

Brighton & Hove

Brighton & Hove City Council

**Procurement Code of Practice:
Sustainability**

January 2009

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INTRODUCTION

The council is responsible for some aspects of life that cannot be assigned a monetary value, such as the aesthetic benefit of clean streets and the feeling of safety for all our citizens that results from low crime rates. This can only be achieved through the council's commitment to long term, sustainable supply and through the dedication of Contract Officers to push ahead in the development and management of its contracts.

As a local authority the council is required to take its lead from Central Government and other public bodies such as the Audit Commission. Under the Corporate Plan the council has taken the decision to aim to achieve level three of the Audit Commission 'Use of Resources Assessment 2008/09'. This document outlines the aims and objectives driven by government bodies.

Probably the most significant driver for Contract Officers in the last few years has been the Sustainable Procurement Task Force chaired by Sir Neville Simms 'Procuring the Future'. The Treasury and DEFRA (Department of Environment, Food and Rural Affairs) commissioned the Task Force to devise a national action plan to deliver the UK Sustainable Development Strategy goal of making the UK a leader in the European Union on sustainable procurement by 2009.

They define sustainable procurement as "a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole-life basis in terms of generating benefits not only to the organisation, but also to society and the economy, while minimising damage to the environment."

The Local Government Sustainable Procurement Strategy plan sets out the objectives local government need to follow in response to the Sustainable Procurement Task Force and the UK Government's Sustainable Procurement Action. A flexible framework (see [Appendix 6](#)) has been introduced to drive through the required sustainability improvements needed.

The Corporate Procurement Strategy sets out the council's approach to sustainable procurement and the importance of supporting the local economy.

When specifying contracts the council will adopt a whole life cost approach by assessing the environmental impact of products/specification from their production/ construction to their disposal. When specifying contracts the council will also consider employment implications including equality issues.

Contracts need to make a contribution towards the council meeting its overall objectives as set out in the Sustainability Strategy. To achieve this contribution, stakeholders and Contract Officers may select elements that will form part of the evaluation criteria. For example the question could be asked: what energy saving initiatives could your company offer?

In order for the council to achieve Value for Money it is essential to consult stakeholders (particularly end users) about the appropriate balance between sustainability and cost.

The council's spending power, especially in collaboration with other councils, can have significant influence on the key markets in which it operates. This can be used to stimulate the market and encourage innovation.

This Code of Practice provides a clear set of guidelines to help develop understanding of sustainability issues when producing user requirements and evaluation criteria for the purchase of works, supplies or services. It has been developed to support the Sustainability Strategy and its action plans.

The appendices at the back of this document provide further illustration of practical methods officers can deploy to support them in the inclusion of sustainability within their procurement exercises.

Sustainable Procurement is Responsible Procurement

Responsible Procurement is the purchase of supplies, services and works in an environmentally and socially responsible way. This delivers value for money and brings benefits to the citizens of Brighton & Hove by ensuring that:

- focus is on outcomes and not output
- needs of the users are met but not exceeded
- the contract scope is wide enough to ensure future needs can be met
- Value for Money is achieved throughout the life of the contract and beyond
- maximum social and economic benefits are achieved globally
- the environment is protected for future generations

Before the decision is made on any procurement process, the following questions need to be asked:

What is actually required?

This is not necessarily what has been provided in the past. Before starting any procurement process explore new avenues, carry out market research and take time to speak with other councils to find out how they have satisfied their requirements.

How sustainable is it?

Consideration needs to be given to the long-term sustainable impact of the supply chain and the whole life cost of the goods, services or works, before any final decision is made.

Avoid unnecessary purchases and unnecessary waste. Consider alternative options that may already be available within the council or are there opportunities to collaborate internally or with other local authorities?

Waste Reduction and Disposal

This is a key area of consideration for the council. Not only will the efficient use of resources aid the council in achieving its sustainability objectives it will also have a significant impact on its purchasing requirements. This can be achieved by practising the five procurement "R"s by considering the following:

Reduce the amount of raw materials, energy, fuel, water and landfill waste that the council produces every day, not only within its own environment, but also through the council's supply chain. As a contract draws to a close, or at the start of a new tendering process market research should be carried out to identify what new innovations/developments are coming into the market place.

Re-use or Recycle - try to find uses for unwanted goods, equipment or materials that would otherwise go into landfill sites with the increasing associated costs. For example: the Highways Department have a contractor that can remove and recycle BHCC road and pavement waste. This can then be re-used as hardcore within the city.

When making a purchasing decision, consider supplies which contain an element of recycled materials. There is no benefit to recycling if organisations will not purchase recycled materials back.

Repairing goods was once the norm. As the cost of goods decreased and the cost of repairs increased, repairs became unfashionable. This idea is now reversing due to the rising cost of raw materials and the increased awareness of sustainable issues. Contract officers need to consider their procurement options: is it more cost effective/sustainable to repair goods before replacing with new?

Rethink before your next purchasing decision. Consider all the options i.e. is it sustainable, does it provide long-term value for money for the council? Do your market research; don't just accept what has been the norm in the past.

Waste

Contract Officers must take on board their responsibility to drive out and reduce waste from the start of the procurement process to the end of product life. Officers need to engage with contractors to promote the reduction of waste with their suppliers through the supply chain.

Packaging is often a significant part of waste. Contractors will charge the council directly or indirectly for all packaging, and the council will also have to pay disposal costs either through landfill charges or recycling costs. Careful consideration needs to be given as to how packaging can be reduced.

For example, companies such as Marks & Spencer and ASDA have worked hard to reduce their waste consumption and increase profit margins by reducing their packaging on clothing and goods and looking at different ways of transporting goods around the country e.g. double decker vehicles which carry twice the amount of goods, and the use of trains & barges. The council may not need to worry about profit, but it does need to reduce costs to ensure the best use of public money. The council has made significant achievement with the new Corporate Commercial Waste contract. The contractor responsible for this contract recycles 70% of the waste collected, only 30% of council commercial waste now goes into landfill.

Duty of care

There are legal responsibilities, which the buyer cannot delegate to the contractor. The Environmental Protection Act 1990 puts a duty on the original waste producer or any person who imports, carries, treats, disposes or manages controlled waste, to take all reasonable measures to ensure that the waste is dealt with properly and legally.

Waste disposal

EU Directives – WEEE. Waste Electrical and Electronic Equipment Directive
This change will move responsibility for disposal to the originator. Systems should be set up to encourage separate collection of WEEE.
For advice on this contact Cityclean on 4722.

Asbestos

Property & Design manage and administer an asbestos register of council buildings containing or suspected of containing asbestos. All works Contractors should be aware and consult it before any works are carried out. If you suspect asbestos is present contact Property & Design.

Water Usage

Water is a vital resource and is fundamental to the environment. Brighton & Hove are exposed as the City has a high consumption rate, so action needs to be taken to prevent the risk of drought. During the manufacturing process of supplies or procuring works or services, consideration needs to be given to the amount of water consumption and methods to reduce consumption; this should not only save on precious water supplies, but also reduce cost. For example: reuse of grey water in building or for parks, more efficient appliances for heating or laundry.

Energy usage

Sustainable energy use is essential to reduce greenhouse gas emissions, and achieve substantial cost savings over the lifetime of the product/service being delivered.

The Government has national targets for reduction of carbon dioxide (CO₂) emissions, and more efficient use of energy. The target is a reduction of 80% of CO₂ emissions by 2050 based on 1990 levels. The use of renewable energy is essential in supporting the achievement of this target. The city and council signed up to a 12% CO₂ reduction target based on a 4% reduction year on year from 2008 - 2011. Further cuts are likely to follow.

The council has committed to reduce the CO₂ emissions produced by its contractors.

Areas to consider:

- Energy efficient products
- Use of renewable energy
- Reducing energy use

Consideration of 'embodied' energy should also be made. This is the amount of energy used in the extraction of materials, manufacture, transport and assembly. Your contractor should be able to provide basic details of their products to enable the council to make a decision. For further advice contact the Energy & Water Manager ex: 1431.

Food

The first objective in the Council's Sustainability Strategy is:

"To improve everyone's access to the 'basic elements of life' such as good quality local food"

The Council's Food Strategy contains targets which create questions for procurement to consider. For example:

- Are sustainable farming methods used in its production?
- What are the transportation issues (Food Miles)?
- Can seasonal or organic options be specified?
- Consider the need to cater for ethnic, cultural & religious diets?
- Can Fairtrade options be sought?

In October 2004 Brighton & Hove became a Fairtrade City. The promotion of Fairtrade is an **optional** choice with the aim of supporting others less fortunate than ourselves. A product with the Fairtrade mark has also been produced within a set of minimum environmental standards.

Animal Welfare Charter

Through the Animal Welfare Charter the Council has agreed to take into account, where appropriate, animal welfare issues in its day-to-day operations. For a copy or further advice contact the Public Safety Division within Environmental Health & Licensing. (contact Tim Nichols ext. 2163).

Market Conditions

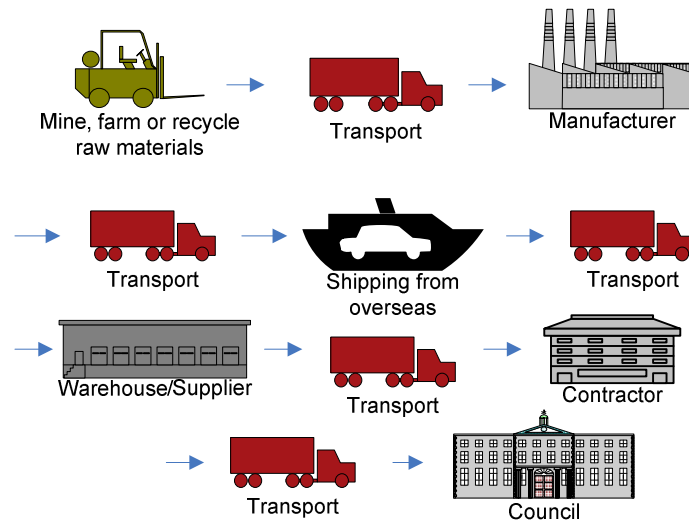
Supply chain and supply markets

The impact of pollution, health and the environment need to be considered when tendering. It is important to engage with the supplier and discuss ways of reducing negative impact on the environment. This discussion would focus around people, materials, transport and embodied energy. The types of materials used for goods and the forms of transport used can have a significant effect on the environment. For example:

- Transport should be fuel efficient, low or zero emission
- Could deliveries be made in bulk to reduce the number of trips?
- Products should be sourced from natural materials and renewable resources, extracted and harvested by environmentally sound methods
- Where possible materials should be sourced locally (care to be exercised in specifying, as must be non-discriminatory)
- Timber should be from a sustainable source, for example the Forest Stewardship Council (FSC) provide a forest certification system that promotes forestry that is environmentally appropriate, socially acceptable and economically viable through a system of forest certification and product labelling

The following diagram shows an example of a basic external supply chain. If you consider it takes 11 months to produce a soft drinks can, you can identify from the example below how much transportation and embodied energy goes into a single supply chain.

External supply chain:



If we understand the supply market there may be an opportunity to influence and develop that market. Market research should be carried out on a regular basis to identify current market position and new developments.

When tendering for large value contracts or collaborating with other local authorities, serious consideration needs to be given to the opportunity to drive through innovations bringing significant sustainable benefits as well as increased value for money.

Contract Officers need to work with their contractors and suppliers to limit the impact on the environment.

Environmental Management Schemes

There are formal standards for environmental management systems in place, which assure purchasers that suppliers are operating to control their environmental impacts. Certification for companies' environmental management systems can be obtained under ISO 14001 or the Eco-Management and Audit Scheme (EMAS). These are voluntary schemes and are promoted by the government. For small or medium enterprises (SMEs) not currently holding ISO 14001, BS855 offers a phased approach to obtaining ISO 14001 or EMAS

Environmental Claims & Eco-labels

Care should be taken with unsubstantiated environmental claims or environmental marks that have no formal recognition; for example some typical phrases are:

- "Comes from managed forests" - virtually all forests used for papermaking are managed, but some are managed in ways that are strongly criticised by environmentalists

- "biodegradable" - this is a meaningless term unless explained e.g. a product may biodegrade in a week or may take a number of years even with the right conditions

The International Standards Organisation (ISO) has developed standards to clarify environmental labels and declarations, details of these standards can be found on the ISO website.

Eco-labels certify products that are deemed to be more environmentally sound than similar products in that same product group. The labels are awarded to products complying with specific ecological and performance criteria. Examples of Eco-labels can be found in Appendix 1.

Social and Economic Sustainability

Stakeholder involvement

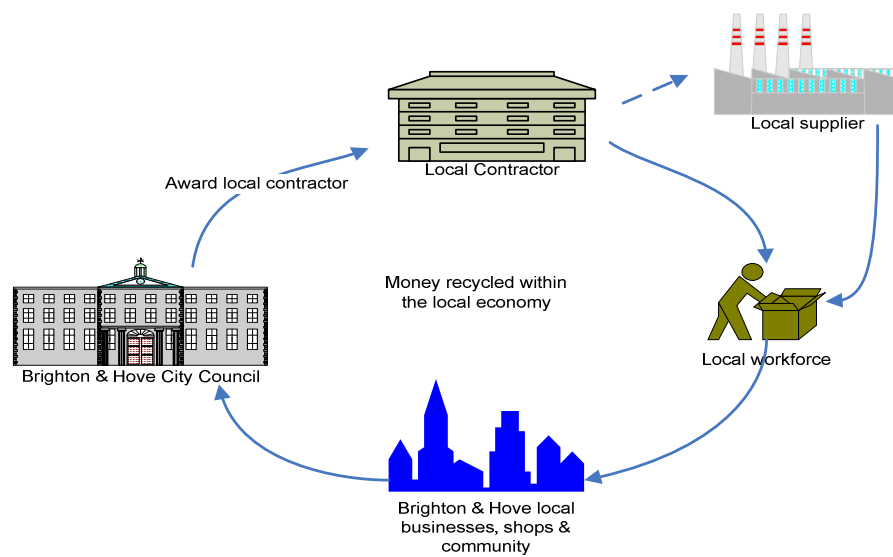
Stakeholder involvement is of particular importance when specifying a product or service. This will ensure local ownership of the initiative and improve social cohesion as it demonstrates that stakeholders are valued and involved in the decision making process. The key principles of stakeholder involvement are:

- mapping of existing networks of stakeholder organisations
- identification of different and possibly conflicting interests and gaps
- determine and agree appropriate level of involvement with the organisations/individuals involved (*Stakeholder analysis tool is available in the Procurement Toolkit*)
- identify responsibilities and actions

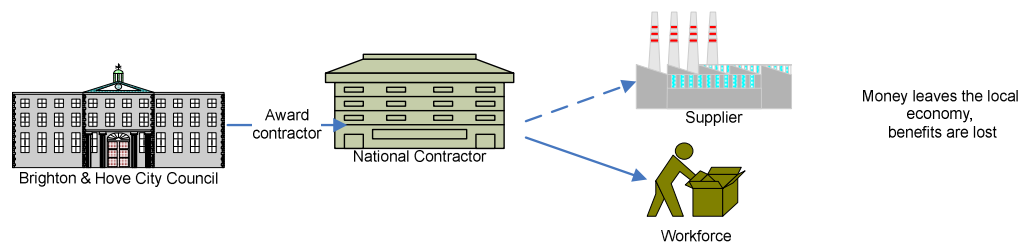
Development of Local Businesses and Small/Medium Enterprises

Where possible, use local suppliers to stimulate and maintain a sustainable local economy. Supporting local jobs and services will have a positive impact on the Brighton & Hove economy as a whole. It has been proven that a greater percentage of money spent employing local contractors is recycled back into the economy. This supports local businesses, shops and communities which in turn supports the council. This is known as the local multiplier effect, see example below:

Money spent locally recycled into the local economy



Money spent nationally disappears from the local economy



Using local contractors and providers where appropriate brings significant benefits to the local economy by:

- Employing & training local people
- Supporting local business
- Paying local taxes which in turn can be recycled back into the community

“How to sell your services to Brighton & Hove City Council” produced by Corporate Procurement was designed to assist organisations who wish to bid for contracts. This guide is available on the Council’s web site.

Whole Life and Environment Impact Costs

Whole Life costs

These need to be taken into account during any procurement activity. The Treasury states that: "Government policy is that 'value for money' does not mean 'the lowest price'. Instead, the optimum combination of whole life costs and quality to meet users' requirements is required". The whole life cost provides a way of determining if it is cost effective to invest in more expensive supplies, services or works initially to reduce costs in the long run.

For example, when procuring care services, it may be beneficial to work with partners and other agencies to keep clients in their own homes than to provide hospital care.

For more information on whole life costs, refer to the Procurement toolkit.

Environmental impact

Assessments are undertaken for major projects. A financial evaluation of the assessment will support the identification of whole life and environmental impact costs. Where environmental factors are to be taken into account in a tender, legal advice must be sought to ensure tender evaluation criteria for environmental factors are directly linked to the subject of the public contract and relate to the economic advantage for the Council. The criteria should also be identified in any EU notices inviting tenders.

For small value contracts where there is potential for 'high' environmental impact, the approach to whole life cost assessments must be proportionate to the scope for impact and value of the purchase.

Continuous Improvement

The Council needs to drive continuous improvement during the life of any contract for supplies, services or works. This can only be achieved by working closely with suppliers and contractors.

Contract Management and Monitoring

It is imperative to periodically review the contract's progress to ensure that what has been agreed within the contract specification, clause or term is actually being delivered.

For further or advice or guidance contact Corporate Procurement ext:4059

Workforce Matters and Equalities

Before tendering procurement officer should refer to the separate Code of Practice on "Workforce Matters and Equalities" (including TUPE).

End of Code of Practice

Appendices and useful Weblinks follow

Appendix 1 - Eco-labels



Fairtrade mark. - A product labelled with this has met a set of internationally agreed criteria around paying a fair price, enhancing the lives of the producers and their community, and working to set environmental standards.
www.fairtrade.org.uk



EU Eco-label - Information on the European Eco-labels listing all product groups can be found at the European Community website at <http://europa.eu.int/comm/environment/ecolabel>



The **Blue Angel Mark** is an environmental label system promoted by the German government. Further information can be found at <http://www.blauer-engel.de/en/index.php>



The **Nordic Swan** Eco-labelling program is run by five Scandinavian countries (Norway, Sweden, Finland, Iceland, and Denmark) since 1989. Further information can be found at <http://www.svanen.nu/Default.aspx?tabName=StartPage>



The **Forest Stewardship Council** is an international non-profit organisation founded in 1993 to support environmentally appropriate, socially beneficial, and economically viable management of the world's forests. More information can be found at <http://www.fsc-uk.org/>



The **Buy Recycled** label promoted the closing of the recycling loop.

Further information on Eco-labels can be found at:
<http://www.defra.gov.uk/environment/consumerprod/ecolabel/index.htm>
<http://www.gen.gr.jp/>
www.eco-labels.org

Appendix 1a

Example of sustainability criteria adopted for contract tender evaluation

Pre Qualification Questionnaire - Sustainability

8.1 Does your organisation have a board or staff member with specific responsibility for environmental / sustainability matters?

YES NO

8.2 Does your organisation have an environmental/ sustainability policy?

YES NO

8.3 Has your organisation an environmental management system in place?

YES NO

8.4 Does your organisation hold either of the following accreditations?

EMAS YES NO

ISO 14000/14001 YES NO

8.5 In the last three years has your organisation been subject to any court proceedings related to breaches of environmental legislation?

YES NO

8.6 If the answer to 8.5 is yes what was the result of these proceedings and what steps have you taken to rectify these infringements as a result of the proceedings? (If necessary please provide the answer on a separate sheet of paper)

8.7 Are there any environmentally/sustainability beneficial processes, which your company operates, which you would like to bring to our attention?

Appendix 1b

Example of sustainability criteria for contract tender evaluation

Tender Schedule: Environmental & Social Issues

No.	Criteria	Weighting/Points
1	CO ₂ emissions, energy and water conservation	
2	The suitability/content of the Environmental policy	
3	Green procurement and use of local suppliers	
4	Waste minimisation & recycling	
5	Green transport and minimisation of fuel emissions	
6	How the organisation, during the life of the contract can assist the Council fulfil its aspirations of service delivery for this contract as outlined in the specification	
7	How the organisation during the life of the contract can assist the council to fulfil its commitment to its "Vision"	
8	Maintaining and improving the natural environment and biodiversity	

Please note: Any sustainability award criteria must be relevant to the supplies, services or works being purchased and should reflect the requirements of the specification.

Appendix 2 EU Public Procurement Legislation

EU Procurement Directives and corresponding UK Regulations apply to contracts whose value equals or exceeds specified financial thresholds. Although below threshold, contracts are still subject to the core principles of the EC Treaty.

Basically they apply as follows:

- a. **Specifications** - contracting authorities are free under the rules to specify their requirements in green terms, provided the specifications are non-discriminatory and are consistent with the Directives' requirements on the use of European and other standards. For example, departments may specify that a product should be made out of materials that are or could be recycled, or those particular materials, such as ozone-depleting substances, should not be used in the product.
- b. **Selection of tenderers** - the Regulations set out detailed criteria for the selection of tenderers based on evidence of their economic and financial standing, their technical capacity and, for services, their ability. The nature of the evidence that may be requested of a technical capacity is exhaustive, so evidence on other factors may not be taken into account. In particular, questions about providers' general policies (e.g. on environmental issues) are not permitted. Purchasers are, however, allowed to reject candidates who have been convicted of a criminal offence or who have committed an act of gross misconduct in the course of their business, where they consider rejection to be justified. This may include infringement of environmental legislation or regulations.
- c. **Award of contract** - this is based on "the most economically advantageous" offer, i.e. the tender that fully meets the specification and represents best value for money, taking account of whole life costs and quality (or fitness for purpose). In order to award a contract on the basis of the most economically advantageous offer, the criteria to be used in the evaluation (whole life costs, quality etc) must be included in the contract notice or the contract documents. Also, any unusual or performance-related issues not linked to the subject matter of the contract must not form part of the evaluation criteria.
- d. **Contract conditions** - buyers should not as a matter of UK procurement policy attach conditions of contract that are irrelevant to the performance of the contract and achievement of value for money. Furthermore, conditions that are discriminatory are not allowed under EC rules.

(Note: The procedural requirements that apply where contracts exceed specified financial thresholds are not dealt with in this Code of Practice).

Appendix 3 Example Clauses

Extract of contract clauses

The Council is committed to promoting sustainability through the use of its products and services. The Contractor must therefore seek (where reasonably practicable) to minimise any negative environmental, social and economic effects connected with the Services and/or Supplies. The Contractor shall provide such information as the Council may reasonably request for the purpose of assessing the Contractor's compliance with Conditions ----- so far as relevant.

Environmental Protection

The Contractor shall ensure at all times that the impact of any operation of the Contractor in pursuance of its obligations under the Contract upon the environment is adequately and sufficiently considered, supervised, controlled and monitored at all times.

The Council may from time to time during the Contract Period agree with the Contractor requirements on the Contractor for the protection of the environment and the Contractor shall comply with such requirements.

Quality of Service

The Contractor will have systems in place or working towards this, and operating that would achieve quality assurance accreditation to BS 5750 or ISO 9002 and to exercise quality controls and other checks necessary to ensure quality Service.

Environmental Management System ISO 14001 – The Council will require the Contractor to work towards accreditation during the Period of the Contract.

Consultation

Central to achieving VFM value is a focus on consultation with users and other stakeholders to establish need and demand for services. Seeking and responding to customer feedback is also essential to a culture of continuous improvement.

When required by the Supervising Officer, the Contractor shall co-operate with the Council's initiatives aimed at improving the provision of the Services

Materials

It is not the intention of the Council to impose any unnecessary or unreasonable restrictions on the Contractor's choice of materials. Therefore, unless otherwise instructed, any reference to a particular brand name is intended to mean "brand name" or the equivalent

Example Specifications

Aspirational Specification - (Catering)

B&HCC recognise its responsibility to carry out its procurement activities in an environmentally and socially responsible manner. We will strive to incorporate environmental and social considerations into our product and service selection process. We recognise that it is our responsibility to encourage our suppliers and contractors to minimise negative environmental and social effects with the products and services they provide. We will also strive to ensure that local and smaller suppliers are not discriminated against in the procurement process and specifications.

Specifically we aim to:

Give preference to products and services that can be manufactured, used and disposed of in an environmentally and socially responsible way.
Ensure that sustainability criteria are included in specifications to suppliers.
Ensure that sustainability criteria are used in the award of contracts.
Consider whole life costs when assessing product suitability and in the award of contracts.
Encourage internal purchasers to review their consumption of goods and materials in order to reduce usage.
Ensure non-discrimination against local and smaller suppliers (*subject to compliance with EU and UK statutory regulations*)

Quality Considerations

B&HCC would like contractors to consider, *but not limited to*, the following selection criteria and quality considerations when making purchasing decisions and menu plans:

All eggs to be free range

No genetically modified food and no meat from animals fed with foodstuffs

All tea and coffee to be Fairtrade (see policy)

Meals must follow healthy eating guidelines and contribute to health promotion

All milk, flour, rice and beef to be organic

Menus must reflect seasonality

All fish must be from sustainable fisheries

All other meat and poultry to be 'Farm Assured' (option % of supply)

All delivery containers must be re-usable

The 'Food Miles' travelled by products should always be the lowest possible in order to satisfy the contract.

Caution: Contract Officers should be aware of EU tendering requirements.

As this process is developing current advice is that where estimated tender values are in excess of EU thresholds legal advice should be sought to ensure that proposals to include sustainability issues are non-discriminatory and in compliance the EU tendering rules.

Appendix 4: Council Contacts

Sustainability issues	Sustainability Team Contact Thurstan Crockett Ext. 2503
Works Contract issues	Property & Design team Contact Angela Dymott Ext. 1450
Health & Safety issues	Health & Safety Team Contact Hilary Ellis Ext. 1305
Equalities issues	Equalities Implementation Officer Contact Judy Redford Ext. 1343
Stakeholder Involvement issues	Research Team Contact David Golding Ext. 1088
Legal issues	Legal Services Contact Sonia Likhari Ext. 3934
Animal Welfare Charter	Public Safety Division Contact Tim Nichols Ext. 2163

Reference Documents

Available on the Sustainability Web Page -

Sustainability Strategy

Sustainability Action Plans (good source of info - also on Wave)

Sustainability check list. (major planning applications).

Appendix 4a: Useful Websites and links

<http://brighton-hove.sustainabilitychecklist.co.uk/>
www.sustainable-development.gov.uk - sustainable development in government website
www.environment-agency.gov.uk - The Environment Agency
www.ethicalconsumer.org.uk – Ethical Consumer magazine for product advice
<http://www.sd-commission.org.uk/> - The Sustainable Development Commission
www.defra.gov.uk/environment/ - DEFRA environmental web pages
<http://www.defra.gov.uk/Environment/consumerprod/energylabels/index.htm>
http://europa.eu/index_en.htm - The EU homepage
www.eco-labels.org - The Consumers Union guide to environmental labels
www.cips.org - Chartered Institute of Purchasing & Supply
www.iema.net - Institute of Environmental Management and Assessment
www.epe.be - European Partners for the Environment
www.cfsd.org.uk/nepd - Centre for Sustainable Design's Eco-design checklists
www.ogc.gov.uk -The Office of Government Commerce
www.fairtrade.org.uk – Fairtrade D
<http://www.ogc.gov.uk/procurement.asp> - OGC Procurement
www.bre.co.uk - For works and building contracts
www.wellbuilt.org.uk - For works and building contracts
<http://www.wastewatch.org.uk/Homepage> - Waste minimisation
www.iso.org – International Standards Organisation
www.emas.org.uk - Environmental Management System
<http://www.s-p-i-n.co.uk/> - Sustainable Procurement Information Network
<http://www.southeastiep.gov.uk/page.asp?PageRef=3> – South East Centre of Excellence
<http://www.actionsustainability.com/> - Actionsustainability

Food links:

www.fairtrade.org.uk/
www.defra.gov.uk
www.countryside.gov.uk
www.soilassociation.org

Appendix 5: SUSTAINABLE PROCUREMENT CHECKLIST

This checklist has been developed to assist Contract Officers to apply the council's Procurement Code of Practice – Sustainability, when writing specifications for goods and services contracts and producing associated tender documents. Reference to the Code of Practice should be made when using the checklist. Proper use of this checklist will ensure that all of the key sustainability issues have been considered in the course of producing a contract specification.

For tenders that incorporate a Pre-Qualification Questionnaire (PQQ) consideration should be given to the inclusion of some relevant sustainability questions within the PQQ itself. A useful example is given in Appendix 1a of the Sustainability Code of Practice. Appendix 1b of the Code of Practice provides an example of a format for the evaluation of relevant sustainability criteria.

It will not be necessary to consider all of the issues/questions in this checklist for all tenders. In such cases it is suggested that the boxes be marked N/A.

ENVIRONMENTAL SUSTAINABILITY

Waste

1. Is it possible to avoid purchasing the goods or services? Could existing goods/equipment be used repaired or upgraded? Could the services be provided 'in-house'?	
2. Could an alternative specification be used that would reduce waste and/or be less harmful to the environment?	
3. Have you given full consideration to issues such as repair and maintenance of equipment?	
4. Is there an opportunity to specify (or to express a preference for) products and/or packaging to be made of recycled, recyclable or biodegradable materials?	
5. Is there an opportunity to specify (or to express a preference) that providers limit the amount of waste generated (e.g. by reducing packaging) and that they reuse or recycle their waste materials?	

Water & Energy

6. Is there an opportunity to specify (or to express a preference) that providers take steps to conserve water e.g. through good housekeeping, use of water saving devices/appliances, rainwater harvesting grey water recycling?	
7. Is there an opportunity to specify (or to express a preference) that providers take steps to conserve energy e.g. through energy efficiency of buildings, operations or equipment appliances, use of renewable energy?	
8. Is it possible to specify a product with a lower level of 'embodied' energy? (embodied energy is the sum of the energy used in extracting the raw materials, transporting and processing these materials, and in manufacturing, packaging and delivering the finished product).	

Food and Drink

9. Is there an opportunity to specify (or to express a preference) that food and/or drink supplied is produced using sustainable methods e.g. organic production or sustainable farming practices?	
10. Is there an opportunity to specify (or to express a preference for) the supply of locally produced seasonal food and/or drink?	

11. Is there an opportunity to specify (or to express a preference) that providers indicate the 'food miles' travelled in the production and supply of food and/or drink, or to set a 'food miles' limit?	
12. Is there an opportunity to specify (or to express a preference for) the provision of Fair-trade produce? (particularly relevant to food or drink, e.g. tea and coffee)	
13. Is there a need to specify that providers cater for ethnic cultural and religious diets?	
14. Is there an opportunity to specify (or to express a preference) that food and/or drink should promote healthy living or to meet specified nutritional standards?	

Materials & Transport

15. Is there an opportunity to specify (or to express a preference for) on-line ordering and reporting, invoicing etc to be available to reduce the paper used in these transactions.	
16. Is there an opportunity to specify (or express a preference for) the supply use of products with an appropriate Ecolabel or other green label?	
17. Is there an opportunity to specify (or to express a preference for) the supply/use of products that are free from hazardous or polluting materials?	
18. Is there an opportunity to specify (or to express a preference) that the use of chemicals should be avoided or reduced, or to require that biodegradable chemicals are used?	
19. Is there an opportunity to specify (or to express a preference) that products are sourced from natural materials and/or renewable sources and extracted or harvested by environmentally sound methods, e.g. sustainable timber from a source certified by the FSC?	
20. Is there an opportunity to specify (or express a preference for) the supply/use of materials that do not cause significant damaging effects to biodiversity and/or the natural environment?	
21. Is there an opportunity to specify (or to express a preference) that goods should be sourced locally (care must be exercised to avoid discrimination)	
22. Is there an opportunity to specify (or to express a preference) that providers use fuel efficient or low (or even zero) emission vehicles?	
23. Is there an opportunity to specify (or to express a preference) that providers limit the numbers of journeys or the miles travelled in the course of providing the goods or services?	

Electrical & Electronic Equipment

24. Is there an opportunity to specify that items of electrical and/or electronic equipment are provided with a suitably located on/off switch that will enable them to be isolated from the electricity supply in addition to a standby mode?	
25. Is there an opportunity to specify (or to express a preference) that providers collect items of electrical and/or electronic equipment that are to be replaced for appropriate re-use or recycling?*	

(* During 2007 the Waste Electrical and Electronic Equipment Regulations 2006 will come into force. These Regulations will place burdens mainly on the producers of electrical/electronic equipment to ensure that suitable arrangements are in place to ensure that waste electrical and electronic products are re-used or suitably recycled).

Environmental Management

26. Is there an opportunity to specify (or to express a preference) that providers be certified under ISO 14000 or EMAS?	
27. Is there an opportunity to specify (or express a preference) that providers use methods of working that do not cause significant damaging effects to biodiversity and/or the natural environment?	

28. Is there an opportunity to give the opportunity to providers to indicate any beneficial environmental effects of their operations?	
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**Substantiating Environmental Claims - See the CoP for guidance on this
SOCIAL & ECONOMIC SUSTAINABILITY**

Stakeholder Involvement

29. Have you ensured that key stakeholders have been involved in preparing the specification?	
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See the CoP for specific guidance on this

Development of Business

30. Have you taken all appropriate steps to enable local suppliers and SMEs to bid for the contract?	
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Developing the Community & Voluntary Sector (ChangeUP)

31. Have you taken all appropriate steps to enable the Community and Voluntary Sector to bid for the contract?	
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Contractor Performance

32. Is there an opportunity to specify (or to express a preference) that providers be certified under a quality management system such as ISO 9000?	
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Workforce Matters and Equalities – See separate CoP on this

33. Is there an opportunity to specify (or to express a preference) that providers have Investors in People accreditation and/or offer training schemes or apprenticeships?	
34. Is there an opportunity to specify (or to express a preference) that providers employ people who live locally?	
35. Have you included all relevant information on legislation and good practice in relation to equalities issues in employment and service delivery?	

Health & Safety – See separate CoP on this

36. Have you ensured that all relevant health & safety issues have been properly covered in the specification and contract?	
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Fair-trade – See question 12 under Food & Drink

Animal Welfare Charter

37. Have you ensured that any animal welfare issues have been properly addressed within the terms of the council's Animal Welfare Charter?	
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Whole Life Costs – See the CoP and the Whole Life Costing Summary on the Wave

38. Have you considered all elements of the whole life costs involved in providing the goods or services with respect to how the goods/services are to be priced and in relation to environmental impacts?	
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In those cases where sustainability issues constitute a significant component of the specification it will be appropriate to establish sustainability as a criterion for the assessment of tenders. Contract Officers will need to ensure that any specific contract conditions relating to sustainability are properly enforced.

[Glossary](#)

ChangeUp – programme of capacity building for the voluntary and community sector ([ChangeUP](#))

Ecolabel – European Labelling scheme for products that meet high environmental standards ([DEFRA - Ecolabel](#))

EMAS – Eco-Management and Audit Scheme (<http://www.emas.org.uk>)

Fair-trade – Scheme to enable disadvantaged producers in the developing world to get a fair deal ([Fair-trade](#))

FSC – Forest Stewardship Council (<http://www.fsc-uk.org>)

ISO 9000 & ISO 14000– International Organisation for Standards Quality & Environmental Management Systems ([ISO9000-14000](#))

SMEs – Small and Medium-sized Enterprises

Checklist produced by: HCS Sustainability Group Feb 2007

Local Government Sustainable Procurement Strategy - Flexible Framework

Appendix 6

	Foundation Level 1	Embed Level 2	Practice Level 3	Enhance Level 4	Lead Level 5
THE FLEXIBLE FRAMEWORK					
People	Sustainable procurement champion identified. Key procurement staff has received basic training in sustainable procurement principles. Sustainable procurement is included as part of a key employee induction programme.	All procurement staff has received basic training in sustainable procurement principles. Key staff has received advanced training on sustainable procurement principles.	Targeted refresher training on latest sustainable procurement principles. Performance objectives and appraisal include sustainable procurement factors. Simple incentive programme in place.	Sustainable procurement included in competencies and selection criteria. Sustainable procurement is included as part of employee induction programme.	Achievements are publicised and used to attract procurement professionals. Internal and external awards are received for achievements. Focus is on benefits achieved. Good practice shared with other organisations.
Policy, Strategy and Communications	Agree overarching sustainability objectives. Simple sustainable procurement policy in place endorsed by CEO. Communicate to staff and key suppliers.	Review and enhance sustainable procurement policy, in particular consider supplier engagement. Ensure it is part of a wider Sustainable Development strategy. Communicate to staff, suppliers and key stakeholders.	Augment the sustainable procurement policy into a strategy covering risk, process integration, marketing, supplier engagement, measurement and a review process. Strategy endorsed by CEO.	Review and enhance the sustainable procurement strategy, in particular recognising the potential of new technologies. Try to link strategy to EMS and include in overall corporate strategy.	Strategy is: reviewed regularly, externally scrutinised and directly linked to organisation's EMS. The Sustainable Procurement strategy recognised by political leaders, is communicated widely. A detailed review is undertaken to determine future priorities and a new strategy is produced beyond this framework.
Procurement Process	Expenditure analysis undertaken and key sustainability impacts identified. Key contracts start to include general sustainability criteria. Contracts awarded on the basis of value-for-money, not lowest price. Procurers adopt Quick Wins.	Detailed expenditure analysis undertaken, key sustainability risks assessed and used for prioritisation. Sustainability is considered at an early stage in the procurement process of most contracts. Whole-life-cost analysis adopted.	All contracts are assessed for general sustainability risks and management actions identified. Risks managed throughout all stages of the procurement process. Targets to improve sustainability are agreed with key suppliers.	Detailed sustainability risks assessed for high impact contracts. Project/contract sustainability governance is in place. A life-cycle approach to cost/impact assessment is applied.	Life-cycle analysis has been undertaken for key commodity areas. Sustainability Key Performance Indicators agreed with key suppliers. Progress is rewarded or penalised based on performance. Barriers to sustainable procurement have been removed. Best practice shared with other organisations.

THE FLEXIBLE FRAMEWORK	Foundation Level 1	Embed Level 2	Practice Level 3	Enhance Level 4	Lead Level 5
Engaging Suppliers	Key supplier spend analysis undertaken and high sustainability impact suppliers identified. Key suppliers targeted for engagement and views on procurement policy sought.	Detailed supplier spend analysis undertaken. General programme of supplier engagement initiated, with senior manager involved.	Targeted supplier engagement programme in place, promoting continual sustainability improvement. Two way communication between procurer and supplier exists with incentives. Supply chains for key spend areas have been mapped.	Key suppliers targeted for intensive development. Sustainability audits and supply chain improvement programmes in place. Achievements are formally recorded. CEO involved in the supplier engagement programme.	Suppliers recognised as essential to delivery of organisation's sustainable procurement strategy. CEO engages with suppliers. Best practice shared with other/peer organisations. Suppliers recognise they must continually improve their sustainability profile to keep the clients business. Measures used to drive organisational sustainable development strategy direction. Progress formally benchmarked with peer organisations. Benefits from sustainable procurement are clearly evidenced. Independent audit reports available in the public domain.
Measurement and Results	Key sustainability impacts of procurement activity have been identified.	Detailed appraisal of the sustainability impacts of the procurement activity has been undertaken. Measures implemented to manage the identified high risk impact areas.	Sustainability measures refined from general departmental measures to include individual procurers and are linked to development objectives.	Measures are integrated into a balanced score card approach reflecting both input and output. Comparison is made with peer organisations. Benefit statements have been produced.	