

Social Considerations
in Public Procurement



Social



ANNEX II

Overview of typical applications of SRPP Practices in the EU Member States as collected through the survey questionnaire



Directorate General
for Employment,
Social Affairs and
Equal Opportunities



International Training Centre

COMPARATIVE ANALYSIS OF EU MEMBER STATES ANSWERS TO THE SRPP SURVEY QUESTIONNAIRE

SOCIAL CONSIDERATIONS INTO THE LEGAL AND POLICY FRAMEWORK FOR PP AND THE ORGANIZATIONAL STRATEGY FOR PP

THE LEGAL FRAMEWORK FOR SRPP (Section I.A)

AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body:

Concerning National and Regional Laws, regulations and decrees, the C.A. lists:

- § 2 Z 20 BVergG 2006
- § 19 BVergG 2006
- § 84 BVergG 2006
- § 2 Abs 1 BB-GmbH-Gesetz

AT Federal Ministry of Economics and Social Labour: Concerning National Laws, Regulations and Decrees, the C.A. mentions the Federal Law on Public Procurement.

AT Federal Chancellery: About National Laws, Regulations and Decrees, the C.A. mentions:

- §§ 19 (6), 21, 84, 87 Federal Law on Public Procurement (BVergG 2006);
- § 2 (1a) Federal Law establishing a Central Purchasing Body (Bundesbeschaffungs-GmbH-Gesetz - BB-GmbH-G)

The BVergG 2006 is applied to all procurement procedures whether they are central, regional or local.

DA Federal Ministry of Labour and Social Affairs: National laws, regulations and decrees:

- Gesetz gegen Wettbewerbsbeschränkungen (GWB): Act against Restraints on Competition
- Vergabeverordnung (VgV): Regulation on Public Procurement
- Verdingungsordnung für Leistungen – Teil A (VOL/A): Regulations on Tender Procedures for Supplies and Services
- Vergabeordnung für Bauleistungen – Teil A (VOB/A): Regulations on Tender Procedures for Public Works
- Verdingungsordnung für freiberufliche Leistungen (VOF): Regulations on Tender Procedures for Services by Free-Lancers

Regional laws, regulations and decrees:

- Rules for paying off the executing personnel in according to the relevant tariff and special procurement regulations.
- Provisions for special conditions relating to the performance of a contract.
- Danish Competition Authority has published a guideline that is available on web site: <http://www.ks.dk/udbud/vejledning/>. This guidelines is about social requirements in EU call for tenders

The Danish Commerce and Companies Agency (DCCA) – www.eogs.dk - is preparing an action plan on CSR. For further information contact Sofie Pedersen/DCCA +45 22485975 or

<spe@eogs.dk>

DE Procurement Agency of the Federal Ministry of the Interior: About national laws, regulations and decrees, the C.A. mentions:

- VOL/A – Verdingungsordnung (Procurement Regulation) (relevant §§ are 4, 5, 7, 10, 25)
- Federal Directive regarding contract award for disabled institutions, from May 10 2005
- Federal Cabinet Decree on energy-efficient procurement, from Jan 23, 2008
- Federal Initiative on medium-sized undertakings, from July 2006

About legal challenges to the use of SRPP in Germany or in the organization, see court rulings on social dumping prevention laws, decided by European Court of Justice -- ECJ C-346/06.

DE Bundesamt für Wirtschaft und Ausfuhrkontrolle : The contracting authority mentions relevant National laws, regulations and decrees.

- Gesetz gegen Wettbewerbsbeschränkungen (GWB): Act against Restraints on Competition
- Vergabeverordnung (VgV): Regulation on Public Procurement
- Verdingungsordnung für Leistungen – Teil A (VOL/A): Regulations on Tender Procedures for Supplies and Services
- Vergabe- und Vertragsordnung für Bauleistungen – Teil A (VOB/A): Regulations on Tender Procedures for Public Works
- Verdingungsordnung für freiberufliche Leistungen (VOF): Regulations on Tender Procedures for Services by Free-Lancers

With regards to regional laws, regulations and decrees, the contracting authority mentions rules and special procurement regulations

ES IHOBE, Basque Country Government: About national laws, regulations and decrees, the C.A. mentions the Public Sector Contract Law 30/2007

About regional laws, regulations and decrees, the C.A. mentions the Motion regarding the Fair Trade Promotion of 12th June 1995 (Basque Country)

ES Diputació de Barcelona: About national laws, regulations and decrees, the C.A. mentions the Public Sector Contract Law 30/2007, art.102

FI Public Procurement Advisory Unit: national laws including SRPP requirements are:

- National procurement Act,
- Act on Public Contracts (348/2007)
- Act on Public Contracts by Contracting Authorities in the Water, Energy, Transport and Postal Services Sectors.

FI City of Espoo: The organization mentions, as national laws, regulations and decrees, the Act on Public Contracts, chapter 2, section 14: "Reserving public contracts for sheltered workers".

FR Ministry of Environment and SD (MEDDAT)

- Code des marchés publics: articles 5, 6, 10, 14, 15, 44 à 46, 53-I and 53-IV.
- Law n° 2005-102 du 11 février 2005 for equal rights, for the participation and citizenship of disabled people. There is the obligation to hire 6% of disabled people if there are more than 20 employees. If this law is not respected, the lawbreaker pays a sanction. (Articles L323-8 et L323-8-6-1 du code du travail).
- Article 216-10 du code de l'éducation: school suppliers should give information about the respect of international conventions on child labour.
- Legal challenges to the use of SRPP in France and/or in the organization: Case Law (Tribunal administratif de Strasbourg, Préfet du Bas-Rhin contre Communauté urbaine de Strasbourg 1999 ; Conseil d'Etat arrêt « commune de Gravelines » 2001 ; Tribunal administratif de Bordeaux arrêt « commune de Bègles » 2006) about the use of the clause called "du mieux-disant social". Nb: au moins disant > lowest price....)
- A guide (July 2007) explains how to legally apply criteria for the employment of unemployed people. The above mentioned jurisprudence doesn't prevent the use of these criteria. They are promoted with a special procedure (article 30 of the Code des marchés publics) or with execution clauses (article 14 du code des marchés publics). The execution clause can be linked to the award criteria (art 53-1 of the Code des marchés publics) provided the corresponding weight is minor.
- Consult the web site:

http://www.minefe.gouv.fr/directions_services/daj/oeap/documents_ateliers/personnes_eloignees/guide_commande_publice_acces_emploi_personnes_eloignees.pdf

FR Ministry of Finance (MIFA): All seven social considerations indicated in the questionnaire are addressed in the national legislation.

- Law n°2005-105 of 11/02/05 on the employment of handicapped people provides an obligation for the employment of 6% of handicapped people in enterprises and public administrations. Non-compliance is pursued with financial penalties, which can be reduced in proportion to the volume of purchases from entities employing a majority of handicapped people.
- Code de marches publics (decret n° 2006-975 of 1/08/06) art.5,10,14,15,30 and 53-I and IV)
- Code de l'éducation (educational code) art. 216-10 requires that suppliers to public schools complies with the international conventions on child labour
- At regional/local level there regulations/deliberations concerning the promotion of employment opportunities, which apply the provisions of art. 14, 15 and 30 of the Code de marches publics.
- The case law before the publication of the Code des marches publics condemned the use of social considerations in PP (several decisions are mentioned in the questionnaire). The Code 2006 is clearer and its application is facilitated by a guide "PP and access of unemployed people to employment opportunities", drafted under the guidance of the Economic Observatory for Public Procurement (direction of Legal Affairs of the Ministry of Finance) which provides legal assistance and advise to the procuring entities

FR Ville d'Angers: The Code des marchés public (CMP) 2006 gives the opportunity to take into account social considerations: art 5, art 45, art 14, art 53, art 6, art 30, art 15 etc. Concerning the legal challenges to the SRPP, Ville d' Angeres mentions the EU Case Law and the State Council (23-02-2005), which invalidated article 30 of CMP. Fortunately, this article has been reintegrated during summer 2005.

FR Ville de Lille : About National Laws, Regulations and Decrees, the C.A. mentions:

- Loi n° 2005-102 du 11 février 2005 for equal rights, for the participation and citizenship of disabled people. There is the obligation to hire 6% of disabled people if there are more than 20 employees. If this law is not respected, the lawbreaker pays a sanction. (Articles L323-8 et L323-8-6-1 du code du travail).
- Code des marchés publics (décret N° 2006-975 du 1/08/06) art. 5, 10, 14, 15, 30 et 53-I et IV.
- Code de l'éducation (art. 216-10) : school suppliers should give information about the respect of international conventions on Child labour

About Regional or Local Laws/Regulations/Decrees, the C.A. mentions different deliberations from local communities.

The case law before the publication of the Code de marches publics condemned the use of social considerations in PP. The Code 2006 is clearer and its application is facilitated by a guide "PP and access of unemployed people to employment opportunities", drafted under the guidance of the Economic Observatory for Public Procurement (direction of Legal Affairs of the Ministry of Finance) which provides legal assistance and advise to the procuring entities.

FR Communauté de l'Agglomération Rouennaise : About national laws, regulations and decrees, the organization mentions:

- Loi n° 2005-102 du 11/02/05 about the employment of disabled people (enterprises and administrations must hire 6% of disabled people). If this law is not observed, there is a penalty that can be reduced proportionally to purchases realized with an organization that hire mainly disabled people.
- Code des marchés publics (décret N° 2006-975 du 1/08/06) art. 5, 10, 14, 15, 30 et 53-I et IV.
- Code de l'éducation (art. 216-10): it compels tenderers of the market of scholastic supplies to respect international conventions about child labour.

About legal challenges to the use of SRPP in France and in the C.A., the local authority affirms that:

- The case law before the publication of the Code de marches publics condemned the use of social considerations in PP : Tribunal administratif de Strasbourg 1999 (Préfecture / Communauté urbaine de Strasbourg), Conseil d'Etat 2001 (Commune de Gravelines), Tribunal administratif de Bordeaux 2006 (Commune de Bègles).
- The Code 2006 is clearer and its application is facilitated by a guide "PP and access of unemployed people to employment opportunities", drafted under the guidance of the Economic Observatory for Public Procurement (direction of Legal Affairs of the Ministry of Finance) which provides legal assistance and advise to the procuring entities.

HU Equal Treatment Authority: About national laws, regulations and decrees, the C.A. mentions: Article 4 (15), (33/A), (36/B), Article 17/A, Article 53 (6) (8), Article 58 (2) of Act

CXXIX 2003 on Public Procurement. See web site http://www.kozbeszerzes.hu/index.php?akt_menu=223&details=393.
The C.A. is aware of legal challenges which have the aim to encourage the inclusion of little and middle organizations.

HU Public Procurement Council and Ministry of Social and Labour Affairs: About national laws, regulations and decrees, the C.A. mentions: Article 4 (15), (33/A), (36/B), Article 17/A, Article 53 (6) (8), Article 58 (2) of Act CXXIX 2003 on Public Procurement (see web site http://www.kozbeszerzes.hu/index.php?akt_menu=223&details=393)
See also the Government Decree No. 302/2006 on detailed regulations of public contracts reserved for sheltered employers

IT Authority for the supervision of public contracts for works , services and supplies (IT): National laws, regulations and decrees including SRPP requirements are:

- *Promoting employment opportunities*
Dlgs 163/2006 art. 90 comma 7; DPR 554/99: Promozione giovani professionisti agli appalti di servizi di ingegneria.
L 382/1991 Cooperative sociali di tipo B
Dlgs 460/1997: Organizzazioni non lucrative di utilità sociale
L 118/2005; Dlgs. 155/2006: Imprese Sociali
Codice dei contratti pubblici Art 52: Appalti riservati
Codice dei contratti pubblici Art 69: "Clausole sociali"
Autorità di Vigilanza sui Contratti Pubblici: Determinazione 2/2008 "Indicazioni operative sugli appalti riservati"
- *Decent work*
Codice dei contratti:
Art. 87, comma 3 e 4 per la tutela dei minimi salariali e dei costi per la sicurezza
Art. 86 comma 3 bis e 3 ter (i costi della sicurezza non possono essere soggetti a ribasso d'asta)
Art. 118, comma 6 bis (rilascio del DURC per contrastare il lavoro sommerso e irregolare)
L 266/2002 e successive modificazioni: normativa sul DURC (documento unico per la regolarità contributiva)
Dlgs 276/2003: Attuazione delle deleghe in materia di occupazione e mercato del lavoro, di cui alla legge 14 febbraio 2003, n. 30
Art. 7 e art. 13 del DM 145/2000 Capitolato generale d'appalto per i ll.pp.
- *Promoting "Accessibility by All"*
L 13/1989: Normativa sulle barriere architettoniche

IT Sotral SPA: National laws, regulations and decrees:

- CCNL Trasporti, (1/7/00) contratto collettivo nazionale del Lavoro;
- L.300/70 (20/05/70) Statuto dei lavoratori;
- L. 236/93 (19/7/93) Collocamento-mercato del lavoro;
- D. Lgs 345 (4/8/99) Apprendistato, Tutela del Lavoro dei bambini e adolescenti;
- L. 108/90 (11/5/90) Licenziamenti Individuali;
- L. 863/84 (19/12/84) Cassa Integrazione Guadagni;
- L. 903/77 (9/12/77) Parità trattamento uomo Donna;
- D.Lgs 645/1996 (25/11/96) Delle gestanti, puerpere e in periodo allattamento;
- D. Lgs. 626/94 (19/9/94) Salute e Sicurezza;

- D. Lgs. 242/96 (19/3/96) Miglioramento Salute e Sicurezza;
- D. Lgs. 196/03 (30/12/03) Codice della Privacy;
- D. Lgs. 155/97 (26/05/97)
- Attuazione delle direttive 93/43/CE e 96/3/CE concernenti l'igiene dei prodotti alimentari.

LT Ministry of Social Security and Labour:

Law on Public Procurement of the Republic of Lithuania approved on 6 September 1997, No. I-1491, last amended by 18 October 2007, No. X-1298, Articles 13 and 87.

In 2007, by the initiative of the Ministry of Social Security and Labour, the analysis of legal acts was conducted in order to identify whether there are legislative constraints for the CSR development. According to the results of the study, the Law on Public Procurement provides enough space and opportunities for a purchasing body to include social and environmental clauses into the purchasing criteria. For the moment this is not regulated precisely by the Law per se but could be required on voluntary basis into the Contract Documents and Technical Specification by the purchasing body.

The major challenges are:

- absence of precise monitoring or control mechanism with regards to the implementation of the Article 87 of the Law on Public Procurement;
- absence of guiding principles and methodological materials clarifying in which way and to what extent a purchasing body can include social and environmental clause into the purchasing criteria.

PL Public Procurement Office: The basic legal act about rules and procedures relating to PP is the Public procurement law of 29 January 2004, with subsequent amendments. The contracting authority may, but IS NOT OBLIGED TO, apply social criteria and requirements.

- **Observance of the Labour Law provisions, including those concerning social insurance and working conditions**
The contracting authorities must exclude, from tender award, contractors who are in arrears with payment of social insurance or health insurance premiums, and contractors who have been validly sentenced for an offence against the rights of people performing paid work.
- **Promoting "Accessibility by All" and taking into account other social aspects**
There are specific methods of describing the object of the contract that gives the possibility to take into account some social concerns. Although it is not specified directly in the Public Procurement law, it's possible to consider social criteria in the MEAT.
- **Improving SME's access to public procurement.** From this point of view, Public procurement law contains also provisions which are particularly important.
 - Possibility to award contract in the form of separate lots (Art 32 .4 and Art 83.2);
 - Possibility to confer the part of the contract to the subcontractor;
 - Possibility to conclude framework agreements (Art 99-101);
 - Possibility to define technical specifications in terms of functional requirements (Art 30.6);
 - More flexible rules for economic operators to prove their technical ability. These rules allow an economic operator to rely on the technical abilities of other companies (Art 22.2).
 - Provisions allowing economic operators to compete for a contract jointly (Art 23)
- **Provisions prohibiting disproportionate requirements.** Art. 25 of the Public procurement law states that awarding authority may require only documents and declarations necessary to conduct procedure.

SK Ministry of Economy of the Slovak Republic: About National Laws, Regulations and Decrees, the entity mentions:

- The Act Nr. 5/2004 on Employment Services and Modification of Certain Acts,

- The Act Nr. 365/2004 on Treatment in some Areas and Protection against Discrimination and Modification of Certain Acts (Anti-Discrimination Act)
- The Act Nr. 25/2006 on Public Procurement and on Modification and Amendment of Certain Acts.

On Regional level there is a strong support for social projects (to help long term-unemployed people a particular attention for SMEs has been improved)

SL Ministry of Finance: The organization mentions the Public Procurement Act: articles 39, 40 and 48

SV City of Göteborg, Traffic and Public Transport Authority: the national laws, regulations or decrees that include SRPP requirements are concerning to Decent Work (Convention on the Rights of the Child, article 32; ILO 105 and 29; ILO 170, 155 and 148) and concerning to promotion of fair and ethical issues.

There is a local political decision in the political majority for the entire City of Göteborg concerning child labour, freedom of association and collective bargaining.

The Traffic & Public Transport Authority has to comply with that when it's finally decided in the municipal council.

SV Swedish Social Insurance Agency:

Antidiskrimineringsförordningen (2006:260) is a regulation determined by the Swedish government and regulates compliance with Swedish non-discrimination legislation, forbidding discrimination because of disability, race, religion, ethnic belonging and so on. The regulation obliges 30 national authorities to include non-discrimination clauses in most service and works contracts/ purchases/procurements.

According to the regulation, the authority includes such non-discrimination clauses in its contracts. For more information see the Internet <http://www.riksdagen.se/webbnav/index.aspx?nid=3911&bet=2006:260>

SV County Council of Skåne: relevant laws, regulations and decrees include:

- the Swedish law on Public Procurement SFS 2007:1991, chapter 6;
- The Code of Conduct for Suppliers and the Self Assessment Questionnaire for Suppliers.

Moreover, according to leading procurement lawyers, in Sweden it is legal to ask the suppliers compliance with core ILO conventions, with one article from the UN Children's convention and national legislation.

Swedish law on Public Procurement do not allow contracting authorities to use ethical demands as criteria to select the winning contract.

SV Regional Administration for South-Western Sweden: Relevant laws, regulations and decrees include:

- The new Law on Public Procurement, n. 1091 (promulgated on 2007-11-22). This law regulates procurement in the classical sectors.
- Another law (1092/2007), with similar provisions, regulates procurement in the water, energy, transport and postal services sectors.

SRPP requirements are included in:

- Principles of public procurement (Procuring entities shall treat suppliers in an equal and non-discriminatory manner and shall conduct procurement in an open manner. Principles of mutual recognition and proportionality),
- technical specifications,
- information about taxation,
- environmental protection,
- labour safety and working conditions,
- special conditions for contract performance,
- Alternative bases for award of contract.

SV National Road Administration:

- It's relevant the new Law on Public Procurement (2007:1091), that regulates procurement in the classical sectors,
- Another law (2007:1092), with similar provisions, regulates procurement in the water, energy, transport and postal services sectors.
For more information see the Internet: www.notisum.se/Rnp/SLS/LAG/20071091.htm
- Moreover, there is a decree (2006:260) concerning anti-discrimination conditions in procurement contracts (amended 2007:1101). The decree is binding upon a number of government authorities, e. g. the National Road Administration.
- There is also a general guidance by the Competition Agency on the implementation of the decree (2006:260) on anti-discrimination conditions in procurement contracts.
See the full document in the home page of the Competition Agency, Konkurrensverket, 10385, Stockholm.
<konkurrensverket@kkv.se> Tel. 46-8-7001600

SV Swedish Administrative Development Agency, Verva: The C.A. mentions the Swedish law of Public Procurement.

SV Gothenburgh City Board: About national laws, regulations and decrees, the C.A. mentions the Law (2007:1091) on Public Procurement.

After several revisions of the original law (1992:158), a completely revised new Law (2007:1091) on Public Procurement was promulgated on 2007-11-22.

See web site www.notisum.se/Rnp/SLS/LAG/20071091.htm.

This law regulates procurement in the so-called "classical sectors". Another law, 2007:1092, with similar provisions, regulates procurement in the water, energy, transport and postal services sectors. The following provisions in the law include specific SRPP requirements:

- **Ch. 1, § 9 Principles of public procurement:** Procuring entities shall treat suppliers in an equal and non-discriminatory manner and shall conduct procurement in an open manner. Furthermore the principles of mutual recognition and proportionality shall be observed in procurement.
- **Ch. 6, § 1 Technical specifications:** Technical specifications shall be included in the procurement advertisement, in the solicitation documents or in the supplementing documents. Specifications shall be prepared in accordance with the manner described in §§ 2 and 3. Whenever possible, specifications shall take into account criteria regarding accessibility for persons with functional handicaps and shall be prepared with due consideration to the needs of all users.
- **Ch. 6, § 12 (section 1-2) Information about taxation, environmental protection, labour safety and working conditions:** A procuring entity may indicate in the solicitation documents which authorities can provide information to candidates and tenderers about the rules concerning taxation, environmental protection, labour safety and working conditions which will apply to the works or services included in the contract.
If the procuring entity provides such indications regarding labour safety and working conditions, it shall request the candidate or tenderer to confirm that the tender has been prepared with respect to those conditions.
- **Ch. 6, § 13 Special conditions for contract performance:** A procuring entity may stipulate special conditions regarding social, environmental and other aspects of contract performance. Such conditions shall be included in the procurement advertisement or in the solicitation documents.
- **Ch. 12, § 1 Alternative bases for award of contract:** A procuring entity shall accept either
 1. The tender that is economically most advantageous to the entity, or
 2. The tender with the lowest price.

In assessing which tender is most advantageous, the entity shall take into account criteria which are linked to the purpose of the contract, such as price, delivery and completion times, environmental qualities, costs of operation, cost efficiency, quality, esthetical, functional or technical qualities, service and technical support. A procuring entity shall state, in the advertisement or in the solicitation documents, on which basis the contract will be awarded.

THE POLICY ENVIRONMENT FOR SRPP (Section I.B)

AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body:

General terms of contracts of the Federal Republic of Austria are applied for the supply, implementation, introduction and maintenance of IT-systems and Internet applications and/or other IT – Services. Concerning Guides or Codes of Practice by government relating to the use of SRPP the entity mentions Codes and Guides of the Austrian Federal Ministry of Social Affairs and Consumer Protection.

AT Federal Ministry of Economics and Social Labour: Concerning relevant policy statements, the entity underlines that ILO clauses are binding to all public contracts, and since 2005 a lot of buildings are accessible to disabled people.

The Government indicated its commitment with a declaration of the Austrian Parliament, relating to § 19 of the Law on Public Procurement.

BG Agency for social assistance: The Government Lead Agency that provides leadership and advice on SRPP is the PP Agency. The operational programme HRD establishes linkages between SRPP plan and Government plans.

DA Federal Ministry of Labour and Social Affairs: Guides or Codes of Practice by Government: Soziale Kriterien bei der Vergabe öffentlicher Aufträge – Arbeitshilfe für öffentliche Auftraggeber und sozialwirtschaftliche Unternehmen.

Web site to see the 9-point plan for purchasing of legal and sustainable timber launched by the Danish Ministry for the Environment:
http://www.skovognatur.dk/NR/rdonlyres/BED48B01-359E-4EB8-88EF-B3A817441FEE/17530/eval9_point_plan1.pdf

DE Procurement Agency of the Federal Ministry of the Interior: About Government policy statements requiring or encouraging the use of SRPP see VOL/A – Verdingungsordnung (Procurement Regulation) (relevant §§ are 4, 5, 7, 10, 25).

DE Bundesamt für Wirtschaft und Ausfuhrkontrolle: There is a guide or code of practise published by Government about SRPP.

ES Diputació de Barcelona: Concerning some government policy statements requiring or encouraging the use of SRPP the entity cites the Public Sector Contract Law, 30/2007, art. 102 The Government indicated its commitment to the integration of SRPP with the approval of a National Plan of Green Purchasing (2007), in accordance with European recommendations.

FI Public Procurement Advisory Unit: The Public Procurement Advisory Unit provides free advice on public procurement laws and practices, including advice on social considerations.

FR Ministry of Environment and SD (MEDDA):

- About Government Policy statements requiring or encouraging SRPP there is the National Strategy for Sustainable Development: <http://www.ecologie.gouv.fr/-SNDD-actualisee-.html>
- About Guides or codes of practice by government relating to the use of SRPP: there is the Guide 2007 "Commande publique et accès à l'emploi des personnes qui en sont éloignées": http://www.minefe.gouv.fr/directions_services/daj/oeap/documents_ateliers/personnes_eloignees/guide_commande_publicque_acces_emploi_personnes_eloignees.pdf
- The Government indicated its commitment to SRPP with a National Action Plan (Plan national d'action pour des achats publics durables):

<http://www.ecologie.gouv.fr/IMG/pdf/PNAAPD.pdf>

- The Government Lead Agency is Mission Interministérielle France Achats (MIFA)
- Concerning linkages between any SRPP plan and other Government plans for implementing social policies: the organization mentions:
 - the ANRU (National Agency for Urban Renewal/Reconstruction)
 - The FIPHFP (Fund for the inclusion of handicapped people in the public function)
 - The fight against black labour and child labour.

FR Ministry of Finance (MIFA): The Government Lead Agency providing leadership and advice on SRPP is the Mission Interministérielle France Achats (MIFA) – Secrétariat Général du Ministère de l’Economie, de l’Industrie et de l’Emploi et du Ministère du Budget, des Comptes publics et de la Fonction Publique (Public Procurement Agency from 07/2008)

The commitment to SRPP it’s part of:

- the broader and endorsed national Sustainable Development Strategy: <http://developpement-durable.gouv.fr/> (PNAAPD et suites du Grenelle de l’environnement (Comité Opérationnel n°4 « Etat exemplaire » : travaux en cours)
- the National Action Plan for Sustainable Public Procurement: <http://www.ecologie.gouv.fr/IMG/pdf/PNAAPD.pdf> (see table n° 17, p. 48)
- the Communication of the Council of Ministers of 10/04/08 : <http://grenelle-insertion.fr/userfiles/communication%20MH%208%20avril%20version%20longue.pdf>
- About guide or codes of practices by government relating to the use of SRPP : http://www.minefe.gouv.fr/directions_services/daj/oeap/documents_ateliers/personnes_eloignees/guide_commande_publice_acces_emploi_personnes_eloignees.pdf

About established linkages between any SRPP plan and other Government plans for implementing social policies, MIFA mentions :

- The FIPHFP (Fund for the inclusion of handicapped people in the public function), to which the public administrations that doesn’t accomplish to the rule of 6% of disabled people employed pay a penalty.;
- the ANRU (National Agency for Urban Renewal/Reconstruction), that uses a clause provided by law to guarantee that the workers from the areas to be renewed/reconstructed are employed at least for 5% of the total hours worked in the construction sites of the areas;
- Provisions against use of child labour and black work.

FR Ville d’Angers:

- See the National Action Plan for Sustainable Procurement, which addresses the issue of the eco-responsibility as a whole (environmental social and ethical aspects). Declarations in this respect are often pronounced, and in particular to favour the competitiveness of SMEs.
- Guidelines for SRPP have been issued, see for instance the guide DPEM (for timer, paper, etc.) issues by the Ministry of Sustainable Development. Furthermore, a plethora of guides, websites and best practices on these issues are little by little issued and circulated.
- On the incorporation of social considerations in PP, Central Authorities are lagging behind Local Authorities, which have structured and developed networks and have started to focus/practice SRPP since some time. In fact the Code des marchés, published in 2004, already included a number of instruments favoring SRPP, therefore responsive communities had started to work on these issues upstream.
- The Ministry of Sustainable Development has the coordinating role. However, it needs to reinforce its role on these issues in order to influence the practices of the key actors involved (state -starting from the various ministries - communities, institutions and enterprises...)
- The law of 1/08/2003 on urban planning and renovation and the subsequent national plan on integration, allowed the development of the provisions on employment-integration in public procurement of works and services in the framework of the ANRU funding/subsidization (habitats renewal in sensible areas).

FR Ville de Lille: About relevant policy statement:

- Stratégie nationale de développement durable, see web site <http://www.ecologie.gouv.fr/-SNDD-actualise-html>
- Plan national d’action pour des achats publics durables : see web site <http://www.ecologie.gouv.fr/IMG/pdf/PNAAPD.pdf>
- Communication au Conseil des Ministres du 10/04/08, see web site <http://grenelle-insertion.fr/userfiles/communication%20MH%208%20avril%20version%20longue.pdf>

About Guides or Codes of Practice by Government relating to the use of SRPP: see web site

http://www.minefe.gouv.fr/directions_services/daj/oeap/documents_ateliers/personnes_eloignees/guide_commande_publicque_acces_emploi_personnes_eloignees.pdf

About the commitment of the Government to the integration of SRPP, there is a National Action Plan ([Plan national d'action pour des achats publics durables](#)) and the "Grenelle de l'environnement".

The Government Lead Agency providing leadership and advice on SRPP is the Mission Interministérielle France Achats (MIFA) – Secrétariat Général du Ministère de l'Economie, de l'Industrie et de l'Emploi et du Ministère du Budget, des Comptes publics et de la Fonction Publique – Bat. Colbert – Teledoc 335 – 139 rue de Bercy – 754572 PARIS CEDEX 12.

Concerning linkages between any SRPP plan and other Government plans for implementing social policies, the organization mentions:

- the ANRU (National Agency for Urban Renewal/Reconstruction)
- The FIPHFP (Fund for the inclusion of handicapped people in the public function)
- The fight against black labour and child labour.

FR Communauté de l'Agglomération Rouennaise : About Guides or Codes of Practice by Government relating to the use of SRPP, see web site

http://www.minefe.gouv.fr/directions_services/daj/oeap/documents_ateliers/personnes_eloignees/guide_commande_publicque_acces_emploi_personnes_eloignees.pdf

In 2007, "Alliances Villes Emploi" published a guide about social considerations and promotion of employment opportunities in public procurement.

A web site about SRPP will be created under the supervision of the « Grenelle de l'insertion ».

The Government Lead Agency providing leadership and advice on SRPP is the Mission Interministérielle France Achats (MIFA) – Secrétariat Général du Ministère de l'Economie, de l'Industrie et de l'Emploi et du Ministère du Budget, des Comptes publics et de la Fonction Publique – Bat. Colbert – Teledoc 335 – 139 rue de Bercy – 754572 PARIS CEDEX 12.

This Mission will become the « Agence des Achats de l'Etat » on the first July 2008.

HU Equal Treatment Authority: The Act on Public Procurement provides certain possibilities that might promote the participation of SMEs in public procurement procedures (eg. division into lots, accurate choice of suitability criteria of tenderers).

At policy level, the Public Procurement Council made an action plan to improve the attention of contracting authorities to these legal possibilities (remember the Council issues recommendations and briefings in this respect). However, the organization underlines that none of these instruments are mandatory.

The Government indicated its commitment to the integration of SRPP with the Act on Public Procurement, that was modified, and the new provisions entered into force on 15 January 2006.

The Government Lead Agency providing leadership and advice on SRPP is Közbeszerzések Tanácsa /Public Procurement Council , 1025 Budapest, Margit krt. 85.

HU Public Procurement Council and Ministry of Social and Labour Affairs: The Act on Public Procurement provides certain possibilities that might promote the participation of SMEs in public procurement procedures (eg. division into lots, accurate choice of suitability criteria of tenderers).

At policy level, the Public Procurement Council made an action plan to improve the attention of contracting authorities to these legal possibilities (remember the Council issues recommendations and briefings in this respect). However, the organization underlines that none of these instruments are mandatory.

The Government indicated its commitment to the integration of SRPP with the Act on Public Procurement, that was modified, and the new provisions entered into force on 15 January 2006.

IT Authority for the supervision of public contracts for works , services and supplies: A Lead Agency providing leadership and advice on SRPP is not in place, but article 69 Dlgs. 163/2006 provides that CAs can ask an advice to the Vigilance Authority for PP about the legal admissibility of social considerations in public procurement.

IT Sotral SPA: About Government Policy statements requiring or encouraging the use of SRPP, the organization mentions the Green Paper "Promoting a European framework for Corporate Social Responsibility (presented by the Commission) COM (2001)366.

In Italy Government Lead Agencies providing leadership and advice on SRPP:

- Responsabilità sociale delle Imprese - Ministero del Lavoro e delle Politiche Sociali; See web site: www.lavoro.gov.it;
- Unione Italiana delle Camere di Commercio, Industria, Artigianato e Agricoltura: "I modelli di Responsabilità Sociale nelle Imprese Italiane", Executive summary, Research performed in collaboration with ISVI within the project CSR-SC of the Ministry of Work and Social Policies. See web site: <http://www.adaci.it/Adaci/ServiziSoci/UnionCamere%20ModellidiCSRinItalia.pdf>;
- Ambiente e Territorio, Special Agency of the Chamber of Commerce of Rome has an information desk on Social responsibility of enterprises.

See web site: www.sportellocsr-sc.roma.it

NL Ministry of Housing, Spatial Planning and Environment: The government policy statements requiring or encouraging the use of SRPP is available on the web site www.vrom.nl. Guides or Codes of Practice relating to the use of SRPP are available on web site www.senternovem.nl/duurzaaminkopen. The Government Lead Agency providing leadership and advice on SRPP is : Programma Directie duurzaam inkopen, Ministry of VROM, pobox 20951, 2500 EZ Den Haag, ipc 680

PL Public Procurement Office: There is no guide or code of practice issued by the Government, but the Ministry of Economy prepared, in cooperation with Public Procurement Office, a document entitled: "*The new approach to the public procurement. SMEs, innovation and sustainable development in the public procurement.*" There is no specific guide explaining how to take into consideration questions concerning participation of SMEs in public procurement procedures, but the Public Procurement Office (PPO) provides information for economic operators and awarding authorities. Information is also available on the PPO's website. Economic operators or contracting authorities having questions on the public procurement law can also talk with an expert from the PPO within the helpdesk functioning in the Office. There is no special governmental agency dealing specifically with SRPP. The main institution responsible for public procurement (drafting legislation, control, educational activities etc.) is Public Procurement Office.

SK Ministry of Economy of the Slovak Republic: The Government Lead Agency providing leadership and advice on SRPP is the Office of Public Procurement (Dunajska st 68, P.O.Box 58, 820 04 Bratislava 24, Slovak Republic).

SV City of Goteborg, Traffic and Public Transport Authority: The Government Lead Agency providing leadership and advice on SRPP is the Swedish Environmental Management Council. For more information see the internet www.msir.se/en.

SV County Council of Skåne: the Government Lead Agency providing leadership and advice on SRPP is the Ministry of Environment

SV Regional Administration for South-Western Sweden: Relevant policy statement: Government proposition to Parliament No. 2006/07:128. EU Directive 2004/18/EG of 31 March 2004, Article 26.

Final report of the Public Procurement Committee (Slutbetänkande av Upphandlingsutredningen 2004, SOU 2006:28,).

There are directives from the National Competition Agency (that is the Government Lead Agency providing leadership and advice on SRPP) but not binding on regional administrations.

SV National Road Administration: Relevant policy statements are the Government proposition to Parliament No. 2006/07:128 and the EU Directive 2004/18/EG of 31 March 2004, Article 26.

Remember also the final report of the Public Procurement Committee (Slutbetänkande av Upphandlingsutredningen 2004, SOU 2006:28,).

The Government Lead Agency providing leadership and advice on SRPP is the National Competition Agency.

SV Swedish Administrative Development Agency, Verva: The C.A. mentions the Swedish law of Public Procurement.

SV Gothenburgh City Board: The organization mentions the Government proposition to Parliament No. 2006/07:128.

On the issue of including social considerations in public procurement, the proposition, as well as the law subsequently enacted by Parliament, basically rests on EU Directive 2004/18/EG of 31 March 2004, Article 26. (See provision contained in Ch 6, § 12). The issue remains to be finally discussed and settled once Government has received comments from all interested agencies to the proposals contained in the final report of the Public Procurement Committee (Slutbetänkande av Upphandlingsutredningen 2004, SOU 2006:28, 512 pp – not included here). The Committee – after some hesitation and subject to certain reservations - proposes that the verb "may" is strengthened to the level of "should" with respect to the possibility of introducing contract performance requirements of a social nature.

About Guides or Codes of Practice by Government relating to the use of SRPP, the organization remembers that there are some directives from the National Competition Agency, not binding on local authorities.

The National Competition Agency is the Government Lead Agency providing leadership and advice on SRPP.

THE ORGANIZATIONAL STRATEGY FOR SRPP (Part LC)

AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: Procurement staff trainings are foreseen in the organization to facilitate SRPP implementation in accordance with adopted action plans.

Because of the Austrian legislation, the FPA has to consider social considerations/parameters within the tendering regime.

Further, according to the tender documents of the FPA, the Austrian labour and social regulations have to be observed by all bidders.

AT Federal Ministry of Economics and Social Labour: A lot of action plans to adapt all buildings of the central State to the needs of disabled persons.

CZ Ministry of Labour And Social Affairs: list of priority supplies, works and services with a significant social impact: socio-economic stabilization of geographic and separated communities, publicity of the project ITP, analysis of labour market needs – training and monitoring, life-long learning through means of reintegration into the labour market, quality labour force from abroad, support of the process of creating and developing standards of quality of social services, realization of activities against undeclared work (Ukraine etc.).

DA National procurement ltd: references to SRPP are included in mission statements, but there is no system for monitoring and reporting on SRPP implementation.

An article on social requirements is included in standards contracts. The organization doesn't know how to deal with SPRR in product contracts.

SRPP is relevant on catering services, sustainable timber and fair trade food.

The contracting authority wants to get bio-fuel on the contract.

SRPP is a big issue for customers.

DE Procurement Agency of the Federal Ministry of the Interior:

- Concerning actions/incentives foreseen in the organization to facilitate SRPP implementation in accordance with adopted action plans, the C.A. affirms that they are currently deliberating on how to specifically involve charity undertakings mainly employing for severally physically/mentally handicapped persons into framework contracts, which even concern large capacities of goods and services.
- The operations of the C.A. as a central agency working for various government offices depend on meeting their demand in an economic way. There are already numerous factors contributing to a complicated and expensive procurement process. Further complications would make it even more difficult to meet our targets.

DE Bundesagentur für Außenwirtschaft: SRPP is considered relevant in the sector of Transportation services.

ES IHOBE, Basque Country Government: The Basque Country Government has an Agreement on the incorporation of social, environmental and other public policies criteria in the public procurement of the public administration of the Basque Country. This agreement is the instruction that fixes how and which social and environmental criteria must be included in all the public procurement for all the public sector of the region.

Main Goal:

- To include social, environmental and other criteria related to other public policies in the public procurement of the Basque Country Public Administration and its public entities.

Assessment and monitoring:

- The public departments on employment, social inclusion, social affairs and environment will assess periodically the instruction performance
- The assessment will include the specifications writing, its application in awarding process and its performance.

Instruction Highlight issues:

Subject matter of the contract

The Instruction defines explicitly that the definition of the subject matter of the contract must be defined according the following terms:

- The subject matter of the contract respectful toward the environment
- Whenever the gender perspective is a technical characteristic of the contract, the gender perspective must be include explicitly in the subject matter of the contract. For example: "The subject matter of the contract is to design an urban mobility plan with gender perspective"
- The subject matter of the contract respectful towards the social and working safety and health.

The Instruction add the social and environmental issues because the sustainability approach includes both aspects and the safety and the health working conditions are closely linked with the environmental characteristic of the working place and the environmental characteristics of the products used.

Technical specifications

The Instruction includes that the technical specifications incorporates the gender perspective for avoid the gender discrimination and the Accessibility and Design for All

Award Criteria

- Whenever there is more than one award criterion, these award criteria have to include that the products and services must be well suited for disabled people (whenever this adaptation is above the legal mandatory characteristics).
- Whenever the provision of services defined in the subject matter of the contract has disadvantaged groups as beneficiaries, the characteristics related with the fulfilment of their social needs will be included as an award criterion.
- The Gender Perspective will be included as award criteria whenever this inclusion involves increasing the advantage related to real gender equality.

Contract Performance Clauses

The instruction foresees that the specifications include special contract performance clauses: environmental, social and related with other public policies as well. The aim of the special contract performance clauses is:

- To protect the environment and the working health
- To promote the employment of disadvantaged groups
- To remove the gender inequality in labour market
- To fight against unemployment

Contract performance clauses:

1. Labour inclusion of unemployed people with high difficulties for being employed

The contract performance must include minimum 20% of unemployed people with high difficulties for being employed in the staff that will perform the contract.

Disabled people, women above 30 long term unemployed, household violence victims, mental illness persons, unemployed father or mother of one-parent families, 6 months unemployed immigrants, long term unemployed people (more than one year), unemployed young persons, are some examples of unemployed people with high difficulties included in the instruction.

2. Men and women equality- In the contract performance, the contractor will guarantee the equality among men and women in the work conditions, salary, etc.

- Whenever the staff has less than 40% of women, during the contract performance the contractor must contract at least one more women or transform one woman temporary contract in a contract for an indefinite period.

3. Employment quality and basic labour rights

- At least 30% of the staff for the contract performance must has a contract for an indefinite period

- The contractor must guarantee in the contract performance the respect towards the ILO Core Labour Standards along the production chain of the products.

4. Safety and health in the contract performance for building works and services

5. Environment protection

ES Diputació de Barcelona: Action plans and performance targets: the C.A. gives support to the set-up of and participation to a Fair/Ethical Public Purchases Network, (that is a way to raise the awareness of suppliers and sub-contractors about SRPP).

To facilitate SRPP implementation in accordance with adopted action plans:

- Training of local elected representatives and technical experts.
- Group of work with the representatives of the « Diputació » and representatives of the cities to discuss about Green Purchasing and Responsible Consumption.
- The C.A. started working on SRPP implementation and it wants to involve also local enterprises in the immediate future.

FI City of Oulu: There are a lot of initiatives in this area and a lot of projects the organization wants to increase during 2008, for example to create an official guideline about social criteria in public procurement procedures

FR Ministry of Environment and SD (MEDDA):

- There are action plans and performance targets to favor SRPP: the organization mentions the "Plan ministériel de modernisation de l'achat".
- The products, services and sectors where SRPP is considered most relevant are: construction works, transportation services, catering services, cleaning services, waste recycling, printing and routing/posting.
- A list of priority supplies works and services which a significant social impact is maintained by the organization. More precisely, a list of supply contracts set-aside for enterprises employing disabled people is established.

The organization had considered introducing SRPP into procurement operations but rejected the idea: a lot for the printing and routing/posting was set aside (art 15 of the Code de marches publics) for enterprises employing a majority of disabled people. But, due to time constraints and the fear of breaching the law, the plan was dismissed. However, this type of SRPP has been successfully implemented by decentralized services of the Ministry.

FR Ministry of Finance (MIFA): In the framework of the inter-ministerial plan for the modernization/reform of public procurement, MIFA lunched an initiative for the identification of indicators for environmentally and socially responsible public purchases, based on the analysis of public procurement in France. In order to facilitate SRPP implementation in accordance with adopted action plans, MIFA mentions awareness/information campaigns for procuring entities, training of public procurers, reporting of the outcomes into the performance reports of ministries.

The identified priority sectors for SRPP are: Construction works, Transportation services, Catering services, Cleaning services, Facility Management Services, IT services and Documents management, Disposal of electric and electronic equipment, Logistics, Laundry Services, Routing, (Mis sous pli)

The organization maintains a list of priority supplies, works and services which have a significant social impact, with a particular attention to the sectors in which the employment of disabled people is more positive. It has also considered setting aside contracts of office supplies for enterprises employing handicapped people, but the sector was found not to be a pertinent one.

There are studies conducted by the DARES (Ministry of Labour) and a group of people from MIFA about performance indicators for sustainable procurement (environmentally and socially responsible procurement)

FR Ville d'Angers:

- Institution of an internal focal point (specialized legal advisor) for procurement eco-responsible since 2005, in charge of developing the practices for socially responsible public procurement with the objective of making them a fully established practice in the procurement operations of the entity.
- Specialized legal advisor in charge of training of the DG and of the internal services on sustainable procurement. Awareness raising and tutoring on both the technical and legal level at the time of identification of needs, of the preparation and launch of the tender and of the analysis and evaluation of the offers received. This is performed in close cooperation with enterprises.

- For the social aspects, public works and services are in general considered priority sectors: in particular construction of buildings, public roads, public parks and gardens. For Sustainable Public Procurement in general procurement of supplies is also considered a priority: paper, furniture, office supplies, clothing, food, electronic equipment, lighting, maintenance equipment/items, publications, etc.
- Constraints: some to technical and sharp savoir-fair/know-how limits the introduction of social clauses (employment promotion – social integration) in certain public works. At the environmental level, that depends very much on the market price (and on the volume of the available supply), even if they choose in general a criterion furthermore, it is sometimes difficult to define the eco-responsibility for certain products categories (purchase of CD, DVD, equipment, /outfitters, firebomb...) or services (training in management, in projects...)
- The Code des marchés 2006 provides several instruments for the implementation of SRPP: according to the articles it is possible to incorporate them from the identification of needs to the drafting of the selection criteria: based on the availability of supply, on the way to use such provisions in favor of the collectivity, on the political will/goal, on the budget availability, it is possible to use one article or another one according to the needs.
- The evaluation process it is continuous and demanding: the entity maintains a record of public contracts along with indicators/measures of their outcome/performance: progress are evident in all areas. The entity has chosen to work with all enterprises which respond to its invitation to tender in order to make them aware about environmental-social responsibility and make them working to achieve it. The long term/final objective, whose achievement is difficult and demanding, it is to modify the habits permanently and in deep rather than needing to issue a communication every time an invitation to tender is launched. However, the time and instruments to measure the impact of this policy on the collectivity are still lacking (it seems that an European task force has been set-up to this end)

FR Ville de Lille: To facilitate SRPP implementation in accordance with adopted action plans, the organization mentions:

- Training and awareness
- The creation of an internal organization : a team called « Responsible Purchases » and the participation of the referent to the « Comités Achats »
- Advertising of regional, national or European project: Réseaux des Eco-Maires, du Comité 21, du Groupe Achats Responsables Nord/Pas-de-Calais. Projets européens Procura + depuis 2004 (présidence en 2007) and RESPIRO
- Training for suppliers about the approach of the city to responsible purchasing.
- Training and methods of work assignment of citizens.
- Taking into account criteria of sustainable development in public procurement.
- List of priority supplies, works and services which have significant social impact:
 - Buildings
 - Maintenance of green areas.

About formal assessment/studies of the effects of the inclusion of SRPP in procurement operations, the C.A. affirms that the assessment is not formal but realized in every different situation by the « Thematic Services » when they meet providers. See the steering committees dedicated to the results obtained with social inclusion initiatives in services procurement (green areas, cleanness).

FR Communauté de l'Agglomération Rouennaise :

- The C.A. follows a policy against social and professional exclusion of disadvantaged people: so, from 1997, it includes a provision in its public procurement finalized to the highest employment (article 14 of CMP).
In 2002, the Common Council of the Agglomération Rouennaise deliberated about the importance of using article 14 of CMP in all the territory of the Agglomération, and, after this, 12 cities commissioned the management of this instrument to the Agglomération Rouennaise. Other 5 General Contractors, that are 2 social agencies, a society of mixed economy, the Région Haute-Normandie and the Département de la Seine-Maritime agreed with the Agglomération to give technical and juridical assistance in the use of social considerations. The provision for the integration of disadvantaged groups is an instrument that allows covering transversal topics as employment, tutoring and equal opportunities. This is to help long term unemployed people, young people without skill, people that are on welfare or disabled people. The C.A. observed that a lot of beneficiary of employment advantages are inhabitants of ZUS (Zones Urbaines Sensibles) or CUCS (Contrat urbaine de cohésion sociale).
The provisions for the integration of disadvantaged groups are also an opportunity of recruitment and management of human resources, especially in sectors like buildings and public

works.

Moreover, the C.A. applies, from 2007, article 15 of CMP, that allows to reserve a part of the market to "Etablissements et services d'aide par le travail (ESAT)" that are social and medical centers with the purpose to give work to disabled people and support them in a medical, social and pedagogical way, and to « Entreprises Adaptées (EA) », that are enterprises that hire at least 80% of disabled people.

Actually, there are works in progress to implement also GPP.

- About action plans and performance targets to work towards achievement of the mission statements of the organization, the C.A. mentions: information about the General contractor, social position of tenderers, place of residence, type of employment contract, number of hours of work realized, position of workers after the application of the provision. The C.A. wants to improve the level of work integration and to increase the employment opportunities. After starting to apply the provisions for the integration of disadvantaged groups, 246 000 hours of work have been created, and this correspond to 154 new worksites.
- To facilitate SRPP implementation in accordance with adopted action plans, there is a person in the organization that has a specific task, that is to suggest the General Contractors, to inform and suggest the appointee enterprises about the concrete use of the provision for the integration of disadvantaged groups, to put in relation enterprises and concerned people and to control the realization of the aims prescribed. This is funded by the European Social Fund.
- SRPP is important in these sectors: management of garbage, of telephone calls, of water and of decontamination, management of green spaces, laundry.
- The organization maintains a list of priority supplies works and services which a significant social impact: the C.A. mentions the sectors of buildings and public works.

IT Sotral SPA:

SYSTEMS TO MONITOR AND REPORT ON SRPP IMPLEMENTATION

Sotral has been developing, since 1998, an integrated management system based on ISO 9001 (obtained in 1998), ISO 14001 (2003), SA 8000 (2005) respectively quality, environment and social responsibility voluntary certifications of system and EPD (2004), environmental voluntary certification of its main service (core business: meal transport).

Overall management system for social responsibility according to SA 8000 voluntary certification has been implemented since 2005

➤ Law observance and social responsibility:

Sotral is a member of the Global Compact and has made proper the following set of core values in the areas of human rights, labour standards, the environment, and anti-corruption:

Human Rights

Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights;

Principle 2: make sure that they are not involved in human rights abuses.

Labour Standards

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

Principle 4: the elimination of all forms of forced and compulsory labour;

Principle 5: the effective abolition of child labour;

Principle 6: the elimination of discrimination in respect of employment and occupation.

Environment

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: undertake initiatives to promote greater environmental responsibility;

Principle 9: encourage the development and diffusion of environmentally friendly technologies

Anti-Corruption

Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

Concretely, Sotral is observing the specific laws devoted to staff health and security issues (D.LGS. 626/94) and HACCP for food safety. It is also regularly checking that its clients are also respecting the laws on matter such as the weight of food containers for instance.

The voluntary certification SA8000 requests the respect of the laws, especially in terms of staff rights. Moreover all the procedures of the company are regularly checked within ISO 9001, ISO 14001 and SA8000 management system.

- Quality management system. The main activity of Sotral is carried out on the road. For this reason, the Quality management system based on ISO 9001 keeps under control the procedures for van maintenance. Such procedures contain actions devoted to the van driver security (and consequently the other users of the road) such as brakes or pneumatics checking.
Sotral also developed a procedure that implies to control everyday the weather forecast in order to prevent delays due to snow or rainy conditions. In case of difficult conditions for traffic either the drivers either the catering companies are requested to plan the activity according to likely delays. This procedure warrants that drivers avoid to work (as much as possible) under stressful conditions.
- Environmental management system.
Procedures for regular van maintenance are essential to contain vehicles pollution; moreover they also request the use of a specific environmental friendly detergent to clean the vans that does not need to be rinsed to limit the use of water and to avoid pollution caused by dirty water effluents.
ISO 14001 certification has been obtained in 2003. The first three indicators which have been monitored are:
 - Km by meal ratio, is the number of km driven to bring meal towards canteens. For a better evaluation of environmental impacts and within a life cycle thinking approach, the way from drivers' home to meal production centre was included in the calculation. Km/meal indicator is directly related to eco-efficiency and ability to optimise logistics. It is either an environmental, either an economical indicator. The best improvement occurred between 2003 and 2004. In 2004 such indicator has been optimised and is kept under control.
 - Vehicles' obsolescence is related to the proportion of vehicles within Sotral fleet. The more the vehicles are old, the more they pollute air and consume energy.
 - Vehicles' typology has been introduced later than the other indicators. It indicates the relative proportion of EURO 0, 1, 2, 3, 4 or methane-fuelled vehicles. Both vehicles' obsolescence and vehicles' typology are related to the composition of the fleet used for logistics.

Two more indicators have been developed to control the environmental performances, according to vehicles data sheet provided by manufacturers and by real consumption levels:

- PM10/meal: reveals the quantity of PM10 released in the atmosphere due to the activity of meal transport made by Sotral. Such indicator has been reduced from 2005 to 2006.
- CO2/meal: reveals the quantity of CO2 emission due to the activity of meal transport made by Sotral. As indicated in table 1 such indicator is raising due to the increasing number of methane-fuelled vehicles.
- EPD™ pre-certification has been obtained in 2004. Environmental performance indicators have been evaluated first in September 2004 and were revised in April 2006 and 2008.

ACTIONS AND INCENTIVES TO FACILITATE SRPP IMPLEMENTATION IN ACCORDANCE WITH ADOPTED ACTION PLANS.

- INNOVATION
Since 2003 Sotral has been investing 2, 5% of annual turnover to innovation.
- COMMUNICATION
Sotral was the first voice in Italy that described a sustainable model of catering involving food, environmental and health.
The collaboration with Environment park and Studio Lce gave rise to the development of a series of technical publications "I quaderni di Risteco" (the Risteco handbooks, see App. 3) devoted to the theme of "Eco-efficiency within modern catering". The aim of these publications is to present environmental impacts and issues related to catering and best practices and case-histories. These publications are part of promotional tools of Sotral and are distributed free of charge during fairs, conference and on request. First issue, "Tools for the sustainability of catering" has been finished in October 2005 and presented for ECOMONDO 2005 fair in Rimini (IT). Second issue on "Meal production" has been finished in March 2006 and presented "Terra Futura" 2006 fair in Florence (IT). Third issue on "Logistics" has been finished in July 2006; fourth issue on "Restaurant management" has been finished on September 2006. Both were presented to "Ristorazione 2006" fair in Milan (IT). The fifth issue on waste management has been finished in February 2007. The sixth issue on Environmental Communication has been presented at "Scuola dei sapori 2007" in Genoa (IT). Another issue on Green Public Procurement is actually in progress.
"I Quaderni di Risteco" soon has been translated into French and English, and also became training programs, to communicate meal environmental impact on climate change, and started to be inserted in public tenders, in Italy and in France.
Sotral also organized national and international conferences and workshops between 2005 and 2006:

- "Ecoefficienza nella ristorazione moderna: esperienze a confronto, Eco-efficiency biennial, Turin May 19th 2005,
- Nuove opportunità e ricette per scelte innovative e, dal punto di vista ambientale, preferibili nella ristorazione collettiva", Ecomondo 2005, Rimini October 28th 2005),
- Progettare la Ristorazione con il Green Public Procurement", Terra Futura , March 31st April 2nd 2006,
- "From Farm to Fork", workshop organised for the visit of Sustainable Food Lab delegation at Environment Park, November 17th 2006.
- In collaboration with AIAB and "Città del Bio": "Ragazzi si mangia, non solo pasta...ma più frutta e verdura" at Environment Park, March 27th 2008
- It has also edited Environmental education programs for pupils such as "il pranzo sostenibile" created in 2004, including WWF brand in 2007.

To study the eco-efficiency of catering, Sotral started from the very end of the process: waste analysis, convinced that refuses are related to the overall quality and organisation of catering.

The results of numerous experimentations highlighted a critical situation. For hot and cold meals delivery service using disposable tableware and plastic water bottles, every meal leads to 250g of waste in schools and 536g by day in an hospital (breakfast, lunch and dinner) leading to huge amounts of waste that could be managed in a more efficient way. An experiment in France in June 2007 has indicated that similar amounts of waste are produced also in different catering systems by children (at school) and by adults (at work).

Sotral has successfully proposed solutions which are perfectly coherent with the Local Agenda 21 good practices, as they offer efficient school catering waste management solutions, through the waste recovery (exclusion from the waste cycle of non-distributed foods in application of laws 179/02 and 155/03). This project, started in 2004 on the initiative of Sotral in the city of Turin, is still running.

The recycling of disposable plastic tableware has been on act in Santena, Chieri, Genoa cities since 2004, 2005 and 2006 respectively.

Sotral has also analysed thoroughly its own activity by doing the first EPD certification on meal transport service (see EPD certification and paragraph 10.). This work allowed the company to identify logistics as a key element of the sustainability of food supply services and industry, strictly related to food quality.

The company has contributed to the document of the Italian Technological Platform on Food for life: "The vision of for 2020 and beyond (A research agenda)"

(http://www.federalimentare.it/Attivita/ETP-Italia/20Luglio2007/ITALIAN_VISION_final.pdf on pages 10 and 11 name of contributors) and follows the work of the European platform, in order to understand which are the new challenges of Agro-food industry research.

Sotral has co-funded a project within the "Proteinn" program, classified 11th/200 by the Jury of selection of the funding organisation

(http://www.corep.it/materiale/graduatoria_proteinn.pdf), on the effect of sustainable agricultural practices on raw material quality.

Sotral has recently launched a research program on the use of renewable energy for meal transport

➤ NETWORKING

Sotral belongs to Global Compact Italy and CSR Manager Network Italia.

As soon as Brand name Risteco has been created by Sotral, it has been used to establish a meeting platform to collaborate with universities, environmental and social no-profit associations, public institutions, etc... In particular, Sotral started in 2003 to collaborate with Environment Park (www.envipark.com) and Studio LCE (www.studiolce.it) to develop a Life Cycle Thinking approach for logistics and catering activity and to study the eco-efficiency of catering.

Besides research and communication activities Sotral is very active to weave a network to promote the sustainability of catering and food services in Italy and abroad.

- It collaborates with ACMOS (no-profit organization, devoted to educate young people to active citizenship). Together they produce material for environmental education. They also created a social cooperative, Nana, in 2006, with Sotral entering as a financing partner by giving a subvention of 30.000, 00€ The objective of this enterprise is to make the most of various expertises in order to diffuse the concept of aware consumer culture about food and catering environmental and social sustainability aspects, to young people, future actors of the sustainable development and to the whole population. It uses for this purpose a restaurant proposing sustainable food in a suggestive place in Turin.
- In 2007, the WWF association has collaborated to the new issue of the Environmental Education Program "Il pranzo sostenibile" for the Italian primary schools. Aware of the value of such a moral sponsorship, Sotral gave 20.000, 00€to this important environmental association.
- It has also started a valuable collaboration with Slow Food organisation that promotes the "Terra Madre" event. Slow food will be host of the Consortium Risteco stand, at the occasion of "Scuola dei sapori" a fair organised in Genoa next october 29th -31st. Sotral collaborates on two projects designed by Slow food on sustainable catering

- public services in hospitals and university restaurants.
- Sotral is present in the Council of the FAI of Turin district (Federazione Auto-trasportatori Italiani, Italian Federation of road haulage contractors).
- Sotral participates to the AssoSCAI association (www.assoscai.it) that promotes the relationship between environmental management and companies' competitiveness.

➤ FRONT-RUNNERS ALLIANCE

As winner of the European Business Award for Environment (EBAE) 2006, Sotral has become a promoter (see web site http://ec.europa.eu/environment/awards/index_en.htm). Such award has been absolutely determinant to establish international relationships with relevant organisations also acting as front-runners to promote sustainable food such as AlimenTerra (www.alimenterra.org) and the Sustainable Food Lab (www.sustainablefoodlab.org) that invited Maurizio Mariani to present the experience of Sotral on the following meetings:

- "Supply, Standards and Strategy. An international conference examining how to make public sector food and its supply systems more sustainable. London City Hall, London, 15 February 2007, "Mainstreaming Sustainability: under what conditions can food service providers become more active partners with public buyers to improve the sustainability and healthiness of food?"
- "The role of Public Food Services in promoting Sustainable Rural Development, Health, Environmental and Food education. 8-9 November 2007, Seville. "The logistics of sustainable public food systems."
- Sotral also collaborates with the main French catering business consultant society: Philippe Hersant & Partners (www.phpartners.fr/partenaire.php). Both companies are preparing to reinforce such collaboration with a trans-border commercial agreement.
- Sotral was represented during the Cantina 2007 meeting: "Cantina 2007 La première convention de la restauration d'entreprise", Paris La Défense, 20 March 2007, with the following presentation on «Le défi du développement durable pour la restauration, menace ou bien opportunité?»
- Sotral contributed, thanks to expertise on logistics, to the expert meeting organised by Sanco, DG Agriculture, DG Environment of UE, on the implementation of a European School Fruit Scheme in Brussels, on September 24th, 2007.
- Sotral has been engaged by the Foundation Charles Leopold Meyer (FPH) to organise one of the 53 workshops of the second forum China-Europe on the theme of "Sustainable agri-food supply chains and systems". The WS35 Workshop gathered 15 experts from Europe and 6 experts from China from October 3rd to 5th 2007 in Environment Park in Turin and has participated to the organisation of an international learning journey in China on the theme of "Sustainable Food Chain held in the Chandong province in April 2008.
- Sotral has participated to the meeting "towards responsible awarding of contracts", in Bruxelles April 18th 2008.

LIST OF PRIORITY SUPPLIES, WORKS AND SERVICES WITH A SIGNIFICANT SOCIAL IMPACT

- Sotral has created the Consortium Risteco, together with SerLog in December 2005 with the aim to create a support structure to Sotral's main suppliers : small transport companies, to organize training in view of the new legislation on transport and to create a platform to buy with more advantageous conditions either services (vehicles insurance) and ecological vehicles (methane-fuelled vehicles)
- In July 2007, the board of Sotral has deliberated that stock options will be available for the employees and for the SerLog cooperative: the main supplier of the company. Sotral decided to sell up to 5% of the share to the Coop. Ser.Log. This decision was signed by ownership last June 2007 and should be implemented on next scheduled addition in capital by the end of 2008. As Sotral core business profit relies on efficient services, such decision aims to stimulate by ethical means, a proactive participation and collaboration from its strategic supplier.
- Green procurement: Sotral performs high investments to buy low environmental impact vehicles: in three years Sotral has invested up to 1.3 millions euro to buy the vans, to renew the fleet and improve environmental performances of the company.
- Design of innovative environmental services:
 - Eco-design for catering logistics (in particular reduction of energy consumption thank to a better use of vehicles)
 - Waste management (reduction and reuse of catering waste)
 - Planning for staff eco-mobility (to be implemented)

- Donations to no-profit associations with social activity: among main ones Libera Terra (www.liberaterra.it/), GoFar (www.fa-petition.org/en/gofar/gofar.html) .
- Sotral gave a financial support to start a cooperative Nanà whose activity is synergic with Sotral's SRPP program (Nanà is managing a restaurant where is proposed a model of sustainable meal)
- Sotral has funded research activities since 2004 with universities and research centres (see p.7).
- Sotral has funded (through Risteco) since 2006 international networks to promote sustainable food chains (including sustainable logistics as a key element of supply chain):
 - member of AlimenTerra : european network,
 - collaborates with the Sustainable Food Lab : international network,
- Sotral has participated to the organisation of the thematic workshop on sustainable food chain during the second China – Europe forum held in October 2007, and has co-funded (with Fondation FPH Charles Leopold Mayer and with the Sustainable Food Lab) a learning journey for 40 people in China 5-16 April 2008 on sustainable food supply chains.

FORMAL ASSESSMENT/STUDIES OF THE EFFECT (POSITIVE OR NEGATIVE) OF THE INCLUSION OF SRPP IN PROCUREMENT OPERATION OF THE ORGANIZATION.

Sotral has been successfully applying to several awards since 2005, to assess its own strategy, based on sustainable development and CSR implementation, using such opportunities as a way to get a benchmark between Sotral and other companies, with excellent results:

- Winner of "Premio Impresa Ambiente" (www.premioimpresambiente.it/),
- winner of the EBAE "European Business Awards for Environment" (ec.europa.eu/environment/awards/);
- Sotral has participated on request to European Business Awards , category Social responsibility, paying a fee to have a report on own activity by the expert jury of the award ,
- Winner of the Premio Imprese X l'Innovazione (see interview of the CEO of Sotral on www.confindustriaixi.it/it/Maurizio_Mariani_SOTRAL.html).

Sotral has been taken as example for having used the sustainability and social responsibility management systems as competitive tools by the Ministero dello Sviluppo Economico, and by the Catholic University of Milan (ALTIS and ISVI) about: "La CSR come leva di differenziazione per le piccole e medie imprese."

LT Ministry of Social Security and Labour: The Ministry follows the provision of the Article 87 of the law on public procurement.

Simplified Procurement from Social Undertakings, Undertaking in which 50 % of the Employees are Inmates of Penitentiary Institutions or the Handicapped, or Undertakings of Health Care Institutions, if at least 50% of the Employees are Occupational Therapy Patients" of the Law on Public Procurement.

The most significant experience gained on public procurement from social undertakings (social Enterprises) is in public services.

NL Ministry of Housing, Spatial Planning and Environment: Action plans about SRPP: Programm duurzaam inkopen has started in 2007. This program includes the creation of awareness on all levels, training of the purchasing professionals, remodelling the purchasing procedures and also some checks and balances are incorporated in the operational procedures.

NL Gemeente Ridderkerk: SRPP is considered relevant in the sectors of construction works, transportation services, catering services, cleaning services and facility management services.

SV City of Goteborg, Traffic and Public Transport Authority: The sectors in which SRPP is considered most relevant are "Construction work" and "Transportation services". Supplies, works and services which a significant social impact: the organization started with stone products, in 2006, and continued with fuels.

SV Swedish Social Insurance Agency: The authority has compiled a policy regarding public procurement, where social and environmental issues are incorporated.

To facilitate SRPP implementation: dialogue with the Swedish Tax Authority, education on fighting black labour, courses regarding how social responsibility can be included in

procurement and how the conditions/criteria can be monitored.

SV County Council of Skåne: in accordance with the Code of conduct, the organization is undertaking actions to educate procurement officers, to inform suppliers and to adopt a strategy to follow up ethical demands through the supply chain.

This Code of conduct has been introduced by the start of January 2008.

Main targets of ethical demands: disposable objects used by the hospitals and textiles.

SV Regional Administration for South-Western Sweden: there is a selection of five priority groups of products which will be purchased subject to SRPP conditions: instruments and stainless steel supplies, surgery and consumables, gloves, needles, cannulae, bandages and textiles.

The administration has noted in this respect the report by Swedwatch on procurement by regional authorities of instruments and textiles from India and Pakistan.

The adoption of a "Code of Conduct for suppliers" has been prepared in consultation with two other major regional administrations, and will be used as a standard contract annex for purchases in the priority areas.

There are also internal training programmes directed at regional staff.

SV National Road Administration: to facilitate SRPP implementation, in accordance with adopted action plans, the organization adopts and tests model clauses developed by the Competition Agency, and internal training programmes directed at NRA staff.

SV Gothenburg City Board: The Central City Secretariat is being instructed to investigate the legal implications of incorporating SRPP in the procurement regulations of the city.

Goods procurement and some interesting construction works are the sectors where SRPP is considered more relevant in this organization.

SV Swedish Association of Local Authorities and Regions: In November 2007, the SALAR Congress adopted a resolution that SALAR will work to ensure that the Swedish Environmental Management Council is also commissioned to work with ethical demands. The Environmental Management Council is a company founded in 1995 and is owned jointly by the government and industry through the Ministry of the Environment, the Confederation of Swedish Enterprise and the Swedish Association of Authorities and Regions (see the Environmental Management Council website www.msrf.se). The work of the organisation currently focuses on producing tools for environmental demands in public procurement. However, SALAR would like the remit of the Environmental Management Council to be expanded to also include ethical demands. SALAR has therefore called on the Swedish government to implement this proposal.

The Environmental Management Council can play a particularly important role when it comes to following ethical demands. SALAR is of the opinion that the Environmental Management Council could work in a manner similar to the Business Social Compliance Initiative (www.bsci-eu.org). BSCI is an international organisation whose aim is to bring about greater social responsibility in industry. Several private enterprises, including well-known Swedish companies such as KappAhl, Lindex and ICA, are members of BSCI. With BSCI as a source of inspiration the Environmental Management Council could, among other things

1. Produce a standardised code of conduct which is compatible with the EU Procurement Directive and the EU Treaty.
2. Develop a uniform approach, standardised documents, audit reports etc. so that the authorities can make the same demands and work consistently in their dealings with suppliers.
3. Provide a database where all the audit reports are stored so that the authorities can access each other's audits. The aim is that a municipal authority of average Swedish size should not need to finance audits more than perhaps once a year (the cost of a complete audit of, for example, a quarry in China with a report to the customer is in the region of SEK 200,000).
4. Provide advice and implement training initiatives.

The documentation, including audit reports stored in the database, can ideally be written in both Swedish and English to allow authorities in other member states to be part of the system.

SALAR has also held conferences on the potential for making ethical demands in public procurement. The conferences have been attended by representatives from H&M, KappAhl and other companies, who spoke about their ethical responsibility and following up compliance by suppliers with the demands in the companies' codes of conduct.

BARRIERS AND CONSTRAINTS FOR THE PROMOTION OF SRPP

1. Scarcity of sufficient suppliers and/or products that can meet SRPP requirements

10 C.A. SCORED 1 (AT, DE, FI, FR, LT, SL, SV)

14 C.A. SCORED 2 (BG, DA, DE, ES, FI, FR, HU, NL, SK, SV)

2. Difficulty in measuring benefits

6 C.A. SCORED 1(AT, CZ, FI, DE, NL, SV)

16 C.A. SCORED 2 (AT, DA, DE, ES, FI, FR, DE, SK, SL, SV)

3. Lack of clarity on how to integrate social issues in the procurement process

13 C.A. SCORED 1 (AT, CZ, DA, DE, FI, FR, LT, NL, SV)

9 C.A. SCORED 2 (AT, BG, ES, FR, HU, SK, SL, SV) 2

4. Budget constraints

9 C.A. SCORED 1 (AT, DA, DE, FR, HU, NL, SL, SK, SV)

12 C.A. SCORED 2(AT, BG, DA, ES, FI, FR, SV)

5. Lack of certainty on the legal implications of including social considerations in PP

10 C.A. SCORED 1(AT, BG, CZ, DA, FI, FR)

9 C.A. SCORED 2 (AT, DE, HU, LT, SK, SL, SV)

6. No/little incentive to take SRPP into account

8 C.A. SCORED 1 (AT, ES, FI, DE, NL, SV)

8 C.A. SCORED 2 (BG, CZ, FI, FR, HU, SK)

DA National Procurement ltd:

- The entity feels that main barriers are the lack of relevant criteria and the lack of relevant documentation that C.A. can demand from suppliers (except from food and timber).

DE Procurement Agency of the Federal Ministry of the Interior:

- The entity feels that there are an excessive complexity of tender procedures and a danger of missing main goal (procuring a good product with the best value for money)

FR MEDDAT:

- One of the main barriers consists in the fact that the national law does not permit to implement SRPP except than for disabled or similar persons. Furthermore, there is a lot of uncertainty.
- In the context of the implementation of the process so called "Environment Roundtable", the Prime Minister should soon adopt a « Guide » for Public Entities to lead by example in the use in public contracts of enterprises "d'insertion" or employing a majority of handicapped persons.
- Another barrier is due to the higher complexity associated with the preparation of tenders of SRPP.

FR Ville d'Angers:

- A regulation that goes further on SRPP and more user friendly is needed (this would help a lot the enterprises and especially SME or the enterprises which employ disadvantaged groups)
- The entity feels that it has the competence for undertaking SRPP. The first experience goes back to 2003.
- SRPP is implemented throughout the Municipality since 2005.

SV Regional Administration for South Western:

- The main problems lies in enforcing the social obligations: procurement officers have no experience in checking whether contractors comply with all rules and conventions referred to.
- Another barrier is due to the fact that many contractors are not familiar with the rules of the conventions.
- Use of SRPP clauses is also new to the administration, and effect of including such clauses remains to be seen.
- Budget constraints limit the amount effort that can be devoted by the administration to SRPP.

SV Gothenburgh City Board:

- The main problem lies in enforcing the social obligations: Procurement officers have no experience in checking whether contractors comply with all rules and conventions referred to.
- Many contractors are not familiar with the rules of the conventions.
- However, the City Board has clearly pronounced itself willing to include SRPP in the future procurement policy of the city. As mentioned (on p. 19), the City Traffic and Public Transport Authority has experimented with including such provisions in its contract for procurement of stones from China, and the administration is studying the report of SwedWatch on this type of procurement with a view to learning for future contracts.

SV National Road Administration:

- The main problem lies in enforcing the social obligations: Procurement officers have no experience in checking whether contractors comply with all rules and conventions referred to.
- Many contractors are not familiar with the rules of the conventions.
- It is also not clear exactly how far the authorities must go in including SRPP clauses in their contract: the guidance provided by the Competition Agency under the Antidiscrimination Decree so far includes only certain forms of discrimination and does not refer to all the conventions under the UN Global Compact

COMPARATIVE ANALYSIS OF EU MEMBER STATES ANSWERS TO THE SRPP SURVEY QUESTIONNAIRE
SOCIAL CONSIDERATIONS INTO THE VARIOUS STEPS OF THE PROCUREMENT PROCESS

PROCUREMENT PLANNING, DEFINITION OF PROCUREMENT REQUIREMENTS AND ACCESS TO PROCUREMENT OPPORTUNITIES

AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: To facilitate awareness by procurement officers of SRPP initiatives that are in force and that may impact a particular procurement all of them have to follow the instructions written in the organisation manual concerning the SME-Strategy: verification if NUTS 3 criteria are fulfilled, clarification of the competition within the market, etc...

The procurement officers are constantly trained in order to ensure the best selection within the range of the Austrian procurement regulations.

To facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups the organization uses these tools:

- Periodical consultations with the procurement officers
- In house workshops and training programs
- Periodical newsletter published on the website of the FPA in order to inform all SMEs

The potential tenderers, according to the Public Procurement Act (BVerG 2006), have to prove that have not been convicted to bankruptcy, criminal and labour law offences.

CZ Ministry of Labour and social affairs: Public procurement procedures are in accordance with Act no. 137/2006 on public procurement (see web site <http://www.pppcentrum.cz/res/data/003/000498.pdf>). The size of the public building is always assessed in terms of environmental impact (according to law). Year plan on assigned public procurement is set out to identify the risk of non-compliance with Social Standards; application on assignment is processed according to its contents.

DA National Procurement Ltd: SRPP is a topic in market analysis that is carried out before each call for tender. The organization has training programs and workshops for all suppliers and before any call for tender the authority invites potential suppliers to information meetings about the tender. The organization tries to make the tender material as simple as possible so that also SMEs have the resources to give their bid. Often framework contracts are split in several sub-contracts, e.g. geographically, in order to give suppliers the opportunity to give a bid e.g. on a contract covering a certain region.

DE Procurement Agency of the Federal Ministry of the Interior: There are no specific measures to ensure the selection of the optimal location of a procurement requirement for a public building or a public service facility that may result in a positive impact on benefits to the local community or to the regeneration of an area. This is decided, within the limitations of the legal framework, on a case-by case approach in discussion with customer agencies and is checked in any decision made in the procurement process. For instance, in case a supplier falls into insolvency, the contract may be nevertheless upheld and continued, if this was sensible and economical taking into account not only the costs of the contract but also the social costs of ensuing unemployment etc.

ES IHOBE, Basque Country Government: Concerning measures existing in the organization to facilitate awareness by procurement officers of SRPP initiatives that are in force and that may

impact a particular procurement, the C.A. mentions the instruction agreement of the Basque Country Government: it is a compulsory regulation regarding all the public procurement. The instruction foresees the technical advice and support by the departments on employment, social inclusion, social affairs and environment.

To facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups the C.A. affirms that the instruction reserves contracts (negotiated procedure) for Social Inclusion Organizations and Special work Centres (Organizations that employ disabled persons that because of their disability can not work in an ordinary job). The total amount of these contracts reserves will be annually fixed by the Treasury and Public Administration Department. With this aim the Departments on Employment and Social Inclusion will consult business association of social inclusion organizations and Special Work Centres in order to get its business balance.

To ensure that potential tenderers have not been convicted of offences, the Tenderers' Qualification Requirements includes that the tenderers have to comply with social and employment laws and regulations related with the Public Procurement, namely contracting of disabled people, labour risks prevention and permanent employment percentage. The Employment Department will control that the tenderers enforce these rules.

To identify the risk of non-compliance with social Standards the Instruction Agreement establishes that Public Departments on Employment, Social Inclusion, Social Affairs and Environment will assess periodically the instruction performance

Concerning "integrated solutions" for delivery of a product or works the instruction agreement incorporates that the public contractors must include the social and safety value in the definition of the contract object. So, whenever it is possible, they should choose the product or service more environmentally and socially positive and healthy. For example:

- buildings and installations that avoid the "sick building syndrome"
- ergonomic office furniture
- low noise and ozone emissions printers
- balanced and healthy menus
- cleaning services that use methods and products according to safety and health working conditions and respectful towards environment

ES Diputació de Barcelona: To facilitate awareness by procurement officers of SRPP initiatives that are in force and that may impact a particular procurement:

- specific clauses in technical specifications
- training
- Customized information to suppliers that are more common.

To facilitate increased access to public procurement opportunities by Sme's, social economy and voluntary type organizations who work with socially disadvantaged groups, the organization participated to a project, with the European support, that was about the social responsibility of small and medium enterprises: RESSORT Project. (2004 – 2007)

FI City of Oulu: Workshop and seminars are organized to facilitate awareness by procurement officers of SRPP initiatives. Moreover, the contracting authority uses measures to ensure that potential tenderers have not been convicted of offences. About the methodology for assessing the cost of inclusion of social factors in government contracts, the use of value for money assessment and cost-benefit analysis is frequent. Primarily use of lowest price.

FI City of Espoo. To facilitate awareness by procurement officers of SRPP initiatives that are in force and that may impact a particular procurement, there is a personal guidance.

To facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with disadvantaged groups, City of Espoo has created some institutes to promote the participation of these enterprises.

FR (Ministry of Finance) MIFA: In the organization there are measures to facilitate awareness by procurement officers and requisitioners of SRPP initiatives, i.e. training (2 modules are under preparation) and information programs (presentations and use of an extranet).

The organization takes actions to facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups:

- Lots = the rule is based on art. 10 of the Code des Marchés (see web site http://www.minefi.gouv.fr/directions_services/sircom/code2006/index.htm). For small purchases between

4000 and 20000 euros, 3 quotations are requested.

- Mandatory qualification requirements: the rule is based on art. 43-47 of the Code des Marchés.
- In order to analyse procurement requisitions or to identify the risk of non-compliance with social Standards, the entity follows the health and social regulation.
- Method of tender award: there is an increasing use of the "most economically advantageous tender" method with criteria for quality and durability up to 60% and the price up to 40%.

FR Ministry of Environment, Energy and SD (MEDDAT):

- Measures to facilitate awareness of SRPP initiatives include training, websites, meetings where purchasers are asked to lead by example through a message addressed by the Minister
- Increased access to PP opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups, is guaranteed for purchases lower than 4.000 euro, and sometimes lower than 15.000 euro, through request for quotation by mail to at least 3 enterprises that usually are local SME (internal regulation of 30/01/2007 for central administration)
- Articles 43-47 of the "Code des marchés" rule the suppliers selection criteria including the exclusion criteria
- The health and social requirements are taken into account in the compilation of the technical specifications (cahiers de charges).
- The organization always uses as an evaluation method the "most economically advantageous offer" and since 4 years the durability of the purchased product is a priority and the price criterion does not weight more than 30-35 % as an average.

FR Ville d'Angers:

- The legal advisor on SP plays the role of advising and monitoring the various departments: on both the technical aspects (to the possible extents) and the legal aspects, in liason avec the elected representatives
- According to the French law, the criterion of local preference is not permitted. Moreover, it is not possible to use certain criteria, such as those concerning the gas emissions with greenhouse effects for the procurement of transport services, if they are not linked to the subject matter of the contract (see JP European), therefore the action of local authorities is quite limited in scope.
- In principle, the location of public buildings in certain disadvantaged areas to favour local communities is a criterion taken into consideration at the level of the research department and of the organizational strategy/work plan. Social clauses are also incorporated in the "conventions for local development" (conventions d'aménagement)
- The entity asks tenderers to submit the DC5 and the DC6, the copy of the court judgement if the enterprise is in a status of insolvency (redressement judiciaire), as well as self-declaration on the compliance with employment obligations for disabled persons. For certain categories of supplies: product origin, compliance with the ILO Conventions, fair-trade labels are asked for...
- Concerning the type of evaluation method adopted, it is quite difficult: the entity tries to reduce the needs upfront to the possible extent, and to evaluate the various additional costs in order to decide which requirements the candidates need to meet. There are no additional costs identified as associated to the clauses on employment-integration, but more often for the lots reserved to enterprises which employ a majority of handicapped persons, as well as for the environmental requirements.
- The evaluation method is mainly the "most economically advantageous offer", and the various identified evaluation criteria are weighted. The price is not necessarily the dominant criterion.
- Integrated solutions might occasionally be adopted. However better to avoid them in order not to remain linked to the same supplier also for operation and maintenance.

FR Ville de Lille: To facilitate awareness by procurement officers of SRPP initiatives that are in force, the C.A. mentions:

Training and awareness

The creation of an internal organization : a team called « Responsible Purchases» and the participation of the referent to the « Comités Achats »

To facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups, the organization

uses the method of the division into lots (Code des Marchés Publics article 10).

Mandatory qualification requirements in the tender submission forms to ensure that potential tenderers have not been convicted of offences: see article 43-47 of the Codes des Marchés.

FR Communauté de l'Agglomération Rouennaise : To facilitate awareness by procurement officers of SRPP initiatives that are in force and that may impact a particular procurement, the provision for the integration of disadvantaged groups is introduced in every public procurement that exceeds 150 000 Euros and where the execution takes more than 3 months. If not, the C.A. asks a reason about why the provision for the integration of disadvantaged groups has not been used.

To ease an increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups, the organization usually follows the rule of the division into lots (article 10 CMP).

See also article 15 of CMP:

- Testing with the launch of a first tender with the application of art.15.
- Meeting of all « ESAT, Etablissement et Service d'Aide par le Travail» and of all enterprises that hire mainly disadvantaged group of people (EA).
- Support to the realization of communication equipment for common use during public events.
- Improving the information about ESAT and EA given by the CMP.

HU Equal Treatment Authority: To facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups the organization uses market researches.

IT Sotral SPA: In the organizations procurement is managed by the same person in charge of the implementation of quality-environment –ethics management system.

Actions taken to facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups:

- The world of transport and logistics in Italy is facing a deep structural evolution. The Italian law (DM 161 of 28/04/2005, see web site <http://gazzette.comune.jesi.an.it/2005/189/1.htm>) has acknowledged the European directive CE98/76, and has requested all transport companies new qualifications of respectability (in front of law), financial capacity and professional capacity. The first deadline for a part of the company was August 2007, whereas the most recent companies must fulfil requisites by August 2009. Most of the transport companies are therefore coping with a crisis situation, due to uncertain future, leading to low price competition to insure survival up to the last moment. This has been for Sotral quite a big challenge as it is working day by day with more than 100 small transport companies to perform meal transportation services. A lot of small transport companies run the risk to stop their activity because they do not want, or they are not able to fulfil or demonstrate, in a short term, some of the qualifications. For instance some owners are close to retirement and find that it is not convenient to cope with bureaucratic difficulty, or they are not Italian and have problem with languages to attend a course or are just starting their activity and have not sufficient financial capacity etc...) In several cases, transport companies working for Sotral represent a valuable professional heritage as they have a strong experience for optimal van management in confront to employees that do not own the vehicles.
- Having putting itself up to date with the law by the year 2005, Sotral has decided to give support to all its suppliers to insure the possibility for the company to fulfil its own growth plan, while keeping top quality services and competitiveness on the market, despite the difficulties created by law adjustment. Moreover, such support is fully shared by the property as it fits ethical commitments of the company.
- Sotral created the Consortium Risteco in December 2005 and involved all small transport companies in order to allow them to benefit from the same commercial conditions than it: to buy vans, fuel, insurances at a discount or to reduce costs for van maintenance or company accounting. Such conditions are certainly an economical support for Sotral's suppliers but also a warranty for the company that suppliers are properly following the rules, for instance for the case of van maintenance (such rules are a part of the quality and environmental managing system of Sotral).
- Sotral also established a price agreement with a company proposing professional training for transport companies decreasing price, for instance from 2000€ to 1200€. It organised 5 meetings in 2006 in various part of Italy (Milan, Vercelli, Genoa, Turin) to explain the new law and its consequences. It also supported all its suppliers facing the bureaucracy for the August 2007 first deadline. The 13 companies working for Sotral and concerned by 2007 deadline are in conformity with the law and Sotral is now preparing for the next deadline.

- To analyse procurement requisitions or annual procurement plan to identify the risk of non-compliance with social standards, Sotral has a plan of monitoring of all suppliers including quality, environmental and social responsibility criteria according to the integrated management system based on ISO 9001 (obtained in 1998), ISO 14001 (2003), SA 8000 (2005) respectively quality, environment and social responsibility voluntary certifications of system and EPD (2004) environmental voluntary certification of its main service (core business: meal transport)
- To assess the cost of inclusion of social factors in government contracts, Sotral has adopted the EPD certification (see http://www.sotral.com/public/sotral/Documenti/2006_EPD%20Inglese.pdf) and measures performances with environmental indicators specific for its own activity (CO2/meal, pm10/meal) or general (ex. Greenhouse effects etc....)
- Sotral performs LCC methodology when buying the van: for instance methane-fuelled van have higher price but lower costs when they are used.
- Sotral uses the MEAT method. Sotral does not perform call for tenders, but it has specific procedures to select its suppliers according to SA 8000 requirement.
- The process of Qualification of Suppliers of Sotral follows the following steps:
If the suppliers are not certified for Quality, Environment or Social Responsibility, they must fulfil a qualification survey. If they don't answer to all the questions accordingly to the expectancy of Sotral, they are controlled to check if they can become qualified suppliers for Sotral.
- The initial evaluation of Suppliers:
All suppliers sign the "integrated commitment for responsibility". They receive once a year an inspection from Sotral.
- Integrated solutions:
 - Sotral follows procedures to monitor its own services (Quality System)
 - Sotral performs analysis and monitoring of all "non conformities" in order to understand failures and to improve the service
 - Sotral performs Customer Satisfaction Analysis.

LT Ministry of Social Security and Labour: The Lithuanian Labour Exchange is committed to provide methodological support to social enterprises to disseminate information about their activities and to perform publicity measures. Moreover, to ensure that potential tenderers have not been convicted of offences, the contracting authority refers to article 33 of the law on Public Procurement. (see web site <http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN018067.pdf>)

The organization specifies that in case of purchasing computers, stationery, plain tickets, as well as cleaning and translation services, the "lowest price" method is used. While requesting for experts' services, like conducting of studies, research, analysis, assessment, training and etc. "most economically advantageous tender" is arranged.

NL Ministry of Housing, Spatial Planning and Environment: There are special programmes, special purchasing procedures and guidelines, and special measures taken by the government severally to facilitate awareness by procurement officers of SRPP initiatives, to help SME and to ensure selection of the optimal location of a procurement requirement for a public building or a public service facility that may result in a positive impact on benefits to the local community or to the regeneration of an area. Method of tender award: primarily use of lowest price. The organization usually splits up the purchasing volume of the department in two parts. The Rijksgebouwendienst (2/3 of the total spend) in most cases follows the method of the lowest price. The rest of the organisation with a single exception always uses the MEAT-method.

NL Gemeente Ridderkerk: There is a specific maintenance for town areas by Social Labour Yards.

SV City of Goteborg, Traffic and Public Transport Authority: The organization, for assessing the cost of inclusion of social factors in government contracts, adopts the method of Value for Money assessment.

SV Swedish Social Insurance Agency: The organization, to facilitate awareness by procurement officers of SRPP initiatives, participates in network and tries to follow the legal progress in this area.

To facilitate access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups, the organization, sometimes, includes in the initial study of procurement participation of this groups.

The organization works against black labour since 2007.

To identify the risk of non-compliance with social standards, the organization analyse the risks at the beginning of procurement. For example, in a procurement of cleaning services, the risk of black labour is high.

Use of MEAT depends on the purchase and on how well the organization can identify the indispensable criteria.

Integrated solutions: adopted in the authority's purchases of IT- products and services.

SV County Council of Skåne: Use of Code of conduct to facilitate awareness by procurement officers of SRPP initiatives.

The organization forms his calls for tenders in a way that it's also possible for SME to give tenders, because this is a large organization with an annual procurement budget of more than 1,3 billion Euros, and it is important that not only the large multinational companies are able to make tenders.

The authority uses MEAT for complex goods and services, and lowest price on standards goods and services that are easy to define and evaluate.

The organization adopts integrated solutions, as more advanced medical devices.

SV National Road Administration: to facilitate increased access to public procurement opportunities by SMEs, social economy and voluntary type organizations who work with socially disadvantaged groups, the organization uses information meetings for contractors, with special emphasis to widen the circle of companies willing to tender.

SV Swedish Administrative Development Agency, Verva: The organization has specific dedicated persons and consultants responsible to handle and give support on this issue. Every procurement project is responsible to consider fair opportunities for SMEs.

To ensure that potential tenderers have not been convicted of offences, the organization makes taxation and other checks.

The organization can control the compliance of procurement requisitions or annual procurement plan with social standards: this is established in contract terms.

About MEAT: in a procurement project the organization's requirements consist of a number of mandatory and non-mandatory requirements including price evaluations. Every requirement has its own specific weight.

SV Gothenburgh City Board: A workshop was organised in February 2008 to which representatives of local and regional authorities and subsidiary companies were invited. Once the City Board has decided upon a policy, which decision is expected in the spring of 2008, steps will be taken in the form of training and informative sessions with a view to increasing awareness. Moreover, the organization uses either the lowest price method or the Meat method: it depends on individual circumstances.

PREPARATION OF TECHNICAL SPECIFICATIONS

PROMOTING EMPLOYMENT OPPORTUNITIES	PROMOTING DECENT WORK	SUPPORTING SOCIAL INCLUSION AND PROMOTING SOCIAL ECONOMY ORGANIZATIONS	PROMOTING SMEs	PROMOTING ACCESSIBILITY AND DESIGN FOR ALL	TAKING INTO ACCOUNT FAIR OR ETHICAL TRADE ISSUES	PROMOTING CSR
<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: To ensure that promotion of employment opportunities are reflected in the technical specifications of procurement the FPA defines in its tender documents requirements concerning the quantity and the quality of the employees.</p> <p>DA Federal Ministry of Labour and Social Affairs: in some contract services, like catering services, there is the opportunity for the customers to specify contract conditions relating to employment opportunities.</p> <p>FR MEDDAT: Article 5 of the "Code des marchés" obliges public</p>	<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: To ensure that promotion of Decent Work requirements are reflected in the technical specifications of a procurement, all procurement officers are trained to ensure that the successful bidder fulfil the Decent Work requirements.</p> <p>DA Federal Ministry of Labour and Social Affairs: the organization asks documents where the Tenderer certifies that he complies with his tax and social insurance liability</p> <p>DA National procurement ltd: Danish Competition Authorities says that such requirement</p>	<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: To ensure that requirements related to the promotion of social inclusion/ promotion of social economy organizations are reflected in the technical specifications of a procurement all procurement officers are trained to ensure that the successful bidder fulfil all requirements concerning social aspects.</p> <p>DE Bundesagentur für Außenwirtschaft: To ensure that requirements related to the promotion of social inclusion/ promotion of social economy organizations are reflected in the technical specifications of procurement there is a control by internal revision.</p> <p>ES Diputació de Barcelona: To ensure that requirements related to the promotion of</p>	<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: Within the technical specifications of the tender documents, the procurement officers stipulate appropriate maximum amounts, so that SME fulfil the requested turnovers.</p> <p>CZ Ministry of Labour and social affairs: technical specifications follow the Act no. 137/2006 on public procurement</p> <p>DA Federal Ministry of Labour and Social Affairs: SMES are supported through publications via Internet</p> <p>DE Procurement Agency of the Federal Interior: To ensure</p>	<p>BG Agency for social assistance: Access of disabled people</p> <p>DA Federal Ministry of Labour and Social Affairs: difficulty with market ability to respond to the provision of goods and services having "design for all" requirements.</p> <p>DA National procurement ltd: The organization normally refers to standard for IT accessibility</p> <p>DE Procurement Agency of the Federal Ministry of the Interior: there are no general measures to ensure that disability requirements are reflected in the</p>	<p>DA Federal Ministry of Labour and Social Affairs: the use of extracts of specifications from Fair Trade or equivalent social labels is coming soon</p> <p>DA National procurement ltd: Fair Trade will be easy to integrate in the future</p> <p>FI City of Oulu: promotion of fair and ethical trade with the use of victuals produced naturally.</p> <p>FR MEDDAT: The "code of marché publics" does not provide specific prescriptions on fair or ethical trade because there is no legal identification of the categories of products concerned. In absence of official</p>	<p>FR MEDDAT: Concerning the criteria for suppliers' selection, the Code des marchés (art. 44 and 47) contains a short list of information that can be asked to tenderers. This list does not contain any reference to CSR, which, according to the Direction of Legal Affairs of the Ministry of Finance, in charge of the PP regulation, it has not sufficient legal/judicial foundation to be introduced in this regulation.</p>

<p>purchasers to consider "sustainable development" objectives when defining what they need to buy.</p> <p>FR MIFA: Art 5 of the Code des marchés compels the buyer to take sustainable development into consideration and to justify if he doesn't use social clauses.</p> <p>FR Ville d'Angers: Clauses on employment-inclusion are normally included on the basis of art. 14 of the Code des marchés: it is a compulsory requirement for suppliers, whose offers would otherwise be considered as non compliant. To the possible extent, all procurement for goods and services (buildings, streets, parks and gardens + cleaning services) include the clause employment-inclusion. It is a strong political will of the local community. Suppliers are therefore requested to reserve a minimum</p>	<p>should be integrated only as a contract condition.</p> <p>ES Diputació de Barcelona: To ensure that promotion of Decent Work requirements are reflected in the technical specifications of procurement, the C.A. controls the enterprises and asks them to write a declaration and to add it to the presentation of the offer. Accordingly to Law and ILO conventions, all staff working on a construction site must have minimum skills qualifications including ability to read and understand health and safety notices and procedures.</p> <p>FI City of Oulu: the contracting authority uses measures like sufficient and equal pay, occupational health and safety.</p> <p>FR Ville de Lille:</p>	<p>social inclusion/ promotion of social economy organizations are reflected in the technical specifications of procurement, the C.A. asks to the responsible of the enterprise to write a declaration.</p> <p>FR Ville de Lille: Outcome specifications: % of the procurement is reserved to tenderers that offer alternative solution characterized by a particular attention to social inclusion/ promotion of the social economy organizations.</p> <p>FR Ville d'Angers: The introduction of clauses on employment-inclusion is normally addressed to classic enterprises. However, this does not preclude enterprises employing a majority of disadvantaged persons to respond to the invitation to bid. Sometimes they even win the tender. Furthermore, art. 30 of the Code des Marchés allows to procure contracts whose subject matter itself relates to social inclusion and art. 15 allow to set aside some lots for enterprises which employ a majority of handicapped persons. The provisions</p>	<p>that promotion of SMEs are reflected in the technical specifications of a procurement, the C.A. adopts the division into lots method, in accordance with § 5 VOL/A (German procurement regulation)</p> <p>FR MEDDAT: The subdivision of contracts into lots is the measure to ensure the participation of SMEs to public procurement.</p> <p>FR MIFA: To ensure that promotion of SMEs are reflected in the technical specification of a procurement, the CA uses the "Allotissement" (division into lots) (art 10 of the "Code des marchés")</p> <p>FR Ville d'Angers: The entity pays particular attention to the definition of lots to make sure that their volume is not an obstacle to their participation to the tender. The regulation is</p>	<p>technical specifications of procurement, but norms for barrier-free access must be met, if they apply to the subject-matter of the tender (e.g. barrier-free web design).</p> <p>FR MEDDAT: the legal basis is provided by the law n°2005-102 of February 2005 on the right to non-discrimination and equal opportunities and on the participation and citizenship of disabled persons.</p> <p>FR MIFA: the legal basis is provided by law n° 102 (11/02/2005)</p> <p>FR Ville d'Angers: Often difficulties are encountered for this type of requirements: prices are higher and the offers do not necessarily correspond to the needs, at least for what it concerns the supplies. It is easier</p>	<p>labels for fair trade products, using specifications from private fair trade labels poses an issue of discrimination and trust. See the National Plan for SPP (see n° 11, p. 26).</p> <p>A commission in charge of identifying who should be in charge of controlling compliance with the requirements of fair trade has been instituted by decree, but as from today is not yet operational.</p> <p>The canteen managed by an association of users (service contract not under the scope of the Code de marchés publics) offers since several years' fair trade products such as coffee, tea, fruit juice, etc. A coffee machine (service contract under the scope of the Code de marchés publics) provides users with fair trade coffee. Concerning the purchase of timber and timber products, a circular of the Prime Minister on the sustainable management of forests</p>
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<p>number of hours on the construction site for workers from disadvantaged groups.</p> <p>FR Ville de Lille: Art 5 of the "Code des marches" compels the buyer to take sustainable development into consideration and to justify if he doesn't insert social clauses.</p> <p>FR Communauté de l'Agglomération Rouennaise : To ensure that promotion of employment opportunities are reflected in the technical specifications of procurement, the C.A. applies art 14 CMP.</p> <p>IT Sotral SPA: To face the disappearance of small transport companies, Sotral has created an independent structure, the Coop Ser.Log., a cooperative that works with Sotral under temporary enterprise association regime. Sotral provides the vans and Ser.Log the</p>	<p>Written commitment from the suppliers of the tendering stage</p> <p>HU Equal Treatment Authority: Decent work requirements are ensured in different cases, for example in product sales or services. To ensure that people working on a construction site have minimum skills qualifications including ability to read and understand health and safety notices and procedures the C.A. organizes meetings with them.</p> <p>IT Sotral SPA: To ensure that promotion of decent work requirements are reflected in the technical specifications of procurement, Sotral has set up a mailing list of all suppliers who receive information about all our activity of communication: Publications, conferences on sustainability within catering etc.</p>	<p>based on these two articles are obligatory requirements for the candidates.</p> <p>IT Sotral SPA: Thanks to the communication activity on sustainable catering performed by Sotral, one of its main clients has introduced food products produced by a social cooperative Libera Terra (organic food produced on ex mafia-owned properties).</p>	<p>very strict and does not allow use of performance specs to favour SMEs.</p> <p>FR Ville de Lille: The organization prescribes specific contract conditions relating to social inclusion/ the promotion of social economy organizations and the % are fixed having regard to the nature and technical qualities of the procurement. The organization has a program to work with awarded contractors to facilitate their stronger adherence to promotion of social inclusion / the promotion of social economy organizations: in fact, the city of Lille devolves upon the House of Employment and upon the « Plan Lillois for the recruitment and for the employment » the inclusion of the clause of employment in public procurement. Moreover, the City of Lille developed a</p>	<p>for the provision of services. National legislation are more and more strict, especially for newly constructed buildings which need to be obligatorily accessible to all. The Entity complies with these legal provisions.</p> <p>FR Ville de Lille: To ensure that disability requirements are reflected in the technical specifications of a procurement need, the organization respects the law n° 2005-102</p> <p>SV Regional Administration for South-Western Sweden: about disability requirements that are reflected in the technical specifications of a procurement need, the organization mentions: interior design of facilities, e.g. doors and</p>	<p>has been issued on 5/04/2005 (http://www.ecologie.gouv.fr/IMG/pdf/050405.pdf) accompanied by an information notice http://www.ecologie.gouv.fr/IMG/pdf/05-022.pdf and both incorporated in two guides for public procurers (http://www.ecologie.gouv.fr/Guide-de-l-achat-public-eco.html ; http://www.ecologie.gouv.fr/Guide-de-l-achat-public-eco.8023.html) French public authorities defines the environmental quality of paper for copying and printing with reference to the international certification for the sustainable management of forests (FSC, PEFC and national systems recognized by PEFC) according to the Code Electoral (decree n°2007-76 of 23 January 2007, judgment of 24/01/2007 applying art.R.39 of the Code Electoral) and in the recent inter-ministerial</p>	
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<p>staff. During the last five years, Sotral had to turn itself from a simple service retailer to a company owning a true fleet of vans. If in 2003 it was possessing less than 5 vans, today it owns a fleet of 87 vehicles properly equipped, 29 of which are methane-fuelled, entrusted to its sub-contractors in commodatum for meal transportation. Sotral+SerLog+Consortio Risteco represent about 200 drivers. All suppliers must sign a document: "integrated commitment for responsibility" (Impegno integrato di responsabilità dei fornitori della Sotral SpA) where promotion of employment opportunities are reflected in the second of the three standards of certification of Sotral (these three standards are Social Responsibility = SA8000 (including employment opportunities), Quality ISO 9001 and Environment (ISO 14001 and EPD)</p>	<p>NL Ministry of Housing, Spatial Planning and Environment: The organization requires requisite of staff working (ability to read and understand health and safety notices and procedures) mainly in building and security contracts.</p> <p>NL Gemeente Ridderkerk: Safety requirements are dictated for constructions</p> <p>SK Ministry of Economy of the Slovak Republic: To ensure that all staff working on a construction site have minimum skills qualifications including ability to read and understand health and safety notices and procedures the entity provides training and makes a lot of controls about safety at work.</p> <p>SV Swedish Social Insurance Agency: Decent work is</p>		<p>"Local Plan of Development of Social and Solidarity-based Economy" in collaboration with the role-players of this sector to help and promote their actions.</p> <p>FR Communauté de l'Agglomération Rouennaise: To ensure that promotion of SMEs is reflected in the technical specifications of procurement, the C.A. uses the division into lots method (article 10 of CMP).</p> <p>NL Ministry of Housing, Spatial Planning and Environment: to ensure that promotion of SMEs are reflected in the technical specifications of procurement: special purchasing procedures are in place.</p> <p>SK Ministry of Economy of the Slovak Republic: To ensure that promotion of SMEs are reflected in the technical</p>	<p>staircases. Coffee machines may be required to be accessible by handicapped persons. The administration in this regard is following Ch. 6, § 1, second section, of the Public Procurement Law.</p> <p>SV Swedish Administrative Development Agency, Verva: To ensure that disability requirements are reflected in the technical specification of a procurement, the C.A. has a long tradition and experience (since at 1988 at least) of "design for all" requirements, mainly concentrated to PCs, printers and other products that people "touch" or handle. The organization refers to ISO 9241-11, Guidance on usability specification and measures, other standards/specificatio</p>	<p>(march 08) procurement of paper (launch of a framework contract for A3 and A4 paper for all ministries and several public entities/enterprises)</p> <p>FR MIFA the CA is uncertain: the « Code du marchés » does not contain specific prescriptions. Extracts of specifications from fair trade: risk of discrimination? In March 08 environmentally responsible criteria have been used for a contract for the supply of paper</p> <p>FR Ville d'Angers: The Entity asks candidates to comply with labels or equivalent, despite there are not officially recognised labels in the area of fair-trade. However, the Entity considers that labels such as Max Havelaar, Alter Eco or equivalent meet the requirements. Often fair-trade requirements are included in the CCPT as compulsory</p>	
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<p>NL Gemeente Ridderkerk: Outcome specifications used: household assistance for handicapped people, transport for school children.</p> <p>SV Swedish Social Insurance Agency: to encourage the participation of SME, the organization divides procurements in small areas and doesn't stipulate unnecessary conditions.</p>	<p>promoted by elimination of black labour and prohibition of child labour. Minimum skills qualifications of staff working: These requirements are used in procurements of cleaning services.</p> <p>SV County Council of Skåne: To ensure the promotion of Decent work requirements the authority conducts a follow up procedure with suppliers according to the Code of Conduct.</p> <p>SV Regional Administration for South-Western Sweden: Decent Work requirements mainly appear in general conditions of contract and general instructions to contractors. Usually provisions following from Swedish labour protection legislation are included.</p> <p>SV National Road Administration: Contractors must furnish for each</p>		<p>specifications of a procurement the organization follows:</p> <p>-Valid legislation of the Slovak Republic and recommendations of EC</p> <p>-The Act Nr. 231/1999 on State Aid and Modification of Certain Acts,</p> <p>-The Act Nr. 5/2004 on Employment Services and Modification of Certain Acts,</p> <p>-The Act Nr. 365/2004 on Treatment in some Areas and Protection against Discrimination and Modification of Certain Acts (Anti-Discrimination Act),</p> <p>-The Act Nr. 25/2006 on Public Procurement and on Modification and Amendment of Certain Acts</p> <p>SV Swedish Social Insurance Agency: to ensure that promotion of SMEs is reflected in the technical specifications of procurement there is a division of procurements in</p>	<p>ns like "<i>Electronic and Information Accessibility Standards, 21 December 2000</i>", (US Federal standard), and "ISO-standard, ISO TS 16071, Ergonomics of human-system interaction – Guidance on accessibility of human-computer interfaces". See web site http://www.access-board.gov/sec508/standards.htm</p> <p>SV Gothenburgh City Board: To ensure that disability requirements are reflected in the technical specifications of a procurement, the C.A, gives instructions to the staff to observe Ch. 6, §1, second section, of the Public Procurement Law</p>	<p>requirements: This is normally the case for t-shirts in cotton bio-fair, fair-trade coffee, 100% recycled paper. If the requirements are optional, either they are included as award criteria or in form of variants.</p> <p>FR Ville de Lille: There is a lot of uncertainty on this point because the Code des marchés doesn't provide anything. However, the City of Lille asks contractors some information about their approach with the Sustainable development in their activities.</p> <p>IT Sotral SPA: To ensure that promotion of Fair or Ethical Trade requirements are reflected in the technical specifications of procurement, the organization mentions the activities of communication of specific education for children adapted to school catering services.</p>	
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	<p>assignment, before any work is started, a working conditions plan, including health and safety standards to be followed. The standard contract includes penalties for non-compliance with such plans. This obligation follows from the law (1977:1160) on working conditions</p> <p>SV Swedish Administrative Development Agency, Verva: To ensure that promotion of Decent Work requirements are reflected in the technical specifications of procurement, the organization refers to ILO core labour standards, ISO 26000 Social Responsibility, EICC and others.</p>		<p>specialization or geographic areas, and permission to group of bidders to tender in cooperation.</p> <p>SV County Council of Skåne: To ensure that promotion of SMEs is reflected in technical specifications of procurement, the organization, for instance, divides the purchase into smaller parts to promote the opportunity for SME to bid.</p> <p>SV Swedish Administrative Development Agency, Verva: To ensure that promotion of SMEs is reflected in the technical specifications of procurement, SMEs are connected to the framework agreement of the organization as resellers or dealers. Secondly, the organization normally signs several framework agreements, so there is space for SMEs.</p>		<p>LT Ministry of Social Security and Labour: with regard to extracts of specifications from Fair Trade or equivalent social labels that are deemed relevant to the "object" being procured as an "option" that tenderers may offer alongside their offers for non-labelled items, the ministry follows the officially approved (by the Order Nr. D1-697 of the Minister of Environment on 22 December 2007) list of goods and services to which PP procedure should include requirements for 'green procurement'</p> <p>NL Gemeente Ridderkerk: The organization uses extracts of specifications from fair trade or equivalent social labels. For instance: for coffee beans in the beverage machine; production of bricks of rock with no child labour.</p> <p>SV Regional</p>	
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					<p>Administration for South-Western Sweden: technical specifications for textiles and food stuffs have, in some instances, included ecological production requirements.</p> <p>SV Swedish Administrative Development Agency, Verva: To ensure that promotion of fair or ethical trade requirements are reflected in the technical specification of procurement, the C.A. mainly refers to ILO Core Labour Standards and considers ISO 26000 Social Responsibility, EICC and others. The Entity applies those requirements as "contractual terms", and doesn't evaluate them within MEAT.</p>	
<p>TENDERERS' SELECTION STAGE</p>						

PROMOTING EMPLOYMENT OPPORTUNITIES	PROMOTING DECENT WORK	SUPPORTING SOCIAL INCLUSION AND PROMOTING SOCIAL ECONOMY ORGANIZATIONS	PROMOTING SMEs	PROMOTING ACCESSIBILITY AND DESIGN FOR ALL	TAKING INTO ACCOUNT FAIR OR ETHICAL TRADE ISSUES	PROMOTING CSR
<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: Pre-bid meetings are interdicted by the Procurement Act.</p> <p>ES Diputació de Barcelona: Sometimes, to raise awareness about employment opportunities, the C.A. gives information by telephone to suppliers that are more common.</p> <p>FR MEDDAT: Purchasers are invited to give particular attention to enterprises that mainly employ disabled people. Normally, tenderers are systematically informed about the motivation for rejection without them needing to ask. As from today the CA never rejected an offer due to non compliance with social duties.</p> <p>FR MIFA The</p>	<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: According to the tender documents, the bidders have to obey the regulations of the public procurement act and the law concerning the employment within foreign countries.</p> <p>DA National procurement ltd: tenderers on the Danish market must comply with Danish law – also on working environment</p> <p>DE Procurement Agency of the Federal Ministry of the Interior: Tenderers must issue self-declarations in all bidding procedures. Level of requirements is proportional to danger of abuse. Further declarations and proof might be required if</p>	<p>ES Diputació de Barcelona: Concerning pre-bid meetings with contractors to raise awareness about social inclusion/ promotion of the social economy organizations, the entity sometimes organizes these pre-bid meetings with suppliers.</p> <p>FR MEDDAT: pre-bid meetings organized to set aside contracts for enterprises that employ mainly disabled people.</p> <p>FR Ville d’Angers: Pre-bid meeting are organized for social-economy organizations in order to make them better understating the administrative procedures/ regulations which are often complex and heavy.</p> <p>FR Ville de Lille: Concerning pre-bid meetings with contractors, the organization mentions the involvement of the House of Employment that helps and assists the contractors.</p>	<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: Pre-bid meetings are interdicted by the Procurement Act. Within the decision to award a contract, the unsuccessful bidder is informed about the reasons for the unsuccessful tender.</p> <p>CZ Ministry of Labour and social affairs: contents and terms according to the Act no. 137/2006 on public procurement.</p> <p>FR Ville d’Angers: Pre-bid meetings are not organized for specific tenders and the local preference is not allowed</p>	<p>BG Agency for social assistance: pre bid meetings organized with the contractors if they want it.</p> <p>FR Ville d’Angers: Pre-bid meetings might be organized at the stage of project design for buildings. If this requirement is part of the technical specs, non-responding candidates are considered as non-compliant.</p> <p>SV Regional Administration for South-Western Sweden: Pre-bid meetings are used to explain “design-for-all” requirements if any such are included in the technical specifications.</p> <p>SV National Road Administration: Use</p>		<p>FR MIFA pre bid-meetings: the concept of corporate social responsibility is not jet elaborated in a specific way, but something of more detailed is growing, thanks to European trades and big private enterprises.</p> <p>FR Ville d’Angers: the power of local entities is very limited on this type of social consideration.</p>

<p>organization uses pre-bid meetings with contractors to raise awareness about employment opportunities, there are preliminary market studies not exclusively related to social considerations. The organization provides feedback to suppliers on non successful bids, but not only about social considerations. This social criteria is not yet included in the award criteria, and if this would be the case the weight would be minor (non discrimination).</p> <p>FR Ville d'Angers: The department for employment-inclusion monitors enterprises on compliance with the clause employment-inclusion and organizes pre-bid meetings to this end. However, pre-bid meetings are always general, not for a specific public procurement. About feedback to unsuccessful suppliers: art 14 is not useful. Either the candidate complies with the</p>	<p>tender pertains to a market with high risk of abuse and illegal labour.</p> <p>FR MEDDAT: pre-bid meetings with contractors to raise awareness about promotion of labour rights and about standards of working conditions.</p> <p>FR Ville d'Angers: Ethical clauses are included whenever the Entity considers the market sensible due to the origins of the products purchased. These clauses require compliance with international labour standards and eventually dialogue is undertaken with suppliers. However, being Ville d'Angers, a local authority of medium size, its intervention on these issues can be quite limited in scope. On H&S on the workplace, the Entity asks suppliers about availability of instruments and supervisory staff, but it</p>	<p>SV Swedish Administrative Development Agency, Verva: About pre-bid meetings with contractors to raise awareness about social inclusion/ promotion of the social economy organizations, the C.A. says that during a pre-study, before a public procurement for framework agreement, there are dialogues about almost all possible requirements. About feedback to suppliers on unsuccessful bids: the C.A. invites all vendors to mutual feedback after a concluded procurement.</p>		<p>of pre-bid meetings to explain design for all requirements if they are included in the technical specifications.</p> <p>SV Swedish Administrative Development Agency, Verva: About pre-bid meetings with contractors to raise awareness about promotion of "Accessibility and Design for All", the C.A. says that during a pre-study, before a public procurement for framework agreement, there are dialogues about almost all possible requirements.</p> <p>SV Gothenburgh City Board: Pre-bid meetings will be used to explain "design-for-all" requirements if any such are included in the technical specifications.</p>		
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<p>requirement or it doesn't. It's not an award criterion. Therefore the entity does not evaluate the candidate on the basis of its performance concerning the clause employment-inclusion. The Entity prefers that they are committed to reserve/set-aside a certain number of hours of work to the disadvantaged workers that they need to integrate. Enterprises are otherwise non compliant. On the opposite, it would it is more adequate to foresee an award criterion for enterprises "d'insertion", i.e. employment a majority of disadvantaged persons, though the Entity considers that making them competing against each other is not ethically correct. All contribute to help disadvantaged people with different means and type of financial support and therefore are all useful. Practically, when enterprises are in competition, the risk is that always the same one wins since it knows</p>	<p>does not go further, since it would be discriminatory to do not permit the employment of illiterate workers.</p> <p>FR Ville de Lille: The city of Lille gave hospitality to the European conference RESPIRO in December 2007 that was about socially responsible public procurement in private and public sectors, (textile and buildings areas). See web site www.respiro-project.eu</p> <p>HU Equal Treatment Authority: The organization asks details about standards of working conditions used by tenderers.</p> <p>IT Sotral SPA: About declarations of clean records done by the tenderers with respect to offences related to Decent Work, the organization said that this aspect is foreseen within the procedures for the qualification and the monitoring of suppliers.</p>					
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<p>better the procedures and has more time to complete administrative documents.</p> <p>FR Ville de Lille: presentation of the bid of the "Local House of the Employment" and of the Local Plan called "Plan Local pour l'insertion et l'employ" (PLIE) to help enterprises in the project and in the recruitment.</p> <p>IT Sotral SPA: About feedback to suppliers on non successful bids, the organization has a qualification for all the suppliers. If a supplier is not accepted, he receives explanations on the motivation of the decision.</p> <p>LT Ministry of Social Security and Labour: the authority has given details about feedback to suppliers on non successful bids, according to the articles 39 and 41 of the Law on Public Procurement.</p>	<p>LT Ministry of Social Security and Labour: in the matter of declarations of clean records with respect to offences related to Decent Work, the organization follows article 33 part 2 point 4 of the Law on Public Procurement. With respect to feedback to suppliers on unsuccessful bids: the organization follows art. 39 part 7 point 2 and art. 41 of the Law on Public Procurement.</p> <p>SV Swedish Social Insurance Agency: The organization compels tenderers to follow current legislation and to pay social and other taxes.</p> <p>SV Regional Administration for South-Western Sweden: tenderers are allowed, according to Ch. 6, § 2 of the law (1980:100; see web site http://www.notisum.se/rnp/sls/lag/19800100.htm) on access to public documents, to inspect</p>					
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	<p>documents relevant to a specific transaction once the contract has been awarded or the matter otherwise terminated. Agencies must record in the procurement file the reasons for its decisions and other relevant circumstances.</p> <p>SV National Road Administration: Tenderers are allowed, according to Ch. 6, § 2 of the law (1980:100) on access to public documents, to inspect documents relevant to a specific transaction once the contract has been awarded or the matter otherwise terminated. Agencies must, according to Ch. 15, § 18 of the Law on Public Procurement, record in the procurement file the reasons for its decisions and other relevant circumstances.</p> <p>SV Gothenburgh City Board: About feedback to suppliers on unsuccessful bids, tenderers are allowed,</p>					
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<p>according to Ch. 6, § 2 of the law (1980:100) on access to public documents ("sekretesslagen"), to inspect documents relevant to a specific transaction once the contract has been awarded or the matter otherwise terminated. Agencies must, according to Ch. 15, § 18 of the Law on Public Procurement, record in the procurement file the reasons for its decisions and other relevant circumstances.</p> <p>SV Swedish Association of Local Authorities and Regions: Supplier must supply goods produced under working conditions that are compatible with the eight ILO conventions and the UN Convention on the Rights of the Child. According to SALAR, it must also be permitted to demand that the supplier complies with the labour laws and health and safety at work legislation applicable in</p>					
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	<p>the country in which manufacturing takes place. One way of ensuring that the goods are manufactured in accordance with the fundamental ILO conventions is that the goods are ethically labeled by an independent agency that regularly audits production. In the absence of such labeling the authority can demand that the supplier submits documentation showing compliance with the demands. The supplier's in-house controls ought to be supplemented by random audits made by the authority under its own auspices or with the aid of a commissioned audit company.</p>					
<p>TENDER AWARD</p>						

PROMOTING EMPLOYMENT OPPORTUNITIES	PROMOTING DECENT WORK	SUPPORTING SOCIAL INCLUSION AND PROMOTING SOCIAL ECONOMY ORGANIZATIONS	PROMOTING SMEs	PROMOTING ACCESSIBILITY AND DESIGN FOR ALL	TAKING INTO ACCOUNT FAIR OR ETHICAL TRADE ISSUES	PROMOTING CSR
<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: In awarding the tender, the organization includes criteria relating to employment opportunities which are connected to the subject matter of the contract or to the quality parameters of its performance. In fact, the requested employment opportunities are part of the technical qualification requirements. Further employment opportunities can be weighted within the criteria for awarding the MEAT. If two offers in the evaluation scoring are rated as equal in accordance with the Most Economically Advantageous Tender (MEAT) methods, the quantity of the women's</p>	<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body: If doubts concerning Decent Work standards occur and the bidder cannot explain the abnormally low tenders, the offer will be rejected.</p> <p>DA National procurement ltd: social criteria can not be used as part of the competition – it should always be integrated in tender material as a contract clause.</p> <p>DE Procurement Agency of the Federal Ministry of the Interior: Concerning abnormally low tenders, the C.A. affirms that an offer can be rejected if it's deemed self-destructive or unfairly destructive to competitors / competition within</p>	<p>FR MEDDAT: the "Code de marches" does not contemplate the case of equal ranking of two offers, which need to be classified in increasing or decreasing order and therefore need to be differentiated.</p> <p>FR MIFA If two offers are rated as equal (MEAT methods), the article 53 of « Code des marchés » provides a right of preference to a cooperative or to an enterprise that hire disabled people: this case is rather theoretical.</p> <p>FR Ville D'Angers: The clause on employment-inclusion is better places as a selection criterion rather than an award criterion. However, if Art. 30 (contract whose subject matter is the social inclusion itself), it can be couples with Art. 53 on the award criteria in that case the Entiry will evaluate the candidate on the basis of social inclusion. In the case of Art. 30, the technical</p>	<p>DA National procurement ltd: the contracting authority is angry, and says that treats all tenderers equally and doesn't give preferences to SMEs.</p> <p>FR MEDDAT: Giving preference to an SME is not permitted as it would be discriminatory. However, in case of same price or equivalence between two offers, the "Code des marchés publics" (art 53-IV) authorizes to give priority to the offer of a cooperative of workers, a group of farmers, an artisan or a cooperative of artisans, a cooperative of artists or a firm which employs a majority of disabled persons.</p> <p>FR MIFA If two offers in the evaluation scoring are rated as</p>	<p>DE Procurement Agency of the Federal Ministry of the Interior: in awarding the tender, the organization includes criteria relating to promotion of "Accessibility and Design for All" which are connected to the subject matter of the contract or to the quality parameters of its performance. In comparison with other criteria, the weight attributed to them isn't fixed or general, but it's decided on a case-by-case basis depending on the importance of accessibility in a specific tender.</p> <p>FR MEDDAT: in case of two equal offers the "Code des marches" does not contemplate the possibility to give</p>	<p>ES Diputació de Barcelona: In some public procurement fair or ethical trade issues are compulsory: e.g. coffee machine.</p> <p>FR Ville d'Angers: The use of award criteria for ethical trade issues depends on the availability of market supply: the higher is the product availability and the lower the cost to the community, the higher will be the weight for this type of criteria. In case of equal offers, fair trade criteria can be the basis for the award, provided it is part of the award criteria. According to French Law, the "Most economically advantageous tender" is the best offer not only on the basis of price, but also of other considerations such as quality, environmental</p>	<p>FR Ville d'Angers: According to French law, CSR can only be taken into account at the candidate selection stage .Based on art. 45 of the Code des marchés a candidate cannot be excluded based on this criterion only. The power of the entity is very limited in this respect even if it is interesting to ask the candidate where it stands in terms of CSR. Finally, the entity tries to make the suppliers aware about CSR during the pre-bid meetings.</p>

<p>quota, apprenticeship training or employment of unemployed people can be taken into account to enable determination of the winner. If doubts concerning employment opportunities occur and the bidder cannot explain the abnormally low tenders, the offer will be rejected.</p> <p>BG Agency for social assistance: The organization usually rejects abnormally low tenders</p> <p>DE Procurement Agency of the Federal Ministry of the Interior: Bid is rejected when bidding price is too low and it's also rejected if obviously submitted to eliminate competitors from market.</p> <p>ES Diputació de Barcelona: In awarding the tender, the entity includes criteria relating to employment opportunities which are connected to the subject matter of the contract or</p>	<p>market and negative consequences for the employees of the competitors may result.</p> <p>ES Diputació de Barcelona: If two offers in the evaluation scoring are rated as equal in accordance with the MEAT methods, Decent Work standards are taken into account.</p> <p>FR Ville d'Angers: Concerning the breaches to social legislation see documents DC5 and DC6 on the fight against black work. Enterprises which are considered to be non compliant with social legislation are requested to provide legal justifications. Compliance with labour standards is normally not included as an award criterion as the Entity considers difficult to verify/control the suppliers self-declarations. Offers might be rejected as abnormally low, if they</p>	<p>scoring "quality of the social inclusion measures proposed" is dominant: for instance 60/70% against 30/40% for price.</p> <p>FR Ville de Lille: The article 53-IV of Code des Marché publics provides that if two offers in the evaluation scoring are rated as equal in accordance with the MEAT method the organization should advantage cooperatives and « entreprises adaptée », that are enterprises that hire at least 80% of disabled people.</p>	<p>equal (Meat methods), the organization chose the offeror that is a cooperative or an enterprise that hires disabled people.</p> <p>FR Ville d'Angers: In case of equal offers it would be illegal to give preference to SMEs.</p>	<p>preference to the offer that promotes accessibility and design for all.</p> <p>FR Ville d'Angers: If such requirements are technical specs included in the CCTP, they will be necessarily reflected in the award criteria. In case two different solutions are proposed, i.e. an elevator or a slope, the entity will evaluate the more pertinent solution.</p> <p>FR Ville de Lille: In awarding the tender, the organization includes criteria relating to promotion of Accessibility and Design for all. These criteria are weighted in comparison with other criteria, and the weight attributed to them is variable. The organization uses the MEAT method and prefers the offer "mieux-disante", that is the offer that respects criteria listed in the "Règlement de</p>	<p>and social value (see art 53 of the Code des marchés)</p> <p>LT Ministry of Social Security and Labour): in awarding the tender, the organization includes criteria relating to promotion of Fair or Ethical Trade and to them different weight is attributed in different cases. Normally, it depends on the total number of criteria and type of goods (e.g. it differs while purchasing automobiles or PCs)</p> <p>SV Swedish Administrative Development Agency, Verva: The organization connects criteria relating to promotion of fair or ethical trade to the quality parameters of a performance (e.g. contractual terms).</p>	
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<p>to the quality parameters of its performance. In comparison with other criteria, in public service contracts, the organization can consider the criteria about employment opportunities, but as a value-added: they are not balanced with other criteria. If two offers, in the evaluation scoring, are rated as equal in accordance with the Most Economically Advantageous Tender (MEAT) methods, the organization follows the provisions of the Law 30/2007.</p> <p>FI City of Oulu: the contracting authority considers the situation of unemployed persons (2% of weight compared with other criteria)</p> <p>FR Ville d'Angers: the Entity noticed that in the cleaning sectors workers have tough work schedules: thus an offer which is economically extremely interesting because proposing a number of workers not</p>	<p>do not comply with requirements in terms of working hours.</p> <p>HU Equal Treatment Authority: In awarding the tender, the organization considers criteria relating to decent work standards (Promotion of Labour Rights, Promotion of Human Rights, Standards of Working Conditions and Promotion of Equal Opportunities and Non Discrimination), and uses them to enable determination of the winner.</p> <p>IT Sotral SPA: The three criteria used to evaluate the suppliers are :</p> <ul style="list-style-type: none"> ➤ Price competitiveness; ➤ Respect of the integrated commitment for responsibility that comprises the three standards of certification of Sotral (Social responsibility = SA8000 (including 			<p>la consultation". See web site http://www.marche-public.fr/Plans/RdC/Plan-rdc.htm. In this case, the "Accessibility and design for all" is a very important criterion.</p> <p>SV Swedish Administrative Development Agency, Verva: The criteria relating to promotion of "Accessibility and Design for All" are used, weighted in comparison with other criteria, and they weigh 2%.</p>		
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<p>appropriate with respect to the surface to be cleaned on the basis of average ratios, will be considered as abnormally low and rejected.</p> <p>IT Sotral SPA: The three criteria used to evaluate the suppliers are :</p> <ul style="list-style-type: none"> ➤ Price competitiveness; ➤ Respect of the integrated commitment for responsibility that comprises the three standards of Sotral (Social responsibility = SA8000 (including employment opportunities), Quality ISO 9001 and Environment (ISO 14001 and EPD); ➤ Element of quality related to the service (velocity, punctuality etc...). <p>LT Ministry of Social Security and Labour: The organization follows the article 40 of the Law on public procurement.</p>	<p>employment opportunities), Quality ISO 9001 and Environment (ISO 14001 and EPD);</p> <ul style="list-style-type: none"> ➤ Element of quality related to the service (efficiency, timeliness, etc...). <p>SV Swedish Administrative Development Agency, Verva: In awarding the tender, the organization considers criteria relating to Decent Work standards. In coming procurements they will be used as "contractual terms" and not evaluated/compared with other requirements. This means that they are considered as mandatory, so there is no space to not fulfil them.</p>					
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CONTRACT MANAGEMENT AND COMPLIANCE MONITORING

PROMOTING EMPLOYMENT OPPORTUNITIES	PROMOTING DECENT WORK	SUPPORTING SOCIAL INCLUSION AND PROMOTING SOCIAL ECONOMY ORGANIZATIONS	PROMOTING SMEs	PROMOTING ACCESSIBILITY AND DESIGN FOR ALL	TAKING INTO ACCOUNT FAIR OR ETHICAL TRADE ISSUES	PROMOTING CSR
<p>DA National procurement ltd: SKI framework contracts on services like catering services offer the customers (e.g. a municipality) the opportunity to specific contract conditions relating to employment opportunities. Ski organization knows from suppliers on temping agency services that they have problems finding enough employees.</p> <p>ES Diputació de Barcelona: To facilitate the adherence of contractors to the creation of employment opportunities, the Diputació gives assistance and support to the mayors, according to Department of Economic Development.</p>	<p>DA Federal Ministry of Labour and Social Affairs: compliance with decent work standards is checked by samples</p> <p>DA National procurement ltd: in the future the organization will have a program to work with awarded contractors to facilitate their stronger adherence to Decent Work standards. The company underlines that wants that all suppliers respect ILO core conventions, but thinks that it's not useful, and that there is a lack of documentation. Promotion of decent work is difficult outside EU.</p> <p>ES Diputació de</p>	<p>FR MEDDAT: There is an obligation for suppliers to employ 6% of handicapped people and the possibility to set aside contracts for enterprises which employ a majority of handicapped people.</p> <p>FR MIFA: they use especially the condition of 6% of disabled people hired, and the penalty if the enterprise doesn't follow the rule.</p> <p>FR Ville de Lille: The organization prescribes specific contract conditions relating to social inclusion/ the promotion of social economy organizations and the % are fixed having regard to the nature and technical qualities of the procurement. The organization has a program to work with</p>	<p>DE Procurement Agency of the Federal Ministry of the Interior: there are cases where the C.A. prescribes promotion of SMEs obligations throughout the supply chain (including subcontractors) of an awarded tenderer: undertakings are requested to choose subcontractors according to competitive criteria and must regularly include SME's (§ 10 VOL/A)</p> <p>FR Ville d'Angers: Art. 48 of the Code des marches foresees that candidates can indicate in their offers the use of sub-contractors during contract execution.</p>	<p>FR Ville de Lille: The promotion of "Accessibility and design for all" condition is used in procurements of cleaning products and services.</p> <p>SV National Road Administration: the organization maintains records of tenderers' performance regarding promotion of "Accessibility and Design for All" if such requirements are included in the technical specifications.</p> <p>SV Swedish Administrative Development Agency, Verva: During the 90-ties,</p>	<p>DA National procurement ltd: The organization has an electronic product catalogue. In this catalogue the suppliers have the possibility to label their products with environmental labels (e.g. The EU Flower) and also the Max Havelaar label.</p> <p>ES Diputació de Barcelona: To work with awarded contractors to facilitate their stronger adherence to promotion of Fair Trade the C.A. organizes meetings with them. Concerning Fair or Ethical Trade: for two years the entity used fair trade criteria in public procurement and gave an advantage</p>	<p>FI City of Oulu: the program of the contracting authority that facilitates the adherence of contractors to promotion of Corporate Social Responsibility is called "Rules for competition"</p> <p>IT Sotral SPA: If the suppliers are not certified for Social Responsibility, Sotral checks if they are qualified, according to SA 8000 procedures.</p>

<p>FI City of Espoo: Specific contract conditions relating to employment opportunities are prescribed from the organization, as the obligation to hire long-term unemployed and disabled people.</p> <p>FR MEDDAT: About raising awareness of suppliers on the need to promote employment opportunities during contract execution, a training module for procurers is under preparation along with the practical guide mentioned in section I.B.2</p> <p>FR MIFA: the organization maintains records of tenderers performance regarding employment opportunities, but not in a systematic way. There are "Facilitators" (agents form local entities which collaborates with the public agency for the employment) which assist public buyers to determine the</p>	<p>Barcelona: Generally, the C.A. requires the respect of ILO Conventions gives support to the Fair/Ethical Public Purchases Network of Catalogna and organizes training activities for local suppliers, elected representatives and technical experts. In the program concerning the awareness of the Diputació de Barcelona in relation to the "Cooperation to the Developpement" the entity is trying to raise the awareness about the exploitation of child labour in the Third World.</p> <p>FR MEDDAT Purchase of clothes: suppliers are asked to comply with ILO fundamental rights.</p> <p>FR Ville d'Angers: Contract condition on decent work are drafted based on the provisions of Art. 44 and 45 of the Code des marchés and of regulations in the</p>	<p>awarded contractors to facilitate their stronger adherence to promotion of social inclusion / the promotion of social economy organizations: in fact, the city of Lille devolves upon the House of Employment and upon the « Plan Lillois for the recruitment and for the employment » the inclusion of the clause of employment in public procurement. Moreover, the City of Lille developed a "Local Plan of Development of Social and Solidarity-based Economy" in collaboration with the role-players of this sector to help and promote their actions.</p> <p>FR Communauté de l'Agglomération Rouennaise: Concerning specific contract conditions relating to social inclusion/ the promotion of social economy organizations, the C.A. uses the division into lots method and reserves some of them to the categories mentioned above, (article 15 of CMP) but the enterprises must hire 6% of disabled people.</p> <p>NL Ministry of Housing, Spatial Planning and</p>		<p>the organization made a lot to improve the quality of VDU generally and to reduce "radiation" from CRT displays, and supported the development of the TCO-certification of VDU etc</p>	<p>to the contractors that followed them.</p> <p>FR Ville d'Angers: The entity counts on the certification for the existing labels as they are considered to serve the purpose of monitoring compliance. Furthermore the Entity would not dispose of the necessary means for monitoring and control.</p> <p>FR Ville de Lille: The City Council made two commitments in 2001 and 2002:</p> <ul style="list-style-type: none"> • To favor a fair or ethic consumption (deliberation n° 01/328) • To interdict the use of wood taken from ancient forests that are not involved in the Sustainable Forest Management. (délibération n° 02/359). <p>Criteria relating to promotion of Fair or Ethical trade have been used by the organization for coffee</p>	
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<p>appropriate number of working hours in the frame of social considerations, to manage relationship with the enterprises, and to manage the effective achievement of the contract objectives. The organization prescribes specific contract conditions relating to employment opportunities, and this is provided by article 14 of the Codes de marches. The Organization has a program to work with awarded contractors to facilitate their stronger adherence to the creation of employment opportunities: the guide « Commande publique et accès à l'emploi des personnes qui en sont éloignées » has this purpose, as the two training modules which are under preparation. Successful experiences are mainly with local authorities and public enterprises, such as ANRU (urban planning and renovation)</p> <p>FR Ville d'Angers: The enterprise must reserve a</p>	<p>filed of labour, health and safety. The entity asks suppliers for a general commitment on the Labour and Human Rights Conventions, with some more detailed requirements on specific aspects. There is a political will in support of the integration of ethical clauses, however the risk might be to mix up ethics with morals. The State should get more involved in these type of issues and strengthen the collaboration with NGOs active in the countries where part of the supply chain is located (ineffectiveness of consultants which visit the fields for monitoring and controls). Local communities have limited action in this area and can just work on awareness raising.</p> <p>FR Ville de Lille: The criteria related to safety and health of workers have been integrated in some public procurement without the support of</p>	<p>Environment: the organization prescribes specific contract conditions relating to social inclusion/ the promotion of social economy organizations in certain or specific facility management contracts.</p>			<p>and for cotton bags.</p> <p>IT Sotral SPA: To facilitate the adherence of contractors to promotion of Fair or Ethical Trade, Sotral has a process of Qualification of suppliers, including adherence to promotion of Social responsibility such as equality between men and women or racial diversity. The educational booklet on fair trade produced by Sotral contributed to enhance the overall quality of the services and has been used by any clients within School Catering services.</p> <p>SV National Road Administration: Construction contracts contain a standard clause referring to the UN Global Compact and obliging the contractors to follow some conventions when executing the contract in Sweden (ILO and UN conventions). The</p>	
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<p>% of hours of work to disadvantaged people (i.e. disabled people). To facilitate the stronger adherence of contractors to the creation of employment opportunities, the Entity encourages enterprises to join employers associations, the GEIQ, which offer to personnel "en insertion" a long-term and qualifying professional path (training and mobility plans). This reveals to be interesting for the collectivity, the enterprises and the GEIQ...</p> <p>Compliance with the clause employment-inclusion is compulsory at every stage of the process. It's not an award criterion as there should be no possibility to award the contract to enterprises providing offers which are more economically advantageous but do not have any action/plan in favour of social inclusion. Furthermore, for the procurement of project supervision services, the Entity</p>	<p>the law. The respect of the Convention on labour rights has been asked to contractors in some public procurement. The organization doesn't have a program to work with awarded contractors to facilitate their stronger adherence to Decent Work Standards, but has given hospitality to the European Conference RESPIRO (more than 15 countries and 120 participants were present at this event).</p> <p>HU Equal Treatment Authority: The organization follows the conventions No 100 – Equal Remuneration (between men and women) and No 138 – Minimum Age.</p> <p>IT Sotral SPA: The organization prescribes specific contract conditions relating to standards of working conditions, key international labour standards (N 155) and</p>				<p>contractor, according to the same clause, must comply with certain reporting requirements designed to verify that goods and products used in the performance of the contract have been produced in a safe environment according to the rules of the conventions mentioned. Goods found to be in conflict with this provision must be replaced at the contractor's expense. The contractor must ensure that subcontractors abide by the same obligations. A penalty is payable for any breach of against these social obligations of the contractor.</p>	
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<p>requires that the project supervisors award the contracts to enterprises complying with the clause employment-inclusion. The Entity has put in place un important system to monitor enterprises throughout the execution of the contract.</p> <p>FR Ville de Lille: To facilitate the adherence of contractors to the creation of employment opportunities, the C.A. mentions:</p> <ul style="list-style-type: none"> ➤ Direct employment ➤ Use of subcontractors as « entreprises d'insertion », that are enterprises with social issues that employ disabled/disadvantaged people. ➤ To make contractors available of enterprises that employ temporary workers. ➤ To contact PLIE so the contractors can be helped in the definition of the 	<p>ILO conventions. To facilitate the adherence of contractors to Decent Work standards, Sotral has set up a mailing list of all suppliers who receive information about all our activity of communication: Publications, conferences on sustainability within catering The process of Qualification of suppliers: If the suppliers are not certified for Quality, Environment or Social Responsibility, they must answer to a qualification survey. If they don't answer to all the questions accordingly to the expectancy of Sotral, they receive a visit to check if they are qualified. There is a specific formation for all staff and suppliers involved in transport activities on health and safety procedures and requirements during the beginning of their work. They receive the</p>					
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<p>requirements. The organization reports the experience of a construction contract for the building of cultural facilities on an industrial site where, without inserting the clause of employment inclusion, the main contractor has sub-contracted the rehabilitation of the janitor's lodge to an enterprise that hire disabled/disadvantaged people.</p> <p>FR Communauté de l'Agglomération Rouennaise: records of tenderers' performance regarding employment opportunities are maintained. The organization prescribes specific contract conditions relating to employment opportunities: for example, the obligation to hire, during the execution of the contract, people meeting the criteria for employment inclusion.</p> <p>IT Sotral SPA: Sotral has invested high resources in training.</p>	<p>assistance of a senior to make sure that they understand perfectly their duty and the related risks. (See first paragraph of SECTION 2 part A Contract Management and Compliance monitoring 2.) Some of the people (less than 10%) do not succeed to pass this training period.</p> <p>NL Gemeente Ridderkerk: The organization prescribes specific contract conditions relating to Standards of working conditions (see key international labour standards).</p> <p>SV City of Goteborg, Traffic and Public Transport Authority: The organization prescribes specific contract conditions relating to standards of working conditions (ILO 155 and other conventions) and promotion of labour rights (ILO 29 and 105. UN child convention, article 32). It's</p>					
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<p>Sotral organises a training activity for all people involved in logistics services (a minimum of 10 hours per person). Indeed, this activity is crucial for the achievement of environmental and economic goals. Meal production centres responsible and drivers, about 200 people, receive specific formation to fulfil their function. Moreover, they have two kinds of documents explaining their mansions: the Training Notebook and the Operative Handbook. Both documents contain procedures, according to ISO 14001 and EPD™ which refer mainly to the vehicles proper regular maintenance. Such documents are regularly updated in function of the norms and of company achievements. Besides the training of all suppliers regard to the completion of meal transport service, growth opportunities have been proposed to all Sotral staff, to ease the innovation process of the</p>	<p>interesting to consult the SwedWatch report on stone manufacturing in China. www.swedwatch.org/swedwatch/in_english/reports</p> <p>SV Swedish Social Insurance Agency: the main topics are: maintenance of records of tenderers performance if considered necessary, promotion of labour rights and non discrimination clause in the contract, also when there are subcontractors.</p> <p>SV Regional Administration for South-Western Sweden: Sweden didn't adhere to ILO Convention No 94; in general, Swedish labour protection laws serve the same purpose. Suppliers must respect Human Rights as defined by the United Nations.</p> <p>SV National Road Administration: Further to the Anti-</p>					
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<p>company. In 2003-2004, a consulting company was in charge of staff selection and trained people in view of the new strategy and action plan of the Company. Its role was either to identify persons able to hold the main roles in the transformation of Sotral, either to explain what the strategy of the company was and how the staff would have been involved. The red graph displays the training organised by Sotral for employees for the last three years 2005, 2006 and 2007, expressed in number of hours, with an average of 642 hours of training for 18 employees. In 2005 and 2006 training was mainly oriented towards personal growth. In 2005 the company mainly proposed training related to the function and managerial training, especially for new staff. A master in Environmental education and a course on environmental education</p>	<p>discrimination Decree, and model contract provisions provided by the Competition Agency, all construction contracts oblige the contractor to follow salary and employment conditions equal to, or equivalent to, collective bargaining agreements applicable to the sector concerned, to provide an equal treatment plan according to the law on equal treatment of sexes and evidence on work, to prevent discrimination on the basis of ethnic origin or religious faith, and to declare under oath whether the contractor or its employees have been found guilty of breach against any anti-discrimination law. Construction contracts also contain a standard clause obliging contractors to provide reports and evidence proving that the contractor has adhered to the foregoing obligations. A further standard clause makes the contractor liable to</p>					
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<p>are comprised within training related to the function, respectively Research and Development and Communication functions. Among the specific thematic, social responsibility has been important in 2005, the year of the first SA800 certification, whereas, environment has been more empathized in 2006. In 2007, the training as been mainly managerial to raise the qualification level to help staff to assume new responsibilities and to work in international context, to face the company growth.</p> <p>NL Ministry of Housing, Spatial Planning and Environment: records of tenderers performance regarding employment opportunities are maintained by the organization, especially in facility management and building contracts.</p> <p>NL Gemeente</p>	<p>pay a penalty for late completion of this reporting duty. Moreover, contractors must pass their obligations on to subcontractors; the obligation is limited to activities in Sweden.</p> <p>SV Swedish Administrative Development Agency, Verva The promotion of Labour rights and Human rights is promoted by General Swedish Law.</p> <p>SV Gothenburgh City Board: About standards of Working Conditions, construction contracts include labour protection requirements which comply with key ILO Conventions. About the promotion of Labour Rights, there is no mandatory provision in this respect, but a new policy is expected to be decided by the City Board later in 2008. On an experimental basis, the City of Gothenburgh Traffic and Public Transport Authority has</p>					
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<p>Ridderkerk: There are specific contract conditions in which suppliers can be asked to hire unemployed people.</p> <p>SV Swedish Social Insurance Agency: in most procurement the authority permit the contractors to have subcontractors, and uses the same conditions with both of them.</p>	<p>included a specific contract condition in connection with its procurement of stones. Moreover, the C.A. mentions the SwedWatch that is an NGO with funding from SIDA, the Swedish aid agency, which collaborates with other Swedish NGOs in investigating whether Swedish companies respect international conventions regarding ethics and environment in their operations in developing countries.</p>					
<p>DEFINITION OF AN SME</p>						
<p>AT Federal Procurement Agency - FPA; Austrian Central Purchasing Body:</p> <ul style="list-style-type: none"> ➤ Middle sized: less than 250 employees, annual turnover not exceeding 50 billions Euro or a total annual balance sheet not exceeding 43 billions Euro ➤ Small: less than 50 employees, annual turnover not exceeding 10 billions Euro or a total annual balance sheet not exceeding 10 billions Euro ➤ Smallest: less than 10 employees, annual turnover not exceeding 2 billions Euro or a total annual balance sheet not exceeding 2 billions Euro <p>AT Federal Ministry of Economics and Social Labour: A SME has less than 250 employees (following the definition of EU)</p> <p>DA Federal Ministry of Labour and Social Affairs: company with a limit of 500 employees and of 50 Million business volume</p> <p>DA National procurement ltd: companies with less than 250 employees. Sometimes SRPP for SMEs is an opportunity for dividing themselves from competitors, sometimes is a burden.</p>						

DE Procurement Agency of the Federal Ministry of the Interior:

- Crafts undertaking – annual turnover up to 5.000.000 EUR or up to 65 employees
- Industrial undertaking – annual turnover up to 5.000.000 EUR or up to 65 employees
- Retail undertaking – annual turnover up to 2.500.000 EUR
- wholesale undertaking – annual turnover up to 7.500.000 EUR
- Other trade undertaking – annual turnover up to 500.000 EUR
- Liberal profession – annual turnover up to 500.000 EUR
- Cooperation of undertakings which solely comprise undertakings as specified above.

The C.A. perceives SRPP as introducing additional cost/burdens on SMEs. To reduce such constraints the organization suggests reducing paperwork and bureaucracy (see SME-Initiative of Federal Government).

<http://www.bmwi.de/Dateien/BMWi/PDF/foerderdatenbank/doku-557.property=pdf,bereich=bmwi,sprache=de,rwb=true.pdf>

FI City of Oulu: companies with fewer than 50 employees as "small", and those with fewer than 250 as "medium". The organization says that, to reduce difficulties of SME, is good the use of more flexible contracting procedures.

FR MEDDAT: SRPP can introduce additional costs/burdens on SMEs. In order to reduce them, in local authorities especially, a "Facilitator" assists SMEs on the research and training of workers (in search of employment), ensures an effective targeting of the concerned economic sectors, assists in the preparation of procedures/documentation, ensures the effective employment of disadvantaged people and the evaluation of the outcomes.

FR MIFA It's an enterprise that employs less than 250 employees. The organization doesn't perceive SRPP as introducing additional costs/burdens on SMEs, thanks to the role of the Facilitators, to the placement of people beneficiary of hours of work, provided by their employing entity, and to the use of "contracts aidés" (public placement/employment policy)

FR Ville d'Angers: SRPP is not necessarily linked to SMEs, which have difficulties in responding to Invitation to Bid due to the complexity of the procurement regulation and to the time necessary to prepare their offers, which is often not compatible with the management needs of these type of enterprises. Finally, concerning SRPP, SMEs claims that compliance with ecolabels and the corresponding certification is associated with costs that they cannot meet.

FR Communauté de l'Agglomération Rouennaise: SMEs are enterprises with less than 250 employees.

IT Sotral SPA: Sotral is a SME, according to the definition of the European Community

LT Ministry of Social Security and Labour: As it is defined by the Law on Small and Medium enterprises (came into force on 1 January 2008) put in line with the Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (Text with EEA relevance): Small and medium business entity is a micro-, small or medium-size enterprise which correspond to the conditions defined in the Article 3 or an entrepreneur (businessman) who corresponds to the conditions defined in the in Article 4.

SK Ministry of Economy of the Slovak Republic: A SME has fewer than 250 employees and has either an annual turnover not exceeding Euro 40 million and a total annual balance sheet not exceeding Euro 27 million.

SV Swedish Social Insurance Agency: definition recommended by the Commission. SRPP can be a burden for SME: this is fought with pre bid meetings and information.

SV County Council of Skåne: Micro-small under 10 employees, and under 2 mill euros annual turnover. Small between 10-49 employees and medium sized companies between 50-249 employees. (EU definition). SRPP can introduce a burden for SME: for the organization, every supplier is treated equally, and any additional cost is transferred to the customer.

SV Swedish Administrative Development Agency, Verva: SMEs are companies with less than 250 employees.

The C.A. doesn't have difficulties with SMEs, because the majority of organization's vendors are SMEs and many of them have less than 50 employees.