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## Smart Energy Management Tools



Regulation governing the service of automatic vending machines- bars- canteens at the state schools under the competence of the Province of Treviso

An example of Energy Management System

## CE51 TOGETHER





## INTERREG CENTRAL EUROPE 2014-2020

### TOGETHER

### TOwards a Goal of Efficiency THrough Energy Reduction

Regulation governing the service of automatic vending machines-bars- canteens at the state schools under the competence of the Province of Treviso

An example of Energy Management System



LP - Province of Treviso



## Executive summary

In order to inspire the partners, the Province of Treviso decided to translate into English the text of the regulation governing the service of automatic vending machines-bars-canteens at the state schools under the competence of the Province of Treviso.

According to the Lead Partner, it could be an inspiring example that points out:

- The need of a lifelong dialogue between buildings owners and buildings managers
- The need of clarifying that they are co-responsible of energy consumption and have to work together in order to improve energy efficiency, limiting the use of the resources and using them better.

The Province of Treviso decided to introduce such regulation some years ago, when it was discovered that vending machines were managed in a disorderly fashion. An example is given by empty vending machines still working in summertime, when schools have a reduced number of users.

On the basis of this observations and estimates of the wasted money/energy, the Province of Treviso decided to introduce this regulation as simple “advice”.

Recently, the technical office - after a period of testing - decided to turn the guidelines from a voluntary regulation into a compulsory regulation.

The present Regulation:

1 - shall enter into force fifteen days after it has been published on the provincial register;

2 - applies to new contracts, whereas the ongoing contracts can get to their natural end as they are concessions ensuing procurement procedure launched beforehand by the schools.



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# 1. Introduction

This text provides provisions for the temporary use to third parties of spaces destined to catering-bar-canteen service and sets out the modalities for the authorization to install vending machines at the schools owned by the Province of Treviso or used by it.



## 2. Regulation

### 2.1. Aims of the regulations

The goal of the Regulation is that of proposing an homogenous and efficient organization of the catering-bar-canteen and vending machines services at the school buildings under the competence of the Province of Treviso.

### 2.2. Legal framework

The Province of Treviso, as a result of the L.23 / 96 "Standards for School Buildings ... .." at Art. 3.- Competences of Local Authorities -1. Pursuant to Article 14, paragraph 1, letter i) of the Law 8 June 1990, no. 142, these Authorities "shall ensure the construction, provision and ordinary and extraordinary maintenance of the buildings":

b) the provinces, of those buildings to be destined as upper secondary schools, including licei artistici and art institutes, music conservators, academies, upper secondary schools for art industries, as well as dormitories and educational institutions..."

aims at promoting, on the one hand, a quality and economical catering service for all school users (students, teachers and administrative staff) and, on the other hand, to make transparent the economic commitment of the Administration with regards to the utilities and consumption related to such type of activity.

### 2.3. The connections with the TOGETHER project

This regulation is a realistic and concrete way for pushing the managers of the schools to take the energy consumption as one important stuff in the school's contracts. These regulations have introduced a new approach on how to manage the procurement related to the acquisition of the services such as the vending machines, using the energy that is provided and paid by the building's owners. The regulation plans a system to calculate with a flat rate approach the reimbursement of the costs sustained by the building's owners to cover the energy costs consumed by the vending machines/bars/equipment's belonging to third parties, selected by the buildings managers.



### 3. The regulation text translated in English

#### REGULATION GOVERNING THE SERVICE OF VENDING MACHINES-BARS-CANTEENS AT THE STATE SCHOOLS UNDER THE COMPETENCE OF THE PROVINCE OF TREVISO

##### General principles

The Province of Treviso,

as a result of the L.23 / 96 "Standards for School Buildings ... .." at Art. 3.- Competences of Local Authorities -1. Pursuant to Article 14, paragraph 1, letter i) of the Law 8 June 1990, no. 142, these Authorities "shall ensure the construction, provision and ordinary and extraordinary maintenance of the buildings":

...

b) *the provinces, of those buildings to be destined as premises of upper secondary schools, including licei artistici and art institutes, music conservatories, academies, upper secondary schools for artistic industries, as well as dormitories and educational institutions...*"

aims at promoting, on the one hand, a quality and cheap catering service for all school users (students, teachers and administrative staff) and, on the other hand, to make the economic commitment of the Administration with regards to the utilities and consumption related to such type of activity transparent.

To this end, it promotes appropriate initiatives so that the provincial schools may adopt such guidelines and principles within the procedures to select and appoint the catering service.

The provision of a quality and cheap catering service is meant as the provision of a service that takes into account the respect for the environment and that is in line with the Regional Law 22 January 2010, no. 6 (BUR No. 8/2010) on fair trade [see [www.regione.veneto.it/web/relation-internazionali/equo-e-olidale](http://www.regione.veneto.it/web/relation-internazionali/equo-e-olidale)]. When procuring this type of services, it is compulsory to introduce the following principles:

1. Energy efficiency of the equipment
2. reduction of packaging
3. short supply chain ("zero km ") of the products
4. company's environmental certifications
5. Promotion of "Fair Trade"
6. Use of products with biological certification
7. Health promotion meant as:
  - 7.1. promotion of the Mediterranean diet
  - 7.2. prohibition against serving alcoholic beverages to minors

### **Art. 1 - subject**

This text contains the provisions for the temporary concession to third parties to use spaces destined to the catering-bar-canteen service and sets out the modalities for the authorization to install vending machines at the schools owned by the Province of Treviso or used by it.

For catering-bar-canteen service it is meant a service destined to school users and school and teaching supporting staff of the school. The School authorities, within the scope of their autonomy, shall be entitled to preventively authorize the extension of such service also to third parties.

The goal of the Regulation is that of proposing a homogenous and efficient organization of the catering-bar-canteen and vending machines services at the school buildings under the competence of the Province of Treviso.

### **Art. 2 - Identification of the spaces**

The Province of Treviso, Buildings Estate and Tenders Department, is competent for identifying, in collaboration with the school authorities, the spaces destined to the services at issue. The spaces destined to the catering-bar-canteen school service cannot have a destination different from the one indicated for the provision of the service itself. Therefore, it is forbidden to change the destination without the previous authorization of the competent Department.

In case there are not spaces already built and usable for the catering-bar-canteen service and the Province is not able to build the necessary functional spaces, the operator identified by the Head Teacher can be authorized, after receiving the binding opinion of the Province, to carry out at his/her own expenses retrofit interventions, as well as to set up and/or install fixed systems/works that will remain property of the Province, including technical, administrative and authorization aspects.

The Head Teacher, before launching the procurement to select the contractor, shall submit to the Province of Treviso appropriate technical documentation of the works he/she wants to procure, in order to receive its preventive authorization.

The food and beverages vending machines can be installed also in common spaces, adequately identified by the Schools, after the previous authorization of the Province.

### **Art. 3 - Features of the equipment, of the modalities for handling and providing the products**

It should be noted that, within the context of the management of the VENDING MACHINES services, the Province assumes the obligation of the sole provision of electric energy and water necessary for the operation of the vending machines, according to the features (voltage, pressure, etc.) available, except as provided for in the previous article.

Given the above, the aim of the present Regulation is that of supporting schools in drafting their contracts with homogenous and, as far as it is possible, shared criteria.

Therefore, here follows a set of elements that it is advisable to take into consideration in drafting the conditions and specifications of the public tender to appoint the service according to the method of the economically most advantageous tender.

Such elements are aimed at ensuring, as far as possible, that the equipment used and the modalities of handling and providing the products are consistent with a service based on eco-sustainable criteria (prevention in the production of waste, waste separate collection, energy saving).

Features of the vending machines and equipment:

- having EC certification;
- being newly-manufactured and state-of-the-art;
- being equipped with a coin box accepting any kind of coin or, in alternative, giving change or being equipped with both solutions, as well as with reader for electronic paying devices (cards, sticks...);
- being easy to clean and disinfect, both inside and outside, in order to ensure the absolute hygiene of the provided products;
- having the external dispensing device not exposed to contaminations;
- being equipped with clear indications about the products and about the price that should be possible to achieve with coins of different value. The indications on the product must have, according to the current provisions, the legal and commodity denomination of the product, with the ingredients in decreasing order, the possible presence of addictives, the name of the company or of the packaging firm and the address of the production and packaging plant;
- highlighting the presence of products coming from fair trade and biological agriculture;
- putting a label with the name and address of the company that won the contract as well as the name of the contact person to call in case of urgency.

The vending machines shall have technical features complying with the current provisions in the field of hygiene, safety and accident prevention. The equipment shall:

- be compliant with the current rules in the field of safety of the systems, machines, fire prevention according to the Decree Law 81/2008, Decree Law 3 August 2009, n. 106 and as amended, of the Decree Law 17/2010 (machines directives), as well as comply with the parameters about noise and toxicity provided for by specific laws;
- comply with the IEC EN 60335-2-75 standard - Special rules for commercial dispensers and vending machines;
- comply with the rules concerning materials and objects destined to come into contact with food, according to the Regulation EC 1935/2004 and M.D. 21.03.1973 and subsequent amendments, and the same applies for equipment used to dispense hot beverages (cups, sticks);
- be directly supplied with the voltage currently provided in Italy;
- be provided with CE mark;
- be provided with one of the certification marks acknowledged by all the EU countries, eg: IMQ;
- be compliant with the rules about electromagnetic compatibility;
- no appliance can be supplied with combustible gases.

The qualifying features written at the paragraph “General Principles” can be clearly highlighted, in the way that every school considers more adequate (eg. writings on the products, on the machines or in the catering spaces, etc.)

1. energy efficiency of the appliances;
2. reduction of the packaging;
3. short supply chain (“0 km”) of the products;
4. environmental certifications of the company;
5. promotion of “Fair Trade”;
6. use of products with biological certification;
7. Promotion of health meant as:
  - 7.1 promotion of the Mediterranean diet;
  - 7.2 prohibition to give alcoholic beverages to minors.

#### **Art.4 - Identification of the operator in charge of the services**

The Head Teachers, who within the scope of their autonomy manage the school and teaching supporting activities, are entitled to identify the operator in charge of the services as of art. 1. Such choice will occur through public procedure, in compliance with what is provided for by the current laws, with a public tender for economic operators meeting the requirements provided for by the Regional law 21 September 2007, n. 29, as amended, “Regulation about the activity consisting in providing food and beverages”, published in the Official Bulletin of the Veneto Region (B.U.R.V.) on 25 September 2007, n. 84 and significantly modified by the regional law 7 November 2013, n. 27.

#### **Art. 5- Conclusion of the contract**

Once the tender has been awarded, the Head Teacher concludes the concession contract for a period of 3 (three) years<sup>1</sup> with the contractor and sends a copy of the contract to the Province of Treviso, Buildings Estates Department.

The minimum contents to be included in the contract are indicatively:

subject:

- concession on a payment basis of the spaces identified in a specific site plan;
- compliance with the current rules in the field of safety;

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<sup>1</sup> The period of 3 years is indicative, within the framework of the school autonomy such period can be extended to 5 years.

- compliance of annex A) to these guidelines;
- indication of a periodic rental charge. The rental charge is directly collected by the schools, which later shall pay the due amount to the Province of Treviso (the payment shall be made through bank transfer to the account of the Treasury at BANCA D'ITALIA: 60222 - made out to PROVINCIA DI TREVISO - reason for payment "Compensation for the use of the service of vending machines catering-bar-canteen at the state schools under the competence of the Province);
- the number of "spirals" or "selections" that the company will reserve to the qualified products;
- obligation (within 45 days form the award of the contract), for the catering-canteen-bar to register the independent utilities in the name of the operator in charge of the service. Where the above mentioned meters are not available the operator shall do new connections at his/her own expenses registered in his/her name for the provision of electric energy and water or. In case this is technically impossible, he shall install energy meters, necessary in order to make completely independent the catering-bar-canteen service;
- favourable prices to supply food and beverages to the school users;
- catering-bar-canteen service timetable;
- duration of the contract;
- inventory of the equipment and furniture;
- penalties;
- insurance policy.

#### **Art. 6- Fares and and method of payment**

Compensation for use:

1. The compensation for use is annual and is determined by the Provincial Council as in annex A);
2. Such compensation will be updated automatically every two years on the basis of the 100% of the variation, verified by ISTAT in the month of August, in the consumer prices for workers and clerks.
3. The compensation for use is differentiated according to:
  - a) catering-bar-canteen;
  - b) vending machines of food and beverages, also chilled or heated, vending machines of fresh fruit;
  - c) sale through mobile shop;
4. the withdrawal of the licence for use due to failures of the licence holder shall not entitle him to any compensation.

**Art. 7 - Utilities and other charges for the exclusive management of the CATERING-BAR-CANTEEN services, (catering meant as space intended exclusively for such service, equipped with vending machines for food and beverages and/or microwaves etc.).**

The Bar, Canteen and Catering services (the latter meant as space intended exclusively for such service, equipped with vending machines for food and beverages and/or microwaves etc.) shall be equipped with independent electric and water supply or, in alternative, with devices, approved by the Province of Treviso, that allow to measure the water and electric consumption.

In case of single vending machines, the water and electric consumptions are included in the fare provided for in annex A).

**Art. 8 - Insurance policies**

In order to protect the real estate of the Province of Treviso, the contractor will have to take out an appropriate insurance policy for all the duration of the contract as a guarantee to any damages to the building owned by the Province and to its “contents” (i.e. damages to things, goods, etc. contained in the service spaces, be they property of the Province of Treviso, of the school or of third parties), and as third party liability concerning subjects related to the activities carried out as well as the use and/or total and/or partial damage of the leased property. The operator in charge of the service shall also to take out an appropriate insurance policy as a guarantee of the proper fulfilment of all the contract obligations.

**Art. 9 - Authorizations to pursue the business**

The operator in charge of the service commits himself/herself to complying with all the legal requirements concerning the health and hygiene, contractual-regulatory aspects as well as what is provided for in relation to the activity carried out (periodical checks, authorizations, licence, contracts, health and hygiene certificates, regulation about the personnel). The Head Teacher is required to have the food and the methods for their preparation undergo control and health surveillance.

The operator is the sole responsible of the operation of the service and is civilly and criminally liable for every possible harm users could suffer from food that is badly packaged or off.

A copy of all authorizations, with relevant documentation, will be required, checked and preserved by the school.

**Art. 10 - Maintenance works**

1) The costs for ordinary and extraordinary maintenance of the appliances employed shall be totally borne by the contractor of the catering-bar- canteen and vending machines. With specific reference to the catering-bar-canteen services, which require the use of specific spaces, the contractors themselves shall borne the costs for ordinary and extraordinary maintenance of the spaces limited to, with regards to the latter, the part connected to the pursue of the business.

The above mentioned maintenance shall be preventively authorized by the Province after the provision of a project/technical expertise, though simplified.

2) The operator, identified by the Head Teacher, can make improvements within the identified spaces, after agreeing them with the Head Teacher and subject to the preventive authorization of the Province of Treviso.

The costs for the improvements, upon agreement with the Head Teacher, can be deducted from the rent due to the school. It is understood that what is made shall remain the property of the Province.

#### **Art. 11 - Duration of the contract**

The duration of the concession is limited to a maximum of five years.

#### **Art. 12 - Supervision and control**

The Province can, in any moment, control the correct use of the spaces and has the faculty of prohibiting the access to the spaces in case situations endangering the health of the school population occur or the present guidelines are not met.

#### **Art. 13- Non-fulfilment and enforced leaving**

1) the contracts to appoint the catering service shall explicitly provide that the non-payment of the compensation for use, at the end of a period of 60 days after the set deadline, imply the automatic termination of the contract because of non-fulfilment.

2) in case of termination of the concession agreement, the spaces shall be cleared according to art. 823 p. 2 of the civil code. In case of non-fulfilment the Province shall act on its own initiative.

#### **Art. 14- Entry into force**

The present Regulation:

1) shall enter into force fifteen days after it has been published on the provincial register;

2) applies to new contracts, whereas the ongoing contracts can get to their natural end as they are concessions ensuing procurement procedure launched beforehand by the schools.

**REGULATION -ANNEX - A - fares**

Approved by the council of.....on.....

Typology	Independent meter for electric energy and water	Consumptions technical features as provided for by the regulation	Number of students for building	Quantity for building	Occupied square metres	Annual compensation for use
*Bar	yes			1		“€0,4 per sm every day for 365 days/year”
*Food court with microwaves, vending machines, etc. *Canteen	yes			1 1		“€0,4 per sm every day for 365 days/year”
*Coffee, tea etc. machine	no		from 0 to 200 from 201 to 500 from 501 to 700 from 701 to 1000 from 1001 to 1200 from 1201 to 1400 from 1401 to 1500	2 3 4 6 7 10 12		Energy-water-spaces € 400,00 € 600,00 € 800,00 € 1.200,00 € 1.400,00 € 2.000,00 € 2.400,00
*Fridge, beverages, snacks, bread rolls etc.	no		from 0 to 200 from 201 to 500 from 501 to 700 from 701 to 1000 from 1001 to 1200 from 1201 to 1400 from 1401 to 1500	2 3 4 6 7 10 12		Energy-water-spaces € 500,00 € 750,00 € 1.000,00 € 1.500,00 € 1.750,00 € 2.500,00 € 3.000,00