

# Sustainable Procurement Policy and Guidance

Procurement Unit  
Corporate Support Department

[www.gwynedd.llyw.cymru](http://www.gwynedd.llyw.cymru)



## Sustainable Procurement Policy – Document history

Sustainable Procurement Policy	Version 1	April 2011	
Sustainable Procurement Policy	Version 1.1	September 2015	Review and update of community benefits element of guidance
Sustainable Procurement Policy	Version 1.2	December 2018	Review and update of elements of the guidance

## EXECUTIVE SUMMARY

Sustainable procurement is about embedding the principles of sustainable development into spending and investment decisions. Gwynedd Council acknowledges that its procurement activity can have significant social, economic and environmental impact and this policy aims to provide a structured approach for integrating sustainability objectives as part of the procurement process.

This latest review of the policy has enabled the Council to reflect recent changes in legislation and Welsh Government Policy, such as the new General Data Protection Regulations and the Code of Practice for ethical employment in supply chains, as well as identifying links to elements of the Wellbeing of Future Generations (Wales) Act 2015.

The Appendices, in the form of checklists at the end of the policy, include:

- Sustainability Checklist for Goods
- Sustainability Checklist for Works/Services
- Keeping the benefits local Checklist

They remain useful tools to prompt buyers of the need to consider the potential social, economic and environmental impact our procurement decisions can have and what actions can be taken to make the best possible use of the Council's expenditure, in the interests of the county.

We will assess the effect and impact of the sustainable considerations made as part of procuring goods and services.

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# POLICY STATEMENT

## 1.0 *Introduction*

Gwynedd Council is committed to promoting sustainable development through the integration of sustainability principles into every aspect of its work. The Council's aim is to "seek the best for the people of Gwynedd today and tomorrow". The Council's Corporate Procurement Strategy sets out the Council's key procurement principles and actions in supporting this aim. It identifies the role and contribution of procurement in the delivery of the Council's overall objectives, and in managing its annual expenditure of approximately £150m on goods, works and services.

The Council adopted a Sustainable Procurement Policy in 2006 in order to embed a sustainable procurement approach across all the areas of spend, an approach which is all about supporting the delivery of better frontline services whilst achieving the best balance between financial factors and maximising social, economic and environmental factors. Council staff must do so in a responsible and sustainable manner and in accordance with the law. The document should be read in conjunction with the Council's EU Guidelines, Procurement Strategy and Constitution.

This policy outlines the aims, objectives and considerations necessary to embed such an approach. Since the previous review of the policy in 2015, further steps have been taken to strengthen the Council's approach and to learn lessons, from improved practice both nationally and locally and from the development of service tools and techniques and legal developments.

## 1.1 *Aim*

To undertake procurement activities in a responsible and sustainable manner and maximise opportunities to make the best possible use of the Council's expenditure in terms of improving economic, environmental and social performance within the County.

## 1.2 *Sustainable Procurement Policy Objectives*

Our objectives under this policy are to:

1. Minimize our environmental impact through better selection and improved usage of goods, works and services.
2. Ensure that procurement activities are undertaken in such a way that all suppliers, including small and medium enterprises are encouraged to bid for council contracts;
3. Create an environment that provides opportunities to maximize the benefits arising from the inclusion and application of social criteria within procurement activities.
4. Ensure value for money assessments are based, where appropriate, on whole life costing and not just initial purchase price.

## 1.3 *Well-being of Future Generations (Wales) Act 2015*

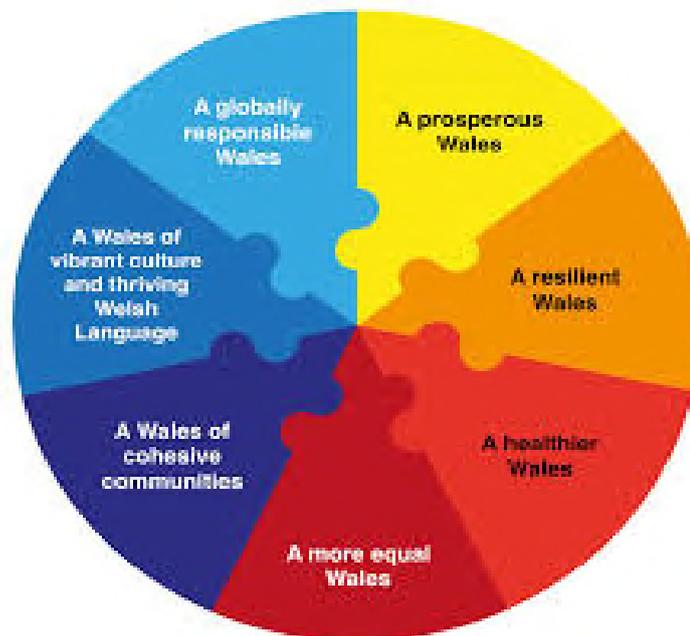
Elements of the Policy can also help to address objectives within the Well-being of Future Generations (Wales) Act and the Council's own well-being objectives. These are identified by colour to reflect the relevant objectives, overleaf.

Sustainable development is defined as 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.<sup>1</sup>

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<sup>1</sup> <https://www.are.admin.ch/are/en/home/sustainable-development/international-cooperation/2030agenda/un--milestones-in-sustainable-development/1987--brundtland-report.html>

The Act puts in place 7 Well-being goals as illustrated below and the Council's 2018-2023 Improvement Plan outlines what steps it will take to address each of these goals <sup>2</sup>.  
(Click on each objective within footnote 3 below for individual definitions <sup>3</sup>)



As part of the Plan, the Council identify its own Well-being objectives which aim to ensure that Gwynedd residents can :-

- Enjoy happy, healthy and safe lives
- Live in quality homes within their communities
- Earn a sufficient salary to be able to support themselves and their families
- Receive education of the highest quality which will enable them to do what they want to do
- Live with dignity and independently for as long as possible
- Live in a natural Welsh society
- Take advantage of the beauty of the County's natural environment

As well as the objectives, the Act identifies '**The five ways of working**', those being :-

#### **Long-term**

The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs

#### **Integration**

Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies

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<sup>2</sup> <https://www.gwynedd.llyw.cymru/en/Council/Strategies-and-policies/Corporate-plans-and-strategies/Gwynedd-Council-Plan-2018-23.aspx>

<sup>3</sup> <https://futuregenerations.wales/the-art-of-the-possible/>

**Involvement**

The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves

**Collaboration**

Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives

**Prevention**

How acting to prevent problems occurring or getting worse may help public bodies meet their objectives

**2.0 Policy background****2.1 “What is sustainable procurement”?**

Sustainable procurement is defined as *“the 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 generation benefits to the organisation, but also to society and the economy, whilst minimising damage to the environment”*<sup>4</sup>

To support this aim, the Council have produced simple Sustainability Checklists for goods, services and works in order for staff to consider further what implications projects may have in terms of social, economic and environmental factors prior to going out to the market, so that suitable clauses can be built into specifications to address such factors (Appendix 1A&B).

In addition to this, a further Checklist has been produced to encourage those involved in procurement / buying to consider whether more can be done when packaging our procurement to make it easier for suppliers to tender for work. The aim of this checklist is to attempt to reduce the restrictions for the local market where possible (Appendix 2).

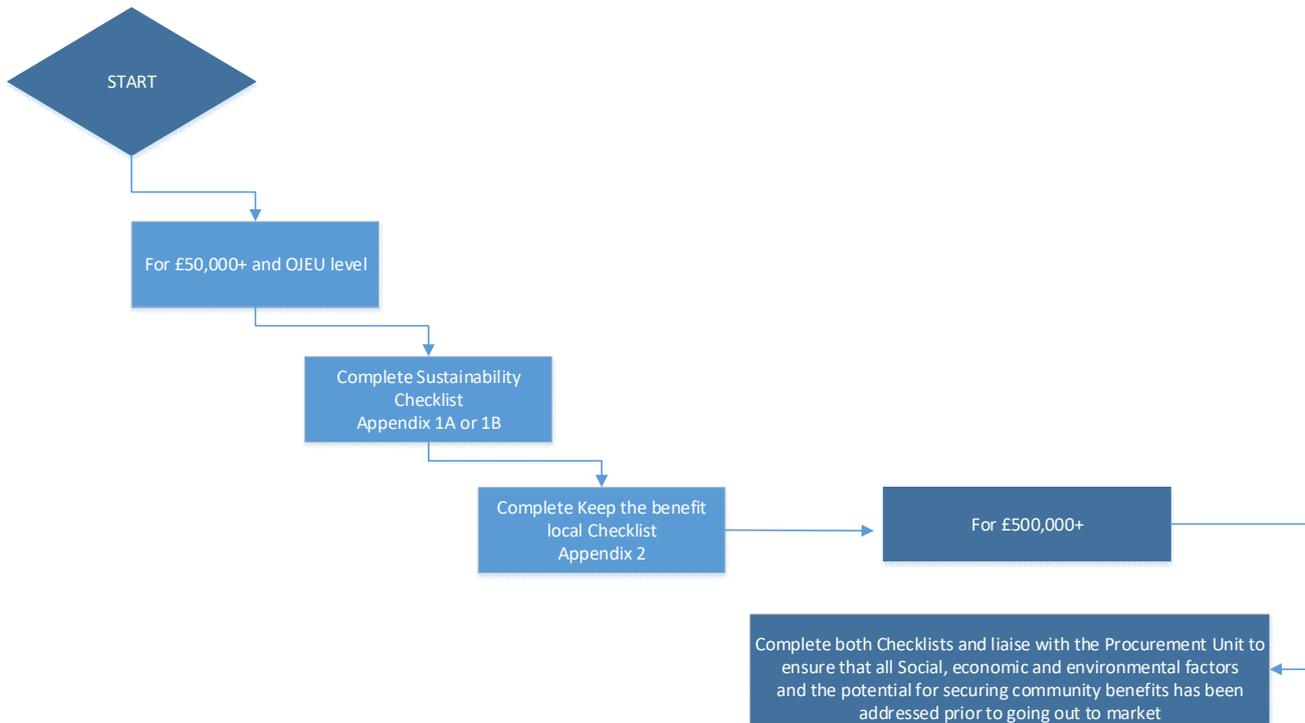
The checklists and sustainability considerations raised within this policy reflect a number of the objectives identified within the Wales Procurement Policy Statement, including ethical procurement, community benefits and collaboration.<sup>5</sup>

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<sup>4</sup> <https://www.cips.org/Documents/Resources/Knowledge%20Summary/Sustainable%20Procurement.pdf>

<sup>5</sup> <https://gov.wales/docs/prp/toolkit/june15walesprocurementpolicystatement2015v1.pdf>

## Flowchart to demonstrate use of the tools



## **2.2 Sustainability considerations**

In relation to procurement, the main thrust regarding sustainability relates to the addition / inclusion of Economic, Social and Environmental considerations in the procurement process. A brief outline of each area is shown below and further into the policy, additional sustainable elements are explored.

### ▪ **Economic**

In line with Clause 21.1 of the Contract Procedure Rules, all contracts will be awarded on the basis of the most economically advantageous tender (MEAT) which takes into account the quality aspect of submissions as well as price, the only exception to this being where the contract's predetermined criteria was lowest price only.

### ▪ **Environmental**

Staff involved in procurement should endeavour to purchase goods / services that have the least damaging effect to the environment, consider whole life costs of purchases, recycling opportunities / alternatives and waste reduction opportunities. The Council should also work with its supply market to educate them in terms of their own environmental responsibilities, by asking in tender documentation what steps they are taking to address environmental factors.

▪ **Social**

The way in which procurement opportunities are packaged can have an effect on the community of Gwynedd and where areas exist to support the local economy, every effort should be made to do so although procurement regulations do not allow us to show favouritism to local suppliers / local materials above any others. Sub-contracting, training and apprenticeship opportunities can also be considered here where they relate to the subject matter of the contract.

Welsh Government guidance on use of social clauses is available as well as what has been possible to achieve on previous contracts tendered by the Council<sup>6</sup>. Contact the Procurement Unit for advice.

▪ **Ethical employment in Supply Chains**

Welsh Government have introduced a Code of Practice for Ethical employment in supply chains. The Code requires the co-operation of public sector bodies to meet the 12 commitments set out in the Code and seeks to address the following employment issues :-

- ❖ Modern slavery and human rights abuses
- ❖ Blacklisting
- ❖ False self-employment
- ❖ Unfair use of umbrella schemes and zero hours contracts
- ❖ Paying the Living Wage

The Council has produced an Action Plan which identifies which commitments it currently meets and what steps it can take to action the remaining commitments. Those involved in procurement and recruitment are required to take notice of the Plan to achieve the commitments.<sup>7</sup>

However, in terms of including any of the above considerations within the procurement context, advice should be sought by the Procurement Unit to ensure that opportunities are not missed and to avoid risk to the Council in financial or reputational terms of getting things wrong.

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<sup>6</sup> <http://gov.wales/topics/improvingservices/better/vfm/publications/community-benefits-2014/?lang=en>

<sup>7</sup>

[https://timau/safle/caffael/Prosiectau/CAFFAEL%20CYNALADWY/ETHICAL%20EMPLOYMENT%20IN%20SUPPLY%20CHAINS/Dogfennaeth%20Gwynedd/Code%20of%20Practice%20Action%20Plan%20\(Internal\).pdf](https://timau/safle/caffael/Prosiectau/CAFFAEL%20CYNALADWY/ETHICAL%20EMPLOYMENT%20IN%20SUPPLY%20CHAINS/Dogfennaeth%20Gwynedd/Code%20of%20Practice%20Action%20Plan%20(Internal).pdf)

# GUIDELINES

## 3.0 Sustainable Procurement Process & Guidelines

### Strategic overview

Public sector procurement must be carried out in accordance with the Council's own Contract Procedure Rules and EU rules with the aim of ensuring fair and open competition for all and the achievement of value for money.

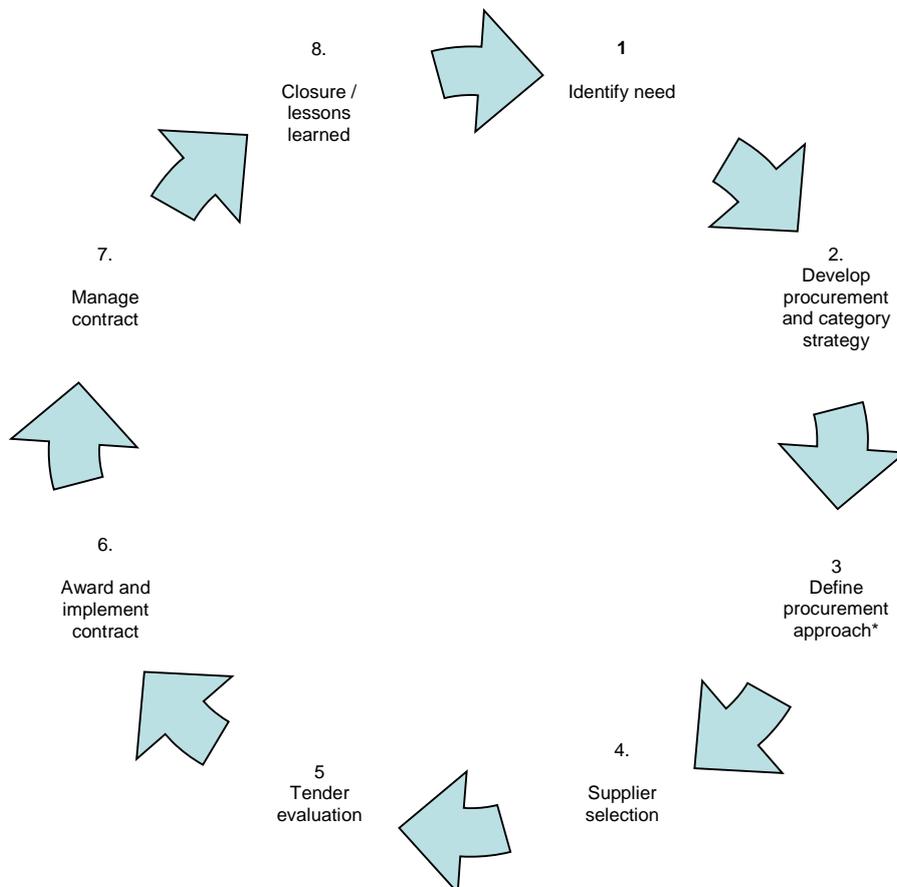
If procurement is to maximise its contribution to the Council's objectives and priorities, it is essential that key steps in the procurement cycle allow consideration of sustainability. It is important that the acquiring of goods, works and services is done so on the basis of 'most economically advantageous' criteria which takes into account quality and/or fitness for purpose to meet customers' requirements and not only price.

Procurement within Gwynedd should follow the eight stages identified in the Procurement cycle below. However, the extent to which each stage is followed will be related to the likely social, economic and environmental implications of the particular procurement project.

The 3 main priorities in terms of sustainability are :-

- Identifying the real business need
- Defining the procurement approach (including specification of requirements)
- Tender evaluation

### The Procurement cycle



**N.B.** Further details on what is involved at the different stages of this cycle can be found at Section 4 of this document, along with Appendices 1A and B and Appendix 2

## **- Identify real business need**

Is there a definite need for the product or service by the Council?

At this stage, sustainable alternatives to procurement could be considered such as cutting down on waste and repairing or recycling existing goods. Do products/services of a similar nature already exist within the Council that would satisfy the needs? Are the products/services being procured elsewhere and is there scope to collaborate? Can the service be undertaken in-house?

## **- Defining the procurement approach**

At this stage, assessment of market complexity in terms of numbers, capacity, capability, location and interest levels of suppliers will help define suitable sustainable procurement strategy options. These are assessed in terms of their ability to satisfy the defined business needs which leads on to the production of a strategy by the Lead Officer which will require approval of the relevant stakeholders. Areas covered by the strategy would include :-

- **Strategic fit** – How well does the proposed way of meeting the requirement support the Authority's current objectives and priorities? Does the scope need to change?
- **Options** – Has a wide range been explored, including innovation and/or collaboration with others \*? How do they compare in terms of benefits, costs and risk?
- **Achievability** – Can this project be achieved with the Authority's current capability and capacity
- **Value for money** – Can this be obtained from proposed sources of supply such as current suppliers? Does the project need to be made attractive to a wider market?
- **Affordability** - Is the budget available to deliver what is required? If not, can the scope be reduced or delivery extended over a longer period of time or funding sought from other sources?
- **Packaging of contracts** – Where applicable, is there scope to divide the project into lots to increase opportunities for SMEs to bid for the work, i.e. splitting into geographical lots, different categories of work etc.?

The next step in the process involves translating the business need into measurable performance criteria and it is at this stage that officers have the greatest scope to include sustainability criteria within their requirements. However care should be taken to ensure that any such criteria do not distort competition and if you are in any doubt, contact the Procurement Unit who, with support of Legal Services, can provide you with appropriate advice.

### Step 1      **Drawing up a specification**

The specification must clearly address the business need together with all sustainability considerations being they economic, environmental or social and care must be taken to ensure that all requirements are factored in prior to going out to competition as any change to the requirement at a later stage in the process could necessitate a re-tender. Equality and language requirements should also be clearly outlined at this stage, where applicable to the project (see 4.3 and 4.5 below) and time allowed in the planning process to arrange translation of all tender documentation

### Step 2      **Setting evaluation criteria**

The criteria to be considered when evaluating tenders have to be listed in the advertisement placed on Sell2wales and must be related to the subject matter of the contract. Examples for consideration expressly permitted by the Public Procurement Directive are quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, aftersales service, delivery timescales etc. It is also important that additional criteria are not listed at a later date as doing so would skew the evaluation process and be a breach of European Union regulations and public procurement policy.

The advertisement to be placed on Sell2wales should also include a statement in terms of the price / quality ratio (e.g. 60% price / 40% quality) and the relative importance of each of the quality assessment criteria so that suppliers can recognise where best to place their emphasis when responding to opportunities.

#### **- Tender evaluation**

Where tenderers are to be shortlisted via a pre-qualification process, those who have been found guilty, for instance, of breaches of social or environmental legislation or associated matters of professional misconduct can be excluded from the tender process. In addition, where specific requirements or outcomes relating to sustainability have been included at pre-qualification stage, tenderers can be assessed in terms of their ability to meet those requirements at this stage. However, submissions / bids can only be evaluated against pre-determined criteria to which suppliers will have received prior notification.

Award of contracts should be made on the basis of most economically advantageous tender which includes the need to take account of quality considerations as well as price as detailed below :-

- **Price**

The aim of public authorities is to ensure that they deliver value for money in the goods, services and works that they procure and price/quality ratios will differ dependent on the type of procurement being undertaken. The priority therefore should not be securing the lowest price but consideration of the whole life cost which addresses maintenance, operation, disposal i.e. cost over time. Identifying a suitable price / quality split is likely to differ from procurement to procurement and if unsure, contact the Procurement Unit for advice as arriving at a suitable percentage split is an important consideration in the whole process.

- **Quality**

Continuing with the need to consider the most economically advantageous tender (MEAT), when selecting quality criteria for inclusion in a tender, it is imperative that any choices made can be quantified. Examples of possible criteria include :-

- Performance
- Conformance
- Reliability
- Durability
- Environmental characteristics
- Running costs
- Disposal costs
- Cost-effectiveness
- After-sales service
- Technical assistance
- Response times
- Delivery deadlines
- Whole life costs
- Guarantees
- Reliability
- Competence
- Potential for innovation
- Ability to manage risk

#### **4.0 Further considerations within the procurement cycle**

The Council have also recognised the need to consider sustainability in a broader context and will make every effort to address the following areas within its procurement processes :-

#### 4.1 Risk (Stage 2 and 3 of cycle)

Consideration should be given to potential risks of procurement projects failing and necessary safety measures built in to tender documentation. These could include checks on the suppliers' capacity to fulfil the work, arrangements in terms of non-performance and termination clauses. It is advisable that when any contract is put in place following the procurement process, regular review meetings take place with the supplier to ensure that they are continuing to meet our needs and where problems exist, these can be rectified quickly without the need to consider termination of the contract. A clause within the contract documentation outlining consequences of non-performance is therefore advisable so as to ensure that both parties are aware of their responsibilities.

Furthermore, staff must familiarise themselves with new General Data Protection Regulations that came into force in 2018, when preparing tender / contract documentation so as to avoid risk to the Council.<sup>8</sup>

#### 4.2 Use of frameworks (Stage 3 of cycle)

Some generic goods and services may be available to purchase via existing framework agreements, put in place by organisations established specifically to identify collaboration opportunities nationally, such as Crown Commercial Services, Yorkshire Purchasing Organisation etc.. This would avoid the need to undertake a full tender exercise. Liaise with Procurement Unit for details.

#### 4.3 Equality & diversity (Stage 4 of cycle and Well-being objective, Page 4)

It is important that the Council ensure that prior to entering into a contract with suppliers, they are satisfied that no discrimination in terms of race, disability or gender, sexual orientation, religion/belief or age, has taken place within the supplier organisations. Bidders can be excluded from participating in the tender process at the selection stage on certain grounds e.g. convicted of an offence concerning professional misconduct. Such bidders would be asked to demonstrate what rectifying steps it has taken in response to a conviction or finding with a judgement made by the Council on whether the seriousness warrants exclusion. Where equality issues are in any way relevant to the work being undertaken (e.g. contact with customers / clients), clear reference should be made to the requirements in the tender/contract documentation.

#### 4.4 Ethical employment in supply chains (Well-being objective, Page 4)

Procurement staff should consider the contents of the Welsh Government's Code of Practice for ethical employment in supply chains and ensure that appropriate questions are asked within the pre-qualification stage of tenders, where the nature of the project suggests there may be sufficient risk in terms of potential unfair employment practices. All staff involved in procurement are required to undertake the training in relation to the Code which will assist in identifying what risk exists in individual projects.

#### 4.5 Welsh Language (Well-being objective, Page 4)

In line with Council policy, we have a responsibility when advertising contract notices on Sell2wales to do so in both English and Welsh for opportunities below the OJEU threshold level (£181,302). All tender documentation should also be available in English and Welsh. Where language is in any way relevant to the work to be undertaken (e.g. contact with customers / clients, production of literature, signage etc.), clear reference should be made to the language requirement(s) in the tender/contract documentation. Further guidance can be found at the following link :

<https://www.gwynedd.llyw.cymru/en/Council/Strategies-and-policies/Language-and-equality/Welsh-Language-Standards-and-Policy.aspx>

#### 4.6 Supplier engagement (Stage 3 and 4 of cycle)

Gwynedd Council have recognised the need to improve its engagement with suppliers in terms of procurement. A positive step in addressing this issue is the introduction of a link on the Council's

<sup>8</sup> <https://timau/safle/rg/AmdanomNi/SitePages/Hafan.aspx>

website specifically covering Procurement and the tendering process. A copy of this policy will also be available within that link in the future so that suppliers are aware of Gwynedd's stance in terms of the sustainability agenda.

Where appropriate, we will also endeavour to hold more external events with suppliers, whether they be Meet the Buyer events or events related to specific imminent contract opportunities. Business Wales are available to support the Council with any such events when required in order to maximise potential to reach the local as well as national market and the Council's Procurement Consultant for Business support can provide advice in the first instance.

#### 4.7 Community Benefits (Stage 2 and 3 of cycle and Well-being objective, Page 4)

The Welsh Assembly Government have produced guidance for the public sector in terms of this subject which is designed to ensure that procurers take into account potential social and community benefit issues within their processes, in order to ensure not only that procurement provides value for money but provides added value in terms of the local community at the same time (see 2.2 above for the relevant link to the guidance as well as examples of what has been achieved on projects within Gwynedd). For advice and support on this topic, contact the Procurement Unit.

#### 4.8 Reserving contracts

Under the Public Contract Regulations 2015, Regulation 20 'reserved contracts' gives contracting authorities the option to reserve contracts for sheltered workshops or economic operators whose main aim is the social and professional integration of disabled or disadvantaged persons. By broadening the definition to include 'disadvantaged' people the new regulations go further than the previous provisions in the 2006 regulations which stipulated supported businesses were those supporting only the employment of people who are disabled. There is a separate 'reserved' contracting provision under Regulation 77 which deals with 'reserved contracts for a limited range of services' and is restricted to organisations meeting particular organisational requirements and has separate and specific contractual limitations.<sup>9</sup>

#### 4.9 Sub-contracting (Stage 2, 3 and 7 of cycle)

Further potential opportunities for the local market exist where, within the procurement process, if a single large contractor secures a high value project, we can encourage within the tender process, that they consider providing sub-contracting opportunities. A facility exists within the Sell2wales website which allows main contractors to advertise for interested parties. Efforts should be made to work with main contractors in terms of securing such opportunities locally where possible. This will also support the Council's aim of 'Keeping the benefit local'. Where possible, we will also endeavour to support the local market to improve their internal procedures and policies to become more competitive in the market. Contact the Procurement Unit for further details.

#### 4.10 'Green' / Ethical procurement (Stage 2 and 3 of cycle and Well-being objective, Page 4)

The spectrum of 'green' / ethical procurement is broad. However, fundamentally it relates to being aware of potential environmental implications that decisions made within the procurement cycle can have and what we can do as an organisation to address this agenda. Examples of this include purchasing food which bears a 'Fair trade' logo, sourcing energy efficient products, asking suppliers what efforts they make to reduce plastic packaging and reduce their carbon emissions. Use of industry standards such as ISO14001 and BREEAM as part of the procurement process will also demonstrate that suppliers are environmentally aware.

#### 4.11 Corporate Social Responsibility (Stage 3+4 of cycle and Well-being objective Page 4)

In terms of the suppliers themselves, the Council should also ensure that we do not contract knowingly with any suppliers involved in any form of exploitation e.g. suppliers who fail to pay their employees the minimum wage, who treat their staff unfairly or whose practices exploit natural

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<http://prp.gov.wales/planners/general/strategy/procstrat/sustainabledevelopment/publicprocurementinwales/equalityanddiversityprocurementcycle/reg20rescont/?lang=en>

resources. The Council also has a responsibility to ensure that all suppliers are treated equally throughout the procurement process and that no favouritism is showed to one above another.

4.12 Contract management / supplier development (Stage 2, 3 and 7 of the cycle)

It is important to remember that the purchaser's job does not stop at award of contract. A responsibility also exists to monitor the performance of the contract not only for the benefit of the Council in ensuring that our needs are being met and that we are achieving value for money but also for the supplier, in ensuring that no barriers exist to hinder their performance and that where issues arise, the Council can work with the supplier to address them and improve the situation as soon as possible. This is particularly true when requesting community benefits as part of specific projects where close contract monitoring and engaging with the supplier is vital to achieve the targets set.

**5.0 Sustainable considerations relevant to type of project – Works, Supplies & Services**

Areas of procurement fall under three headings, those being Works, Supplies and Services, and different considerations and opportunities in terms of sustainability apply to each heading. To act as a reference point, the type and at what point these considerations are required are set out overleaf :-

	WORKS	SUPPLIES	SERVICES
CONTRACT NOTICE	<ul style="list-style-type: none"> <li>Award criteria should be included as part of the contract notice for OJEU level spend and is good practice for sub-OJEU level</li> <li>Where social / community benefits* are to be included within the project, these must be referred to in the contract notice for the opportunity</li> </ul>		
SPECIFICATION	Payment terms** Waste reduction / disposal CSR (Corporate Social Responsibility) Environmental standards (e.g. ISO14001, Green Dragon) BREEAM standards Sub-contracting opportunities Lotting strategy Community benefits* Transport	Payment terms** Waste reduction / disposal CSR (Corporate Social Responsibility) Transport (linked to carbon footprint) Recycled / sustainable product alternatives 'Green' / ethical procurement Reduction of packaging Lotting strategy Community benefits*	Payment terms** Sub contracting opportunities CSR (Corporate social responsibility) Conforming to Council's language needs Travelling costs / expenses Presence in Council area (careful here – seek advice!) Lotting strategy Community benefits*
PQQ	Environmental policies Experiencing of incorporating community benefits Accreditations or equivalent Criminal convictions Environmental offences Ethical employment practices***	Evidence of policies related to product or manufacture Criminal convictions Ethical employment practices***	Environmental policies Accreditations or equivalent Criminal convictions Management systems (to be consistent with Council policy) Equality Policy Ethical employment practices***
ITT / CONTRACT	Performance requirements Ethical employment practices*** Payment terms**	Performance requirements Ethical employment practices*** Payment terms**	Performance requirements Approach from an environmental perspective Ethical employment practices*** Payment terms**
<p>* Social clauses relate to considering opportunities to recruit long-term inactive persons, offering training opportunities (e.g. NVQs, apprenticeships), providing sub-contracting opportunities, investing time in community based projects etc. It is important that the Council's expectations are clear and that these are outlined within the tender documentation. This will help suppliers focus their response accordingly.</p>			
<p>**Payment terms – where sub-contracting opportunities exist within the project, encourage best practice with main contractor to pay its sub-contractors within 30 days.</p>			
<p>***Liaise with the Corporate Procurement Unit for examples of questions / contract conditions in relation to Ethical employment</p>			

**N.B.** If unsure as to what should be included, please contact the Procurement Unit for advice.

## Summary

In summary, whilst complying with relevant legislation in procuring goods, services and works, and in meeting its obligations to consider the sustainability agenda, if relevant and appropriate, Council staff must :-

- Seek innovative solutions which encourage and enable the maximum contribution to the Authority's corporate objectives and priorities
- Ensure that all appropriate staff are encouraged to undertake sustainable procurement training to support them to make informed decisions in relation to sustainability issues during the whole procurement process. This will include all staff involved in procurement and recruitment completing training on the Welsh Government's Code of Practice on Ethical employment in supply chains.
- Where scope exists, introduce geographical / category lots for high value contracts to ensure that SMEs are not excluded from bidding for the work
- Ensure that Pre-qualification documentation address sustainability factors where appropriate and are scored where deemed to be essential to the contract
- Ensure that contract opportunities (£50,000+) are advertised on Sell2wales ([www.Sell2wales.co.uk](http://www.Sell2wales.co.uk)) to open up competition and enable all suppliers to have an equal opportunity to tender (whether local or national)
- If tendering for a high value Works contract where insufficient capacity exists locally to fulfil the whole contract, include a request for the contractor to advertise sub-contracting opportunities
- Ensure that tender documentation reflect sustainability factors where appropriate and are considered prior to the award of contracts
- Place a weighting on environmental characteristics in the evaluation process where it is deemed essential to the performance of the contract
- Ensure that consideration is given to whole life cost of products purchased where applicable (e.g. maintenance / running costs and disposal)
- Explore environmentally friendly alternatives and evaluate where appropriate
- Explore re-use of existing products and recycling opportunities
- Ensure that consideration is given to prospective suppliers' environmental credentials and capabilities as part of the selection process where appropriate
- Include criteria to cut down on waste and reduce amount of packaging
- Award on the basis of most economically advantageous tender unless it has been pre-determined that quality is not a deciding factor
- Work with suppliers to reduce the environmental impact of goods and services provided and encourage them to recognise their own responsibilities to address the sustainability agenda
- Ensure that consideration is given to prospective suppliers' record in terms of fair work practices for their staff
- Promote the existence of this policy both with internal staff and external suppliers

## **6.0    *Assessing results***

The Procurement Unit will be seeking evidence that sustainability considerations have been made as part of procuring projects under the control of the Council's Services.

### **Supporting information:-**

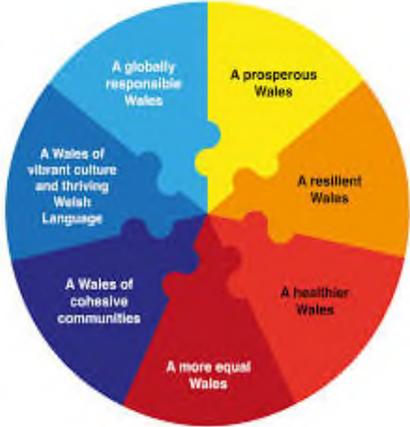
Appendix 1A    Sustainability Checklists for Goods

Appendix 1B    Sustainability Checklists for Works/Services

Appendix 2    Keeping the benefits local Checklist

## Appendix 1A : Sustainability Checklist for Goods

Please complete and send to Procurement Unit or complete within the workflow on E-tenderwales. Where the response is 'No', please explain your reason why in the right column

<p><b>The Wellbeing of Future Generations (Wales) Act Objectives and 5 ways of working</b></p>  <p><b>Long-term</b> The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs</p> <p><b>Integration</b> Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies</p>	<p><b>PRIORITY</b></p>	1	Is there a contract / framework that exists which can fulfil my needs?	Check with Procurement Unit* – Yes? <b>No further action necessary</b>	No? - Proceed 	
		2	Has the whole life cost of the product been considered (e.g. running costs, maintenance, disposal at end of life)?	Yes? - Proceed	No? – Revisit budget	
		3	Has a clear specification been produced which will enable suppliers to tender?	Yes? - Proceed	No? – take care! Amendments at a later date could necessitate a re-tender	
	<p><b>ADVERTISING</b></p>	4	Have you completed the PQQ template on Sell2wales?	Yes? - Proceed	No? – This is a useful tool which will help to identify suitable questions to use as your pre-qualification	
		5	Have you ensured that your tender documentation is available bilingually?	Yes? - Proceed	No? – Council policy requires that documentation is available bilingually, the only exception being for OJEU adverts or highly technical documents	
		6	If this opportunity equates to the Council's tender value (£50,000), do you intend to advertise it on Sell2wales?	Yes? - Proceed	No? – All opportunities exceeding £50,000 should be advertised on Sell2wales	
		7	Are you using E-tenderwales to run your tender process?	Yes? - Proceed	No? – Best practice is to move away from paper based tendering.	
	<p><b>ENVIRONMENT</b></p>	8	Does the specification attempt to reduce environmental impact issues? (e.g. stipulate that suppliers should minimise / dispose of packaging responsibly, avoid single use plastic, use of easily recyclable materials, whether they have an environmental policy/accreditation, what efforts they make as an organisation in terms of addressing sustainability e.g. disposal of waste, reduction of carbon emissions, conserving energy use, use of sustainably sourced materials etc)	Yes? - Proceed	No? – Be conscious of the opportunity that exists here and make the most of it	
		<p><b>MANAGING RISK</b></p>	9	Have necessary precautions been taken within the tender documentation to ensure that suppliers have not been found guilty of any form of discrimination?	Yes? - Proceed	No? – see the ESPD template within Sell2wales for suitable questions

<p><b>Involvement</b> The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves</p> <p><b>Collaboration</b> Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives</p> <p><b>Prevention</b> How acting to prevent problems occurring or getting worse may help public bodies meet their objectives</p>		<b>10</b>	Has the element of risk been addressed (e.g. have regular review meetings, contract monitoring and targets been included that the supplier will be required to adhere to. Is it necessary for suppliers to hold certain accreditations to fulfil the project)?	Yes? - Proceed	No? – It is vital that such elements are included to avoid risk to the Council	
	<b>SCORING</b>	<b>11</b>	Has an evaluation matrix been produced to enable suppliers to identify against which criteria their submission will be scored?	Yes? - Proceed	No? – It is important that this is included within the tender documents and advertisement on Sell2wales	
	<b>LOCAL MARKET</b>	<b>12</b>	Does scope exist to attract interest from small local businesses to this project? If it is a large project, is it possible to split the contract into smaller lots / categories? Has this been considered?	Yes? - Proceed	No? – Where scope exists, this supports the Welsh Assembly Government's Opening Doors Charter and Council's Keeping the benefit local project	
		<b>13</b>	Dependent on the project value, has consideration been given to holding a Supplier event to highlight the opportunity with the aim of increasing competition and including the local supply market?	Yes? - Proceed	No? – Contact *PU for advice and who can put you in touch with Business Wales	
	<b>AWARDING THE WORK</b>	<b>14</b>	To try to ensure value for money, we endeavour to award contracts on the basis of price and quality. Has this been identified in the tender documentation?	Yes? - Proceed	No? – Price AND quality should be considered	

(\* PU : Procurement Unit Ext. 32787\*)

**Appendix 1B: Sustainability checklist for Works/Services**

Please complete and send to Procurement Unit or complete within the workflow on E-tenderwales. Where the response is 'No' please explain your reason why in the column indicated :

PROJECT :

SERVICE / UNIT :



<p><b>The Wellbeing of Future Generations (Wales) Act Objectives and 5 ways of working</b></p>  <p><b>Long-term</b> The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs</p> <p><b>Integration</b> Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies</p>	<p><b>PRIORITY</b></p>	1	Do resources and expertise exist internally to provide what is required?	Within organisation – Yes No further action	Sourced externally? Proceed	
		2	Has sufficient engagement taken place to ensure that user requirements will be met?	Yes? - Proceed	No? – Identify interested parties	
		3	Has a clear specification been produced which will enable providers / contractors to tender?	Yes? - Proceed	No? – Take care! Amendments at a later date could necessitate a re-tender	
	<p><b>ACCREDITATIONS</b></p>	4	Do contractors/providers require any specific accreditations to be able to tender for this work and if so, have these been identified clearly in the specification?	Yes? - Proceed	No? – If accreditations are required, these must be identified beforehand in the tender	
		<p><b>ADVERTISING</b></p>	5	Have you completed the PQQ template on Sell2wales?	Yes? - Proceed	No? – This is a useful tool which will help to identify suitable questions to use as your pre-qualification
	6		Have you ensured that your tender documentation is available bilingually?	Yes? - Proceed	No? – Council policy requires that documentation is available bilingually, the only exception being for OJEU adverts or highly technical documents	
	7		If this opportunity equates to the Council's tender value (£50,000+), do you intend to advertise it on Sell2wales?	Yes? - Proceed	No? – All opportunities exceeding £50,000 should be advertised on Sell2wales	
	8		Are you using E-tenderwales to run your tender process?	Yes? - Proceed	No? – Best practice is to move away from paper based tendering.	

<p><b>Involvement</b></p> <p>The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves</p> <p><b>Collaboration</b></p> <p>Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives</p> <p><b>Prevention</b></p> <p>How acting to prevent problems occurring or getting worse may help public bodies meet their objectives</p>	<b>ENVIRONMENT</b>	9	Where delivery of the service has potential environmental impacts (e.g. waste management, recyclable options, minimising water usage, minimising disposal impact, travel management, use of sustainably sourced materials etc.), has this been addressed in the specification?	Yes? - Proceed	No? – Be conscious how our suppliers can impact on environment	
	<b>RISK</b>	10	Have essential precautions been taken within the tender documentation to ensure that contractors/providers have not been found guilty of any form of discrimination?	Yes? - Proceed	No? – see ESPD template in Sell2wales for suitable questions	
		11	Where applicable, have potential equality and diversity issues been addressed in the specification (e.g. race, gender, language, disability)?	Yes? - Proceed	No? – Be careful to ensure that the service / works will fulfil user needs	
		12	Has the element of risk been addressed (e.g. regular review meetings, contract monitoring and targets included that the provider/contractor will be required to adhere to)?	Yes? - Proceed	No? – It is vital that such elements are included to avoid risk to the Council	
	<b>SCORING</b>	13	Has an evaluation matrix been produced to enable contractors/providers to identify against which criteria their submission will be scored?	Yes? - Proceed	No? – This should be included within the tender documents and detailed on Sell2wales advert	
	<b>LOCAL MARKET</b>	14	Does scope exist to attract interest from small local businesses to the project? If it is a large project, is it possible to split the contract into smaller lots / categories? Has this been considered?	Yes? - Proceed	No? – Where scope exists, this supports the Welsh Assembly Government's Opening Doors Charter and the Councils Keeping the benefit local project	
		15	Dependent on the project value, has consideration been given to holding a supplier event to highlight the opportunity with the aim of increasing competition and including the local supply market	Yes? - Proceed	No? – Contact *PU for advice	
	<b>COMMUNITY BENEFITS</b>	16	For projects exceeding £500,000, if scope exists to request that suppliers give consideration to offering work experience/training opportunities, apprenticeships etc., as part of their tender submission, has this been addressed?	Yes? - Proceed	No? – This is a missed opportunity to help support the local community. Contact *PU	
		17	For projects exceeding £500,000, has consideration been given to explore other types of community benefits (e.g. educational, vocational activities, community engagement etc.)?	Yes? – Proceed	No? – Contact *PU for examples of benefits achieved on previous projects	
	<b>AWARDING WORK</b>	18	To try to ensure value for money, we endeavour to award contracts on a price and quality basis. Has this been noted in the tender documentation?	Yes? - Proceed	No? – Price AND quality should be considered	

(\*PU : Procurement Unit Ext. 32787)

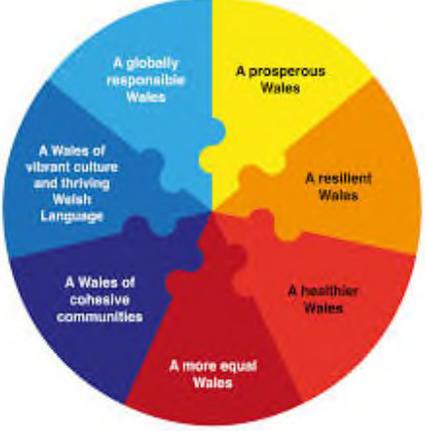
## Appendix 2: Keeping the Benefits Local Checklist

Please complete and send to Procurement Unit or complete within the workflow on E-tenderwales. Where your response is 'No', please explain your reason why in the column indicated

PROJECT:

SERVICE / UNIT:

The following measure will reduce the restrictions for the local market to compete for tendering and sub-contracting opportunities linked with the Council's projects and services. This document has been designed for use alongside the guidance on [Reducing Restrictions to Tendering](#).

<p><b>The Wellbeing of Future Generations (Wales) Act Objectives and 5 ways of working</b></p>  <p><b>Long-term</b> The importance of balancing short-term needs with the needs to safeguard the ability to also meet the long term needs</p> <p><b>Integration</b> Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies</p>	<p>Documentation and requirements of the tender/contract</p>	1	Has consideration been given to ensure that the service requirements, accreditations or thresholds included/requested in the tender do not unnecessarily restrict the local markets ability to compete for the contract?	Yes? Continue	No? A meeting should be held with relevant officers and, when appropriate, with the local market to discuss the requirements of the brief.	
		2	Are the criteria balanced in terms of price and quality? A heavy emphasis on price is likely to favour large businesses.	Yes? Continue	No? Consider what aspect of the tenderers ability to deliver the service can be assessed and what weighting this should hold when evaluating the tender applications.	
		3	Has consideration been given to asking tenderers to demonstrate how they would deliver the service or project rather than requiring them to provide three or more examples of similar projects or service that they have delivered so that new businesses are not restricted from competing?	Yes? Continue	No? - Consider if it would be possible for the providers to demonstrate their ability to deliver the contract through associated experiences, or does the risks associated with the contract require direct experiences to be evidenced.	
		4	Is the project of a sufficiently size to consider sharing or packaging the contract into categories of work or specific geographic areas, and has this been considered? This would enable small and medium-sized businesses to compete. Have you considered the need to restrict the number of packages one provider can win in order to prevent one provider from dominating the local market?	Yes? Continue	No? Consider if local businesses are able to compete for the work as currently packaged? If not could the contract be divided, and if so how could this be done and what would be the effect of restricting the number of packages one provider can win i.e. could this increase the cost of the service.	
		5	(i) Have you used the PQQ tool to create a Pre Qualification Questionnaire? This would regulate and facilitate the procedure for providers. (ii) Have you checked the questions created through the PQQ tool to ensure that they are suitable and necessary?	(i) Yes? Continue  (ii) Yes? Continue	No? A PQQ package is available through the Sell2Wales system, contact *PU for assistance.	
		6	Do the tendering questions describe what the tenderers are expected to provide in their responses? Doing this effectively will reduce the likelihood of quality businesses losing out on work due to lack of understanding of the tendering processes and requirements.	Yes? Continue	No? Guidelines and assistance on preparing descriptive questions are available through *PU. See ' <a href="#">Reducing Restrictions to Tendering</a> ' guidelines.	
		7	Has a summary of the opportunity been prepared at the beginning of the tendering documentation, which includes details on the value and length of the contract and a short summary of the requirements including any accreditations?	Yes? Continue	No? Preparing this summary will enable prospective tenderers to easily and quickly assess the requirements of the contract and if required access assistance to compete for the work.	

<p><b>Involvement</b> The importance of involving people with an interest in achieving well-being goals, and ensuring that those people reflect the diversity of the area which the body serves</p>	<p>Joint applications and subcontracting</p>	8	Would the opportunity be suitable for encouraging joint applications, and are there plans in place to provide support? Encouraging and providing support can lead to small businesses and enterprises sharing specialisation and capacity in order to compete.	<p><b>Yes?</b> Continue</p>	<p><b>No?</b> If suitable for joint bids, assistance is available for businesses and enterprises through the Wales Cooperative Centre, as well as information and guidelines on the Council's Procurement Website. Contact *PU to discuss this further.</p>	
		9	Have you considered included sub contracting clauses in the agreement that would require the main contractor to:- (i) hold a "meet the buyer" event to encourage local businesses to compete for sub-contracting opportunities (ii) report on the percentage of sub-contracting expenditure on the project with businesses from Gwynedd, North Wales and Wales. (iii) Commit to adopt Fair Payment Practices such as the <a href="#">Construction Supply Chain Payment Charter</a> .	<p><b>(i) Yes?</b> Continue</p> <p><b>(ii) Yes?</b> Continue</p> <p><b>(iii) Yes?</b> Continue</p>	<p><b>No?</b> Gwynedd's economy consists of mainly of Micro SME's and therefore the local benefit from the Council's contracts are often delivered through subcontracting opportunities that need to be promoted and measured. Contact *PU for advice and support to including and monitoring these clauses.</p>	
<p><b>Collaboration</b> Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives</p>	<p>Preparing the market and providing support</p>	10	Do you have plans in place to engage with the local market to raise awareness of tendering and sub contracting opportunities? This engagement should include an opportunity for the market to provide comments on any restriction for them to compete as well as what assistance would be beneficial. This engagement can through written and telephone correspondents with current and potential providers, meet the buyer events, utilising social media and S2W etc.	<p><b>Yes?</b> Continue</p>	<p><b>No?</b> Contact the Business Liaison Coordinator of the *PU (extension 32213) for assistance and resources to engage with the market.</p>	
		11	Have you shared information about the opportunity with the *CPU so it can be too included on the tendering list which is live on the Council's website? The aim this list is to allow potential tenders identify and prepare for upcoming opportunities.	<p><b>Yes?</b> Continue</p>	<p><b>No?</b> Contact the *PU or forward information to <a href="mailto:HuwGriffiths@gwynedd.llyw.cymru">HuwGriffiths@gwynedd.llyw.cymru</a> as soon as possible when planning to release a tender for a new or existing contract.</p>	
		12	Do you have any plans to provide support on tendering processes and requirements i.e. look to collaborate with Business Wales to hold workshops on how to complete a quality tender application, hold a meet the buyers event etc.	<p><b>Yes?</b> Continue</p>	<p><b>No?</b> Contact the Business Liaison Coordinator or the *PU (extension 32213) for assistance and advice.</p>	
<p><b>Prevention</b> How acting to prevent problems occurring or getting worse may help public bodies meet their objectives</p>	<p>Time to compete and grow</p>	13	Have you planned to advertise the tender for a sufficient period of time to give businesses the opportunity to prepare a good quality tender application? 30 days is suggested as a reasonable timescale.	<p><b>Yes?</b> Continue</p>	<p><b>No?</b> You will likely need to alter your work programme / timetable in this event.</p>	
		14	Have you planned to allow a period of six weeks or longer between awarding the contract and the time the service will need to begin? Small businesses will often need this time to prepare and possibly grow to deliver the contract requirements.	<p><b>Yes.</b> Continue</p>	<p><b>No?</b> When practicable, it will be necessary include this time period as part of the work programme for the contract.</p>	

	<b>Preparing Feedback</b>	<b>15</b>	Have you put sufficient time aside to prepare detailed written feedback to tenderers? (See online guidelines on reducing restriction to tendering for a summary of what should be included in standard feedback).	<b>Yes?</b> Continue	<b>No?</b> Providing detailed feedback is a fundamental part of any procurement process. A lack of feedback will mean that businesses repeat mistakes and will be discouraged from competing for future opportunities.	
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**Notes / Observations:** *(Here you can write notes on the steps taken to encourage and enable the local market to compete, along with details on specific restrictions):-*

**\*Contact PU Business Liaison Co-ordinator Ext. 32213**



