Public consultation on the EU Procurement Directives

On 27 January the European Commission launched a public consultation on the modernisation of EU public procurement policy. A Green Paper was published identifying areas for potential reform and inviting comments on 114 specific questions. Responses can be submitted until 18 April and will inform the draft legislative proposals to be put forward by the Commission.

One of the two main objectives cited in the Green Paper is to allow the better use of public procurement in support of common societal goals, including environmental protection and fighting climate change. The section on “Strategic Use of Public Procurement in Response to New Challenges” raises questions of how and what to buy, in order to pursue these goals effectively.

The current rules on technical specifications, selection and award criteria, and contract performance clauses are being examined, as is the choice of procedures and the possibility to verify requirements throughout the supply chain. Public authorities with experience in green and sustainable procurement will be familiar with the challenge of complying with EU procurement rules. In some cases, uncertainty surrounding the rules may make purchasers refrain from including criteria such as environmental requirements in the procurement process. In other cases, the Directives may not offer suitable procedures or flexibility. The public consultation is an opportunity to examine these issues.

Submissions can address some or all of the questions raised and will be published on DG Internal Market’s website where the Green Paper is also available.

Sustainable procurement developments in Belgium

Interview with Jo Versteven, Belgian Sustainable Development Ministry
Since the publication of the Belgian SPP Guide in 2008, have you observed how it is being used by purchasers?

From the site statistics, we know that 3,355 new visitors consulted the site during the last six months of 2010, of which 62% were from Belgium, 17% from France, 4% from the Netherlands and 3% from Germany. To date we have only individual examples of how the Guide is used in tenders, but further monitoring of this will be undertaken in 2011.

What key challenges do you see for SPP/GPP in Belgium?
The latest stakeholder consultations on several product groups have uncovered growing private sector interest. We do not know yet if this just anticipates government demand for sustainable products and services, or if it may result in the creation of further green labels, sectoral agreements or the promotion of existing environmental management systems. It is a challenging field but we expect further developments soon.

Could you comment on progress towards GPP/SPP targets?
We welcome the initiative from the European Commission to monitor the uptake of the common GPP criteria in the 27 Member States in 2011. Recently, the Belgian local, regional and federal levels organised themselves to respond to the Commission’s proposal in an optimal way. This is also an opportunity to harmonise further GPP initiatives. We hope to have some clear information on the uptake level by the end of 2011.

Zoom in on... product labelling

New EU rules are set to apply to the labelling of hazardous substances in construction products. Products used in the construction will be required to carry a label indicating if they contain substances classified as hazardous under REACH.

The European Parliament voted to approve the changes on 18 January, following agreement with the Council. The main provisions of the Regulation are expected to come into force in 2013, to allow time for market adaptation.

More information...

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More information...
In 2004, Gipuzkoa’s Provincial Council approved the Programme of Action to Promote Sustainability in the inner workings of the Council. Implementation of the Programme is based on steps detailed in a number of Provincial Plans stemming from the Action Programme, including the Plan for Promoting Green Purchasing. The latter includes actions such as achieving leadership and political momentum, and defining a green purchasing policy with objectives and targets.

In 2008, a public tendering process for a three year framework contract for the supply of office information technology equipment for Gipuzkoa’s Provincial Council (Spain) and other autonomous or public bodies based in the province took place. Three companies were selected to supply 450 desktop computers, 300 monitors, 20 laptops, 20 light laptops and accessories.

To prepare the tender, Gipuzkoa’s Provincial Council used the GPP criteria developed by the Basque Environmental Management Authority of the Basque Government (ihobe). These are in line with the EU GPP Toolkit criteria for office IT equipment. Furthermore, a seminar with potential suppliers also took place to further define the criteria and to help send a clear signal to the market of the upcoming tender.

Green procurement of electricity by the City of Bremen was done for the first time in July 2008 in accordance with the policy and concept provided by the German Federal Environment Agency. Bremen adopted this practice to provide benefits for the environment in terms of reduced CO₂ emissions, foster the development of renewable energies, and allow the public sector to act as a model for other purchasers.

Market research was carried out prior to publishing the tender. Discussions were held with potential bidders and procurement strategies exchanged with other governmental agencies in order to define the terms of the tender.

To read more GPP example, visit the GPP website.