

**From:** [REDACTED]  
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**Subject:** PL23-14 23 11 17 DECC Green Public Procurement Strategy and Action Plan  
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**Attachments:** [image001.jpg](#)  
[Draft Green Public Procurement Strategy and Action 23 11 17.docx](#)

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Good Afternoon,

Please find attached submission in relation to the above referenced strategy document.

The document has been compiled from comments and observations sought from staff across multiple disciplines and departments during a number of workshops held in October.

The observation cover both Goods/Services and Works and related services but have not be split along those lines to avoid adding additional complexity

Regards

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**Draft Green Public Procurement Strategy and Action  
Plan Public Consultation Questions  
Template for Responses**

No.	Question
1.	Do you think the approach as detailed in the draft Green Public Procurement Strategy and Action Plan will significantly increase Green Public Procurement across the Public Sector?
<b>Response:</b>	<p><b>Discussions during workshops on the delivery of the Draft Green Public Procurement Strategy and Action Plan have raised some concerns with regard to a number of key areas</b></p> <ul style="list-style-type: none"> <li>• <b>Level of expertise and frequency of procurements for devolved buyers</b></li> <li>• <b>Capacity and level of preparedness of Economic operators particularly Micro enterprises</b></li> <li>• <b>Amount of work that will need to be done in relation to training, preparation of new suites of documents and implementation of the various requirements in the tender process</b></li> </ul> <p><b>More engagement with the operational side of the process to avoid difficulties with implementation</b></p>
2.	Are there any other key aspects or actions that could be effective in implementing Green Public Procurement and that you think should be considered for inclusion in the Green Public Procurement Strategy and Action Plan?
<b>Response:</b>	<p><b>Initial consultations with internal stakeholders suggest the following practical approach to the implementation of GPP for both Contracting authorities and Economic Operator is required.</b></p> <ul style="list-style-type: none"> <li>• <b>Emphasis needs to be placed on phased introduction.</b></li> <li>• <b>The level of training to date appears to be pitched at too high a level</b></li> <li>• <b>Further development is required of the tools necessary to create compliant functioning specifications with a clear understanding of how these will be applied to information requested and the appropriate process to be adopted during evaluation to validate submissions in a fair manner.</b></li> <li>• <b>The volume of documentation even for the 10 current priority areas runs to 576 pages between the guide and the supporting documents. Add to this all the various other elements and it is difficult for buyers (particularly in devolved environments where procurement is not their primary function) to get a proper grip on requirements.</b></li> <li>• <b>Comprehensive stripped back tool kits with easy-to-follow instructions and scenarios should be considered.</b></li> <li>• <b>Emphasis on the single point of access for materials as there are currently a number of different sites to be considered</b> <ul style="list-style-type: none"> <li>○ <a href="http://www.gov.ie">gov.ie - Green Public Procurement (www.gov.ie)</a></li> <li>○ <a href="#">GPPCriteriaSearch</a></li> <li>○ <a href="http://epa.ie">Resources   Environmental Protection Agency (epa.ie)</a></li> </ul> </li> </ul> <p><b>A roadmap for delivery allowing for a phased introduction of each stage to allow sufficient time to train, update key documents and implement the new processes.</b></p>

3.	In terms of the sectoral/product targets included in the draft Green Public Procurement Strategy and Action Plan, do you have any views in relation to the targets, the ambition level, and a timeframe for target achievement?
<b>Response:</b>	<p><b>There are significant differences between the implementation of <i>Goods and Services</i> and <i>Works and related Services</i>.</b></p> <p>Concerns exist in relation to the changes necessary to the various suites of documents and the amount of time it will take to transition to fully functioning templates for both G&amp;S and CWMF suites.</p> <p>There will be significant time required to change the mindset and culture of both buyers and EO's without issues of bedding in documents and systems that need to be fully road tested.</p> <p>The complexity of works procurement has been identified in section 7.1.3 and the requirements to update documents, develop clear guidance and training will be crucial to the roll out of GPP in construction in an area that to date has not figured highly in the current priority areas.</p> <p>Engagement and the interface between designers, buyers and EO's is critical in the following areas (particularly off the back of the introduction of new systems eTenders/eForms)</p> <ul style="list-style-type: none"> <li>• Development of the Preliminary Project Brief</li> <li>• Managing the Engagement of Consultants and Detailed Design</li> <li>• Contract management, compliance checking and adherence to the objectives set</li> </ul>
4.	Are there any other sectoral/product targets related to Green Public Procurement that you think should be considered for inclusion in the Green Public Procurement Strategy and Action Plan?
<b>Response:</b>	<b>No</b>
5.	Have you any other comments or feedback on the content of the draft Green Public Procurement Strategy and Action Plan?
<b>Response</b>	<b>Please refer to attached Appendix 1 document</b>

## Appendix 1: Summary of GPP Workshop Comments and Observations

Item	Workshops concerns and observations	Internal – Comments/Constraints	External – Comments/Constraints
<b>EXPERIENCE, EXPERTISE AND RESOURCES</b>			
1.	Frequency of procurement	<ul style="list-style-type: none"> <li>• Devolved procurement means that changes have a significant impact on knowhow and implementation of requirements.</li> <li>• GPP knowledge of the market and how to assess the right approach to GPP criteria in tenders/quotes is limited</li> <li>• Limited understanding of availability of goods and services in the market</li> <li>• Concerns regarding the implementation of market research and Market Knowledge</li> </ul>	<ul style="list-style-type: none"> <li>• GPP knowledge in the market and how to assess the right approach to GPP criteria in tenders/quotes</li> <li>• Impact of changes on EO's</li> <li>• Impact of changes in the delivery of materials and projects</li> <li>• Difference in types of projects/EO's and the decision making associated with the implementation of GPP</li> <li>• Application of new plant initiative (HVO, Second hand)</li> <li>• Availability and lead in times (how to bridge the gap)</li> <li>• Construction materials – track record, use of recycled materials</li> </ul>
2.	Expertise within sections	<ul style="list-style-type: none"> <li>• Availability of trained resources in individual sections/units</li> <li>• Stop/Start nature of procurement requirements in many local authorities is challenging</li> </ul>	<ul style="list-style-type: none"> <li>• Interface with EO's</li> <li>• Approach to change</li> </ul>
3.	Ownership and responsibility	<ul style="list-style-type: none"> <li>• Clear definition who should address the requirements for GPP and at what stages in the process</li> </ul>	<ul style="list-style-type: none"> <li>• Defining appropriate specifications and tender criteria that are fit for purpose and don't narrow the available EO's</li> </ul>
4.	Resources availability	<ul style="list-style-type: none"> <li>• Gap analysis required of skillsets available and resources required</li> </ul>	<ul style="list-style-type: none"> <li>• Limited number of specialists in the market to address</li> </ul>
5.	Buy-in	<ul style="list-style-type: none"> <li>• Additional workload for staff</li> </ul>	<ul style="list-style-type: none"> <li>• Competitiveness</li> <li>• Product availability</li> </ul>

		<ul style="list-style-type: none"> <li>• Mandatory versus optional requirements</li> </ul>	
6.	Life cycle costing/whole of life considerations	<ul style="list-style-type: none"> <li>• Time taken to develop and implement</li> </ul>	<ul style="list-style-type: none"> <li>• Availability of experts in the market</li> </ul>
7.	Additional administrative layer that will take time to bed in	<ul style="list-style-type: none"> <li>• Time and resource constraints</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of interest in the market</li> </ul>
8.	Availability of Funding to implement the changes required	<ul style="list-style-type: none"> <li>• Clearly identified resources with well defined role responsibility required</li> </ul>	<ul style="list-style-type: none"> <li>• EO's may find it challenging to meet requirements, implement new requirements and get the necessary certification</li> </ul>
<b>OPERATIONAL AND FUNCTIONALITY</b>			
9.	Functionality/Aesthetic versus GPP requirements	<ul style="list-style-type: none"> <li>• GPP Design criteria versus the requirements to build to certain aesthetic and conservation standards</li> <li>• Conflicts of Building regs with GPP legislation if/when enacted</li> </ul>	<ul style="list-style-type: none"> <li>• Conflict between GPP and Architectural and Engineering outputs (previous custom and practice)</li> </ul>
10.	Programme Pressures	<ul style="list-style-type: none"> <li>• Delivery of programmes and expenditure of budgets is short term</li> <li>• Significant additional planning and time for implementation potentially required</li> </ul>	<ul style="list-style-type: none"> <li>• Uncertainty</li> </ul>
11.	Budget Pressures	<ul style="list-style-type: none"> <li>• Impact of GPP on overall Funding applications and expenditure</li> <li>• Impact on the delivery of works programmes</li> </ul>	<ul style="list-style-type: none"> <li>• Uncertainty</li> </ul>
12.	Time to deliver projects	<ul style="list-style-type: none"> <li>• Impact on internal delivery plans</li> <li>• Impact on the expenditure of budgets particularly when additional funding becomes available</li> </ul>	<ul style="list-style-type: none"> <li>• Constraints based on the availability of plant, equipment or materials that are not off the shelf or within predicted timelines</li> </ul>
13.	Constraints placed by existing bodies	<ul style="list-style-type: none"> <li>• Redefining specifications needs significant time and effort to get over the line</li> </ul>	<ul style="list-style-type: none"> <li>• Significant reduction in companies that may be able to comply</li> </ul>

		<ul style="list-style-type: none"> <li>• Legislation and operations may not immediately align</li> </ul>	
<b>MARKET</b>			
14.	Capacity	<ul style="list-style-type: none"> <li>• Available resources dedicated to GPP</li> </ul>	<ul style="list-style-type: none"> <li>• Market capacity to deliver standard and bespoke options</li> <li>• Delays in deliveries</li> <li>• Availability of suitable/qualified tenders</li> <li>• Industry skills</li> </ul>
15.	Material alternatives	<ul style="list-style-type: none"> <li>• Difficult to work with</li> <li>• Limited previous track record</li> <li>• Achieving the appropriate standards Kite,BS,IS,EN</li> <li>• Potential for banning substandard or uncertified materials or equipment at national level to remove some of the uncertainty</li> </ul>	<ul style="list-style-type: none"> <li>• Potential long lead in times for any new products due to testing certification and market share</li> <li>• Ramping up supplies or equipment for new iterations may have limited capacity</li> <li>• Competence of suppliers and quality of alternatives</li> </ul>
16.	Availability of the correct standard of materials	<ul style="list-style-type: none"> <li>• Implementation challenges</li> </ul>	<ul style="list-style-type: none"> <li>• Contractor availability</li> </ul>
17.	Existing Pool of Contractors is low	<ul style="list-style-type: none"> <li>• Difficulty in getting contractors/consultants to submit bids</li> </ul>	<ul style="list-style-type: none"> <li>• Additional GPP requirements will reduce interest in initial stages until it beds in</li> </ul>
18.	Availability of Specialists	<ul style="list-style-type: none"> <li>• Multiple contracting authorities pulling from same pool of specialists</li> </ul>	<ul style="list-style-type: none"> <li>• Level of understanding between existing small design teams</li> </ul>
19.	Contractors may choose not to apply for contracts in the initial stages	<ul style="list-style-type: none"> <li>• Need to get tender criteria that the market understand</li> <li>• Need consistency of approach across local authorities</li> </ul>	<ul style="list-style-type: none"> <li>• EO's need to have an input into the development of tender deliverables</li> <li>• Must be reasonable</li> </ul>
20.	Competitiveness of the market	<ul style="list-style-type: none"> <li>• Concerns that GPP will shrink mark available players</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of compliant companies</li> </ul>

<b>DOCUMENTS AND TEMPLATES</b>			
21.	CWMF Documents and Guidance	<ul style="list-style-type: none"> <li>Concerns regarding additional complexity and size</li> <li>Timeline for introduction and transition of old forms</li> </ul>	<ul style="list-style-type: none"> <li>EO Knowledge and training</li> </ul>
22.	Goods and Services sub – threshold	<ul style="list-style-type: none"> <li>Availability of suitably updated templates</li> </ul>	<ul style="list-style-type: none"> <li>Consistent approach to EO's standardise as quickly as possible</li> </ul>
<b>TENDERING</b>			
23.	Procurement types	<ul style="list-style-type: none"> <li>Use of frameworks/DPS with built in GPP criteria versus one off procurement which need to be developed from scratch</li> </ul>	<ul style="list-style-type: none"> <li>Buy in from EO's to FW's and DPS</li> </ul>
24.	Award Criteria and assessment competence	<ul style="list-style-type: none"> <li>Difficulties in identifying market ready selection and award criteria</li> <li>Establishing appropriate selection and award criteria</li> <li>Not accidentally excluding tenderers</li> </ul>	<ul style="list-style-type: none"> <li>Knowledge of what is required versus what is available</li> </ul>
25.	Impact of GPP on lower value contract (Sub-national)	<ul style="list-style-type: none"> <li>Staff with limited experience</li> <li>Need to simplify and streamline sub-national threshold procurement</li> <li>Incremental requirements based on differing thresholds</li> </ul>	<ul style="list-style-type: none"> <li>Impact on EO's of added requirements</li> </ul>
26.	Evaluations	<ul style="list-style-type: none"> <li>Being accurately able to evaluate and validate tender responses</li> </ul>	<ul style="list-style-type: none"> <li>Submitting compliant bids</li> </ul>
27.	System Issues	<ul style="list-style-type: none"> <li>Difficulties when new criteria are entered into new systems (eTenders/eForms)</li> </ul>	<ul style="list-style-type: none"> <li>Lack of knowledge and training in how to respond</li> </ul>
<b>TRAINING</b>			
28.	Skillsets and training	<ul style="list-style-type: none"> <li>Mobility of staff and impact on project delivery</li> </ul>	<ul style="list-style-type: none"> <li>Understanding of requirements</li> <li>Submission of compliant tenders</li> </ul>

29.	Training (Contracting Authorities)	<ul style="list-style-type: none"> <li>Level based on expertise of audience</li> </ul>	<ul style="list-style-type: none"> <li>Available services providers to provide specific tailored training.</li> <li>Availability of expert advice in live contracts</li> </ul>
30.	Training (Economic Operators)	<ul style="list-style-type: none"> <li>Need significant engagement</li> <li>Clear expectations and requirements should be established early on</li> </ul>	<ul style="list-style-type: none"> <li>Availability of expert advice in live contracts</li> <li>Impact of failure to comply needs to be addressed</li> <li>Need to be supported</li> </ul>
31.	Templates/Guidance Documents	<ul style="list-style-type: none"> <li>When will they be available</li> <li>Training</li> </ul>	<ul style="list-style-type: none"> <li>Availability of Fit for purpose documents to implement GPP</li> <li>EO's already experience difficulty with the systems, templates and requirements</li> <li>Added workload will reduce number of tender submissions</li> </ul>
<b>LEGAL</b>			
32.	Potential for legal challenges	<ul style="list-style-type: none"> <li>Inexperienced staff</li> <li>Complicated documents</li> <li>Limited prior experience of implementation</li> </ul>	<ul style="list-style-type: none"> <li>Disgruntled EO's</li> </ul>
33.	Consequences of non-compliance	<ul style="list-style-type: none"> <li>Impact on procurement projects</li> <li>Delays and potential for collapse of procedures</li> </ul>	<ul style="list-style-type: none"> <li>Challenges</li> <li>Longer timespan from tender to contract award</li> </ul>
34.	Legal compliance commercial sensitivity and GDPR implications	<ul style="list-style-type: none"> <li>Impact of having to deal with legal challenges to evaluations and marking tenders as it is untested</li> </ul>	<ul style="list-style-type: none"> <li>EO's looking for the option to collapse tenders due to unclear or ill-defined specifications/standard/criteria</li> </ul>
<b>CONTRACT MANAGEMENT</b>			
35.	Recording and tracking of GPP requirements	<ul style="list-style-type: none"> <li>Monitoring of deliverables</li> <li>Establishing appropriate recording metrics</li> </ul>	<ul style="list-style-type: none"> <li>EO understanding of requirements</li> </ul>