

Georgia's Sustainable Public Procurement Guidelines for cleaning products,
imaging equipment and consumables

Disclaimer

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Table of Abbreviation

Sustainable Public Procurement – SPP;

The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part - the Association Agreement;

Green Public Procurement — GPP;

LEPL Public Procurement Agency of Georgia – the Agency;

Draft Law of Georgia “On Public Procurement” — Draft PPL;

Draft Decree of the Government of Georgia “On the Necessary Measures to be taken in order to achieve the Goal of Sustainable Development in Public Procurement” — Draft Decree;

Common Procurement Vocabulary – CPV;

The UN Sustainable Development Goals — SDGs.

1. Introduction

The SPP concept aims at promoting sustainable and balanced development of the country in the way that economic, environmental (climate, water resources, energy resources etc.) and socio-economic challenges are taken into account when procuring. Public procurement represents a significant part of public expenses. Therefore the determination of the principles of sustainable development in the public procurement system will also have a direct impact on socio-economic aspects, such as jobs or the local market development, as the market develops according to what consumers demand.¹

Accordingly, the reflection of environmental aspects in the public procurement system will at least have an impact on the process of achieving the goal of improving the environment and will help accelerate this process. The SPP can assist Georgia to achieve SDGs and other commitments under multilateral environmental agreements. The public sector may also encourage the private sector in reducing environmental impact and motivate it to develop environmentally friendly production and services.

In order to enable parties of public procurement – contracting authorities and economic operators - to fulfil the tasks set by the legislation in environmental and labour protection areas, it is important to specify the general directions for implementing these tasks, as foreseen by the legislation.²

It is crucially important to properly implement the obligations provided in the normative acts. Therefore these guidelines were developed as a more flexible solution to purchase in a sustainable way.

These Guidelines are based on an analysis of European best practices, in particular, guidelines are developed based on EU GPP criteria.³ They have been developed in order to enable and encourage contracting authorities to procure selected objects (goods) sustainably

¹Cf. article 227, paragraph 2 of Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part: “the Parties reaffirm their commitment to pursue sustainable development and recognise that economic development, social development and environmental protection are its interdependent and mutually reinforcing pillars. They underline the benefit of considering trader-related labour (1) and environmental issues as part of a global approach to trade and sustainable development.”

² Cf. article 228, paragraph 2 of Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part: “In that context, each Party shall strive to ensure that its law and policies provide for and encourage high levels of environmental and labour protection and shall strive to continue to improve its law and policies and the underlying levels of protection.”

³ Available at: https://ec.europa.eu/environment/gpp/eu_gpp_criteria_en.htm [06.05.2021].

by taking into account one of the key aspects of sustainable development – environmental aspects and criteria - in compliance with the Draft PPL and with the Draft Decree.⁴

Also, the Guidelines indicate what recommended methods and technical specifications could be used by contracting authorities, in order to achieve the SDGs envisaged by the Draft PPL.

The provisions provided by this document are of a recommendatory nature and are formulated in such a way that they can if deemed appropriate by the individual need, be (partially or fully) integrated into the contracting authority's terms of procurement/procurement documentation with minimal editing after conducting its needs assessment.

⁴ Draft Decree of the Government of Georgia “On the Necessary Measures to be taken in order to achieve the Goal of Sustainable Development in Public Procurement”.

2. Core and Comprehensive Criteria

During purchasing of procurement objects (goods) with sustainability aspects, the criteria on which the contracting authority may rely are conditionally divided into the core and comprehensive criteria.⁵

- Core criteria — criteria that are designed to allow for easy application of GPP and are not related to large administrative (human and time) resources. These criteria are focused on the key area(s) of the environmental performance of a product and aimed at keeping administrative costs for companies to a minimum;
- Comprehensive criteria — criteria that take into account more aspects or higher levels of environmental performance, designed for contracting authorities that want to go further in supporting environmental and innovation goals.

It is noteworthy to mention that these criteria should be implemented in practice at different stages of the public procurement procedures. They may be specified in the selection criteria of an economic operator, as well as in the specifications of the procurement object and in tender award criteria. These circumstances give discretion to the contracting authority to decide for itself, by taking into account the characteristics of a particular procurement object, at what stage and what specific criteria to consider.

Furthermore, when the contracting authority intends to use the criteria suggested in this document in order to procure imaging equipment and consumables, as well as the cleaning products it must do so in a manner that ensures compliance with the public procurement principles such as openness and transparency, non-discrimination, and equal treatment, proportionality, etc.⁶ This implies, inter alia, that selection criteria, technical specifications, tender award criteria or contract performance conditions shall not be chosen or applied in the way that discriminates directly or indirectly against economic operators.⁷

⁵ For additional information on these issues please see:

EU GPP criteria for indoor cleaning services, p.2, available at: https://ec.europa.eu/environment/gpp/pdf/toolkit/cleaning_product/en.pdf [06.05.2021];

EU green public procurement criteria for imaging equipment, consumables and print services, p.3, available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf [06.05.2021].

⁶ See Article 2 of the Draft Law of Georgia “On Public Procurement”.

⁷ For additional information on these issues please see: 2016 Handbook on ‘Buying green!’, available at: <https://ec.europa.eu/environment/gpp/pdf/Buying-Green-Handbook-3rd-Edition.pdf> [06.05.2021].

3. Sustainable procurement criteria for Public Procurement of Cleaning Products

Sustainable development is a scope of country politics, including the system of public procurement. Therefore, SPP can be considered as one of the instruments to achieve this goal since one of the core aim of the SPP is to reduce the environmental impact.

The maintenance of cleanliness and the permanent use of hygienic means serve the right to live in a healthy environment, although it may impact other components, such as the environment in a negative manner.

Purchasing environmentally friendly cleaning products as a result of public tenders may serve the purpose of comprehensive solution of the above-mentioned challenges and facilitate the promotion of market development for cleaner products, as well as raise knowledge and awareness among public entities.

Subchapter 3.3 discusses the ability to use sustainability criteria while purchasing cleaning products and includes the possibilities to meet sustainability requirements, in particular, public procurement procedures.⁸

3.1. Scope

The recommendations discussed in this chapter apply to the following list of procurement objects that were selected as priority products (goods) according to UNEP's methodology on SPP:

- Cleaning and polishing products (CPV 39800000):
- Odoriferous preparations and waxes (CPV 39810000):
 - a) Preparations for perfuming or deodorising rooms (CPV 39811000);
 - b) Air freshener (CPV 39811100);
 - c) Air freshener dispensers (CPV 39811110);
 - d) Air sanitisers (CPV 39811200);
 - e) Deodorisers (CPV 39811300);
 - f) Polishes and creams (CPV 39812000);

⁸ It should also be noted that if the object of procurement is not separate cleaning products, but cleaning services, even in this case, when purchasing these services, contracting authorities shall unconditionally adhere to the principles of SPP in respect of the means to be used by the most economically advantageous tenderer.

- g) Floor polishes (CPV 39812100);
 - h) Shoe polishes (CPV 39812200);
 - i) Polishing waxes (CPV 39812300);
 - j) Sweeping compounds (CPV 39812400);
 - k) Sealants (CPV 39812500);
 - l) Scouring pastes and powders (CPV 39813000).
-
- Organic surface-active agents (CPV 39820000):
 - a) Ammonia cleaners (CPV 39821000);
 - b) Caustic cleaners (CPV 39822000).
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- Cleaning products (CPV 39830000):
 - a) Washing preparations (CPV 39831000);
 - b) Oil dispersant (CPV 39831100);
 - c) Detergents (CPV 39831200);
 - d) Dishwasher detergents (CPV 39831210);
 - e) Degreasing agents (CPV 39831220);
 - f) Grease digesters (CPV 39831230);
 - g) Cleaning compounds (CPV 39831240);
 - h) Rinsing solutions (CPV 39831250);
 - i) Floor cleaners (CPV 39831300);
 - j) Screen cleaners (CPV 39831400);
 - k) Automotive cleaners (CPV 39831500);
 - l) Toilet cleaners (CPV 39831600);
 - m) Automatic soap dispensers (CPV 39831700);
 - n) Dishwashing products (CPV 39832000);
 - o) Dishwashing powder (CPV 39832100);
 - p) Anti-dust products (CPV 39833000);
 - q) Jewellery cleaning solutions (CPV 39834000).

3.2. Environmental Impacts

In order to use sustainability requirements to purchase cleaning products, the impact of cleaning products on different aspects that contribute to sustainable development must be determined. Table 1 below shows cleaning products' impacts on one of the key aspects of sustainable development – an impact on the environment.⁹

Table N1

Key environmental impacts during the lifecycle of a product	Ways of solutions
<ul style="list-style-type: none"> ➤ Cleaning product formulation and raw material use; ➤ Disposable cleaning accessories; ➤ Consumption of water and electricity; ➤ Waste generation. 	<ul style="list-style-type: none"> ➤ Require key competencies and the application of key environmental management measures and practices from the economic operator; ➤ Require adequate and frequent training for the staff from the economic operator; ➤ Require the use of cleaning products with reduced environmental impact from the economic operator; ➤ Require the use of energy-efficient cleaning power equipment from the economic operator.¹⁰

⁹ EU GPP criteria for indoor cleaning services, p.6, available at: https://ec.europa.eu/environment/gpp/pdf/toolkit/cleaning_product/en.pdf [06.05.2021].

¹⁰ In this case, despite the fact, that the mentioned procurement object is not on the list defined under this chapter (in particular, it does not combine under cleaning products), it was considered relevant to mention it in the section of the given table.

3.3. Sustainable Procurement criteria for cleaning products

Within the framework of SPP of cleaning products the above-mentioned core and comprehensive criteria can be used at different stages of the public procurement procedure.

Accordingly, the contracting authority is entitled to determine these criteria:

- In the criteria for selection of an economic operator;¹¹
- In the specifications of the object of procurement;¹²
- In tender award criteria;¹³
- In the provisions of the public procurement contract.

3.3.1. Selection Criteria of an economic operator

Selection criteria mainly focus on the economic operator's ability to perform the public procurement contract. When assessing it, in addition to other requirements provided in the Draft PPL, contracting authorities are entitled to take into account specific experience and competence related to environmental aspects that are relevant to the subject matter of the public procurement contract. They may ask for evidence of the ability of operators to apply environmental measures when carrying out the public procurement contract. The contracting authority is also authorized to require the economic operator to comply with social, environmental and labour law norms in order to promote sustainable development.¹⁴

It is possible to introduce environmental elements in the selection criteria of an economic operator by laying down the provisions in the terms of procurement related to the technical and professional capabilities of an economic operator. In this regard, it should be borne in mind that in terms of technical and professional compliance, the contracting authority is authorized to determine necessary requirements such as sufficient human and technical standing, as well as working experience of the economic operator.

¹¹ According to the Article 49 of the Draft Law of Georgia "On Public Procurement".

¹² According to the Article 48 of the Draft Law of Georgia "On Public Procurement".

¹³ According to the Article 50 of the Draft Law of Georgia "On Public Procurement".

¹⁴ Article 12, Paragraph 1, Sub-Paragraph "f" of the Draft Law of Georgia "On Public Procurement".

3.3.2 Technical specifications

It must be borne in mind that technical specifications contain requirements regarding the subject matter of the contract. Here, the contracting authority is entitled to stipulate its demands regarding quantity, packaging, content, supply terms and other aspects it considers important regarding cleaning products that it purchases. It is important to note that the Draft PPL entitles the contracting authority to come up with requirements towards any stage of the life-cycle of the product in question – in practical terms it means that the contracting authority is entitled to describe not only the characteristics of the supplies in the procurement documentation but also come up with the demands regarding how the goods are being produced and traded, and how (if applicable) it will be recycled. Such new opportunities are stemming from the EU Public Procurement Directive 2014/24/EU.¹⁵

When defining technical specifications for cleaning products it is important that contracting authorities rely on the relevant EU criteria.¹⁶ In their turn, tenderers must be provided with an opportunity to acknowledge the compliance of the cleaning products they are offering by referring to an eco-label.

Table N2 below describes related choices of the contracting authorities depending on if they decide to use the EU core or comprehensive criteria for the description of relevant goods.¹⁷

Table N2

Technical specifications	
Core criteria	Comprehensive criteria
<p>➤ Use of eco-labelling for only numerous products.</p> <p>For example, the number of cleaning products to be supplied (to be used) (the contracting authority must indicate the exact and exhaustive list of such cleaning products in the procurement</p>	<p>➤ Use of eco-labelling for all products.</p> <p>In such a case, it shall be indicated in the terms of the procurement document that all cleaning products supplied (to be used) must comply with the relevant EU criteria for the solid surface of cleaning products.</p>

¹⁵ Directive 2014/24/EU of The European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.

¹⁶ EU GPP criteria for indoor cleaning services, available at: https://ec.europa.eu/environment/gpp/pdf/toolkit/cleaning_product/en.pdf [06.05.2021].

¹⁷ EU GPP criteria for indoor cleaning services, p.8, available at: https://ec.europa.eu/environment/gpp/pdf/toolkit/cleaning_product/en.pdf [06.05.2021].

documentation) must comply with the relevant EU criteria for the solid surface of the cleaning products.	
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3.3.3. General note on verification by checking the sample/by researching the delivered product

According to article 48, paragraph 14, subparagraph “a” of the Draft PPL, with a view to establishing compliance of the tender with the specifications, a contracting authority may request from an economic operator to submit a description, the document issued by the manufacturer, a photo or sample of the authenticity of which requires verification, if so are requested by a contracting authority.

According to article 68, paragraph 1 of the Draft PPL, a contracting authority shall be obliged to perform supervision over the implementation of the procurement contract.

Choosing the way of checking if the goods to be delivered are in compliance with procurement terms fully depend on the contracting authority. When required to submit a sample, the contracting authority must, at first, decide at which stage it needs to check whether the goods to be delivered meet the sustainability criteria set by its terms of procurement.

There are several methods to determine compliance, such as:

- During the stage of selection and evaluation of an economic operator, it shall be assessed whether the product offered by the most economically advantageous tender is in compliance with sustainability criteria set by terms of procurement;¹⁸
- During the stage of performing supervision over the implementation of the procurement contract, it shall be defined whether the product delivered by the economic operator is in compliance with sustainability criteria set by the terms of procurement.

¹⁸ It should also be noted that if the economic operator has been awarded the EN ISO 14024 Type I eco-label for in-house cleaning services, which is also recognized in EU Member States, as well as at regional or national level, then the economic operator will be deemed to meet the procurement conditions.

Also, it must be noted, that the Draft PPL does not exclude the possibility of cumulative use of the above-mentioned methods, moreover, if the contracting authority, considering its resources (including human resources, qualifications, financial capabilities), is able to use both methods simultaneously, in the same public procurement procedure, such steps will further increase the opportunity of the achievement of SDGs.

3.3.4. Tender Award Stage

According to the Draft PPL, two tender award criteria exist: lowest price or cost, and best price-quality ratio.

If the contracting authority has chosen the lowest price or cost as a tender award criterion, then at this stage, only financial aspects of the offer in question are evaluated in order to determine the tenderer to whom the rights to conclude the contract should be awarded.

Aspects characterizing the supplies themselves (such as packaging, chemical content) may not be examined. However, they must have already been examined at the stage of the technical examination of the bid (i.e., in verifying the compliance with the technical specifications). In other words, when choosing the best price or cost criterion for tender award contracting authorities must remember that all characteristics of the supply in question must be firmly introduced in the technical specifications and no quality-related criteria will be evaluated at further stages of the procurement procedure.

Overall, such an approach is very much viable for buying off-the-shelf goods, when all characteristics of the subject matter of procurement are clear, competition is mainly organized around the factor of costs, and there is no need for weighting price against increasing product quality.

If, however, the contracting authority has chosen the best price-quality ratio as a tender award criterion, it is entitled, alongside price or cost, to evaluate also increased quality aspects of the bid.

In this case, several conditions must be taken into account:

- All aspects which the contracting authority will take into account in scoring must be provided in advance in the procurement documentation;

- Relative weight of each sub-criterion must be provided;
- Tender award criterion must not “copy” technical specifications – it should describe the mechanism of provision of additional points (scoring) when, in the bid, the requirements of technical specifications are exceeded.

In addition, no exclusion of the candidates of tenderers should happen at this stage of procurement procedure – instead, all bids must be arranged according to the scores they receive.

Overall, best price-quality ratio criterion offers to contracting authorities a possibility to weigh, against each other, the price or cost, from one parts and increased quality parameters, from other part, and determine which bid (i.e., which combination) delivers the best value for money. For instance, when contracting authorities decide to award particular number of points to the bid if it offers the washing detergent in particularly small packaging, they will, essentially weight this characteristic against the price the bidder would like to charge for it and decide whether it is the best option or vice versa, the other bids offer better value for money.

3.3.5. Contract Management

The contracting authority is obliged to perform supervision over the implementation of the procurement contract. This obligation relates, among others, to the performance of the requirements determined for the implementation of SPP and, in turn, plays an important role in public procurement procedures with sustainability criteria.

During the contract management process, the economic operator may be required to periodically provide an information in order to determine compliance of a certain part of the delivered goods with the required standards. Besides, the public procurement contract may stipulate the obligation of the economic operator to gradually submit the documentation required in the terms of the procurement (for example, a certificate) in order to determine compliance of certain parts of the delivered goods with the required standards.

The economic operator may be required to permanently conduct trainings for employees (if the procurement object is a cleaning service), on the following issues:¹⁹

¹⁹ EU GPP criteria for indoor cleaning services, p.23, available at: https://ec.europa.eu/environment/gpp/pdf/toolkit/cleaning_product/en.pdf [06.05.2021].

- How to use the correct product dosage for each cleaning task, (including the use of the correct dilution rate);
- How to store cleaning products appropriately;
- Minimisation of the range of cleaning products used in order to minimise the risk of intoxication;
- How to use unheated water for diluting products, unless otherwise specified by the product manufacturer;
- How to use the appropriate temperature for cleaning equipment;
- How to use durable and reusable cleaning accessories and minimise the use of single-use cleaning supplies (for instance gloves), in order to reduce the amount of waste;
- How to correctly dispose of any generated waste.

Therefore, in order to verify that an economic operator has fulfilled the above mentioned activities, the contracting authority is entitled to conduct monitoring and controlling actions. For instance, the contracting authority is entitled to inspect the activities of the economic operator. However, if, the contracting authority wishes to use these rights, it shall define the rules for such inspection in the terms of procurement, in such a way that the principle of free enterprise is not restricted and that there is no unjustified interference with universally recognized rights.²⁰

²⁰ It is advisable for the contracting authority to indicate the supervision mechanisms in advance in the draft contract (which in turn will be an integral part of the terms of the procurement) and the economic operators will be informed of the expected processes from the outset.

4. Sustainability criteria for Imaging Equipment and Consumables

This chapter has been developed in accordance with the EU GPP criteria for imaging equipment, consumables, and print services.²¹ These criteria are designed to make it easier for contracting authorities to purchase procurement objects, in particular, printers and plotters, as well as toner and ink cartridges with reduced environmental impacts, using sustainability criteria.

Before publishing the call for submission of tenders/participation in dialogue/negotiation, contracting authorities are advised to check the availability of the imaging equipment and consumables with the specific details, determined in the terms of procurement.

4.1. Definition and Scope

The product group “imaging equipment and consumables” involves printers and plotters, toner and ink cartridges. This product group generally includes the following:

- Imaging equipment, such as printers that are marketed for office or domestic use, or both, and whose function is to produce a printed image in the form of a paper document or photo through a marking process either from a digital image, provided by a network/card interface or from a hardcopy through a scanning/copying process and/or to produce a digital image from a hard copy through a scanning/copying process;²²
- Consumables, such as replaceable products are essential to the functioning of the imaging equipment product. They can be replaced or replenished by either the end-user or service provider during the normal usage and life cycle of the imaging equipment product. Consumables covered under the scope of this chapter also include containers and cartridges. The container holds toner or ink that fits onto or into or is emptied into an imaging equipment product. Containers do not contain integrated components or moving parts integral to the imaging product’s function.²³

²¹ EU green public procurement criteria for imaging equipment, consumables and print services, available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf, [06.05.2021].

²² EU green public procurement criteria for imaging equipment, consumables and print services, p.4-5 available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf [06.05.2021].

²³ EU green public procurement criteria for imaging equipment, consumables and print services, p.4-5 available at https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf, [06.05.2021].

Excluded from the scope of the product group are²⁴:

- a) Digital duplicators;
- b) Mailing machines;
- c) Facsimile (fax) machines.

The recommendation guide discussed in this chapter applies to the following list of procurement objects:

- Printers and plotters (CPV 30232100):
 - a) Laser printers (CPV 30232110);
 - b) Dot-matrix printers (CPV 30232120);
 - c) Colour graphics printers (CPV 30232130);
 - d) Plotters (CPV 30232140);
 - e) Inkjet printers (CPV 30232150).

- Toner cartridges (CPV 30125100);
 - a) Toner for laser printer/fax machines (CPV30125110);
 - b) Toner for data-processing and research and documentation centres (CPV 30125120).

- Ink cartridges (CPV 30192113).

²⁴ EU green public procurement criteria for imaging equipment, consumables and print services, p.4-5 available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf [06.05.2021].

4.2. Environmental Impacts

Based on available scientific evidence, from the lifecycle-costing perspective, the main environmental impacts of printers and plotters and parts and accessories of photocopying apparatus, including cartridges are summarised in table 3 below.²⁵ Table 3 also presents the EU GPP approach to mitigate or reduce those impacts.²⁶

Table N3

Environmental aspects	GPP approach
<ul style="list-style-type: none"> ➤ Use of electricity for printers, multifunctional devices and scanners; ➤ Use of consumables, particularly paper and cartridges (for printers and multifunctional devices); ➤ Manufacturing of printers, multifunctional devices and scanners, particularly for more energy efficient products (for example, laser technologies); ➤ Generation of potential hazards from improper disposal of waste such equipment; ➤ Content of hazardous substances; ➤ Emission during use; ➤ The amount of paper the cartridge uses to deliver printouts with the desired quality; ➤ Costs for disposing of any generated waste. 	<ul style="list-style-type: none"> ➤ Procurement of energy-efficient printers, multifunctional devices and scanners; ➤ Purchase equipment from the economic operator who control of a restricted substance of hazardous constituents; ➤ Procure equipment products with limited indoor emissions from the use phase and limited content of hazardous substances and, therefore its impact on the environment is minimized; ➤ Purchase products designed in a way that the key components can be repaired; ➤ In the framework of the life-cycle costing, the requirement of the information for each type of equipment about the end-of-life management practices to maximize the recovery of resources; ➤ Procure equipment able to use remanufactured consumables and

²⁵ For additional information on these issues please see: EU green public procurement criteria for imaging equipment, consumables and print services, available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf, [06.05.2021].

²⁶ EU green public procurement criteria for imaging equipment, consumables and print services, p.8, available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf, [06.05.2021].

	<p>recycled paper;</p> <ul style="list-style-type: none"> ➤ Require the information regarding the environmental performance; ➤ A request for information about the manufacturer of the equipment and its quality performance certificates; ➤ Requirement about requesting from an economic operator to submit the sample of the consumables such as cartridges; ➤ Requirement of the information about the quality test of consumables.
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4.3. Sustainable Procurement criteria for Imaging Equipment and Consumables

When procuring imaging equipment (printers and plotters and ink and toner cartridges), in order to achieve the goal of sustainable development, the above-mentioned core and comprehensive criteria can be used at different stages of the public procurement procedure.

Accordingly, the contracting authority is entitled to determine these criteria:

- In the criteria for selection of an economic operator;²⁷
- In the specifications of the object of procurement;²⁸
- In tender award criteria;²⁹
- In the provisions of the public procurement contract.

It is noteworthy to mention that provisions related to energy efficiency can be considered both in core and comprehensive criteria. The contracting authority is entitled to determine these provisions in the technical specifications of the procurement object and the economic operator is authorized to submit an equipment that meets the minimum requirements determined by the technical specifications (for example, the economic operator can submit the tender that meets the latest³⁰ ENERGY STAR specifications). Equipment registered in

²⁷ According to the Article 49 of the Draft Law of Georgia “On Public Procurement”.

²⁸ According to the Article 48 of the Draft Law of Georgia “On Public Procurement”.

²⁹ According to the Article 50 of the Draft Law of Georgia “On Public Procurement”.

³⁰ To ensure the availability of products for the tendering procedure, during the first year since the publication of a new version of the ENERGY STAR, the new and the previous version of the ENERGY STAR is advisable to be allowed by the contracting authority. See: EU green public procurement criteria for imaging equipment, consumables and print services,

the ENERGY STAR database or holding a relevant Type I Eco-label fulfilling the specified requirements will be deemed to comply. A statement from the manufacturer demonstrating that these requirements have been met is also accepted. Thus, equipment that meets the requirements of the technical specifications and has the appropriate EU or equivalent label, which applies to the minimum requirements set out in technical specifications is accepted too.

4.4. Sustainable Procurement criteria for Printers and Plotters

The recommendations for the application of core or comprehensive sustainability criteria at each stage of the procurement procedure for printers and plotters, are given in the following table 4.³¹

Table N4

Printers and plotters:	N	Criterion	Core	Comprehensive
Criteria for Selection of an Economic Operator	1	Provision related to the restricted substance control		X
	1	Provision related to the minimum energy efficiency	X	X
	2	Requirement of duplex imaging capability.	X	X
	3	Provision related to the n-up printing function capability.	X	X
	4	Capability to use recycled paper.	X	X
	5	Capability to use remanufactured cartridges.	X	X
	6	Provision related to the reduced number of materials.		X
	7	Provision regarding the submitting the information on		X

p.16, available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf [06.05.2021].

³¹ EU green public procurement criteria for imaging equipment, consumables and print services, p.9-10 available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf [06.05.2021].

Technical Specifications of Object of Procurement		post-consumer recycled plastic used		
	8	Availability of spare parts.	X	X
	9	Design of the equipment for disassembly and repair.	X	X
	10	Design for the possibility of recycling.	X	X
	11	Substance emissions.	X	X
	12	Noise emissions.	X	X
	13	Substances of very high concern.		X
	14	Hazardous substances content.		X
	15	Provisions related to the firmware update control		X
	16	Provisions related to the warranty and services agreements	X	X
Award Criteria	1	Provisions related to the Improvement in the imaging equipment's energy efficiency (beyond the provisions set by the N1 technical specifications of this table).	X	X
	2	Longer warranties.	X	X
	3	The longest warranty.	X	X
	4	Provisions related to the take-back system for imaging equipment.	X	
	5	In the framework of the life-cycle costing provisions related to the end-of-life management of imaging equipment.		X
Provisions of the Public Procurement Contract	1	Provisions related to the supply of reused/remanufactured ink and/or toner cartridges.	X	X

4.5. Sustainability criteria for Toner and Ink Cartridges

The recommendations for the application of core or comprehensive sustainability criteria at each stage of the procurement procedure for Toner and Ink Cartridges are given in the following table 5.³²

Table N5

Toner and Ink Cartridges	N	Criterion	Core	Comprehensive
Technical Specifications of Object of Procurement	1	Provisions related to the cartridges/containers page-yield declaration.	X	X
	2	Provisions related to the mass resource efficiency of the consumables.		X
	3	Consumable hazardous substances.		X
	4	Provisions related to the design for reusing and/or remanufacturing	X	X
	5	Provisions related to the consumable quality.	X	X
	6	Provisions related to the take-back system for cartridges and containers.	X	X
Award Criteria	1	Provisions related to the electro photographic consumables resource efficiency.	X	X
	2	Provisions related to the facilitating reusability and/or remanufacturability of consumables.	X	X

³² EU green public procurement criteria for imaging equipment, consumables and print services, p.11, available at: https://ec.europa.eu/environment/gpp/pdf/20032020_EU_GPP_criteria_for_imaging_equipment_2020.pdf [06.05.2021].

	3	In the framework of the life-cycle costing, provisions related to the end-of-life management of consumables.	X	X
Provisions of the Public Procurement Contract	1	Provisions related to reporting on reuse/recycle activities of consumables.	X	X

5. Conclusion

As mentioned at the beginning of this document, setting a sustainable development goal and finding relevant ways to achieve it is a key part of the state policy. In this regard, improving the legislation, including developing appropriate action plans and guidelines, is the best way to determine the possible effects of SPP and the amplitude of achieving the set goal. It is also important that contracting authorities and economic operators do not spare any effort themselves in the process of achieving the set goals.

Given that contracting authorities are the main subjects of the Draft PPL, the basic expectations are that they will ensure the strict enforcement of the principles and requirements regulated by the Draft PPL.

The general assessment of the stages, measures and mechanisms given in these guidelines reveal that contracting authorities are faced with the tasks of achieving the goal of sustainable development on the one hand, and on the other hand, they face the tasks of non-discriminatory and proportionate approach to economic operators.

Thus, contracting authorities are required to consider the need for financial or other resources necessary for the implementation of SPP principles not only before the publication of tender notice but also at the stage of elaboration of the annual procurement plan for coming years. To take into consideration SPP principles at the stage of drafting annual procurement plan serves the purpose of being able to meet the requirements determined by the PPL draft and guidelines, starting from the publication of the tender's notice, to the monitoring of fulfilment of the public procurement contract.

It should also be noted that contracting authorities are responsible not only for the proper conduct of specific SPP, but they are obliged to prepare and submit information to the Agency on the implementation of SPP, annually, no later than November 1 of each year under the Draft Decree. As a result of evaluating and reconciling these accounts, the Agency will ensure that the requirements for SPP are updated to modern challenges, taking into account the needs of the contracting authorities, as well.

Overall, contracting authorities must document in detail and clearly the results achieved and the problems that have arisen during the implementation of SPP rules, for further refinement of the necessary ways in order to achieve the goal of SPP and SDGs.

Implementing SPP of cleaning products, imaging equipment, and consumables in practice will reveal practical needs and necessities of Georgian contracting authorities. In addition, public authorities' increased demand on the Green and Sustainable printers and plotters, consumables, as well as on cleaning products will encourage economic operators to increase the manufacture of such products that can be considered as another step towards greening country's economy.

6. Bibliography

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