



Environment and Spatial Planning
*Ministry of Housing, Spatial Planning and
the Environment*

Criteria for the Sustainable Public Procurement of **Mobile Equipment Contracting**

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These criteria for Sustainable Public Procurement were developed by NL Agency at the request of the Ministry of Housing, Spatial Planning and the Environment (VROM). The programme for sustainable operational management for public authorities (DBO) is a joint initiative of the Dutch Government, the Association of Netherlands Municipalities (VNG), the Association of Provincial Authorities (IPO) and the Association of Water Boards (UvW).

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1 Introduction

The Dutch government wants to take concrete steps towards a sustainable society, and to set a good example. Each year, government organisations spend more than EUR 50 billion on the purchase of Supplies, Services and Public works. By purchasing sustainably, the government can significantly boost the market for Sustainable Public Products. Governmental authorities have set clear objectives to achieve this: the central government is aiming for 100% Sustainable Public Procurement in 2010, while the municipalities aspire towards 75% in 2010 and 100% in 2015. Provincial governments and water boards have set themselves the target of at least 50% in 2010. 100% Sustainable Public Procurement is understood to mean that all purchases meet the minimum requirements that have been set for the relevant product groups at the time of purchase. More information on this topic is available from the website Sustainable Public Procurement (www.agentschapnl.nl/sustainableprocurement).

NL Agency supports government authorities in various ways to help reach these objectives. These include developing criteria for Supplies, Services and Public works procured by these authorities. This document focuses on the criteria for the Mobile Equipment Contracting product group, the elaboration of the criteria in specification texts and a more detailed assessment of the criteria, as well as a number of points for attention in the pre- and post-procurement stages. Additional background information and considerations regarding the content of the criteria can be found in the criteria document on the website Sustainable Procurement www.agentschapnl.nl/duurzaaminkopen/criteria, available in Dutch only.

1.1 Definition of the product group

The Mobile Equipment Contracting product group includes the rental of mobile machinery not intended for the road, such as mobile equipment, conveyable industrial equipment or vehicles with or without a body, not intended for the road transport of passengers or goods, in which an internal combustion engine as described in annex I, part 1 of Directive 97/68/EC is installed.

The contracting of the mobile equipment includes the operating/steering personnel. Mobile equipment includes earth moving equipment such as loaders and excavators, mowers, street sweepers, tractors, etc. In general this involves equipment with a diesel engine, variable/constant rpm and without a registration number. Forklift trucks are also considered mobile equipment, although these may also incorporate different engine types, such as electric or LPG engines.

This product group does not include any electrical vehicles like those used in warehouses for instance.

For the benefit of the contracting authority, a number of CPV codes that might be of relevance to this product group have been included in this document. The selection is by no means exhaustive or complete. The contracting authority will remain responsible for compiling the correct set of CPV codes to match the relevant tender.

The following CPV codes apply to this product group:

34144710-8	Shovel loaders
42414100-2	Hoisting cranes
42415100-9	forklift trucks
43200000-5	Earth moving and excavating machinery, and accompanying parts
43312500-8	Steamrollers
44481000-5	Cherry pickers

2 Sustainability in the procurement process

The criteria in this document have been classified in the various steps of the public procurement process. More information about these steps and how to combine them with sustainability can be found in the Sustainable Public Procurement Manual. This manual can be downloaded from the website Sustainable Public Procurement www.agentschapnl.nl/sustainableprocurement.

2.1 Preparatory stage (points for consideration)

Every purchase or call for tender starts with drawing up the inventory of the needs of the internal or external customer. Sustainability can be incorporated into this stage by considering whether the purchase is truly necessary and whether a more sustainable alternative might be available. There are no specific points for consideration regarding procurement for the Mobile Equipment Contracting product group.

2.2 Specification stage (criteria)

During the specification stage, the needs of the internal or external customer are translated into a tender document. This stage entails the formulation of:

- Criteria for supplier qualification. These could include grounds for exclusion, suitability requirements, i.e. requirements with regard to suppliers, and, in the case of restricted procedures, any selection criteria, i.e. wishes with regard to suppliers.
- A description of the minimum requirements pertaining to supply, service or task (the Schedule of Requirements).
- Award criteria, i.e. wishes regarding Supplies, Services and Public works. These are only applicable when the tendering process is based on the principle of the Most Economically Advantageous Offer ('Economisch Meest Voordelige Inschrijving' or EMVI).
- The contract stipulating the contract provisions.

More information on the various types of criteria and the various tender options can be found in the Sustainable Public Procurement Manual. Innovation is also included in the award criteria, where relevant. Innovation is oriented towards the development and introduction of new ideas and products.

The criteria in this document have been formulated to support the purchaser in the Sustainable Public Procurement of Mobile Equipment Contracting. The criteria have been subjected to legal review. However, every procurement and tender process is unique. For that reason, the drafting of a tender document remains the responsibility of the purchaser.

2.2.1 Supplier qualifications

No criteria have been formulated for this specific product group with regard to supplier qualification. More information on the possibilities of incorporating sustainability at this stage of the process can be found in the Sustainable Public Procurement Manual.

2.2.2 Schedule of requirements

Minimum requirements

Minimum requirement no. 1	<p>The mobile diesel equipment to be used for the performance of the work satisfies at least the emission requirements corresponding to the phases in table M1.</p> <p><u>Means of proof:</u></p> <ol style="list-style-type: none"> 1. A statement from the tenderer included in the tender that the equipment satisfies (this requirement in) the Schedule of Requirements. 2. An overview included in the tender indicating the equipment to be supplied, specified by brand name and type. 3. A copy of the type approval statement (can be obtained from the manufacturer) which indicates which emission(s) have been granted for the type/types of equipment to be supplied.
Notes for purchaser	<p>The emission requirements for mobile equipment with diesel engines are laid down in Directive 2004/26/EC. The European standards coincide with the US standards (phase IIIA coincides with TIER III and phase IIIB coincides with TIER IV). See table M1.</p> <p>It is important that every effort is made to make the cleanest use possible of mobile equipment. It cannot be the case however that the contracting of services is subject to the same requirements that apply for procurement. That would require the tenderer who carries out the activities to renew all his equipment.</p> <p><u>Verification of means of proof:</u></p> <ol style="list-style-type: none"> 1. No further verification. 2. No further verification. 3. No further verification.

Table M1 Minimum emission requirements for mobile equipment (drawn up by NL Agency in consultation with stakeholders)

<i>Capacity 18-75 kW</i>	<i>Use within developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase II</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase II with soot filter</i>
	<i>Use outside developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase I</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase I</i>
<i>Capacity 75-560 kW</i>	<i>Use within developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase II with soot filter</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase II with soot filter</i>

	<i>Use outside developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase I</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase II</i>

2.2.3 Award criteria

Award criteria

Award criterion no.1	<p>If mobile diesel equipment is used that satisfies the emission requirements corresponding to the phases from table G1, [XX] points are awarded for this section.</p> <p><u>Means of proof:</u></p> <ol style="list-style-type: none"> 1. An overview included in the tender indicating the vehicles to be used for the contract, specified by mark and type. 2. A copy of the type approval statement (can be obtained from the manufacturer) which indicates which emission(s) have been granted for the type/types of vehicles to be used for the contract.
Notes for purchaser	<p>The emission requirements for mobile equipment with diesel engines are laid down in Directive 2004/26/EC. The European standards coincide with the US standards (phase IIIA coincides with TIER III and phase IIIB coincides with TIER IV). See table G1.</p> <p>Suppliers will still own a lot of phase II equipment. In order to realise the cleanest use possible of mobile equipment, the cleanest equipment must be used for the contract.</p> <p>The intention is that suppliers use equipment that causes the least emissions into the air and the lowest noise emissions.</p> <p><u>Verification of means of proof:</u></p> <ol style="list-style-type: none"> 1. No further verification. 2. No further verification.

Table G1 Desired emission levels for mobile equipment (drawn up by NL Agency in consultation with stakeholders)

<i>Capacity 18-75 kW</i>	<i>Use within developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase II with soot filter</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase IIIA with soot filter</i>
	<i>Use outside developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase II</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase II with soot filter</i>
<i>Capacity 75-560 kW</i>	<i>Use within developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase IIIA with soot filter</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase IIIA with soot filter</i>
	<i>Use outside developed area</i>	<i>Use < 8 hours per 24-hour period</i>	<i>Phase II</i>
		<i>Use > 8 hours per 24-hour period</i>	<i>Phase II with soot filter</i>

2.2.4 Contract

No contract provisions have been formulated for this product group.

2.3 Utilisation stage (points for consideration)

Once the procurement stage has been concluded and a product or service has been purchased, there are opportunities for using the product in a sustainable manner. Specific points for consideration for this product group are:

Since this involves the contracting of a service, the relevant requirements and preferences are already incorporated in the procurement criteria.