

GREEN PUBLIC PROCUREMENT

Guidance for the
Public Sector

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Guidance for the Public Sector

Second Edition: 2021

Published by:

Environmental Protection Agency

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ISBN: 978-1-84095-551-4

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ACKNOWLEDGEMENTS

The second edition of this guidance has been prepared by the EPA and Greenville Procurement Partners based on the original edition published in 2014, fully updated to reflect policy and legislation as of March 2021. The original edition was prepared by RPS Consulting Engineers in partnership with Achilles Procurement Services as part of an EPA-awarded contract. The authors would like to acknowledge valued contributions from the following organisations to the 2021 guidance and criteria:

- Business in the Community Ireland
- Chambers Ireland
- Climate Action Regional Offices
- Community Resources Network Ireland
- Construction Industry Federation
- Cork County Council
- Cork University Hospital
- County and City Management Association
- Department of Environment, Climate and Communications
- Department of Transport
- Dublin Chamber of Commerce
- Gosia Kudyba
- Health Services Executive
- Ibec
- Irish Green Building Council
- Kerry County Council
- Office of Government Procurement
- Schools Procurement Unit
- Sustainable Energy Authority of Ireland
- South Dublin County Council
- Transport Infrastructure Ireland

This document is designed to provide general guidance and information. It is not an interpretation of any legal provisions governing public procurement. Legal or other professional advice should be obtained if there is doubt about the interpretation of legal provisions or the

correct application of such provisions. It should also be noted that the content of this document is subject to the evolution of EU and Irish law, including the revision of the Procurement Directives and case law of the Court of Justice.











EXECUTIVE SUMMARY

Ireland has committed to implementing green public procurement (GPP) in all tenders using public funds by 2023. This will require a major shift in the practices of public bodies and the businesses they contract with. This second edition of the **EPA Green Public Procurement Guidance** supports this transition by providing:

- Clear summaries of the policy and legislation underlying GPP in Ireland and the EU;
- Explanation of the links between GPP and the circular economy, including under Ireland's *Waste Action Plan for a Circular Economy 2020-2025*;
- Detailed information on the legal and organisational context for GPP, including the EU Procurement Directives and best practice from across Europe;
- Step-by-step advice for each stage of the procurement process, from needs assessment and market engagement through to contract management;
- Overviews of the GPP approach for ten priority sectors which account for the largest environmental and economic impacts of public procurement;
- Links to further resources and legislation for each of the priority sectors; and
- Checklists to assist with GPP implementation.

The Guidance is accompanied by Irish GPP criteria for the ten priority sectors which have been developed, based on common EU criteria with adaptations to reflect the Irish market and procurement practices. These criteria are

designed to be directly inserted into tender documents, and include information on how compliance can be confirmed, for example by reference to ecolabels or environmental product declarations. The sectors covered are:

 Road transport vehicles and services	 Indoor and outdoor lighting
 ICT products and services (including data centres)	 Heating equipment (including boilers, cogeneration, trigeneration and heat pumps)
 Food and catering services	 Energy-related products (white goods/appliances, electronic displays, vacuum cleaners)
 Cleaning products and services	 Paper products and printing services
 Design, construction and management of office buildings	 Textile products and services (including uniforms and laundry services)

Purchasing recommendations for professional services and electricity are also included. The Guide and Criteria were subject to consultation,

and incorporate comments made by the public and private sector bodies listed above.

ABBREVIATIONS & ACRONYMS

BER	Building Energy Rating	LCC	Life-Cycle Cost or Life-Cycle Costing
CJEU	Court of Justice of the European Union	MEAT	Most Economically Advantageous Tender
CO₂e	Carbon dioxide equivalent emissions	nZEB	Nearly Zero Energy Building
CVD	Clean Vehicles Directive	OGP	Office of Government Procurement
DECC	Department of Environment, Climate and Communications	OJEU	Official Journal of the European Union
DPER	Department of Public Expenditure and Reform	OPW	Office of Public Works
EMS	Environmental Management System	RDE	Real Driving Emissions
EMAS	Eco-Management and Audit Scheme	REACH	Registration, Evaluation, Authorisation and Restriction of Chemicals
EPA	Environmental Protection Agency	SEAI	Sustainable Energy Authority of Ireland
ESPD	European Single Procurement Document	SME	Small or Medium-Sized Enterprise
EU	European Union	S.I.	Statutory Instrument
FLEGT	Forest Law Enforcement, Governance and Trade	TCO	Total Cost of Ownership
GHG	Greenhouse gases	TFEU	Treaty on the Functioning of the European Union
GPP	Green Public Procurement	WEEE	Waste Electrical and Electronic Equipment
GWP	Global Warming Potential		
LCA	Life Cycle Assessment/Analysis		

1. INTRODUCTION

1.1 PURPOSE OF THIS GUIDE

The public sector has a vital role to play in leading Ireland's transition to a sustainable and carbon-neutral economy and society. Public procurement is one of the primary ways in which public bodies will help to shape this transition, and to meet the 2030 targets for reducing CO₂e emissions and improving energy efficiency. This guide provides step-by-step instructions and criteria for implementing green public procurement (GPP), in line with Irish and EU policy and legislation. **By 2023, all procurement using public funds will need to include green criteria.**¹ This is being supported by a national training programme on GPP, which was launched in 2020 and has been completed by over 70 public and utility sector bodies to date.

While policy and legislation relating to climate action and the circular economy are evolving quickly, the underlying principles and priorities for GPP have been clear for some time. In 2012, Ireland adopted *Green Tenders: An Action Plan on Green Public Procurement*. This was followed up with the first edition of this guide and criteria published by the EPA in 2014, reflecting extensive consultation with public, private and third-sector bodies. At EU level, both the adoption of the 2014 Procurement Directives and the ongoing support for GPP provided by the European Commission have contributed to higher rates of implementation. This new edition of the guidance reflects a growing body of experience with implementing GPP, both in Ireland and other countries.

The guidance and accompanying criteria are aimed primarily at public sector procurers in central and local government, state agencies and other public bodies such as universities, hospitals and schools. They are also relevant for utility sector procurers and may be of interest to private companies whether they are responding to tenders or applying green criteria in their own procurement. They have been fully updated to reflect legislation and policy in place as of March 2021. Questions or comments on the guide and criteria are welcome and should be directed to info@epa.ie with "GPP Guidance 2021" in the subject line.

**BY 2023, ALL
PROCUREMENT
USING PUBLIC
FUNDS WILL NEED
TO INCLUDE GREEN
CRITERIA.**



¹ This commitment was set out in the 2020 Programme for Government: Our Shared Future, p 36

1.2

GPP: REQUIREMENTS & RECOMMENDATIONS

GPP encompasses both mandatory legal obligations and voluntary practices. **Table 1** summarises the current requirements for different

types of public body. Note that this is subject to change as new legislation is adopted at EU and national level.

TOPIC	INSTRUMENT	REQUIREMENT	WHO DOES IT APPLY TO?
APPLICATION OF GPP CRITERIA	<i>Climate Action Plan/ Programme for Government</i>	All procurement using public funds must include green criteria by 2023.	All public bodies and any other organisation spending public funds
APPLICATION OF GPP CRITERIA	Energy Efficient Public Procurement Regulations S.I.s <i>151/2011, 426/2014 and 646/2016</i>)	Public bodies may only procure equipment or vehicles which are included on the <i>Triple E Register</i> or which meet the relevant energy-efficiency criteria.	All public bodies
PLANNING	<i>Circular 20/2019</i> (DPER/ OGP)	Corporate Procurement Plan must state where GPP criteria will be used in upcoming procurements	Departments
REPORTING	<i>Circular 20/2019</i> (DPER/ OGP)	From 2020 onwards, annual reports must detail the number and value of contracts including GPP criteria ²	Departments – to be extended to other public bodies

Table 1. Legal and other requirements for GPP in Ireland

In addition to these general obligations, a range of sector-specific GPP obligations apply, for example relating to the procurement of clean vehicles or nearly zero energy buildings. These sector specific obligations are highlighted in the GPP criteria for the relevant product and service groups, and in **Section 5** of this document.

A Waste Action Plan for a Circular Economy, Ireland's National Waste Policy 2020-2025, acknowledges GPP as a vital policy lever in driving the prevention of waste and related environmental policy objectives. The public sector must be a leader in this regard. It states that:

“Incorporating green criteria into public purchasing provides an opportunity to convert environmental policy objectives on carbon reduction, air and water quality, and waste reduction into delivered actions. The procurement of goods and services by government departments, local authorities and public bodies, in line with the Government’s own policies, will underpin the credibility of national policy objectives and enhance Ireland’s standing as a green economy.”

² Further information on the monitoring and reporting obligations can be found in Section 3.4 of this Guide

The policy document lists a number of GPP measures to be taken over the coming years which include the following:

- Support the OGP in developing and implementing a sustainable procurement model that seeks to minimise the environmental impact and optimise the public benefit of products and services procured;
- Expand public sector and public bodies' role in reuse via GPP and Circular Public Procurement setting a minimum target for procurement of used goods;
- Examine the option of incorporating public bodies' reuse policies into their asset management and procurement plans;
- Work with the public sector and public procurement specialists to ensure public bodies are supported in their efforts to prevent food waste and manage unavoidable waste through GPP.

In 2020, the OECD published a synthesis report on *The Circular Economy in Regions and Cities* looking at good practice, obstacles and opportunities. This

includes analysis of the situation in Ireland and the role of public procurement.

GPP and the Circular Economy – Deriving Maximum Value from Resources

The current production model for many of the goods consumed by the public sector is not compatible with a decarbonised economy. Moving to net zero emissions means rethinking the way we use and dispose of many materials – particularly those which are in limited supply or have a high carbon footprint. In 2017 the Commission published a document entitled *Public Procurement for a Circular Economy: Good practice and guidance* which explains the concept as follows:

“Circular public procurement is an approach to greening procurement which recognises the role that public authorities can play in supporting the transition towards a circular economy. Circular procurement can be defined as the process by which public authorities purchase works, goods or services that seek to contribute to closed energy and material loops within supply chains, whilst minimising, and in the best case avoiding, negative environmental impacts and waste creation across their whole life-cycle.”

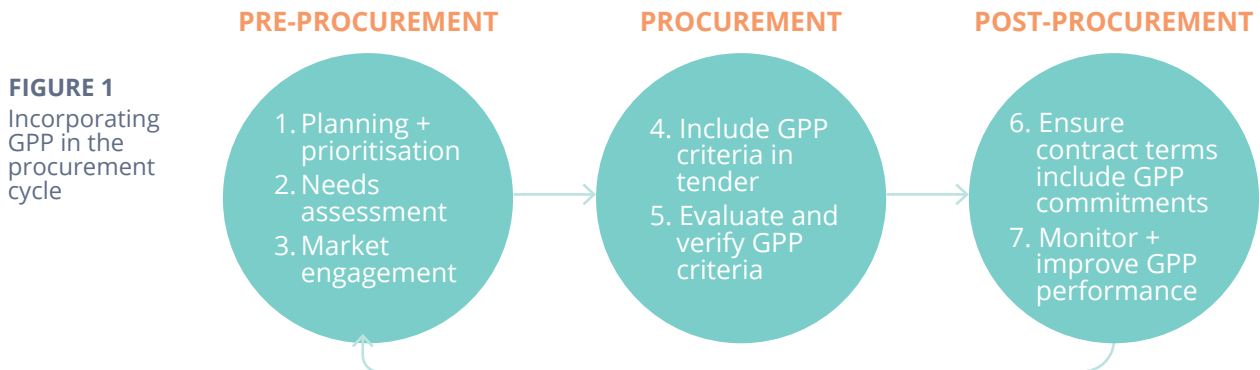
The document distinguishes circular procurement models which apply at the system level (e.g. supplier take-back schemes), supplier level (e.g. internal or external reuse) or product level (e.g. use of recycled materials and design for disassembly) and gives examples of how public authorities have applied each.

In 2020 the Commission published a new *Circular Economy Action Plan* as part of the EU Green Deal. This sets out specific measures to make production and consumption more sustainable, with a particular focus on resource-intensive sectors such as **textiles, construction, electronics and plastics**. The Commission will propose **minimum mandatory GPP criteria and targets** in sectoral legislation and phase in compulsory reporting to monitor the uptake of GPP (without creating unjustified administrative burdens for public buyers).

The Commission will also continue to support GPP capacity building with guidance, training and dissemination of good practices, and encourage public buyers to take part in the *Big Buyers for Climate and Environment* initiative, which facilitates exchanges among buyers committed to GPP implementation.

In order to implement GPP effectively, this Guide recommends a number of specific practices which have been proven to reduce the environmental

impact of public sector purchasing. These apply throughout the procurement cycle as shown in Figure 1.



Further information, examples and evidence of the impact of these practices is given in the relevant sections of the Guide. The GPP training

programme builds capacity for participants to implement these practices in their organisation.

1.3

WHAT IS GREEN PUBLIC PROCUREMENT (GPP)?

GPP IS DEFINED AS:

“A process whereby public and semi-public authorities meet their needs for goods, services, works and utilities by choosing solutions that have a **reduced impact on the environment throughout their life-cycle**, as compared to alternative products/solutions.”³

The concepts of **life-cycle analysis (LCA)**⁴ and **life-cycle costing (LCC)** are at the heart of GPP. They require buyers and suppliers to consider not just the up-front purchase costs of a given solution, but its total economic and environmental cost from cradle to grave or cradle to cradle.⁵ These are not new concepts, but they are becoming increasingly mainstream as part of procurement in both the public and private sectors. In addition to the strong focus on reducing climate change emissions, GPP takes a broader view of environmental sustainability by addressing issues such as the circular economy (maintaining the value of materials and products in the economy for as long as possible, reducing resource use and preventing waste), land use, biodiversity, and air, water and soil pollution.

More broadly, sustainable procurement includes the social dimension of public contracts by taking account of their impact on employment, social

³ European Commission (2016) *Buying Green: A Handbook on Green Public Procurement*

⁴ Life-cycle analysis or assessment is a method used to evaluate the environmental impact of a product through its life cycle encompassing extraction and processing of the raw materials, manufacturing, distribution, use, recycling, and final disposal. The EU GPP criteria are based on LCA studies for each of the covered product/service sectors.

⁵ Under a circular economy, costs and values should be considered within a ‘closed loop’, where materials are recycled or reused to make a new economically useful product, such as remanufactured furniture or recycled paper.

inclusion, human rights and ethical or fair trade. Increasingly, public authorities are implementing an approach to procurement which takes both environmental and social factors into account. This is important as a way of building public support for procurement which is seen to benefit

both people and the planet. Further information on the social dimensions of procurement, and examples of good practice, are available on the European Commission's *website on social procurement*.

1.4 GPP CRITERIA




Environmental criteria can be included in the procurement process:

- When defining the subject matter of the contract;
- In exclusion grounds and selection criteria;
- As technical specifications;
- As qualitative award criteria;
- In the application of life-cycle costing;
- In contract performance clauses.

The term 'GPP criteria' may encompass all or any of the above, depending on the nature of the contract. The development and application of common GPP criteria has benefits in terms of improving market response and lowering costs. The *process for developing GPP criteria*

at EU level is based upon life-cycle analysis of the environmental impact of each product/service, extensive market research regarding the availability and performance of products, and consultation with public, private and third-sector bodies.

This edition of the guidance includes fully updated Irish GPP criteria for **ten priority sectors**:

 Road transport vehicles and services	 Indoor and outdoor lighting
 ICT products and services (including data centres)	 Heating equipment (including boilers, cogeneration, trigeneration and heat pumps)
 Food and catering services	 Energy-related products (white goods/appliances, electronic displays, vacuum cleaners)
 Cleaning products and services	 Paper products and printing services
 Design, construction and management of office buildings	 Textile products and services (including uniforms and laundry services)

In addition, purchasing recommendations are included in this Guide for two important categories of public sector spending: *professional services* and *electricity*.

The sectors were chosen on the basis of public sector spend and associated environmental impact, availability and suitability of criteria at EU level, and their potential contribution to Ireland's emission reduction, energy-efficiency and waste targets. The main environmental impacts associated with each of these product and service groups, and the way in which the GPP criteria address them, are outlined in Section 5.

In most cases, the Irish GPP criteria are closely modelled on the European criteria, with some adjustments to reflect market conditions, procurement practices and legislation/policy in Ireland. For certain product/service sectors (e.g. paper products), up-to-date EU criteria were not available. In this case, other national GPP criteria, ecolabel criteria and evidence of approaches applied by Irish contracting authorities were referred to. A public consultation on the draft criteria was carried out in 2020, with submissions from central and local government bodies, industry associations and others taken into account.

The criteria are designed to be inserted directly into tenders and contracts and are accompanied by notes on the relevant legislation, standards and labels in each sector, and information on how the criteria can be evaluated and verified. They are applicable to different modes of procurement; one-off purchases, framework agreements, service contracts, leases etc.

The updated Irish core and comprehensive GPP criteria:

- Enable compliance with the mandatory GPP requirements outlined in Section 1.2
- Reflect Ireland's broader policy objectives and targets
- Ensure compliance with relevant EU and Irish legislation in each sector
- Reflect the EU GPP criteria to the greatest extent practicable
- Aim to ensure acceptable levels of competition, cost and quality as well as measurable environmental gains
- Ensure capability of verification with reference to commonly available tests and standards

EU GPP CRITERIA

The European Commission, in partnership with the Member States, industry, environmental and social NGOs and other stakeholders, has developed GPP criteria for 20 product and service categories. The Commission distinguishes between core criteria and comprehensive criteria, as follows:

- The **core** criteria are those suitable for use by any contracting authority and address the key environmental impacts of each product or service, including basic legal compliance. They are designed to be used with minimal additional verification effort or cost increases;
- The **comprehensive** criteria are for public bodies who aim to purchase products with enhanced levels of environmental performance. These may require additional verification effort or a slight increase in purchase price compared to other products with the same functionality.

You can access all of the EU GPP criteria, and background reports which explain how they are developed, [here](#).

1.5 COSTS AND BENEFITS OF GPP

Ireland has made far-reaching commitments in terms of climate change, and these must be reflected in public procurement even if there is a cost premium in some contracts. Applying life-cycle costing can help to identify products and services with the optimal combination of whole life costs, quality and environmental performance. In certain areas, GPP may imply higher upfront costs due to the need to invest in innovative materials, production methods, testing/certification and management processes. This can be particularly true in areas where the public sector provides the core or sole market for a product or service, and thus has to bear the cost for research and development work undertaken. But in many other areas, including sectors covered in this guidance, there are **significant opportunities to improve environmental performance without additional costs or impacts on competition.**⁶

Many suppliers, including Irish SMEs, have already invested in green technologies and processes in order to save costs and compete for private sector clients who increasingly demand more sustainable solutions.⁷ From greener cleaning products through to electricity from renewable sources, there are environmentally responsible options available for most categories regularly purchased by public bodies which offer excellent performance and value. In addition, **as the cost of emissions increases and regulations tighten, companies and products which have not invested in low-carbon products and processes will become more expensive.** Purchasing greener products at an early stage of their development allows public bodies to benefit from innovation and to help shape future product and service offerings.

Beyond value and sustainability, there are additional benefits from implementing GPP:

- **COMPLIANCE** – while GPP criteria go beyond basic legal compliance, they incorporate a broad range of environmental legislation which applies to public bodies, producers and suppliers. As this body of legislation is complex and constantly evolving, applying up-to-date GPP criteria helps to ensure that all relevant requirements are included in tenders. This reduces the risk of environmental damage, health and safety hazards and liability associated with breaches of environmental law.
- **COMPETITIVENESS** – as Ireland recovers from economic shocks such as the coronavirus pandemic and Brexit, SMEs and other businesses are seeking to build their capacity to compete both domestically and abroad. The use of GPP criteria which are built on a common EU framework can help to prepare businesses for public sector tendering requirements in other Member States where similar criteria are used.
- **REPUTATION** – the public sector as a whole has a responsibility to display leadership on environmental issues such as climate change, energy and water use, waste management and protection of our natural resources. Individual public authorities will also want to protect their reputation from environmental risks such as those linked to hazardous substances or food contamination.
- **RESILIENCE** – reducing Ireland's dependence on fossil fuels and improving our management of energy, water and natural resources have clear long-term benefits - economic, social and political. GPP is only one part of this effort, but given the approximately €20 billion spent by government on goods, services and works each year, and the undoubted potential to do more, it cannot be ignored.

⁶ A number of studies on the impacts of GPP on cost, product availability and other factors have been carried out at EU level (see http://ec.europa.eu/environment/gpp/studies_en.htm) and find minimal or no cost increases associated with GPP for these product groups when life-cycle costs are taken into account. The core GPP criteria included in this document have been designed to avoid any significant impact on cost or product availability.

⁷ A 2013 Eurobarometer survey of SMEs, including those in Ireland, found that of those who had bid for public contracts including GPP criteria, 77% per cent said that did not experience any difficulty with these requirements, while 21% reported some difficulty. The survey also found that over a third of Irish SMEs offer green products or services, higher than the EU average of 26%. (Flash Eurobarometer 381: SMEs, Resource Efficiency and Green Markets, p 73)

1.6 STRUCTURE OF GUIDANCE

The next two sections of this document look at the **legal** and **organisational** context for implementing GPP in Irish public bodies. This takes account of both the mandatory environmental legislation which applies in the sectors covered, and the EU and Irish public procurement rules.⁸ The key concepts and requirements for implementing GPP are outlined, along with the way in which it can be monitored.

Section 4 looks at each stage in the procurement process to identify how GPP can be implemented - from early market engagement through to contract management. Particular attention is given to **verification** (including through ecolabels and other forms of third-party certification) and how **life-cycle costing** can be used effectively, as well as the specific opportunities under the 2014 procurement directives to apply environmental **exclusion grounds, selection criteria, technical specifications** and **award criteria**.

Section 5 explains the process and thinking behind the GPP criteria proposed for each sector. This includes an analysis of the main environmental impacts associated with each product and service group, and an overview of how these have been addressed in the criteria developed at EU level and for Ireland. The recommended criteria for each product group bring together this research and the specific information gathered from Irish public bodies and suppliers during the consultation process.

A table of relevant legislation for each of the sectors covered by the GPP criteria is given in **Section 6**. **Section 7** provides links to relevant resources and websites for each GPP sector. The guidance concludes with a series of **checklists of actions** to assist with implementing GPP.

⁸ Directive 2014/24/EU (Public Sector Directive), Directive 2014/25/EU (Utilities Directive) and Directive 2014/23/EU (Concessions Directive). These have been implemented into Irish law by S.I. No. 284/2016, S.I. No. 286/2016 and S.I. No. 203 of 2017.

2. LEGISLATION RELEVANT TO GREEN PROCUREMENT

2.1 ENVIRONMENTAL LEGISLATION

At European level, GPP is primarily a voluntary policy, meaning individual public authorities are not obliged to introduce the criteria in their tenders. However, Article 11 of Treaty on the Functioning of the European Union (TFEU) states:

“Environmental protection requirements must be integrated into the definition and implementation of the Union’s policies and activities, in particular with a view to promoting sustainable development.”

In addition, under the EU’s Green Deal policy adopted in 2020, it is proposed to adopt mandatory GPP criteria in certain sectors, such

as batteries.⁹ There are a number of areas where EU or national legislation already creates specific environmental obligations which must be taken into account in public procurement. These range from the requirement to conduct an *environmental impact assessment* in advance of certain construction projects, to *minimum energy-efficiency standards* which must be applied when buying office IT equipment, through to rules on the handling of *hazardous substances* and *waste*.

Where an external contractor will be responsible for one or more activities which are governed by such legislation, the contracting authority needs to ensure it has included the appropriate information in tender documentation, accompanied by contract clauses with sanctions in case of breaches. The following examples illustrate some of the relationships and linkages between environmental legislation and procurement. A more comprehensive list of the relevant laws for each sector can be found in **Section 7**. The GPP criteria for each sector also highlight the applicable legislation and how it can be referenced in tenders.

If you are buying...



TIMBER, WOOD AND PAPER PRODUCTS

The EU Timber Regulation¹⁰ prohibits placing on the European market timber or wood products which cannot be traced to legal sources in the country of origin. Suppliers must be able to provide information about the origin and chain of custody for all new wood products.



IT EQUIPMENT



The Energy Efficiency Directive¹¹ requires central government authorities to only purchase office IT equipment which meets minimum energy-efficiency standards. The Waste Electronic and Electrical Equipment (WEEE) Directive¹² requires producers to take back used equipment as well as registering with a designated authority and complying with hazardous substance controls.

⁹ COM (2020) 798/3 *Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries*

¹⁰ Regulation (EU) No 995/2010

¹¹ Directive 2012/27/EU as amended by Directive (EU) 2018/2002

¹² Directive 2012/19/EU as implemented by S.I. No. 149 of 2014

	FOOD AND CATERING SERVICES	The Waste Management (Food Waste) Regulations ¹³ require all major producers of food waste to place it into a dedicated bin and ensure that it is not mixed with other waste. The Packaging and Waste Directives ¹⁴ set requirements for packaging, including its separation and recovery. The EU Organic Regulation ¹⁵ specifies the requirements for organic production and use of the EU green leaf logo.
	VEHICLES	The Euro emission standards ¹⁶ set maximum levels of emissions for new vehicles placed on the market on or after a given date (Euro 6d applies from 2021). The Clean Vehicles Directive ¹⁷ requires contracting authorities to take fuel efficiency and emissions into account in their tenders for road transport vehicles and services and sets targets for the procurement of low and zero-emission vehicles. Legislation also applies in respect of noise, tyres, lubricants and other aspects.
	CLEANING PRODUCTS AND SERVICES	The Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation ¹⁸ requires producers and suppliers of dangerous substances to classify the harmful properties of their chemicals and to provide users with detailed health, safety and environmental information and advice about their products.
	CONSTRUCTION WORKS	Legislation applies in respect of Environmental Impact Assessment, ¹⁹ Energy Performance of Buildings, ²⁰ Construction Products, ²¹ Waste Management ²² and many other areas. Ireland's implementation of the Energy Efficiency Directive also creates specific obligations for the renovation of existing buildings.
	ENERGY	The generation and use of electricity is governed by a number of EU Directives and there is a Guarantee of Origin scheme for establishing that electricity has been produced from renewable sources. ²³ Energy-using products such as lighting and white goods are subject to mandatory labelling requirements and public bodies in Ireland must purchase products which meet the <i>Triple E Register</i> criteria. Public bodies must report annually on their energy performance.
	TEXTILES	The chemicals, dyes and treatment agents used to produce textiles are subject to the REACH Regulation where significant quantities of chemicals are used. In addition, requirements for the sustainable use of pesticides on crops used to produce textiles apply. ²⁴

The above requirements are only part of the picture, but give an indication of how environmental requirements affect almost every product and service commonly purchased by the

public sector. More detailed information about how environmental legislation affects GPP can be found in **Section 5** and in the criteria for each product/service group.

¹³ S.I. No. 508 of 2009

¹⁴ Directives 94/62/EC, 2004/12/EC and (EU) 2015/720 as implemented by S.I. 282 of 2014 and S.I. 542/2015

¹⁵ Regulation (EU) 2018/848 on organic production and labelling of organic products.

¹⁶ Regulation (EC) No 715/2007, as amended

¹⁷ Directive 2009/33/EU as amended by Directive (EU) 2019/1161

¹⁸ Regulation (EC) No 1907/2006, as amended.

¹⁹ Directives 85/337/EC, 2011/92/EU and 2014/52/EU as implemented in a number of Irish statutory

instruments. See <https://www.epa.ie/our-services/monitoring--assessment/assessment/environmental-impact-assessment/>

²⁰ Directive 2010/31/EU as amended by Directive (EU) 2018/844

²¹ Regulation (EU) No 305/2011

²² Directive 2008/98/EC as amended by Directive (EU) 2018/851

²³ Directive 2009/28/EC as amended by Directive 2018/2001

²⁴ Under Directive 2009/128/EC.

2.2

EU PROCUREMENT DIRECTIVES

The 2014 Procurement Directives specifically support the application of environmental criteria throughout the procurement process. This reflects growing concern across Europe about the environmental impact of public purchasing as well as understanding of how procurement can contribute to broader policy objectives.

The key GPP provisions in the Directives are highlighted in the box below. These provisions are also discussed in an *Information Note* published

by the Office of Government Procurement in 2018.

In 2016, the European Commission published an updated *Handbook on GPP* under the 2014 procurement directives. This includes a number of examples of how public authorities across Europe are implementing GPP in practice, and a collection of further good practice examples covering many product and service sectors is available [here](#).

GPP UNDER THE 2014 EU PROCUREMENT DIRECTIVES

(Article numbers refer to Public Sector Directive, equivalent provisions apply under the Utilities Directive)

- Contractors must comply with applicable environmental obligations set out in Irish law, EU law or certain international conventions on protection of the ozone layer, persistent organic pollutants and treatment of hazardous chemicals or waste (Article 18.2);
- Abnormally low tenders must be rejected where this is due to breach of any of the above laws (Article 69.3);
- Evidence of the environmental management measures which a supplier will be able to apply in the execution of any contract may be requested at selection stage (Article 58/Annex XII);
- Technical specifications can be formulated with reference to production processes (e.g. organic agriculture or chlorine-free bleaching of paper), or any other life-cycle stage (e.g. end-of-life management) (Article 42.1);
- Award criteria may include social or environmental characteristics of the goods, services or works being purchased, e.g. electricity from renewable sources or fairly traded products (Article 67.2);
- Third-party ecolabels or certifications can be requested to demonstrate compliance with technical specifications, award criteria or contract performance conditions, provided these meet certain standards of openness and transparency (Articles 43 and 44);
- Life-cycle costing can be applied to measure and compare costs including environmental externalities such as greenhouse gas emissions (Article 68);
- Contracting authorities can refuse to award a contract to the operator submitting the most economically advantageous tender where it does not comply with certain minimum social and environmental obligations set out in Annex X of Directive 2014/24/EU (Article 56.1).

Specific rules are attached to each of these provisions and designed to balance the pursuit of environmental objectives with the Treaty principles of transparency, equal treatment, proportionality and free movement/competition. With the exception of the first two in the above list, the provisions are voluntary for contracting authorities to adopt, not mandatory. However as discussed in Section 1.2, the application of GPP criteria is becoming mandatory for all procurement using public funds in Ireland.

3. GPP AND YOUR ORGANISATION

3.1 KEY FACTORS DRIVING GPP IMPLEMENTATION IN IRELAND

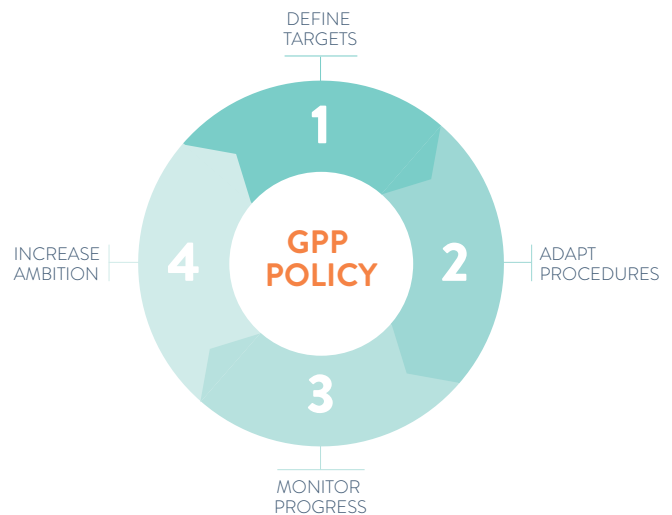
In addition to the national targets and commitments mentioned in the introduction, many Irish public bodies have adopted GPP in response to specific concerns about the environmental impact of their activities. Public authorities across Europe have been implementing GPP for a number of years, and the available data suggests that more than half include GPP criteria in their tenders regularly.²⁵ This means that there is a considerable body of experience to draw upon when considering how to structure and implement a GPP policy. Naturally, the best approach will depend upon an individual organisation's priorities, resources and level of existing knowledge of GPP. The steps described below are intended to provide a framework for introducing and managing GPP which is flexible enough to be used by any Irish public authority.

The advantages of adopting GPP as a formal policy rather than just as an ad-hoc practice are:

- It signals commitment from the highest levels of an organisation and can help to provide resources to implement GPP
- It is more likely to provide a consistent approach which will help the market to adapt
- It can link GPP to other important procurement or environmental policies, and to the organisation's training programme and standard tender documentation and procedures
- It allows for the ongoing monitoring and improvement of GPP results over time

A GPP policy should be clear in terms of the scope of procurement activities covered, how compliance will be monitored, and outcomes reported. Staff should be given adequate time to consider the impact of the changes and identify any specific steps which need to be taken on their part. Where possible, GPP criteria should be discussed with existing and potential suppliers in advance of their use in tenders, as part of a pre-procurement consultation exercise or technical dialogue. The framework for implementing a GPP policy may be visualised as follows:

FIGURE 2
GPP Policy Implementation



This obviously only gives a high-level view of how to implement a GPP policy. The steps involved each of these stages are examined below.

²⁵ Centre for European Policy Studies and Council of Europe (2012) The Uptake of Green Public Procurement in the EU27. The study found that 55% of the contracting authorities surveyed had included at least one GPP criterion in the last contract awarded, and 26% had included all of the core GPP criteria for that product or service group. In addition, some 54% of local governments in the sample, and 41% of central governments reported that they 'always or often' include environmental criteria in their tenders. Rates of GPP implementation across Europe have increased since the time of this study.

3.2

DEFINING PRIORITIES AND TARGETS

Ireland's Climate Action Plan and Programme for Government commit to green criteria being included in all tenders using public funds by 2023. Organisations implementing GPP for the first time may wish to assess their overall procurement

spend and prioritise certain product and service groups in order to reach this target. Prioritisation may be based on any of the following considerations in respect of each product/service group:

- Total value of spend and frequency of procurement
- Environmental impacts and risks
- Ability to do more, i.e. are high environmental standards already in place or are better-performing products and services available?
- Strategic position vis-à-vis suppliers – are you an influential buyer?
- Cost considerations
- Reputational considerations
- Availability of GPP criteria and resources

Based on this analysis, some products and services may be deemed suitable for application of core GPP criteria, some for comprehensive, and some may not be appropriate for any immediate action. For those categories where GPP actions will be undertaken, information about the existing

environmental requirements applied and any feedback from buyers, suppliers and contract managers/users should be collected. This will help to define appropriate targets for that category, within achievable timeframes.

3.3

ADAPTING PROCEDURES

Section 4 provides detailed guidance on how procurement procedures can be adapted to take account of environmental considerations and incorporate specific GPP criteria. This covers the full procurement cycle from pre-procurement market consultation and planning through to contract management. Before any significant changes are undertaken, it is important to identify the individuals who will be responsible

for implementing, managing and reviewing GPP in practice. Ownership of the specific actions and targets identified should be assigned in order to ensure clear responsibility for GPP. As e-procurement systems play a large role in the procurement process, they will need to be adapted to facilitate the application and monitoring of GPP.

EXAMPLES OF HOW THIS CAN BE DONE INCLUDE:

- Incorporating GPP requirements into templates, documents and forms;
- Adding one or more 'gateways' where procurers must confirm that GPP criteria have been applied in order to proceed to the next stage of the tender – these
- may be prior to publication of a notice or tender documents; prior to completing the evaluation; and/or prior to awarding the contract;
- Generating notifications and reports linked to GPP.

The aim of all of these activities is to integrate GPP into existing workflows rather than it being an 'add-on' which requires deviation from normal

procedures. As staff time and resources are needed to implement these activities, securing senior management support for GPP is essential.

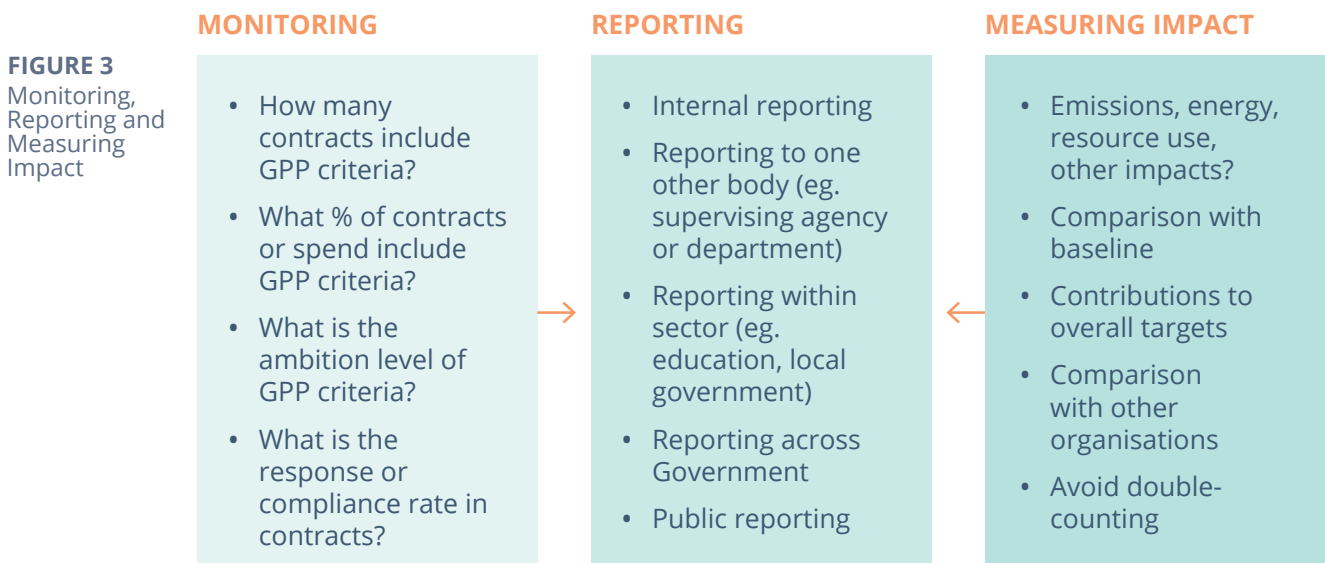
3.4 MONITORING GPP IMPLEMENTATION

As with other policies implemented via procurement, it is necessary to consider from the outset how progress will be tracked. Procurement data can be extremely valuable to an organisation, and GPP implementation may provide an opportunity to improve overall data collection and analysis. At a basic level, organisations will need to be able to count the number and value of contracts including GPP criteria.

A reporting template has been developed for Government Departments, which must be submitted with Annual Reports for 2020 onwards. This requests information about the number and value of contracts signed in priority sectors valued above €25,000 which have included criteria designed to ensure that the product or service procured will have a reduced impact on the environment. The reporting template stipulates that the criteria may be those included in this guidance, the EU GPP criteria, or other environmental criteria.

It is expected that the GPP reporting requirement will be extended to other public bodies over time, and the content of reports expanded to cover additional contracts. The report also requests information on the existence of a GPP policy or strategy, the level of ambition, any challenges encountered and whether staff have received training on GPP.

Beyond basic monitoring and reporting on the application of GPP, public bodies should consider how to measure the impact of this in terms of CO₂e emissions, energy consumption, waste or other environmental indicators. This will allow you to quantify the contribution of GPP to your organisation's overall carbon budget and other environmental targets. Figure 3 illustrates the different activities involved in monitoring, reporting and measuring impact.



To monitor GPP during the tender process you may apply 'checkpoints' at various stages; in order to approve the business case, issue the notice and tender documents, finalise evaluation results, award the contract, and renew or extend a contract. To be effective, these checkpoints should be clearly reflected in your online procedures and standard documents. To monitor GPP

during contract performance, you may rely on a combination of self-reporting by the contractor and checks carried out by you as the client. In some cases, it may also make sense to involve a third party, such as an environmental auditor or inspector. Most of the Irish GPP criteria include contract clauses designed to facilitate effective monitoring.

In addition to any mandatory reporting on GPP, you should consider how best to communicate activities internally and externally. This may involve monthly, quarterly or annual progress reports, a standing item on the agenda for meetings relating to procurement and/or sustainability, and preparation of case studies or reports focusing on a particular sector (e.g. transport or energy). In order to identify the

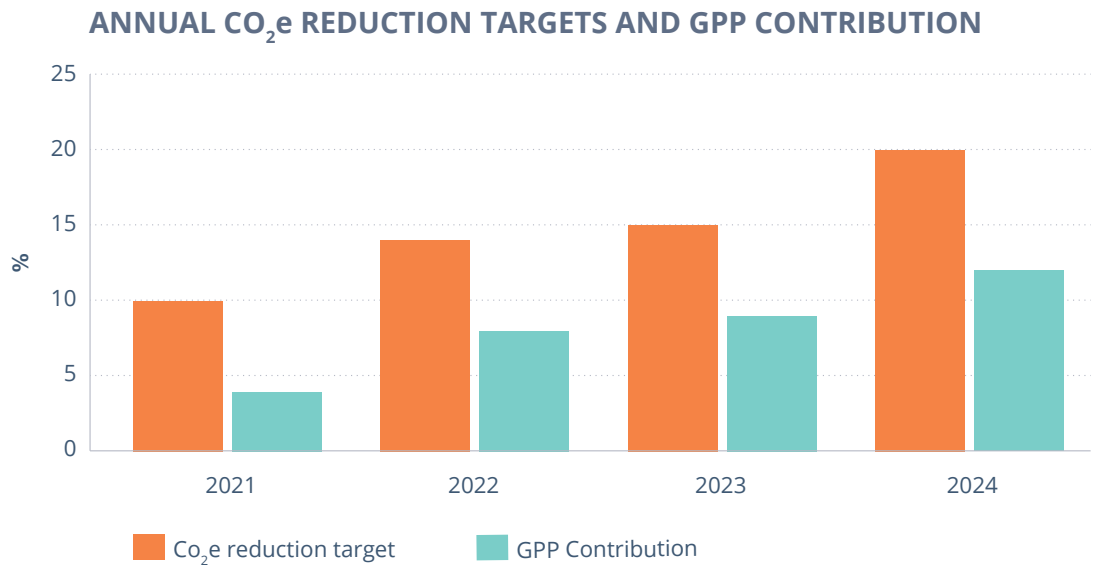
contribution made by GPP to overall emissions or energy reductions, you will need to set a baseline for comparison. This may be the last contract awarded, or, if the activity covered by a procurement was previously carried out in-house, internal data. A number of freely available tools can help you to set baselines and calculate emissions.²⁶

3.5 DRIVING CONTINUOUS IMPROVEMENT

Once procedures have been adapted to implement and monitor GPP, reporting against the adopted targets can begin. Reporting may take any number of forms, but the key consideration is that those who are responsible for implementing GPP are aware of progress and any areas which need to be improved. This

may include contractors who are responsible for delivering specific GPP commitments. Simple communication (e.g. a bar graph as per Figure 4 below) of progress towards targets should be complemented by an explanation of any areas where challenges have been encountered.

FIGURE 4
Graph showing contribution of GPP to CO₂e reduction targets



²⁶ For example, the *GHG Protocol* and *Carbon Disclosure Project* tools. The *SEAI website* has guidance on monitoring and reporting for energy targets, and the Public Spending Code includes *guidance* to monetise GHG/energy savings.

It is important that contract terms allow sufficient flexibility for the ambition level of GPP to be increased over time, or for new areas to be

targeted. For example, the Irish GPP criteria for cleaning services include a contract performance clause requiring an annual report on:

- Staff training undertaken (dates, number of staff involved, topics covered)
- Implementation of corrective action/ improvements to environmental practices
- Any changes in the type of products used to fulfil the contract
- Feedback received from staff regarding environmental aspects of the service
- Any other relevant information or ideas regarding environmental aspects of the service

This is accompanied by specific incentives and contractual remedies in the event of non-compliance.

Both informal and formal feedback from those involved in GPP implementation can be useful to assess the overall level of ambition for your organisation's policy and to identify areas where new targets can be set. For example, users of a catering service may be able to identify areas where environmental and cost savings can be made by reducing food waste or recycling or reusing packaging and service ware. Drivers of vehicles or fleet managers should be able to

identify whether the targeted level of fuel efficiency is being achieved. Such information can be used to drive the next round of GPP implementation in your organisation, and move from core to comprehensive levels where possible.

The guidance and criteria provided in this document are essentially a 'starter kit' for GPP - they cannot replace a detailed policy or the need to train staff and monitor outcomes. More detailed information about developing and implementing a GPP Policy/Strategy can be found in Module 2 of the *GPP Training Toolkit*.

Assistance and resources for developing and implementing GPP is also available via a number of European initiatives:

The European Commission GPP Helpdesk – this service exists specifically to assist public authorities and others who have queries about implementing GPP. It is free of charge and the Helpdesk can be contacted by e-mail (gpp-helpdesk@iclei.org) or telephone (+49 761 368 920).

The Procura+ campaign and exchange – a grouping of public authorities from across Europe with a focus on sustainable public procurement (including economic, social and innovation aspects in addition to environmental). A manual is available with more detailed information on the Procura+ milestones and the website and exchange feature events, projects and funding opportunities. www.procuraplus.org

ICLEI (the International Council for Local Environmental Initiatives) – ICLEI's sustainable procurement team coordinates the Procura+ campaign and also manages a number of sector-specific projects, such as on sustainable timber, construction and catering. A regular email is sent out highlighting resources, training and research relevant to GPP. www.sustainable-procurement.org



Further resources to support GPP implementation are listed in *Section 7*.

4. THE PROCUREMENT PROCESS

This section considers the legal and procedural context in which GPP takes place, and is essential reading for those applying the criteria. Although the GPP criteria have been developed and reviewed against the requirements of procurement law, like all procurement criteria it is possible to apply them in a way which would not be legal. The focus is primarily on contracts which are covered by the EU procurement directives,

however many of the same principles apply to below- threshold tenders.

The procurement process is complex and begins before the tender documents are drafted. A flow diagram of the procurement process showing relevant GPP actions at each stage is shown in Figure 5.

FIGURE 5
GPP at each stage of the procurement process



Not all of the above stages will be relevant for each contract, and public authorities can choose

the most relevant stages to implement GPP as explained below.

4.1 BASIC PRINCIPLES OF PUBLIC PROCUREMENT

Whether above or below the EU threshold, **the award of public contracts must be done in a way which respects the basic principles set out in the EU Treaties.**²⁷ This means that all operators must be treated equally, and that no discrimination is exercised against those based in another Member State, for example. **Equal treatment** has been defined by the European Court of Justice as meaning “comparable situations must not be treated differently and different situations must not be treated in the same way, unless such treatment is objectively justified.”²⁸ In practice, this means that contracting authorities must ensure they do not confer any unfair advantage or disadvantage on potential or actual candidates and tenderers.

The principle of **mutual recognition** requires that professional qualifications, certifications or labels from other Member States are given the same recognition as their domestic equivalents. This can be particularly important at selection stage, when the technical and professional abilities of

candidates are being verified. It does not mean that any evidence submitted must be accepted, but that genuinely equivalent qualifications must be recognised.

Alongside the obligations of equal treatment/ non-discrimination and mutual recognition is the requirement of **transparency** in public tendering. This means that adequate publicity must be given to contracts, criteria must be well defined in advance, and information about the outcome of award procedures must be made available.

The principle of **proportionality** requires that any restrictions on the free movement of goods and services do not go beyond what is needed to achieve the legitimate objective pursued. If, for example, a contract is very low value and low risk, it may not be proportionate to request an externally audited environmental management system, if the risks could be adequately addressed by an in-house system.

4.2 ASSESSING NEEDS

Reducing overall consumption of goods and services is the single most effective environmental action organisations and individuals can take. While public procurement

plays a vital role in ensuring public services can be delivered, procurement officers should also play a role in:

- Avoiding unnecessary purchases (e.g. by reducing demand for paper, vehicles, cleaning services)
- Re-thinking how the demand can be met in a way that requires fewer or better value goods to be bought (e.g. more durable and sustainable staff uniforms)
- Considering resource sharing or reuse options (e.g. by reusing furniture from other organisations or sharing materials for events and meetings)
- Ensuring goods and services purchased are fit for purpose, and can be adapted over time (e.g. by buying IT equipment and software which can be easily upgraded)
- Building flexibility into contracts and frameworks so that the nature and volume of supply reflects changing needs (e.g. by including a regular review of what is offered under a catering contract to avoid food waste, or under a facilities management contract to adjust maintenance or other activities based on need.)

²⁷ For general guidance on the award of contracts both above and below the EU threshold, refer to the *OGP Public Procurement Guidelines for Goods and Services*

²⁸ Joined cases C-21/03 and C-34/03 *Fabricom v État belge* at para 27.

If procurement staff are responsible for assessing needs, then **this should be clear in job descriptions and internal work processes.** This vital first step for GPP may be missed if procurement staff do not have the ability to challenge requirements put forward within the

organisation. A step-by-step approach for needs assessment, which involves developing a needs statement based on user consultation, is set out in Module 4 of the *GPP Training Toolkit*. It is also covered in the Irish GPP training programme.

4.3 ENGAGING THE MARKET

GPP often requires suppliers to innovate in order to provide more sustainable products and services. This cannot be done overnight. Even where products or services which meet GPP criteria already exist on the market, you will need to understand the range of potential suppliers (including SMEs) as well as any adaptations to procedures and contract management needed to ensure successful GPP. Pre-procurement market engagement is thus a vital part of the GPP process, and should be undertaken as soon as you have defined your needs. At a very basic level, market engagement involves:

- **Surveying the market** for new technologies, requesting samples or performing trials of products with enhanced environmental performance
- **Speaking to other public or private sector organisations** who have adopted environmentally friendly products and services, to establish their experience and note any benefits or drawbacks
- Determining which **environmental standards, labels, certifications and legislation** are relevant

Whenever possible, advance notice should also be given to potential bidders of the planned procurement and the inclusion of GPP criteria. This can be done by publishing a Prior Information

Notice (PIN) in the Official Journal, and/or a Request for Information on eTenders. You can also contact suppliers directly and advertise the market consultation on your website or other portals. At this stage, you may request direct feedback from suppliers on draft specifications, invite them to a meeting or event, or ask questions about their range of products and services which may meet GPP criteria. The scope for conducting preliminary market consultations is set out in Article 40 of Directive 2014/24/EU. In addition to consulting potential bidders, you may also request input/advice from independent experts. For example, you may wish to speak with environmental NGOs, consultants or public bodies with expertise on specific environmental topics.

For reasons of transparency and competition, any information should be made equally available to all interested parties. You also need to be mindful of the confidentiality of any sensitive commercial information or intellectual property shared by participants in a market engagement exercise. Article 41 of Directive 2014/24/EU sets out some important measures to take to ensure that no bidder in the subsequent tender procedure has an unfair advantage or disadvantage based on the preliminary market consultation. These include including all information you provide during the consultation as part of the tender documentation, allowing adequate time for bidders to respond and ask questions.

TIPS ON PLANNING MARKET ENGAGEMENT FOR GPP

- Advertise the process and then contact potential bidders directly
- Decide in advance how you will deal with confidentiality and intellectual property, and inform participants of this
- Consider the best format for any meetings – one-on-one may be better than an open day if collusion is a risk – but means there is less chance for groupings to form
- Consider which internal stakeholders to involve and any external parties, e.g. environmental organisations, community groups
- Make sure you are not just talking to the ‘usual suspects’ – include subcontractors/ second tier suppliers as they may be the ones responsible for delivering environmental aspects of the contract
- Keep a record of all market engagement activities and share the same information in tender documents, for any bidders who may not have taken part

Further information about market engagement in the context of GPP is available in Module 6 of the *GPP Toolkit* and in the *Buying Green* handbook

published by the European Commission. It is also covered in the Irish GPP training programme.

GPP AND SMEs

Research carried out at European level, as well as responses to the consultation on this Guide, indicate that most SMEs see green public procurement as an opportunity rather than a threat. This is particularly true where environmental criteria result in less focus on the lowest price in tenders. Many Irish SMEs are actively investing in carbon reduction, circular economy/waste reduction initiatives, energy efficiency, staff training and other relevant activities. Market engagement prior to launching a tender can help to ensure that you are aware of what SMEs are doing, and that they are aware of your needs. As SMEs may lack large or dedicated bid development teams, having advance notice of upcoming tenders which will include specific environmental requirements can be key to success.

The Irish GPP criteria have been prepared with a view to maximising participation in tenders and ensuring equal treatment between all bidders. The emphasis is on what is being offered for the specific contract, not on general corporate environmental

policy. Requirements regarding verification have been simplified wherever possible, while still ensuring that credible evidence of environmental claims is submitted and evaluated. The use of common GPP criteria, rather than every public body developing its own, is expected to reduce the costs and increase the benefits for suppliers in making the transition to greener production methods.

Some additional ideas to ensure GPP is SME-friendly include:

- Piloting GPP criteria on smaller contracts or lots prior to scaling up (for example, one room or one floor of an office block to be furnished with 100% reused furniture)
- Facilitating partnerships/consortium bids/ subcontracting to deliver environmental aspects of contracts, for example by hosting market engagement events.

In addition, many specific supports for SMEs to green their operations are available from *Local Enterprise Offices*, *Enterprise Ireland* and the *SEAI*.

4.4

CHOOSING A PROCEDURE AND CRITERIA

Decisions which affect the success of GPP implementation will often be made long before tender documents are drafted, at the contract definition stage. Choice of procedure will also influence the way in which environmental aspects are addressed. **The Irish GPP criteria are**

capable of being applied regardless of whether a contract or framework is being awarded, and in all types of procedures. For contracts awarded under an existing framework agreement, the scope of GPP criteria which can be applied will depend on the terms of the framework.

ALTHOUGH MANY OTHER FACTORS ARE LIKELY TO AFFECT THE CONTRACTING AUTHORITY'S CHOICE, THE FOLLOWING GPP CONSIDERATIONS SHOULD BE KEPT IN MIND WHEN DECIDING ON PROCUREMENT SCOPE AND PROCEDURE:

- If the environmental criteria used are likely to require some up-front investment (e.g. in certification or an environmental management system), **a longer-term contract or framework agreement** will provide a greater incentive for operators to make that investment
- In some cases, a **service contract** may provide better incentives for high environmental standards, for example where a printing service provider bears the cost of paper used or a building facility manager must pay for electricity and water
- **Open procedures** in which a large volume of tenders can be expected to be received may make it more difficult to apply some of the comprehensive GPP criteria effectively, due to the additional verification effort involved
- The **competitive dialogue** and **competitive procedure with negotiation** provide more flexibility to engage with suppliers around the authority's requirements, including those related to GPP. They are appropriate for use in more complex contracts or those which involve innovative elements
- The use of **dynamic purchasing systems** may be appropriate for GPP when you are purchasing "off the shelf" products but want to allow new market entrants – including those who may be able to offer enhanced environmental performance, to join

For any tender including GPP criteria, it is particularly important to allow sufficient time for bidders to respond and to seek clarification of the requirements if needed. It is important that the person or people responsible for responding to clarification questions have a good understanding of the GPP criteria, so that they can explain what is needed to bidders.

Whether a contract is being advertised in the Official Journal (OJEU) or on eTenders alone, the contract notice should highlight the application of GPP within the award process. Where possible, the title and/or short description of the contract should draw attention to the specific environmental requirements included, e.g. 'Supply of highly energy-efficient IT equipment' or 'Electric vehicles.' This allows suppliers to quickly identify relevant contracting opportunities and can also help with monitoring and analysis of GPP implementation. A statement of the

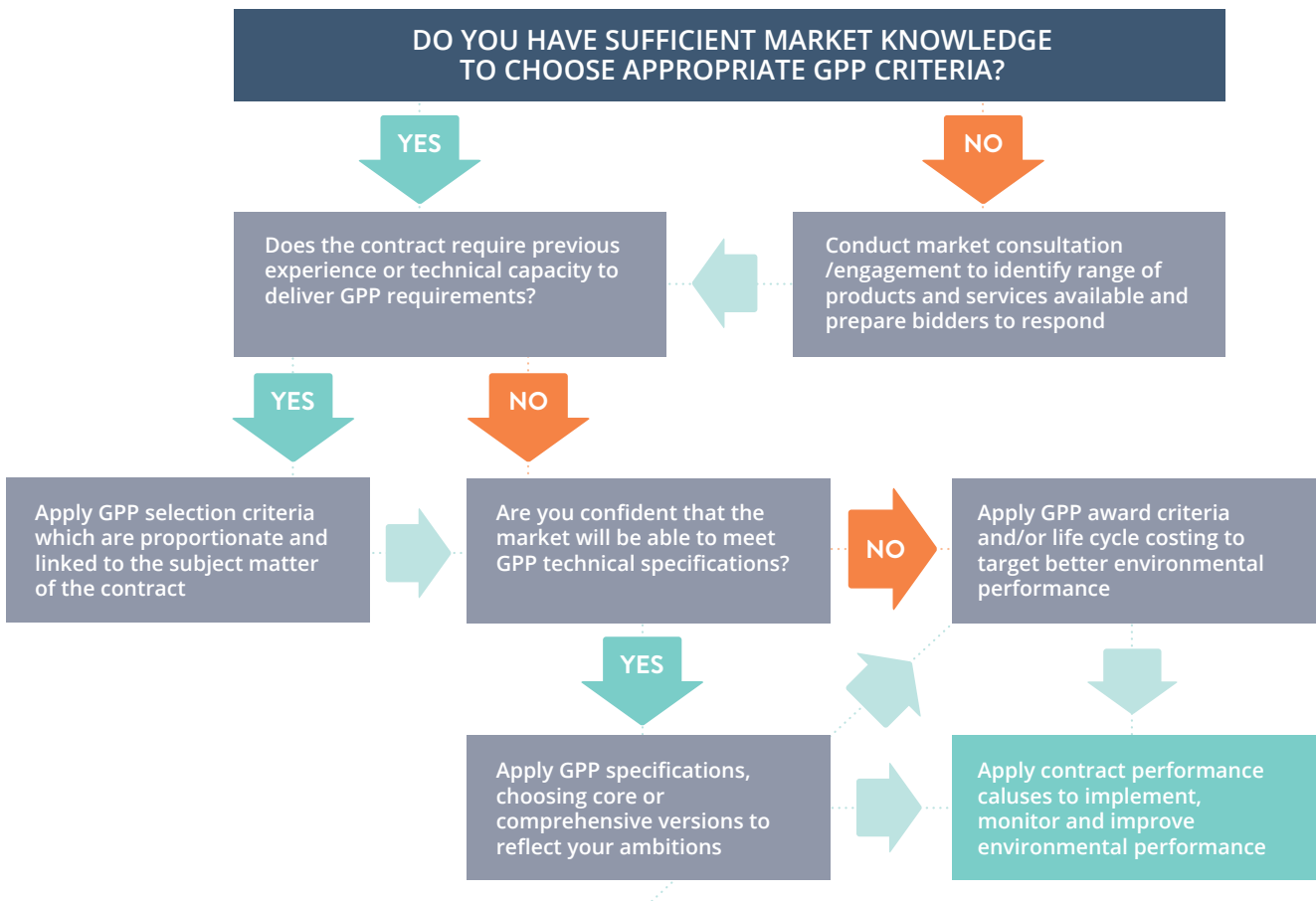
environmental objectives of a tender or a reference to your organisation's GPP policy can also be included in the short description.

THE IRISH GPP CRITERIA ARE CAPABLE OF BEING APPLIED REGARDLESS OF WHETHER A CONTRACT OR FRAMEWORK IS BEING AWARDED, AND IN ALL TYPES OF PROCEDURES

One of the key decisions to be made at the tender design stage is whether to include GPP criteria in the selection criteria, technical specifications, award criteria, contract performance clauses, or

some combination of these. The decision tool shown in Figure 6 gives an overview of factors to consider in making this choice.

FIGURE 6
Decision tool for GPP criteria



Whereas technical specifications set minimum requirements which must be met by all bidders, award criteria reward those bidders who offer enhanced performance under pre-defined headings. Tenders which do not meet technical specifications must be rejected, unless variants have been specifically authorised (see Section 4.6.2). Award criteria will not normally

be responsible for a supplier deciding not to compete, and may encourage competitors to invest in their environmental performance beyond the minimum required levels. The decision tool above can be used to help determine where technical specifications and award criteria may be appropriate to implement GPP.

4.5 EXCLUDING AND SELECTING BIDDERS

4.5.1 EXCLUSION CRITERIA

Article 57 of Directive 2014/24/EU sets out the possible grounds for excluding bidders from a procedure. These include several grounds which are relevant to GPP:

- Non-compliance with applicable national, EU or international environmental law (Art. 57.4(a)²⁹)
- Grave professional misconduct which renders integrity questionable (Art. 57.4(c))
- Significant/persistent deficiencies in performance of substantive requirement under prior contract which led to termination or comparable sanctions (Art. 57.4(g))
- Misrepresentation of any of the above or inability to submit supporting documents (Art. 57.4(h)).

While compliance with exclusion grounds is normally evaluated by a standard declaration form, you are entitled to request further evidence of compliance at any time. For example, if you are aware of media reports suggesting a company has not complied with waste disposal regulations, then you can request proof from the bidder and may exclude them if they cannot demonstrate compliance.

The above exclusion grounds can only be applied for a period of three years from the date of the relevant event.³⁰ They are also subject to the right of bidders to attempt 'self-cleaning', by submitting evidence of concrete measures taken to address the underlying problems and provide redress.³¹ It is up to the contracting authority to decide if any such measures are sufficient to allow the bidder to participate in the procedure.

4.5.2 SELECTION CRITERIA

Selection criteria allow you to check that bidders have appropriate experience and technical and human capacity to deliver GPP aspects of a contract. In procedures other than the open procedure, they may be weighted and scored to allow you to choose the best qualified bidders for your particular contract. Keep in mind that

selection criteria should always be proportionate and linked to the subject-matter of the contract, so you should avoid using the same standardised criteria for different contracts. Always consider the impact which selection criteria will have on SMEs and new market entrants, who may be able to offer green products and services.

SELECTION CRITERIA RELATED TO GPP MAY INCLUDE THE FOLLOWING:

- Human and technical resources
- Experience and references
- Educational and professional qualifications of staff
- Environmental management systems and schemes (e.g. EMAS, ISO 14001)
- Supply chain management/tracking systems
- Samples of products
- Conformity assessment certificates

²⁹ This includes the environmental conventions set out in Annex X of the Directive, namely the Vienna Convention on the ozone layer, Basel Convention on hazardous waste, Stockholm Convention on persistent organic pollutants, and PIC Convention (hazardous chemicals/pesticides).

³⁰ Art. 57(7) of Directive 2014/24/EU – unless a longer period has been set out in a judgment.

³¹ Art 57(6) of Directive 2014/24/EU.

Several of the Irish GPP criteria include selection criteria. For example, the criteria for cleaning services require bidders to have skills and resources to deliver environmental aspects of

the contract, and to provide evidence in the form of previous contracts, staff training and qualifications, written procedures and/or external certification (e.g. ISO 14001; EMAS).

ENVIRONMENTAL MANAGEMENT SYSTEMS IN PROCUREMENT

Many public contracts require careful planning to manage environmental impacts – for example where works are undertaken, hazardous waste generated or natural resources affected. Any organisation, even those based in an office, can implement an environmental management system to identify the impact of its operations. The two best-known EMS in Europe are EMAS and ISO 14001.

You may request evidence of an EMS at selection stage provided this is relevant and proportionate to the requirements of your contract. Where bidders do not have external certification but present an in-house system this should be evaluated to determine whether it provides adequate assurance regarding environmental management

measures (see Case T-331/06 *Europaiki Dynamiki v European Environment Agency*). An EMS may also be a means of verifying compliance with technical specifications or performance against award criteria related to environmental aspects of a contract. It is important to check both the scope and dates of an EMS certificate to ensure it covers the specific activities and period for your contract.

In contracts for which an EMS is not deemed suitable, it may be relevant to assess bidders' environmental performance in previous contracts, for example by asking for evidence of reductions in packaging, energy or water use in carrying out activities to which the contract relates.

4.6

SPECIFICATIONS AND AWARD CRITERIA

4.6.1 TECHNICAL SPECIFICATIONS

Technical specifications may be formulated by reference to the detailed characteristics of the goods, services or works being purchased, by reference to their performance or function, or by a combination of these approaches. It is possible to include environmental characteristics or performance levels regardless of which approach is taken, provided this affords equal access for tenderers and does not create unjustified obstacles to competition. For example, it is possible to insist on organic production for food as this falls under the heading of 'production processes and methods'. The use of standards in technical specifications is well-established, and a growing number of standards incorporate environmental requirements.

Some organisations use performance or outcome-based specifications in order to define the results which they wish to achieve from a particular product or service, rather than the way in which it is to be delivered. This can be a good way of allowing suppliers to innovate and can save time in the drawing up of detailed technical specifications. For example, instead of a detailed specification for heating and cooling systems in a building, an outcome-based specification may simply require an indoor temperature range of 18-24°C and compliance with the Buildings Regulations including the Nearly Zero Energy Building (nZEB) standard. This allows the designer or energy contractor to determine the most efficient solution.

From a GPP perspective contracting authorities must ensure that the use of performance-based or outcome-based specifications does not lead to environmental aspects of the contract being ignored or underperformed. In some cases, the time saved in developing detailed technical specifications will be lost due to the added

complexity of evaluation and clarification. One way of avoiding this problem can be to run a thorough market engagement exercise which allows both the buyer and potential suppliers to understand environmental and other requirements of the contract.

4.6.2 VARIANTS

Variants provide a way of introducing some flexibility to technical specifications, by allowing tenderers to submit alternative solutions, either in addition to or instead of the specified ones. Variants can be allowed in any procedure, provided this is indicated in the contract notice and the minimum requirements which variants must meet are defined in the tender documents. For GPP, authorising variants can be a useful

way of 'testing the market' to see if alternative environmentally-friendly solutions are available. For example, the GPP criteria for vehicles include an optional variant to allow bidders to propose the use of electric or hybrid-vehicles. These variant solutions would then be assessed against the award criteria to evaluate their performance on cost, reliability or other factors.

4.6.3 AWARD CRITERIA

At the award stage, contracting authorities compare the quality and costs of the tenders received according to a pre-determined set of award criteria and weightings. **Using award criteria to implement GPP is particularly sensible where the levels of environmental performance which the market can deliver**

are unknown, or the impact on cost or other considerations such as delivery time are uncertain. They send a signal to the market that the particular environmental factors targeted are important to the contracting authority, and that demonstrated performance under these headings will be rewarded.

Where most economically advantageous tender (MEAT) is chosen as the award basis, contracting authorities can include environmental criteria, provided those criteria:

- Are linked to the subject-matter of the contract
- Do not confer an unrestricted freedom of choice on the contracting authority
- Are expressly mentioned in the contract notice and tender documents; together with their weightings and any applicable sub-criteria
- Are not selection/eligibility criteria (e.g. general capacity); and
- Comply with the fundamental principles of EU law

The Irish GPP criteria include a range of award criteria which meet these basic conditions and which are designed to target enhanced

environmental performance, beyond the minimum levels in specifications.

4.6.4 WEIGHTING APPROACHES

The weighting given to each award criterion determines the influence it has in the final evaluation. The weight given to environmental award criteria may reflect the extent to which environmental aspects are already addressed in the specifications. If there are strong environmental requirements in the specifications, they may be given a lower weighting in evaluation and vice versa. Under the procurement directives, there is no maximum or minimum weighting for environmental award criteria.³²

The appropriate scope and weighting for environmental award criteria will vary according to the subject matter of the procurement, supply market conditions and the organisation's GPP targets. It is not generally possible to set fixed weightings to be applied as the organisation's objectives or the market may change.

TO DETERMINE AN APPROPRIATE WEIGHTING, THE FOLLOWING SHOULD BE CONSIDERED:

- Do environmental considerations influence the value of the contract, e.g. are there future risks or costs associated with low levels of environmental performance?
- Are environmental objectives best addressed in award criteria, either in addition to or instead of in specifications, selection criteria and contract performance clauses?
- Will life-cycle costing be used to address some environmental impacts?
- What percentage of the award-stage marks will allow you to distinguish environmentally preferable bids? For example, if there is not a large degree of price variation for a product, but environmental performance varies greatly, it makes sense to allocate more marks to assess environmental characteristics

You should also consider whether it makes sense to apply a minimum pass score (threshold) in relation to environmental award criteria.³³ This can help to ensure that all bidders address the criterion and ensure that a low-cost bid with very poor environmental performance could not win. However, if the GPP award criteria are particularly ambitious or you're unsure of the market's ability to respond, it may not be appropriate to apply a minimum threshold.

THE WEIGHTING GIVEN TO EACH AWARD CRITERION DETERMINES THE INFLUENCE IT HAS IN THE FINAL EVALUATION

For example, in a tender for vehicles, environmental performance will be very important. While some basic requirements will be addressed in the technical specifications, applying one or more award criteria linked to environmental matters is likely to deliver more efficient vehicles - and to allow this improved performance to be measured against any cost or other implications. If life-cycle costing is applied, you may still wish to use additional qualitative criteria to address considerations such as emissions performance and an extended warranty.

³² In Case C-448/01 *EVN Wienstrom* the Court of Justice held that a weighting of 45% for an award criterion linked to renewable energy production was acceptable, provided the other requirements for award criteria were met.

³³ The use of thresholds in award criteria was approved of by the CJEU in Case C-546/16 *Montte SL v Musikene*

The award criteria weighting scheme might look like this:

AWARD CRITERIA	WEIGHTING
Total cost of ownership (including purchase/lease costs, fuel/energy consumption over a specified mileage and driving conditions, and maintenance costs where relevant)	45%
Vehicle handling/road test	20%
Co ₂ emissions – lower than specified maximum	10%
Air pollutant emissions – lower than specified maximum	10%
Extended warranty	10%
Zero tailpipe emission capability	5%
TOTAL	100%

Table 2. Sample award criteria for vehicles tender

This assumes that the core technical requirements have all been included in the specification.

4.7 EVALUATING BIDS

It is at the tender evaluation stage that GPP criteria are put to the test. An increasing number of companies make environmental claims about their products and services, and there is a growing list of standards, certification schemes and labels which aim to give credibility to such claims. Procurers are often called upon to distinguish promotional or unfounded claims from bona fide evidence. **GPP requires the application of these skills in order to avoid 'greenwash' and identify those products and services which genuinely meet criteria targeting environmental characteristics.**

Accurately assessing and verifying information submitted by tenderers in response to environmental criteria can be challenging. The Irish GPP criteria are all accompanied by verification provisions which include the possibility of submitting equivalent evidence where a specific label or certification is not available. Table 3 summarises the most relevant forms of verification and evidence for GPP.

PROCUREMENT STAGE	TYPE OF GPP CRITERIA	WHAT EVIDENCE CAN BE REQUESTED?
EXCLUSION	Exclusion for non-compliance with environmental law, grave professional misconduct, or significant/ persistent defects in prior contracts.	A self-declaration should be accepted in the first instance (this may include the European Single Procurement Document), however further evidence may be required at any time to ensure the proper conduct of the procedure.
SELECTION	Ability to apply environmental management measures.	EMAS, ISO 14 001 or other independent third-party schemes. In-house environmental management systems may also be accepted if they include the specific measures required for the contract.
	Technical and human capacity.	Supply chain management and tracking systems; measures for quality control; experience and qualifications of staff; tools, plant and equipment.
	Previous experience related to GPP.	A list of previous similar contracts carried out over the past three years (for supply/service contracts) or the past five years (for works contracts).
TECHNICAL SPECIFICATIONS	Environmental standards, production processes, minimum performance requirements (e.g. energy efficiency levels).	Ecolabels, certificates, test reports or technical documentation. Equivalent evidence must be accepted if it establishes compliance or performance under the specific criteria. If a bidder does not have a third-party label or certificate, they must prove that this is for reasons not attributable to them.
AWARD CRITERIA	Performance above minimum specified levels, life-cycle costs, added value.	As above. Method statements/descriptions may also be relevant for certain criteria. For life-cycle costing, bidders should complete a spreadsheet and may also be required to provide test reports, certificates etc.
CONTRACT PERFORMANCE CLAUSES	Key performance indicators, incentives, penalties or remedies linked to GPP.	Ecolabels, certificates etc may be required under the same conditions as above. On-site inspections, tests, or audits may be carried out and the contractor may be required to report on environmental performance.

Table 3. Verification of GPP criteria

4.7.1 UNDERSTANDING THE DIFFERENT TYPES OF EVIDENCE

CERTIFICATES – certificates may be granted by a public or independent regulatory authority, or by a private industry body. Companies operating an environmental management system, for example, will receive a certificate (e.g. ISO 14001, EMAS). It is important to always check the source, scope and date of any certificate presented.

ENVIRONMENTAL PRODUCT DECLARATIONS (EPDs) – are used in particular in the construction sector. They are based on life-cycle analysis and include information about a range of environmental impacts in addition to carbon footprint. In Europe, EPDs must conform to the standard EN 15804. Product Category Rules (PCRs) determine the information to be included and methodology, so that EPDs enable comparison between products fulfilling the same function. Further information about EPDs is available on the website of the *Irish Green Building Council*. *EcoPlatform* is a machine readable digitised database of EPDs from across Europe.

SELF-DECLARATION – in some cases, objectively verified third-party evidence may not be considered essential or may not be available. In these cases, a signed self-declaration, for example regarding compliance with environmental regulations, may be relied upon. The *ESPD* is a form of self-declaration, with reference to the sources where documents can be checked. A **technical dossier** is another form of self-declaration, but one which provides detailed technical information about manufacturing processes or the contents of a product, for example.

TEST REPORTS – test reports may provide evidence regarding the performance of a product or a specific aspect of its production. For example, when purchasing vehicles test reports may be requested both in relation to the declared emission levels of the vehicle and the durability of individual components.

TYPE I ECOLABEL – Ecolabels can be extremely useful tools for GPP, as they demonstrate compliance with defined environmental criteria while minimising the effort involved for buyers and suppliers in individual tender procedures.

A wide range of ecolabels exist, however the ones which are of greatest use for procurement, and which are referred to in the GPP criteria, are 'Type I' or ISO 14024. Type I ecolabels have underlying criteria set by an independent body, are based on life-cycle analysis and are monitored by a certification and auditing process. As such they are a highly transparent and reliable source of information about the environmental characteristics of a product or service. Ecolabels may be used in two different ways as part of procurement:



- i. to define technical specifications, award criteria or contract performance clauses; and
- ii. to verify compliance with technical specifications, award criteria and contract clauses.

The 2014 directives allow contracting authorities to make reference to one or more specific ecolabels, provided the labels are appropriate to define the characteristics of the goods or services being purchased, and:

- the requirements for the label are drawn up on the basis of scientific information
- the label requirements are adopted using a procedure in which all stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate; and
- they are accessible to all interested parties³⁴

³⁴ Article 43 of Directive 2014/24/EU.

Most Type I ecolabels will meet these requirements, although they may also contain requirements which are not specific to the product or service being purchased, such as general management requirements. For this reason, it is important to always review the

criteria/specifications underlying a given ecolabel (which should be freely available online) prior to referring to it in tender documents. Where reference is made to a particular ecolabel, **equivalent labels must also be accepted.**

WHAT IS MEANT BY EQUIVALENCE IN EU PROCUREMENT LAW?

The term 'equivalent' appears in many provisions of the EU procurement directives, including the rules on technical specifications, labels, environmental management standards, and means of proof. Determining whether a particular document or other evidence submitted by a tenderer is equivalent to the standard specified in the procurement documents can be one of the most challenging aspects of tender evaluation, and is particularly relevant for GPP. In general, **the burden is upon the tenderer to prove equivalence**, but the contracting authority must know how to evaluate this information to enable a decision. Two judgments of the CJEU are particularly relevant here.

In Case T-331/06 *Evropaiki Dynamiki v European Environment Agency*, the applicant was awarded lower marks than the successful tenderer under an environmental award criterion. The contracting authority justified this decision based on the fact that the applicant did not hold a third-party certified environmental management system, whereas the successful tenderer did. The tender documents did not set an explicit requirement for a third-party certified system. The Court upheld the contracting authority's decision, finding that it had made a comparative assessment of the evidence submitted by tenderers and decided that the third-party system provided the most convincing evidence. The decision not to treat the applicant's system as equivalent to a third-party system fell within the contracting authority's broad discretion based on the wording of the award criterion.

In Case C-14/17 *VAR Srl and ATM v Iveco Orrechia SpA*, which concerned a tender for

spare parts for vehicles, the Court considered the obligation to accept products meeting equivalent standards to those cited in the specifications. The Court found that **evidence regarding equivalence had to be submitted by a tenderer as part of its tender**, rather than at a later point. It also held that contracting entities enjoy:

"...discretion in determining the means that may be used by tenderers to prove such equivalence in their tenders. That discretion must, however, be exercised in such a way that the means of proof allowed by the contracting entity actually enable that entity to carry out a meaningful assessment of the tenders submitted to it and do not go beyond what is necessary in order to do so, by preventing those means of proof from creating unjustified obstacles to the opening-up of public procurement to competition... (para 34 of judgment)"

The Court thus applied a **proportionality test** to the question of how contracting authorities are to exercise their discretion in evaluating equivalence. Although this case related to technical specifications and was decided under the old Utilities Directive (2004/17/EC), it seems likely that this general approach to reviewing the way in which contracting authorities determine equivalence would also be applied under Directive 2014/24/EU.

4.7.2 LIFE-CYCLE COSTING (LCC)

At the award stage, the cost of a tender is usually one of the most influential factors. In order to accurately assess the costs of an asset, life-cycle costing should be applied wherever significant costs will arise within the lifetime of the product or service which are not reflected in the purchase price. LCC can range from a relatively simple calculation of energy or fuel consumption, time to replacement and end-of-life costs/revenues, through to a more complex assessment including greenhouse gas emissions (where a nominal cost is assigned to these).

While a number of different methodologies are available and appropriate for different sectors, the most important considerations are the transparency with which the methodology is presented, the ability of bidders to provide the information requested, and the ability of the

authority to assess and verify it. LCC may not be suitable for every contract, but it can play a key role in making a business case for GPP in sectors where upfront costs may be higher – for example lighting, vehicles or heating equipment.

LCC can be used both at the planning stages of procurement and to compare tendered costs. At planning stages, the methodology should be identified and the period over which costs will be assessed, as well as the discount rate for any future costs (if applicable). This will allow you to identify the information which will be needed from bidders during the tender.

For example, in a tender to retrofit a pump for a water treatment works, a contracting authority included the following in its LCC calculation:³⁵

The award criteria will be lowest life cycle cost which shall be the sum of the following:

kWh/m³ at main duty point of the pump (m³/hour) x expected flow per annum (m³) x Average cost (c/kWh) x assumed life cycle (e.g. 5 years)

+

kWh/m³ at a secondary duty point of the pump (m³/hour) x expected flow per annum (m³) x Average cost (c/kWh) x assumed life cycle (e.g. 5 years). There may be more than one secondary duty point.

+

Fixed price lump sum capital cost plus projected energy costs over 5 years.

The result (shown in Figure 5) was that the pump with the cheapest capital cost (Tender 4) became the second most expensive (out of five) when operational costs were taken into account,

whereas the second cheapest pump on capital costs (Tender 1) was the least expensive on a whole-life basis, due to its greater efficiency.

EUROPEAN COMMISSION TOOLS FOR LCC

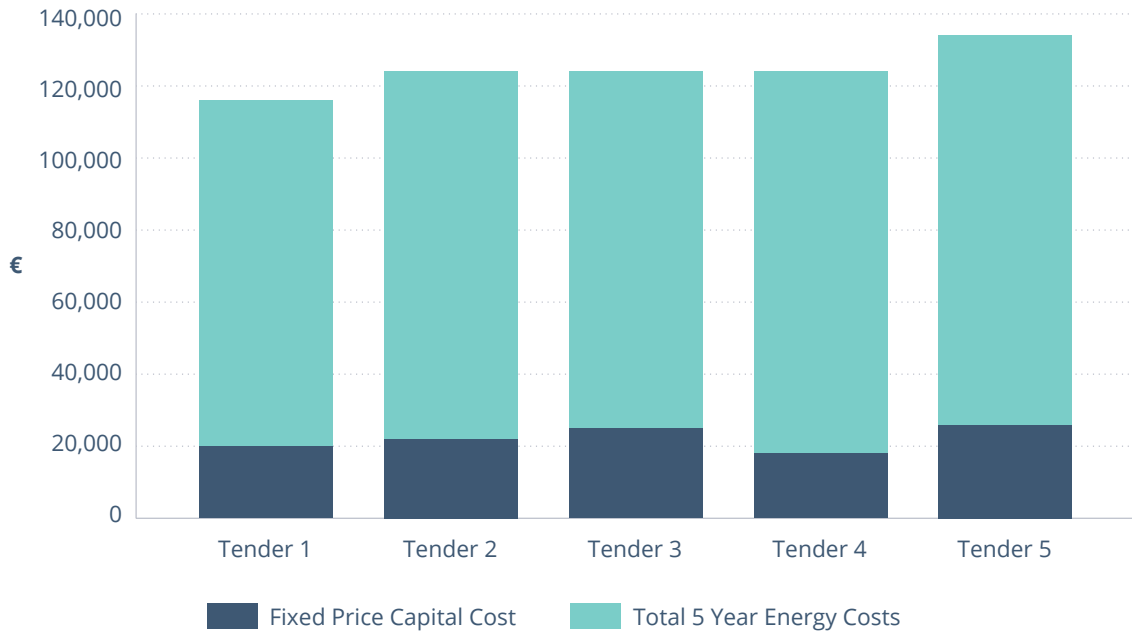
In 2019 the European Commission published a number of **tools** to assist with life-cycle costing in tenders for:

- Computers and monitors
- Imaging equipment
- Indoor lighting
- Outdoor lighting
- Vending machines

The tools are accompanied by detailed user guides. The spreadsheets are designed to be included directly in tender documents, with bidders completing the relevant fields to indicate the energy consumption and other aspects of their products. They can also be used to compare options at the pre-procurement planning stage. Each spreadsheet is accompanied by a detailed user guide.

³⁵ Adapted from material provided by the Tipperary Energy Agency

FIGURE 7
Life-cycle cost calculation



4.8 COMPLETING THE CONTRACT

When tenders have been evaluated and the designated successful bidder(s) identified, all bidders must be informed of the outcome of the procedure. Unsuccessful bidders who have submitted a valid and responsive tender are entitled to receive an explanation of the characteristics and relative advantages of the selected tender. Take this opportunity to **provide a detailed explanation of where bidders have fallen short in relation to GPP criteria (if applicable) and to highlight the potential to improve their environmental offer in subsequent tenders.** Although care is required at this stage to avoid any legal challenges, it is also a key opportunity to emphasise the importance of GPP to your organisation and the role this has played in your decision.

At this stage contract documents need to be finalised. This may involve meeting with the designated successful bidder(s) to confirm contract terms. It is vital that GPP commitments made in the tender are explicitly included in the contract, and you may need to discuss how these will be implemented and monitored under the contract. Keep in mind that the people responsible for delivering the contract may be different to those involved in the bidding process, so it is worth **confirming their understanding of the environmental aspects of the contract and ensuring that the lines for reporting and escalating any performance issues are clear.** This may be equally true on both sides of the contract.

4.9

CHOOSING A PROCEDURE AND CRITERIA

The Irish GPP criteria include a number of clauses which can be inserted into contracts to assist with the on-going management of GPP commitments and to drive continuous improvement. As the contract performance phase will last for longer than the procurement, there is more scope to work with contractors to deliver environmental improvements. From a legal perspective, contracting authorities should be aware that it is not possible to introduce changes which alter the overall nature of the contract after award. It is therefore important to include contract terms with tender documents, and to highlight any specific environmental commitments which they

include. For example, the Irish GPP criteria for Catering Services include contract management provisions relating to waste management, transport and staff training in order to minimise the environmental impact of the service.

Contract performance measures may also include agreed targets, known as **Key Performance Indicators** (KPIs), for example to reduce energy consumption or emissions by 15% within two years of the contract start date. Table 4 shows examples of KPIs targeting environmental performance.

CONTRACTING AREA	SAMPLE ENVIRONMENTAL PERFORMANCE METRICS
VEHICLES/FLEET	Fuel consumption; real driving emissions; maintenance events
WASTE COLLECTION	Recycling rates; missed collections; route optimisation
CLEANING	Use of cleaning products and consumables; use of water and energy
BUILDING DESIGN AND CONSTRUCTION	Energy performance; use of renewable energy sources; recycling rates for construction waste

Table 4. Sample Environmental KPIs

Time is always a factor in procurement, but evidence suggests that targeting good contract management can have positive impacts such as the creation of shared cost savings and the embedding of sustainability along supply chains. It also ensures that environmental standards in contracts can be progressively improved based on the initial results achieved. **It is vital to have a system in place to record compliance/**

performance with GPP and to ensure lessons are learned for future tenders.

Ultimately, GPP is a tool to support progress towards broader environmental and sustainability commitments. This means you will need to find ways to measure the impact of GPP, so that its contribution to these bigger targets can be calculated.

A NUMBER OF METHODS AND APPROACHES ARE AVAILABLE TO DO THIS, FOR EXAMPLE:

- The Public Spending Code includes *guidance* to monetise greenhouse gas (GHG) and energy savings
- The *GHG Protocol* includes a range of tools for calculating emissions from different sectors
- The *Carbon Disclosure Project* publishes a wide range of environmental data which may help to measure the impact of GPP activities
- The SEAI website has guidance on *monitoring and reporting* for energy targets, plus *conversion factors* for different fuels

5. OVERVIEW OF SECTORS COVERED BY IRISH GPP CRITERIA

This section summarises the key environmental impacts and GPP approach taken in each of the ten sectors covered by the Irish criteria. Further

background and links to dedicated resources can be found in the individual criteria sets.

5.1

ROAD TRANSPORT VEHICLES AND SERVICES



Transport is responsible for approximately 20% of Ireland's overall greenhouse gas emissions. The carbon intensity of transport in Ireland greatly exceeds the EU average, by as much as 40% CO₂e per head of population. In 2017, 96.7% of Ireland's transport energy demand was met by fossil fuels. To meet our 2030 targets, a 45-50% reduction in transport emissions is needed. The 2019 Climate Action Plan set targets for large scale roll-out of electric vehicles and charging points, and the 2020 PfG states that **by 2025, public sector bodies will**

only purchase low- or zero-emissions cars and light goods vehicles and all new urban buses be electric hybrid or electric.

The Irish GPP criteria for road transport vehicles and services directly address these challenges and aim to assist public bodies in meeting legally binding targets for procurement of low-emission and zero-emission vehicles under the Clean Vehicles Directive (see box).

CLEAN VEHICLES DIRECTIVE

The recast Clean Vehicles Directive (Directive 2019/1161/EU, amending Directive 2009/33/EC) aims to increase the uptake of clean (low- and zero-emission) vehicles in public procurement by setting minimum Member State procurement targets and extending the scope to include leased, rented or hire-purchased vehicles and certain transport service contracts.

The revised Directive will apply to tenders from 2 August 2021. Under the Directive, all contracting authorities and entities must take emissions and energy-efficiency into account when procuring road transport vehicles/ services valued above the EU threshold. The Directive applies to cars, vans, trucks and buses (excluding coaches) where they are procured through:

- Purchase, lease, rent or hire-purchase contracts covered by Directive 2014/24/EU or 2014/25/EU

- Public service contracts for the provision of passenger road transport services (Reg. 1370/2007) valued above €1,000,000
- Service contracts for public road transport services, special-purpose road passenger-transport services, non-scheduled passenger transport, refuse collection services, mail and parcel transport and delivery.

Minimum binding targets for the share of clean (low- or zero-emission) vehicles procured will apply to all public and utility sector bodies. **The core Irish GPP criteria reflect the requirements needed to meet the definition of a clean (low or zero-emission) vehicle under the CVD.** Note that the maximum emissions, and therefore the eligible vehicle technologies, will change from 1 January 2026.

The criteria cover the following types of vehicles and services:

- Purchase, lease, hire or hire-purchase of cars, light commercial vehicles (LCVs – M1 and N1; vehicles) and L-category vehicles
- Purchase or lease of buses, trucks and coaches: N2, N3, M2 and M3 vehicles
- Bus services (including city buses and coaches)
- Refuse collection vehicles and services
- Mobility services: (including special-purpose road passenger transport, non-scheduled passenger transport e.g. transport for pupils/students who are not able to travel by themselves; hire of buses and coaches with driver; taxi services; bicycles, cycle trailers, and electric bicycles)
- Post, courier and moving services

The key environmental impacts from road transport include:

- Climate change impacts linked to tailpipe emissions and fossil fuel extraction
- Air pollution from combustion engines (PM, Nox, NMHC)
- Fuel consumption and air pollution from tyre wear
- Emissions from electricity production for electric vehicles
- Impacts linked to battery production and disposal
- Noise pollution
- Air, water and soil pollution from lubricants and tyres

The GPP criteria address these impacts in the following ways:

- Setting maximum CO₂ emissions based on vehicle type for cars and vans
- Requiring low or zero-emission technologies for heavy duty vehicles
- Setting maximum air pollutant emissions based on real driving conditions
- Requirements for tyre pressure monitors and rolling resistance of tyres
- Minimum energy efficiency and battery warranties for electric cars and LCVs
- Addressing the climate impact of air conditioning gases
- Maximum vehicle and tyre noise emissions
- Lower impact lubricants and maintenance activities

As with all the GPP criteria, the transport criteria contain detailed information on how compliance can be verified and links to relevant legislation, guidance and other resources.

DEFINITION OF 'CLEAN VEHICLES'

EMISSION LIMITS AND ELIGIBLE TECHNOLOGIES UNDER THE RECAST CVD

For **light-duty vehicles** (M1, M2 and N1), the following requirements apply:

VEHICLE CATEGORY	UNTIL 31 DECEMBER 2025		FROM 1 JANUARY 2026	
	CO ₂ g/km	RDE* AIR POLLUTANT EMISSIONS AS A % OF EMISSIONS LIMITS	CO ₂ g/km	RDE AIR POLLUTANT EMISSIONS AS A % OF EMISSIONS LIMITS
M1	50	80%	0	N.A.
M2	50	80%	0	N.A.
N1	50	80%	0	N.A.

*Real driving emissions (RDE) refer to measured levels of nitrogen oxides (NOx) and other pollutants based on real driving conditions. This type of testing is mandatory for all new vehicles and the RDE are recorded in point 48.2 of the vehicle certificate of conformity.

Currently, only plug-in hybrid and battery electric vehicles are capable of meeting the requirements up to 2025 and only battery electric vehicles from 2026 onwards. The GPP criteria are designed to procure these types of vehicles. The number of electric vehicles on the market and their range is rapidly increasing, while prices are decreasing - EV battery prices fell by 79% between 2012 and 2019, with a further 67% fall projected by 2030. For further information about costs and available models you may wish to consult the SEAI resources on EVs including *Buying an Electric Vehicle* and *Compare and Calculate* tool, and the *Topten.eu* website.

Heavy-duty vehicles (trucks, buses, refuse collection vehicles etc.) classified as clean under the Directive are those powered by hydrogen, battery electric, plug-in hybrids, natural gas (both CNG and LNG, including biomethane), liquid biofuels, synthetic and paraffinic fuels, or LPG. Conventional hybrids

(without the capacity to recharge externally) are not considered 'clean' vehicles.

Where liquid biofuels, synthetic and paraffinic fuels are used, they must be used unblended (i.e. in concentrations of 100% without any fossil fuels), and be produced from feedstocks with low indirect land-use change (ILUC) emissions. This means that biofuels such as biodiesel produced from palm oil, which has very high ILUC emissions, are not considered clean.

The Directive also sets a separate definition for zero-emission heavy-duty vehicles (HDVs), as a sub-category of clean heavy-duty vehicles. Zero-emission HDVs are trucks and buses without an internal combustion engine, or with an internal combustion engine that emits less than 1g CO₂/kWh as measured in accordance with Regulation (EC) No 595/2009, or that emits less than 1g CO₂/km as measured in accordance with Regulation (EC) No 715/2007.

5.2

ICT PRODUCTS AND SERVICES



The purchase, use and disposal of ICT equipment, including through service contracts such as for data storage, has a heavy environmental footprint.

AMONGST THE KEY IMPACTS ARE:

- Climate change effects linked to energy consumption of ICT products
- Impact on air, water, soil, biodiversity and human health of hazardous substances found in ICT products
- Climate change effects and natural resource depletion linked to the manufacturing, delivery and disposal of new products
- Specific environmental impact of battery production and end-of-life, including use of hazardous materials
- Climate change effects and natural resource depletion linked to frequent replacement of mobile equipment
- Climate change effects and natural resource depletion linked to early/unnecessary replacement of ICT products
- Use of fossil fuels and accumulation of plastic waste
- End-of-life impacts including release of hazardous substances to soil, air and water

The growing demand for data centre services in Ireland also has major impacts including:

- Electricity consumption of ICT in data centres (primarily servers)
- Electricity consumption of mechanical and electrical (M&E) systems controlling the internal environmental conditions of data centres
- Direct and indirect greenhouse gas (GHG) emissions linked to data centre operations, including electricity consumption, refrigerants, manufacturing of ICT systems and unexploited potential for waste heat reuse
- The use of high global warming potential (GWP) gases in cooling systems

Although public sector demand represents a relatively small share of the overall market for ICT products and services, it can be influential in driving higher standards, especially where common environmental criteria are adopted by many public buyers. This can be seen in countries

such as *Austria*, and regions such as *Stockholm*, where GPP has been consistently applied. Experiences from these and other public bodies point to the importance of market engagement to ensure suppliers are able to meet requirements and that the impact on life-cycle costs for ICT are understood within the purchasing organisation.

PUBLIC SECTOR DEMAND CAN BE INFLUENTIAL IN DRIVING HIGHER STANDARDS, ESPECIALLY WHERE COMMON ENVIRONMENTAL CRITERIA ARE ADOPTED BY MANY PUBLIC BUYERS

The Irish GPP criteria cover the purchase or lease of ICT equipment, and the provision of facilities or services (e.g., outsourced ICT services including cloud services (IaaS, PaaS, SaaS), data entry,

web design, mobile communications contracts) which specify the use of any of equipment in the following categories:

STATIONARY ICT DEVICES	MOBILE ICT DEVICES	ICT EQUIPMENT INCLUDED IN THE <i>Triple E Register</i>
Desktop computers	Notebook (laptop) computers	Rack Mounted Servers
All-in-one computers/ integrated desktop computers	Two-in-one notebooks/laptops	Enterprise Storage Equipment
Desktop Thin clients	Mobile thin clients	Precise Cooling
Workstations	Tablets	Centralised Direct Current Power Distribution
Computer displays	Smartphones	Power Management
—	—	Uninterruptible Power Supply
—	—	Blade Servers
—	—	Enterprise Communication Equipment
—	—	ICT Optimisation Solutions

Table 5. ICT equipment covered in GPP criteria

In addition, the GPP criteria cover the procurement of data centres or services provided using data centres (e.g. data virtualisation or consolidation services).

The Irish GPP criteria for ICT equipment set technical specifications, award criteria and contract performance clauses to:

- Specify ICT products which are highly energy efficient and free of hazardous substances or which contain these in minimal amounts considered to be safe
- Extend product lifespan including through service level agreements, manufacturer's warranty, availability of spare parts and reparability of products
- Encourage the supply of refurbished products where possible
- Improve battery endurance and electrical performance and inform users about battery usage
- Require testing for durability and other factors affecting product lifespan
- Apply criteria to ensure interoperability and reusability of components
- Encourage the use of recycled plastic in ICT equipment
- Ensure that equipment can be effectively recycled or reused
- Require reporting on end-of-life destination

The data centre criteria additionally address the following:

- Design and construction to achieve high energy-efficiency performance
- Require the highest possible share of renewable energy for the provision of data centre services
- Ensure waste heat reuse, e.g. in building or district heating networks
- Avoid use of refrigerants with high GWP, unless the use of close-to-zero GWP refrigerants is impossible due to exceptional circumstances or would reduce the energy-efficiency of the system

ICT EQUIPMENT AND DATA CENTRES: EVALUATING LIFE-CYCLE COSTS

The Irish GPP criteria for ICT products address a number of aspects of the design, operational lifetime and end-of-life management of ICT products and services that can serve to reduce life cycle costs. It is recommended that Irish public bodies also apply **life-cycle costing (LCC)** to evaluate and compare the true cost of different products/services. A spreadsheet-based **Tool** has been published by the European Commission for LCC of Computers and Monitors, together with a detailed **User Guide**. Note that this tool may be adapted to the specificities of your tender, e.g. by including or omitting different parameters and by setting the evaluation period based on your organisation's usage patterns. Further advice on the use of the tool is available via the **EU GPP Helpdesk**.

Life-cycle costs for data centres vary according to the type of business model applied. In the case of server rooms and enterprise data centres, the public authority

owner of the data centres /server rooms is responsible for the capital expenditure (CAPEX) costs, including purchase and installation of the IT, mechanical and electrical equipment in the building, together with the building infrastructure. Also, the end-of-life costs related to decommissioning the facility are directly covered by the public authority. The trend of purchasing data centre services (e.g. co-location or managed service provider (MSP) models) is instead changing the cost model for the public authorities towards less CAPEX and greater operational expenditure (OPEX) in the form of fees related to the services procured.

The Irish GPP criteria include a summary of the different cost categories involved in the procurement of data centres and an indication of how the criteria can be expected to impact life-cycle costs for each category.

5.3

FOOD AND CATERING SERVICES



Agriculture is responsible for 10.3% of EU GHG emissions, of which 70% come from the animal sector. Meat and dairy production also have highest water/resource consumption and impacts related to land use change, together with palm oil and soya. Agriculture is a primary driver of species collapse and loss of biodiversity in every part of the world. Food waste is responsible for a significant part of this impact - 20% of food produced across the EU is wasted and for school and hospital meals, the percentage of plate waste has been measured as up to 65%. Life-cycle analysis studies indicate that in most cases, the transport of food is responsible for a negligible portion of its overall carbon footprint.³⁶

In Ireland, agriculture is responsible for a much higher share of total emissions – 34% in 2018 (compared with 21% for transport and 20% for energy) which is projected to grow to 38% by 2030. The agri-food sector accounts for 7% of GDP, 9.8% of exports and 8.5% of employment, and 67% of Irish land is used for agriculture. Since 2006, 4% of species have been lost and 30% are under threat. The market for organic food in Ireland grew by 10.5% in 2017 and there has been a 50% increase in land under organic production, but from a very low base.³⁷ Cost remains significant barrier to greater uptake of organic production, and this is an area where public sector demand can play a key role.

TOPIC	SUMMARY OF IRISH GPP CRITERIA FOR FOOD & CATERING SERVICES
PROCUREMENT OF SUSTAINABLE FOOD AND BEVERAGES	SELECTION CRITERIA: Food safety management system.
	TECHNICAL SPECIFICATIONS: Sustainable meat, poultry, eggs, fruits and vegetables; Organic food products; Sustainable marine and aquaculture products; Food packaging; Egg production methods; Environmentally responsible vegetable fats.
	AWARD CRITERIA: Additional organic food products; egg production methods; meat and dairy production; fair and ethical trade products.
	CONTRACT PERFORMANCE CLAUSES: Evidence of compliance with environmental requirements.
PROCUREMENT OF CATERING SERVICES	All of the above food criteria plus:
	SELECTION CRITERIA: Environmental competence.
	TECHNICAL SPECIFICATIONS: Plant-based menus; Provision of tap water; Food and beverage waste prevention; General waste prevention; Disposal of food waste and FOGs; Recycling and residual waste; Service items and consumables; Energy and water use; Transport; Cooking appliances; Dishwashers; Refrigerating appliances
	AWARD CRITERIA: Food procurement; Environmental innovation; Cleaning consumables; Chemical products for hand washing, dishwashing and cleaning; Kitchen roll and paper; Low and zero emission delivery vehicles; Reduction of transport emissions through logistics and route planning.
	CONTRACT PERFORMANCE CLAUSES: Environmental reporting and audits; Staff training; Record of food purchases; Purchase of new kitchen equipment; Food and beverage redistribution; Delivery vehicles and transport plan.

Table 6. GPP Criteria for Food & Catering Services

³⁶ Sources: *EU Farm to Fork Strategy*, *University of Edinburgh*, *LM3*, *Health Care without Harm*

³⁷ *Environmental Protection Agency*, *Department for Agriculture, Food and the Marine*, *The Fumbally Stables*

The Irish GPP criteria for food and catering services are based on 2019 EU GPP Criteria with adjustments to reflect the Irish market and food policy. They cover the purchase of food and catering services including processed items, fruit and vegetables, aquaculture and marine products, meat and dairy, eggs and beverages. The criteria may be applied when purchasing directly from producers/processors /wholesalers as well as food purchased in the context of catering services (e.g. staff canteens, events). Table 6 summarises the content of the criteria.

As with all of the criteria sets, the food and catering criteria have both core and comprehensive versions to reflect different levels of ambition/market capacity. Contracting authorities can choose which level to apply for each criterion. Detailed guidance on how to evaluate the criteria is also provided, and links to further resources, legislation etc.

The *EU Farm to Fork Strategy* (COM 2020 381) proposes a number of measures which would impact GPP in this sector:

- Minimum mandatory criteria for sustainable food procurement to promote healthy and sustainable diets, including organic products, in schools and public institutions (2021)
- Revision of food date marking system (Q4 2022)
- Review of the EU school scheme (2023)
- New EU level targets for reduction in food waste (2023)
- New food labelling framework (2024)

The strategy also sets out a number of initiatives which would impact sustainability in the sector more broadly:

- Regulatory framework for carbon farming
- Revision of Pesticides Directive
- Integrated nutrient management action plan
- Revision of animal welfare legislation
- Support for seed security and diversity
- Promoting increase in organic production to 25% of land by 2030
- Changes to Common Agriculture Policy and Common Fisheries Policy

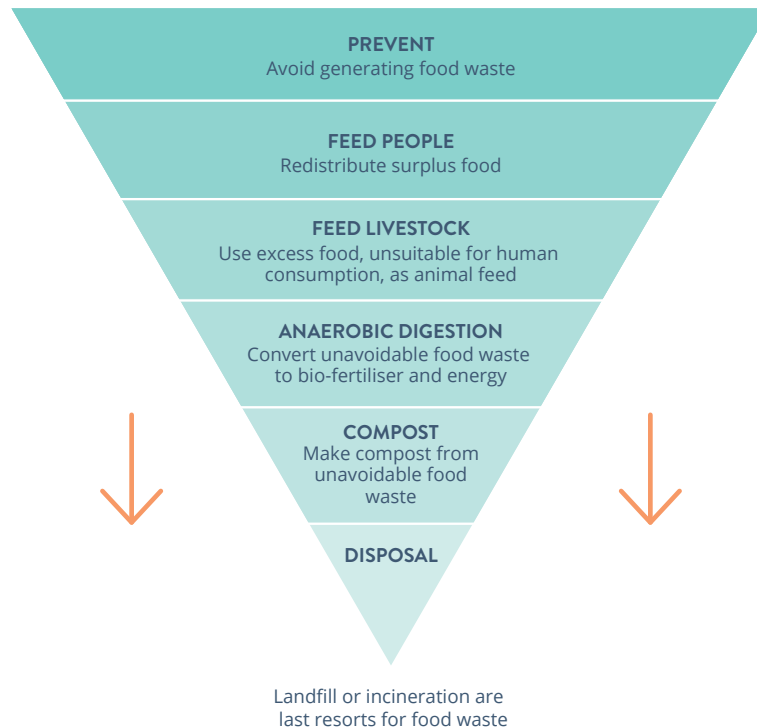
Updates on these initiatives are available [here](#).

FOOD WASTE IN IRELAND

Food waste accounts for a significant portion of the environmental impact of the food and drink sector. In Ireland, the food services sector generates over 250,000 tonnes of food waste each year with a very considerable cost in terms of resource-use and business overheads – estimated at over €300M for the hospitality sector alone. Workplace canteens are responsible for 27,000 tonnes of food waste, costing the sector an estimated €73.5 million per annum. (Source: [foodwastecharter.ie/resources](https://www.foodwastecharter.ie/resources))

The Waste Action Plan for a Circular Economy sets a target for Ireland's food waste to be halved by 2030, in line with the EU-wide target. To reach this target, action is required all stages of the food waste hierarchy shown in Figure 8.

FIGURE 8
Food waste hierarchy
Source: EPA



NOTE ON COVID-19 AND GPP CRITERIA FOR FOOD & CATERING SERVICES

The Irish food and catering sector has responded to the COVID-19 pandemic by implementing various new hygiene measures. While there are no reported cases of the virus being transmitted via food contamination, food businesses have taken steps to reduce the risk of spread through contaminated surfaces and human contact. The most important measures include hand hygiene and ensuring any workers with respiratory symptoms do not attend their workplace. The Food Safety Authority of Ireland (FSAI) has produced a comprehensive set of FAQs for food businesses at all points along the supply chain. Procurers and bidders should ensure they are familiar with the latest guidance when preparing tender documents/submitting tenders.

Unfortunately, some of the measures adopted in response to the pandemic have increased the environmental impact of food production without a clear scientific basis. This includes increased use of disposable cups, plates and cutlery, single portion packaging, and disposal of excess food. The following points from the FSAI guidance should be noted:

- It is not necessary to use disposable cups, cutlery or other disposable crockery. Washing crockery and cutlery in the dishwasher at 60°C or higher will kill any virus present. Proper hygiene practices must always be observed when handling crockery and cutlery.
- Using disposable crockery and cutlery can lead to a false sense of security and can mean staff are not as conscious of hygiene practices when handling these items;
- The use of disposable gloves for the preparation/handling of food is not required and may interfere with proper handwashing;
- Any open food displays should not be near tills or serve-over counters, where customers are ordering or paying for food;
- Frequent washing and sanitising of all food contact surfaces and utensils is advised.

Additional guidance on social distancing and staff awareness is also available on the FSAI and HSE websites.

5.4

CLEANING PRODUCTS AND SERVICES



Almost every public body purchases cleaning products and services, but this is an area which is sometimes overlooked in terms of sustainability. In addition to impacts on the natural environment and climate, cleaning products and methods affect human health – particularly for the workers delivering the service. The Irish GPP criteria for indoor cleaning, based on those developed at EU level, aim to address the following impacts:

- Raw material use, manufacturing, transport and disposal of cleaning supplies and packaging
- Climate change and air, water and soil pollution linked to chemicals used in cleaning products
- Risks to human and animal health from cleaning chemicals
- Energy and water consumption during cleaning operations
- Wastewater discharge
- Sorting of waste for recycling, composting or energy recovery

The approach taken in the GPP criteria involves:

- Reduction in product usage and packaging by environmentally conscious cleaning methods
- Use of ecolabelled cleaning products, accessories (e.g. microfibre cloths) and consumables (e.g. paper products) with lower environmental impact
- Training of staff in water and waste management
- Use of concentrated products and correct dilution practices
- Use of energy-efficient vacuum cleaners

GPP FOR CLEANING – BENEFITS OF MICROFIBRE

The benefits of using microfibre products in cleaning activities have been demonstrated through multiple studies. For example, it was found that the use of microfibre can result in a 95% reduction in water and chemical use, a 20% reduction in labour costs per day and a 60% reduction in cost over the lifetime of a mop (UNEP, 2008).

The same study also showed that the use of microfibre mops might reduce costs associated with worker injuries as microfibre mops are much lighter than conventional mops and they require less cleaning solution, reducing the need to repeatedly lift heavy buckets of water. These findings have been corroborated during consultation with cleaning service providers.

Conducting needs assessment, to check that **cleaning specifications do not go beyond actual requirements**, and market engagement to check **contractors have the capacity to deliver environmental improvements**, is essential. As cleanliness is linked to culture and expectations in a given setting, authorities should consult those who are responsible for and affected by cleaning services before making major changes to existing practices. This can help ensure that any changes are understood and well received. The GPP criteria also include contract performance clauses to guarantee that the delivery of services matches the requirements set out in tender documents.

NOTE ON COVID-19 AND GPP CRITERIA FOR CLEANING

Measures to control the spread of COVID-19 have led to changes in the methods and products used to clean public buildings. Specific advice on recommended cleaning measures in different settings is available from a number of sources:

- Irish Health and Safety Authority (including an *employer checklist* for cleaning and disinfection)
- Department of Health/DBEI (including the *Return to Work Safely Protocol*)
- European Centre for Disease Prevention and Control (including *guidelines on disinfection*)
- World Health Organisation (*Cleaning and Disinfection of Environmental Surfaces in the Context of Covid-19*)

The recommended measures include more frequent cleaning, and disinfection of certain high-touch surfaces and reusable cleaning accessories. Routine disinfection of other surfaces (e.g. floors, walls, urinals, ceilings) is **not recommended** and is associated with adverse health and environmental impacts. Specific recommendations on cleaning in different settings may change as understanding of the virus evolves. The GPP criteria do not include disinfection or cleaning in healthcare settings, but notes on selecting and using environmentally preferable disinfectants are provided.

5.5

DESIGN, CONSTRUCTION AND MANAGEMENT OF OFFICE BUILDINGS



The construction and use of buildings in Europe uses approximately half of all materials extracted from the earth, consumes 40% of energy, a third of all water and generates a third of all waste.³⁸ In Ireland, while the energy efficiency of buildings has improved significantly in recent years there is still an extensive legacy of inefficient building stock. Under the *Energy Performance of Buildings Directive Ireland* and all other member states have committed to all new buildings meeting nearly zero energy building (*nZEB*) standards. In addition, for major renovations (more than 25% of the building envelope) a Building Energy Rating of B2 or better must be achieved. These standards are being progressively tightened to meet overall emission and energy saving goals.

Beyond energy-efficiency, the design, construction and use/management of office buildings has impacts on resource use, waste, transport emissions and local environmental conditions. To address these impacts, the Irish GPP criteria for office buildings include the following elements:

- Selection of the design team and contractors
- Detailed design and performance requirements
- Strip-out, demolition and site preparation works
- Building construction or major renovation works
- Lighting, heating and energy-related products
- Completion and handover
- Facilities management

The criteria have been developed based on detailed **life-cycle analysis** studies carried out at EU level, identification of **best practice** and **state-of-the-art technologies**, and consideration of **costs** over the lifetime of a building. **Circular economy** considerations, such as the use of

recycled concrete and recovery of demolition waste, are also addressed. The role of project managers, design teams, construction and specialist contractors are all addressed as is the role of facility managers. The use of building energy management systems is encouraged and the installation and low or zero-carbon energy sources. It is expected that future GPP criteria related to construction will explicitly incorporate the **Level(s) framework** to ensure all environmental impacts across the life-cycle of built assets are addressed in a consistent and measurable way.

The *Office of Public Works* is developing a roadmap to promote the greater use of lower carbon building materials in construction, as required under Article 51 of the Climate Action Plan. This will further support GPP in this sector and will cover a broader set of building types. The OPW is also looking at ways to support greater use of **timber** in public procurement (CAP Action 118).

ENERGY EFFICIENT DESIGN AND EXEED

All public bodies should adopt an Energy Efficient Design approach for buildings, as outlined in the standards *IS 399* and *ISO 50001*. Excellence in Energy Efficiency Design (**EXEED**) is a certification and grant scheme operated by the SEAI. It provides for three certifications (EXEED Designed, Verified and Managed) which attest to sustained energy savings. Projects can be of any scale or complexity, including greenfield, brownfield, major energy upgrades or renovations of existing assets. Grants are available up to a maximum value of €1 million per project per year.

Further information is available from exeed@seai.ie.

³⁸ Source: European Commission COM 445/2014

THE LEVEL(S) FRAMEWORK FOR SUSTAINABLE BUILDINGS

As legal requirements regarding energy-efficiency for buildings have been tightened, there is increasing focus on other environmental impacts within the construction sector. This includes everything from the extraction and processing of raw materials, to the impact of design on health and wellbeing, to construction and demolition waste. These impacts can be difficult to capture within procurement and planning process. As part of the **Renovation Wave**, the European Commission has launched an assessment and reporting framework that provides a common language for the sustainability performance of buildings, called **Level(s)**.

Level(s) promotes lifecycle thinking for buildings and provides a robust approach to measuring and supporting improvement from design to end of life, for both residential buildings and offices. It uses core sustainability indicators, tested with and

by the building sector, to measure carbon, materials, water, health and comfort, climate change impacts. It takes into account lifecycle costs and value assessments.

Level(s) is open source and freely available to all. For all those in the sector, the challenges of cost control and environmental gain are met both by the reduction in energy, materials, and water use; and by future-proofing buildings. For those commissioning, designing, or occupying buildings, Level(s) helps them ensure that their high quality, fit-for-purpose buildings meet their cost and environmental objectives.

In 2022, it is planned to publish new EU GPP criteria based on Level(s) for offices and schools – both new build and renovation. You can follow the criteria development process [here](#).

The Climate Action Plan includes a number of further actions relating to buildings/construction:

- Rollout of Support Scheme for Renewable Heat
- Phase out of fossil-fuel heating systems such as oil and gas
- Promote use of heat pumps or other renewable heating
- Improve and increase energy labelling on homes and public buildings
- New ways of delivering deeper and more effective energy upgrades
- Raise energy standards in buildings and support the industry to implement the nZEB standards, including work on supply chains, methodologies, software etc
- Rollout and continued development of district heating in Ireland

You can track progress on each of these initiatives [here](#).

SPECIFYING REUSED FURNISHINGS AND FITTINGS IN OFFICE BUILDINGS

Fixtures, fittings and furniture can account for more than **30% of the embodied greenhouse gas emissions** in office buildings over a 40-year life-cycle. Developing circular economy approaches to building fit out and furnishing thus has huge potential to reduce emissions and other impacts. Examples include:

- *Repurposing existing fittings and non-structural elements in the construction of the Rediscovery Centre, Ballymun*
- *The Baukarussel project in Austria - a consortium involved in the planning and implementation of recovery-oriented demolitions through social urban mining*

(Examples provided by *Community Resources Network Ireland*)



5.6 INDOOR AND OUTDOOR LIGHTING

The Irish GPP criteria cover the procurement of:

- Lighting audits (a professional service to assess lighting needs and assist in drafting specifications)
- Lighting units
- Lighting controls
- Road lighting
- Traffic signals

Lighting units and lighting controls are included in the SEAI Triple E Register, meaning that it is a requirement under Irish law³⁹ that public bodies only purchase products which meet the Triple E Register criteria (which are incorporated in these GPP criteria). The Triple E Register refers to products that are specifically designed to provide high efficiency interior or exterior illumination). In addition, under the Energy Efficiency Directive (2012/27/EU as amended by 2018/2002) public bodies should only purchase lighting products in the highest energy efficiency class, provided this is compatible with sufficient competition.⁴⁰

For lighting, the pre-tender activities of needs assessment and market engagement are particularly important. This is to ensure specifications adequately reflect your lighting requirements and the current state-of-the-art (including energy efficiency), which changes quickly for lighting. The needs identified and market offerings will inform the choice of contract type – audit, design, installation and maintenance may be combined in a single contract or these may be separated into one or more contracts. In some cases, lighting will form part of a larger construction or retrofitting contract. It may also form part of an energy performance contract.

The design and efficiency levels of lighting will determine life-cycle costs (LCC) of installations, which can vary considerably depending on the choices made in your tender. The major cost

categories (other than purchase price) for both indoor and outdoor lighting are:

- Installation costs
- Energy consumption during operational lifetime
- Maintenance and cleaning costs
- Replacement of light sources
- Cost of disposal of light sources

Evidence from public authorities who have installed more efficient lighting systems indicates that cost savings of over 85% over a lifetime of 15 years are available (see example [here](#)), with even higher associated savings in terms of CO₂ and other greenhouse gas emissions. You can assess the potential LCC savings at the pre-tender stage as well as in the tender itself using tools which have been specifically developed for this purpose. In 2019, the European Commission published two separate tools for indoor and outdoor lighting, along with accompanying user guidance. You can access the tools and guidance [here](#).

³⁹ Under S.I. No. 151/2011 and S.I. No. 426/2014 as amended by S.I. No. 646/2016. To ensure adequate competition, there is an exception to the requirement to purchase items meeting these criteria where, in the opinion of the public body concerned, there is, or is likely to be, an insufficient amount of equipment which meets the criteria.

⁴⁰ Article 6 and Annex III of Directive 2012/27/EU, as implemented by S.I. No. 426/2014 and amended by S.I. No. 646/2016.

The award criteria included in the Irish GPP criteria are designed to be used with these tools, although it is also possible to use other formats for LCC. To ensure that suppliers will be able to provide the data requested, it is highly recommended to publish the spreadsheet at the pre-tender stage, for example as part of preliminary market consultation or in a Prior Information Notice.

The LCC tools will provide you with the cost information needed to compare tenders. In addition to figures, they provide graphical output to illustrate costs. A recorded webinar introducing the tools and explaining how to use them is available [here](#).

5.7 HEATING EQUIPMENT



The Irish GPP criteria for heating equipment cover the procurement of:

- Gas, electric, liquid and solid fuel boilers, including biomass boilers and cogeneration equipment
- Water heaters
- Electric and fuel-driven heat pumps
- Steam systems
- Solar thermal collectors

The criteria for boilers are technology-neutral, so that they can be used in tenders for gas, liquid or solid (including biomass) fuel boilers. **Action 60 of the CAP provides for the effective banning of the installation of oil boilers in dwellings from 2022 and gas boilers from 2025.** In some cases, contracting authorities may wish to allow bidders to propose different technologies. Specific requirements apply for biomass boilers, cogeneration and trigeneration based on the Triple E criteria. The GPP criteria incorporate the **Triple E register** criteria for relevant products and legal requirements such as Ecodesign and the **EU Energy Label** (see box below).

A new space or water heater or solid fuel boiler (up to 70 kW) comes with an energy label showing its energy efficiency class. As of 1 January 2019, suppliers (manufacturers, importers or authorised representatives) need to register products requiring an energy label in the **European Product Database for Energy Labelling (EPREL)**. For individual products, ratings may range from G (least efficient) to A+++ (most efficient). It is also possible to buy a combination of technologies, such as a boiler with a solar hot water storage tank, in order to reach an A+++ energy efficiency rating. **Under the Energy Efficiency Directive, public bodies should purchase products in the highest available energy class, unless this would lead to insufficient competition.**

DEVELOPING SUSTAINABLE HEAT NETWORKS

One example of what is being done at local level is the development of a **low carbon district heating scheme** in Tallaght. The project will establish a sustainable district heating solution in the Tallaght area to provide low-carbon heat to public sector and residential customers. The heat network will be supplied by waste heat from a local data centre, utilised through a centralised large-scale heat pump. The pump house will include thermal storage facilities to take advantage of off-peak electricity, while also providing a source of back-up. The project is expected to result in carbon emission savings of 1500 tonnes per year. You can read more about the project [here](#).

The GPP criteria for heating equipment include criteria for the purchase of **solar thermal collectors** and **heat pumps**, amongst other equipment.

The Ecodesign regulations set requirements for energy efficiency, nitrogen oxide emission levels, volume for storage water heaters, heat losses from hot water storage tanks, and a range of other criteria. From September 2018 space heater and combination heaters must meet all

of the requirements set out in Regulation (EU) 813/2013 and water heaters must meet all of the requirements set out in Regulation (EU) 814/2013. From 1 January 2020 all solid fuel boilers must meet the requirements of Regulation (EU) 2015/1189.

The key environmental impacts addressed for heating equipment are:

- Energy consumption in use phase
- Emissions of greenhouse gases, NO_x, OGC, CO and PM in use-phase, due to fossil fuel combustion or heat pump refrigerant leakage
- Suboptimal performance due to incorrect usage or maintenance
- Air emissions in use-phase
- Noise in use phase

The GPP criteria address these impacts by:

- Specifying minimum energy efficiency levels, ensure compliance with ecodesign principles and correct installation and commissioning
- Awarding marks for products with lower GHG and pollutant emissions and use of refrigerants with lower global warming potential
- Requiring comprehensive user instructions to be provided with products and contract clauses to ensure contractor is responsible for ongoing environmental performance
- Awarding marks for products with noise emissions below set limits

EU ECODESIGN & ENERGY LABEL

European legislation provides a common framework of minimum environmental standards which must be met by all products placed on the market. In addition, it provides for common test methods and labelling of products so that consumers are informed about environmental performance levels.

The EU requirements for Ecodesign and Energy Labelling evolve over time, for example

the *rescaling of energy labels from March 2021*. While the Irish GPP criteria include the relevant requirements at time of publication, contracting authorities should check to the requirements applicable at the time of tendering. The easiest way to do so is by consulting *this page*.

5.8 ENERGY-RELATED PRODUCTS



The category of energy-related products includes the following products covered by the EU Ecodesign regulations and Energy Label regulations:

- Air conditioners
- Residential ventilation units
- Cooking appliances (professional and household)
- Dishwashers (professional and household)
- Electronic displays and televisions
- Refrigerating appliances (professional, household and vending machines)
- Washing machines and tumble dryers (professional and household)
- Vacuum cleaners

The Irish GPP criteria incorporate the requirements of the *Triple-E register*, for example for commercial ovens, dishwashers, washing machines and dryers. Under the Energy Efficiency Regulations (*S.I. 426/2014*) the following rules apply to central government contracts valued above the EU thresholds:

- For products subject to the EU Energy Label, only products belonging to the highest energy efficiency class possible in the light of the need to ensure sufficient competition may be purchased
- Where a product is not subject to the EU Energy Label but is covered by an Ecodesign Regulation, only products complying with the energy efficiency benchmarks in the relevant Regulation may be purchased
- For office ICT equipment, only purchase products that comply with the minimum energy efficiency requirements applicable under the Energy Star program⁴¹
- Only purchase tyres that comply with the highest fuel energy efficiency class as defined in Regulation (EC) 1222/2009⁴²
- In service contracts, require that any new products purchased by service providers partially or wholly for the purpose of providing the service in question comply with the above requirements
- Only purchase or lease buildings that comply with certain minimum energy performance requirements.

In addition to energy efficiency, the GPP criteria address a range of life-cycle considerations, including emissions of greenhouse gases, NO_x, OGC, CO and PM during use phase, due to fossil fuel combustion for energy or refrigerant leakage; product durability and longevity; water consumption during usage; suboptimal performance due to incorrect installation, usage or maintenance and end-of-life impacts from product disposal. In March 2021, changes to the Ecodesign regulations for dishwashers, refrigerators, washing machines and electronic displays took effect which aim to ensure the **repairability** of products, including availability of spare parts.

MARKET SURVEILLANCE AUTHORITIES

Market Surveillance Authorities (MSAs) play a key role in ensuring product safety and conformity to standards across the EU. Under the *Market Surveillance Regulation* (EU 2019/1020), economic operators are obliged to cooperate with these authorities and provide information about their products. This can play a role in GPP, for example if you wish to confirm that a given product complies with the relevant Ecodesign rules. For Ireland, different bodies act as the MSA for individual product categories. The National Standards Authority of Ireland lists the relevant bodies on its [website](#).

⁴¹ Although the EU-US Energy Star Agreement has ended, it is still possible to refer to the criteria under the Energy Star program. Both the IEEE 1680 standards and the EPEAT label incorporate the Energy Star criteria for office ICT equipment.

⁴² This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons.

5.9

PAPER PRODUCTS AND PRINTING SERVICES



Global paper consumption amounts to some 400 million tonnes per year (55 kg per person), a quarter of which is consumed in Europe.⁴³ Production and use of paper products has a heavy environmental footprint, including:

- Forest destruction, loss of biodiversity and climate change effects from unsustainable timber harvesting
- Emissions to air and water during pulp and paper production, conversion and printing
- Energy consumption during pulp and paper production, conversion and printing
- Water consumption during pulp and paper production
- Landfill due to failure to recycle paper products, especially where products also contain non-paper elements

The GPP criteria aim to:

- Safeguard forests by ensuring paper products come from legally and sustainably harvested timber
- Promote the appropriate use of recycled paper products
- Reduce emissions to water, air and soil during the production process
- Promote energy-efficient production of paper products
- Reduce environmental damage or risks linked to hazardous chemicals
- Promote responsible waste management for paper and stationery products

Although there are no current EU GPP criteria for paper products, several European countries have developed national criteria (including the

UK, Germany, France, Denmark, Netherlands and Malta) and these have been consulted in the preparation of the Irish criteria. The criteria for paper products rely heavily on three independent third-party environmental certifications (ecolabels): FSC, PEFC and the EU Ecolabel. While the precise criteria underlying these certifications differ, they all address the basic requirements of legal and sustainably managed forestry. In addition, the EU Ecolabel addresses other production-related environmental impacts, such as use of water, energy and chemicals in the production process.

In the EU, approximately 66% of the total timber production area is certified under FSC/PEFC, or 88 million hectares.⁴⁴ Worldwide, the figure is 430 million hectares.⁴⁵ Additional ecolabels or other forms of evidence which can be relied upon to verify compliance are given in the GPP criteria. The criteria for print services also address issues such as staff training in printing methods with reduced environmental impact.

EU TIMBER REGULATION AND FLEGT

The *EU Timber Regulation* requires all operators placing timber products (including pulp and paper) on the EU market to implement a due diligence system to ensure the legality of harvesting. This applies regardless of the country of origin and requires operators to keep records of their

suppliers and customers to facilitate the traceability of timber products.

Under the *FLEGT* scheme, voluntary partnership agreements have been signed with a number of timber-producing countries globally which set the criteria for obtaining licenses for export to Europe.

⁴³ *Environmental Paper Network* (2018), p 4.

⁴⁴ *Efeca* (2018), p 23

⁴⁵ *PEFC* (2019)



5.10 TEXTILE PRODUCTS AND SERVICES

The primary environmental impacts associated with textiles arise from the production and processing of raw materials, including the application of pesticides, chemicals and dyes, energy and water use in the production process. Secondary impacts arise during the use phase, particularly if fabrics require special care or

cleaning (e.g. washing at high temperatures) or must be frequently replaced due to low durability, poor colour-fastness or shrinkage.

The Irish GPP criteria cover the following finished products, intermediate products and accessories:

- **Textile clothing and accessories:** uniforms, workwear, personal protective equipment (PPE) and accessories consisting of at least 80% by weight of textile fibres in a woven, non-woven or knitted form
- **Interior textiles:** textile products for interior use consisting of at least 80% by weight of textile fibres in a woven, non-woven or knitted form. This includes bed linen, towels, table linen and curtains
- **Textile fibres, yarn, fabric and knitted panels:** intermediate products intended for use in textile clothing and accessories and interior textiles, including upholstery fabric and mattress ticking prior to the application of backings and treatments associated with the final product
- **Non-fibre elements:** intermediate products that are to be incorporated into textile clothing and accessories, and interior textiles. This includes zips, buttons and other accessories, as well as membranes, coatings and laminates that form part of the structure of clothing or interior textiles and which may also have a functional purpose. For the purposes of these criteria, textile fibres comprise natural fibres, synthetic fibres and man-made cellulose fibres.

The scope of textile fibres for which GPP criteria are provided is as follows:

- natural fibres: cotton and other natural cellulosic seed fibres, wool and other keratin fibres
- synthetic fibres: polyamide and polyester
- man-made cellulose fibres: lyocell, modal and viscose

The criteria have been developed based on the *2017 EU GPP Criteria for Textile Products and Services*, relevant Irish and European legislation and procurement practice in the sector. In the case of uniforms, prior consultation with the staff who will be wearing the textiles is a good way to ensure fitness for purpose and avoid over ordering or issues linked to quality, comfort and fit. Communication regarding the care requirements for textiles is also essential. Addressing the environmental impacts of textiles can also help to minimise costs and maximise user satisfaction over their life-cycle.

The diversity of textile fibres that may be used, as well as the many different types of textile products and end-use applications, and a wide range of associated environmental impacts, means that a number of points along the life cycle need addressing. Analysis of the life cycle of textile products suggests that the following 'hot spot' areas of significant environmental impact should be the focus for improvement:

- fibre sourcing;
- chemical restrictions;
- durability and lifespan extension;
- energy conservation during use;
- design for reuse and recycling

There are significant potential environmental (and financial) benefits from product lifetime extension and more circular systems of resource use associated with the disposal (end-of-life) phase. These benefits can be realised through improved durability, reuse, recycling and energy recovery activities.

GPP IN CONTRACTS FOR PROFESSIONAL SERVICES

The question is often raised of how GPP can be meaningfully applied in contracts for professional services, which make up a large part of public sector spending in Ireland. In 2018 total public sector procurement spend on professional services amounted to €655 million (14% of total), making it the third largest category of spending after medical supplies and facilities management. The category includes a broad range of services from accountancy/audit, IT and legal through to advertising, architectural, research and personnel placement.

What type of GPP approach and criteria are suitable for these contracts? While this depends in part on the precise nature of the service, every activity has an environmental impact, and all organisations should be working towards decarbonisation in their business operations. Two key points need to be kept in mind:

1 GPP should always be about identifying and rewarding enhanced environmental offers, rather than simply rewarding business-as-usual or encouraging vague claims

2 All criteria must be linked to the subject-matter of the contract, meaning they should relate to the specific services being provided and not general policies of the bidders

Within these parameters, the following specific approaches could be considered:

- **Selection criteria:** Require environmental management system/supply chain management system, or award marks for these. Request evidence of capacity to implement environmental measures and staff training. Where appropriate, require examples of previous contracts implementing similar environmental measures
- **Technical specifications/Project requirements:** Limit travel under contract or specify modes (e.g. public transport/walking/cycling wherever possible); eliminate or reduce printed outputs; require environmental impacts to be evaluated in advance and reported for all project activities; if equipment or materials will be purchased to fulfil contract, specify energy-efficiency/environmental performance levels
- **Award criteria:** Award marks for specific proposals to address environmental impact of services which result in measurable reductions in emissions, energy or resource use etc. You can either leave it open to bidders to propose actions, or define a list of environmental actions specific to the contract. The proposed actions will form part of the contract with the successful bidder
- **Contract performance clauses:** Include specific environmental commitments made in tenders with timelines, monitoring, reporting, escalation and remedies; hold periodic reviews to increase environmental performance levels; provide for shared financial or other incentives linked to CO₂e, energy or waste reductions.

GPP FOR ELECTRICITY

The public sector is responsible for approximately 16% of electricity consumption in Ireland (*SEAI 2020*). Improvements in energy efficiency in recent years have led to significant financial savings (€1.55 billion) and reductions in CO₂ emissions (5.218 million tonnes). However, there is still considerable work to be done to meet the targets of a 50% energy efficiency improvement and 50% reduction in CO₂ emissions by 2030.

The majority of public sector bodies purchase electricity using frameworks established by the OGP. Public bodies may choose to purchase 100% green electricity which is produced from renewable sources as verified by the *Commission for Regulation of Utilities* in a fuel mix report. Renewable electricity may be produced in Ireland or elsewhere in Europe, as attested by a Guarantee of Origin. Under current market conditions, **there is little to no price premium associated with purchasing 100% green electricity**, yet the majority of public bodies have not opted for this under the OGP frameworks. The minimum percentage of renewable electricity on OGP frameworks is 42.5%, rising to 70% by 2028.

Public sector demand also has the potential to play an important role in increasing investment in renewable energy. This is especially true where longer term contracts or frameworks are awarded, and where joint purchasing (for example, under a *power purchase agreement*) is used. The use of **locally installed renewable generation capacity** or *microgeneration* can also contribute to reducing carbon emissions. Two schemes are of relevance to public authorities seeking to develop new renewable generation capacity:

- *Sustainable Energy Communities*
- *Renewable Energy Support scheme* (RESS)

It is recommended that public bodies:

- Purchase 100% renewable electricity whenever available;
- Invest in local renewables/*microgeneration* capacity;
- Continue to improve energy-efficiency in line with national targets, employing approaches such as *energy performance contracts* where appropriate;
- Work with energy suppliers and other public bodies to support investment in larger scale renewable generation capacity, for example through *power purchase agreements*
- Set targets in relation to each of the above measures as part of GPP policy, with appropriate reporting periods and implementation plans (see *Checklists*)

Under the CAP, a number of actions have been taken to reduce Ireland's energy emissions, including funding for solar, wind and community energy projects, supporting deep retrofits and renewable energy installation in schools, and updating the rules on grid connection to facilitate microgeneration. You can track progress on these and other initiatives [here](#).

6. RELEVANT LEGISLATION

The below table identifies relevant legislation in each of the sectors covered by the Irish GPP criteria. This list is provided for guidance only and

contracting authorities should ensure they are aware of all relevant legal obligations.

SECTOR	APPLICABLE LEGISLATION (AS OF MARCH 2021)
1. ROAD TRANSPORT VEHICLES AND SERVICES	Euro emission standards: Common, mandatory standards for air pollutant emissions from vehicles placed on the market after a given date (e.g. Euro 6).
	Clean and Energy-efficient Road Transport Vehicles Regulations 2011 (S.I. 339 of 2011) as amended by Directive 2019/1161/EU (S.I. forthcoming in 2021): All contracting authorities and entities must take into account operational lifetime energy and environmental impacts when purchasing road transport vehicles. This may be accomplished via technical specifications, award criteria or a combination of these approaches. See <i>here</i> for examples.
	Waste Management (End of Life of Vehicles) Regulations 2014 (S.I. 281 of 2014) as amended by S.I. 82/2020 : place obligations on producers (vehicle manufacturers and importers) including registration with local authorities, vehicle design requirements and the establishment of national collection systems for the recovery and treatment of end-of-life vehicles.
	Regulation (EU) 2020/740 (as amended) on the labelling of tyres with respect to fuel efficiency and other parameters specifies technical requirements relating to rolling resistance and noise and places a number of obligations on the suppliers (manufacturers / importers) and distributors (retailers) of tyres and vehicles. See the <i>EU Energy Label site on tyres</i> .
	European Union (Paints, Varnishes, Vehicle Refinishing Products and Activities) Regulations 2012 (S.I. 564/2012) sets requirements regarding Volatile Organic Compounds (VOCs) in the respraying or recoating of vehicles . It is an offence for facilities (including mobile operators) which carry out these activities to operate without a valid Certificate of Approval, issued by a local authority. A valid and up to date Certificate of Approval should be required from any operator engaged to provide such services.
2. ICT PRODUCTS AND SERVICES	S.I. 151/2011 European Union (Energy Efficient Public Procurement) Regulations 2011
	Directive 2012/27/EU on energy efficiency , as amended by Directive 2018/2002
	Commission Regulation (EU) 617/2013 of 26 June 2013 laying down ecodesign requirements for computers and computer servers (as amended)
	Commission Regulation (EU) 2019/424 of 15 March 2019 laying down ecodesign requirements for servers and data storage products
	Commission Regulation (EU) 2019/2021 of 1 October 2019 laying down ecodesign requirements for electronic displays
	Commission Regulation (EU) 2019/1782 of 1 October 2019 laying down ecodesign requirements for external power supplies

SECTOR	APPLICABLE LEGISLATION (AS OF MARCH 2021)
2. ICT PRODUCTS AND SERVICES	<i>Directive 2011/65/EU on the restriction of certain hazardous substances in electrical and electronic equipment (RoHS)</i>
	<i>Consolidated Regulation No. 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)</i>
	<i>Directive 2012/19/EU on waste electrical and electronic equipment (WEEE Directive)</i>
3. FOOD AND CATERING SERVICES	<i>Regulation (EU) 2018/848 on organic production and labelling of organic products – specifies the requirements for organic production and use of the EU green leaf logo</i>
	Waste Management (Food Waste) Regulations 2009 (S.I. 508 of 2009 , as amended) require all major producers of food waste to place it into a dedicated bin and ensure that it is not mixed with other waste.
	Waste Framework Directive (EU) 2008/98/EC as amended by Directive 2018/851 sets out various obligations regarding waste management as do the <i>Waste Management Act 2006, S.I. 126/2011</i> and <i>S.I. 323/2020</i> .
	European Union (Packaging) Regulations 2014 (S.I. 282 of 2014) set requirements for packaging including its separation and recovery. These have been substantially amended by <i>S.I. 322/2020</i> .
	<i>Regulation (EC) No 852 of 2004 on the hygiene of foodstuffs</i> laying down general rules for food business operators on food hygiene, handling and storage (as amended)
	<i>Regulation (EC) No 853 of 2004 laying down specific hygiene rules for food of animal origin, both processed and unprocessed.</i> (as amended)
4. CLEANING PRODUCTS AND SERVICES	Consolidated Regulation No. 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
	Classification, Labelling and Packaging (CLP) Regulation (EC) No 1272/2008 – Hazardous Substances
	European Union (Packaging) Regulations 2014 (S.I. 282 of 2014) set requirements for packaging including its separation and recovery. These have been substantially amended by <i>S.I. 322/2020</i> .
	Regulation (EC) No 1221/2009 on voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)
	Waste Framework Directive (EU) 2008/98/EC as amended by Directive 2018/851 sets out various obligations regarding waste management as do the <i>Waste Management Act 2006, S.I. 126/2011</i> and <i>S.I. 323/2020</i> .
	Regulation EU 666/2013 (as amended) on Ecodesign of vacuum cleaners
	Directive 67/548/EC, Directive 1999/45/EC and Regulation (EC) No 1272/2008 – Biocides
	Decision (EU) 2017/1217 establishing the criteria for the EU Ecolabel for hard surface cleaning products , amended by Decision 2019/418

SECTOR	APPLICABLE LEGISLATION (AS OF MARCH 2021)
4. CLEANING PRODUCTS AND SERVICES	Decision (EU) 2018/680 of 2 May 2018 establishing EU Ecolabel criteria for indoor cleaning services
	Decision (EU) 2014/350 establishing the criteria for the EU Ecolabel for textile products , as amended by Decision 2017/1392.
	Decision 2014/893 establishing the EU Ecolabel criteria for rinse-off cosmetic products , as amended by Decision 2018/1590
	Decision 2019/70 establishing the EU Ecolabel criteria for graphic paper, tissue paper and tissue products .
5. OFFICE BUILDINGS	Directive 2010/31/EU on <i>Energy Performance of Buildings</i> as amended by Directive 2018/844/EU (implemented by <i>S.I. 183/2019</i>)
	<i>S.I. 496/1997 Building Control Regulations</i>
	<i>S.I. 497/1997 Building Regulations (as amended, in particular Part L)</i>
	<i>Regulation (EU) 305/2011 on harmonised conditions for the marketing of construction products (as amended)</i>
	<i>Regulation (EU) 995/2010 on placing timber and timber products on the market (as amended)</i>
	Directive 2012/27/EU on <i>energy efficiency</i> , as amended by Directive <i>2018/2002</i>
	<i>S.I. 151/2011 European Union (Energy Efficient Public Procurement) Regulations 2011</i>
	<i>S.I. 366 of 2011 European Union (Energy Labelling) Regulations, as amended by S.I. 351 of 2014</i>
	<i>S.I. 454 of 2013 European Union (Ecodesign Requirements for certain energy related products) Regulations, as amended</i>
	<i>S.I. No. 426/2014 - European Union (Energy Efficiency) Regulations 2014, as amended by S.I. No. 646/2016</i>
6. LIGHTING	<i>S.I. 151/2011 European Union (Energy Efficient Public Procurement) Regulations 2011</i>
	<i>S.I. 366 of 2011 European Union (Energy Labelling) Regulations, as amended by S.I. 351 of 2014</i>
	<i>S.I. 454 of 2013 European Union (Ecodesign Requirements for certain energy related products) Regulations, amended by S.I. 228 of 2016</i>

SECTOR	APPLICABLE LEGISLATION (AS OF MARCH 2021)
6. LIGHTING	<i>S.I. No. 426/2014 - European Union (Energy Efficiency) Regulations 2014, as amended by S.I. No. 646/2016</i>
	<i>Regulation (EU) 2017/1369 setting a framework for energy labelling</i>
	<i>Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products</i>
	<i>Directive 2012/27/EU on energy efficiency, as amended by Directive 2018/2002</i>
	<i>Regulation (EU) No 2019/2015 on energy labelling of light sources (taking effect from 1.9.2021)</i>
	<i>Regulation (EU) No 2019/2020 on ecodesign requirements for light sources and separate control gears (taking effect from 1.9.2021)</i>
	<i>Commission Regulation (EU) 2021/341 (Ecodesign Omnibus Regulation) amending various Ecodesign regulations</i>
	<i>Commission Regulation 2021/340 (Energy Label Omnibus Regulation) amending various Energy Labelling regulations</i>
	<i>Directive 2011/65/EU on the restriction of certain hazardous substances in electrical and electronic equipment (RoHS)</i>
	<i>Directive 2012/19/EU on waste electrical and electronic equipment (WEEE Directive)</i>
7. HEATING EQUIPMENT	<i>S.I. 151/2011 European Union (Energy Efficient Public Procurement) Regulations 2011</i>
	<i>S.I. 366 of 2011 European Union (Energy Labelling) Regulations, as amended by S.I. 351 of 2014</i>
	<i>S.I. 454 of 2013 European Union (Ecodesign Requirements for certain energy related products) Regulations, as amended by</i>
	<i>S.I. No. 426/2014 - European Union (Energy Efficiency) Regulations 2014, as amended by S.I. No. 646/2016</i>
	<i>Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products</i>
	<i>Directive 2012/27/EU on energy efficiency, as amended by Directive 2018/2002</i>
	<i>Regulation (EU) 2017/1369 setting a framework for energy labelling</i>
	<i>Regulation (EU) 811/2013 on energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device</i>
	<i>Regulation (EU) 812/2013 on energy labelling for water heaters and hot water storage tanks</i>
	<i>Regulation (EU) 813/2013 on ecodesign requirements for space heaters and combination heaters</i>

SECTOR	APPLICABLE LEGISLATION (AS OF MARCH 2021)
7. HEATING EQUIPMENT	Regulation (EU) 814/2013 <i>on ecodesign requirements for water heaters and hot water storage tanks</i>
	<i>Regulation (EU) 2015/1187 on energy labelling of solid fuel boilers and packages of a solid fuel boiler, supplementary heaters, temperature controls and solar devices</i>
	Regulation (EU) 2015/1189 <i>on ecodesign requirements for solid fuel boilers</i>
	<i>Directive 2012/19/EU on waste electrical and electronic equipment (WEEE Directive)</i>
	<i>Directive 2002/49/EC relating to the assessment and management of environmental noise</i>
8. ENERGY-RELATED PRODUCTS	<i>S.I. 151/2011 European Union (Energy Efficient Public Procurement) Regulations 2011</i>
	<i>S.I. 366 of 2011 European Union (Energy Labelling) Regulations, as amended by S.I. 351 of 2014</i>
	<i>S.I. 454 of 2013 European Union (Ecodesign Requirements for certain energy related products) Regulations, as amended by S.I. 228 of 2016 and S.I. 96/2021</i>
	<i>S.I. No. 426/2014 European Union (Energy Efficiency) Regulations, as amended by S.I. 646/2016</i>
	<i>Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products and delegated regulations for each product group</i>
	Commission Regulation (EU) 2021/341 (<i>Ecodesign Omnibus Regulation</i>) amending various Ecodesign regulations
	<i>Directive 2012/27/EU on energy efficiency, as amended by Directive 2018/2002</i>
	<i>Regulation (EU) 2017/1369 setting a framework for energy labelling and delegated regulations for each product group</i>
	Commission Regulation 2021/340 (<i>Energy Label Omnibus Regulation</i>) amending various Energy Labelling regulations
	<i>Directive 2011/65/EU on the restriction of certain hazardous substances in electrical and electronic equipment (RoHS)</i>
9. PAPER AND PRINT SERVICES	Regulation (EU) 995/2010 (<i>EU Timber Regulation</i>), Implementing Regulation (EU) 607/2012 and SI No 316/2014
	Council Regulation (EC) 2173/2005 <i>on the establishment of a FLEGT licensing scheme</i> as implemented by SI No 251/2015
	Convention on International Trade in Endangered Species of Wild Fauna and Flora (<i>CITES</i>)

SECTOR	APPLICABLE LEGISLATION (AS OF MARCH 2021)
9. PAPER AND PRINT SERVICES	Commission Decision (EU) 2019/70 <i>establishing the EU Ecolabel criteria for graphic paper, tissue paper and tissue products</i>
	Commission Decision (EU) 2014/256 <i>establishing the EU Ecolabel criteria for converted paper products</i>
	Commission Decision 2012/481/EU <i>establishing the EU Ecolabel criteria for printed paper products</i>
	Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources (<i>Renewable Energy Directive</i>)
	Consolidated Regulation No. 1907/2006 on the registration, evaluation, authorisation and restriction of chemicals (<i>REACH</i>)
	Consolidated Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (<i>CLP</i>)
10. TEXTILES	<i>Regulation (EU) 2018/848 on organic production and labelling of organic products</i>
	<i>Decision (EU) 2014/350</i> establishing the criteria for the EU Ecolabel for textile products, as amended by Decision 2017/1392 and Decision 2020/1805
	<i>Decision 2017/1219</i> establishing the EU Ecolabel criteria for industrial and institutional laundry detergents, amended by Decisions 2018/993 and 2019/418
	Consolidated Regulation No. 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals (<i>REACH</i>)
	Regulation (EU) 2019/1691 of 9 October 2019 amending Annex V to Regulation (EC) No 1907/2006 on Registration, Evaluation, Authorisation and Restriction of Chemicals (<i>REACH</i>)
	Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (<i>EMAS</i>)

7. REFERENCES AND RESOURCES

The following sources have been consulted in the preparation of this guidance and the GPP criteria.

Contracting authorities may wish to refer to them for further information relevant to each sector.

SECTOR	REFERENCES AND RESOURCES
1. ROAD TRANSPORT VEHICLES AND SERVICES	1. Revision of the EU GPP criteria for road transport: <i>Technical report and draft criteria</i> (June 2020) – Note that these criteria are subject to consultation and the final version is expected to be published early in 2021. Progress of the revision can be followed <i>here</i> .
	2. <i>EU GPP Criteria for Road Transport</i> (2019) and <i>Technical Background Report</i> . Note that these criteria will be replaced by those mentioned above, which take into account the revisions to the Clean Vehicles Directive adopted in 2019.
	3. Department of Transport, Tourism and Sport (2020) <i>Report on Diesel and Alternative-Fuel Bus Trials</i> .
	4. Sustainable Energy Authority of Ireland (2020) Resources on EVs including <i>Buying an Electric Vehicle</i> and <i>Compare and Calculate tool</i> .
	5. Energy Saving Trust (UK) (2019) <i>Procuring Electric Vehicle Charging Infrastructure as a Local Authority</i> .
	6. EU GPP Training Toolkit (2019) – <i>Module 7.9: Road Transport</i> .
	7. European Commission (2020) <i>State of the Art on Alternative Fuels Transport Systems in the European Union</i> .
2. ICT PRODUCTS AND SERVICES	1. European Commission Joint Research Centre (2021) <i>Revision of the EU Green Public Procurement (GPP) Criteria for Computers and Monitors: Technical Report v 3.0: Final criteria</i>
	2. European Commission Joint Research Centre (2018) <i>Technical Report on Development of EU GPP Criteria for Data Centres and Server Rooms</i> (Version 3.0).
	3. Sustainable Energy Authority of Ireland, <i>Categories and Criteria for Inclusion on the Triple E Register</i> .
	4. European Commission (2019) GPP Training Toolkit: <i>Module 7.1 Computers and Monitors</i> .
	5. European Commission (2020) Life-cycle Costing for Computers and Monitors: <i>User Guide</i> and <i>Excel Tool</i> .
	6. EU <i>Code of Conduct for Energy Efficiency in Data Centres</i> (2020).
	7. ICLEI and Electronics Watch (2020) <i>How to procure fair ICT hardware: Criteria for socially responsible procurement</i> .
	8. iFixit – <i>Manuals for repair of ICT devices and rating of different devices based on repairability</i> .

SECTOR	REFERENCES AND RESOURCES
3. FOOD AND CATERING SERVICES	1. <i>EU GPP Technical Background Report and Criteria for Food & Catering Services</i> (2019).
	2. European Commission (2020) <i>Farm to Fork Strategy</i> and Accompanying Documents.
	3. EPA (2019) <i>Reducing Commercial Food Waste in Ireland and Food Waste Charter</i> resources/fact sheets.
	4. Bord Bia <i>Quality and Sustainability Assurance Schemes</i> for Dairy, Beef & Lamb, Horticulture and Eggs (various dates).
	5. Bord Bia <i>Origin Green Sustainable Manufacturing Charter</i> (2018 v 4).
	6. Bord Bia <i>Origin Green Foodservice and Retail Charter</i> (2018 v 4).
	7. DAFM <i>Review of Organic Food Sector</i> (2019) .
	8. DAFM <i>FoodWise 2025 Implementation Plan</i> (2015) .
	9. Farm Animal Welfare Advisory Council <i>Guidelines/Codes of Practice</i> (various dates).
	10. Bord Iascaigh Mhara <i>Environmental Sustainability Atlas</i> (2018)
	11. Food Safety Authority of Ireland <i>Food Donation Guidelines</i> (2019) and <i>FAQs on Covid-19 for Food Businesses</i> (2020)
	12. Fumbally Stables (2019) <i>Environmental and Ethical Decision Making in Irish Food Business</i> .
4. CLEANING PRODUCTS AND SERVICES	1. 2018 EU GPP Criteria for <i>Indoor Cleaning Services</i> and <i>Technical Background Report</i> .
	2. EPA/Southern Region Waste Management Office/Clean Technology Centre (2014) <i>Greener Cleaning</i> .
	3. Zero Waste Scotland (2016) <i>Procuring for Repair, Reuse and Remanufacturing: Category Guidance</i> (includes cleaning equipment).
	4. EU Ecolabel for Cleaning Services – <i>Factsheet</i> (2018).
	5. Queensland Government (2018) <i>Sustainable Procurement Guide: Cleaning Services</i> .
	6. Irish Health and Safety Authority (2020) <i>Employer checklist for cleaning and disinfection</i> .
	7. Department of Health/DBEI (2020) <i>Return to Work Safely Protocol</i> .
	8. European Centre for Disease Prevention and Control (2020) <i>Guidelines on disinfection</i> .
	9. World Health Organisation (2020) <i>Cleaning and Disinfection of Environmental Surfaces in the Context of Covid-19</i> .

SECTOR	REFERENCES AND RESOURCES
5. OFFICE BUILDINGS	1. European Commission (2016) <i>EU GPP criteria for Office building design, construction and management</i> and <i>Technical background report</i> .
	2. European Commission (2016) <i>Procurement practice document: GPP for office buildings</i> .
	3. European Commission (2020) <i>Level(s): A Guide to Europe's New Reporting Framework for Sustainable Buildings</i> .
	4. European Commission (2020) <i>A Renovation Wave for Europe</i> .
	5. Irish Green Building Council (2020) <i>National Readiness Report: Ireland</i> .
	6. Irish Green Building Council (2018-2020) <i>Resources on Nearly Zero Energy Buildings</i> .
	7. Irish Green Building Council (2018) <i>Towards a Circular Economy in Construction</i> .
	8. SEAI (2020) <i>Information on Nearly Zero Energy Buildings</i> .
	9. Department of Housing, Planning and Local Government (2021) <i>Information on Energy Performance of Buildings Directive</i> .
	10. Dublin City Council, DCCAE and Dept of Housing (2018) <i>Repurposing existing fittings and non-structural elements in the construction of the Rediscovery Centre, Ballymun</i> .
6. LIGHTING	1. European Commission Joint Research Centre (2018) <i>EU GPP Criteria for Road lighting and Traffic Signals, Technical Background Report and Procurement Guidance Slides</i> .
	2. Sustainable Energy Authority of Ireland (various dates) Triple E Register Criteria for <i>Lighting Units</i> and <i>Lighting Controls</i> , <i>Lighting Upgrade Tool</i> , <i>Lighting Upgrade Calculation Workbook</i> , <i>Lighting Replacement Calculation Workbook</i> and <i>Tubular Fluorescent Lighting and Controls Evaluation Tool</i> .
	3. Institution of Lighting Professionals (various dates) <i>Guidance Notes and Reports on Lighting Design and Installation</i> .
	4. Premium Light Pro Project (2017) <i>Indoor Lighting in the Public and Private Service Sectors</i> .
	5. Enigma Project (2014) <i>Report: State-of-the-Art in Urban Public Lighting</i> .
	6. SPP Regions Project (2018) <i>Model Tenders for Lighting</i> .
	7. Reports from the <i>French Association Nationale pour la Protection du Ciel et de l'Environnement Nocturne</i> .

SECTOR	REFERENCES AND RESOURCES
7. HEATING EQUIPMENT	1. European Commission Joint Research Centre (2014) <i>EU GPP Criteria for Water-Based Heaters and Technical Background Report</i> .
	2. Sustainable Energy Authority of Ireland (various dates), <i>Eligibility Criteria for Triple E Register</i> .
	3. Sustainable Energy Authority of Ireland (2019) <i>Biomass Boilers Implementation Guide</i> .
	4. European Commission (2018) <i>Guidelines accompanying Regulations 811, 812, 813 and 814/2013 and Regulations 2015/1187 and 1189</i> .
	5. European Commission (2013) <i>Staff Working Document on Implementation of EED Article 6: Purchasing by public bodies</i> .
8. ENERGY-RELATED PRODUCTS.	1. Sustainable Energy Authority of Ireland (various dates) <i>Eligibility Criteria for Triple E Register</i> .
	2. European Commission (2013) <i>Staff Working Document on Implementation of EED Article 6: Purchasing by public bodies</i> .
	3. Topten Pro (2019) <i>Procurement Guidelines for Refrigeration, Dishwashers and Televisions</i> .
	4. European Commission (2015) <i>Guidelines Accompanying Regulations 65/2014 and 66/2014 on Energy Labelling and Ecodesign of Domestic Ovens, Hobs and Range Hoods</i> .
	5. European Commission (2018) <i>Guidelines on Ecodesign Requirements for Air Heating and Cooling Products</i> .
	6. European Commission (2019) <i>Guidelines on Ecodesign Requirements for Vacuum Cleaners</i>
9. PAPER AND PRINT SERVICES.	1. European Commission (2016) <i>Revision of the EU GPP criteria for Copying and Graphic Paper – Technical Report 1.0</i> .
	2. Efeca/European Commission (2018) <i>Draft proposal: GPP/Ecolabel criteria for timber and timber products</i> .
	3. Irish Department of Agriculture, Food and the Marine <i>Environmental Guidelines for Sustainable Forestry Management</i> .
	4. Forest Europe <i>Pan-European Indicators for Sustainable Forest Management</i> .
	5. Environmental Paper Network (2018) <i>The State of the Global Paper Industry: New challenges and opportunities for forests, people and the planet</i> .
	6. EU Ecolabel Factsheets for <i>Graphic Paper</i> , Printed Paper and <i>Converted Paper Products</i> .
	7. UK Department of the Environment, Food and Rural Affairs (2010) <i>Government Buying Standards for Paper</i> .

SECTOR	REFERENCES AND RESOURCES
9. PAPER AND PRINT SERVICES.	8. Dutch Ministry of Infrastructure and Environment (2013) <i>Criteria for sustainable public procurement of paper.</i>
	9. Danish Ministry of the Environment (2014) <i>Criteria for assessment of timber certification schemes and results for FSC and PEFC.</i>
10. TEXTILES.	1. 2017 <i>EU GPP Criteria for Textile Products and Services and Technical Background Report.</i>
	2. European Commission Joint Research Centre (2020) <i>Guidance on EU GPP Criteria for Textile Products and Services.</i>
	3. ECAP Project (2019) <i>Reports, resources and case studies on sustainable public procurement of textiles</i>
	4. EU Ecolabel for Textile Products and Services – <i>Factsheet</i> (2017).
	5. WRAP (2016) <i>Textiles Collection Procurement Guide.</i>

8. CHECKLISTS FOR GPP IMPLEMENTATION

1. GPP POLICY DEVELOPMENT	✓
Identify people who need to be consulted.	
Consider the contribution needed from GPP to other policies/targets (e.g. carbon budget, social responsibility, SME engagement, innovation).	
Prioritise product/service categories for application of GPP.	
Set realistic targets and timelines.	
Identify changes to workflows and responsibilities, and training needs.	
Decide on how to monitor, report and measure the impact of GPP.	
Publish and disseminate policy, including to suppliers/public.	
2. PRE-PROCUREMENT	✓
Needs Assessment	
Prepare draft needs statement/business case.	
Consult with internal/external users, including on GPP.	
Develop specification and procurement strategy.	
Put specification and procurement strategy to environmental challenge.	
Investigate any available funding/grants for GPP.	
Market Consultation	
Initial market scan/consultation with other buyers.	
Publish PIN and/or make direct contact with potential suppliers.	
Invite responses to specific questions, including on GPP.	
Hold and/or attend supplier events and meetings.	
Document all information provided to include in tender documents.	
Notify all participants that market engagement has ended and expected start date for procurement procedure.	
3. TENDER DOCUMENTS	✓
Review available GPP criteria for specific product/service group.	
Exclusion grounds: require compliance with all applicable environmental law.	

3. TENDER DOCUMENTS (CONTINUED)	✓
Selection criteria: require specific experience and capacity to deliver environmental aspects of contract.	
Specifications: Apply core or comprehensive GPP specifications as appropriate.	
Award criteria: Apply one or more GPP award criteria to target better performance.	
Contract performance clauses: Include all GPP commitments plus monitoring and remedies in case of breaches.	
Check that none of the standard terms in tender documents/contracts conflict with the GPP criteria applied.	
4. LIFE-CYCLE COSTING	✓
Decide if LCC is appropriate based on review of GPP criteria/guidance and discussions with suppliers/other buyers at pre-procurement stage.	
Identify the main categories of financial and environmental costs.	
Review available tools/methodologies for LCC and choose one, or develop your own spreadsheet.	
Set evaluation period, discount rate and other parameters to be included.	
Identify the data which bidders must provide and how to verify it.	
Include LCC tool/spreadsheet in tender documents.	
Evaluate, compare and assign marks based on LCC.	
Include data from spreadsheet for winning bid in contract terms.	
5. VERIFICATION	✓
Check the verification provisions for GPP criteria at pre-procurement stage to ensure suppliers can meet them and evaluators understand them.	
List the specific form(s) of evidence requested for each GPP criterion, stating that equivalents will also be accepted.	
Consider how you will treat alternative evidence and determine equivalence.	
Decide whether expert input will be required at evaluation stage.	
Be prepared to ask bidders for clarification/further evidence where needed.	
6. MONITORING, REPORTING AND MEASURING IMPACT	✓
Include checkpoints in the tender process to confirm GPP application (e.g. prior to issuing tender documents, finalising evaluation, contract award).	
Collect data on inclusion of GPP criteria (number of contracts/value/which type of criteria) and bidder responses/compliance.	

6. MONITORING, REPORTING AND MEASURING IMPACT (CONTINUED)	✓
Include appropriate monitoring and reporting obligations in the contract.	
Include GPP data in monthly/quarterly/annual procurement reporting and environmental/sustainability reporting.	
Set baselines for measuring emissions or other impacts from procurement.	
Develop methodology for measuring GPP contribution to overall carbon, energy or other environmental targets.	
Require data from contractors to enable impact measurement for GPP.	



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