



**Greening Economies in the Eastern
Neighborhood (EaP-GREEN) project**

Procurement Guidelines

(Draft)

State Public Procurement Agency

Republic of Moldova



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Introduction

The need to adopt a sustainable, environmentally friendly modality to make public acquisitions derives from the reality that communities across the planet face the dramatic consequences of climate change, overexploitation of natural resources and threats to biodiversity. Our habit to consume unsustainably, without considering the long-term effects, is the key problem of all other issues.

An important factor in any sustainable acquisition is to reduce the negative impact upon environment of the product / service during their life-cycle, and namely: production, use, waste and disposal.

Green acquisitions refer also to the influence upon market by the power of example. By promoting green acquisitions, public authorities can actually stimulate the industry to develop ecologic technologies. For certain sectors of production, works and services, the impact can be particularly significant, as public institutions control a large part of the market (computers and efficient buildings in terms of energy, public transport, etc.)

The way we produce and make acquisitions influences the environment, causing the following effects:

- ✓ Ecosystems;
- ✓ Climate changes;
- ✓ Global warming;
- ✓ Air and water pollution;
- ✓ Population growth;

- ✓ Impact on biodiversity;
- ✓ Destruction of species and habitats;
- ✓ General issues of environment degradation.

Now, more than ever, it is necessary to adopt a responsible behavior both towards sustainable production and green acquisitions in order to preserve the environment for future generations.

This guide aims to provide an analysis of the national framework, procedures of public acquisitions and best practices regarding to the possibility for public institutions to consider environmental aspects in public acquisitions and to deliver the results related to sustainable development to protect the environment.

Chapter 1. Strategies in the field of sustainable acquisitions

1.1 Introduction

Public institutions should be encouraged to adhere to sustainable acquisitions, not only for the benefit of environment but also for the contracting authority by improving its public image.

Public green acquisitions refer to a cautious strategy concerning the acquisitions made by public authorities related to: products and services with high performance in terms of environmental protection and consideration of the impact of public sector acquisitions on environment. Green acquisitions also mean to buy according to the needs and avoid the surplus.

By directing this buying power to green products and services acquisitions, we can:

- reach huge direct environmental benefits;
- influence the market exposure towards green products and services;
- set an example for consumers.

The improvement of public image of institutions can be achieved by:

- by implementing a green acquisition policy. In this way, the commitment of public authorities to promote sustainability can be demonstrated;

– by example, public authorities can also encourage private sector companies and the general public to change their consumption habits, given that the market for green products is continuously growing.

- Assessment of training needs and ensuring access to environmental data

A policy of ecologic acquisition does not normally need any structural changes on behalf of the contracting authority. However, the implementation of the policy will require, first, some strategic planning: organizing appropriate training for acquisition staff, ensuring access to environmental data and setting priorities when choosing the contracts with the greatest potential for „ecologization”. Once these aspects are established, the contracting authorities can carry out proper organization of a green public acquisition procedure.

- Establishing general priorities for the ecologization of acquisitions

Adopting a more porgressive approach. It can start with a small range of products and services whose environmental impact is clear or where more ecologic alternatives are easily available and do not imply additional costs (for example, recycled paper, energy - efficient office equipment).

Consideration of environmental impact. Those products with minimal environmental impact shall be selected.

Consideration of one or more environmental issues, such as climate change or waste management.

Climate changes

- Energy efficiency:
 - ✓ Improving the energy efficiency of new and renovated public buildings;
 - ✓ Purchase of energy-efficient office equipment (PCs, printers, copy machines, etc.);
 - ✓ Purchase of efficient cars for public parks;
- Promoting renewable energy resources through:
 - ✓ Purchase of green energy;
 - ✓ Use of alternative fuels for public transport and public car parks.

Saving natural resources through:

- Purchase of products that contain recycled materials;
- Reducing the consumption of paper by acquisition of printers able to print on both sides; promoting the use of multifunctional equipment.

It is recommended to consider the possibilites of technological development.

Promotion of innovation:

- ✓ Providing a market for such products will help providers to develop innovative approaches and improve the international competitiveness of the industry.

It is appropriate to adopt a sound scientific approach based on the product life cycle.

Public sustainable acquisitions do not mean spending more money:

- Costs of life cycle: it is important to consider the costs of a product/service during its duration of use – acquisition price, use and maintenance, disposal costs.
- Efficient acquisition: green acquisitions refer to the most efficient use of resources, that is to consider the real need to buy a certain product.

1.2 Criteria established at European level for public sustainable acquisitions

At European level, a series of criteria for public green acquisitions for a series of products and services have been established. These criteria are periodically revised. They can be inserted directly in the assignment documents and include data regarding the methods of verification. These criteria have been translated in all official languages of the European Community and published on the European Commission website: http://ec.europa.eu/environment/gpp/eu_gpp_criteria_en.htm

These criteria refer to the following products and groups of services:

1. Copying and graphic paper
2. Cleaning products and services
3. IT office equipments
4. Constructions
5. Transport
6. Furniture
7. Electricity
8. Food and catering services
9. Textiles
10. Gardening products and services
11. Windows, doors with glass and lights
12. Heat insulation
13. Floor
14. Wall panels
15. Cogeneration
16. Road construction and traffic signs

17. Public lighting and traffic warning means

18. Mobile phones

19. Interior lighting.

The technical reports and data sheet of product for each category are available on the website. For each group of products / services, two sets of criteria are provided:

- **Basic criteria** are those suitable for use by any contracting authority of the Member States and addresses the impact on environment. They were designed to be used with a minimum effort of additional verification or cost increase.
- **Comprehensive criteria (detailed)** for public authorities that wish to purchase the best products available on the market. These may require additional verification effort or a slight increase of costs compared to other products with the same functionality.

1.3 How can ecologic labels be used for public green acquisitions?

According to European directives, the ecologic labels can be used in public acquisitions, if a series of conditions are met:

- ✓ Purchasers may not require a product bearing an ecological label, but it may be indicated only the fact that the criteria underlying a certain ecologic label must be met and that the ecological label may be used as a form of conformity evidence;
- ✓ Purchasers can use only the criteria of ecologic labeling which address the characteristics of the product, service or production processes, and not those regarding the general management of company;
- ✓ Purchasers can refer solely to ecologic labels which comply with a series of requirements (of type I or ISO 14024, or the ecologic label of the EU);
- ✓ Requirements for label are based on scientific evidence;
- ✓ Ecologic labels are adopted with the participation of all interested parties, such as governmental bodies, consumers, manufacturers, distributors and environment organizations;
- ✓ These are available to all interested parties.

1.4 Eco-labels



¹The communitary logo for ecological labeling is the guarantee that a product or service is both ecologic and of good quality. European eco-label is applied to a number of 28 products and services including paper, textiles, cleaning products, lubricants, electrical and electronic items, home and gardening products, tourist accommodation services, footwear items.

Examples of national eco-labels

There are countries or zones that have national ecologic labels, such as *Blue Angel* in Germany and *Nordic Swan* in the northern countries.



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The *Blue Angel* (DerBlaueEngel) is a German certification for products and services that meet ecologic requirements.



3

The **Nordic Swan**. Nordic eco-label with a voluntary scheme of eco-labeling which assesses the impact of product upon the environment during its full life cycle. The Nordic label is applied to a group of 63 products.

The Republic of Moldova, also, has an official ecologic label.

¹<http://ec.europa.eu/environment/ecolabel/>

² http://www.blauer-engel.de/en/blauer_engel/index.php

³ <http://www.nordic-ecolabel.org/>



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It represents a sign confirming that the production process is controlled by inspection bodies and ensures that the product is produced according to ecologic farming requirements. The brand is registered and recognized by 16 EU countries. Ecologic products produced / grown in Moldova have the ecologic label „Ecologic Farming” (in Romanian - „Agricultura Ecologică”) applied on the packaging. The eco - label was created 4 years ago, but the government approved it only on September 17, 2014 with the Rules on eco – label use.

The label is a state official sign of control and guarantee for obtaining and certification of ecologic food production. It confirms the certification of ecologic food products, compliance with production and/or processing rules applied in ecologic farming and gives full confidence that the products bearing the national label „Ecologic farming – Republic of Moldova” have been obtained in accordance with the rules and principles of ecologic farming, or in the case of imports, under an equivalent system with similar requirements to obtain ecologic food products. It is applied or printed on the packaging of products, exclusively for ecologic food products that have passed the conversion period and obtained the certificate of conformity issued by the inspection and certification body for a period of one year.

Other green labels certified by independent bodies



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EMAS labels, ISO 14001

⁴ <http://www.maia.gov.md/ro/categorii/agricultura-ecologica>

⁵ http://ec.europa.eu/environment/emas/index_en.htm

⁶ <http://www.iso.org/iso/iso14000>

These labels are provided to companies that apply the environment management systems: EMAS (EU) and ISO 14001 (International).

European Scheme for Eco-Management and Environment Audit (EMAS) is a management tool that enables companies and other organizations to assess, report and improve their environmental performances.

ISO 14000 represents a family of standards regarding the environment management, which exist to help organizations:

- (a) to minimize their operations (processes, etc.) that negatively affect the environment (for example, can cause negative changes in the air, water or land);
- (b) to observe the laws, rules and other environment requirements, and
- (c) to continuously improve the activity in terms of environmental requirements

Chapter 2. Legal framework for sustainable acquisitions

The system of public acquisitions in the Republic of Moldova is based largely on European good practices in the context of harmonization of national legislation with the EU acquis, since the relevant community legislation (Directive 2004/18 / EC and 89/665 / EEC of the European Parliament and Council of the European Union) was referred rigorously in Law no 131 of 03/07/2015, and in the coming years, the latest European regulatory framework will be also implemented (Directives 24/2014 / EC and 25/20014 / EC).

The national legal framework in the field of public acquisitions does not define expressly the term of public green acquisition, however, it may be understood as:

- **Public green acquisition** represents an acquisition procedure which takes into account the environmental criteria.

- **Public green acquisitions are intelligent acquisitions** which cause the improvement of public acquisitions efficiency and in the same time, by using the market influence, may bring major benefits at local and global levels.

Law on public acquisitions no 131 of 03/07/2015 provides the possibility to apply environmental considerations in the selection criteria of technical specifications and assignment in the contract execution clauses. It promotes – among state institutions – efficient, ethical, sustainable products, which can create a market for ecologic products in our country, where all the requirements correspond to European standards. Also it could encourage of ecologic and bio-products to certify their products which can

contribute to reaching the targets recommended by the European Commission regarding public ecologic acquisitions.

It is important to mention that the Law on public acquisitions no 131 of 03/07/2015 provides in Article 23 the standards of quality guarantee in case of sustainable acquisitions implementation which must comply with the systems of quality ensurance based on relevant European series of standards, such as the standards of environment management.⁷

"Article 23. Standards for environment protection

(1) If the contracting authority requires the submission of certificates issued by independent bodies attesting that the economic operator complies with certain environmental standards, this shall comply with:

a) either the Community Environmental Management and Audit Scheme (EMAS);

b) or ecological management standards based on the series of European or international standards in the field, certified by bodies following the community law or European or international standards on certification.

(2) Under the principle of mutual recognition, the contracting authority is obliged to accept equivalent certificates from bodies established in the Member States of the European Union. If the economic operator does not have an environmental certificate as required by the contracting authority, the latter has the obligation to accept any other certifications submitted by the economic operator, insofar as they confirm ensuring an adequate level of environmental protection.

(3) Where the economic operator has other certifications than those required by the contracting authority, it is obliged - on the sanction of rejection of bid - until the expiry of deadline for submission of bids, to request confirmation of acceptance by the contracting authority of such certifications".

A separate article sets out the criteria for the assignment of public acquisition contract. Thus, it is expressly established that without prejudice to legislative or administrative provisions, that the criterion for assignment of public acquisition contract is either the most advantageous bid from economic point of view or the lowest price. In its turn, the most advantageous bid shall be the winning bid nominated under certain assessment factors. In this respect, a favorable environment for implementing

⁷ Law on public acquisitions no 131 of 03/07/2015 // Official Gazette no 197-205/402, of 31/07/2015

sustainable acquisitions and observing principles that make this implementation possible, was created.

A particularly important provision in terms of legal implementation of public ecologic acquisitions is Article 37, paragraphs (12), (13), (14) and (15) of the Law on public acquisitions no 131 of 03/07/2015:⁸

“(12) The functional performances and requirements that define technical specifications may also include environmental characteristics.

(13) If the contracting authority requires certain environmental characteristics in terms of performance and functional requirements, it has the right to use all or a part of specifications defined by eco - labels - European, multinational or any other eco-label, if the following conditions are met cumulatively:

a) the respective specifications are adequate to define the characteristics of goods or services which supply / performance is the subject of the public acquisition contract;

b) the requirements for the eco-label were developed on scientific bases;

c) the eco – label was adopted by a specific procedure that allowed the involvement of all interested parties - government bodies, consumers, manufacturers, distributors, environmental organizations;

d) the eco-label is accessible/available to any interested person.

(14) The contracting authority is entitled to determine in the specifications that the provided products or services that have a certain eco-label are considered to meet the technical specifications required by default. The contracting authority does not have the right to consider a technical proposal as non-compliant, simply because the products and services that are offered do not hold the respective eco-label, if the bidder demonstrates - by any appropriate means - that the goods / services meet the required technical specifications.

(15) The contracting authority is entitled to impose in the assignment documentation, to the extent that they are compatible with the community law, special conditions for contract fulfillment. These conditions aim to cause social effects or related to protecting the environment and promoting sustainable development”.

The Agency for Public Acquisitions (APA), which is the specialized authority subordinated to the Ministry of Finance which has the fundamental role to formulate – at

⁸ Ibidem

concept level – and implement policies in the field of public acquisitions, including ecologic acquisitions.

The updated legislation is available on the website www.tender.gov.md, of the Agency for Public Acquisitions (with the reference that the authentic version is published in the Official Gazette of the Republic of Moldova).

Chapter 3. Acquisition process

3.1 Introduction

A sustainable public acquisition must be identified on time and considered in the acquisition program.

The general structure of a public acquisition procedure is the following: defining the object of the contract; elaboration of technical specifications and the contractual parameters for the product / works / services; selecting the most suitable candidate and the best bid.

3.2 Basic principles

Throughout the entire acquisition process, for taking any decision the following principles shall be considered:

- ✓ Efficient use of public finances;
- ✓ Acquisition transparency;
- ✓ Non-discrimination;
- ✓ Equal treatment, impartiality;
- ✓ Mutual recognition;
- ✓ Proportionality;
- ✓ Taking responsibility.

At the moment of public green acquisition process initiation, the following aspects shall be considered:

- if the principles of public acquisition are observed;
- if the law of acquisition is observed;
- if the work is done by a team.

An important activity is the assessment of real needs and their transformation into necessities of goods, works, services with environmental components. Once they are analyzed, it can be concluded that a public contract is not necessary. For example,

disseminating information to a target group that has internet access can be made by using the newsletter and not the leaflets, posters or brochures. Therefore, under an environment friendly solution, the assignment procedure may become unnecessary.

3.3 Planning acquisition procedures

The plan must comprise the following information:

- ✓ Object - scope of contract
- ✓ Relevant CPV code of products, services or works;
- ✓ Estimated value (MDL)
- ✓ Modality of acquisition, and the respective assignment procedure;
- ✓ Estimated date for the beginning of procedure;
- ✓ Estimated date for the completion of the procedure;
- ✓ Entity in charge with contract assignment.

In the elaboration of the plan, the following shall be addressed:

- the objective needs of products, works and services, as reflected in the timetable for implementation of investment projects, as well as the considerations necessary for the operation of the contracting authority and performance of activities that shall meet business conditions;

- the degree of priority of the current needs, on the one hand, and the timing of activities that must be performed to implement a project, on the other hand;

- anticipations regarding the funds to be allocated in the annual budget;

- public acquisition contracts in progress.

The public acquisition plan is completed:

- after approval of personal budget;

- depending on the approved funds;

- by considering the possibilities to attract other funds.

Public acquisitions plan may be amended, if:

- respective needs are not included in the initial public acquisition plan;

- the introduction of these needs in the plan is conditioned by ensuring the financing sources.

3.4 Choosing the procedure

The preparatory stage of a public acquisition procedure is very important. When choosing a procedure, one should consider the steps to apply environmental criteria.

Types of public acquisition procedures provided by the legislation of the Republic of Moldova for contracting authorities in assigning contracts of public acquisition:

1. Open auction: procedure of contract assignment for public acquisition, for which any economic operator has the right to submit a bid. The open auction:

- ✓ starts by sending for publishing the announcement for participation, according to which the economic operators are invited to submit bids;
- ✓ develops in a single phase;
- ✓ is recommended for use when the bid is not in surplus on the market;
- ✓ can be organized electronically.

2. Restricted auction: procedure in which any economic operator is entitled to submit its candidacy. Only selected candidates have the right to submit a bid. The restricted auction procedure is conducted in two stages:

Stage I: submission of candidacy and selection of qualified candidates that shall participate in the next stage;

Stage II: submission of bids only by the selected candidates and assignment of public acquisition contract through the assignment criterion. At this stage, the steps for open auction shall be applied.

The restricted auction procedure begins with sending for publishing the announcement for participation, according to which the economic operators are invited to submit their candidacy;

3. Competitive dialogue: procedure in which any economic operator is entitled to submit its candidacy and whereby the contracting authority conducts a dialogue with the admitted candidates in order to identify one or more solutions meeting its requirements, so that, based on the solution / identified solutions, the selected candidates will elaborate the final bid.

The competitive dialogue procedure has three distinct stages:

A) pre-selection of candidates – refers to the qualifying procedure where all interested economic operators can participate. They must submit their applications, including preliminary technical bids.

B) dialogue phase with admitted candidates after the pre-selection – aimed to identify solution / solutions capable of meeting the requirements of the contracting authority, according to which the selected candidates will develop and submit the final bid. At this stage the dialogue is carried out with qualified economic operators. Also at this stage, the necessary information needed for the elaboration of solutions for the contracting authority is collected.

C) assessment stage of submitted final bids – refers to the submission of final bids according to the identified solution and their assessment from technical and financial point of view. This stage encompasses the same procedural steps of the open auction.

4. Negotiation on the prior publishing of a participation announcement: the contracting authority carries out consultations with pre-selected/selected candidates and negotiates the contractual terms, including the price, with one or more candidates.

Negotiation with publishing is applied under the law notwithstanding the estimated value of the contract, if the contracting authority is referred to in one of the situations stipulated by law under Article 53:

- in case of submitting incorrect or unacceptable bids in an open or restricted procedure or in a competitive dialogue, unless the initial terms and conditions of the contract are substantially altered;

- in exceptional cases, if it refers to goods, works or services whose nature or risks do not permit prior and final estimation of prices;

- in the field of services, including intellectual services, such as works design, to the extent that due to the nature of the services to be rendered, the contract specifications can not be established with sufficient precision to permit the assignment of the contract by selecting the most advantageous bid, according to the rules of open or restricted procedure;

- in case of public acquisition contract of works performed or provided services exclusively for research and development or experiments, and to generate profits or cover the costs of research and development.

It is organized in two stages:

- stage of candidates qualification;

- stage of negotiations development with the qualified candidates, assessment of final bids submitted by these candidates and establishing the winner.

5. Negotiation without prior publishing of a participation announcement: the contracting authority holds consultations and negotiates the contractual terms, including the price, with one or economic operators.

The contracting authorities have the right not to publish an invitation for participation if they include in the negotiated procedure all the bidders or only the bidders that meet the qualitative selection criteria and that submitted - during the prior opening or restricted procedure or during the prior competitive dialogue - bids complying with the official requirements of assignment procedure.

At the beginning of negotiation and in order to avoid substantial modifications, the documentation will not be subject to modification with regard to:

- qualification criterion;
- assignment criterion
- technical specifications;
- assessment factors;
- estimated value.

Negotiation and assessment of final bids entails the following procedural steps:

- sending the invitation for negotiation to the qualified candidates. No minimal terms provided. The contracting authority has to establish a reasonable term for preliminary bid preparation by the selected candidates.

- negotiation stage of preliminary bids. Shall take place on the date, time and place mentioned in the invitation for participation in negotiations, and carried out with each candidate separately. During this stage, the preliminary bid degree of compliance with the needs of the contracting authority is analyzed.

- the negotiation stage of revised bids shall be held only if it is necessary to organize successive stages of negotiation.

- setting the date, time for submission of final bid. The term for final bid submission shall be established by the contracting authority and shall undergo discussions during the negotiation stage.

- submission of final bids (namely the conditions related to price).
- assessment of final bids and establishing the winners.

6. Request for bids: simplified procedure according to which the contracting authority demands bids from more economic operators for the acquisition of goods, works or services, which are presented according to concrete specifications.

Request for prices:

- applied only if the estimated value of acquisition is less than:

- 400,000.00 MDL – for goods and services contracts;
- 1,500,000.00 MDL – for contract of works;
- starts by sending the invitation for participation to a greater number of economic operators;
- is published in the Public Acquisitions Bulletin and a participation announcement at assignment procedure, when the estimative value of the acquisition is bigger than:
 - 80,000.00 MDL – for goods and services contract;
 - 100,000.00 MDL – for contracts of works;
 - single-stage procedure.

The authority may also establish, in addition to price, other requirements to be taken into account when assessing price offers. In this case, the request for prices shall indicate each requirement, which is described in detail. The winning bid is declared the bid which meets all requirements, at the lowest price without VAT.

7. Competition for solutions: procedure to purchase solutions, namely in the field of land planning, urban and landscape design, architecture or data processing, including in other areas, a plan or project selected on a competitive basis by a jury, with or without awards.

A competition for solutions may be organized as an independent procedure, where competitors can get prizes and / or participation premiums, or as part of another procedure that leads to the assignment of a service contract.

The contracting authority has the obligation to specify in the competition documentation any information, requirement, rule, criterion or others to provide for potential competitors full and correct information on the application for solutions competition.

The competition for solutions is launched by publishing the announcement for participation in the Public Acquisitions Bulletin which informs the interested economic operators about the submission of projects.

The contracting authority has the right to perform a preliminary selection of competitors using in this regard clear, objective, non-discriminatory criteria which must be stated explicitly in the competition documentation.

The number of selected candidates must be sufficient so as to ensure a genuine competition.

*Attention! In order to assess the projects submitted in a competition for solutions, the contracting authority shall appoint a **panel of at least 6 members**, who are independent natural persons, with training and relevant experience in the field, and with recognized moral integrity.*

If the competitors are requested a certain professional qualification, then **at least one third from the number of panel's members** must have that qualification or an equivalent.

The projects must be submitted anonymously. Anonymity shall be preserved until the time the jury has taken a decision or made an opinion.

The jury is autonomous in its decisions and opinions it issues and is required to assess the submitted projects exclusively according to the assessment criteria indicated in the contest announcement.

8. Small value acquisition: simple modality to buy goods, services or works of little value. Depending on the estimated value of the contract, the public contracting authority shall determine the public acquisition procedure to be applied, and namely:

- when the value of goods/services acquisition does not exceed 80,000.00 MDL / acquisition and 100,000.00 MDL for contracts of works.

Each of these procedures allow the implementation – at different stages – of ecologic requirements:

- technical specifications;
- selection criteria (for example, technical and/or professional capacity, environment protection standards);
- assignment criterion, which may be *the most advantageous bid from economic point of view* or *the lowest price*. If the chosen assignment criterion is *the most advantageous bid from economic point of view*, the winning bid ist hat which encompasses the best results according to the system of assessment factors, which also include environment characteristics.
- contractual provisions which may refer to the conditions in environment protection.

3.5 Transparency of public acquisitions

3.5.1 Elaboration of announcements

To ensure transparency and publicity of public acquisitions, the contracting authorities have the obligation to draw up, transmit and publish the types of announcements provided by the legislation in the field of public acquisitions, depending on the types of procedures stipulated by the law in the field of public acquisitions, depending on the type of procedures carried out for the assignment of contracts.

The types of announcements established by the law in the field of public acquisitions are the following:

- **Announcement for intent** – aimed to ensure a high degree of advertising, in order to draw attention of the market on the future public acquisition contracts that shall

be assigned. The contracting authority has the obligation to publish an announcement of intent, as follows:

- for all public acquisition contracts for goods and services that are expected to be assigned by the end of the budgetary year, which estimated value for each contract separately is equal to or greater than 400,000.00 MDL;

- for all public acquisition contracts for works that are expected to be assigned by the end of the budgetary year, which estimated value for each contract separately is equal to or greater than 1,500,000.00 MDL;

- **Announcement for participation** - to ensure transparency in the assignment of public acquisition contracts, the contracting authority - whenever it intends to assign a public acquisition contract or conclude a framework agreement, is required to publish an announcement for participation or an invitation for participation, according the applied procedure. The announcement for participation must be sent for publishing, when:

- it is initiated for the assignment of public acquisition contract, an open auction procedure; restricted auction; competitive dialogue; negotiation with prior publishing of an announcement for participation.

- it is initiated the procedure for concluding the framework contract;

- it is initiated the process for assignment of public acquisition contract through a dynamic system of acquisitions.

The announcement for participation is published in:

- Public Acquisitions Bulletin and the website of the Agency, or

- Public Acquisitions Bulletin, the website of the Agency and the Official Journal of the European Union, when the estimated value of the public acquisition contract (without VAT) is:

- $\geq 2,300,000,00$ MDL for goods and services,
- $\geq 90,000,000.00$ MDL for works.

Optionally, in other local, national or international mass media, but only after publishing the announcement in the Public Acquisition Bulletin and on the website of the Agency. In this case, the announcement for participation shall contain the same information, as well as the number / date of the corresponding Bulletin.

- **Announcement for assignment** is published in no more than 30 calendar days from the date of public acquisition/framework contract, and namely, after:

- finishing the procedure for open auction; restricted auction; competitive dialogue; negotiated procedure; procedure for the conclusion of the framework contract; request for prices.

- assignment of a public acquisition contract through a dynamic system of acquisitions. The assignment announcement shall be published in the Public Acquisitions Bulletin and on the website of the Agency.

3.5.2 Relevant terms for each type of procedure

The term for elaboration of bids represents the number of days between the date of publishing the announcement for participation and the date of sending the invitation for participation, on the one hand, and the deadline for submission of bids.

Open auction

Tabel no 1

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of bids (calendar days)
<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · $\geq 2,300,000.00$ MDL for goods and services, · $\geq 90,000,000.00$ MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	52 days
<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · $< 2,300,000.00$ MDL for goods and services, · $< 90,000,000.00$ MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	20 days
<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · $\geq 2,300,000.00$ MDL for goods and services, · $\geq 90,000,000.00$ MDL for works. <p>And the contracting authority has published an announcement of intention regarding the public acquisition contract that shall be</p>	36 days

assigned , it has the right to reduce the period up to _____

Restricted auction

➤ *Ist Stage – Selection of candidates*

Tabel no 2/

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of candidacy (calendar days)
In case of public acquisitions contracts which estimated value is: <ul style="list-style-type: none"> · ≥ 2,300,000.00 MDL for goods or services, · ≥ 90,000,000.00 MDL for works. (thresholds for publishing the announcement for participation in the Official Journal of the European Union)	37 days
In case of public acquisitions contracts which estimated value is: <ul style="list-style-type: none"> · < 2,300,000.00 MDL for goods or services, · < 90,000,000.00 MDL for works. (thresholds for publishing the announcement for participation in the Official Journal of the European Union)	20 days

➤ *Illrd Stage – Submission of bids*

Tabel no 3

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of candidacy (calendar days)
In case of public acquisitions contracts which estimated value is: <ul style="list-style-type: none"> · ≥ 2,300,000.00 MDL for goods or services, · ≥ 90,000,000.00 MDL for works. (thresholds for publishing the announcement for participation in the Official Journal of the European Union)	40 days

<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · < 2,300,000.00 MDL for goods or services, · < 90,000,000.00 MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	<p>20 days</p>
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Competitive dialogue

➤ *Ist Stage – Pre-selection of candidates*

Tabel no 4

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of candidacy (calendar days)
<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · ≥ 2,300,000.00 MDL for goods or services, · ≥ 90,000,000.00 MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	<p>37 days</p>
<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · < 2,300,000.00 MDL for goods or services, · < 90,000,000.00 MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	<p>20 days</p>

➤ *IInd Stage – Invitation of selected candidates to submit preliminary bids and to participate in the dialogue:*

Tabel no 5

Type of notification	Term provided for sending the notification/minimum term for submitting preliminary and final bids

Sending the notification to inform on the results of candidates qualification	No legal term established immediately after completion of the selection, to all participating candidates in the same time
Sending the invitation for dialogue to all admitted candidates for preparing the participation to dialogue	No legal term established immediately after completion of the selection, to all participating candidates in the same time
Establishing the term for elaboration of proposals for relevant solutions needed by the contracting authorities, for the participation of selected candidates at the dialogue	No legal term established The contracting authority has to establish a reasonable term for the preparation by the selected candidates of materials necessary for the dialogue
Actual development of dialogue	Shall take place on the date, time and place , established in the invitation to participate at the dialogue
Establishing the term for submission of final bids	No legal term established The term for submission of final bids is established by the contracting authority and submitted for discussion in the dialogue stage. It has to be correlated with the degree of contract complexity so as each selected candidate would benefit from a reasonable period for the elaboration of final bid, At least 15 days, respectively

➤ ***Illrd Stage - Opening and assessment of final submitted bids***

The working group shall open the bids on the date, time and address indicated in the invitation for final bids submission, to the extent that the obligation to change the term for bids submission did not become incident.

Negotiated procedures

➤ ***Ist Stage – Selection of candidates***

Tabel no 6

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of candidacy (calendar days)
In case of public acquisitions contracts which estimated value is:	37 days

<ul style="list-style-type: none"> · $\geq 2,300,000.00$ MDL for goods or services, · $\geq 90,000,000.00$ MDL for works. (thresholds for publishing the announcement for participation in the Official Journal of the European Union)	
In case of public acquisitions contracts which estimated value is: <ul style="list-style-type: none"> · $< 2,300,000.00$ MDL for goods or services, · $< 90,000,000.00$ MDL for works. (thresholds for publishing the announcement for participation in the Official Journal of the European Union)	20 days

- ***IIInd Stage – Invitation of selected candidates to submit the preliminary bids and to participate at negotiations, and respectively, to submit final bids***

Tabel no 7

Type of notification	Term provided for sending the notification/ minimum term for submitting preliminary and final bids
Sending the notification to inform on the results of candidates qualification	No legal term established immediately after completion of the selection, to all participating candidates in the same time
Sending the invitation for participation at the IIInd stage to all selected candidates for participation at negotiations and submission of preliminary bids	No legal term established immediately after completion of the selection, to all participating candidates in the same time
Establishing the term for elaboration and sybmission of preliminary bid, to ensure the participation of all selected candidates at IIInd stage	No legal term established The term for submission of final bids is established by the contracting authority. It has to be correlated with the degree of contract complexity so as each selected candidate would benefit from a reasonable period for the elaboration of final bid, At least 40 days, respectively

Submission of preliminary bids	Shall take place on the date, time and place established in the invitation for participation at negotiation
Holding negotiations or successive rounds of negotiations	No legal term established It is established for each selected candidate who submitted a preliminary bid; The term runs until each participant at the negotiation declares that the submitted preliminary bid can not be improved anymore (final meeting)
The term for the elaboration and submission of final bids	No legal term established In a 2 days term from the final meeting

➤ **Illrd Stage– Assessment of final bids**

The working group shall check if the negotiated elements are included in the final bid submitted by the bidders following the conclusion of the negotiation process. The working group is entitled to reject the final submitted bids if elements are missing/are modified compared to those established at the IInd stage of negotiation and submission of final bid.

Request for prices

Tabel no 8

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of candidacy (calendar days)
In case of public acquisitions of goods	7 days
In case of public acquisitions of services and works	12 days

Competition for solutions

Ist stage – Selection of candidates

Tabel no 9

Depending on the type of contract and estimated value (without VAT)	Minimum term for submission of candidacy (calendar days)

<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · $\geq 2,300,000.00$ MDL for goods or services, · $\geq 90,000,000.00$ MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	<p>52 days</p>
<p>In case of public acquisitions contracts which estimated value is:</p> <ul style="list-style-type: none"> · $< 2,300,000.00$ MDL for goods or services, · $< 90,000,000.00$ MDL for works. <p>(thresholds for publishing the announcement for participation in the Official Journal of the European Union)</p>	<p>20 days</p>

3.6 Market consulting (Market research)

„Represents the collecting of information from a market about a product in order to verify the request, bid or environment of the respective market (political, economic, social, technological factors)“.

Being friendly with the environment has become more than a trend. In recent years, people became more aware of how their actions can affect the environment. "Small things can make a big difference" is the premise that best reflects the active involvement of the competent authorities, environmental organizations, companies and individuals. Responsible choices and initiatives "being green" became more than quality have become attitude for some consumers and producers, which means respect for the future. Responsible choices and initiatives „to be green“ exceeded the quality objective and became an objective of attitude for some consumers and producers, which signifies respect for the future.

When the acquisition of green products/services is decided, it is useful to know the market – for example, availability, cost and possible practical implications of green alternatives.

The study of the market can be realized on-line, by obtaining such basic information regarding green products/services available on the market.

Chapter 4. Environment aspects in the assignment documentation

4.1 Introduction

A thorough analysis of the needs will help define the scope of green acquisitions, and the way to avoid unnecessary acquisitions.

If it is relevant, materials, production methods or degrees of environmental performance can be specified.

Various bids help the contracting authority to select the most advantageous bid in economic terms, and also from environmental performance perspective.

The contracting authority shall establish based on the assignment documentation the rules on participation, requirements that must be met by economic operators, the conditions of the bid, the formalities for submission, the term of contract. In this way, it assumes responsibility regarding the development of assignment process, results and fulfilling the established objectives.

The assignment documentation includes:

- formal requirements,
- technical requirements,
- financial requirements, which allow the objective description of the object of contract, according to which, the economic operator shall elaborate its bid.

The assignment documentation:

- ✓ must be clear, full and unambiguous;
- ✓ has to include standard model for elaboration;
- ✓ the structure of documentation shall be adjusted according to the procedure that shall be applied.

The contracting authority shall include in the announcement for participation data regarding:

- ✓ formal rules for presentation and submission of bids/candidacies;
- ✓ conditions for participation, eligibility and qualification/selection of bidders/candidates;
- ✓ assignment criterion of contract and, if necessary, of relative shares of assessment factors or the calculation logarithm.

The assignment documentation shall not contain neither conflicting information nor information which contravene the details of the announcement for participation.

4.2 Specifications

The specifications represent the starting point in the elaboration of assignment documentation, since they underline the object of the future public acquisition contract, as well as the necessary quantity of products/services/works. The elaboration of specifications is based on the requirements established in the reports for needs by the sections of the contracting authority. For the elaboration of specifications, the specialized section for public acquisition contract assignment of the contracting authority shall collaborate with the specialists of the institution, or, eventually, with employed consultants. In addition to the **technical specifications** which are compulsory in the specifications it may also contain information regarding the quantities of products/services/works which constitute the object of contract, terms and place of delivery/provision/execution and other relevant information which the contracting authority considers necessary.

Technical standards, eco-labels and criteria regarding green acquisitions – formulated at European and national levels – are valuable sources of information in the elaboration of specifications and may be directly included in the auction documents without demanding from bidders a certain type of eco-label.

The descriptive information is considered as specifications in case of applying:

- ✓ Competitive dialogue;
- ✓ Negotiated procedures.

The descriptive documentation is detailed and comprises indications regarding the performances that can be obtained, legal, administrative and contractual conditions, which shall constitute the grounds for the elaboration of preliminary bids and for the development of procedure.

The descriptive documentation contains:

- ✓ A description of needs, objectives and constraints of contracting authority;
- ✓ Any other information used in the dialogue for the identification of viable solutions.

4.3 Technical specifications

Technical specifications are used to describe products, services or works that are planned for acquisition, being a determining factor for companies, either they are interested or not, thus determining the level of competition.

They provide measurable requirements used to assess the bids.

Technical specifications must allow free and equal access to the assignment procedure and should be defined in such a way so to comply with the needs or demands of any user. They define:

- ✓ Characteristics related to the qualitative, technical and performance levels;
- ✓ Requirements related to the impact on the environment;
- ✓ Dimensions, terminology, symbols, tests and testing methods, packaging, labeling, marking and instructions for use of the product, technology and production methods;
- ✓ Systems for quality ensurance and conditions for certification of conformity of products/services with relevant standards.

The use of standards to define technical specifications is useful because it provides increased transparency and a non-discriminatory approach of economic operators due to the fact that products/services/works comply – in terms of quality – with the accepted and recognised parameters. Many standards include environment characteristics, such as energy consumption and waste management.

The specifications may encompass the specification that the provided services and products that have a certain „**eco-label**” are considered to meet the required technical specifications by default.

A technical proposal can not be considered as inconsistent for the sole reason that the products and services of the bid do not have the „eco label”, if the bidder demonstrates – by any adequate means – that they correspond with the requested technical specifications.

Formulation of environmental requirements must be in line with the regulations on environmental protection and sustainable development, because they are not regarded as "barriers" in the competitive environment.

For the acquisition of green products, the technical specifications have to state the ecologic performances/characteristics of the product/service or works.

For the elaboration of technical specifications for products/services/works related to environment protection it is recommended the use of operational instruments made available by the European Commission:

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

If the compliance of certain environment provisions is requested, specifications shall be used integrally or partially, defined through:

- ✓ European „ecological labels”;
- ✓ Multi-national „ecological labels”;
- ✓ Any other „ecological labels”, certificates, if the following conditions and terms are respected:

- They have to be adequate to define the characteristics of products/services. They specify that only the specifications of ecologic labels which meet the object of public acquisition contract may be used. General criteria contained by the eco-labels which refer to the general management of the company that produces goods or service are not eligible as technical specifications.

- The requirements for the ecologic label have to be elaborated on scientific grounds.

- The requirements have to be adopted through a participatory approach and are accessible to all interested parties.

- Bidders can not be requested to be registered under a certain eco-labeling scheme. Equivalent means, such as a technical file of the producer or a testing report issued by a recognized body, for verification of compliance of requirements are always accepted.

4.4 Setting contractual clauses

When the object of contract is defined, the contracting authorities have the freedom to choose what they want to acquire. This fact allows the consideration of environment provided that this is done without distorting the market by limiting the access.

The structure of the public acquisition contract is the following

a) the **preamble**, the introductory part of the contract;

b) **mandatory contractual clauses**, those contractual provisions that any public acquisition contract has to comprise (regarding the object of contract, price and payment modalities, penalties for failure to execute obligations, other main obligations of the parties);

c) **specific contractual clauses**, those specific provisions for any public acquisition contract.

Specific contractual clauses may refer to:

- subcontractors;
- performance guarantee;
- quality guarantee;

- modality of price adjustment;
- term of execution of parties' obligations;
- reception, inspection, tests;
- packaging, labeling, transport;
- insurance;
- other conditions for contract execution;
- conditions on environment protection;

Each public acquisition contract comprises a different set of possible impacts upon the environment which shall be considered.

The contractual clauses for an ecologic acquisition have to consider the following:

- Object of contract;
- The desired effect for the realized acquisition;
- Ecologic benefits from the final outcome;
- Impact as upon the environment;
- Sustainability of the performed acquisition;

Examples of clauses comprised in contracts for works as public ecologic acquisitions

Contracts for delivery

- the impact upon the environment of materials used for the product and the production process.
- the use of recyclable materials in the production process;
- water and energy consumption for the use of product;
- life cycle of the product;
- opportunities for recycling / reuse of product at the end of its life cycle;
- packaging and transportation of the product.

Contract for service provision

- technical expertise and qualifications of the staff allow for execution (fulfillment, performance) of contract in an environment friendly manner;
- used products/materials;
- management procedures implemented to minimize the impact of the service upon the environment;
- consumed water and energy, waste generation.

Contracts of works

- may have significant effects upon the environment by using the land or traffic;
- there are projects which need an assessment procedure of the impact upon the environment.

1. Compulsory tests

According to the contract, works that require a degree of adequate functioning are carried out:

- water facilities;
- ventilation systems;
- heating/air conditioning facilities;
- electric facilities.

2. Transport of materials and tools on the site

- delivery of products on the site in concentrated or diluted form;
- use of reusable containers to transport products to the site;
- systems of waste management (for example, packed waste);
- recovery, recycling and reuse of relevant packaging of construction materials.

3. Modality of works execution

- use of dosage indicators to guarantee the use of corresponding quantities of materials.

4. Elimination of used materials or packages of products

- products or packagings are taken away by a contractor for reuse, recycling or proper disposal.

5. Training the staff of the entrepreneur

- the staff is trained regarding the ecologic impact of the works and the environment policy of the contracting authority.

The contracting authority can specify that the acquisition of goods or the performed services/works shall have a minimum impact upon the environment. In order to discourage any violations of environmental rules, contracting authorities can establish penalties in the contract.

Rules regarding the contractual clauses

The social and environment aspects may be included in the contractual clauses on condition that they are published in the announcement for participation or the specifications, and comply with the national and community legislation.

The specific contractual clauses may include commitments that were part of the acquisition process (for example, observance of environment requirements from the assignment documentation).

The contractual clauses have to be clear, complete and consistent with the technical specifications of the specifications so that operators should be aware of all obligations under the contract and the submitted bids must reflect this fact.

The contractual clauses are linked with the execution of contract, that is, they must refer to the activities (tasks) necessary for the production/delivery of acquired goods, services or works.

Contractual clauses for the supply of goods

In the contracts of goods supply, the contractual clauses on the protection of environment may refer to the modality of goods supply. In order to reduce the impact upon the environment during the contract, the following actions may be required:

- The delivery of product in the corresponding amount. The delivery in bulk, using a single transport is more environmentally efficient compared to a several shipments delivery. Specifying a maximum number of deliveries per week or month can also be another way of achieving the same result.
- Deliveries shall be performed in the off peak hours traffic.
- The suppliers shall recover (for recycling and reuse) any packaging that came with the product. This can encourage the supplier to reduce unnecessary packaging.

If the specification comprises requirements related to materials, production processes or specific methods, these may be included in the contractual clauses of supply contract.

Contractual clauses for the provision of services/works

The service/works contracts can encompass the following clauses:

Regarding the modality to perform the service/work

- Implementation – when necessary – of specific environment management measures, according to a system certified by a third party, such as, for example EMAS or ISO 14001.
- Reduction at minimum of waste quantities generated during the execution of contract, by establishing certain targets or penalties.
- Efficient use of resources, such as electric power and water.

Training the staff of the provider of services/works:

- It has to be acquainted with the environment policy of the contracting authority and the impact of executed work upon the environment.
- Transport of necessary materials and instruments
 - ✓ Delivery of materials in concentrated and diluted form;
 - ✓ Reuse of containers or packagings for transport;
 - ✓ Disposal of packagings;
 - ✓ Collection by the supplier of packagings for reuse, recycling and storage.

Monitoring

A proper monitoring of activities for their conformity with those specified in the contract leads to the fulfillment of proposed objectives.

The monitoring of observance of contract requirements may be realized in different forms:

- ✓ The supplier has to prove the conformity;
- ✓ The contracting authority can perform spot checks;
- ✓ Verification of quantities, quality norms, etc.

Chapter 5. Selection of suppliers of goods and services

5.1 Introduction

The selection criteria of bidders have to be objective, non-discriminatory and in line with the principle of proportionality.

When the bidder's ability to perform a contract is assessed, the public authority may take into account issues such as experience and competence to fulfill relevant environmental requirements for the contract. Operators that violate the environmental legislation can be excluded, whether this constitutes professional misconduct. Only for services and works contracts they may require evidence regarding the ability to apply environmental management measures in fulfilling the contract.

5.2 Exclusion criteria

The exclusion criteria refer to the circumstances of an operator, and which as a rule lead to disqualification.

The law in force provides the cases when the contracting authority may reject the bids submitted by economic operators during a public acquisition procedure.

The bids can be rejected in the following circumstances:

- ✓ During the assessment meetings subsequent to the opening meeting, based on grounds of inadmissibility in relation to the requirements of the notice / invitation for participation and the assignment documentation.
- ✓ Conviction by final judgment for an offense concerning the professional conduct and serious professional misconduct, may constitute criteria for exclusion.

5.3 Qualification and selection criteria

The law on public acquisitions stipulates minimum requirements for qualification. The qualification criteria represent minimum requirements imposed by the contracting authority which have to be met by the economic operator in order to be considered as qualified. The selection/pre-selection criteria represent the conditions which the qualified economic operator has to fulfill for selection/pre-selection.

The minimum qualification requirements may be grouped according to the type of information they refer:

- ✓ personal situation of the candidate or bidder;
- ✓ capacity to exercise the professional activity;
- ✓ economic and financial situation;
- ✓ technical and/or professional capacity;
- ✓ standards of ensuring quality, environment protection standards.

Therefore, in order to comply with the qualification data mentioned above, the economic operator shall submit the documents issued by the competent authorities established by the contracting authority within the public acquisition procedures.

Depending on the specific features of acquisition and procedure, the contracting authority shall establish for each procedure, separately, the qualification criteria and the supporting documents which must be submitted by the economic operators.

The contracting authorities may request from bidders to demonstrate their technical and/or professional capacity to perform the environment requirements provided in the contract.

Environment criteria may include:

- minimizing the amount of produced waste;
- avoiding spillage / leakage of pollutants;
- reducing the use of pollutants;
- minimizing the fragmentation of natural habitats.

A useful instrument in checking the candidates is experience in similar contracts. That is why it is recommended to establish clearly the types of information considered relevant and the supporting documents that must be submitted.

In other cases, the environment aspects can be verified through examination of education and professional qualifications of the staff involved in the initiation of the contract, which are paramount to reach the environment objectives.

For contracts of services and works, evidence that demonstrate the capacity of the company to implement environment management measures for the execution of contract, shall be requested.

To demonstrate the presence of minimum qualification and selection requirements, economic operators must submit:

either certificates issued by:

- a competent public authority

or

- a public / private law body that observes the European certification standards;

either any other documents equivalent with the required certification which can demonstrate the observance of requirements.

Particular attention should be paid to the modality of verifying the compliance of bidders. Because of this, the types of documents which confirm the eligibility of bidders shall be specified.

The environmental requirements are often complex, but there are means of verifying the conformity.

- Environment declarations of products may be a useful instrument in the assessment of conformity. They provide information regarding the impact upon environment of the life cycle of a product or service. The references related to the environment declarations refer to ISO and EMAS environment standards. The environment management systems (for instance, EMAS) may serve as proof (non-exclusive) of technical capacity;
- The contracting authority can not claim the compliance with a certain environment management system.
- If the submission of certificates that attest the observance of certain standards for environment protection, then the authority has to comply with:
 - ✓ Either the European Eco-Management Scheme and Environmental Audit Scheme (EMAS);
 - ✓ Or certified standards on environmental management, from the ISO 14000 family (for example, ISO 14001, ISO 14301).

If the economic operator does not hold an environment certificate as required, the contracting authority has the obligation to accept any other proofs or evidence submitted, to the extent that these proofs and evidence confirm the ensuring of a corresponding level of environment protection.

Example: minimum qualification requirements for economic operators that deliver vegetables and ecologic fruits, and namely:

Compulsory documents:

- a) Certificate of company registration – copy – issued by the State Chamber of Registration or by the competent authority in the country of residence of foreign economic operator, confirmed by signature and seal of the Participant;
- b) Certificate of bank account assignment – copy – issued by the bank holding the account;
- c) Certificate of systematic payment of taxes, contributions – copy – issued by the Tax Inspectorate or the competent authority in the country of residence of foreign economic operator (validity of certificate – under the requirements if Tax Inspectorate of the Republic of Moldova for residents);
- d) The final financial report – copy – confirmed by signature and seal of the Participant;

e) Authorization to use the national label „Ecologic Farming – Republic of Moldova” or any other ecologic label recognized by the Republic of Moldova – copy – confirmed by signature and seal of the Participant.

f) Certificate of conformity for the ecologic product – issued by the inspection and certification body – copy of the original confirmed by seal and signature of Participant;

g) Declaration on ethical conduit and non-involvement in fraudulent and corruption practices.

Optional documents, submitted on a compulsory base only at subsequent request:

a) Certificate which confirm the absence of criminal sanctions (criminal record) against the officials of the Participant – issued by the Ministry of Internal Affairs which reflect the information regarding the absence of criminal penalties during the last 3 years or by a competent body in the country of residence of foreign economic operator;

b) Certificate which confirms the absence of administrative and disciplinary sanctions against the officials of the Participant – original – issued by the Participant that reflects the information regarding the absence of administrative and disciplinary sanctions during the last 3 years or by the competent authority in the country of residence of the foreign economic operator;

c) Recommendations – original;

Example: Minimum requirements of qualification for economic operators that perform PVC windows and doors installation works, that refer to:

Qualification requirements for economic operators include the following:

Compulsory documents:

a) Certificate (decision) of company registration – copy – issued by the State Chamber of Registration (Ministry of Information Development), confirmed by signature and seal of the Participant;

b) Certificate of bank account assignment – copy – issued by the bank holding the account;

c) Certificate of systematic payment of taxes, contributions – copy – issued by the Tax Inspectorate or the competent authority in the country of residence of foreign economic operator (validity of certificate – under the requirements if Tax Inspectorate of the Republic of Moldova);

- d) The final financial report – copy – confirmed by signature and seal of the Participant;
- d) Licence for activity – copy – confirmed by signature and seal of the Participant;
- e) Recommendations on behalf of other beneficiaries;
- f) Site supervisor, attested under the law in force, confirmed by a certificate of professional attestation and similar experience in the field of the works that shall be performed.
- g) List of founders of bidder.
- h) Manual of quality

Optional documents, submitte on a compulsory base only at subsequent request:

- a) Certificate which confirm the absence of criminal sanctions (criminal record) against the officials of the Participant – issued by the Ministry of Internal Affairs which reflects the information regarding the absence of criminal penalties during the last 3 years or by a competent body in the country of residence of foreign economic operator;
- b) Certificate which confirms the absence of administrative and disciplinary sanctions against the officials of the Participant – original – issued by the Participant that reflects the information regarding the absence of administrative and disciplinary sanctions during the last 3 years or by the competent authority in the country of residence of the foreign economic operator;
- c) Recommendations – original.

Chapter 6. Examination and assessment of bids

The modality to select bids is realized by applying selection criteria, as they were specified in the announcement for participation and which must be objective, non-discrimianatory and in compliance with the proportionality principle.

At the assignment stage, additional points can be added for the minimum requirement established in the specifications that recognizes the environment performance. There is no maximum number of points that can be added for environment criteria.

The approach „cost of life cycle” shows the real costs of a contract. The analysis - during the assessment – of costs related to water and energy consumption, maintenance and elimination, may show that the ecologic option is the cheapest.

6.1 General rules for contract assignment

Assignment criteria

At the stage of assignment, the contracting authority shall assess the quality of bids and compare the prices.

When the quality of bids is assessed, the pre-established criteria of assignment – published in advance – shall be used in order to decide upon the best bid. It is up to each contracting authority to establish the assignment criteria and the preference for each criterion.

There are two criteria which, and on the base of which, the contracting authority may assign contracts and which are briefly described below:

Tabel no 10

Criterion	Description
The lowest price	As a rule, it is used when the technical specifications are clear and well established. This criterion is specific to the procedure based on request of prices.
The most advantageous bid from economic point of view	<p>As a rule, it is used when the contracting authority wants to assign the contract of public acquisition to the economic operator whose bid „brings more money”. In this case:</p> <ul style="list-style-type: none"> a. the contracting authority is able to establish specifications for the contract, placing greater emphasis on functional performance which is desired to be obtained from bidders; b. the specifications used to identify the bids represent extensions of the mandatory requirements for the specifications. Failure to meet these specifications will not result in rejection of the bid, but their observance is likely to lead to the an advantage in the assessment procedure (when those specifications are subject to assessment factors); c. the assesment shall take place according to different factors, related to the

	<p>specific scope of the contract, such as the qualitative level of the proposed solutions, technical additional characteristics, functional characteristics, environment characteristics, operating costs, report cost/efficiency, post-sale services and technical assistance, delivery terms, deadline for execution of works, guarantees offered depending on the provided technical solutions;</p> <p>d. the contracting authority shall specify the manner of assessment within the assignment documentation.</p>
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6.2 Environment criteria

Environmental criteria can be applied where no one knows the cost and / or availability of the products, works or services on the market, which meet certain environmental targets. Their inclusion in the assignment criteria allow the comparison, including cost.

The share given to each assignment criterion determines the influence that it has in the final assessment, while in the case of environment requirements - it reflects the extent to which these issues were already addressed in the specification.

The calculation algorithm is determined in the assignment documentation. For its determination, the following should be considered:

- ✓ the importance of environment objectives for the contract, in relation to other considerations such as cost and overall quality.
- ✓ to what extent these considerations are addressed in the assignment criteria, specifications, selection criteria, contract performance clauses.
- ✓ Product/service and market conditions. For example, if the price of a product does not vary greatly, while the environmental exchange - do, they shall have priority.

The working group for acquisitions has the obligation to establish the winning bid among the admitted bids, based on the criterion for assignment the public acquisition contract. Commission members shall give each bid, separately, individual scores, arising by summing the scores obtained by the calculation algorithm for each assessment factor. The total score will be the average of the individual scores.

The ranking is drawn up in descending order of total awarded scores.

Chapter 7. Products, characteristics and criteria

This chapter illustrates the modality of approach – during the public acquisition procedure – of categories of goods and works such as PVC windows and doors, ecologic vegetables and fruits (potato, onion, carrot, cabbage, beetroot and apples) which have impact on the environment, potential to influence the market, as well as the existence of ecologic alternatives on the market.

7.1 Technical requirements for product: potatoe

1. Scope
2. Classification
3. Quality technical specifications

1. SCOPE

The following specifications refer to fresh table potatoes harvested and delivered for fresh consumption.

2. CLASSIFICATION

- 2.1. By the ripening schedule, the potatoes are classified into:
 - early (potato harvest in the current year, which is prepared and delivered before 1 September);
 - and late (prepared and transported after 1 September).
- 2.2. Depending on the nutritional value, there are late potato varieties with high nutritional value.
- 2.3 The contracting authority should specify in the specification requirements the full name of the product, the quality and the standards in force related to ecologic products.

3. QUALITY TECHNICAL SPECIFICATIONS

3.1 Fresh table potatoes shall meet the following minimum quality requirements:

Indicators	Minimum quality requirements		
	Early	Late	Late ripening and high nutrition value
Appearance	Whole, dry, uncontaminated, healthy tubers, no signs of diseases or insect attacks making them unfit for consumption, no visible traces of foreign substances without damage caused by the cold.		

	Homogeneous or heterogeneous in form and color	Uniform in shape and color. Typical for botanical varieties by color and shape.	
		Mature with a dense shell	
Smell and taste	Specific for potato varieties, no foreign smell or taste		
The size of tubers in the largest transverse diameter, mm no less than	25	30	30
Tubers of dry potatoes with signs of rot, frostbitten or with any other deterioration making it unfit for use	Not allowed		
Tuber nodules are allowed, the green area shall not exceed 1/4 of the surface of the tuber, % not more than	2,0	2,0	2,0
Tubers with a mechanically damaged depth of more than 5 mm and a length of more than 10 mm more (cuts, tears, cracks, dimples), % not exceeding	5,0	5,0	5,0
Crashed tubers, halves or pieces of tubers	Not allowed		
Tubers damaged by pests	Not allowed		
Dried roots with signs of rot, frostbitten or any other damage making them unfit for use	Not allowed		
The amount of earth adhered to the tubers, % of weight not exceeding	1,0	1,0	1,0

4. Main environmental impacts:

- Toxic impact on human health and the environment (plants and animals) because of fertilizers and pesticide residues present in water, air, soil and food;
- Negative impact on the occupational health of farmers due to wrong handling and use of certain pesticides and fertilizers;
- Soil erosion, destruction of forests and biodiversity loss caused by improper agricultural practices;
- Packaging waste.

Public ecologic acquisition approach:

- acquisition of ecologic food;
- acquisition of seasonal product;
- acquisition in recycled content packaging;

5. Criteria for public ecologic acquisition food products

In order to purchase ecologic food, the contracting authority shall establish, without being limited to, the criteria set out below with reference to environmental protection, preserving and enhancing soil fertility, conserving natural resources, minimizing the use and consumption of chemicals, increasing the flow of manufacturers and products in the field of ecologic farming.

6. Checking: the products bearing the national eco-label (national label “Ecologic Farming – Republic of Moldova”) or the community label shall be deemed complying. Also, the existence of other national labels of other countries that confirm the status of the product as an ecologic one, shall be accepted exclusively on the ”mutual recognition principle”.

National Label „Ecologic Farming – Republic of Moldova”



7. Requirements for packaging, labeling and transportation of ecologic products:

7.1 Packaging and labeling of ecologic products.

The supplier shall comply with the legal requirements on packaging and labeling, so as to ensure the arrival at the final destination in good condition.

Products must be delivered in packages made mainly from renewable raw materials. The packaging of ecologic products must be from biodegradable materials that do not contaminate any product or the environment.

Ecologic products should be labeled and/or accompanied by a document stating the product name, the name and address of the person or the producer company, the name of the body that made the inspection, the methods of production or processing and the note "certified ecologic product". Use of derivatives or diminutives, such as "bio" and "eco", alone or in combination, is allowed.

7.2 Transportation

Transportation is provided by the supplier to the recipient with suitable means of transport for ecologic products.

- Food transportation vehicles must be approved by the sanitary authority, kept clean and in good condition to protect food from contamination;
- The vehicles must be cleaned with substances and materials allowed for ecologic production;
- Vehicles to be used to transport food must meet minimum requirements for exhaust emissions EURO 4 (the supplier must submit a list of vehicles that will be used for product delivery and data sheets stating emission levels).

8. Assignment criteria

1. The contracting authority will award extra scores for "superior performance compared to the minimum requirements". The scores will be awarded in proportion to performance improvement (the contracting authority shall indicate in the assignment documents the score for each evaluation sub-criterion). The criteria relating to the performance/impact on the environment will be at least 30 percent of the total scoring.

*Note: The criterion "the most economically advantageous bid" is relevant both for the purchase of ecologic products, a % of ecologic products and for submission of bids for ecologic products together with non-ecologic products. In the latter case, the contracting authority will specify in the bidding documents the sub-criterion referring to "ecologic products/additional share of ecologic products "and the corresponding score.

7.2 Technical requirements for product: vegetables/ onion

1. Scope
2. Classification
3. Quality technical specifications

1. SCOPE

The following specifications refer to onion varieties to be delivered for consumption as fresh, except for industrial processing onion and green onions with full leaves. Fresh onions - onion harvested recently, which was not subjected to a preservation process, with "green" stem and the outer coating of the bulb still fresh, or at least the first two outer layers of the bulb and the stem sheath completely dry.

2. CLASSIFICATION

2.1 The onion can be classified into the following categories, depending on the quality class:

- first quality and
- the second quality.

2.3 The contracting authority shall specify in the specifications the full name of the product, the quality and the standards related to ecologic products.

3. QUALITY TECHNICAL REQUIREMENTS

3.1 In all cases, regardless of the quality class, taking into account the specific conditions for each quality class and the allowed tolerances, the bulbs of onions must be: intact, healthy, no signs of attacks of disease or insects that would make them unfit for consumption, clean, no visible signs of foreign substances, no injuries produced by cold, sufficiently dried in the intended state of use (at least the first outer layers of the sheath and the stems should be fully dried), without false or hard stems, without harmful insects,

without damage caused by pests, without excessive surface moisture, odorless and tasteless. The stems must be twisted or cut not more than 6 cm in length.

3.2 The specific quality requirements for the first quality class: the bulbs must be firm and dense, with no signs of sprouting, no defects caused by abnormal vegetative development, practically without bundles of roots. The following defects are allowed provided that these do not affect the general appearance of the product, the intact and appealing character of the goods:

- a slight defect in shape,
- a slight defect in coloring,
- small spots that do not penetrate the top layer of the protecting bulb, provided that the surface of these spots does not exceed one fifth of the bulb's surface,
- cracks on the surface of the outer covering and partial lack thereof, provided that the bulb is still protected.

3.3 The specific conditions for the second quality class. This category of quality includes onions that cannot be referred to the first quality, but which meet the minimum requirements according to section 3.1. The bulbs must be sufficiently strong. The following defects are allowed, provided that the bulbs preserve their essential quality characteristics and the general appearance of the product: defect in shape, defect in coloring, first signs of sprouting, visible from the outside (not more than 10% in number or mass in a packing unit), traces of abrasions, slight traces of damage, slight healed cracks, slight traces of healed abrasions which do not affect the intact character of the onion, bundles of roots, stains that do not penetrate to the last layer of the coating that protects the bulb, provided that the area of these spots does not exceed half the surface of the bulb, cracks on the outer cover and its partial absence on not more than one-third of the surface of the bulb, provided that the bulb is undamaged.

3.4 Conditions for tolerance.

In each package (or each lot) presence of the product that does not meet the conditions for the quality concerned within the tolerance set -5%.

4. Main environmental impacts:

- Toxic impact on human health and the environment (plants and animals) because of fertilizers and pesticide residues present in water, air, soil and food;
- Negative impact on the occupational health of farmers due to wrong handling and use of certain pesticides and fertilizers;

- Soil erosion, destruction of forests and biodiversity loss caused by improper agricultural practices;
- Packaging waste.

Public ecologic acquisition approach:

- acquisition of ecologic food;
- acquisition of seasonal products;
- acquisition in recycled content packaging;

5. Criteria for public ecologic acquisition of food products

In order to purchase ecologic food, the contracting authority shall establish, without being limited to, the criteria set out below with reference to environmental protection, preserving and enhancing soil fertility, conserving natural resources, minimizing the use and consumption of chemicals, increasing the flow of manufacturers and products in the field of ecologic farming.

6. Checking: the products bearing the national eco-label (national label “Ecologic Farming – Republic of Moldova”) or the community label shall be deemed complying. Also, the existence of other national labels of other countries that confirm the status of the product as an ecologic one, shall be accepted exclusively on the ”mutual recognition principle”.

National Label ”Ecologic Farming - the Republic of Moldova”



7. Requirements for packaging, labeling and transportation of ecologic products:

7.1 Packaging and labeling of ecologic products.

The supplier shall comply with the legal requirements on packaging and labeling, so as to ensure the arrival at the final destination in good condition.

Products must be delivered in packages made mainly from renewable raw materials. The packaging of ecologic products must be from biodegradable materials that do not contaminate any product or the environment.

Ecologic products should be labeled and/or accompanied by a document stating the product name, the name and address of the person or the producer company, the name of the body that made the inspection, the methods of production or processing and the marking "certified ecologic product". Use of derivatives or diminutives, such as "bio" and "eco", alone or in combination, is allowed.

7.2 Transportation

Transportation is provided by the supplier to the recipient with suitable means of transport for ecologic products.

- Food transportation vehicles must be approved by the sanitary authority, kept clean and in good condition to protect food from contamination;
- The vehicles must be cleaned with substances and materials allowed for ecologic production;
- Vehicles to be used to transport food must meet minimum requirements for exhaust emissions EURO 4 (the supplier must submit a list of vehicles that will be used for product delivery and data sheets stating emission levels).

8. Assignment criteria.

1. The contracting authority will award extra scores for "superior performance compared to the minimum requirements". The scores will be awarded in proportion to performance improvement (the contracting authority shall indicate in the tender documents the score for each evaluation sub-criterion). The criteria relating to the performance/impact on the environment will be at least 30 percent of the total scoring.

*Note: The criterion "the most economically advantageous bid" is relevant both for the purchase of ecologic products, a % of ecologic products and for submission of bids for ecologic products together with non-ecologic products. In the latter case, the contracting authority will specify in the bid documents the sub-criterion referring to "ecologic products/additional share of ecologic products "and the corresponding score.

7.3 Technical requirements for product: vegetables/ carrot

1. Scope
2. Classification
3. Technical quality specifications

1. SCOPE

The following specifications refer to fresh carrots harvested and delivered for consumption as a fresh product.

2. CLASIFICATION

2.1 The contracting authority shall define in the technical requirements the full name of the product, the quality and the standards related to ecologic products.

3. TECHNICAL QUALITY REQUIEMENTS

INDICATORS	QUALITY REQUIREMENTS
3.1. External aspect	<p>Fresh, full, healthy, clean root, free of damage caused by pests, without excessive moisture on the surface, with a shape and coloring typical for the table carrot varieties, with the length of remaining stems not exceeding 2.0 cm or without stems.</p> <p>Deviations from the typical form, but not ugly, are allowed.</p> <p>Roots with healed cracks, without disfiguring the typical form, are allowed.</p> <p>Allow natural roots deep healed cracks not more than 2-3 mm in the cortical formed during the formation of root, root nodules minors, formed following the development of lateral roots not significantly affect root appearance.</p> <p>Healed roots with natural cracks not exceeding 2-3 mm in the cortical part formed during the formation of the root, roots with minor nodules, formed following the development of lateral roots not significantly affecting root appearance are allowed.</p>
3.2 Color	Orange, uniform, appropriate to the species and degree of maturity of the vegetable

3.3 Consistency	Hard, crispy on the outside and juicy inside, free of rotting
3.4 Smell and taste	Specific for this variety, no foreign smell and taste.
3.5 Size of the root in the largest transversal diameter, cm	3,0 - 8,0
3.6 Contents of the root with deviations from the specified size not exceeding 0.5 cm, in total % of the weight, not more	10,0
3.7 Contents of the cracked roots, torn not less than 7.0 cm with an ugly shape, but not furcated improperly (heads, pieces), a total of % in weight, not exceeding	5,0
3.8 Dry roots with signs of rotting, frostbitten or any other damage making it unfit for use	0,0
3.9 The amount of earth adhered to roots, % of the weight not more than	1,0

Note: Excessive external humidity - the amount of moisture from rain or irrigation. Condensation on the roots caused by the temperature difference is not considered excessive external humidity.

3.10 Tolerance conditions.

In each package (or each lot) presence of the product that does not meet the conditions for the quality concerned within the tolerance set =5%.

5. Main environmental impacts:

- Toxic impact on human health and the environment (plants and animals) because of fertilizers and pesticide residues present in water, air, soil and food;
- Negative impact on the occupational health of farmers due to wrong handling and use of certain pesticides and fertilizers;
- Soil erosion, destruction of forests and biodiversity loss caused by improper agricultural practices;
- Packaging waste.

Ecologic public acquisition approach:

- acquisition of ecologic food;
- acquisition of seasonal products;
- acquisition in recycled content packaging;

5. Criteria for ecologic public acquisition of food products

In order to purchase ecologic food, the contracting authority shall establish, without being limited to, the criteria set out below with reference to environmental protection, preserving and enhancing soil fertility, conserving natural resources, minimizing the use and consumption of chemicals, increasing the flow of manufacturers and products in the field of ecologic farming.

6. Checking: the products bearing the national eco-label (national label „Agricultura Ecologică – Republica Moldova” ”Ecologic Farming - the Republic of Moldova) or the community label shall be deemed complying. Also, the existence of other national labels of other countries that confirm the status of the product as an ecologic one, shall be accepted on the ”mutual recognition principle” only.

National Label „Ecologic Farming– Republic of Moldova”



7. Requirements for packaging, labeling and transportation of ecologic products:

7.1 Packaging and labeling of ecologic products.

The supplier shall comply with the legal requirements on packaging and labeling, so as to ensure the arrival at the final destination in good condition.

Products must be delivered in packages made mainly from renewable raw materials. The packaging of ecologic products must be from biodegradable materials that do not contaminate any product or the environment.

Ecologic products should be labeled and/or accompanied by a document stating the product name, the name and address of the person or the producer company, the name of the body that made the inspection, the methods of production or processing and the marking "certified ecologic product". Use of derivatives or diminutives, such as "bio" and "eco", alone or in combination, is allowed.

7.2 Transportation

Transportation is provided by the supplier to the recipient with suitable means of transport for ecologic products.

- Food transportation vehicles must be approved by the sanitary authority, kept clean and in good condition to protect food from contamination;
- The vehicles must be cleaned with substances and materials allowed for ecologic production;
- Vehicles to be used to transport food must meet minimum requirements for exhaust emissions EURO 4 (the supplier must submit a list of vehicles that will be used for product delivery and data sheets stating emission levels).

8. Assignment criteria

1. The contracting authority will award extra points for "superior performance compared to the minimum requirements". The points will be awarded in proportion to performance improvement (the contracting authority shall indicate in the tender documents the score for each evaluation sub-criterion). The criteria relating to the performance/impact on the environment will be at least 30 percent of the total scoring.

*Note: The criterion "the most economically advantageous bid" is relevant both for the purchase of ecologic products, a % of ecologic products and for submission of bids for ecologic products together with non-ecologic products. In the latter case, the contracting authority will specify in the bid documents the sub-criterion referring to "ecologic products/additional share of ecologic products "and the corresponding score.

7.4 Technical requirements for product: vegetables/fresh cabbage

1. Scope
2. Classification

3. Technical quality requirements

1. SCOPE

The following specifications refer to the cabbages harvested and delivered fresh for fresh consumption.

2. CLASSIFICATION

2.1. Depending on the ripening period, the cabbage is divided into:

- earlier
- medium
- late medium
- late

2.2. The contracting authority shall specify the full name of the product, the quality and standards related to ecologic products.

3. TECHNICAL QUALITY REQUIREMENTS

3.1 The fresh cabbage shall meet the following minimum quality requirements:

Indicators	Minimum quality requirements	
	Early	Medium, Late medium and late
Appearance	Fresh, whole, healthy, clean, fully formed heads, typical for botanical varieties by color and shape, no signs of disease or insect attacks making them unfit for consumption, without visible signs of foreign substances, without damage caused by cold	
Smell and taste	Specific for cabbage varieties, without foreign smell and taste	
Density of the cabbage head	Different density degrees	Dense or less dense, but not dry

Cleaning of the cabbage head	The cabbage should be cleaned of leaves to well tightened green or white leaves that form the head.	
	Yellow, rotten, withered, contaminated and soiled leaves or leaves with any other deterioration rendering it unfit for use are removed	Cabbage head with 204 free green leaves around is admitted.
The length of the core, cm, not less than	3 cm	3 cm
Weight of the head depends on variety and the ripening period <ul style="list-style-type: none"> ➤ from May to 1 August ➤ from September 1 	0,4 kg -	0,6 kg min 0,8 kg - 1,2 kg
Bulbs with signs of rot, frostbitten or any other deterioration rendering it unfit for use are not admitted	0	0

3.2 Conditions for tolerance.

In each package (or lot) present of the product not meeting the conditions for the corresponding quality within the limits of tolerance = 5%

4. Main environmental impacts:

- Toxic impact on human health and the environment (plants and animals) because of fertilizers and pesticide residues present in water, air, soil and food;

- Negative impact on the occupational health of farmers due to wrong handling and use of certain pesticides and fertilizers;
- Soil erosion, destruction of forests and biodiversity loss caused by improper agricultural practices;
- Packaging waste.

Ecologic public acquisition approach:

- acquisition of ecologic food;
- acquisition of seasonal products;
- acquisition in recycled content packaging;

5. Criteria for ecologic public acquisition of food products

In order to purchase ecologic food, the contracting authority shall establish, without being limited to, the criteria set out below with reference to environmental protection, preserving and enhancing soil fertility, conserving natural resources, minimizing the use and consumption of chemicals, increasing the flow of manufacturers and products in the field of ecologic farming.

6. Checking: the products bearing the national eco-label (national label "Ecologic Farming - the Republic of Moldova) or the community label shall be deemed complying. Also, the existence of other national labels of other countries that confirm the status of the product as an ecologic one, shall be accepted exclusively on the "mutual recognition principle".

National Label „ Ecologic Farming – Republic of Moldova”



7. Requirements for packaging, labeling and transportation of ecologic products:

7.1 Packaging and labeling of ecologic products.

The supplier shall comply with the legal requirements on packaging and labeling, so as to ensure the arrival at the final destination in good condition.

Products must be delivered in packages made mainly from renewable raw materials. The packaging of ecologic products must be from biodegradable materials that do not contaminate any product or the environment.

Ecologic products should be labeled and/or accompanied by a document stating the product name, the name and address of the person or the producer company, the name of the body that made the inspection, the methods of production or processing and the marking "certified ecologic product". Use of derivatives or diminutives, such as "bio" and "eco", alone or in combination, is allowed.

7.2 Transportation

Transportation is provided by the supplier to the recipient with suitable means of transport for ecologic products.

- Food transportation vehicles must be approved by the sanitary authority, kept clean and in good condition to protect food from contamination;
- The vehicles must be cleaned with substances and materials allowed for ecologic production;
- Vehicles to be used to transport food must meet minimum requirements for exhaust emissions EURO 4 (the supplier must submit a list of vehicles that will be used for product delivery and data sheets stating emission levels).

8. Assignment criteria

1. The contracting authority will award extra scores for "superior performance compared to the minimum requirements". The scores will be awarded in proportion to performance improvement (the contracting authority shall indicate in the tender documents the score for each evaluation sub-criterion). The criteria relating to the performance/impact on the environment will be at least 30 percent of the total scoring.

*Note: The criterion "the most economically advantageous bid" is relevant both for the purchase of ecologic products, a % of ecologic products and for submission of bids for ecologic products together with non-ecologic products. In the latter case, the

contracting authority will specify in the bid documents the sub-criterion referring to "ecologic products/additional share of ecologic products "and the corresponding score.

7.5 Technical requirements for product: vegetables/ beetroot

1. Scope
2. Classification
3. Technical Quality Requirements

1. SCOPE

The following specifications shall include recommendations for the purchase of beet.

These technical requirements shall apply to fresh beet harvested and delivered for fresh consumption.

2. CLASSIFICATION

The contracting authority shall indicate the full name of the product, the quality and standards related to ecologic products in the specifications.

3. TECHNICAL QUALITY REQUIREMENTS

INDICATORS	QUALITY CONDITIONS
3.1. External aspect	Fresh, healthy, clean root, free of damage caused by pests, without excessive humidity at the surface, without damage, with a shape and coloring typical for the variety of the beet, with the length of remaining stems not exceeding 2.0 cm. Deviations from the typical form, but not ugly, are allowed. Roots with healed cracks that do not disfigure the typical shape are allowed.
3.2 Smell and taste	Specific for this variety, without foreign smell and taste.
3.3 Internal structure	The core is juicy, dark red, various shades, depending on the variety.
3.4 The size of the root in the largest diameter, cm	5,0 - 14,0
3.5 Contents of the root with deviations from specified dimensions not more than 1 cm,	5,0

with mechanical damage at a depth of 0.3 cm with healed cracks, with cuts at the ends, fading in the light, a total of % in the weight	
3.6 Dry root with signs of rotting, frostbitten or with any other damage rendering it unfit for use	0,0
3.7 Amount of earth adhered to the roots, % of weight, not exceeding	1,0

Note: Excessive external humidity - the amount of moisture from rain or irrigation. Condensation on the roots caused by the temperature difference is not considered excessive external humidity.

3.8 Tolerance conditions.

In each package (or each lot) presence of the product that does not meet the conditions for the quality concerned within the tolerance set =5%.

4. Main environmental impacts:

- Toxic impact on human health and the environment (plants and animals) because of fertilizers and pesticide residues present in water, air, soil and food;
- Negative impact on the occupational health of farmers due to wrong handling and use of certain pesticides and fertilizers;
- Soil erosion, destruction of forests and biodiversity loss caused by improper agricultural practices;
- Packaging waste.

Ecologic public acquisition approach:

- acquisition of ecologic food;
- acquisition of seasonal products;
- acquisition in recycled content packaging;

5. Criteria for ecologic public acquisition of products

In order to purchase ecologic food, the contracting authority shall establish, without being limited to, the criteria set out below with reference to environmental protection, preserving and enhancing soil fertility, conserving natural resources, minimizing the use

and consumption of chemicals, increasing the flow of manufacturers and products in the field of ecologic farming.

6. Checking: the products bearing the national eco-label (national label “Ecologic Farming - the Republic of Moldova”) or the community label shall be deemed complying. Also, the existence of other national labels of other countries that confirm the status of the product as an ecologic one, shall be accepted exclusively on the ”mutual recognition principle”.

National Label „ Ecologic Farming – Republic of Moldova”



7. Requirements for packaging, labeling and transportation of ecologic products:

7.1 Packaging and labeling of ecologic products.

The supplier shall comply with the legal requirements on packaging and labeling, so as to ensure the arrival at the final destination in good condition.

Products must be delivered in packages made mainly from renewable raw materials. The packaging of ecologic products must be from biodegradable materials that do not contaminate any product or the environment.

Ecologic products should be labeled and/or accompanied by a document stating the product name, the name and address of the person or the producer company, the name of the body that made the inspection, the methods of production or processing and the marking "certified ecologic product". Use of derivatives or diminutives, such as "bio" and "eco", alone or in combination, is allowed.

7.2 Transportation

Transportation is provided by the supplier to the recipient with suitable means of transport for ecologic products.

- Food transportation vehicles must be approved by the sanitary authority, kept clean and in good condition to protect food from contamination;
- The vehicles must be cleaned with substances and materials allowed for ecologic production;
- Vehicles to be used to transport food must meet minimum requirements for exhaust emissions EURO 4 (the supplier must submit a list of vehicles that will be used for product delivery and data sheets stating emission levels).

8. Assignment criteria

1. The contracting authority will award extra points for "superior performance compared to the minimum requirements". The points will be awarded in proportion to performance improvement (the contracting authority shall indicate in the tender documents the score for each evaluation sub-criterion). The criteria relating to the performance/impact on the environment will be at least 30 percent of the total scoring.

*Note: The criterion "the most economically advantageous bid" is relevant both for the purchase of ecologic products, a % of ecologic products and for submission of bids for ecologic products together with non-ecologic products. In the latter case, the contracting authority will specify in the bid documents the sub-criterion referring to "ecologic products/additional share of ecologic products "and the corresponding score.

7.6 Technical requirements for product: apples

1. Scope
2. Classification
3. Technical Quality Requirements

1. SCOPE

The following specifications include recommendations for the purchase of apples.

These technical requirements shall apply to the apples to be delivered fresh to the consumer.

2. CLASSIFICATION

The contracting authority shall indicate the full name of the product, the quality and standards related to ecologic products in the specifications.

3. TECHNICAL QUALITY REQUIREMENTS

EXTRA QUALITY	QUALITY I	QUALITY II
Whole, healthy, clean fruits, with no signs of plant protection products; without foreign taste and smell.		
Fruits of the shape, size and coloring characteristic of the variety, with intact stalk, without any defect (crushing, cracks, stains of any origin, traces of insect attacks, diseases or injuries).	Fruits of the shape, size and coloring characteristic of the variety; intact pulp without any damage. Slight deviations are allowed to shape, size and coloring characteristic to the variety. The stalk may be intact or broken. Maximum 25% of fruits without stem are allowed, provided that the skin is not damaged in the stem cavity. Each fruit is allowed to have skin or pulp defects which do not affect the general appearance or the storage in the following conditions: - defects of elongated shape with a length of up to 2 cm - other defects (small insect bites, stains or minor injuries by pressing or tapping etc.), totaling not more than 1 cm ² .	Fruits suitable for fresh consumption. The pulp must be free from major defects. Defects are allowed in shape, size and coloring, provided they do not affect the characteristics of the variety. The stalk may be broken or sticking provided that the skin is not damaged in the stem cavity. On each fruit, skin or pulp defects are allowed in the following conditions: - long shape, length up to 4 cm)

4. Main environmental impacts:

- Toxic impact on human health and the environment (plants and animals) because of fertilizers and pesticide residues present in water, air, soil and food;
- Negative impact on the occupational health of farmers due to wrong handling and use of certain pesticides and fertilizers;
- Soil erosion, destruction of forests and biodiversity loss caused by improper agricultural practices;
- Packaging waste.

Ecologic public acquisition approach:

- acquisition of ecologic food;
- acquisition of seasonal products;
- acquisition in recycled content packaging;

5. Criteria for ecologic public acquisition for food products

In order to purchase ecologic food, the contracting authority shall establish, without being limited to, the criteria set out below with reference to environmental protection, preserving and enhancing soil fertility, conserving natural resources, minimizing the use and consumption of chemicals, increasing the flow of manufacturers and products in the field of ecologic farming.

6. Checking: the products bearing the national eco-label (national label "Ecologic Farming - the Republic of Moldova") or the community label shall be deemed complying. Also, the existence of other national labels of other countries that confirm the status of the product as an ecologic one, shall be accepted exclusively on the "mutual recognition principle".

National Label „ Ecologic Farming – Republic of Moldova”



7. Requirements for packaging, labeling and transportation of ecologic products:

7.1 Packaging and labeling of ecologic products.

The supplier shall comply with the legal requirements on packaging and labeling, so as to ensure the arrival at the final destination in good condition.

Products must be delivered in packages made mainly from renewable raw materials. The packaging of ecologic products must be from biodegradable materials that do not contaminate any product or the environment.

Ecologic products should be labeled and/or accompanied by a document stating the product name, the name and address of the person or the producer company, the name of the body that made the inspection, the methods of production or processing and the label "certified ecologic product". Use of derivatives or diminutives, such as "bio" and "eco", alone or in combination, is allowed.

7.2 Transportation

Transportation is provided by the supplier to the recipient with suitable means of transport for ecologic products.

- Food transportation vehicles must be approved by the sanitary authority, kept clean and in good condition to protect food from contamination;
- The vehicles must be cleaned with substances and materials allowed for ecologic production;
- Vehicles to be used to transport food must meet minimum requirements for exhaust emissions EURO 4 (the supplier must submit a list of vehicles that will be used for product delivery and data sheets stating emission levels).

8. Assignment criteria

1. The contracting authority will award extra scores for "superior performance compared to the minimum requirements". The scores will be awarded in proportion to performance improvement (the contracting authority shall indicate in the tender documents the score for each evaluation sub-criterion). The criteria relating to the performance/impact on the environment will be at least 30 percent of the total scoring.

*Note: The criterion "the most economically advantageous bid" is relevant both for the purchase of ecologic products, a % of ecologic products and for submission of bids for ecologic products together with non-ecologic products. In the latter case, the contracting authority will specify in the bid documents the sub-criterion referring to "ecologic products/additional share of ecologic products" and the corresponding score.

7.8 PVC windows and doors

1. Introduction

A window should therefore be defined as an opening in a wall or roof with a transparent material mounted in a fixed frame in order to allow natural light into a room.

In addition, the loss of heat or cooled air through the window should be minimized. This has obvious economic benefits, but more recently, this last requirement gained additional importance due to environmental-friendly requirements.

In developed countries energy consumption in the residential sector accounts for between 20% and 30% of total energy use and increases every year through increased use of air conditioning and heating system. The windows are also expected to be durable and economical. Most products are covered by the Directive on Construction Products and must be CE marked. CE marking is accompanied by technical information about the specific performance of these products.

In recent decades, the windows have experienced a technological revolution. Energy efficient windows are currently available. The available glazing systems can dramatically reduce energy consumption and emissions. They are characterized by lower losses of heat, lower losses of air and warmer surfaces inside, which improves the comfort and eliminates the risks of condensation inside the glasshouse under normal conditions of use.



The windows are made up of several components, such as frames, glass, gas filling and coating for low power consumption. These components can be used in a number of combinations, and materials; but they are not unlimited. Normally, a building design determines the shape and size of a window. The structural design of a window depends on the possibilities of installation and mounting, the opening options and the size of each individual frame and glazing panel, the possible types of windows and possible selection. Some additional criteria may include weather protection (sealing) and security features. As for the opaque parts of the building envelope, the U values should be considered (coefficients of heat transmission in $W/m^2 K$) of the glass (U_g) and of the entire window (U_w). Lower U-values mean reduced heat loss; while increasing the internal surface temperature inside the panel, thus improving thermal comfort. However, more adequate values must be achieved for transmission of solar radiation and visible light (g, T) simultaneously to allow the passive solar contributions to ensure sunlight and interior visual comfort and reduce lighting electricity consumption.

The most important components of windows are:

- **Glass**

Double or triple glass; Currently, in most regulations this type without gas filling and low emissivity coating (with U value over 2.0 or 2.5 W / m² K) is no longer considered an allowed option.

- energy efficient glass

Double or triple glazing systems are available. Double pane thermal protective glass has at least 50-60% better insulation properties compared to normal double insulated glass. Inert gas is inserted between the two panels and the inside panel is coated with a low emissivity layer. Typical U values are between 1.0 and 1.3 W/m² K. This technology is currently considered a standard option in many EU countries.

High performance three panel glass has better insulation property with U-values from 0.4 to 0.7 W/m² K, also found in passive housing standards. These properties are achieved by a combination of three panels, two panels with a low emissivity layer and a flow of inert gas (argon, krypton).

- Optically selected surfaces

Heat insulating glass units with selective optical properties are designed to control solar radiation. Thus, the solar control glass should be placed outside the window, and the one for low emission inside. The solar control glass prevents penetration of unwanted solar radiation, while the low-e glass reduces heat loss from inside. The low-e glass blocks the heat from the exterior glass when it is heated excessively. The windows with selective optical surfaces can filter harmful UV wavelengths and increase the lifetime of objects in the house.

• Joinery (frame)

The frame materials play an important role in the overall thermal performance of the window. PVC and wooden frames have better thermal characteristics compared with metal frames due to low thermal conductivity. It is important to consider some additional issues when choosing frame material: exposure to atmospheric conditions (rain, wind, UV), the possibility of maintenance, mechanical requirements and similar issues. There are frames made of combinations of materials for an improved U_f value, e.g. aluminum frames with insulating filling, wooden frames with polyurethane filler, wooden-PU-metal structure and the like.

2. Main environmental impact.

- Energy consumption for heating, cooling, ventilation and electricity and CO₂ emissions.
- Use of natural materials and resources.
- Emissions of substances harmful to human health and environment during production or decommissioning of building materials, causing air and water pollution
- Negative impact on the health of users of buildings, caused by materials containing hazardous substances.

- CO2 emissions generated by the transport of materials
- Generation of waste

3. Ecologic public acquisition approach:

- Maximizing energy efficiency;
- Ensuring high standards of energy efficiency for heating / cooling systems;
- Including a systematic approach for the life cycle of construction materials;
- Encouraging the use of non-toxic building materials, relying also on the availability of construction materials based on renewable raw materials;
- Encouraging the use of substances/substitute materials for building materials containing hazardous substances, also relying on the availability of construction materials based on renewable raw materials;
- Using energy efficient vehicles for transport and on the construction site;
- Implementation of effective supply chain management systems.

4. Criteria for ecologic public acquisition for construction materials

In order to purchase joinery replacement works, namely durable building materials - doors and windows, the contracting authority shall determine the specifications describing the technical criteria set forth below, but not limited to them, addressing the issues with respect to environmental protection, energy efficiency, mechanical strength and durability, fire safety, protection against noise, manufacturing etc.

5. Minimum technical specifications for joinery (example):

- PVC profile Class A, exterior wall thickness ≥ 2.8 mm;
- Profiles with 5 chambers, reinforced with galvanized steel with a thickness of min. 1.5 mm, treated against corrosion;
- Ecologic profiles (no lead) - Green Line or equivalent certification
- The profiles should be recyclables
- Heat transfer coefficient: $K = \max. 1.5 \text{ W / mpK}$
- Double Low-E insulating glass with argon or krypton, 24 mm (4-16-4)
- Sound insulation - min. 35 dB
- Fire safety class C according to EN 13501 or equivalent
- Water sealing - Class 7A according to EN 12208 or equivalent
- Wind load reaction - Class C3 according to SREN 12210 and SREN 12423 or equivalent
- Air permeability – class 3 according to EN 12207 or equivalent
- Ecological maintenance (cleaning of the profile does not require chemicals)

- The joinery does not require painting
- Profile treated with antistatic agent
- Durable hardware, tilt-turn opening, high security
- Resistance at opening: windows - min. 10,000 cycles, doors - min. 100,000 cycles
- Profile warranty period - min. 10 years
- Hardware warranty period - min. 5 years

The windows will be completely assembled and finished from inside and outside complying with minimum requirements and regulations in force, including appropriate aesthetic appearance, no cracks, gaps and flaws.

*Note: The contracting authority may provide in the tender documents sketches of windows and doors according to institution requirements.

6. Checking: in addition to the BoQ the economic operators will submit the technical description of the proposed windows and official documents confirming the characteristics of the materials of the windows/doors (quality certificates, test reports, etc.). If joinery certification was conducted in accordance with other applicable standards, the economic operators will necessarily submit the confirmation, including from the authorized body, that the joinery meets the minimum requirements.

7. Mandatory conditions:

1. Supply of inputs for adequate execution of joinery;
2. The existence of qualified personnel for the production of windows (including submission of certificates of qualification);
3. Quality Management System certification for joinery execution according to ISO 9001;
4. Management system certification according to EN ISO 14001/EMAS or equivalent;
5. The means of transport to be used to transport construction materials must meet at least the requirements relating to EURO 4 exhaust emissions (the supplier must submit a list of vehicles to be used for delivery of goods and data sheets stating emission levels).

