

Technical Instructions for the Application of Sustainability Criteria to Food Services

Introduction

Barcelona City Council, following the guidelines set out in the Citizen Commitment for Sustainability 2012-2022 and the Institutional Declaration on Fair Trade of 2002, has been working for years to minimise the negative social, environmental and health impacts of municipal services, and in this sense and with regard to the public procurement of food products, **the first Technical Instruction on Food Services (2015)** Technical Instruction on Public Food Procurement 2015 responded to **the Government Measure on responsible public procurement with social and environmental criteria (2013)** and the Mayoral Decree on responsible public procurement with social and environmental criteria of 20 November 2013.

Subsequently, Mayoral Decree 24/4/2017 on the sustainable public procurement of the Barcelona City Council approves the guidelines for social and environmental public procurement, including this first instruction and establishes the preparation of an annual procurement plan.

The **2019 Sustainable Public Procurement Plan** established, among its environmental measures, the review of existing instructions, according to the need to update their content, due to the existence of new references at European level (GPP-Toolkit of the EU Commission), the adaptation to market or technological progress, the approval or entry into force of new regulations and the acquisition of new political commitments at municipal level.

The Mayoral Decree approving the **2020-2021 Sustainable Public Procurement Objectives Plan** within the general framework of meeting the Sustainable Development Goals declared by the United Nations in the 2030 Agenda <https://ajuntament.barcelona.cat/agenda2030/es> proposes analysing the increase in the level of environmental and social requirements and identifying new areas for improvement in existing instructions or increasing the environmental and social requirements for those instructions that are more consolidated in their application, including the Technical Instructions for Food Services of 2015, as a priority for review.

Furthermore, this review is in line with the criteria of the European Commission's GPP-Toolkit (2019), and also responds to the progress of the market for the production and marketing of organically produced food, as well as the development of new standards for other articles or equipment listed in the sections of this instruction.

It also seeks to provide the means for those responsible for the contract to exercise due diligence in respecting human rights in the supply chain, and to demand the same of the companies with which they work. The food sector today still includes breaches of labour and human rights both in the value chain in Spain and for products coming from other countries (especially products coming from non-EU countries). It is for this reason that we must question ourselves and introduce criteria in order to make progress in social improvements throughout the value chain.

It is also updated to incorporate the related aspects introduced by the Mayoral Instruction in relation to bottled water and the use of plastic glasses – and other single-use plastic items – in municipal facilities and services (2018). Bottled water instruction

With regard to recommendations on health aspects, the main reference taken into account by the Barcelona Public Health Agency is the guide: *"Petits canvis per menjar millor"* [Small changes for eating better], the Catalan Public Health Agency: Guide on small changes for eating better and Sugar. Health channel

The **Climate Plan (2018-2030)** adopted in response to the signature of the **Covenant of Mayors for Climate and Sustainable Energy (2017)** includes various actions linked to the promotion of sustainable food, such as:

- Fostering low-carbon public procurement by drawing up guidelines and through innovative public procurement (2020).
- Applying and increasing the use of social and environmental purchasing criteria in public procurement (Action 13.9)
- **Advocating local, short-circuit, seasonal, organic and healthy products** that help to improve people's quality of life and preserve the environment. Line of action 15 with 17 actions to be deployed.

According to **Law 7/2021, of 20 May, on climate change and energy transition**, which aims to achieve Spain's compliance with the objectives of the Paris Agreement of 12 December 2015. Its Article 22.3 proposes to include in the specific administrative clauses of public contracts entered into by the General State Administration and the State public sector as a whole, which aim to provide services related to food procurement, the establishment of special execution conditions that prioritise fresh or seasonal food, and with a short distribution cycle, as long as the provisions of Article 202 of the Public Sector Contracts Act are respected. The General State Administration, the autonomous communities and local authorities must cooperate and collaborate to achieve the objectives established in the aforementioned law.

Furthermore, **Law 16/2017, of 1 August, on climate change**, in its Article 14.1 e) establishes that the measures adopted in terms of agriculture and livestock farming must be aimed at promoting organic and local agricultural products through the support tools available to the Government to achieve an agriculture and livestock farming that can develop local varieties adapted to the new climatic conditions, and to move towards a highly efficient model of quality food sovereignty. Article 15.1 c) states that the measures adopted in the area of fishing and aquaculture must be aimed at promoting local products by means of the Government's support measures to achieve sustainable, high-quality fishing and aquaculture that is highly efficient in the consumption of resources.

The **SDGs of the 2030 Agenda** also include a specific target in this regard:

- Promote public procurement practices that are sustainable, in accordance with national policies and priorities: SDG 12.7
- Furthermore, the application of the set of Technical Instructions for the application of sustainability criteria in public procurement is a way to make progress in achieving almost all of the SDGs.

With regard to the fight against food wastage in public sector contracts, the following is particularly noteworthy: **Law 3/2020 of 11 March on the prevention of food loss and food waste in Catalonia**, which imposes a duty on public administrations to include clauses to prevent waste in public contracts. **Law 16/2017, of 1 August, on climate change**, which promotes, through the Government of Catalonia, the preparation of guides such as: "The Guide for the environmentalisation of canteens" updated in April 2020 to include new criteria related to the law against food waste. And **Law 7/2022, of 8 April, on waste and contaminated soils for a circular economy**, which includes various provisions relating to food waste.

This Technical Instruction incorporates important qualitative changes, with a clear political will to move forward in **promoting a healthier, fairer and more sustainable urban food system**, in

line with the commitments made by Barcelona City Council in the **2015 Milan Urban Food Policy Pact** (alimentaciosostenible.barcelona), the 2016-2019 Food Policy Promotion Strategy in the city ([2016-2019 Food Policy Promotion Strategy in the city](#)), in the Barcelona City Council's **2020 Sustainable Food Governance Measure** ([2020 Sustainable Food Governance Measure](#)) and the **7th Global Forum of the Milan Food Policy Pact** ([7th Global Forum of the Milan Urban Food Policy Pact](#)), promoted within the framework of **Barcelona, World Capital of Sustainable Food**, 2021. The Instruction itself also inspires the process of drawing up the **2030 Sustainable Food Strategy, within the framework of public food procurement**. ([Healthy and Sustainable Food Strategy 2030](#)).

In this sense, the present instruction aims to take a step forward by adopting a more systemic vision of what is meant by sustainable food, in which all its dimensions are interrelated: social, environmental, fair and healthy, with the aim of **promoting healthy diets based on sustainable food systems in support of the primary sector and the local economy**. The aim is to develop the food system on the basis of three parameters:

- The end consumption of **healthy and accessible diets for everyone**.
- The **sustainable and fair production of food**
- **Agriculture against climate change**

1. AIM

The purpose of this technical instruction is to **define the criteria for extending the environmental, social and health clauses for the procurement of food services, as well as other types of services that include, as part of the contract, the provision of food services**, in accordance with that specified in clause 3 of this instruction.

To achieve this goal, this instruction:

- a. Classifies the **main types of food services contracted by the administration**.
- b. Defines the **priorities to be taken into account when contracting them**.
- c. Establishes the **main sustainability aspects** to be taken into account in each typology and defines the **environmental, social and health criteria** to be applied.
- d. **Determines a system of penalties** in the event of non-compliance.
- e. Establishes the **monitoring system**.

2. SCOPE OF APPLICATION

2.1 Subjective scope

In accordance with the Mayoral Decree approving the new 2020-2021 Sustainable Public Procurement Objectives Plan, this instruction applies to public sector contracts signed by Barcelona City Council and its subsidiary entities that are contracting authorities, whose contractual objective is that set out in section 3, "Scope", and which will be referred to hereinafter as the **promoting units**.

2.2 Incorporation into the specifications

All contracting bodies are obliged to comply with this instruction, and to incorporate environmental, social and health criteria into the specific administrative bidding conditions or the technical specifications, whether as a solvency criterion, award criterion, execution condition, technical prescription or any other criterion that, in accordance with legal regulations, is considered appropriate, or to adapt them, if appropriate, to the characteristics of the contract when required.

In the case of integrated services contracts that include food services, the promoting units of the contracts must apply and adapt the criteria to the characteristics of the contract.

2.3 Exceptions and justification report

In accordance with the Mayoral Decree on Sustainable Public Contracting, the contracting entity may consider it not feasible or efficient to include any of the clauses as established in this instruction. In these cases, the decision must be justified in the requirements report.

3. SCOPE

3.1 Types of services

This instruction establishes specific criteria for the following **types** of services:

- The contracting of **permanent catering services or a regular food service** (municipal nursery school catering services, social catering, home catering, accompanied catering and other municipal catering services).
- The contracting of **occasional catering** services.
- The contracting of **vending machine services or installation of vending machines**.

In the case of the direct purchase of foodstuffs, no specific criteria are established, because this is not a common type of municipal supply, but, should the need arise, the priorities and guidelines indicated in the instruction in relation to the criteria specified herein for the products to be procured should serve as a guide and should be considered at the time of purchase.

3.2 Definitions

The following is understood for the types mentioned:

Permanent catering services/regular food service

The permanent catering service/regular food service is understood to be the contracting of the service for the preparation of regular meals, either in situ, in the municipal kitchens, or in the kitchens of the winning bidder, in cases where the facilities to be catered for do not have a kitchen.

Generally speaking, the service also includes the hiring of kitchen staff, the cleaning of the space and the removal of waste generated during the service.

Occasional catering services

The occasional catering service is understood to be the contracting of services for the provision of cooked or raw food or beverages, on an as and when required basis, often as part of the organisation of an event (conference, congress, meeting, celebration, etc.).

The service generally includes, in addition to the transport of the food, the service staff, and may include the cleaning of the space and the removal of waste generated during the service.

Vending machine services

The vending machine service is understood as the installation and maintenance of vending machines that dispense drinks and/or food (refrigerated, hot, seasonal) including product replenishment, both for sale to the general public in public facilities, municipal centres, public spaces or services, and for internal sale in municipal buildings, intended exclusively for administration staff.

In accordance with the above, it is understood that a service is provided whether there is a contract for the provision of services with payment of a fee to make it operational, or whether it is limited to an authorisation for installation without the payment of a fee.

4. PRIORITIES TO BE CONSIDERED IN FOOD SERVICES

The particular and characteristic element of food services is the food itself, and the production and processing of this food, which is very important in social, environmental and health terms. The differences in terms of the impacts associated with different production methods mean that in order to promote a low-impact food model, it is advisable, if not necessary, to establish certain priorities in terms of final consumption. It is therefore a priority when it comes to contracting food services to:

- **Optimise the nutritional content** of the products served, thus promoting a **healthier** diet.
- **Maximise the introduction of organic and sustainable food.**
- **Increase the supply of vegetable protein (mainly pulses)** in the preparation of menus, as well as **consolidate and increase** the presence of **fresh seasonal fruit and vegetables**, both cooked and uncooked.
- **Introduce the consumption of short-circuit foods**, which are more sustainable in terms of their social impact.
- **Consolidate the presence of basic foodstuffs and fair trade products** in order to guarantee respect for human rights and the dignity of all those involved in the life cycle of the products and the procurement process.
- **Also incorporate differentiated quality criteria** for non-organic foodstuffs, which have an impact on **reducing environmental toxicity or improving animal welfare.**

With regard to aspects related to the preparation of the contract and the bidding procedure, the following are also a priority:

- Include sustainability criteria in the **definition of the objective of the contract**, including its social, environmental and health aspects.
- In general, **consolidate the presence of this type of food** when it has already been introduced in previous contracts and progressively increase it as far as possible **in the technical specifications**. Accordingly, these Technical Instructions are based on

mandatory minimum requirements, which must be extended as the conditions for their effective fulfilment are met: product availability, efficient and flexible systems for monitoring compliance, etc.

- **Evaluate extending the offer** on the basis of the minimum criteria established in the technical specifications and the conditions of contractual execution **through the points-based award criteria**.

The following are also a priority:

- **Introduce organic items, materials and products** in the activities associated with the service (tableware, kitchen and cleaning).
- **Gradually introduce and improve the energy efficiency of the machinery used.**
- **Introduce and consolidate good practices for waste prevention and management, as well as the prevention of food waste.**
- **Ensure the training in the criteria included** in these Instructions of the personnel involved in this type of services.
- **Promote awareness-raising and information actions for users** of the services to which this Instruction applies.
- **Include criteria to reduce the impact of transport and distribution**, extend them and consolidate them as the conditions for their fulfilment are met.

Although these aspects are not specific to food services, they are nonetheless a priority as they reinforce other social and environmental policies (promotion of eco-labelled products, energy efficiency, waste prevention, knowledge and awareness) and are necessary for consistency with the rest of the sustainable procurement instructions and other environmental and social policies. Even though they do not form the main economic object of the contract, this does not mean they can be left out.

In the event that it is intended to contract several of the services listed in this instruction in the same bidding process, in order to facilitate the incorporation of the relevant criteria into the corresponding category, it is advisable for the specifications to include and describe them as clearly differentiated tasks.

5. SUSTAINABILITY CRITERIA (HEALTH, ENVIRONMENTAL AND SOCIAL) FOR THE PROCUREMENT OF PERMANENT CATERING SERVICES/REGULAR FOOD SERVICES

The following table lists the different sustainability aspects to be taken into account in procuring permanent catering services/regular food services, which are explained below:

Food services
● Menu preparation: Structure and characteristics
● Origin and quality of products
● Dishware, cutlery and tableware
● Cleaning of facilities, management and prevention of waste
● Efficient machinery
● Training

- Transport – Location of central kitchen

In accordance with the priorities established in chapter 4 of these Instructions, the contracting entity must address the aspects of food, menu preparation and the origin and quality of the food. Depending on the specific characteristics of the service to be contracted, the promoting unit will identify which aspects are or are not relevant and can be included in the specifications.

- **Justification report**

The scope of this instruction is very broad and applies to contracts of very different natures and values, as well as to projects in which these very different criteria have been incorporated, some of which are well established, while others are still in their initial stages.

In the event that the contracting entity considers that the priorities indicated in the previous section are not applicable or that the contract itself is not appropriate for applying this instruction, it must indicate and specify this in a report in which it specifies at the very least:

- the requirements and special characteristics required by the contracted service.
- a reasoned justification as to the impossibility of combining the special requirements mentioned with the criteria established for each of the areas of application.

This report must be included in the contracting file and must be made available to those responsible for monitoring this instruction, as and when required.

Furthermore, it is the responsibility of the contracting entity to define sustainable and healthy menus as described in this technical instruction for the application of sustainability criteria in food services, but **the viability of the service must be guaranteed** before bidding. For this reason, three key aspects need to be considered:

1. **The availability of the food that makes up the menu (organic, seasonal, fresh, short-circuit), distribution logistics and supply.**
2. **The ratio of the kitchen staff.**
3. **Having a well-equipped kitchen to prepare the menu.**

Below is an indication of when the criteria can be incorporated as a technical specification or as a scoring award criterion. In the latter case, the contracting entity must determine the score to be attributed to the fulfilment of each of the award criteria and the corresponding evaluation formula.

5.1 Menu preparation

The menu preparation stage is one of the moments when it is possible to have a more direct impact on **health, environmental and social aspects**. In a phase prior to the bidding process, the contracting entity can assess itself in order to prepare the menus and incorporate them into the specifications as predefined, so that the task of the service to be contracted is limited to its execution. In this case, it is the contracting entity that has the power to apply the criteria for preparing the menu that are set out as a guideline in **Annex 0** and that must be adapted according to the nature of each contract.

In those cases in which **the preparation of the menu is one of the tasks to be carried out by the successful bidder**, i.e. included in the contract, the contracting entity must establish the requirements that it considers necessary and essential, and may also decide that the extension or improvement of these requirements by the bidding companies is subject to evaluation in the award criteria. **Annex 0** includes an example of the requirements to be established in advance.

To this end, the following criteria are proposed:

I- Fresh and seasonal products

I.a. Technical specifications

The contracting entity must establish in the technical specifications that the weekly menu will be modified over the course of the year. At least **two types of menu must be offered depending on the cold/heat**, and it must be taken into account that:

Fruit and vegetables must be **fresh and in season** according to the calendar in **Annex 1**, at least **75% of the total number of references to be acquired are present**, and they must meet the basic cooking requirements for their correct handling. A proposed model for recording compliance with the established requirement is attached in **Annex 2**.

In order to guarantee the availability of seasonal and fresh produce throughout the year, products selected as compulsory may be exchanged for other products from the same family in the event that the initially selected product is not available.

I.b. Award criteria

The promoting unit must evaluate the inclusion of improvements to the minimum criteria established in this section by means of automatically assessable award criteria.

I.c. Consolidation and extension of the established criteria

As the incorporation of these requirements in the different contracts is consolidated, they should be maintained and even extended in future invitations to tender if permitted by the characteristics of the service and the availability of the products on the market.

I.d. Measurement instrument in the tender phase

Compliance with this criterion must be assessed on the basis of the presentation of a declaration of compliance by the tenderer that they undertake to comply with the criterion of fresh and seasonal produce, taking into account the proposed menu and the seasonal calendar (**Annex 0 and Annex 1**).

The winning bidder must present the list of fresh and seasonal food references that it will make available for the contract as established in the specifications, using the model in **Annex 2** as a reference.

I.e. Measurement instrument in the execution phase

The winning bidder must provide the purchase delivery notes as often as determined in the Specific Administrative Bidding Conditions, in order to verify the effective fulfilment of the criterion.

Random inspections will be carried out to check compliance with the criterion.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

II- Free sugars, processed and ultra-processed foodstuffs

In compliance with nutritional criteria aimed at balancing a healthy and sustainable diet, the promoting unit must minimise the use of refined sugars, products with added sugars, processed foods, baked goods, savoury snacks and cereals enriched with sugar.

II.a. Technical specifications

– For those **services that are provided 7 days a week, at a rate of 1 meal per day:**

It is not allowed to serve sweetened and energy drinks, brioche, biscuits, cereals, sweetened cereals, sweetened dairy desserts, sweetened milk or fruit shakes, pastries, ice-creams and/or jellies more than four times a month; of which, sweetened dairy products (flavoured yoghurt, milkshakes, flans, custards, chocolate spreads, spreads, mousses, etc.) can be served a maximum of twice a month.

For the remaining services, the equivalent must be offered, in proportion to the present proposal.

In this section, the incorporation of the aforementioned criteria for each type of contract to which this Instruction applies is in different stages of evolution.

To this end, basic minimum mandatory requirements have been established with the aim of including them in all invitations to tender for permanent catering services/regular food service, and to move towards a gradual and eventually definitive reduction of the aforementioned products.

In this sense, an exception is made for the permanent catering service/regular food service of municipal nursery schools, as it does not include the category of sugar-free and ultra-processed foods in its menus.

In the case of food services for the elderly (residential centres, home meals, accompanied meals, etc.), the criterion is not compulsory, but recommendable and will tend to be extended in future invitations to tender.

II.b. Award criteria

The contracting entities may improve the bid by reducing the frequencies established as mandatory in the previous section.

It is also possible to evaluate the possibility of scoring processed and ultra-processed products with a level A or B Nutri-Score classification or equivalent. In this case, if the aforementioned classification is used, it should be detailed in the Specifications that the tendering companies should include this information on the products they offer (NutriScore).

II.c. Consolidation and extension of the established criteria

As the inclusion of these requirements in the different contracts is gradually consolidated, it is necessary to consolidate and improve them in future invitations to tender.

II.d. Measurement instrument in the tender phase

Compliance with this criterion must be assessed on the basis of the presentation of a declaration of compliance by the bidder that they undertake to comply with the criterion.

The winning bidder must present the proposed menu (based on the criteria established in the model in **Annex 0**) and in accordance with the requirements established for this criterion.

II.e. Measurement instrument in the execution phase

The winning bidder must present the menus prepared with the frequency established in the

Specific Administrative Bidding Conditions.

Delivery notes can also be requested to check that the menus are in line with the established criteria.

Random inspections will be carried out to check compliance with the criterion.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

III- Provision of plant-based menus

III.a. The promoting unit may establish a requirement to increase the consumption of vegetables, pulses, fruit, wholegrain cereals and dried fruit, while maintaining the same intake of nutrients recommended in each case and based on the recommendations of the Public Health Agency of Catalonia: *“Guide on small changes for eating better”* (Guide on small changes Public Health Agency of Catalonia).

This Instruction establishes that the promoting unit must consider the following **minimum compulsory criteria** in the provisions of the technical specifications:

– For those services that are provided 5 days a week, at a rate of 1 meal per day:

- **Animal protein must be offered in the second course (meat, fish, eggs)**, for a maximum of four days, and on the remaining days, the second course must be plant protein-based (mainly pulses or by-products).
- **Meat must be offered in the second course (including white and red or processed meat) a maximum of twice a week (but no more than 6 times a month). Red or processed meat must be offered a maximum of once per week**, with the frequency for this product being 0 or 1. If only offered once a week, white meat should be prioritised. In any case, red meat should be offered a maximum of 4 times a month.
- **Pulses must be offered** at least 1 or 2 times a week as a first course and at least 1 day a week as a second course. Because of their nutritional composition, rich in carbohydrates and proteins, pulses can be used as a single dish (or can be accompanied by a salad or cream of vegetable soup, for example). A serving of pulses is equivalent to a serving of meat.

– For services that are provided 7 days a week, at a rate of 1 meal per day:

- **Animal protein must be offered in the second course (meat, fish, eggs)**, a maximum of 5 times a week. For the remaining meals, the second course must be plant-based protein (mainly pulses or by-products).
- **Meat must be offered in the second course (including white and red or processed meat) a maximum of twice a week**, with a maximum frequency of 1 day of red meat a week (without exceeding 4 times a month for red meat).
- **Pulses must be offered** at least 2 or 3 times a week. Because of their nutritional composition, rich in carbohydrates and proteins, pulses can be used as a single dish (or can be accompanied by a salad or cream of vegetable soup, for example). A serving of pulses is equivalent to a serving of meat.

For the remaining services, the equivalent must be offered, in proportion to the present proposal.

Likewise, the Barcelona Public Health Agency also recommends that animal protein (red meat,

white meat, eggs, or fish) should be present in the second courses of the menu. However, if it is included in the first course, it is recommended that it not be included in the second. In this case, the promoting unit must determine, based on the nature of the contract and the characteristics of the people using the service, whether this recommendation is a mandatory technical specification or whether it is included as a scoring criterion.

A vegetarian or vegan “daily menu” option must also be offered.

III.b. Award criteria

Those promoting units that wish to extend the offer of including the criteria described in this section may do so through the evaluation of automatic scoring criteria.

III.c. Consolidation and extension of the established criteria

As the incorporation of these requirements in the different contracts is consolidated, they should be consolidated and even extended in future invitations to tender, where permitted by the characteristics of the service and the availability of the products.

III.d. Measurement instruments in the tender phase

Compliance with this criterion must be assessed on the basis of the presentation of a declaration of compliance by the bidder that they undertake to comply with the criterion.

The winning bidder must present the proposed menu (based on the criteria established in the model in **Annex 0**) in accordance with the requirements established for this criterion.

III.e. Measurement instrument in the execution phase

The winning bidder must present the menus prepared with the frequency established in the Specific Administrative Bidding Conditions.

Delivery notes can also be requested to check that the menus are in line with the established criteria.

Random inspections will be carried out to check compliance with the criterion.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

5.2 Origin and quality of food products

The promoting unit of the contract must consider the criteria on the origin and quality of the following food products:

I- Food from organic agriculture

The contracting entity must establish the list of basic foodstuffs that must have the guarantee that they come from organic farming, in accordance with EU Regulation 2018/848 or subsequent amendments.

I.a. Technical specifications

The contracting entity must establish a **minimum number of between 7 and 10** food products from organic farming, depending on the nature of the contract, from the group of products included in **Annex 3**.

In order to guarantee the availability of seasonal produce throughout the year, products selected as compulsory may be exchanged for other products from the same family in the event that the initially selected product is not available.

The inclusion of organic products on menus must always be based on the criterion of fresh and seasonal produce.

I.b. Award criteria

Depending on how the above requirements have been established, extensions to the number of products can be scored according to the following requirements:

- Expanding the range of organic fruit and vegetables on offer.
- The use of organically produced olive oil.
- The increase in the range of products on offer, such as sugar, coffee, chocolate and tea.
- Inclusion of other basic organic foodstuffs, such as rice, cereals, pulses, olives, milk, meat, etc.
- Incorporating products made from organic farming, such as bread, pasta, yoghurts or other sugar-free dairy desserts (mató, formatge tendre [typical Catalan desserts], etc.).

I.c. Consolidation and extension of the established criteria

The contracting entity must progressively expand the list of foodstuffs that must come from organic farming as their presence on menus is gradually consolidated in subsequent contracts.

In the event that the contracting entity has included a greater range of organic products as award criteria, this must be indicated in **Annex 3**.

I.d. Measurement instrument in the tender phase:

Bidding companies must present a declaration of compliance that the products selected, in accordance with **Annex 3**, have the CCPAE seal or equivalent.

In addition to presenting the aforementioned declaration of compliance, those bidding companies that have the Ecological seal (Ecological seal), **as long as the certified products coincide with those required in the Specifications**, may present a declaration of compliance as a guarantee of compliance with the measure.

I.e. Measurement instrument in the execution phase

The winning bidder must present, as often as is determined in the Specific Administrative Bidding Conditions, the list of products included in the menu that meet these requirements, as well as the purchase delivery notes to verify their traceability, demonstrating compliance with the accreditation criteria of the CCPAE seal or equivalent criteria for these products, such as Ecological Certification (in the event that they coincide with those required in the corresponding Specifications).

Random inspections will be carried out to check compliance with the criterion.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

II– Short-circuit and direct sales foods

II.a. Short-circuit foods are those produced by producers or groups of producers and agricultural producers, for the benefit of the end consumer, with the intervention of one intermediary.

Direct sale is the sale made directly by producers, groups of producers and agricultural producers to the end consumer, without the intervention of an intermediary.

Short-circuit sales can be made in retail establishments, agri-boutiques belonging to producer groups and agricultural producers acting as intermediaries, in rural tourism establishments and in catering establishments, including collective catering establishments, as long as these sales comply with the criteria established in Decree 24/2013, of 8 January, which regulates the accreditation of the Local Sale of agri-food products.

Prior to the definition of the technical specifications, it is advisable for the contracting entity to consult the market availability of short-circuit/direct sale products associated with the season, in accordance with the calendar in **Annex 1**.

As a guideline, the list of companies and individuals adhered as producers to the Local Sales Seal of the Department of Climate Action, Food and Rural Agenda of the Generalitat de Catalunya (Local Sales Seal) can be consulted.

II.b. Technical specifications

The contracting entity must establish a minimum number of **two seasonal and short-circuit and/or direct sale products** of those included in **Annex 4**, in those contracts that include them in the technical specifications for the first time.

For those contracts that already have this category of foodstuffs included and exceed these minimums, it is necessary to consolidate and broaden those that already apply at the time that the aforementioned Instruction is approved in future invitations to tender.

For all types of contracts, the number of products in this category must be progressively increased as their inclusion in the contracts is consolidated and depending on their availability.

II.c. Award criteria

Depending on how the above requirements have been established, the promoting unit can assess the increase in the number of food products that meet this requirement by means of award criteria that can be scored automatically.

In order to guarantee the availability of seasonal produce throughout the year, products selected as compulsory may be exchanged for other products from the same family in the event that the initially selected product is not available.

If the contracting entity wishes to apply improvements, whereby the aforementioned products that fulfil this requirement are also produced within a radius of no more than 200 km, it can use the Ecolocal certificate or equivalent as a means of verifying that the criterion is fulfilled.

II.d. Consolidation and extension of the established criteria

In future invitations to tender, the contracting entity must progressively expand the list of foodstuffs that must come from the short circuit and/or direct sale, based on their availability.

II.e. Measurement instrument in the tender phase:

Bidding companies must present a declaration of compliance that the products selected, in accordance with **Annex 4**, have the Local Sales Seal (direct sale-short circuit), or equivalent. The winning bidder must provide information on the fulfilment of this section by presenting the proposed menu, indicating the products that meet this requirement, in accordance with the seasonal calendar, identifying the certification of the Government of Catalonia's Local Sales seal: companies and producers that are certified for the short-circuit sale of their products. Seal regulated by **Decree 24/2013** of 8 January, on the certification of the local sale of agri-food products (Certification of the local sale of agri-food products) or equivalent criteria.

If the contracting entity wishes to apply improvements, whereby the aforementioned products that fulfil this requirement are also produced within a radius of no more than 200 km, it can use the Ecolocal certificate or equivalent, as a means of verifying that the criterion is fulfilled, since the aforementioned certificate meets the following requirements:

1. A maximum of one intermediary from the origin of production to the processing kitchen and/or point of consumption, which is equivalent to the Seal of Proximity.
2. Moreover, it provides other guaranteed added values:
Declaration of compliance (subject to audit by the own Ecolocal certification in case of suspicion of non-compliance) for certified producers not marketing third party products under their own NIF for the managing or tendering entity.

II.f. Measurement instrument in the execution phase

The winning bidder must present, as often as is determined in the Specific Administrative Bidding Conditions, a list of the products included in the menu and their producers, which meet these requirements. The contracting entity must assess whether the purchase delivery notes are also required to verify the traceability of the above, where the fulfilment of the criteria for certifying the seal of sale of short-circuit and/or direct sale agri-food products established by the seal of the Generalitat de Catalunya or equivalent is made visible.

Furthermore, if the contracting entity wishes to apply improvements, in the sense that certain products that have the seal of proximity of the Government of Catalonia, in addition to being produced within a local radius of no more than 200 km in order to guarantee compliance with this criterion, it is possible to use the Ecolocal seal certification provided that the products that have it coincide with those required in the Bidding Specifications.

Random spot checks will be carried out to verify the invoice with the corresponding lots to be checked and, therefore, the origin of the product.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

III- Differentiated quality foods

For non organic certified foods (CCPAE), the promoting unit has to consider the opportunity to incorporate differentiated quality criteria, as these respond to specific requirements, which often aim to protect natural resources or the landscape in the production area, or to improve animal welfare, all of which are environmentally relevant aspects.

III.a. Technical specifications/awarding criteria

For non organic certified foodstuffs (CCPAE), the promoting unit must detail the food for which it is required or valued:

- The inclusion of fresh fish or seafood products that are certified as being of controlled and sustainable origin, such as Aquaculture Stewardship Council (ASC-AQUA), Marine Stewardship Council (MSC), Friend of the Sea or equivalent.
- The inclusion of food from integrated production or others with differentiated quality seals with recognised European regulations (**Annex 5**).

It is left to the discretion of the contracting entity whether it includes this food category as a technical specification or as a scoring criterion, because it depends on whether it is possible to include some of these foods in the menu, given that these labels only exist for certain food products.

For those contracts that have never included this type of product, it is recommended that at least one be included, either as an award criterion that can be scored automatically or as a technical specification.

In the case of having established mandatory minimum requirements, the broadening of the offer of differentiated quality products may also be considered as a scoring award criterion, with additional points awarded for each article in this category included in the offer.

The contracting entity may include the requirement or evaluation of food from animal protein that complies with the organic certification criteria (CCPAE seal). However, it can also assess whether some of these products have been produced in accordance with the equivalent requirements of an animal welfare certification system based on a broad composition of multi-lateral organisations.

III.b. Consolidation and extension of the established criteria

As the inclusion of this category of products in the invitations to tender is consolidated, the requirements can be extended to more than one product.

III.c. Measurement instrument in the tender phase

Bidding companies must present a declaration of compliance that the products selected have the corresponding certificates or meet the equivalent criteria.

III.d. Measurement instrument in the execution phase:

The winning bidder must provide the purchase delivery notes for the products in this category that are to be supplied, identifying those that comply with the corresponding labelling, with the frequency established in the Specific Administrative Bidding Conditions.

Random inspections will be carried out to check compliance with the criterion.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

IV- Fair trade food

IV.a. Technical specifications

If the menu includes products such as coffee and chocolate, these must be fair trade or equivalent in accordance with the definition established in the European Parliament Resolution on Fair Trade and Development (T6-0320/2006), in compliance with Article 201 of the Law on Public Sector Contracts.

IV.b. Award criteria

As an award criterion, the offer of fair trade food products (tea, sugar, cocoa and derivatives, etc.)

can be valued, in addition to those that have been established as mandatory.

IV.c. Consolidation and broadening of these criteria

It is possible to extend the range of fair trade products beyond those mentioned above.

In any case, as the incorporation of this category of products in the services is consolidated, the range of products on offer should be expanded in future invitations to tender.

IV.d. Measurement instrument in the tender phase

Bidding companies must present a declaration of compliance regarding the fulfilment of the level of the requirement, identifying the accreditation of the fair trade seal or equivalent criteria for these products.

IV.e. Measurement instrument in the execution phase

The winning bidder must present the delivery notes for the purchase of these products as often as agreed in the Specific Administrative Bidding Conditions, in order to verify their traceability and that they have the accreditation stamp or equivalent criteria.

Random inspections will be carried out to check compliance with the criterion.

In any case, it is also possible to consider carrying out an audit if the corresponding budget item is considered for implementation in the tender budget.

V. Verification of the measures for all food products included in the service.

In the event that a specific inspection has been carried out and there are doubts regarding any product/s, the technical specifications of the product may be requested from the awarding company, with reference to the characteristics indicated in the section on the origin and quality of food products (**Annex 8**), with the following information:

- Product name
- Category
- Varieties
- Production type
- Origin and supplier name
- Produced by: Name of producer, place of origin of product
- Quality standard, type of packaging and conservation system used in transport.

5.3 Dishware, cutlery and tableware

The contracting entity must include the following obligations, whenever appropriate, among the tasks and specifications to be fulfilled by the winning bidder:

I- Multi-use dishware and cutlery

Provided that there is a corresponding supply of reusable trays, plates, cups and cutlery among the material inventoried in the kitchen or canteen, the winning bidder is obliged to make them available and to replace them in the event of breakage or loss.

In those cases in which the kitchen or the canteen do not have the corresponding equipment, it should be taken into account:

- The commitment to include reusable plates, glasses and/or cutlery, either exclusively or partially (in this case, it will have to be assessed in proportion to the scope of the bid).

II- Single-use items: paper/cellulose and other compostable materials

In the case of self-service with trays, the use of single-use paper to protect the trays is expressly forbidden.

In the case of using single-use paper tableware items (tablecloths and serviettes), they must be made of 100% recycled paper.

If it is not possible to incorporate multi-use dishware and cutlery, compostable plates, cups and/or cutlery must be used in accordance with the UNE-EN 13432:2001 standard or equivalent. In this case, it is important to report that these materials must be disposed of in the selective collection of organic waste.

If transport from central kitchens to the place of consumption is to be carried out, the use of reusable packaging rather than single-use packaging may be considered as a technical specification or scoring criterion.

III- Water

In the first instance, the water must always come from the urban water supply and must be served in jugs.

5.4 Cleaning of facilities, management and prevention of waste

I- Cleaning of facilities

When the service provides for the use and cleaning of a kitchen area or the canteen area itself, or other cleaning tasks associated with the service, the unit responsible for the contract must include the environmental criteria defined and described in the section “Contracting of other types of services that include cleaning or waste removal tasks” of the Technical Instructions for the application of sustainability criteria in the building cleaning and selective waste collection service (Building cleaning and selective waste collection instruction).

II- Prevention of food waste

The prevention of food waste is one of society’s fundamental challenges, as it has a major economic and environmental impact. Law 3/2020, of 11 March, on the prevention of food loss and food waste promotes, among other actions, the establishment of food waste prevention plans in companies in the food chain (Article 5) and reduction programmes in hospitals and nursing homes that offer meals or canteen services (Article 6).

II.a. Technical specifications

The technical specifications must include the requirement for bidding companies with more than 10 employees to present a plan for the prevention of food waste.¹

II.b. Award criteria

¹ Chapter 2, Article 5 of Law 3/2020, of 11 March, on the prevention of food loss and food waste.

In the case of bidding companies with less than 10 employees, this criterion may be considered as a scoring factor.

The quality of the Plan must be assessed as an award criterion subject to a value judgement.

The Specific Administrative Bidding Conditions must include a description of the concepts that will be used in the evaluation by value judgement and how the points will be distributed. The concepts may include:

- Identification of possible operations or flows where waste may occur.
- Description of the preventive measures to be applied and the follow-up and evaluation measures.
- Agents with whom to collaborate in the development of the Plan.
- Others to be considered on the basis of each type of contract.

A score has to be applied to each concept according to a scale that can range from: complete and well defined, incomplete with ambiguous definitions, irrelevant or clearly wrong.

This section may also consider the assessment of automatic criteria.

II.c. Measurement instrument in the tender phase

Bidding companies must present the Plan in the technical bid following a basic outline. The recommendations of the Guide for the implementation of a plan for the prevention and reduction of food loss and food waste in agri-food companies or others that may be drawn up subsequently can be used as a guideline.

II.d. Measurement instrument in the execution phase

The winning bidder must present, at the time determined in the Specific Administrative Bidding Conditions, a report on the execution of the plan for the prevention of food waste that has been carried out within the framework of the contract, with a series of indicators and the degree of compliance.

5.5 Efficient machinery

If it is planned to include the renovation of part of the kitchen equipment (dishwashers, cookers, ovens, refrigerators, etc.) in the service contract, the promoting unit of the contract must first determine the degree of energy efficiency of the new equipment, in accordance with the most recent classification of the European energy label (EU Energy Label).

- The minimum energy efficiency rating required for new equipment is C.

In accordance with these minimum requirements, the promoting unit may consider the following as a scoring criterion:

- The proposal of equipment with a higher energy classification.

When it is necessary to carry out the renovation, the winning bidder must present the corresponding documentation prior to the installation of the new appliance so that it can be approved.

5.6 Training

The contracting entity is required to ensure that the winning bidder's staff training plans include the environmental, social and health aspects associated with the service, in accordance with this instruction.

The winning bidder must provide the training and present the person responsible for the contract with the supporting evidence relating to the personnel assigned to the service.

I. Technical specifications

The contracting entity must require that bidding companies offer **a minimum of 6 hours of training and awareness-raising for staff**, for each group assigned to the contract, in accordance with the following criteria:

Kitchen staff: training in sustainable, environmental and health food criteria and recipes that incorporate the criteria of the Instructions: plant-based protein, short circuit, organic, seasonal, fair trade, waste prevention, etc. ...), training for the correct application of environmental criteria (minimum 2 hours) **and monitoring:** training in sustainable food, environmental and health criteria, aimed at raising awareness, informing and training users (minimum 2 hours).

Users: Awareness-raising actions, information for users (minimum 2 hours).

II. Award criteria

Depending on how the aforementioned requirements have been established, additional training hours, awareness-raising actions and subjects related to the purpose of the contract may be awarded points, based on the minimums established in the technical specifications.

The technical bid of actions can be assessed by means of value judgement criteria and/or increasing the number of hours of training for kitchen and monitoring staff.

III. Measurement instrument in the tender phase

Bidding companies must present their training plan on the basis of the criteria proposed and, with regard to the part that is assessed using criteria subject to value judgement, they must present their proposal in the technical bid.

IV. Measurement instrument in the execution phase

The winning bidder must present a report on the implementation of the training plan, with a set of indicators and degree of completion, implementation schedule for staff, topics and number of hours of training and actions carried out with users.

5.7 Transport from the central kitchen

If one of the tasks to be carried out by the winning bidder is the transport of prepared meals from the kitchen to the centre's canteen and it is required to have a fleet of vehicles, the environmental quality of the vehicle or vehicles in the transport fleet can be assessed.

I- Environmental quality of the fleet

The bidding companies must present the following details of the transport vehicle or vehicles that will be assigned to the service in the event of being awarded the contract:

- make and model
- registration plate
- motor type
- classification according to the DGT Badge

The assessment system is described in **Annex 6** of the Instruction:

II- Transport-associated CO2 emissions

In the event that there are vehicles assigned exclusively to the contracted service, the winning bidder may calculate the CO2 emissions associated with the execution of the contract.

The winning bidder must calculate the CO2 emissions associated with the transport of prepared meals from its facilities (kitchen) to the centre (canteen) using the current version of the Catalan Office for Climate Change's greenhouse gas calculator², using the "Road transport" data, with the "distance travelled" method.

The promoting unit can incorporate it as an obligation (technical specification) or, alternatively, assess, by means of automatic scoring criteria, the bidder's commitment to do so.

The data needed for this calculation are:

- The type of vehicles used
- The distance travelled by each vehicle from the place of origin to the place where the service is provided.
- The emission factor (grams of CO2 /km) already incorporated in the Catalan Office for Climate Change's Calculation Guide.

At the start of the contract, by mutual agreement between the winning bidder and the person responsible for the contract, the model for recording data collection (vehicles and mileage) and the frequency of the calculation (monthly, quarterly, school year, calendar year) must be agreed.

6. ENVIRONMENTAL, SOCIAL AND HEALTH CRITERIA FOR THE CONTRACTING OF OCCASIONAL CATERING SERVICES

The following table lists the different sustainability aspects to be taken into account in procuring catering services, which are explained below:

Catering services
● Selection of the varieties
● Origin and quality of products
● Dishware, cutlery and tableware
● Waste management and prevention
● Training
● Transport

² Both the Calculator and the Guide of the Catalan Office for Climate Change are updated and published annually on the website: <https://canviclimatic.gencat.cat/ca>

When contracting occasional catering services, the following environmental, social and health criteria will always be taken into account:

6.1 Selection of the varieties

In order to reduce the environmental impact and improve people's health associated with food consumption by encouraging a greater intake of plant-based foods, the promoting unit has the option to select the varieties.

I- Plant-based varieties

The contracting entity must combine the selection of portions to be served between a "standard" and a vegetable varieties, with at least the following proportions:

I- 50% of standard varieties + 50% of plant-based varieties.

In any case, the standard varieties can never be higher than 50%. From this point onwards, the proportion can be adjusted to the degree that is considered appropriate, up to 100% plant-based.

Plant-based means: vegetable protein, fruit and vegetables.

The contracting entity may consider the need for bidding companies to have experience in the preparation of this type of varieties and/or to have a plant-based varieties as such in their catalogue on offer.

In the case of an invitation to tender of a framework contract or for the approval of suppliers of this type of services, the number and range of plant-based varieties available may be included as an award criterion.

II- Fresh and seasonal products

It is also important to emphasise the need to include fresh produce in the variety, which may be required if the supplier includes fresh fruit and vegetables that are in season, in accordance with the calendar in **Annex 2**.

6.2 Origin and quality of food products

The contracting entity must establish, in relation to the quality and origin of the products, the following requirements:

I- Food from organic agriculture

Coffee and chocolate must be organic. In addition, at least two more of the remaining food items in the variety must also be of the same category. In the case of including cold drinks (juices, vegetable drinks or also milk or dairy products), at least one of the items offered must be from organic agriculture.

All of them must have the organic farming certificate or must be made with ingredients from organic farming (in accordance with EU Regulation 2018/848 or subsequent amendments).

In addition to presenting the CCPAE certification, those bidding companies that have the Ecological seal, provided that their certified products coincide with those required in the Specifications, may present it as a guarantee of compliance with the measure.

Depending on how the above requirements have been established, the promoting unit must include the broadening of the range of organic farming products as a scoring award criterion.

II- Fair trade food

Coffee and chocolate must be fair trade and organic (in accordance with the European Parliament Resolution on Fair Trade and Development (T6-0320/2006)).

In the event that the service or supply includes any of these products: “Tea and other infusions (not produced locally), sugar, sweets, caramels, cocoa cream, instant cocoa, pure cocoa and bonbons”, it is necessary to include the fair and organic trade requirement as technical specifications or as an award criterion, depending on the nature and characteristics of each contract.

In the case of having established mandatory minimum requirements, the broadening of the range of fair trade products may also be considered as a scoring award criterion.

III- Differentiated quality food and special work centres and Social Insertion Companies

At least one of the components of the variety and one of the beverages must be of differentiated quality (**see Annex 5**) or produced by Special Work Centres or Social Integration Companies.

The broadening of the range of differentiated quality products or products from Special Work Centres and Social Insertion Companies may also be considered as a scoring award criterion.

IV- Short-circuit food

At least one of the components of the products must be direct sale or short circuit in nature, that is to say, it must have the local sale seal of the Generalitat de Catalunya or criteria equivalent to those that regulate this certification.

The broadening of the range may also be considered as a scoring award criterion.

6.3 Dishware, cutlery and tableware

The promoting unit will include, as obligations, or as a scoring award criterion, as long as it is appropriate and adapted to the service in question:

I- Multi-use dishware and cutlery

Reusable packaging must be used and not single-use packaging when transporting from central kitchens to the place of consumption.

It also establishes the mandatory use of reusable trays in the service.

The commitment to use reusable tablecloths, plates, cups and cutlery must also be assessed.

II- Single-use items: paper/cellulose and other compostable materials

In the case of using single-use paper tableware items (tablecloths and serviettes), they must be made of 100% recycled paper.

If it is not possible to incorporate a multi-use dishware and cutlery, compostable plates, glasses or cutlery must be used in accordance with the UNE-EN 13432:2001 standard or equivalent. In

this case, it is important to report that these materials must be disposed of in the selective collection of organic waste.

However, in the event that the service incorporates the “take away” (coffee to go) option, the recipients and cups must be cellulose-based or in any case compostable according to the UNE-EN 13432:2001 standard or equivalent.

III- Water and other beverages

In the first instance, the water must always come from the urban water supply and must be served in jugs.

In the event that the service incorporates carbonated or specially mineralised water and/or other beverages, the use of individual containers should be avoided and, if this is not possible, priority should always be given to the use of glass containers.

6.4 Cleaning of facilities, management and prevention of waste

In the event that the company commissioned to carry out the service is also responsible for the subsequent cleaning of the space and the removal of waste generated during the service, the promoting unit must include the environmental criteria of the Technical Instructions for the application of sustainability criteria in the service of cleaning and selective collection of waste from buildings, among those described in the section “Contracting of other types of services that include cleaning or waste removal tasks” of the *instruction*. In particular, attention must be paid to the selective collection of waste generated in this type of service (paper, packaging and organic material), for which the company must provide the corresponding recipients, as agreed with the person responsible for the centre where the service is carried out.

6.5 Training

The contracting entity must guarantee that the personnel in charge of the service are aware of and prepared to apply the environmental, social and health criteria associated with the service in accordance with these instructions, in particular good waste prevention and management practices.

Bidding companies must present a declaration of compliance with the aforementioned criteria.

6.6 Transport

Any occasional catering service involves transport from the preparation centre to the point of service. The following environmental criteria can be established for this transport:

I- Environmental quality of the fleet

The contracting entity must use the information in **Annex 6** for the compilation of information on the bidders and the evaluation of the bids and may incorporate the following criterion:

The environmental quality of the vehicle or vehicles in the transport fleet must be assessed, based on the classification of service vehicles according to the DGT’s Environmental Badge register.

Vehicles to which the DGT regulations apply and which do not have a DGT badge cannot be assigned to the service.

The bidding companies must present the following details of the transport vehicle or vehicles that will be assigned to the service in the event of being awarded the contract:

- make and model
- registration plate
- motor type
- classification according to the DGT Badge

II- Transport-associated CO₂ emissions

These types of services are often contracted as part of events with a wider scope. Calculating the emissions associated with this activity allows for a more complete calculation of the emissions of the event as a whole.

Once the vehicles carrying out the transport have been identified, it is relatively simple to calculate the CO₂ emissions associated with the execution of the contract. When, within the framework of the event, the calculation of the associated emissions is provided, the promoting unit may require the establishment of the necessary collaboration between the winning bidder and those responsible for calculating the emissions in the awarding of the catering service.

The specifications must clearly state the type of calculation to be carried out and the methodology to be used, so that bidding companies have a clear idea of what is required of them:

- The winning bidder must provide the data related to the transport of the prepared meals from the preparation centre to the point of service, in order to make it possible to calculate the CO₂ emissions associated with the execution of the service.

The necessary data to be provided are:

- The type of vehicles used (make, model and year placed on the market)
- The distance covered during the execution of the service.
- Possibly: the normalised emission value (g CO₂ /km) of the vehicle.

In these cases, the possibility of offsetting emissions must be assessed for the event as a whole and not as an aspect to be passed on to the catering company.

7. ENVIRONMENTAL, SOCIAL AND HEALTH CRITERIA FOR AUTOMATIC VENDING SERVICES AND VENDING MACHINES

The contract or agreements for the authorisation of the installation of vending machines for automatic or self-service vending will always take into account the environmental criteria, which are specified below, as set out in the following table:

Vending services
Types of vending items
Origin and quality of products
Waste prevention
Efficient machinery
Consumer information

Transport

Although they refer to some of the aspects mentioned in the table, the criteria are presented below grouped by type of vending machine, in order to facilitate their application by those responsible for contracting or authorising these services.

In order to display the relationship, the criteria for each type of machine are presented numbered according to the table, which is why the numbering is not necessarily correlative.

7.1 Hot drinks machines

- At least **two products without added sugars or products of plant-based origin** (plant-based drinks, etc...) must be offered.
- **As a matter of priority, at least 50% of the coffee and chocolate must be fair trade** (in accordance with the European Parliament Resolution on Fair Trade and Development (T6-0320/2006).
- As far as possible, coffee, chocolate and cocoa products must be organic.
- It is worth considering extending the range of organic and fair trade products to other products such as sugar, milk (organic), cocoa, tea, infusions, etc.
- There must always be the option of offering the service with or without a cup (bimodal) and, whenever possible, with an added cost in order to encourage the use of reusable cups.
- The machine must be connected to the mains in order to have water, except in the case that it is technically unfeasible.
- Minimum energy efficiency requirements have to be established for the machine, according to the EVA-EMP 3.1b classification or equivalent (European Vending Association Energy Measurement Protocol) and the improvement of these requirements can be assessed.

Alternatively, it is possible to require or assess that the machine has smart control (energy management systems or devices), which place the machines in standby mode under certain conditions, including outside working hours.

7.2 Cold drink machines and water dispensers

- At least **two healthy products** must be offered (for example, fruit juice or 100% plant-based products). Its broadening can be assessed by means of automatic assessment criteria. The NutriScore seal (A) or equivalent may be required for verification.
- It is not possible to offer any product subject to mandatory GMO labelling because it contains genetically modified organisms, according to regulation 1830/2003/EC of the European Parliament and of the Council.

- At least **two of the cold drinks must come from organic farming or fair trade or from Special Work Centres and/or Social Insertion companies**. Its broadening can be assessed by means of automatic assessment.
- In accordance with the instructions for bottled water and the use of plastic cups ([http://Instrucció bottled water](http://Instrucció_bottled_water)), bottled water cannot be dispensed. As an alternative, and whenever technically possible, if water is to be provided, water fountains connected to the mains or water dispensers must be installed. These water fountains or dispensers can never dispense single-use plastic cups.
- Cold drink dispensing machines must have integrated intelligent controls (energy management systems or devices). The bidder must provide the technical specifications of the vending machines that will be used for the service in which it is stated that this requirement is met.
- Minimum energy efficiency requirements must be established for the machine, based on the energy class according to the European Union energy labelling classification (revised version in accordance with Regulation 2017/1369) and the improvement of these requirements can be assessed.
- The use of coolant gases with a global warming potential of less 150³ must be evaluated.

7.3 Food vending machines (snacks, salads, etc.)

- At least **two or three healthy food products** must be offered (Recommendations for healthy food vending machines).
- At least **two food products must be from organic farming or fair trade or of differentiated quality or short circuit or produced by Special Work Centres and/or Social Insertion companies**.
- In the case that the service or supply includes chocolate, it must be fair trade chocolate (in accordance with the European Parliament Resolution on Fair Trade and Development (T6-0320/2006)).
- It is possible to establish a minimum number or to assess the supply of 100% plant-based products.
- By means of automatically assessable scoring criteria, it must be assessed that a higher number of these types of products are offered.
- It is not possible to offer any product subject to mandatory GMO labelling because it contains genetically modified organisms, according to regulation 1830/2003/EC of the European Parliament and of the Council.
- The energy efficiency of food machines (or mixed, with cold drinks) must be assessed on the basis of the energy class according to the classification of the EU Energy Label (Delegated Regulation 2019/2018, revised version in accordance with Regulation 2017/1369).
- The use of coolant gases with a global warming potential of less 150⁴ must be evaluated.

³ http://www.grida.no/climate/ipcc_tar/vol4/spanish/090.htm#tabTechSum3; reference values at 100 years

⁴ http://www.grida.no/climate/ipcc_tar/vol4/spanish/090.htm#tabTechSum3; reference values at 100 years

When food and drink vending machines are located in areas accessible to children and young people, recommendations on specific locations, advertising and content should be followed: reference document: “Recommendations on vending machines in spaces for children and young people”. 2019 edition (Recommendations on healthy vending machines) and Healthy eating at school. 2020 edition (Healthy eating at school.2020 edition)

7.4 For all types of machines

I. Reverse vending

In cases where it is considered appropriate, the relevant directorate of services or, if necessary, the promoting unit of the contract, may include as a compulsory or assessable criterion that the installation of vending machines is accompanied by the installation of a reverse vending machine for the return of packaging corresponding to that dispensed from the machines, and its location must be specified.

II. Environmental quality of transport fleet

The contracting entity must use the information in **Annex 6** for the compilation of information on the bidders and the evaluation of the bids and may incorporate the following criterion:

The environmental quality of the company’s transport fleet must be assessed, based on the classification of service vehicles according to the DGT’s Environmental Badge register.

Vehicles to which the DGT regulations apply that do not have a DGT badge cannot be assigned to the service.

Bidding companies must provide the following data on the vehicles in their fleet operating in the city of Barcelona:

- make and model
- registration plate
motor type
- classification according to the DGT Badge

III. Consumer information

It is possible to make it compulsory or consider the possibility of the company informing potential users of the characteristics of healthy and sustainable products and promoting their knowledge and consumption, beyond automatic sales, for example, by means of graphic elements with messages of this type on the machines or other options.

Measurement instrument in the tender phase

Bidding companies must present their proposed range with the required criteria and accompanied by the relevant certificates and accreditations and the proposal of actions (graphic materials and messages) to raise awareness among potential users.

It is necessary to demonstrate the commitment through a declaration of compliance.

Measurement instrument in the execution phase:

The winning bidder must present, as often as determined in the Specific Administrative Bidding Conditions, a system for reporting and monitoring the products dispensed (units of each product, differentiating between conventional and healthy and sustainable products, etc.) with the corresponding delivery notes of the range offered and the certifying seals.

It is also necessary to present a report evidencing compliance with the consumer information criteria applied.

8. SOCIAL CRITERIA RELATED TO THE TYPOLOGY OF COMPANIES

8.1 Promoting the participation of small and medium-sized enterprises, Special Work Centres, Social Insertion Companies, etc.

In order to provide opportunities for small and medium-sized enterprises, and also for social and solidarity economy enterprises, to bid for public food procurement tenders, while guaranteeing compliance with Article 202 of the LCSP, the criteria of economic and technical solvency must be established that favour this, both in terms of the minimum business volume and the establishment of lots, with the aim of increasing the opportunities for this type of company to bid for tenders. It is also possible to assess the possibility of requesting expert advice and training on environmental, social and health criteria in the food industry for staff who are made available under the contract.

The application of the clause for outsourcing with companies in the social and solidarity economy must also be encouraged (Social clause 3.3: Decree on sustainable public procurement of 24 April 2017) provided that the possibility of outsourcing is considered and there is a supply available in the sector. **Annex 7.**

Furthermore, the products and services that can be offered by Social Initiative Special Work Centres and Insertion Companies must be encouraged to be included as technical specifications, and expanded in the scoring criteria, according to market availability, which must be verified by the contracting entity at the time of drawing up the specifications and attached in the documentation. The directory of Social Economy companies of Barcelona Activa is attached for guidance (<https://directorieconomiasocial.barcelonactiva.cat/es/>)

8.2 Reserved contracting – Additional provision 4 of the LCSP

The LCSP prescribes the establishment of minimum percentages of reserve contracts or lots for Social Initiative Special Work Centres and Insertion Companies.

In order to comply with this precept, the City Council sets annual reserve targets that are distributed among all contracting entities (*Decree of the Governing Committee 2019/146 of 25 April 2019 approving the Municipal Instructions regulating reserved contracts*).

It is important to encourage and guarantee that at least some of the tenders in the food sector can be of this nature, in order to contribute to the achievement of the objectives set.

9. PENALTIES for non-compliance with requirements

Requirements	Type of service
	Canteen
Fresh and seasonal	<i>If the non-compliance of the measure occurs up to two times, it is</i>

Requirements	Type of service
	<i>considered serious, and it is considered very serious if it occurs more than two times.</i>
Free sugars and processed/ultra-processed products	<i>If the non-compliance of the measure occurs up to two times, it is considered serious, and it is considered very serious if it occurs more than two times.</i>
Plant protein	<i>If the non-compliance of the measure occurs up to two times, it is considered serious, and it is considered very serious if it occurs more than two times.</i>
Organic	<i>If the non-compliance of the measure occurs up to two times, it is considered serious, and it is considered very serious if it occurs more than two times.</i>
Short-circuit	<i>If the non-compliance of the measure occurs up to two times, it is considered serious, and it is considered very serious if it occurs more than two times.</i>
Differentiated quality	<i>If the non-compliance of the measure occurs up to two times, it is considered serious.</i>
Fair trade	<i>If the non-compliance of the measure occurs up to two times, it is considered serious, and it is considered very serious if it occurs more than two times.</i>
Food waste	<i>If the non-compliance of the measure occurs up to two times, it is considered serious.</i>
Awareness-raising training	<i>If the non-compliance of the measure occurs up to two times, it is considered serious.</i>

Type of service	Penalties
Catering	<i>If the non-compliance of the measure occurs up to two times (in one or two different criteria), it is considered serious.</i>
Vending machines	<i>If the non-compliance of the measure occurs up to two times (in one or two different criteria), it is considered serious.</i>

The penalties established in Article 192 of the LCSP or the specific ones determined in the Specific Administrative Bidding Conditions must be applied.

10. MONITORING SYSTEM

The person responsible for the contract must supervise the completion and execution of the environmental and social clauses established in the specifications.

Until an automated monitoring system is available, the following guidelines must be followed:

- **With regard to environmentalisation of the contracting**, those responsible for the **More Sustainable City Council Programme** must request annual information from the municipal departments/manager's offices/districts/institutions on new contracts for food services. Those responsible for the More Sustainable City Council Programme may request the promoting unit of the contract to provide additional information related to the monitoring of the environmental criteria of this instruction.
- **With regard to the application of the criteria for food products: organic, seasonal, short circuit, health and fair trade criteria**, the heads of the **Urban Food Policies Section**, with the support of the different areas, must request annual information from the municipal departments/manager's offices/districts/institutions on new food service contracts. Likewise, they may also request the promoting unit of the contract to provide additional information related to the monitoring of the food criteria.
- **In terms of social clauses in contracting**, those responsible for the **Barcelona Activa advisory service** must monitor the application of the clause on outsourcing with SSE companies and monitor their implementation. Information must also be requested on the applications of outsourcing to SSE companies and on reserves, and the winning bidders must be provided assistance to comply with outsourcing .
- Furthermore, and with regard to the different services mentioned above, and according to their expertise, a technical support, information and training service must be offered to the promoting units to draw up the technical and administrative plans derived from public food procurement, especially from the Urban Food Policies Section with regard to the cross-cutting and global vision of the application of the criteria most directly linked to food, from Barcelona Activa in terms of providing information on the Social Initiative Special Work Centres, Social Insertion companies and the outsourcing to social economy companies that can offer food products or maintenance services, and the More Sustainable City Council Programme in terms of environmental criteria.

11. DEROGATING PROVISION

The technical instructions for the application of sustainability criteria in food services, approved by the Mayor's Decree of 28 April 2015 and published in the Municipal Gazette of 10 May 2015, is hereby repealed.

12. TRANSITORY PROVISIONS/ENTRY INTO FORCE

This instruction is not applicable to tenders, the files of which have already been opened or approved, nor to approved specifications, or public tenders pending resolution prior to the entry into force of this instruction.

This instruction will come into force three months after its publication in the Municipal Gazette.

13. REGISTRATION AND PUBLICATION

This instruction must be registered in the municipal register of instructions and circulars; it must also be published on the municipal website and in the Barcelona Municipal Gazette.

This instruction must be reported to the Mayor's Office and the Municipal Council.

14. APPEALS SYSTEM

An appeal against this instruction may be lodged with the issuing body within one month of its publication, or judicial review may be lodged directly with the Administrative Law Court in Barcelona within two months of its publication.

Annexes – Food instructions

Annex 0: Standard menu

Annex 1: Seasonal fruit and vegetables calendar

Annex 2: Selection of fresh and seasonal produce

Annex 3: Selection of organic produce

Annex 4: Selection of short-circuit produce

Annex 5: Differentiated quality

Annex 6: Vehicle fleet

Annex 7: Social and Solidarity Economy Clause

Annex 8: Technical sheet

Glossary