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1. METHOD

1.1. Translink must ensure that all procurement activities are carried out in accordance with the Section 75 of the Northern Ireland Act 1998 and with the requirements of the NITHC Equality Scheme (full details of which can be accessed via the website www.translink.co.uk).

1.2. Section 75 of the Northern Ireland Act 1998 requires NITHC, to carry out policy checks (screening) in functional areas, the Purchasing Department is one of these functions and as such the Purchasing Department will be proactive during these periods of review and take corrective action if required.

2. The Purchasing Department commitments

2.1. The Purchasing Department is committed to trying to purchase responsibly and to aiding the mainstreaming of sustainable development into its work and practices, in ways which help to ensure a strong, healthy and just society. The Purchasing Department will aim to achieve this without compromising best value for money which is defined as “the optimum combinations on whole life cost and quality (or fitness for purpose) to meet the customer’s requirements”.

In doing so the Purchasing Department must try to:

- Take account of the impact of today’s decisions on people and the environment both now and in the future regarding the 3 pillars of sustainability; Social, Economic and Environment factors.
- Act ethically at all times in our dealings with colleagues, customers, actual & potential suppliers

2.2. The Purchasing Department recognise that particular procurement decisions may have implications for equality of opportunity in relation to:

- location
- designs and their impact on local areas and individuals
- the context of inequality and multiple deprivation
- current and future service delivery
- employment and workforce issues
- regeneration and local economic impact
- development of infrastructure, skills and employment.
- equality should be also be considered in the decision on the procurement route itself to ensure the best choice.

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3. Guidance from the Equality Commission for Northern Ireland

3.1. In line with Sustainable Development guidance from the Equality Commission for Northern Ireland the Purchasing Department will consider the following:

- Attempts will be made to consider Sustainable Development at the procurement planning stage and key decision points in the procurement process to enable the requirement to be flagged if required for screening or an Equality Impact Assessment (EQIA). All decisions regarding Sustainable Development options should be recorded on the files.
- The Purchasing Department will attempt to ensure that terms and conditions in relation to this area are flowed down to suppliers and sub-contractors and assess the compliance to terms and conditions during the contract.

3.2. The following are regarded as key decision points at which sustainable development should be considered in the procurement cycle:

- Strategic Development and planning (Pre-Advertisement 1)
- Employment and Workforce Matters (Pre-Advertisement 2)
- Project Development – is screening required?(Pre-Advertisement 3)
- Specification and innovative solutions (Pre-Advertisement 4)
- Selection – setting weightings, evaluations and pre-qualification
- ITT's and evaluation (Tendering 1)
- The contract – terms and conditions of contract (Tendering 2)
- Performance Management – monitoring contractor performance

For example:

Stations up for renewal and refurbishment: Translink should be ensuring that these sorts of programmes are “assets” for the local community. This objective links to equality, an equality impact assessment will therefore be required to identify the user needs of the different groups of the community and other frequent users of the Station. In this instance sustainable development should be considered at all of the above decision points throughout this procurement. Following the above points should ensure that as the facilities are accessible to the widest possible number of potential users and ultimately potential customers.

4. Removing Barriers to Small and Medium Sized Enterprises (SMEs) and minority groups

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4.1. Translink Purchasing Department will attempt to remove barriers for SMEs. The following standards are in support of SMEs and this also applies to the Voluntary & Community Sector (VCS), Social Enterprises, ethnic minority businesses and local suppliers.

4.2. Accessibility of information

As a minimum, the Purchasing Department will try to use our website to publish:

- Information on how to do business with Translink
- Our contract opportunities (where appropriate)
- Our relevant procurement initiatives
- Our supplier events
- Our policy on Responsible Purchasing

4.3. Accessibility of information

The Purchasing Department will attempt to participate in Meet the Buyer events to:

- Develop and maintain effective communication with SMEs
- Increase competition for contracts
- Make contact with potential suppliers
- Enable SMEs to learn in an interactive way about our procurement processes

4.4. The Purchasing Department will attempt to provide access to contract opportunities where appropriate, and aim to:

- Advertise our contract opportunities in line with other Government departments in Northern Ireland using similar publications that are accessible to SMEs
- Take into consideration SMEs at the outset of a project when setting the procurement strategy
- Where it is practical and does not result in a loss of competitive leverage for Translink we may publish on our website the names of the suppliers involved in a tender exercise to aid subcontracting opportunities. Translink may insert in the Special Notices and Instructions to Tenderers (SNITS) that Translink may, as appropriate, issue the names of Tenderers involved in a tender exercise to aid subcontracting opportunities.

4.5. The Purchasing Department throughout the Tender process will attempt to:

- Ensure we apply our policies and processes in a fair, equitable and transparent manner in accordance with the 12 principles that govern the administration of public procurement with given consideration to Translink's commercial interests.
- Ensure that all Tenderers have equal access to relevant information

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- Try to keep the tendering process and documentation as simple and jargon free as possible, e.g. and will revise the conditions of contract to ensure they are written in plain English.
- Consider SMEs' capacity to produce the required tender documentation when allocating timescales
- Assess applicants against published tender evaluation criteria
- Set the criteria for evaluation of the financial standing of organisations at a level that is appropriate to the requirement and that will not unreasonably exclude SMEs in line with the Office of Government Commerce Supplier Financial Appraisal Guidance.

4.6. The Purchasing Department will provide debriefs containing meaningful feedback to unsuccessful suppliers as a way of helping them improve their competitive performance in future tenders and helping us to improve the ways in which we communicate with them and the tendering process.

4.7. Purchasing Department will attempt through Contract management to:

- Treat our suppliers openly, fairly and equitably
- Pay suppliers within 30 days of receipt of an undisputed invoice
- Give honest and constructive feedback to our suppliers on their performance
- Give notice to suppliers of any performance problems and provide a reasonable opportunity to put matters right
- Work closely with our suppliers to develop and support continuous improvement

4.8. CPD guide to Purchasers on SMEs may also be useful for gathering further information in this area.

5. Working with and expectations of Translink

5.1. Effective relations between Translink and its suppliers is a key element in the successful delivery of goods, services and works. It is important that suppliers understand their responsibilities and the standards expected of them when interacting with Translink.

5.2. What Translink Purchasing Department expects from its entire Supplier base in addition to compliance with the terms and conditions of any contract is at a minimum the following:

We expect suppliers to:

- Be pro-active and familiarise themselves with the documentation made available to them

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- Only bid for contracts when their delivery of the requirement is realistic for their organisation
- Seek feedback when unsuccessful in a tender exercise to improve their competitive performance in future tenders
- Act responsibly in terms of their ethical, environmental and social performance
- Actively pursue continuous improvement
- Work with potential subcontractors to promote an integrated and visible supply chain
- Make effective use of skills and resources
- Foster professionalism and train staff to enable the effective delivery of the contract
- Work with Translink and others, as appropriate, to deliver value for money throughout the life of the contract

6. Environmental Impact

6.1. The Purchasing Department aims to continually improve its environmental purchasing performance by:

- Complying with all relevant statutory regulations that impact on procurement and insisting that suppliers (and their supply chain) do the same.
- Wherever possible and appropriate, detailing sustainable and environmentally responsible products or services within specifications (including, where appropriate, the use of environmental labels).
- Including sustainable and environmental criteria within the process for supplier appraisal, contract award and Contractor Performance Management, as appropriate.
- Ensuring that consideration is given for suppliers to submit variant bids at tender stage for sustainable and environmentally responsible alternatives.
- CPD guidance note 04/04 on Integration of Environmental Considerations into Public Procurement is comprehensive and provides guidance on what environmental issues should be considered through the tendering cycle (Page 7 of the guidance) and it also gives some examples of environmental procurement.

7. Translink as a grant aided organisation & sustainability:

7.1. The definition of best value for money allows for the integration as appropriate of social, economic and environmental goals, the three pillars of sustainable development. Departments may wish to promote specific sustainable

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development principles where appropriate within the procurement process adopted by grant funded bodies.

7.2. Finance Directors are responsible for ensuring that procurement strategies, procedures and responsibilities are clearly set out and understood by all staff and obtain best value for money for the Department.

7.3. Achieving Excellence and Sustainable Development Champions are responsible for ensuring that their respective Department fulfils their role in progressing actions in relation to these priorities including the early identification of opportunities to promote sustainable development policies project governance, project management, preferred procurement routes, design quality, sustainability and health and safety.

7.4. For further information please note CPD guidance note 01/07 on The Use of Grant for Procurement and CPD has published comprehensive guidance (Guidance Notes 03/04 and 04/04) on integrating social, economic and environmental issues into the procurement process which are available on CPD's website: www.cpdni.gov.uk.

8. Timber and Wood Products

8.1. Special regulations apply to requirements which contain Timber and Wood Products, in relation to sustainability. Please note additional items are required in relation to the Specification, ITT and Conditions of Contract. It is important to read CPD guidance note 04/06 on Timber and Wood Products for further guidance on this issue.

9. Fair Trade Products

9.1. There are many fair trade products particularly in the area of catering and retail products and include for example coffee & tea. Details of these and emerging products can be found on the Fairtrade Foundation's website @ www.fairtrade.org.uk and staff involved in the procurement process should familiarise themselves with, and keep updated on, any new products for inclusion in relevant contracts. The CPD guidance note 02/06 on Procurement of Fair Trade Products should be consulted if it is likely that the requirement may fall under an area that is supplied by fair trade companies.

10. Corporate Social Responsibility (CSR)

10.1. Translink must as part of Sustainability and Procurement have an awareness of the issues contained within CSR and try to establish how best to achieve good

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social and environmental performance down the supply chain. For example we must be mindful of unethical practices within global supply chains, such as child labour and exploitation of migrant workers. Translink do have requirements on which this area could have serious impact and CSR must be considered during the procurement planning stages of the tendering cycle.

10.2. For further information on this area CIPS Practice Guide on Corporate Social Responsibility may be of some benefit here.

11. Waste Electrical and Electronic Equipment (WEEE) Directive

11.1. The WEEE Directive is an EU legislative instrument which aims to reduce the impacts of electrical and electronic equipment on the environment during their life and when they become waste. It was incorporated into UK law on 2nd January 2007 with full producer responsibility beginning 1 July 2007.

11.2. The Directive makes producers responsible for financing the collection, treatment, and recovery of waste electrical equipment, and by obliging distributors to allow consumers to return their waste equipment free of charge.

11.3. There are certain requirements for WEEE relating to Purchasing:

11.3.1. The regulation will set a framework in which the allocation of responsibility for disposal can become a factor in transactions for the purchase of electrical and electronic equipment.

11.3.2. Usually the original Producers of WEEE have to take responsibility for financing its disposal. Therefore Translink must be very careful to ensure that this aspect is clarified for these types of requirements at PQQ stage e.g. who is the producer and what is their registration number. Then at tender stage Translink must be mindful about what is being offered and check to ensure Translink is not offered something in a tender that the company is already required to do by law. Then at contract stage it will be important to highlight who holds the responsibility for disposal in any contract that is placed for this type of requirement.

11.3.3. The requirements disposal plan should address the issue of disposal in terms of whether the equipment comes under the scope of WEEE. The contract documentation should then set out what the arrangements for disposal are to be, including responsibility, adjusting the price to remove any fee included for the disposal, etc.

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11.3.4. This allows Translink and its contractor to decide on the most cost-effective disposal method. For example Translink must gain an assurance from the contractor that any WEEE that falls within the scope of the legislation is sent to an authorised treatment plant for recovery.

11.4. The WEEE Regulations apply to electrical and electronic equipment (EEE) which falls within the 10 product categories listed in the WEEE Directive:-

1. Large household appliances
2. Small household appliances
3. IT & Telecommunications equipment
4. Consumer equipment
5. Lighting equipment
6. Electrical and electronic tools
7. Toys leisure and sports equipment
8. Medical devices
9. Monitoring and control instruments
10. Automatic dispensers

11.5. The WEEE Regulations will apply to the following groups:

- Producers (any business that manufactures, imports or rebrands electrical and electronic products)
- Retailers and Distributors (any business that sells electrical and electronic equipment to end users)
- Local authorities
- Waste management industry
- Exporters and reprocessors
- Businesses and other non-household users of EEE

11.6. The WEEE will impact on a wide range of products Translink purchase particularly the sourcing strategies. WEEE is the fastest growing waste stream

