

GRAINS

Greening Agrifood
in Social Economy



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Public & private procurement:
**Case Study – Procurement *Corn and Milk*
Program, Brasov City Hall, Romania**

The Center for Not for Profit Law (CLNR)
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Case Study – Procurement *Corn and Milk Program*, Brasov City Hall

Institution/organisation that made the procurement:	City Hall of Brasov
Institution type:	Public Institution
Procurement type	Green Procurement
Legislation applied:	<p>a) Law 98 of 19 May 2016 on public procurement.</p> <p>b) Law on remedies and appeals in the award of public procurement contracts, sectoral contracts and works concession and service concession contracts, as well as on the organisation and functioning of the National Council for the Settlement of Disputes No 101/2016;</p> <p>c) www.anap.gov.ro</p> <p>d) Order No 1068/1652/2018 approving the Green Procurement Guide.</p>



The object of the procurement:

- The contract aims to:
- Supply and distribution of fruit, vegetables and bakery products in schools to public and private primary and secondary school students, as well as to pre-school children in public and private kindergartens with a regular 4-hour program in the Municipality of Brasov, for the 2021 - 2022 school year within the framework of Romania's School Program.



1

Eligibility criteria

- All the lots are subject to quality assurance and environmental protection standards and must contain certificates issued by independent bodies on quality assurance standards.
- In the case of a partnership, this condition must be met individually by each partner for the part of the framework agreement (activity) that it performs.
- The provider will present as an eligibility criterion the existence of a HACCP Plan - Guide to Good Hygiene Practices (if it is a producer) required by Romanian legislation in accordance with European Commission directives containing a series of food safety principles and procedures to be applied by economic operators in order to prevent public illness or ISO 22001 by presenting a valid certificate issued by an accredited certification body or other evidence/documentation confirming an adequate level of food quality/safety.



2

Eligibility criteria

- All the products related to the procurement must come only from authorised/registered suppliers and must be labelled and packaged according to the legislation in force.
- For local producers, the maximum distance between the holding of origin of the products and the point of marketing must not exceed 75 km.
- The food must be supplied in secondary and/or transport packaging made of at least 20% recyclable/compostable materials or renewable raw materials

3

4

5

6



The evaluation criteria are built to support the environmental clauses present in the procurement documentation, so the main criterion is the quality-price one. The Financial Proposal and the Technical Proposal from the applicants are taken into account as a way of calculating the scores. For the financial proposal, although the first criterion is the lowest price, for which the maximum score is assigned, there is also a calculation algorithm for a price other than the lowest price

Calculation algorithm
for a price other than
the lowest price which
- formula $P(n) =$
(Minimum pricebid /
Price n) x maximum
score allocated

The technical specifications contain multiple stipulations with green clauses to improve product quality and protect the environment:

1. Share of products from ECO production:
 - less than 10% of products from ECO production - offer is NOT compliant
 - between 10% - 25% of products from ECO production - 10 POINTS will be attributed
 - more than 25% of products from ECO production - 20 POINTS will be attributed
2. For direct deliveries (from the original producer to the final consumer)
 - For direct deliveries (from the original producer to the final consumer) - maximum 10 POINTS will be allocated

The technical specifications contain multiple stipulations with green clauses to improve product quality and protect the environment:

3. For the procurement of at least 30% of products from local producers, farmers, cooperatives and associations:

- For the purchase of at least 30% of products from local producers, farmers, cooperatives and associations - a maximum of 20 POINTS is allocated
- For 30% of local production - if the bidder purchases less than 30% from local producers, farmers, cooperatives and associations - the offer is NOT ACCEPTABLE
- if the offerer purchases between 30% and 50% of the products from local producers, farmers, cooperatives and associations - 10 POINTS are allocated
- if the offerer purchases products with a share of more than 50% from local producers, farmers,



A large, solid green circle is positioned on the left side of the image, partially overlapping the jars. It serves as a background for the text.

Lessons learned:



- The use of short supply chains is promoted, defined as the direct relationship between producer/processor and consumer, between which there can be only a maximum of one intermediary, where:
 - the producer is the private or legal person from whose holding the fruit and/or vegetables are obtained;
 - fruit and vegetable producer groups and organisations and producer cooperatives are considered producers;
 - an intermediary is any distributor/warehousekeeper/dealer who ensures the supply of products from the producer to the consumer.
- They must also be eco-products - in order to be considered as organic products, they must be produced from organic production according to Regulation (EC) No 834/2007 on organic production and labelling of organic products, i.e. products bearing a national or European Ecolabel certified according to the Ecolabel Index.



- The procurement is part of a pilot project of Brasov City Hall carried out with the support and expertise of the World Wide Fund Romania (WWF) and represents an initiative of the Municipality of Brasov to encourage green initiatives.
- The procurement contains numerous clauses introduced by Law 98 of 19 May 2016 on public procurement and Order 1068/1652/2018 approving the Green Procurement Guide, which includes minimum environmental protection requirements for certain groups of products and services. Based on the legislation, environmentally responsible procurement is encouraged such as the use of short chains in the process of selection, delivery and packaging of products, the existence of environmentally friendly products with certified European label is obligatory





➤ The situation in present:

- The Corn and Milk Programme continues today and works with local producers.
- A new addition in 2023: children from public and licensed private schools and kindergartens in the city of Brasov are invited to visit the farms where the food they receive at school as part of the Corn and Milk programme comes from.
- Teachers and parents will be able to register their children for this extra-curricular activity, which is offered free of charge to more than 22,200 school children in Brasov this school year. The visits will be hosted by two cow and sheep farms and two organically certified fruit and vegetable farms of the Bio Carpathia Agricultural Cooperative in Brasov county.



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Thank you !

For more information

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