

## TOOL B: MANAGING THE PROCUREMENT PROCESS

### Objective of this Tool

- To help manage procurement processes in a way that has the biggest possible beneficial environmental impact

### Benefits of Tool

- This tool provides detailed procedures to help public authorities manage the environmental impact of public procurement.
- It highlights those procedures that have the potentially biggest impact on the environment. If you start putting these procedures in place for your major purchasing you will soon see the benefits. To start with we suggest you apply the procedures to say contracts above the currently applicable EC threshold values. (From 31/1//06 €137,000 for goods and services in those countries that have adopted the new consolidate directive)

### What does this tool do?

The tool helps you focus on those parts of the procurement process that have a fundamental impact on the environmental outcomes of your purchasing. It also provides a number of templates which you can use directly or adapt to suit your own purposes. These include:

- Environmental Risk Assessment Procedure;
- Supplier environmental questionnaires;
- Sample environmental clauses for contracts;
- Examples of Environmental Contract Award Criteria;
- Environmental Site inspection report;
- Monitoring processes and proformas;

The tool sets out a number of procedures which can be integrated into an Environmental or other Management System or be used stand alone. In the table below **Green** indicates highest environmental impact and **Red** the lowest.

Stage of Procurement process	Potential Environmental Impact	Detailed EMS Procedure Reference
1.0 Pre-procurement		
1.1 list of existing contracts incl. dates for renewal		<a href="#">Procedure 1.1.</a> Pre-procurement
2. Planning phase		
2.1 Defining needs, developing business case/Subject matter specification		<a href="#">Procedure 2.1.</a> Planning phase- defining needs
2.2 Market Research and Analysis		<a href="#">Procedure 2.2.</a> Research
2.3 Development of specifications		<a href="#">Procedure 2.3.</a> Specification
2.4 Financial and Technical Selection criteria		<a href="#">Procedure 2.4.</a> Selection criteria
2.5 Conditions for the performance of		<a href="#">Procedure 2.5.</a> Contract performance

Stage of Procurement process	Potential Environmental Impact	Detailed EMS Procedure Reference
the contract		condition
2.6 Supplier questionnaire		<a href="#">Procedure 2.6.</a> Supplier questionnaire
2.7 Choice of tender procedure		No EMS procedure
2.8 Production of tender documentation		<a href="#">Procedure 2.8.</a> Production of tender documentation
2.9 Setting of contract award criteria		<a href="#">Procedure 2.9.</a> Setting of contract award criteria
<b>3. Procurement stage</b>		
3.1 Advert – contract notice		No EMS procedure
3.2 Open procedure		No EMS procedure
3.3 Restricted procedure		No EMS procedure
3.4 Negotiated procedure		No EMS procedure
<b>4. Evaluation</b>		
4.1 Supplementary questions and answers		No EMS procedure
4.2 Receive tenders		No EMS procedure
4.3 Check supplier qualifications		<a href="#">Procedure 4.3</a> Check supplier qualifications
4.4 Check supplier capability		<a href="#">Procedure 4.4</a> Check supplier capability
4.5 Evaluation of Tender		No EMS procedure
<b>5. Decision</b>		
5.1 Informing tenderers		No EMS procedure
5.2 Draft Contract		<a href="#">Procedure 5.2</a> Draft Contract
<b>6. Implementation and Monitoring</b>		
6.1 Monitoring of Contract		<a href="#">Procedure 6.1</a> Monitoring of Contract
6.2 Continuous evaluation of supplier performance and potential revisions		<a href="#">Procedure 6.2</a> Evaluation of supplier performance
<b>7. Supplier and supply chain development</b>		
7.1 Develop service and suppliers		<a href="#">Procedure 7.1</a> Develop service and suppliers
7.2 Develop supply chain capacity		<a href="#">Procedure 7.2</a> Develop supply chain capacity

## Quick Actions

If you have limited resources try focussing on these:

Get your planning stage right – know your needs, think creatively, drive down the amount you need to purchase and try to define products or services that have a lower environmental foot print than what you have at the moment. This is the stage when you can have a real influence on innovation and service improvements. 80% of your procurement energies should go in here. ([Procedure 2.1.](#))

When you are looking for innovation, make sure you know your markets and work with the markets to get what you want; (Procedures [2.2](#) and [7.2.](#))

Before going out to tender make sure that your tender documentation hangs together and actually reflects what you want to achieve. Far too often the high environmental aspirations expressed in policy or questionnaires are not translated either into specifications or given appropriate weight in the tender evaluation and therefore become meaningless. Make sure you make the most of using contract conditions to lay down some ground rules for environmental responsibilities of your contractors (procedure [2.5.](#))

Once you have selected contractors, remember this is only the beginning of the contract and working with the contractor developing the service during the contract period can bring huge benefits. (Procedure [7.1](#))

Also don't forget to work with you other suppliers, with which you already have contractual arrangements, and encourage them to improve their environmental performance. (Procedure [7.2](#))

#### **If you have even less time:**

Try the procedures highlighted in the table above as having the highest environmental impact for one major contract a year – once the procedures are set up you can then use them for other tenders as well.

#### **Working smart**

You may feel that your organisation is too small to set up elaborate procedures, that your procurement levels are below the EC threshold and that you can't seem to be able to get your head around all the steps that can lead to greener procurement. Why not join other public authorities that are already doing such procurement and procure jointly with them.

#### **How do I start using the tool?**

We suggest you go to [section 3](#) first

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## **1.0 INTRODUCTION - ENVIRONMENTAL MANAGEMENT SYSTEM MANAGEMENT PROCEDURES TO ORGANISE PROCUREMENT IN THE MOST ENVIRONMENTALLY RESPONSIBLE WAY**

The LEAP project intends to assist public procurers in finding an easy way into the complex maze of sustainable procurement. The 8 tools deal with most aspects of green procurement and support both procurers and environmental specialists in introducing key management steps needed to make green procurement the rule rather than the exception. There are close procedural links between this tool and the policy development Tool A and the advice given in Tool F on procurement processes in particular in sections 2.1 – 2.4 in Tool F which give the legal framework and advice on using eco-labels etc.

Throughout the tools we stress the importance of a management systems approach to ensure that green procurement goes mainstream.

The different steps of the procurement process will have a variety of potential environmental impacts. These EMS procedures are designed to deal with the steps of the procurement process that have the most potential environmental impacts.

This document contains a series of Environmental Management System Procedures that seek to control and improve the environmental impacts related to each step of the public sector procurement process.

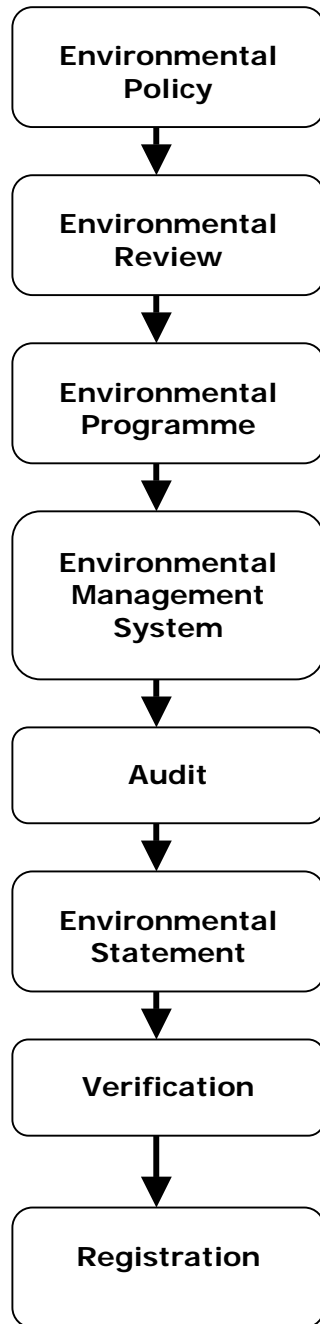
The summary at the beginning of the document describes the standard steps involved in public sector procurement and identifies the steps which could have significant environmental impacts.

The summary is followed by the procedures related to each of these 'environmentally significant steps'.

## **2.0 WHAT IS AN ENVIRONMENTAL MANAGEMENT SYSTEM?**

An Environmental Management System (EMS) is a management tool that can be used by organisations of all sizes to assess, improve, monitor and report on their environmental performance. Procedures are established to ensure that environmental improvements are on-going and that the EMS remains an appropriate and effective tool. An EMS can be applied to the provision of public authority services as well as the management of facilities and assets. An EMS can be applied at the level of the whole public authority or for a particular operational unit, site or function.

The EMAS process is a process of continual environmental improvement and can be summarised by the following steps:



There are 2 main verifiable Environmental Management System standards in the EU. The first is The Eco-Management and Audit Scheme (EMAS). EMAS was developed as an EU regulation in 1995. Initially only a limited number of industrial activities could be verified under EMAS. However, the regulations allowed for each Member state to adapt the regulations for specific sectors. The UK government adapted the regulations to enable local authorities to register under the scheme.

In 2001 the EMAS regulations were amended (EC. Regulation No. 761/2001) to allow all sectors (including local authorities) to register under the scheme. The stated objective of EMAS is to promote continual improvement in the environmental performance of organisations (including local authorities) by a number of key steps:

- The establishment and implementation of an Environmental Management System
- The objective and periodic evaluation of the EMS
- The active involvement of employees and the provision of appropriate training

- Provision of information on environmental performance with the public and other interested parties.

The amendment also recognised that the management component of EMAS is identical to International Standard ISO14001 the second main verifiable Environmental Management System standard in the EU. EN ISO14001 was launched by the International Organisation for Standardisation (ISO) as the international standard for environmental management in 1996 and amended in 2004.

## 2.1 GLOSSARY OF TERMS

**EMS** Environmental Management System.

**EMAS** - The Eco-Management and Audit Scheme (EU regulation standard for EMS)

**ISO14001** – International standard for EMS

**Environmental Impact** – An impact on the environment caused directly or indirectly by the actions or decisions of an organisation. The impact can be positive or negative or a potential impact arising from accidents or other unforeseen circumstances.

## 3.0 STEP-BY-STEP GUIDANCE

Question	Go to section
I am a specialist in procurement and need to know how to start to use this tool	<a href="#">Section 5.1</a> gives you an indication of those parts of the procurement process that have the biggest environmental impact – look at some of the procedures drafted for those major impacts and see if you can adapt them to fit your own circumstances;
I am an environmental specialist and need to identify the most environmentally significant aspects of this tool	<a href="#">Section 5.1</a> helps you do this. Go for the procedures highlighted green in the table.
How can I best streamline management procedures using this tool?	<a href="#">Section 5.1</a> gives you an indication of the most important procedures needed – go for those first
I have limited resources, how can I make the most effective use of this tool?	Apply the tool to the 5 largest purchases each year or if that is too much use them for your one major contract each year.
I do not have EMS – how can this tool fit within other management structures?	This tool is designed specifically to be used in conjunction with procurement management structures and you don't necessarily need a complete EMS to apply them.

## 4.0 METHODOLOGY

SEMCO and G2L broke down the standard public sector procurement process into 7 broad steps from pre-procurement through to supplier and supply chain development. The 7 broad stages of the development process were further broken down to identify the individual actions in the

procurement process. This is shown in the **EMS procurement procedure summary**. (Reference: procedure –EMS procurement procedures - [summary](#)).

An assessment was then made of each of the procurement steps as to whether they had a potential high, medium or low impact on the environment. Environmental management procedures were then developed for those procurement steps that were deemed to have a high or medium environmental impact.

## 5.0 EMS PROCUREMENT PROCEDURE SUMMARY.

### 5.1 Description

The table below summarises the EMS procedures related to the procurement process in public authorities. It defines the steps of the procurement process, gives an indication of the potential environmental significance of each and provides a reference to the EMS procedures related to each step.

Stage of Procurement process	Potential Environmental Impact	Detailed EMS Procedure Reference
<b>1.0 Pre-procurement</b>		
1.1 list of existing contracts incl. dates for renewal	Yellow	<a href="#">Procedure 1.1</a> . Pre-procurement
<b>2. Planning phase</b>		
2.1 Defining needs, developing business case/Subject matter specification	Green	<a href="#">Procedure 2.1</a> . Planning phase-defining needs
2.2 Market Research and Analysis	Green	<a href="#">Procedure 2.2</a> . Research
2.3 Development of specifications	Green	<a href="#">Procedure 2.3</a> . Specification
2.4 Financial and Technical Selection criteria	Yellow	<a href="#">Procedure 2.4</a> . Selection criteria
2.5 Conditions for the performance of the contract	Yellow	<a href="#">Procedure 2.5</a> . Contract performance clauses
2.6 Supplier questionnaire	Yellow	<a href="#">Procedure 2.6</a> . Supplier questionnaire
2.7 Choice of tender procedure	Red	No EMS procedure
2.8 Production of tender documentation	Green	<a href="#">Procedure 2.8</a> . Production of tender documentation
2.9 Setting of tender evaluation criteria	Yellow	<a href="#">Procedure 2.9</a> . Setting of tender evaluation criteria
<b>3. Procurement stage</b>		
3.1 Advert – contract notice	Red	No EMS procedure
3.2 Open procedure	Red	No EMS procedure
3.3 Restricted procedure	Red	No EMS procedure
3.4 Negotiated procedure	Red	No EMS procedure



Stage of Procurement process	Potential Environmental Impact	Detailed EMS Procedure Reference
<b>4. Evaluation</b>		
4.1 Supplementary questions and answers		No EMS procedure
4.2 Receive tenders		No EMS procedure
4.3 Check supplier qualifications		<a href="#">Procedure 4.3</a> Check supplier qualifications
4.4 Check supplier capability		<a href="#">Procedure 4.4</a> Check supplier capability
4.5 Evaluation of Tender		No EMS procedure
<b>5. Decision</b>		
5.1 Informing tenderers		No EMS procedure
5.2 Draft Contract		<a href="#">Procedure 5.2</a> Draft Contract
<b>6. Implementation and Monitoring</b>		
6.1 Monitoring of Contract		<a href="#">Procedure 6.1</a> Monitoring of Contract
6.2 Continuous evaluation of supplier performance and potential revisions		<a href="#">Procedure 6.2</a> Evaluation of supplier performance
<b>7. Supplier and supply chain development</b>		
7.1 Develop service and suppliers		<a href="#">Procedure 7.1</a> Develop service and suppliers
7.2 Develop supply chain capacity		<a href="#">Procedure 7.2</a> Develop supply chain capacity

## 5.2 Environmental Impact

The different steps of the procurement process will have a variety of potential environmental impacts. These EMS procedures are designed to deal with the steps of the procurement process that have the most potential environmental impacts. Therefore the procurement process steps have been divided into 3 categories and assessed for their potential environmental impact and influence. We defined the following 3 categories of procurement steps with:

High environmental impact
Medium environmental impact
Low or no environmental impact

The EMS procedures in this tool are designed to deal with those procurement steps identified as having high or medium potential environmental impact.

### **5.3 Financial Threshold Value for Applying Procedures and Environmental Risk Analysis.**

The financial threshold value at which a public authority decides to apply these procedures is obviously a key issue. If the threshold is very low (say, €10,000) this can create an excessive amount of work for environmental managers and procurement officers, but will result in a very detailed environmental assessment of most contracts. If however the threshold is set at a high value (say over €1 million) then many smaller contracts with significant environmental impacts will be missed, and many smaller local authorities will not meet the threshold value for very many contracts at all. So for the purposes of this tool the threshold has been set at a standard €137, 000 to reflect at the time of drafting the most recent EU procurement thresholds for supplies and services. However each municipality using this tool should state a specified threshold value in keeping with their existing procedures. A smaller authority may have a smaller threshold value for example. Also, an environmental risk analysis process undertaken at an early stage in the procurement process may identify significant potential environmental risk associated with the contract regardless of the financial threshold value. The important issue is that the threshold is stated and justified and applied in a consistent fashion and that environmental risk analysis forms an integral part of the decision making process. A practical approach may be to adjust the threshold in line with any changes in the EU thresholds.

## **6.0 PROCEDURE 1.1 PRE-PROCUREMENT**

### **6.1 Description**

This procedure describes the process for maintaining and updating the list of existing contracts, specifications and suppliers, including dates for renewal, and for ensuring that environmental issues are duly noted at this stage in the pre-procurement process.

### **6.2 Scope**

This procedure applies to all contracts directly let by the public authority with a value greater than €137, 000. (see: [5.3 Financial Threshold Value for Applying Procedures.](#))

### **6.3 Responsibilities**

The manager in charge of each contract > €137, 000 is responsible for providing information on renewal dates to the Corporate Procurement Manager and to the Environmental Manager

### **6.4 Procedure Frequency**

Register updated once a year

### **6.5 Records**

A copy of the information related to individual contracts maintained by the individual contract managers on contract file. The overall contract register maintained by corporate procurement manager.

**Procedure 1.1 Pre-Procurement**

**Corporate procurement manager** requests that managers responsible for contracts >€137.000 provide the following information on a yearly basis

- Name of contract:
- Cost of contract:
- Length of contract:
- Start date:
- Finish date:
- Date by which specification for new contract needs to be produced:
- Key environmental risks identified in risk assessment
- Key environmental issues that need to be dealt with in specification to reduce environmental risk and improve performance:
  - Environmental performance improvements required in specifications:
- Supplier information including copies of supplier environmental policy and EMS.

Corporate procurement manager in consultation with environmental manager or external environmental expert identifies those contracts with highest environmental risk or covered by public authority's EMS or environmental performance requirements and highlights key improvement steps required to reduce environmental risk and improve performance

This information forms basis of contract register produced by Corporate Procurement manager and updated on a yearly basis:

## **7.0 PROCEDURE 2.1/2.2 DEFINING NEEDS/MARKET RESEARCH AND ANALYSIS**

### **7.1 Description**

This procedure describes the process for defining needs regarding the product or delivery of service, developing the business case in environmental terms and undertaking market research into existing best practice.

### **7.2 Scope**

This procedure applies to all contracts directly let by the public authority with a value greater than €137, 000.

### **7.3 Responsibilities**

As a first step the manager in charge of the service area identifies the overall needs for the procurement and identifies how this could be satisfied in the most rational, resource saving and effective way. Production of overall needs statement.

The service manager then works with the Environmental Manager or suitable external environmental expert to define overall environmental impacts, needs or objectives of the service or product. Production of Statement of Environmental Need.

The manager in charge of developing the specification is responsible for undertaking market research and analysis of current best practice (including environmental management best practice) regarding the product or service for each contract > €137, 000. Production of Statement of Environmental Good Practice.

The manager in charge of developing the specification is responsible for working with the environmental manager or corporate legal advisor to identify any environmental legislation, regulations or other external environmental performance requirements and environmental risk analysis related to the contract and to ensure these issues are addressed in the production of the Statement of Environmental Business Case.

An example of an environmental risk assessment procedure applied to procurement is shown in Annex A. of this procedure.

### **7.4 Procedure Frequency**

Repeated prior to the production of specifications for any contract >€137, 000

### **7.5 Records**

A copy of the Statements of Environmental need, good practice and business retained on contract file by each contract manager.

### **7.6 Related Procedures**

Procedure 2.3 Development of Specification

**Procedure 2.1/2.2**  
**Defining**  
**Needs/Market**  
**Research and Analysis**

**Step 1: Identify true need** for each contract >€150, 000.  
*(Specify the service you require, not the product. For example true need is to produce good tasting coffee, not purchase a coffee machine)*

**Step 2 Identify environmental** components, impacts, needs or objectives of the service. **Determine significant environmental risk** factors. How they can be minimised or eliminated?

**Step 3: Environmental market research.** Consult with relevant professionals and professional networks to identify current best environmental practice related to the contract deliverables and identify the costs and benefits of applying best environmental practice and minimising environmental risk.

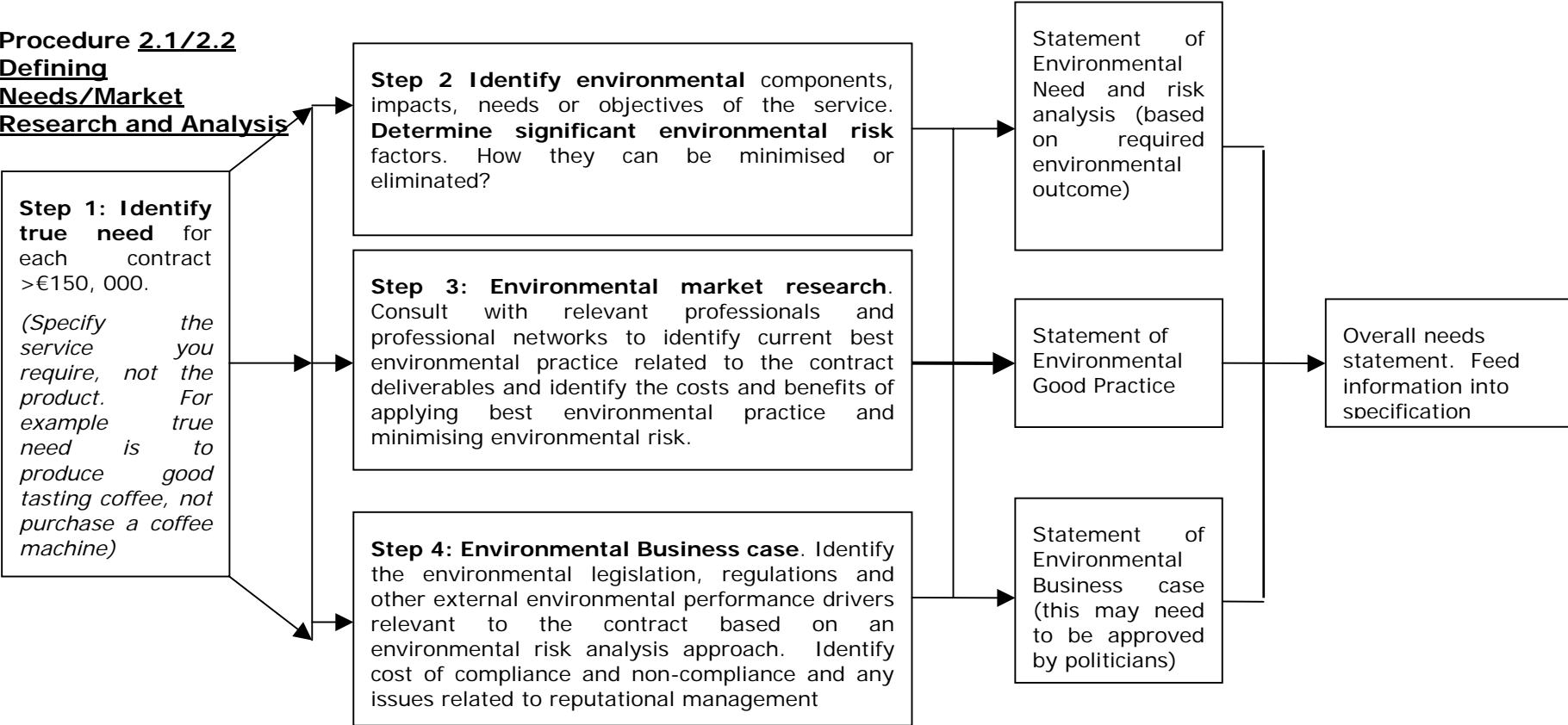
**Step 4: Environmental Business case.** Identify the environmental legislation, regulations and other external environmental performance drivers relevant to the contract based on an environmental risk analysis approach. Identify cost of compliance and non-compliance and any issues related to reputational management

Statement of Environmental Need and risk analysis (based on required environmental outcome)

Statement of Environmental Good Practice

Statement of Environmental Business case (this may need to be approved by politicians)

Overall needs statement. Feed information into specification



## 7.7 Procedure 2.1/2.2 Defining Needs/Market Research And Analysis - Annex A

### Environmental Risk Assessment Procedure Example

#### A. ENVIRONMENTAL PURCHASING<sup>1</sup>

These questions should be referred to if the official order is for the **purchase of goods or carrying out work**. Only fill in if answer to relevant question is NO. See Guidance Note. Examples and further information are in the Guide to Environment-Friendly Purchasing.

Complies with Guidance note?
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Tick answers to relevant questions	NO - No alternative	NO - Not value for money /quality
<b>PAPER</b>		
Are you ordering from the Reprographics Section? <u>If not</u> , complete procedure x		
Have you specified no chlorine bleaching?		
Have you specified 100% (post consumer waste) recycled paper?		
Have you specified that all public printed documents declare the recycled content of the paper used?		
<b>OFFICE EQUIPMENT</b>		
Are you ordering products made from recycled materials?		
Are you ordering products which are re-fillable or re-usable?		
If ordering aerosol products are they 'pump action'?		
If ordering electrical office equipment is it energy efficient? (i.e. meets US Energy Star criteria or equivalent?)		
Have you specified re-manufactured or re-filled printer toner cartridges?		
<b>TIMBER and PESTICIDES</b>		
Have you specified tropical hardwood only where it is essential to obtain a match <b>and</b> have you specified a Forest Stewardship Public authority (FSC) certificate?		
Is the timber or pesticide free from PCP, lindane and TBTO?		
Is the pesticide free from UK "Red list" or EC "Black list" chemicals?		
For pesticides are COSHH and Control of Pesticides Regulations being followed?		
<b>PROTECTING AIR QUALITY AND THE OZONE LAYER</b>		
Is the product (including packaging) free from ozone depleting chemicals?		
Is the product water based or have a low VOC content		
<b>ENERGY EFFICIENCY</b>		
Have you specified the most energy efficient appliance available?		

<sup>1</sup> Leicester City Council (UK) – EMAS procedure

If ordering battery powered equipment; are mains powered alternatives available?		
Are any batteries rechargeable or long life with low mercury content?		
If ordering lighting or bulbs/tubes, are they energy efficient?		
Does any new PC equipment meet the US Energy Star Standard?		
<b>PEAT</b>		
Is peat banned for soil amelioration purposes?		
<b>CLEANING MATERIALS</b>		
Is the product at least 90% biodegradable?		
Is the product non-petroleum based?		
Has the product NOT been tested on animals?		
Does the product meet the following criteria? Phosphates: <0.5% by weight for general cleaning products EDTA (ethylene-diamine-tetra-acetate):: < 1% by weight NTA (nitrolotriactic acid):: < 5% by weight Volatile Organic Compounds (VOC's): < 10% by weight at recommended use dilution		
If the product is an aerosol does it use 'pump action'?		
Are you minimising packaging by buying in bulk and de-canting into smaller containers?		
<b>VEHICLES</b>		
Is the vehicle the lowest polluting vehicle that will meet our emission targets and service requirements?		
If the vehicle has a diesel engine will it use ultra-low sulphur diesel fuel?		
Does the vehicle meet Euro III standards?		

## B. ENVIRONMENTAL CONCERNS<sup>2</sup>

These questions should **also** be referred to if the official order involves **carrying out work**. Only fill in if the work involves a risk. See Guidance Note G9-1. Examples and further information are given in the Guide to Environment-Friendly Purchasing.

Risk identified

Will the work involve the risk of: -	YES there is a risk <input type="checkbox"/>
spillage of toxic substances to a watercourse or surface water drain	<input type="checkbox"/>
ground contamination by toxic substances	<input type="checkbox"/>
release of noxious/ harmful fumes/particles to the atmosphere	<input type="checkbox"/>
fire or explosion	<input type="checkbox"/>
damage to existing vegetation	<input type="checkbox"/>

<sup>2</sup> Leicester City Council (UK) – EMAS procedure



waste of energy or water	
generation of excessive waste	
excessive paper consumption	

## **8.0 PROCEDURE 2.3 DEVELOPMENT OF SPECIFICATION**

### **8.1 Description**

This procedure describes the process for ensuring that environmental performance issues are routinely considered when developing specifications for the procurement of goods, services or works.

### **8.2 Scope**

This procedure applies to all contracts directly let by the public authority with a value greater than €137, 000.

### **8.3 Responsibilities**

The manager in charge of developing the specification is responsible for ensuring the Statements of Environmental Need are effectively addressed and integrated into the development of the specification. The needs statement should dictate the production of the specification items. The manager in charge of developing the specification is also responsible for ensuring environmental performance criteria are included in the technical specification and as variants to the specification if appropriate.

### **8.4 Procedure Frequency**

Repeated for production of specification for all services, goods and works for any contract >€137, 000.

### **8.5 Records**

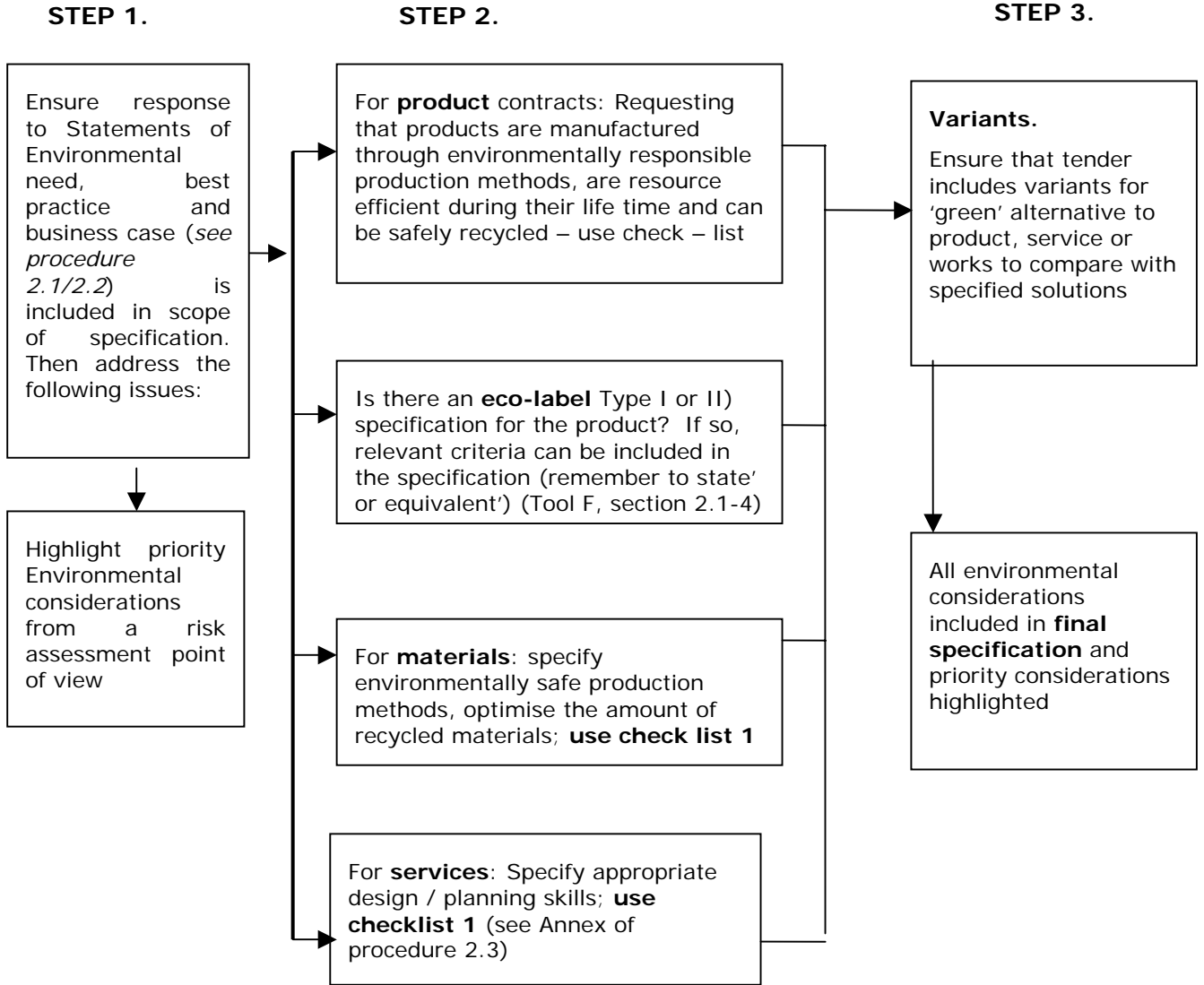
A copy of the specification kept on each contract file in office of contract manager.

### **8.6 Related Procedures.**

Procedure 2.2/2.3 Defining needs/Market research and analysis

**Procedure 2.3 DEVELOPMENT OF SPECIFICATION**

Contract manager responsible for writing specification to follow 3 steps in developing specification.



## 8.7 Procedure 2.3 Development of Specification. Annex:

Check list 1: (From Sustainability and Local Government Procurement, IDeA 2003<sup>3</sup>)

Specification principles:

- Fitness for purpose and value for money;
- Resource, energy and water efficiency;
- Minimum use of virgin and non-renewable materials;
- Maximum use of post consumer materials;
- Non (or reduced) polluting with minimum use of toxic chemicals, CFCs, Ozone and other pollutants;
- Maximum durability, reparability, reusability, recyclability and upgradeability;
- Minimum packaging;
- Design for disassembly;
- Fault controls to prevent unnecessary waste;
- Health and Safety Standards;
- Biodegradability;

Whatever specification principle is chosen must be specifically linked to evaluation criteria. Also please see tool F for evaluation criteria and the requirements of the consolidated procurement directive to be explicit setting out weighting of individual criteria.

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<sup>3</sup> From Sustainability and Local Government Procurement – UK Improvement and Development Agency (IDeA) - 2003

## **9.0 PROCEDURE 2.4, 2.5, 2.6, FINANCIAL AND TECHNICAL SELECTION CRITERIA, CONTRACT PERFORMANCE CLAUSES, SUPPLIER QUESTIONNAIRE**

### **9.1 Description**

This procedure describes the process for ensuring that environmental performance issues are routinely considered when developing financial and technical selection criteria, contract performance conditions and supplier questionnaires as part of the procurement of goods, services or works.

### **9.2 Scope**

This procedure applies to all contracts directly let by the public authority with a value greater than €20, 000.

### **9.3 Responsibilities**

The manager in charge of developing the specification is responsible for ensuring the Environmental Needs Statement (see also [procedure 2.1](#)) is fully reflected in the financial and technical selection criteria, contract performance clauses, and the supplier questionnaire and that these all contain the environmental performance issues highlighted in this procedure.

The staff responsible for assessing the tenders need to ensure the relevant environmental issues have been covered at the tender evaluation stage.

### **9.4 Procedure Frequency**

Repeated for production of specification for all services, goods and works for any contract >€137, 000.

### **9.5 Records**

A copy of the financial and technical selection criteria, conditions for the performance of the contract, supplier questionnaire kept by Contract Manager with specification on contract file.

### **9.6 Related Procedures.**

[Procedure 2.2/2.3](#) Defining needs/Market research and analysis

[Procedure 2.3](#) Development of specification

### **9.7 Case Study - Procedure Example.**

An example of an EMS procedure that specifies corporate environmental clauses to be included in all conditions of contract is provided in the Annex to this procedure.

**Procedure 2.4, 2.5, 2.6 Financial And Technical Selection Criteria, Conditions For The Performance Of The Contract, Supplier Questionnaire**

Contract manager responsible for writing specification to follow 3 steps in developing financial and technical selection criteria, conditions for the performance of the contract and supplier questionnaire

**STEP 1. Technical and financial selection criteria to include:**

1. Does the tendering company employ or have access to staff with required knowledge and experience of dealing with the significant direct and indirect environmental issues of the contract?

2. Does the company have access to equipment necessary for environmental protection?

3. Does the company have the relevant research and technical facilities to cover the significant environmental aspects.

**STEP 2. Contract performance clauses**

1. Include environmental performance contract clauses to minimise the main direct environmental impacts of the contract. For example to deliver the products in bulk or to minimise non-recyclable packaging etc)

**STEP 3. Supplier Questionnaire to include request for:**

1. Copy of company's environmental policy (covering activities relevant to contract and environmental needs statement)

2. Quantifiable information on significant environmental impacts and specified environmental needs of contract related to the delivery of the contract and the processes in place to minimise impacts

3. Any information on management system procedures in place to reduce, actual or potential environmental impacts of contract delivery. (See example in Annex to procedure)

**9.8 Procedure 2.4, 2.5, 2.6 Financial And Technical Selection Criteria, Conditions For The Performance Of The Contract, Supplier Questionnaire<sup>4</sup> - Annex**

There are many approaches to supplier environmental questionnaires. A couple of examples are shown below. The first example, developed by Belfast City Council, requests a significant amount of information and may be considered as too onerous for some smaller contracts. A simpler 'scoring sheet' approach could be used for smaller contracts to help contract officers undertake a simplified self assessment. The second example is used by Leicester City Council.

**Example 1. Questionnaire Belfast:**

From Sustainable and Local Government Procurement: IDeA 2004

1. Does your organization have a named officer for Environmental Management? If 'yes' please state the name, position and qualifications of the person: .....
2. Does your organization have an environmental policy? Yes / No, If 'yes, please enclose a copy.
3. Does your organization have in place an Environmental Management System? Yes / No;
  - a. If 'Yes' do you have any objections to this being inspected? Yes/No
4. Does your organization hold either of the following accreditations?

EMAS	Yes/No
ISO14001	Yes/No
5. Has your organization compiled a register of environmental regulations and legislation relating to your business operations?

If 'Yes' do you have any objections to this being inspected? Yes/No
6. Has your organization compiled an environmental effects register? Yes/No

If 'Yes' do you have any objections to this being inspected?
7. Do you have an environmental action plan in place to reduce your adverse impact on the environment? Yes/No

If 'Yes' do you have any objections to this being inspected? Yes/No
8. Outline on a separate sheet the specific environmental impacts associated with providing the products/services being procured and what steps are being taken to minimize them.

<sup>4</sup> Belfast City Council (UK) – Environmental Supplier Questionnaire

**Example 2:**

**APPLICATION FORM FOR INCLUSION ON LEICESTER CITY COUNCIL'S**

**SELECT LIST OF CONTRACTORS<sup>5</sup>**

**EMAS FORM F7-1A**

**Standard Section for Environmental Management**

The public authority has adopted an environmental policy which defines the aims and principles to which we are working to ensure we play our part in creating a better environment for generations to come. As part of this policy:

"We will work with our contractors and suppliers to help them improve their environmental performance and ensure that, when working for the public authority, they adopt equivalent environmental standards."

**1 Environmental Policy**

***Leicester City Council expects its contractors to show evidence of their commitment to the environment, for example by having an environmental policy which has been endorsed at the highest level in the company.***

Does your company have a written statement of its commitment to the environmental (e.g. a policy?)

Yes  No

If so please enclose a copy Tick if enclosed

**2 Environmental Management System**

***Leicester City Council expects its contractors to be able to demonstrate environmental management, for example by having an independently verified environmental management system (EMS), such as ISO14001, EMAS, or PQASSO for voluntary organisations.***

Please provide evidence of environmental management appropriate to the scale of your organisation

Tick if enclosed

Certificates of accreditation (EMAS, ISO 14001 or PQASSO)

Examples of staff environmental procedures (erg relating to waste management, oil storage, emergency preparedness)

Other examples of environmental management:

Describe below:

<sup>5</sup> Leicester City Council (UK) – EMAS Procedure

### 3. Environmental Legislation

***Leicester City Council expects its contractors to comply with, or exceed all statutory environmental requirements.***

Has your company had any notices or prosecution served on you with respect to environmental legislation? Relevant bodies include the Environment Agency, Local Authorities, (and pre-1996 National Rivers Authority and HM Inspectorate of Pollution). (You need not disclose details of spent convictions.)

Yes  No

If the answer is yes, please enclose details Tick if enclosed

What steps have you subsequently taken to ensure that you comply with environmental legislation? Please enclose examples of procedures and/or staff training records

Tick if enclosed

### 4. Environmental Waste Management

Please complete this section if the type of work for which you wish to be considered involves either the production of, storage of, carrying of or disposal of waste.

Environmental Protection Act 1990

Waste Management (Duty of Care) Regulations 1996

1. If you transport waste, has the Environment Agency issued you with a Certificate of Registration which allows you to transport waste?

Yes  No

If yes, please enclose a copy of the certificate tick if enclosed

When does the certificate expire? \_\_\_\_\_

2. If you do not transport waste does the company you use have a certificate to carry waste?

Yes  No



If yes, please obtain and enclose a copy of the certificate tick if enclosed

When does the certificate expire? \_\_\_\_\_

Please complete the following table

Types of waste likely to be produced whilst working for Leicester city Council	Name and address of storage site for waste (inc your premises if temporarily stored there)	Name and address of disposal site for waste

Please provide evidence that each of the storage (where appropriate) and disposal sites have a licence to store/dispose of the types of wastes listed in the table (evidence could be a signed letter from the site or the relevant section of the waste management licence)

Please tick if enclosed

## 5. Environmental Purchasing Policy

***Leicester City Council expects its contractors to comply with its Environmental Purchasing Policy. A copy of this is enclosed.***

In the delivery of your service, what positive steps have you taken, or do you intend to take, to eliminate the following: - (We would expect you to be able to describe positive steps in each category, unless it is clearly irrelevant to your area of work.)

- a) Ozone depleting chemicals (such as CFC, Halon, 1.1.1 trichloroethane, HCFC)
- b) Tropical hardwood from forests which have not been independently certified as sustainable
- c) Pesticides on the UK "Red List" or EC "Black List"
- d) Peat for soil amelioration purposes

Tick if further details enclosed

#### 6. Major Areas of Environmental Concern

***Leicester City Council expects its contractors to share its commitment to improving environmental performance in the following areas:***

- ***wise use of energy and water,***
- ***air pollution (including vehicles),***
- ***waste reduction,***
- ***wise use of paper***
- ***protection of the natural environment.***

Please describe what your company has done, or is planning to do, to improve environmental performance in the areas listed above.

Tick if further details enclosed

**END OF EMAS FORM F7-1A**

## APPLICATION FORM FOR INCLUSION ON LEICESTER CITY COUNCIL'S SELECT LIST OF CONTRACTORS

### Standard Section for Environmental Management

#### Assessment Criteria

Overall pass mark: the company should pass all 6 questions;

#### 1 Environmental Policy

**Pass (all 3 ✓ required to pass)**

✓Environmental policy has been enclosed or similar corporate environmental statement

✓and it has been endorsed at the highest level in the company (e.g. signed by the Director)

✓and it contains specific information relevant to that company rather than a bland general statement.

**Fail (any one X will count as a fail)**

XNo evidence of corporate environmental commitment (e.g. a policy) has been enclosed

Xor such a statement has not been endorsed at the highest level in the company

Xor it only contains a bland general statement.

#### 2 Environmental Management System

**Pass (one ✓ will count as a pass)**

✓Company has enclosed evidence of environmental management appropriate to the scale of their organisation; certification in ISO14001, registration for EMAS (EU Eco-Management and Audit Scheme),

PQASSO (only for voluntary organisations). NB Quality standards **do not** qualify here, e.g., BS5750, ISO9000 series.

Examples of staff environmental procedures

**Fail (any one X will count as a fail)**

Where the contract with the company will be of 12 months or more duration and the company employs more than 20 people:

X Company cannot demonstrate any evidence of environmental management, e.g. it is not certified to ISO14001, registered for EMAS, or, PQASSO (for voluntary organisations) nor has it provided examples of environmental procedures

#### 3 Environmental Legislation

**Pass (any one ✓ will count as a pass)**

✓Company has not received any notices or prosecutions from Environment Agency, Local authority or (pre 1996 the National Rivers Authority or HM Inspectorate of Pollution)

4Company has received either notices or prosecutions from any of the above institutions, but has provided evidence of subsequent environmental procedures training records to suggest that previous bad practice has been corrected. This must be discussed with a member of the Environment Team.

**Fail (one X will count as fail)**

X Company has received either notices or prosecutions from any of the above institutions, and has not provided any evidence of subsequent procedures and staff training to suggest that any improvements have been made.

#### 4. Environmental Waste Management

Pass (one ✓ to pass)

If the company removes waste off site:

✓ Company has provided a copy of their Certificate of Registration as a waste carrier

If the company uses a contractor to remove waste off site:

✓ Company has provided a copy of the waste carriers Certificate of Registration

Fail (one X to fail)

X Company will be disposing of waste and they do not provide either a copy of their Certificate of Registration as a waste carrier or a copy from the waste carrier they are going to use

X If the Certificate of Registration has expired

## 5 Environmental Purchasing Policy

**Pass (one ✓ pass)**

✓ Company has provided statements of positive action against each relevant category a) - d)

**Fail (one X)**

X Company has not provided statements of positive action against each relevant category a)-d)

## 6 Major areas of environmental concern

**Pass (one ✓)**

✓ Company has described what it has done, or is planning to do, to improve its environmental performance in the areas listed.

**Fail (any one X will count as a fail)**

Company has not described any actions it has done, or is planning to do to improve its environmental performance in any of the areas listed.

X Company has described some actions, but these are irrelevant to the service it will be providing to the council.

**9.9 Procedure 2.4, 2.5, 2.6 Financial And Technical Selection Criteria, Conditions For The Performance Of The Contract, Supplier Questionnaire<sup>6</sup> - Annex B**

**Example of: Corporate environmental clauses to be inserted in all public authority conditions of contract.**

**The following corporate environmental clauses should be inserted in all public authority "Conditions of Contracts":**

1. The Contractor shall comply with its statutory obligations under Environmental Legislation and for the purposes of this Contract "Environmental Legislation" means the Environmental Protection Act 1990, the Water Resources Act 1991 and any other UK Legislation, EC Legislation, international convention of a binding nature and other binding material issues pursuant to the same which make provision for the control of pollution, the control of hazardous substances, land use control and wildlife and countryside protection.
2. In the event of any finding by any court or tribunal or other judicial or quasi judicial body being made against the Contractor in respect of any breach of Environmental Legislation, the Contractor shall take appropriate steps to abate such breach and prevent its repetition.
3. The Contractor shall upon request provide the Authorised Officer with details of any steps taken under condition 2.
4. The Contractor shall within three months of the date of this Contract adopt a policy to the satisfaction of the Director for the time being of the public authority to comply with the public authority 's environmental purchasing policy and shall thereafter maintain such a policy taking account as far as is reasonably practicable of any amendment to that policy from time to time made by the public authority and any revisions or amendments to any national guidelines or any nationally recognised procedures or lists which relate to the minimising of environmental emergency.
5. The Contractor shall observe as far as possible the policy from time to time in force by virtue of clause 4.
6. The Contractor shall provide such information as the public authority may reasonably request for the purposes of assessing the Contractor's compliance with conditions 4 and 5 as far as relevant, including examples of documents, advertisements or other literature.
7. The Contractor shall institute and maintain an environmental management system in accordance with the procedures, targets and other specifications and shall provide and perform the Service in all respects in accordance with the Environmental Statements (where the words 'Environmental Statements' mean the environmental method statement and any other information or representations supplied with, incorporated into or presented within the Contractor's tender or submission to the public authority in response to any invitation by the Public authority in respect of this Contract) and shall furnish such detailed information as the Authorised Officer may reasonably require in regard thereto and without prejudice to the generality of the foregoing shall accurately complete and submit to the Authorised Officer at such times as the Authorised Officer shall reasonably direct (but so that the Contractor shall

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<sup>6</sup> Leicester City Council (UK) – EMAS Procedure

not be required to submit more than one return in any one period of twelve months) performance returns in the form to be directed by the Authorised Officer (acting reasonably).

8. *[The following clause is for use only in connection with contracts where the service is substantially provided through the use of a fleet of vehicles]*

The Contractor will provide the Service so that all vehicles used in the provision of the Service will meet Euro III Standards (Euro IV in 2005), and if the vehicles have a diesel engine they will use low sulphur diesel by the **[date]**.

## **10.0 PROCEDURE 2.8, 2.9. PRODUCTION OF TENDER DOCUMENTATION AND SETTING OF TENDER EVALUATION CRITERIA**

### **10.1 Description**

This procedure describes the process for ensuring that information related to the public authority's environmental policy and objectives are routinely included in tender documentation and that qualitative, economic and indirect environmental criteria are included in the tender award criteria.

For the legal framework for example in terms of what can and what cannot be included in tenders and as evaluation criteria see in particular section 2.6 and following of Tool F. In addition the entire section 3 of Tool F gives practical advice.

### **10.2 Scope**

This procedure applies to all contracts directly let by the public authority with a value greater than €137, 000.

### **10.3 Responsibilities**

The environmental manager is responsible for providing the contract manager with relevant information on the public authority's environmental policy and objectives and qualitative, economic and indirect environmental performance award criteria.

The manager in charge of developing the specification is responsible for ensuring this information is included in the tender documentation and the award criteria.

### **10.4 Procedure Frequency**

Repeated for production of specification for all services, goods and works for any contract >€137, 000.

### **10.5 Records**

A copy of the financial and technical selection criteria, conditions for the performance of the contract, supplier questionnaire kept by Contract Manager with specification on contract file.

### **10.6 Related Procedures.**

Procedure 2.2/2.3 Defining needs/Market research and analysis

Procedure 2.3 Development of specification

**Procedure 2.8, 2.9. PRODUCTION OF TENDER DOCUMENTATION AND SETTING OF TENDER EVALUATION CRITERIA**

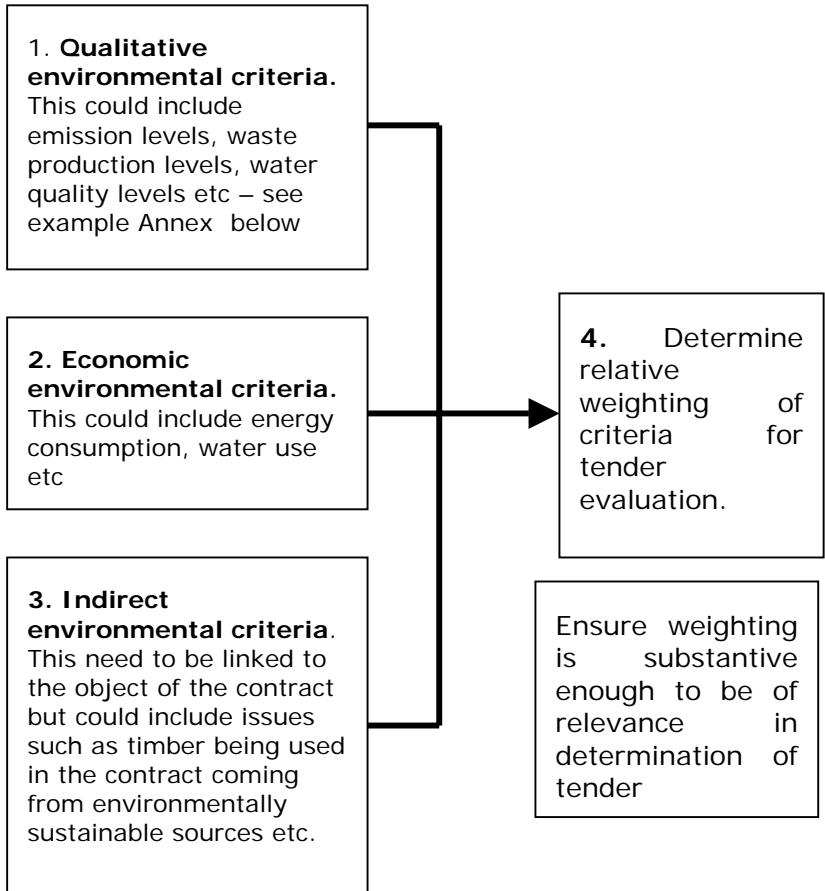
Environmental manager to provide the following information to the contract manager for inclusion in the documentation.

**Tender Documentation to include following environmental information:**

- 1. Public authority's environmental policy and strategic environmental objectives
- 2. Summary of any corporate environmental targets relevant to the contract
- 3. Information on any departmental environmental targets related to the public authority department running the contract
- 4. Information on any specific policies related to the object of the contract. i.e. tropical hardwood policy or green procurement policy

**Tender evaluation criteria to include the following information:**

See also – Tool F sections 2 and 3





**10.7 Procedure 2.8, 2.9. Production Of Tender Documentation And Setting Of Tender Evaluation Criteria<sup>7</sup> - Annex to procedure: Examples Of Environmental Contract Award Criteria**

From Sustainable and Local Government Procurement: IDeA 2004, fig 8.1

Examples of Environmental Contract Award Criteria

Energy Consumption

Water Usage

Quantity of Waste produced by weight

CO<sub>2</sub>/ greenhouse gas emissions;

Other emissions (Ozone, radiation, SO<sub>x</sub>, NO<sub>x</sub>, etc)

Use of recycled materials

Percentage of waste recycled

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<sup>7</sup> Sustainable and Local Government Procurement: UK Improvement and Development Agency (IDeA) 2004

## **11.0 PROCEDURE 4.3, 4.4 CHECK SUPPLIER QUALIFICATION AND CAPABILITY**

### **11.1 Description**

This procedure describes the process for checking that the company submitting a tender has the agreed environmental qualifications and capabilities.

### **11.2 Scope**

This procedure applies to the assessment all contract tenders directly let by the public authority with a value greater than €137, 000.

### **11.3 Responsibilities**

The contract manager in co-operation with the environmental manager is responsible for checking environmental qualifications and capabilities (related to the environmental impacts identified as 'significant' through the Environmental Needs Statement) of companies submitting tenders.

### **11.4 Procedure Frequency**

Repeated for assessment of specifications for all services, goods and works for any contract >€137, 000. Site visits only for contracts over €1million or where very significant environmental impacts identified through Needs Assessment.

### **11.5 Records**

A copy of the assessment of environmental qualification and capability maintained on the tender evaluation file in contract managers' office.

### **11.6 Related Procedures.**

Procedure 2.1/2.2 Defining needs/Market research and analysis

Procedure 2.3 Development of specification

**Procedure 4.3, 4.4 CHECK SUPPLIER QUALIFICATION AND CAPABILITY**

Environmental manager in co-operation with contract manager to check the following environmental qualifications and capabilities of the tenders received

**Supplier environmental qualifications to be checked:**

1. Up to date verification documentation and latest audit results of any externally certified ems submitted as part of the bid.

2. Up to date verification document for any other environmental performance qualifications specified.

**Supplier environmental capabilities to be checked:**

1. **Site visit** to assess on-ground management of environmental programmes related to the contracted product, works or service. (If environmental needs statement has identified very significant environmental issues or if contract over €1 million in size) Also identify incident reports for management of environmental impacts and dealing with external communications. An example of Environmental site inspection form is provided in Annex A of this procedure

**2. Meeting with relevant regulatory and planning agencies** related to the contractors site. To identify any environmental legislative non-compliance issues or monitoring problems

**3. Examine training records** to ensure key staff are capable by training or experience to effectively manage the environmental impacts associated with delivery of the contract.

**Procedure 4.3, 4.4 Check Supplier Qualification And Capability<sup>8</sup> – Annex to procedure.  
Example of Environmental Site inspection report.**

Environmental Site Observations					
Form No.		Date:		Form Fxxx	
Name of site:			For internal use only		
			name of Observing officer		
			Copies to other Public authority officers		
Details of observations (4 if relevant)					
Waste & litter	Inadequate containment of waste & litter	<input type="checkbox"/>	Air pollution	Fumes causing a nuisance / inadequate ventilation	<input type="checkbox"/>
	Inadequate management of special (hazardous) waste e.g. oil drums	<input type="checkbox"/>		Burning	<input type="checkbox"/>
	Lack of paperwork (carrier licenses, WTN, disposal site licenses)	<input type="checkbox"/>		Site bonfires emitting dark smoke / causing nuisance	<input type="checkbox"/>
	Steps being taken to minimise waste (e.g. recycling)	<input type="checkbox"/>		Dark smoke / dust / grit	<input type="checkbox"/>
Ground contamination	Leaking of oil e.g. oil drums, generators	<input type="checkbox"/>	Noise	Excessive noise levels	<input type="checkbox"/>
	Leakage of toxic chemicals	<input type="checkbox"/>		Outside hours working	<input type="checkbox"/>
		Other	<input type="checkbox"/>	Natural environment	Inadequate protection of trees or other vegetation
Water pollution	Disposing unauthorised substances into a drain	<input type="checkbox"/>		Inadequate protection of animals & other wildlife	<input type="checkbox"/>
	Inadequate drainage e.g. blocked / broken	<input type="checkbox"/>	Historic environment	Inadequate protection of Scheduled Ancient Monuments / Archaeological Areas / Listed Buildings / conservation areas	<input type="checkbox"/>
	Disposing unauthorised substances into a water course	<input type="checkbox"/>	Highways	Obstruction of highway	<input type="checkbox"/>
	Other	<input type="checkbox"/>		Inadequate reinstatement	<input type="checkbox"/>

<sup>8</sup> Leicester City Council (UK) – EMAS Procedure

Specific observations

Signature:

## **12.0 PROCEDURE 5.2, DRAFT CONTRACT**

### **12.1 Description**

This procedure describes the process for ensuring environmental performance conditions are included in the final contract for the supply of goods, services or works.

### **12.2 Scope**

This procedure applies to setting contracts with a value greater than €137, 000.

### **12.3 Responsibilities**

The contract manager who is responsible for setting and managing the contract will be responsible for ensuring environmental performance conditions are included in the final contract for the supply of goods, services or works.

### **12.4 Procedure Frequency**

Repeated for all contracts for services, goods and works >€137, 000 in value.

### **12.5 Records**

A copy of the contract in contract file in contract managers office.

### **12.6 Related Procedures.**

Procedure 2.1/2.2 Defining needs/Market research and analysis

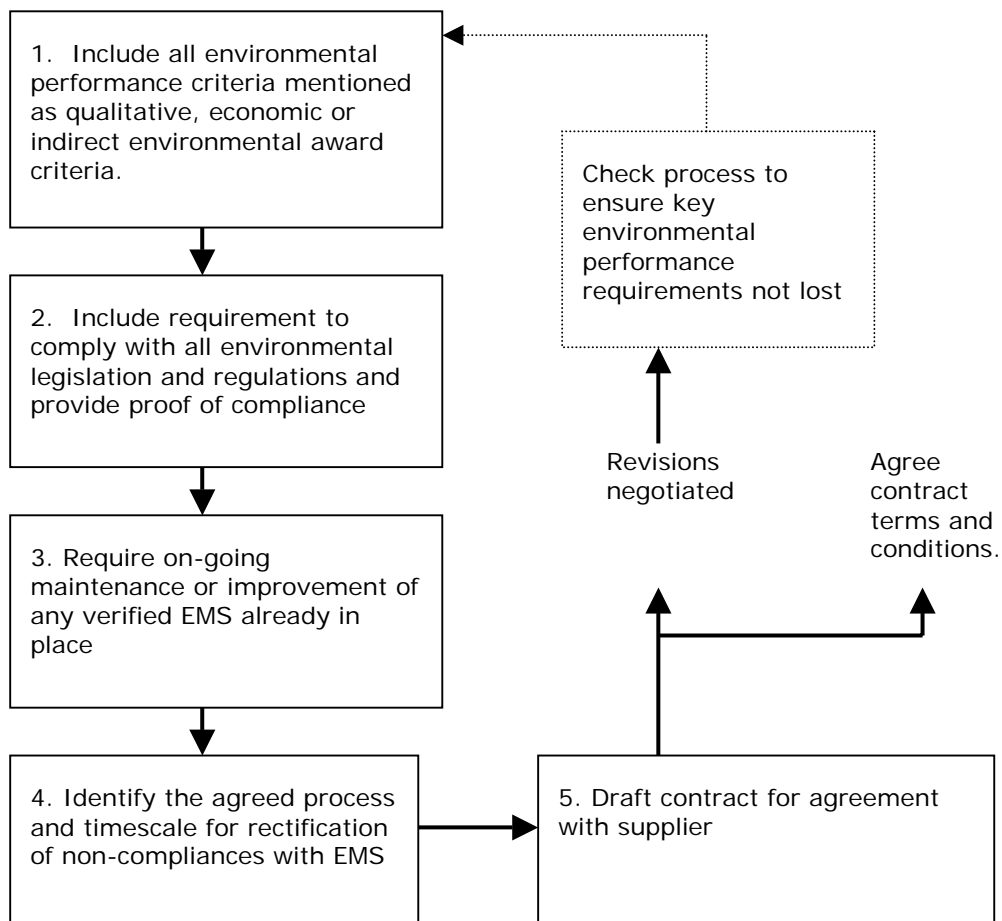
Procedure 2.3 Development of specification

Procedure 2.8, 2.9 . Production of tender documentation and setting of contract award criteria

**Procedure 5.2, DRAFT CONTRACT**

Contract manager to include the following environmental parameters in setting the contract conditions and agreeing draft contract.

**When determining contract conditions and drafting contract:**



## **13.0 PROCEDURE 6.1, 6.2, MONITORING OF CONTRACT AND EVALUATION OF SUPPLIER PERFORMANCE**

### **13.1 Description**

This procedure describes the process for monitoring the environmental performance and compliance aspects of the contract delivery and evaluating supplier environmental performance against requirements of contract and on-going best practice.

### **13.2 Scope**

This procedure applies to setting contracts with a value greater than €137, 000.

### **13.3 Responsibilities**

The contract manager is responsible for monitoring the on-going environmental performance and compliance aspects of the contract and ensuring that the supplier provides relevant monitoring information in a timely and accurate fashion.

The environmental manager will be responsible for the evaluating the supplier environmental performance against current best practice on an annual basis.

### **13.4 Procedure Frequency**

Repeated for all contracts for services, goods and works >€137, 000 in value. Monitoring in accordance with agreed monitoring schedule. Evaluation on an annual basis.

### **13.5 Records**

All monitoring information kept on contract file. Best practice evaluation material and outcomes of evaluation maintained by contract manager.

### **13.6 Related Procedures.**

Procedure 2.1/2.2 Defining needs/Market research and analysis

Procedure 2.3 Development of specification

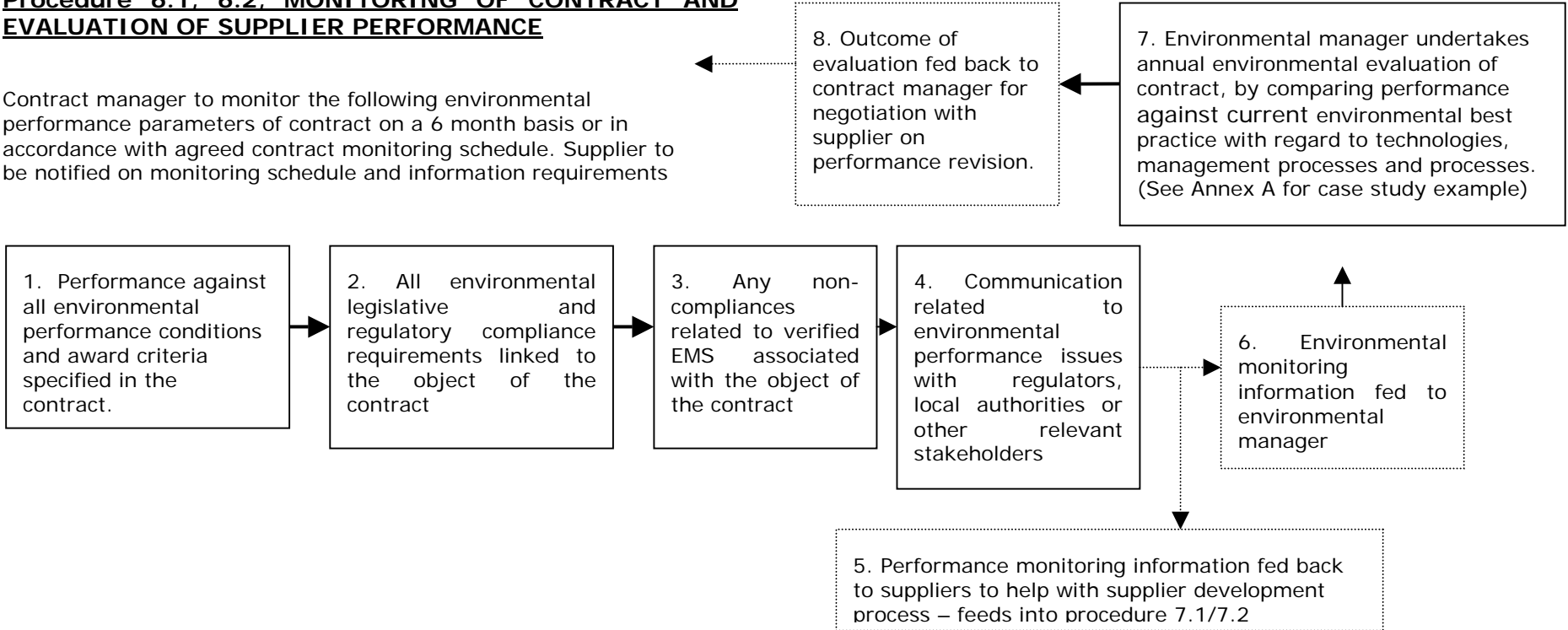
Procedure 2.8, 2.9. Production of tender documentation and setting of contract award criteria

Procedure 7.1/7.2, Develop service and suppliers and develop supply chain capacity



**Procedure 6.1, 6.2, MONITORING OF CONTRACT AND EVALUATION OF SUPPLIER PERFORMANCE**

Contract manager to monitor the following environmental performance parameters of contract on a 6 month basis or in accordance with agreed contract monitoring schedule. Supplier to be notified on monitoring schedule and information requirements



**PROCEDURE 6.1, 6.2, Monitoring Of Contract And Evaluation Of Supplier Performance<sup>9</sup> - Annex to procedure.**

**Case Study Example of procedure for Monitoring Contracts against a public authority's environmental policy and Guide to Environmentally Friendly Purchasing.**

Responsibilities		Interfaces
<p><b>Any officer involved in one of the defined stages of managing an external contract</b></p>	<p><b><u>General Principles</u></b></p> <p><b><u>Provide evidence of monitoring the contract against the public authority's Environmental Policy and Guide to Environmentally Friendly Purchasing at the following contract stages:</u></b></p> <ol style="list-style-type: none"> <li><b>1. environmental vetting of the company when selected</b></li> <li><b>2. environmental check of the contract specification</b></li> <li><b>3. environmental monitoring during the contract</b></li> </ol> <p>(see xfor guidance on specific types of contract)</p>	<p>Env. Policy Guide to Env. Friendly Purchasing</p> <p>File records</p>
<p><b>Any officer involved in selecting an external company</b> (at select list stage, or when companies are invited to tender without a select list having been drawn up)</p> <p>officers who manage select lists</p>	<p><b><u>1. Environmental vetting of the company at selection</u></b></p> <p><u>1.1</u> All potential contractors should be questioned to check that they will comply with the public authority's Environmental Policy and Guide to Environmentally Friendly Purchasing. (x and y can be used for this purpose)</p> <p><u>1.2</u> Mark each contractor pass/fail for their environmental performance. (w can be used to assess this)</p> <p><u>1.3</u> Contractors failing their environmental assessment, should be given reasons and recommended to obtain further help (the clauses contained in x can be used for this purpose)</p> <p><u>1.4</u> Any contractor who fails their environmental assessment, but for exceptional reasons is awarded the contract, must be given a date for rectifying the situation. (clauses contained in x are for this purpose). This should be followed by x (or the clauses contained within this) if no action has taken place.</p> <p><u>1.5</u> Retain all evidence of environmental assessment on file. If you are responsible for managing select lists you must copy to the Environment Team the results of the companies which passed/failed the environmental assessment.</p>	<p>file records</p> <p>Env Team</p>

<sup>9</sup> Leicester City Council (UK) – EMAS procedure

<p>officers who manage select lists</p>	<p>1.6 When renewing a select list, feedback on the contractor's previous environmental performance (item 3.3) should be incorporated into the assessment. (The questions listed in F7-1d may be used for this purpose. For construction type contracts it is recommended to use F7-1e)</p>	
<p><b>Any officer involved in specifying work for an external organisation</b></p>	<p><b><u>2. Environmental check against the contract specification</u></b></p> <p>When specifying work for an external company to carry out, check that this specification complies with the public authority's Environmental Policy and Guide to Environmentally Friendly Purchasing. Consider how to minimise environmental risks (e.g. the likelihood of pollution) by changes in the design.</p> <p>Retain evidence on file and attach a copy to the specification. (EMAS form x can be used for this purpose)</p>	<p>File records</p>
<p><b>Any officer who monitors the work of an external organisation</b></p> <p>officers monitoring the work of an external organisation which was appointed from a public authority select list</p> <p>"</p>	<p><b><u>3. Environmental monitoring during the contract</u></b></p> <p>Provide evidence of monitoring the contract in progress, against the public authority's Environmental Policy and Guide to Environmentally Friendly Purchasing.</p> <p><b><u>For contractors who have been appointed from a The Public authority's select list</u></b>, (i.e. who have already been vetted for their environmental performance under item 1.): -</p> <p>3.1 The process of monitoring should start by ensuring that the environmental conditions on EMAS form F7-2b are inserted into "Conditions of Contract" and an environmental method statement is requested using EMAS form F7-2c.</p> <p>(F7-2d may be given to contractors as a proforma for a method statement on construction contracts)</p> <p>Method statements must be deemed to be "adequate" before authorisation to start the contract</p>	<p>File records</p> <p>training records</p>

<p>"</p> <p>"</p>	<p>is given. (Assessment of environmental method statements will be supported by training from the Environment Team.)</p> <p>3.2 Include environmental inspections within normal monitoring procedures. EMAS form F7-3a can be used for this purpose.</p> <p>(Environmental monitoring will be supported by training from the Environment Team.)</p> <p>3.3 Ensure feedback on contractor's environmental performance is given to the officer responsible for reviewing select lists (under item 1.6). For construction-type contracts it is recommended to use F7-1e</p>	<p>File records: meeting minutes etc.</p> <p>training records</p> <p>appraisal forms</p>
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## **14.0 PROCEDURE 7.1, 7.2, DEVELOP SERVICE AND SUPPLIERS AND DEVELOP SUPPLY CHAIN CAPACITY**

### **14.1 Description**

This procedure describes the process for developing the provision of the service in environmental terms and the suppliers' capacity to deliver the service in a way that meets the environmental objectives of the public authority. Furthermore the procedure provides a lead in to develop the supply chain.

### **14.2 Scope**

This procedure applies to all suppliers and service contracts over €137, 000 in value.

### **14.3 Responsibilities**

The contract manager is responsible for providing information on environmental performance monitoring and evaluation of supplier environmental performance to the environmental manager.

The environmental manager will be responsible for the working with suppliers and contractors to help build improvement programmes based on the outcome of the monitoring and evaluation process.

### **14.4 Procedure Frequency**

Repeated for all contracts for services, goods and works >€137, 000 in value. Undertake meeting with suppliers and contractors on an annual basis.

### **14.5 Records**

All monitoring information kept on contract file. Best practice evaluation material and outcomes of evaluation maintained by contract manager. Minutes of meetings with suppliers and agreed environmental performance improvements kept on relevant contract file.

### **14.6 Related Procedures.**

Procedure 2.1/2.2 Defining needs/Market research and analysis

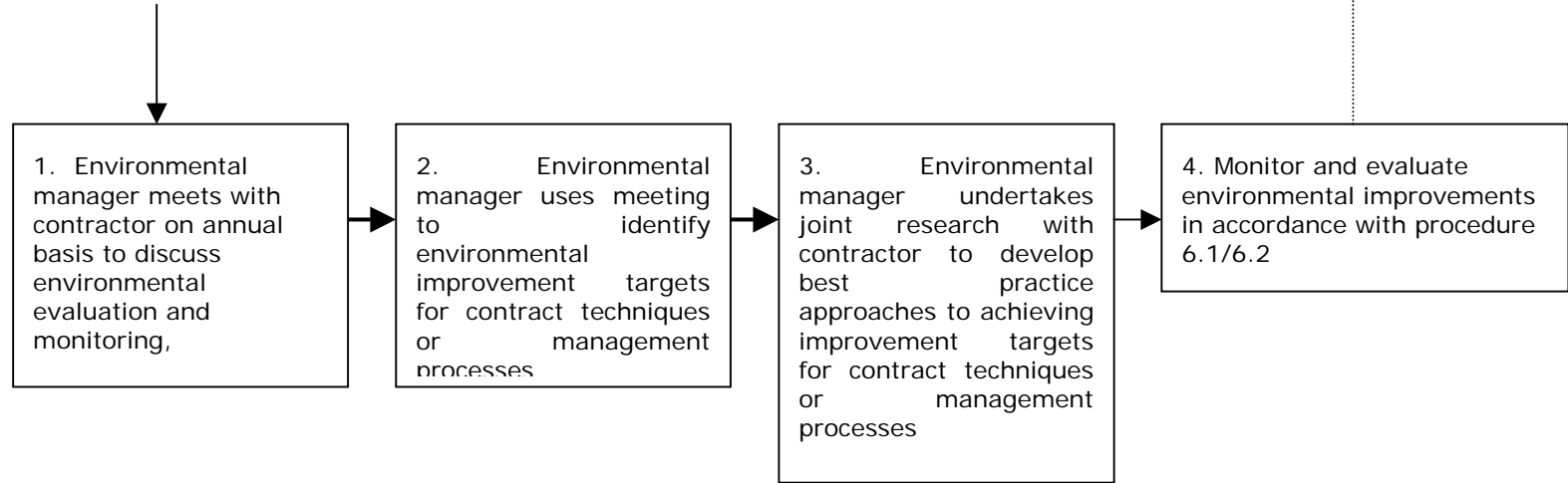
Procedure 2.3 Development of specification

Procedure 2.8, 2.9 . Production of tender documentation and setting of contract award criteria

Procedure 6.1, 6.2, Monitoring of Contract and Evaluation of supplier performance

**Procedure 7.1, 7.2, DEVELOP SERVICE AND SUPPLIERS AND DEVELOP SUPPLY CHAIN CAPACITY**

Contract manager to provide contract environmental monitoring information and environmental evaluation information to environmental manager and contractor.



## 15.0 REFERENCE SECTION

- **EU Environment – EMAS Website** has guidance and advice regarding the specifics of the EMAS regulations including:
  - Guidance on the identification of environmental aspects and assessment of their significance
  - Guidance on the EMAS environmental statement

([http://www.europa.eu.int/comm/environment/emas/documents/guidance\\_en.htm](http://www.europa.eu.int/comm/environment/emas/documents/guidance_en.htm))

- **EU Environment – EMAS Website** has a '**public authority corner**' which has a number of useful guides and toolkits. These include

- **EU - EMAS Toolkit for Local Authorities (produced by Global to Local)**

The LA-EMAS Toolkit demonstrates the step-by-step implementation of an Environmental Management System according to the EMAS Regulation in a public authority. The guide explains the benefits of EMAS in a public authority, starting from the environmental review to the environmental statement.

([http://www.europa.eu.int/comm/environment/emas/local/pdf/la\\_toolkit\\_commission\\_020204\\_en.pdf](http://www.europa.eu.int/comm/environment/emas/local/pdf/la_toolkit_commission_020204_en.pdf))

- **EU LA-EMAS Factsheets**

For a brief introduction on how municipalities can take action in the framework of EMAS, there is a factsheet on "The Implementation of EMAS in Public Sector Authorities"

([http://www.europa.eu.int/comm/environment/emas/documents/brochure\\_en.htm](http://www.europa.eu.int/comm/environment/emas/documents/brochure_en.htm))

- **EU EMAS Helpdesk**

[www.europa.eu.int/comm/environment/emas/tools/contacts/helpdesk\\_en.htm](http://www.europa.eu.int/comm/environment/emas/tools/contacts/helpdesk_en.htm)

- **EU LIFE Funded EMS projects**

There are 8 LIFE funded projects relating to EMAS or environmental management systems in general and many of them involve public authorities.

The EU has produced a reference document explaining about the projects and providing contact information for the project leads.

[http://www.europa.eu.int/comm/environment/emas/pdf/life\\_emas\\_en.pdf](http://www.europa.eu.int/comm/environment/emas/pdf/life_emas_en.pdf)