



BONORUM

Challenges of public procurement in practice

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Few basis of public procurement system in Slovenia



- Implemented two directives (2014/24/ES and 2014/23/ES) under one law, **Public Procurement Act** (PPA-3) in 2016
- Six Regulations on Public Procurement Field
- Over 3000 contracting authorities
- Around 11,5% of GDP (around 5,5 billions EUR) is a value of Public Procurement
- Around 7.000 Public Procurement Procedures per year

Few basis of public procurment system in Slovenia



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SUPERVISION:

- **National Review Commission** is an independent body for reviewing Public Procurement Procedures
- A possibility of administrative claim on Administrative Court which is not suspensive
- **Court of Audit** controls an economic, efficient and effective use of public funds
- **Anti- Corruption Commision** has jurisdiction to inspect suspicion of alleged corrupt conduct and other irregularities.

Slovenia and digitalisation of Public Procurement



Slovenia has an electronic system for Publishing Public Procurement Procedures – **Portal of Public Procurement**

<https://www.enarocanje.si/>

Contracting authorities and tenderers must communicate only by Portal of Public Procurement until a deadline for submitting a tender.



[◀ Nazaj na spisek](#)

[🖨 Pripravi za tiskanje](#)

Dosje javnega naročila 003198/2021

Naročnik: **Kemijski inštitut**, Hajdrihova ulica 19, 1000 Ljubljana
Blago: EDS sistem SDD z veliko aktivno površino detektorja in naprednimi algoritmi zajema ter kvantitativne obdelave podatkov
ZJN-3: postopek naročila male vrednosti

JN003198/2021-W01 - Obvestilo o naročilu male vrednosti (NMV1), objavljeno dne 19.05.2021

[Zahtevek za revizijo](#)

Prijava za naročnike

vanja.herman@sb-

[Prijava](#)

Pozabljeno geslo
Nov uporabnik

POGOSTA VPRAŠANJA

[Pomoč](#)

JN003198/2021-W01 Obvestilo o naročilu male vrednosti (NMV1) [Dodatna pojasnila](#)

Oddelek I: Javni naročnik
Naročilo male vrednosti se oddaja na: splošnem področju

I.1 Ime in naslovi

Uradno ime Kemijski inštitut	Poštna številka: 1000	Šifra NUTS: SI
Poštni naslov: Hajdrihova ulica 19	Država: Slovenija	
Kraj: Ljubljana	E-pošta: glavna.pisarna@ki.si	
Kontaktna oseba: Eva Hladnik	Telefaks:	
Telefon: +386 14760200		
Internetni naslovi		
Glavni naslov (URL): https://www.ki.si/		
Internetni naslov profila kupca (URL):		

I.2 Skupno javno naročanje

I.3 Sporočanje

Objava je hkrati razpisna dokumentacija: Ne
Razpisna dokumentacija je na voljo brezplačno za neomejen in celovit neposredni dostop na:
[URL: https://www.enarocanje.si/App/Prejeto/2021/40/CP/JNA_PD_EV319](https://www.enarocanje.si/App/Prejeto/2021/40/CP/JNA_PD_EV319)

**Izdajamo
garancije za
javna naročila.**

Več na **01 5882 125** ali
terjatve-garancije@triglav.si



**Konferenca
Novi izzivi
2021**

*Posledice digitalne
preobrazbe v finančnih
storitvah – za
profesionalce
in tudi za vse druge*

> 16. junij 2021
Birde pri Kranju

Slovenia and digitalisation of Public Procurement



Tenders are submitted exclusively in electronic form by electronic system, called e-JN

<https://ejn.gov.si/>

Osnovni podatki javnega naročila

Številka na PJN	JN003198/2021-W01
Oznaka javnega naročila	JNMV9/2021
Vrsta postopka	Naročilo male vrednosti
Naziv	EDS sistem SDD z veliko aktivno površino detektorja in naprednimi algoritmi zajema ter kvantitativne obdelave podatkov
Predmet naročila	Blago
Naročnik	Kemijski inštitut
Rok za oddajo ponudbe	01.06.2021 10:00
Datum in ura javnega odpiranja ponudb	01.06.2021 10:01
Naročilo je razdeljeno na sklope	Ne
Pogajanja	Ne
Dražba	Ne
Dovoljene variante	Ne
Stanje	Sprejem ponudb
Povezava do objave na portalu PJN	https://www.enarocanje.si/Obrazci/?id_obrazec=399640

Nazaj na seznam

Sodeluj na javnem naročilu

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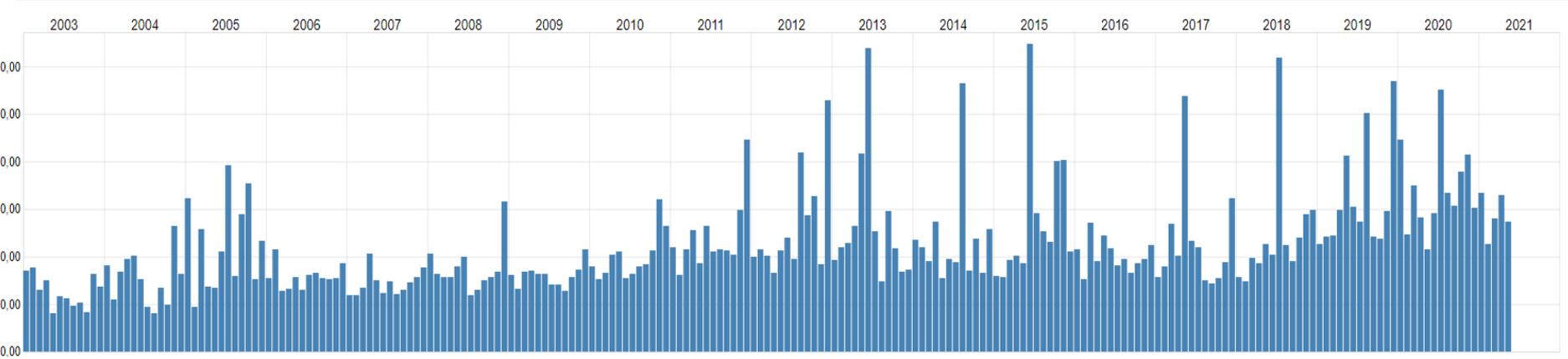


Transparency of spending a public money is enable by portal **ERAR**, where almost all transactions of public body are seen.

<https://erar.si/>

inštitut (plačnik)

E-računi Osnovni podatki Zastopniki Časovnica Prejeta darila Omejitve poslovanja



ki inštitut **244.500.563,98 EUR**

obdobje: Ni izbranega obdobja. Za izbiro obdobja označite obdobje na grafu.

IKI, kjer je plačnik *Kemijski inštitut:*

zapisov

Išči: Izvozi

	Davčna št.	Znesek
a	102	83.501.568,88 EUR
		45.102.992,74 EUR
	91132550	9.383.170,72 EUR
OR, d.d.	62340735	5.281.414,85 EUR
KOLING d.o.o.	62444689	3.784.958,62 EUR
	81869002	3.479.399,00 EUR
	60537779	3.158.428,83 EUR
LO, d.o.o.	68338309	2.970.546,03 EUR
	68297530	2.943.517,43 EUR
	93360894	2.750.952,32 EUR
d.o.o.	99721384	2.524.538,88 EUR
	13120468	2.443.491,26 EUR
o., Ljubljana	31992790	2.247.002,42 EUR

Green public procurement in Slovenia



In 2017 was adopted **Green Public Procurement Regulation**

Green public procurement **is mandatory in Slovenia.**

Obligated use of regulation for 20 subjects of public procurement (food, construction, cleaners, electronic devices, clothes, road vehicles, toilet flushes..)

The name of public procurement must include word „*green or environmentally friendly*“

Green public procurement in Slovenia



Obligated use of regulation for **20 subjects** of public procurement (food, construction, cleaners, electronic devices, clothes, road vehicles, toilet flushes..)

Green public procurement in Slovenia



29 goals for all procurement subjects, for example:

- 15% of food must be organic,
- 20% of food must be from quality schemes,
- 50% of electricity must be from renewable sources,
- 100% of computers must be the most energy efficient,
- 90% of electric lamps must be classified in the highest energy class, available on the market,
- 90% of the tires must be classified in the highest energy class available on the market

Green public procurement in Slovenia



How to incorporate green requirements in public procurement:

- In technical specifications as a technical standard, a requirement for operation, functionality or other characteristic of the subject of public procurement
- As a reason for exclusion
- As a condition for the participation of the economic operator;
- As a criterion for the award of a public contract
- As a special provision of the contract

Green public procurement in Slovenia



What helps contracting authority to actualise green requirements for food supply?

The contracting authority may exclude one or more lots from the public procurement procedure if:

- the excluded lots together represent a maximum of 20 % of all lots;
- the value of each individual excluded lot is less than 80.000 euros.

Example:
Good/services

The total value of all lots is 300.000,00 EUR

Subject is divided into 6 lots:

- 1 lot values 100,000 EUR
- 2 lots value 75,000 EUR each
- 2 lots value 25,000 each → each lot is worth **less than 80.000 EUR**, together are worth 50.000 EUR, which is **less than 20%** of the value of all lots together (20% of € 300.000 is € 60.000)



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First three lots must be published in Portal JN, but last two lots can be **ordered directly, without compliance of any the public procurement rule.**

Challenges in practice with green public procurement

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Sometimes contracting authorities need can not meet with green requirements.

Example:

Requirement is: *the proportion of road vehicles with at least 10% lower emissions set as the maximum permitted by the latter EURO standard, shall be at least 65%;*

Challenges in practice with green public procurement



Example:

Contracting authority is Center of Social work, who needs for vehicle – small, 4WD that nurse can use it, when visiting older people in local hilly villages. The amount of money that they can spend for one vehicle is 11.000,00 EUR.

Green requirement means that at least three vehicles out of four must be hybrid.

Challenges in practice with green public procurement

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Example:

- Hybrid car is around 30% more expensive than „regular“, therefore only 3 cars instead of four can be bought
- On the market are not so small and „strong“ 4 WD hybrid cars as nurses actually need for driving on tight narrow streets

To consider?

Challenges in practice with green public procurement

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Contracting authority does not always possess a knowledge for estimation of suitability of proofs - certificates.

Example of requirement:

In the case of cotton or other natural cellulosic fibers, the finished product shall no longer contain it than 0,05 ppm (parts per million) of each subsequent substance considered as a pesticide. Total the content of the following substances does not exceed 0,5 ppm:- 2,4,5-T, aldrin, kaptafol, chlordan, chlordimeform, DDT, dieldrin, dinosaur and its salts, endrin, heptachlor, hexachlorobenzene, hexachlorocyclohexane, α , hexachlorocyclohexane, β , hexachlorocyclohexane, δ , methamidophos, monocrotophos, parathion, parathion-methyl, propetamphos, toxaphene

Method of proof

The bidder must attach to the bid:

- a certificate stating that the goods bear the type I eco-label stating that they comply with **the goods requirements**
- a certificate from an independent accredited institution,
- appropriate evidence that the requirements are met.

Is contracting authority (kindergarden, school, retirement home..) qualified enough to estimate of suitability of certificates?

Challenges in practice with green public procurement



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„Green demand“ for cleaners/food – is contracting authority able to control if in a time of execution of a contract, the goods as offered are really used in practice?

Green public procurement in Slovenia



Slovenia has today on valid 886 Acts, and 20884 Regulatories.

Slovenia is only EU member that has green procurement regulated by regulatory provision (decree).

Green public procurement in Slovenia



Green public procurement in Slovenia

To consider:

- *Is regulatory right and only way to full fill environmental needs and requirements?*
- *Can be the similar effect reachable using „soft law“?*
- *Can be the similar effect reachable by financial incentive in a case of environmental friendly public procurement?*



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Thank you for your attention.

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