environment, the Councillor of Environment and the Informative Systems Department, decided to use *e-procurement* as the tool to award the purchasing of ICT products.

E-procurement can be defined as the body of technologies, procedures, actions and organizational conditions that enable an online selection and purchasing of products and services thanks to the improvement of internet and Electronic Market use.

The *Electronic Market for Public Administration* differs from a traditional call for tenders in some aspects:

- it is an *e-procurement* platform that allows purchases to stay below the community threshold.
- is a selective market in which authorized and qualified suppliers (some of them identified as green ones) offer their goods and services directly online; at the same time, registered buyers (public administrations) consult its catalogues and can make either a Direct Purchase Order or a Request for Offer;
- it is a specialized market tool meant to satisfy the needs of public administrations (purchasers) and companies (suppliers);
- it is based on a catalogue of products and services certified after a specific process of certification managed by CONSIP;

- it avoids the use of paper and helps energy saving fulfilling the achievement of sustainable consumption and production expressed by the European Commission (COM 2007/803); according to a recent analysis made by CNIPA (*Centro Nazionale per Informatica nella Pubblica Amministrazione* - Italian Authority on IT), a three-page document costs to any Italian Public Administration 20 Euros *per year*;
- it is a dynamic and safe tool in which products and services are listed in *e-catalogues* according to standard formats.

The approach used in the redaction of the due document was to specify in the tender the criteria of energy efficiency, basic and additional, by attributing them a specific value that could affect the final awarding. In order to do this, the Informative Systems Department drew up a first list of needed products with their description such as monitors, printers, scanners, graphics tablet, CD writers, Video projectors, external HD. For each product was supplied a technical description of the basic characteristics including environmental performances, also referring to eco-labels such as Energy Star, TCO or equivalent. The information were integrated by additional inputs deriving from a specific preliminary study, carried out by CONSIP, enhancing what were the basic technical standards (e.g.: Energy Star) on environmental performances and what could improve them (e.g.: conformity to Energy Star 5.0) as qualifications of higher energy efficient standards, where it was possible to do according to the market. It was then worked out the Tender Specification (*figure n. 1*) directly integrated by a Technical Specification (*figure n. 2*) in the form of contract made up with several articles. In the first part, a direct reference to the Intelligent Energy pro-EE Project was made. Furthermore it was described the legal framework, with particular reference to the *Italian Law for Tenders, D.Lgs. n°163/2006*, ruling the purchasing of goods and services by Public Administrations and the corresponding *Municipal Law* regarding ICT supplies. After describing the type and quantity of ICT products required, it was clarified the legal principle of the most economically advantageous offer followed in the Request of Offer that allows you to add more values to energy efficiency criteria comparing them with the best price. Eventually, it was fixed the evaluation attributing some points to the best price and distributing the remaining ones to the energy efficient criteria with specific regard to the most recent versions of Energy Star and TCO eco-labels, or equivalent in the proportion described in the graphic reported below. The above mentioned eco-labels, in fact, were sufficiently popular and well known among the suppliers and could be easily identified in their more efficient versions. For helping them in doing this, it was offered a specific Environmental Qualification Sheet (*figure n. 3*) where to describe the energy saving additional criteria offered per product according to what already stated in the Technical Tender. It was made then a direct reference to guarantee conditions, undertaking of possible malfunctioning to be fixed in seven days after their description and a specific request of fixing the products in place.

Italian experience and recommendations

Local A21 found out the following main advantages in opening a pro-EE Electronic Market Request of Offer:

- No paper use for the whole process of tendering, as it is developed entirely through the web site;
- Process time reduction, as tendering and awarding had a total duration of approximately 90 days;
- Maintenance of a good balance between quality and price: the total costs overcome were only 1,2% of the expected maximum costs;

- Guarantee of safe tool for buying: Electronic Marketplace is guaranteed by digital signature;
- Possibility to introduce higher energy efficient criteria and Lyfe Cycle Analysis (LCA) evaluation in the Technical Specification in addition to the Tender Specification;
- Possibility of choosing the geographical area where to make the Request of Offer and using the tool to realise joint procurement together with other Public Administrations.

The *Electronic Marketplace* revealed its flexibility also in case of first unanswered offers, helping the public administration to overcome this kind of hurdle.

MEPA, in fact, allows you to postpone the expiration date of the Request just before its closing time in order to give suppliers more time to offer. The Order Point is also allowed to make a new Request of Offer after the fixed expiration date and time in order to improve it.

In case of low reaction from the market, a good communication and information strategy would encourage the market to offer the most energy efficient products and services available, editing a description of the energy efficient criteria you are seeking for on the official Municipal website or on leaflets or other means of communication you are disseminating before the opening of the call for tender, without any references to specific eco-labels or trademark (unless the use of the sentence “or equivalent”) for preventing any form of commercial discrimination. This could help you to find the single qualified supplier that is able to provide you all the products needed, being certified by the Marketplace. Consideration must be made in advance in order to properly plan a good communication and training strategy aimed at increasing the knowledge and familiarity to the tool at local level.

The *Local A21 and The Informative Systems Department of the Municipality of Ferrara* adopted a preliminary training and communication strategy for municipal employees, of the involved Department and to the local suppliers in order to make them aware of the benefits of using this e-procurement tool.

In addition, a specific action was addressed to organise and participate to national events.

In October 2008, the Local A21 of the Municipality of Ferrara organised a specific pro-EE Conference, in the framework of one of the most important GPP national event: *GPPnet BuyGreen Forum in Cremona*, with the involvement of *Ministry of Environment, CONSIP, Ecological Consulting Ecosistemi, the Councillor of Environment of the Municipality of Ferrara* and participation from local municipalities and the *Regional Agency for Environmental Protection (ARPA)*. The idea was to present the pro-EE project, complete with its main objectives and targets, to stakeholders. The audience was made of private companies, the Bank of Italy (Environmental Department) and public administrations.



In February 2010, Local A21 took part to the *National Workshop “Procedures and Opportunities to buy green” “Procedura e opportunità del comprare verde”* organised by Climate Alliance Italy and held at the *Province Building of Perugia* addressed to Public Administrations interested in Green Procurement.

In the meanwhile Local A21 managed and disseminated a pro-EE website (www.comune.fe.it path: *Ambiente ed Energia > Agenda21Locale > Progetti*), periodically updated where to find all the main information such as: news, events, newsletter, description of the project, questionnaires, dissemination, workshops, expected outcomes and legislation.

Tender Specification (figure n. 1)

Description of basic characteristics of the product	Information on environmental characteristic of the product
<p>Monitor LCD 21" : screen typology LCD; diagonal dimension 21.3"; resolution 1600x1200; luminosity 300; contrast 1000:1; time of response 16 ms; video Input D-Sub, DVI, USB, VGA; visual angle 176/176; certification ENERGY STAR®. (Model of reference: NEC 2170NX LCD 21)</p>	<p>Certification Energy Star® or equivalent</p> <ul style="list-style-type: none"> • Energy Consumption Normal Functioning 58W USB non-active; Energy saving less than 2W; Switched off less than 1W • TCO 03 or equivalent • GEEA/Energy label (European label by Group for Energy Efficient Appliances) • Other information This monitor is furnished by an advanced energy-saving device When the signal VESA DPMS (Display Power Management Signalling) is transmitted to the monitor, the energy-saving modality is activated.

Technical Specification (figure n. 2)

DISCIPLINARE DI GARA (TECHNICAL SPECIFICATION)

La presente fornitura viene proposta in attuazione del progetto Gli Acquisti Verdi Promuovono l'Efficienza Energetica - Pro-EE Public Procurement Boosts Energy Efficiency - Progetto Energia Intelligente organizzato da Alleanza per il Clima - Climate Alliance - e promosso dall'Agenzia Europea per la Competitività e l'Innovazione - Executive Agency for Competitiveness and Innovation (EACI).

The current supplying is offered as the fulfilment of the Intelligent Energy Project pro-EE - Public Procurement Boosts Energy Efficiency, organised by Climate Alliance and promoted by the Executive Agency for Competitiveness and Innovation (EACI)

RDO (Request of Offer) n° ...

[...]

Art. 8- Valutazione delle offerte e criterio di aggiudicazione
Art.8 Evaluation of the offers and awarding criteria

Il criterio di aggiudicazione è quello dell'offerta economicamente più vantaggiosa in applicazione dell'art. 83 del vigente D.Lgs.163/06 - Codice dei Contratti - e sulla base dei seguenti criteri:

The awarding criteria is the economic most advantageous offer in accordance with art.83 of the Italian Law for Tenders D.Lgs. 163/2006 and to the following criteria:

[...]

2. Qualitative and technical characteristics of the following products, improving energy-efficiency and environment	
<ul style="list-style-type: none"> • Monitor LCD 21": - Product in conformity to the EPA Energy Star Program Requirements for Displays in the last version approved or equivalent [it is also possible to specify the type of version you are referring to e.g.: Energy Star 5.0] 	<p>Awarding Points</p> <p>5 (example)</p>

Environmental Qualification Sheet addressed to suppliers (figure n. 3)

	Energy Efficient improving characteristics offered to be specified (see article 8 of the Technical Specification)
MONITOR LCD 21"	To be filled by the supplier
	To be filled by the supplier

Source: Local A21 – Department of Environment - Municipality of Ferrara

Joint green public procurement – Portugal

National framework conditions and actors

Concerning joint procurement, only one example can be related to the procurement of recycled paper and implemented in the scope of the LEAP project. This example was coordinated by ICLEI. The Portuguese JP action was led by LEAP partner Almada City Council. Six further public organizations also participated:

- Torres Vedras City Council
- Oeiras City Council
- Tavira City Council
- Tratolixo – Solid Waste Treatment Services (for Municipalities of Cascais, Sintra, Oeiras and Mafra)
- Almada's Borough of Sobreda
- Almada's Borough of Cacilhas
- SMAS de Almada - Almada's Municipal Water and Wastewater Services

In order to recruit additional participating authorities, Almada wrote an invitation letter to other local authorities, inviting them to participate in the Joint Procurement of recycled paper and providing them more information about the LEAP project.

Procurement procedure followed

As with the actions in Greece and Spain, Lead Authority Almada took responsibility for recruiting additional authorities and preparing initial drafts for the tender documents and a Partner agreement and protocol. Almada also took the lead in establishing an evaluation commission, formed by the participating authorities, that was designed to carry out an initial evaluation to give to the Commission. All documents were provided to the participating authorities for comments/approval, and they were revised accordingly. The partner, or the consortium, agreement stated that the Lead Authority (Almada) was the representative of the consortium and it listed the obligations of both entities:

- the Lead authority is responsible of the entire procurement procedure,
- the other members of the consortium have to contribute with suggestions during the procurement procedure and after the reception of the final evaluation report; each must produce its own adjudication proposal (depending on the number of paper reams bought, as well as delivery conditions).

Given the low quantity of items purchased (in cost terms), the participating authorities decided to use a restricted procedure in which the number of companies (fifteen) were requested to bid, rather than using an open tendering procedure. This saved a substantial amount time and resources. All the participating authorities signed the partner agreement/protocol. Individual one-year contracts with periodic deliveries were set up directly with the winning supplier.

Results achieved

Of the fifteen companies invited to tender, eight submitted bids. Of these, seven were fully compliant with the specifications. In financial terms, a positive price was received. The supplier offered a price reduction of €2.32 per ream to €2.15 per ream due to the final quantity demanded (13,000 reams). This resulted in a reduction of over 7% or €2,210 in total. Almada City Council was already using recycled paper that was bought without any specific criteria other than the specification “recycled paper”. The price currently paid is €1.80 per ream, which is lower than the price at which the joint procurement paper was adjudicated. However, the recycled paper proposed by the winning bidder (Steinbeis Vision Trand White) is of higher quality and meets all the specifications that were defined in the tender documents. It also presents the Blue Angel and Nordic Swan labels and the paper is certified EMAS and ISO 14001, which ensures high standards of quality and explains the higher price. It seems that in Spain the quality, rather than recycled content, is the primary determinant of price.

Another key benefit noted by the participants was the reduced administrative requirements within the other authorities, as Almada took on responsibility for the procurement process after an agreement was reached on the appropriate JP approach. The success of the approach means that it will be relatively straightforward to replicate the activity again in the future.

Barriers observed/ encountered problems

There were two principle barriers to overcome in setting up the activity:

- JP is not well known in Portugal and it was necessary to deeply analyze deeply the public purchasing legislation and to involve the municipality's legal department to ensure that the process (from the consortium agreement to the tender documents) was appropriately designed within a legal framework. Once achieved, replication will be easier in future.
- Recruiting additional authorities proved challenging, partly because they were unfamiliar with and suspicious of JP. This was partly due to the fact that there was not always the desire to purchase green and partly because of practical reasons such as existing contracts for paper supplies and not being able to specify the quantity required before tender publication.

Evaluation and conclusions

Similar to results in Greece and Spain, a positive financial outcome was achieved through buying in bulk, with the effect of reducing the price for greener products. It was also highly valuable in providing a successful, reproducible pilot model for JP and it raised further interest in the topic of sustainable procurement.

In recent years, public procurement has changed significantly in Portugal. The new Public Procurement Code, approved by the Government in 2008, made electronic procurement obligatory for all public administrations (local and central) and the National Procurement Agency. It also professionalized, with the negotiation of framework contracts, the procurement function. A new trend can be observed in the establishment of Regional Procurement Agencies for local authorities.

Joint green public procurement – Spain

National framework conditions

The centralised purchasing system of goods and services in the Spanish Ministry of Treasury has included the environmental criteria of the NAP on GPP into new framework agreements since 2008. This inclusion results in an increase of offers of products that fulfil energy efficiency criteria. The centralised purchasing system is also open the other public authorities besides the General State Administration, as a result, the purchasing of energy efficient products as IT equipment or vehicles has since become easier.

The city of Murcia, partner of the pro-EE project is using the centralised joint procurement scheme established by the Spanish national government for the procurement of certain groups of products like vehicles or computers. In this way local authorities can incorporate the energy efficiency criteria established in the National Action Plan on GPP in their individual purchasing.

Green Public Purchasing Activities in the Basque Country

The Basque government, through its Public Agency for Environmental Agency (IHOBE), has developed and is currently implementing a GPP Regional Action Plan (GPP RAP). Common strategies require public authorities (the demand side) to set targets and develop tools. However, to really move the market, it is important to promote environmentally friendly companies and products (the supply side). The innovation of the Basque approach is due to the following: a combination of both dimensions in the GPP RAP, the

coordination between supply and demand, the use of such instruments as awareness raising, training and support to public authorities and other enterprises.

During the last 10 years Ihobe has promoted a dialogue within the market, the activation of local companies in the fields of cleaner production and practices (Ekoscan) and resource efficiency in their products (Eco-design).

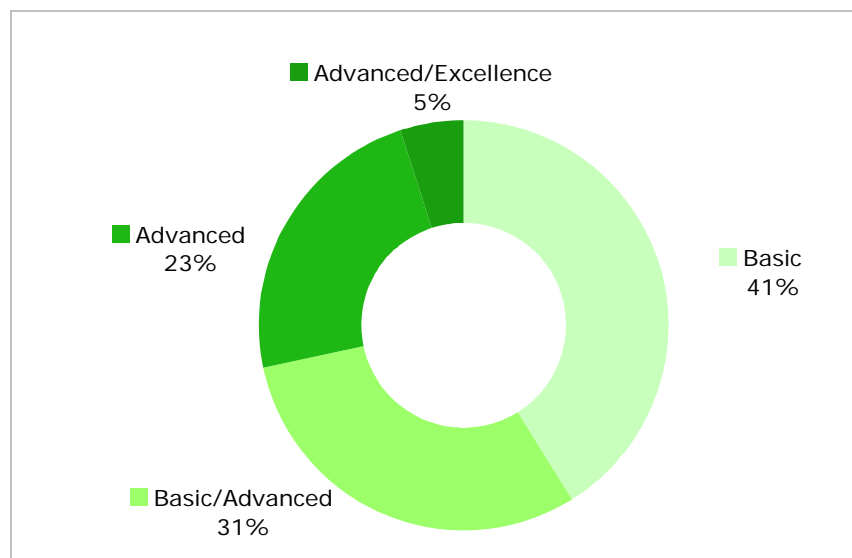
The promotion of demand is fixed as a priority in the Basque *Environmental framework programme* (2006-2010) and the *Basque Programme for Environmentally Sustainable Consumption* (2006-2010). Since 2006, Ihobe has provided different tools and services for Public Administrations in order to implement GPP:

- Common Criteria for 18 product groups that include more than 24 different products and services
- Tender Greening
- Dialogue with providers
- Training courses on GPP for public servants
- Direct assistance
- Working groups for public authorities and interchange of Best Practices
- Monitoring of results

The Common Criteria are based on the EU-GPP-Toolkit and adapted to the regional situation (supply side) in order to promote local economy's competitiveness on three levels of criteria that allow the adaptation of the market: basic, advanced and excellence. The interchange of best practices between public administrations helps to foster tendering with common criteria.

Actors

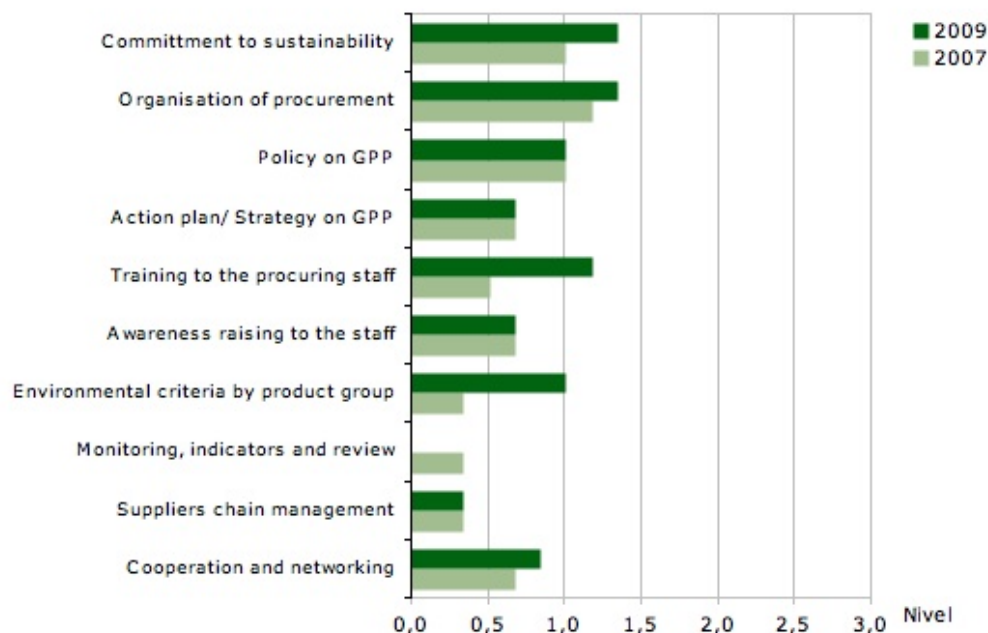
Regarding Tender Greening, 40 tenders including common criteria have been published during 2008 and 2009; most include basic or advanced criteria.



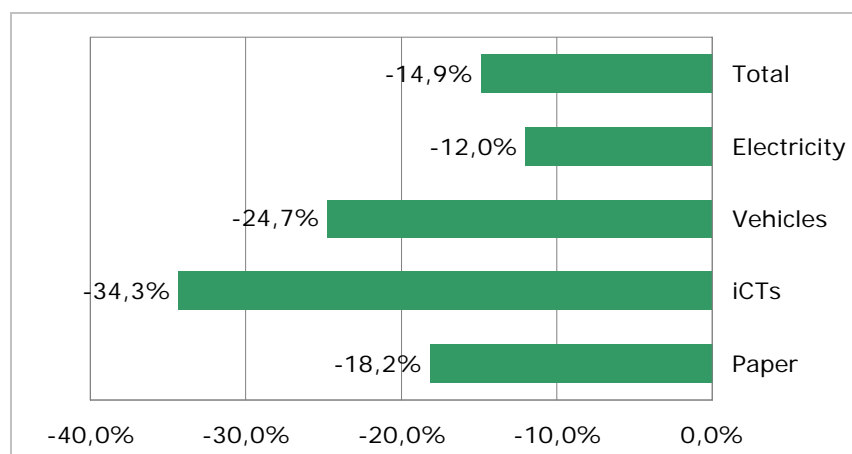
During the same period, 151 civil servants from 73 different public administrations of the Basque Country participated in the GPP Training courses, additionally 166 persons participated in two awareness raising events and 148 providers participated in dialogue sessions.

Some actions

The monitoring of results was completed as a pilot experience during 2009 by seven public administrations, including the cities of San Sebastian, Vitoria and Bilbao. They filled out an online questionnaire (adapted from the methodology proposed by the European Commission) that included both qualitative indicators (level of implementation of a GPP Strategy in the administration) and quantitative indicators (level of inclusion of green criteria in the contracts of the priority product groups).



Level of implementation of a GPP strategy in 7 pilot administrations in the Basque Country: progress 2007 to 2009.



CO₂ emission reduction as a result of inclusion of green criteria in tenders of the 7 pilot administrations in the Basque Country.


At the level of the regional government, a Government Agreement about the inclusion of environmental and social criteria in public tendering set minimum standards of environmental performance for the most common product groups, for example, for vehicles or for construction.

In the Basque Country, climate protection is one of the priorities that can be achieved by public procurement and independence of the product group (paper, ITC, vehicles, gardening services, catering and vending services, travel agencies and courier, consultancy). The development of criteria for energy intensive product groups, such as street lighting or energy service contracting, is included in the program.

The City of San Sebastian, a partner in the pro-EE project, is one of the pilot administrations participating in the GPP activities coordinated by Ihobe. In 2009, the use of the common criteria for green purchasing, which is also used by private companies and the general public, was introduced into the program in order to move the market and reduce the impact in the environment.

www.ihobe.net

National pro-EE pilot training in Murcia, Spain



The Spanish pilot training in Green and Energy Efficient Public Purchasing took place in Murcia on the 27th and 28th of April, organised by the Murcia City Council and Ecoinstitut Barcelona. It was divided into a technical workshop and a pilot training session. The workshop targeted policy makers, public procurement managers, Agenda21 officers and suppliers of public authorities. The training session targeted public procurement managers in charge of IT equipment, maintenance of buildings and street lighting.

The technical workshop included a roundtable with attendees from national, regional and local public authorities. The discussion focused on the implementation of Action Plans and Policies for Energy Efficient and Green Public Procurement as well as a presentation of tools for Joint Public Procurement.

Each of the participating public administrations will assume a different role in order to promote and implement GPP on a broader scale: developing joint GPP criteria working with both supply and demand side, introducing criteria for GPP in the framework contracts of the National Procurement Agency, facilitating the interchange between administrations and supporting smaller municipalities creating networks.

One of the highlights of the pilot training session was the presentation from Anna Pramborg from TCO Development. Ms. Pramborg introduced two aspects of the TCO Certification programme. The first were the technical details regarding criteria and criteria development and the multi-attribute approach. The second were in regards to TCO as part of a “Green IT Strategy”, which also includes other aspects such as working with user behaviour and other environmental benefits during the IT lifecycle.

The second day of the pilot training combined interactive presentations and practical exercises, including a presentation of tools for energy efficient purchasing and its practical application in tenders from participants. The pilot training concluded with a presentation in the state-of-the-art fields of building and street lighting maintenance.

Based on the experiences of two pro-EE mentor cities, Murcia and San Sebastián, the pilot training focused on the importance of combining strategic elements (such as raising awareness of involved actors) with technical tools, common criteria and interchanges on a broader level.

Links to energy efficiency and green public procurement in Spain

Centralised Purchasing Systems, including Green Framework Agreements, open to the participation of all Spanish Public Administrations:

Centralised Purchasing System of goods and services of common usage of the Spanish Ministry of Treasury:

<http://catalogopatrimonio.meh.es>

Central Commission on Supplies of the Department of Finance of the Autonomous Government of Catalonia:

<http://www.gencat.cat/economia/ambits/contractacio/ccs/organismes/index.html>

Criteria for Tender Greening, Checklists for Suppliers, providers of Green Products and Services: Interactive GPP Guidelines of the Autonomous Government of Catalonia (GPP Criteria):

http://mediambient.gencat.cat/cat/compra_verda/inici.jsp

Practical Handbook for GPP of the Basque Government (GPP Criteria and suppliers of Green Products):

http://www.ihobe.net/Pags/AP/AP_Paginas/Index.asp?cod=4BB25563-33E3-4256-96B5-54514013F711&Reg=2A00BD93-1BA0-4FCB-9A49-FE1D299854DC

Green Purchasing Catalogue (suppliers of Green products) of the Government of Aragon:

http://portal.aragon.es/portal/page/portal/MEDIOAMBIENTE/CALIDAD_AMBIENTAL/COMVERD/CATALOGO/

Network “Buy Recycled” of the Catalanian Waste Agency (suppliers of Green Products):

<http://xcr.arc.cat/web/guest/home>

Cross-border joint public procurement

The question of "cross-border public procurement" poses an interesting and large challenge. There were two different ways to be successful and to find feasible solutions. On one hand, information about the positions of stakeholders is needed and on the other hand, more knowledge about the daily work of public procurers in consideration of cross-border themes is required. A questionnaire was created and sent to all project members for their procurers.

Recommendations and Experience of Stakeholders

Different stakeholders (attorney specialists in tender law, public procurers, and procurers) gave ideas about realizing the different kinds of cross-border partnerships in public procurement.

Comment City of Munich

The specialists in Munich spoke about large problems in making transnational, common tenders, of which they did not recommend. They had problems recognizing national tenders in collaboration with other cities. There will be always the risk of the tender failing the tender due to the creation of a monopoly. However this only seems to be an issue in German tender law.

Comment Umweltverband Vorarlberg

The "Umweltverband Vorarlberg" is an association of all Vorarlberger communities founded for ecological and economical procurement business. They buy different product groups for each member. This association worked with a few German cities within the framework of an Interreg project.

The following results were observed:

- no political backup (protection of regional suppliers).
- different direction in public procurement laws in different countries and obscurity in to whom the bidders can make appeals.
- difficult to administrate, especially in working out the tender documents
- high costs

Comment Terzaki Lawyer Agency

3 case-scenarios according to Public Procurement Law

1. Common buying of products throughout an inter-communal platform (regardless of which form the organization takes)

Questions to be answered

- Which legal basis is valid for the tender (different public procurement laws)?
- Which protection law (where can you make your appeal) is applicable to the suppliers joining the tender?

2. Common procurement throughout a communal body acting as a representation of the procurement-platform and consumption of the procurements services by the members of this inter-communal platform
 - It is necessary, if the questions under the first point can be solved, to fix the area of the representation of this body to legalize the tender in the name of all.

Questions to be answered

- Is this representation established on the result of a tender?
 - Is this representation established on legal basis?
 - Is this representation established on contract basis?
 - Which protection law is responsible for the suppliers?
3. Each of the communal bodies makes purchases individually. However, there will be an inter-communal cooperation in regards to procurement and economics on an informal basis
 - This kind of cooperation enables an information exchange without any problems concerning public procurement law.
 - Attention should still be given to data protection and special agreements on secrecy.

Results of the Questionnaire

- The yearly turnover of the organizations that responded to the questionnaire was between 300,000 Euros to 270 million Euros. The number of employees in these organizations ranged from 1 to 45 people.
- Only Austria has experience in cross border procurement.
- Regarding LED street lighting Austria, Spain and Italy are almost convinced that better prices are a possibility when cross border public procurement are used, while Germany is not convinced of this. Most of the convinced ones await advantages up to 10 %; in Spain and Italy most of them even up to 30 %.
- Those who see no advantages or have no opinion to this theme have indicated that, “their municipality is too small; it will cause additional forwarding costs and the service on location can cause problems; the action area is too small; it is difficult to do in practice and they were never faced with that situation.”
- The 3 main hurdles are: legal aspects with different tender laws, negative effects to the regional economy and language problems.
- Nearly all members would probably try a cross border offer if these hurdles were overcome. Only one answer from all answers in all countries was “no”.
- Nearly all members would probably use conditions from another European partner country. Only 2 to 27 questionnaires indicated a ‘no’. Also, the Germans would use conditions even though most of them are not waiting for a better price.
- The most interesting product groups are
 - IT in general, Flat screens, Power-directed Office Equipment
 - Streetlights and Streetlight-Systems
- Even though not all are convinced of better prices or other advantages by cooperating with the partner countries, all of them want to know more about the cost conditions of other purchasers in other European countries.

Questionnaire

"Cross border procurement"

Motivation: Purchasers in public authorities are forced to act in the legal frame of national procurement legislation based on an EU-directive. Until now there is a lack of co-operation between procurement offices of different EU-countries. In the project "pro-EE" we are investigating the potential of cross-border activities. In a first step this questionnaire should reflect the opinions, experience and expectations of purchases in six European countries. We invite you to support us and promise you provide you the results of that questionnaire.

questions:

- Have you ever recognised a concrete project for cross border procurement or do you have on project-experience? Y/N
- Is there a potential for lower **prices** by cross border procurement? What is your opinion: Y/N / no opinion
Remarks: _____
- If "yes" – what is your opinion on the quantitative effect of cost reduction on an average for one product as an example: **street lightning lamps**?
 - up to 10%,
 - up to 30%
 - up to 50%
 - other calculation_____Remarks: _____
- If "no" – what are the main reasons?
 - no extra bonus effect on prices by buying very high number of products
 - extra costs for transportation
 - other reasons_____
- What are main hurdles for organising cross border procurement (underline the three main hurdles)
 - No advantages expected
 - Legal aspects – different national procurement legislations
 - Language problems
 - Negative effect on regional economy
 - Negative effect on national economy
 - Deficits on organisational matters: Lack of information about potential partners
 - Higher overhead costs
 - Tax rates
 - Maintenance
 - Problems concerning quality control
 - Problems in guaranty matters
 - Other hurdles

- If the main hurdles are solved, would you join a cross border tender activity? Y/N / probably
- Would you like to use cost-conditions of a partner-organisation other European countries, which could be based on a simplified approach under a certain threshold of investment? Y/N / probably
- Which energy related products are you interested in for using cost-conditions of other countries?
 - IT-equipment general Y/N / probably
 - "Power-managed" office equipment? Y/N / probably
 - Flat screens Y/N / probably
 - Street lamps Y/N / probably
 - Street lightning systems Y/N / probably
 - Solar lightning systems for streets and buildings Y/N / probably
 - Photovoltaic panels for street and buildings Y/N probably
 - Electric cars/passenger cars Y/N / probably
 - Electric cars/municipal mini trucks Y/N / probably
 - Wind energy systems Y/N / probably

Are you at least interested to know the cost-conditions of purchasers in other European countries? Y/N

- Statistical data:
 - Country _____
 - Region or city _____
 - Annually budget for procurement services _____ Euro
 - Number of persons in the procurement office _____

Annex

GREEN PUBLIC PROCUREMENT - QUESTIONNAIRE MENTOR CITY

Introduction:

In the EU (“Intelligent Energy”) project pro-EE six regions are boosting green public procurement (GPP) especially for energy related equipment (GPP-EE). The main idea is to organise GPP in a network of cities and regions (jGPP): Full joint green public procurement (fjGPP) means that all activities are organised as equal partners. “Piggy backing” (pbjGPP) allows other cities to use framework conditions for public procurement fixed by one partner in an individual way (by e-shop). The questionnaire should give a brief and easy to compare overview of the status quo of the strategies in the regions by the co-ordinator. Additional questions are listed at the end of the document.

Mentor city (name):

1. political decisions

GPP-EE	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
fjGPP-EE	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
pbjGPP-EE	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

2. status quo and goals in GPP

GPP-EE office equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE street lightning equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE vehicles	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
pbjGPP-EE office equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
pbjGPP-EE street lightning equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
pbjGPP-EE vehicles	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
fjGPP-EE office equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
fjGPP-EE street lightning equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
fjGPP-EE vehicles	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

3. technical guidelines established

GPP-EE office equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE street lighting equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE vehicles	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE other products	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

4. network between departments (environment, energy, procurement) established

yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
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5. network to other cities for jGPP established

yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
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6. details procurement and financing

central procurement/central budget	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
central procurement/ decentralised budgets	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
decentralised procurement/ decentralised budgets	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
decentralised procurement/ central budgets	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

In depth information:

These questions will be discussed during the Murcia meeting. All information which is available now should be explained here. Additionally we have to get information about timetables concerning all goals to fulfil the requirements in the project. Please provide as detailed answers as possible to the questions below.

1. political decisions

Details about the decision – obligatory, mandatory, co-operations, etc.

2. status quo and goals in GPP

In the project we deal with office equipment, street lightning equipment and vehicles. If there are more products and services related to energy, which you either already focus on in GPP or would like to within the project, please provide information here.

3. technical guidelines established

Details about the technical GPP guidelines for products and services not listed in the questionnaire.

4. network between departments (environment, energy, procurement) established

Details about the network (organisations involved; details of the co-operation)

5. network to other cities for jGPP established, or other networking activities between municipalities in your region/country

Details of the network - number of municipalities involved.

6. details procurement and financing

Details like budget, number of departments with decentralised budgets.

7. additional questions

What problems/hurdles do you perceive in the setting up of jGPP activities? How can the project partners help to overcome these?

GREEN PUBLIC PROCUREMENT - QUESTIONNAIRE REGION/CO-ORDINATOR

region (national)/co-ordinator:

7. regional political decisions

GPP-EE	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
full jGPP-EE	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

8. regional strategy – status quo and goal

	status quo:	goal:
some municipalities GPP-EE	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
many municipalities GPP-EE	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
all municipalities GPP-EE	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
some municipalities jGPP-EE (piggy packing)	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
many municipalities jGPP-EE (piggy packing)	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
all municipalities jGPP-EE (piggy packing)	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
some municipalities jGPP-EE (full jGPP)	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
many municipalities jGPP-EE (full jGPP)	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
all municipalities jGPP-EE (full jGPP)	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
combined jGPP-EE regional authorities/municipalities	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

9. status quo best practise in mentor city of the region

GPP-EE/office equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE/street lightning equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE/vehicles	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)/office equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)/street lightning eq.	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)/vehicles	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (full jGPP)/office equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (full jGPP)/ street lightning eq.	yes <input checked="" type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (full jGPP)/vehicles	yes <input checked="" type="checkbox"/>	goal pro-EE <input type="checkbox"/>

10. regional network

federal level (federal green procurement)	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
some municipalities	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
all municipalities	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

11. stakeholders involved

association of municipalities	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
advice organisations (energy agency)	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
regional department for community affairs	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

12. status quo best practise in region authority (just Upper Austria)

GPP-EE/office equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE/street lightning equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
GPP-EE/vehicles	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)/office equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)/street lightning eq.	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (piggy packing)/vehicles	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (full jGPP)/office equipment	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (full jGPP)/ street lightning eq.	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE (full jGPP)/vehicles	yes <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

13. technical guidelines established in region authority (just Upper Austria!)

jGPP-EE/office equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE/street lightning equipment	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
jGPP-EE/vehicles	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

14. procurement and financial aspects in region authority (just Upper Austria!)

central procurement/central budget	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
central procurement/ decentralised budgets	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
decentralised procurement/ decentralised budgets	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
decentralised procurement/ central budgets	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

15. instruments in regional authority (just Upper Austria!)

information	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
advice services	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
financial support/grants	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>
financial pressure (link to other financial support)	yes <input type="checkbox"/>	no <input type="checkbox"/>	goal pro-EE <input type="checkbox"/>

Links

<http://www.pro-ee.eu/>

Website of the project pro-EE

http://ec.europa.eu/environment/gpp/index_en.htm

EU-Website with a GPP training toolkit

<http://www.smart-spp.eu/index.php?id=7016>

This section of the SMART SPP website provides you with online information related to the project:

- Smart technologies
- Policy and legislation
- Projects and initiatives

<http://www.procuraplus.org/index.php?id=4598>

The links of the PROCURAPLUS website have been extracted from ICLEI's searchable link database. They include a selection of the links on sustainable, green or eco-procurement.

- Practical guidance
- National initiatives
- International organizations
- Eco-labels across Europe