

25 Centralised procurement of office furniture for Romanian public institutions

Name of procuring authority, Country: National Office for Centralised Procurement (NOCP), Romania

Product or service sector: Furniture



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Introduction/procurement objective

The objective of this public procurement procedure is to manage the centralised acquisition of office furniture in conditions of economic efficiency and at the same time to increase the awareness of the actors involved (contracting authorities and bidders) about the social aspect.

NOCP, as a centralised body for public procurement, investigates customers' needs (government and public institutions) regarding office furniture. After that, NOCP decides which products will be purchased in the centralised system, defines the

technical specifications for the selected items and purchases the office furniture in a centralised way by establishing a framework agreement with a minimum of three economic operators.

NOCP is in the preparation stage of the acquisition of office furniture. This pre-procurement phase aims to identify the specific needs of the Romanian government and public institutions, as well as to test the interest of potential economic operators to implement social considerations in the procedure. It is expected that the procedure will be launched in April 2020.

Subject matter

Office furniture

Stage of procurement phase and criteria

Pre-procurement:

The pre-procurement stage was announced in SEAP (Electronic System of Public Acquisitions in Romania) and was carried out in 3 steps:

1. Submission of a questionnaire by means of an open consultation,²² which was completed by 6 economic operators;
2. At the stage of writing the procurement documents, a first meeting with potential economic operators was held to inform them about the intention of NOCP to launch an acquisition with social and environmental criteria;

²²<http://e-licitatie.ro/pub/notices/mc-notice/view/100059944>; NOCP also sent invitations to 25 economic operators, 4 profile clusters and the Furniture Manufacturers Association in Romania.

3. A second meeting was held in the form of a market consultation with potential bidders after having collected the needs of the public authorities, with the aim of finalising the procurement documents.

Five economic operators took part in the second meeting. After having assessed the public authorities' needs, a third meeting will take place.

The following questions were asked in the market consultation:

- Do you agree with the promotion of social responsibility policies in the field of public procurement by establishing evaluation factors in this regard? *The answer from potential suppliers was, in unison, yes.*
- What social responsibility policies do you propose for this centralised framework agreement? *Answers from potential suppliers included: investments in the community (social projects), inclusion, use of technology to solve social problems, business ethics, users' rights, economic and social equity, environmental protection, equal opportunities and moral integrity.*

Technical specifications:

One of the lots relates to the provision of height-adjustable office furniture, to ensure all staff are able to use equipment suitable to their needs. This includes those with physical disabilities or lumbar disorders, who may stand to work.

Award criteria:

The contract will be awarded on the basis of the most economically advantageous tender. Criteria will be weighted in the following way:

- Price: 80%
- Additional product guarantee (warranty): 10%
- The value of the proposed social project: 10%.

Regarding the warranty, the following points are given:

- 0 points if the economic operator offers a 3-year warranty (minimum requirement)
- 5 points for 4-year warranty
- 10 points for a 5-year warranty.

The social project will involve the provision of furniture in social services, such as special schools or kindergartens or elderly homes. The bidders will be informed in the procurement documents (notice of participation, specification, framework agreement and subsequent contract) about the fact that the social project would need to be directly related to the products provided, in compliance with art. 67 of Directive 2014/24/EU. The social project will have to be completed in the first year of the contract.

Contract performance conditions:

The contract documentation contains a "Declaration regarding the observance of environmental, social and labour conditions throughout the duration of the works contract".

Social policy objective and/or reference standard

The social policy objective of this procedure is to provide effective and inclusive public services taking into account the specific needs of the users. One specific objective of the Romanian National Strategy for Social Inclusion of Persons with Disabilities (2014-2020) is to provide facilities regarding the arrangement of work space for persons with disabilities (depending on the type of disability), such as architectural adaptations or adapted furniture. In this respect, people with disabilities will be able to carry out individual or team activities if they have suitable furniture according to their needs. Moreover, NOCP will take appropriate measures to ensure that economic operators comply with applicable obligations in the fields of environmental, social and labour law established by Union law and national law in the performance of public contracts. The declaration included in the contract documentation is modelled on Art. 18 of Directive 2014/24/EU, which requires compliance with applicable environmental, social and labour law.



Verification

The proposed social projects will be evaluated based on the amount of invested capital. The release of the financial guarantee of good execution will be dependent upon the fulfilment of the declared project. A set of minimum technical requirements have been requested from the bidders for the lot regarding the height-adjustable office furniture and non-compliant bids will be rejected.

Contract value

The total value of the contract has not yet been determined, but it is estimated that it will exceed the threshold for advertisement in the Official Journal set by the Commission Delegated Regulation (EU 2019/1828) of 30 October 2019.

Instrument

- Articles 18(2), 40, 42, 67 and 70 of Directive 2014/24/EU.

Actors

The actors involved in the procurement are:

- Contracting authority: NOCP, as the centralised body for public procurement;
- Beneficiaries: Contracting authorities registered in the Users Registry who will transmit their needs to the NOCP;
- Employees of the contracting authorities who will be the end users of the purchased furniture;
- Economic operators who will submit tenders to participate in the centralised procedure and their employees.

NOCP will purchase on behalf of the contracting authorities registered in the Users Registry who have transmitted their needs. As of February 2020, 2,978 users are registered in the Users Registry, according to: http://onac.gov.ro/wp-content/uploads/2019/10/RU_07.10.2019_ONAC.pdf

Considering that the first centralised public procurement for printing paper involved 1,153

public institutions, it can be anticipated that over 1,000 users will participate in the centralised public procurement of office furniture.

Social impacts

- By allocating additional points for the social aspect with regard to the funds allocated to social projects, NOCP intends to direct some of the bidders' profit towards social projects.
- In order to promote labour inclusion of people with disabilities and/or atypical height, NOCP has created a specific lot aimed at these groups to facilitate their workplace integration.

Other benefits

- As this procedure is the first centralised procurement of office furniture in Romania, the impact of using social criteria is expected to be very high, as the purchases made by NOCP will be taken as a benchmark by other national contracting authorities.
- Moreover, the procurement procedure of NOCP may be replicated by other centralised procurement units from other EU countries.

Lessons learned and future challenges

- n/a, as the procedure is still ongoing.

Contact

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"The Romanian National Office for Centralised Procurement (NOCP) acquires furniture for public institutions by creating a lot for disabled and atypical people, as well as taking height into consideration. Together with price and warranty, NOCP used a social factor as an award criterion in this acquisition."

*Alin Ion Izvoran Director,
National Office for Centralised Procurement*

26 Collaboration with Social Cooperatives for labour market inclusion in Tuscany

Name of procuring authority, Country: ESTAR, Italy

Product or service sector: Gardening



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Introduction/procurement objective

An open procedure for the maintenance of green area services for Tuscan healthcare establishments was launched in May 2017 by the contracting authority ESTAR (a technical-administrative regional support entity, established by Law 40/2005).

The procurement objective was to include the participation of type b social cooperatives (hereinafter 'social cooperatives') and promote the work integration of people with disabilities and disadvantaged people, while ensuring a positive impact on the environment. This was achieved by:

- dividing the contract into lots (eight out of eleven of which were reserved for social enterprise); and,
- including environmental and social requirements.

Subject matter

Maintenance of healthcare establishments' green areas in the region of Tuscany, Italy.

Stage of procurement phase and criteria

Award criteria

The award criteria used for the reserved lots 1-8 were:

Social criteria (total 22 points):

- Actions and procedures relating to the recruitment, selection and placement of workers to be integrated in the job market - 4 points
- Work organisation methods - 7 points
- Methodology for the support of the workers during the performance of the service - 7 points



- Trainings, including number of hours and objectives per individual - 4 points

Environmental criteria (total 40 points):

- Using techniques which avoid the need to use pesticides (phytopharmaceuticals)- 12 points
- Using irrigation practices and technologies which diminish water consumption - 2 points
- Planting native plant species that are appropriate to the characteristics of the territory (i.e. climate, watering needs and endemic illnesses) - 5 points
- Using compost as a fertiliser - 8 points
- Using recycled or reused containers and wrapping - 5 points
- Using products which conform with European ecological criteria - 8 points

Contract performance conditions

The contracts for each of the eight lots contain social and environmental clauses for the social cooperatives to implement. The social clauses require the contracted social cooperatives to:

- Promote stable employment of the contracted employees by committing to offer an employment contract for the whole duration of the tender contract, i.e. 72 months; and
- Commit to employ for the whole duration of the contract the staff previously employed to carry out the same services at the premises of the Health Agencies, staff that belongs to the categories of disadvantaged worker or with disabilities (employment safeguard clause); the contractor can employ new staff belonging to the same categories to fulfil the obligation of having at least 30% of the workforce employed to perform the services specified in the contract.

In addition, environmental clauses require the contracted social cooperatives to adopt methods, techniques and products which do not use an excessive amount of water or certain pesticides, and where relevant make use of recycled and reused materials.

Social policy objective and/or reference standard

- Provide work integration opportunities for employment to persons that are disabled or disadvantaged.
- Promote access to public procurement markets by social cooperatives.
- Ensure decent work standards for people employed in social cooperatives.

Verification

Monitoring is carried out by the Health Agencies of Tuscany Regions and ESTAR (central purchasing body). Health Agencies define the schedule and the ways monitoring will happen, on the basis of their regulations. ESTAR can carry out ad hoc monitoring activities on the verifications carried out by Health Agencies, such as spot checks and inspection visits, to ensure that the contractual obligations are being fully fulfilled. These ad hoc checks can regard the obligations included in the technical specifications, as well as the services included in the technical offer of the contractor that were subject to evaluation by the contracting authority.

Contract value

About €24 million for the eight reserved lots, out of a total contract value of €40 million for all eleven lots (duration of 72 months)

Amounts per lot:

- Lot 1: €3,110,000
- Lot 2: €6,000,000
- Lot 3: €3,400,000
- Lot 4: €810,000
- Lot 5: €1,910,000
- Lot 6: €625,000
- Lot 7: €3,610,000
- Lot 8: €4,685,000

Instrument

This practice stems from a Memorandum of Understanding (MoU) signed on 10 April 2017 for a duration of five years, between the Tuscan Region, ESTAR, ConfCooperative Toscana, Federsolidarietà,