



XI Greening of local authority contracts

Since the deployment of the Green Office Programme in 2001, the inclusion of environmental criteria in public procurement is being promoted in order to reduce environmental impact and stimulate more sustainable production.





The publication of the new European directives on public procurement in April 2004,¹ currently at the stage of transposition to national legislation in the different European Union² member states, meant clearing up the uncertainty surrounding how to incorporate environmental and social criteria into public procurement: now, finally a correct legal procedure is available for the incorporation of environmental considerations, beyond compliance with environmental regulations, and, at Spanish State level there is an initial draft law.

Thus, the new European directives delimit the areas of the contracts where environmental criteria can be introduced, from the definition of the subject matter to the reasons for termination, and how to proceed: ↓

- All environmental conditions must be explicitly mentioned in the call for tender or contract specifications.
- They must be drafted respecting the general principles of transparency, non-discrimination and equality of opportunities, especially with regard to award criteria.³
- They must be drawn up in accordance with the nature of the object of the contract and must always concern it.

Barcelona City Council has incorporated environmental criteria into its biggest contracts in recent years. Moreover, in 2006 the administrative part of all procurement procedures has been modified to include environmental clauses throughout local authority contracts.

¹ Directive 2004/17/EC of the European Parliament and the Council, of 31 March 2004, coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors. Directive 2004/18/EC of the European Parliament and the Council, of 31 March 2004, coordinating the procurement procedures for the award of public works contracts, public supply contracts and public service contracts.

² In the case of Spain, on 15 December 2004 the draft law on public procurement was published.

³ Article 11 of the Amended Text of the Law of Public Administration Contracts.

RESOURCES OF THE + SUSTAINABLE CITY COUNCIL PROGRAMME



- Internal technical advisory service to deal with specific enquiries, which, because of their novel character or their very nature, require specialised knowledge.
- Training sessions and specific information on the inclusion of environmental aspects in local procurement, both aimed at people in charge of procurement as well as suppliers and companies.



GREENED-UP REGULATIONS AND SPECIFICATIONS

- City Council Measure "Environmentalisation of contracts with local authorities" (2001)
- Amendment of municipal contract type guidelines (2006)



GOOD PRACTICES ↓

Procurement with greening criteria

More and more local departments are incorporating environmental criteria into their contracts. A few examples are given in other sections of this guidebook.



Up until 2005, the most significant administrative and technical conditions that have incorporated environmental criteria are ↓

- 1 The general standardisation of computer equipment (2001)
- 2 The general standardisation of paper in reams (2005)
- 3 The general standardisation of office supplies (2002)
- 4 The general standardisation of office equipment (2002)
- 5 The general standardisation of furniture (2002)
- 6 The general standardisation of computer consumables (2002)
- 7 Building cleaning contract (2005)
- 8 Several contracts for the procurement of timber (2004, 2005)
- 9 Cleaning and upkeep of public and ornamental fountains (2005)
- 10 Overall supply of fuel and lubricants for vehicles (2005)
- 11 Integral upkeep of public areas (2005)
- 12 Lighting (2005)

ENVIRONMENTAL CRITERIA FOR PRODUCTS AND SERVICES ↓

The inclusion of environmental criteria into individual technical conditions has been done in the priority areas of the Green Office Programme (paper, cleaning, timber) and also in those for which those responsible have so requested.

The environmental criteria required are based in today's real market supply and they promote the use of the best available products. Also, in some cases the aim is to provide an incentive for the eco-certification of products, like in the case of timber, through the technical criteria of the specifications.

Environmental criteria, in each case, may be compulsory or may be presented as a voluntary improvement by the bidder and they concentrate on:

- Defining the environmental characteristics of the products being purchased or used during the rendering of service.
- Prohibiting products or substances that have a negative effect on the environment.
- Providing an incentive for the environmental training of the personnel rendering a service, or even the possession of an environmental management system by the bidder (EMAS or ISO 14001).
- Requiring the bidder's responsibility in the proper management of waste when rendering its services.
- Promoting the use of renewable energy and the reduction of ambient noise and pollutant gas emissions.



FOLLOW-UP INDICATORS ↓

→ **Follow-up of greened sets of conditions**

As of 2006, there is scheduled to be an annual report evaluating these activities (number of contracts containing environmental clauses, characteristics and relative weight, results).

	1 Computer equipment (2001)	2 Paper in reams (2002)	3 Office supplies (2002)	4 Office equipment (2002)	5 Furniture (2002)	6 Computer consumables (2002)	7 Building cleaning (2003)	8 Timber contracts (2004)	9 Cleaning and upkeep of fountains (2005)	10 Supply of fuel and lubricants (2005)	11 Integral maintenance (2005)	12 Lighting (2005)
EMAS or ISO 14001												
Compulsory criteria (technical specifications)												
Guidance in eco-labels for products												
Environmental criteria as a voluntary improvement												
Exclusion of products or substances												
Bidder's responsibility in proper management of waste												
Other specifications of use, maintenance or health												
Environmental criteria in the execution of the contract												

NOTE!



Procurement within the framework of the Environmental Management System of the Urban Services and the Environment sector

ISO 14001 for the sector establishes in its environmental policy that all of the sector's activities shall comply with environmental regulations in force, shall apply the principle of pollution prevention and shall require that all services contracted shall incorporate environmental improvements. In addition, it establishes that all contracted companies shall also have to comply with this policy: general environmental requirements applicable to contractors hired for specific events or activities, 2003.

This means, for example, that for the conditions applicable to the procurement of the Barcelona fountains cleaning and conservation service, the need for the bidders to include in their technical proposal:

- Water and energy-saving measures
- The use of vehicles with low levels of gas and noise pollution
- Proposals for the reduction, treatment and recovery of waste

