



URBACT Transfer Network
games for inclusive, healthy and sustainable cities

The Playful Paradigm Procurement Guide



By Ad-Hoc Expert
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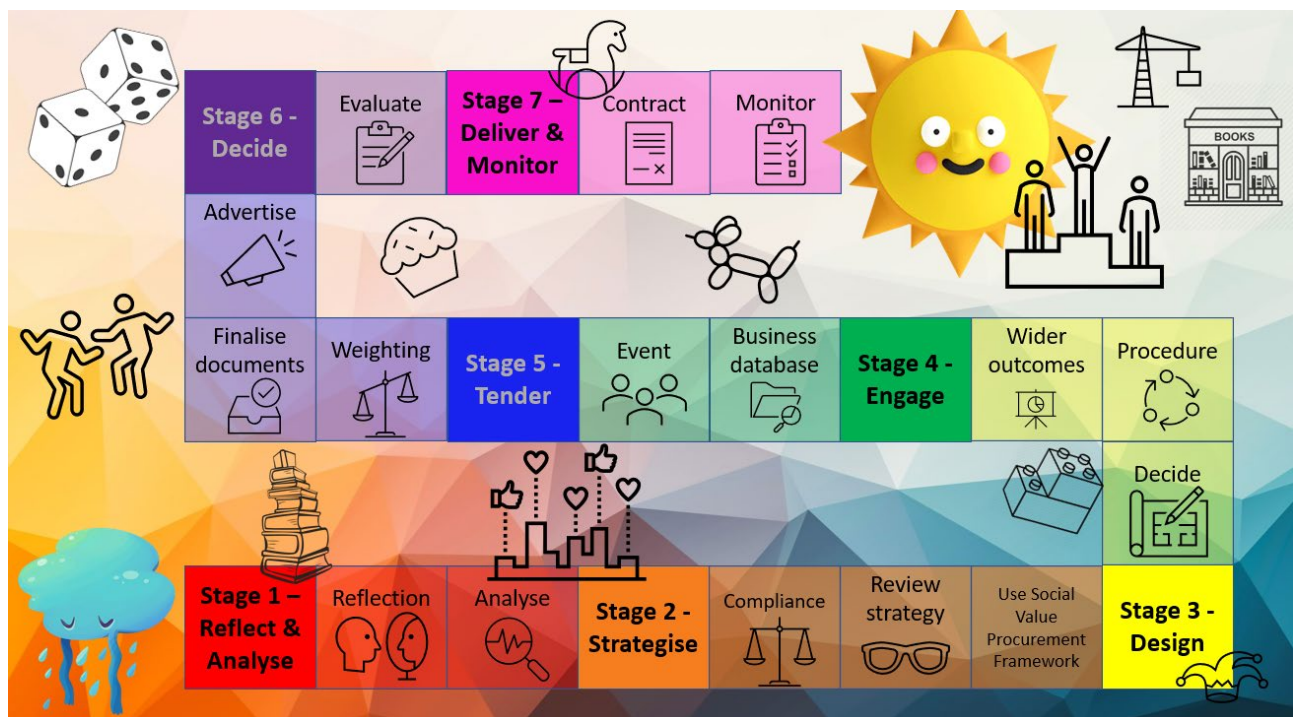


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1. Introducing the Playful Paradigm Procurement Guide

This section introduces the Playful Paradigm Procurement Guide.

1.1 About Playful Paradigm

[Playful Paradigm](#)¹ is one of 23 Transfer Networks funded through the [URBACT Programme](#)². Generally, the Transfer Networks are seeking to transfer an [URBACT identified piece of Good Practice](#)³ associated with Integrated Urban Development to other cities across Europe. Playful Paradigm is framed by the Good Practice of the City of Udine in Italy and seeks to promote Play and Games as a means to which more inclusive, healthy and sustainable Cities can be created.

There are a number of ways in which Cities can use Play and Games to achieve this objective including (amongst others): through Play activities in Schools; through the development of Toy Libraries; through hosting Events focused upon Play and Games; through Municipalities providing Play Services; and through Community Health and Well-Being activities.

1.2 Play and Public Procurement

Crucial to all the above modes of Play and Games is Public Procurement. This is the process utilised by Municipalities to buy goods, services, and works on a day to day basis. In relation to Play, Municipalities will buy:

- **Goods** – these are products such as Toys and Books that stimulate Play;
- **Services** – these are services provided directly by the Municipality and external stakeholders and could include the provision of Play Events and Games Festivals;
- **Works** – this is the development of physical spaces that encourage Play, such as Libraries.

In each of the above, Municipalities need to go through a process as determined by the [EU Procurement Directives](#) to make the purchase of the good, service or work. The process can be complicated and bureaucratic, but Public Procurement is integral to Municipalities operating in a transparent way.

1.3 Playful Paradigm and Procurement

As part of the Transnational element of Playful Paradigm, the project Team approached [Matthew Baqueriza-Jackson](#)⁴ to become an Ad-Hoc Expert and facilitate a session on Public Procurement at the [Klaipeda Transnational Meeting](#)⁵. The session focused upon how Procurement activities associated with Play could be undertaken in both a transparent manner and adhere to Legislation;

¹ <https://urbact.eu/playful-paradigm-0>

² <http://urbact.eu/>

³ <http://urbact.eu/good-practices/home>

⁴ <https://urbact.eu/jackson-baqueriza>

⁵ <https://urbact.eu/storytelling-3rd-transnational-meeting-held-klaipeda-1st-and-2nd-october-2019>

but also be used as a lever to contribute towards wider economic, social and environmental outcomes; and lead to inclusive, healthy and sustainable cities.

At the session, the Playful Paradigm Partners learned about:

- Why Procurement is important;
- Work that has been undertaken by Matthew to: measure Procurement Spend; change the Procurement cultures of Municipality Officers; and influence the behaviour of Suppliers;
- The example of [Manchester](#)⁶ in the UK and their activities to change Procurement;
- The steps Municipalities need to undertake to think about wider social and environmental considerations in the Procurement Process.

The session concluded with a Task, where Playful Paradigm partners designed a fictional Procurement exercise for Play and Games utilising their learning, with a specific emphasis upon embedding social and environmental considerations into the process.

1.4 The Structure of the Guide

As a follow-on to the Session, Matthew suggested that it would be helpful if Partners to Playful Paradigm and others procuring goods, services, and works could have access to a Guide that talks them through the stages of undertaking Procurement relating to Play and Games. This document is therefore that Guide. In particular, the document looks to do three things:

- First, it looks to set the context by explaining why Procurement is important (taken directly from [Matthew's TEDx](#)⁷) and the Legislative Framework;
- Second, it details the Guide itself and the different stages Cities need to go through to procure goods, services, and works associated with Play;
- Third, it details some suggested next steps for the implementation of the Guide in the frame of the Playful Paradigm Transfer Network.

As with all aspects of Playful Paradigm, the Guide has been put together with Play in mind, and as detailed on the front cover is designed as a Board Game of stages and steps that Municipalities need to go through to reach a successful Procurement.

⁶ https://cles.org.uk/wp-content/uploads/2017/02/The-Power-of-Procurement-II-the-policy-and-practice-of-Manchester-City-Council-10-years-on_web-version.pdf

⁷ <https://www.youtube.com/watch?v=ZftcbhhzVqw>



2. Context

This section sets the context to the Playful Paradigm Procurement Guide by detailing why Procurement is important and the legislative framework.

2.1 Why is Procurement Important?

“12 years ago I started to think differently about wealth. I wanted to see a world where our cities economic future did not depend upon attracting wealth; but using the wealth they already have at their disposal more effectively and in a way that benefitted local people.

I started with a very simple question: ‘where does our existing wealth go and how can it be harnessed more effectively?’

My starting point was public procurement, which is as exciting as it sounds. This is the process used by Municipalities and other Institutions to buy goods and services which enable them to deliver their activities. And like us as consumers, they make decisions based on cost, quality, brand, and our individual values.

When I spoke to my colleagues about doing work around procurement, they thought I was slightly strange. Working in a progressive think-tank, their immediate response was: ‘Matthew, procurement is dull, bureaucratic, and boring’. I said maybe, but sometimes you have to wade into the boring details to properly address challenges.

I said Procurement was exciting for four reasons:

First, across the EU, we spend over 2000 Billion Euros in the public sector procuring goods and services, accounting for 14% of all GDP. It really is a significant amount of money.

Second, Procurement has the potential to address other challenges. The focus may be on the good or service being provided, but if done differently it could deliver a whole range of other outcomes. It can be used to create jobs and apprenticeships, it can be used to develop workers skills, and it can be used to reduce carbon emissions.

Third, our Cities face significant inequalities. In Manchester, in certain parts of the City, people will die 15 years sooner than people from other parts. Procurement can help to address this inequality.

Fourth, Procurement money is our money as taxpayers – we have a democratic right to ensure it is done in a way which is both efficient (saves money) and effective (improving things for more of us rather than just people at the top).”

2.2 The Legislative Framework

The approach of European Member States and Cities for Procurement are driven by the European Procurement Directives. Usually refreshed every 10 years and shaped by consultation with Government's and Procurers Europe Wide, the Directives outline the legal framework through which Procurement should be undertaken by Governments, Public Sector Institutions, Regional Governments and Municipalities.

The Directives are framed by four overarching basic principles.

- First, the Directives have to be transposed into the National Level law of each Member State. This ensures a universal approach and means that the Directives cannot be amended on a State by State Basis and become the primary form of legislation around Procurement.
- Second, the Directives are shaped by the principle of competition. Member States and Cities in particular are not allowed to favour suppliers based in their territories over those that are based elsewhere in their Country or in other Countries, with this deemed to be anti-competitive.
- Third, and linked to the second principle, Procurement opportunities above certain thresholds (levels of spend) have to be advertised across Europe. There are different spend thresholds for different countries and for different types of Procurement. All opportunities above these thresholds have to be advertised Europe Wide through the Official Journal of the European Union (OJEU).
- Fourth, Member States and Cities must adhere to the law across all Procurements they undertake. Failure to do so really exacerbates the potential for a lack of transparency in the process and also increases the potential for corruption.

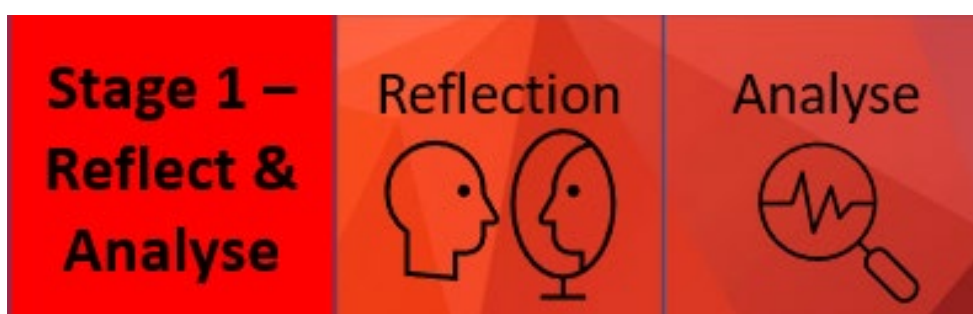
Historically, the European Procurement Directives have been viewed as very complex and bureaucratic and rightly so. However, in the latest iteration of the Directives from 2014, the Commission have sought not only to ensure Procurement is transparent and rigid, but also that it can be used in a more strategic manner to achieve wider policy goals, thus recognising the importance of Procurement. Three key changes were made to the Directives in 2014 to make Procurement more of a strategic function of Member States and Cities.

- First, there was a desire to increase flexibility in the process of Procurement and thus reduce some of the complexity and bureaucracy and hence make it more strategic. This included reducing the length of tender documents and breaking large contracts into smaller lots.
- Second, there was a desire to increase accessibility of Procurement opportunities to Small to Medium Sized Enterprises (SMEs). Despite forming 99% of the economy across Europe, only around 40% of all Procurement opportunities are awarded to SMEs, meaning that the market is dominated by large global multinationals. This is good from an efficiency perspective, but perhaps not so good from a strategic perspective.
- Third, there was a desire to use Procurement as a lever to address wider social and environmental challenges. Historically, the decision to award Procurement contracts has been made on the basis of two factors – the price offered by the supplier, and the quality and experience of the supplier in relation to the good, service or work being procured. However, businesses and other organisations have the scope and potential to contribute through the delivery of Procurement contracts to wider objectives. They can create jobs for the unemployed, reduce carbon emissions through using particular types of vehicles, and develop the skills of their workforces. The 2014 Directives therefore actively encouraged Member States Cities to use a third decision-making factor in Procurement and increase the use of Procurement as a way of delivering against wider social and environmental goals.

3.The Guide

The following section outlines the Playful Paradigm Guide itself. It is designed to be used by Partner Cities of Playful Paradigm and others during their Procurements of Play associated goods, services and works. By goods, we mean products that will be used to stimulate Play amongst communities, for example, toys or books. By services, we mean activities that will be provided by external organisations associated with Play, such as Gaming Festivals or other Events. By works, we mean the construction of infrastructure associated with Play, such as Playgrounds or Libraries, for example.

There are seven stages to the Guide



3.1 STAGE 1 - Reflect and Analyse

The first stage of the Procurement approach of goods, services, and works associated with Play is to reflect upon and analyse the existing provision of that good, service or work (you do not need to do this if the good, service, or work is new). There are two steps to this stage:

3.1.1 Reflection

Cities should reflect upon and review the delivery of all goods, services, and works and ask themselves a series of questions:

- Has the good, service or work been delivered on time?
- Has the good, service or work been delivered to budget?
- Has the delivery of the good, service or work been of sufficient quality?
- Have there been any problems with the Supplier?
- Has the Supplier delivered any additional benefit for the area in local economic, social, or environmental terms?
- Would you be happy to use the Supplier again?

3.1.2 Analyse

Cities should analyse in more detail their Spend on Play related Procurements. This could be undertaken specifically in relation to Spend on Play related goods, services, and works or as part of



wider Spend Analysis looking at the totality of the Municipality's Procurement Spend. The [Making Spend Matter Transfer Network](#)⁸ has created a Tool and Guidance on how to undertake Spend Analysis and particularly in terms of:

- How much in total Municipality's and other Organisations spend on buying goods, services and works each year – for example, Municipality X spends 20 Million Euros per year;
- How much of that total spend is spent with suppliers in a specific defined geographical area – for example, Municipality X spends 40% with businesses based in its own Region;
- How much of that total spend is spent with Small to Medium Sized Enterprises (SMEs) and other organisations such as Worker Owned Cooperatives – for example, Municipality X spends 50% with SMEs;
- How much of that total spend is spent with businesses in different industrial sectors – for example, Municipality X spends 25% of Spend on Construction related activities and 5% on Play related activities.

The above Analysis provides Cities with a useful Baseline understanding of their Procurement Spend, against which they can set targets. For example, Politicians in Municipality X may wish to increase spend with SMEs by 5% over the next 3 years.

Cities can also collect data about the extent to which existing Suppliers are contributing towards wider economic, social and environmental outcomes. For example:

- How many Jobs have they created in the last year as a result of having a contract with Municipality X?
- How many hours of Volunteering have employees of Suppliers to Municipality X undertaken?
- How much Carbon has been emitted through the distance travelled of goods?

⁸ <https://urbact.eu/makingspendmatter>





3.2 STAGE 2 – Strategise

The second stage of the Procurement approach of goods, services, and works associated with Play is to explore the extent to which your City/Municipality already has in place Procedures, Strategies and Frameworks around Procurement. There are 3 steps to this Stage:

3.2.1 Compliance

As detailed in the context section of this Guide, all EU Member States, Regions, and Municipalities must comply with the EU Procurement Directives. All Municipalities should have in place a series of Procedures that evidence this compliance. The procedures will outline what Municipality's need to do legally, for Procurements of certain values, and in terms of advertising. Those looking to Procure a good, service, or work associated with Play should read these Procedures and ensure that everything they do is compliant with them.

3.2.2 Review Strategy

Some Cities across Europe are increasingly beginning to develop Strategic Procurement Plans or Strategies. These will have in them; information about any Spend Analysis that has been undertaken (as explained in Stage 1); information about EU level and National level law, together with local procedures (as detailed above); and will detail linkages to wider challenges, policy and strategy. Many Strategic Procurement Plans will link to the [United Nations Sustainable Development Goals \(SDGs\)](https://sustainabledevelopment.un.org/?menu=1300)⁹ or the priorities outlined in their own overarching Strategic Plans. Procurement is increasingly being used as a lever to contribute towards realising such goals and priorities. Those looking to procure a good, service or work associated with Play should review the Strategic Procurement Plan of their City (if in place) and ensure they are familiar with its requirements.

3.2.3 Use Social Value Procurement Framework

A much smaller number of Cities across Europe (predominantly those involved with Making Spend Matter are starting to develop Social Value Procurement Frameworks). These are designed to be practical ways through which Municipalities can start to make Procurement decisions on factors that go beyond the Price and Quality of the good, service or work that is being procured. Social Value Procurement Framework will generally outline:

- The SDGs or City priorities which a Municipality is seeking to contribute towards through Procurement – for example 'to reduce unemployment amongst young people';

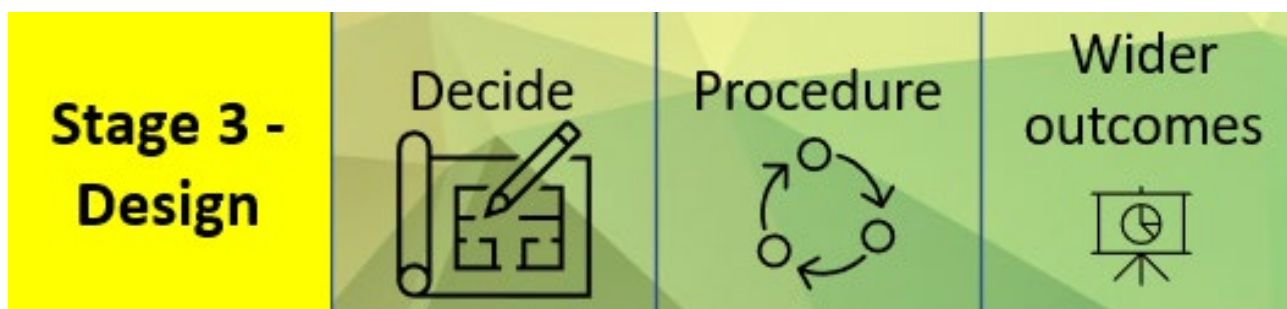
⁹ <https://sustainabledevelopment.un.org/?menu=1300>



- The activities which Suppliers of goods, services or works can undertake to contribute towards realising that goal or priority – for example, creating Apprenticeship opportunities;
- The types of goods, services or works which the priorities are relevant for – for example, the creation of an Apprenticeship may be relevant for construction projects and leisure services;
- The questions which can be asked during Procurement about the priorities – for example, how many Apprenticeship opportunities are you going to create as part of this contract and how are you going to create them?
- How responses to questions will be evaluated during the Procurement decision-making;
- How commitments to priorities will be monitored by the successful Supplier and Municipality during the delivery of the good, service or work.

Where a Social Value Procurement Framework is in place, those looking to procure a good, service or work associated with Play should review it.





3.3 STAGE 3 – Design

The third stage of the Procurement approach of goods, services, and works associated with Play is to design the good, service or work in question. This is often referred to as Commissioning and is the most important stage of the Procurement process for including the SDGs and City priorities. There are 3 steps to this Stage:

3.3.1 Decide what good, service, or work you want

The first step of the Design stage is to decide upon what type of good, service or work that you want. Here, those looking to procure the good, service or work should be asking themselves a series of questions:

- Why is the good, service or work needed?
- What should the good, service or work look like?
- How much do we have to Spend on the good, service or work?
- When does the good, service or work need to be delivered by?
- Are we looking for any particular quality standards for the good, service or work?
- Who else do we need to engage in the design of the good, service or work?

This step will be largely undertaken by the person wishing to design the good, service or work (often referred to as the Commissioner or Buyer) and those within the Municipality with technical knowledge of the good, service or work. For example, if it is the construction of a new library, then Municipality Architects would need to be consulted.

3.3.2 Decide upon Procurement Procedure

The second step of the Design Stage is for those looking to procure the good, service or work to decide upon the type of Procurement procedure they will utilise. Here, the review of the Strategic Procurement Plan undertaken in Stage 2 will be helpful in understanding the different types of procedures that your Municipality utilises. There are many different types of procedures including:

- Standard Invitation to Tender Documents – this is where the Municipality has already decided what they want to by and have developed a specification and want potential Suppliers to respond to a set of questions;
- Below Threshold Documents – for lower value Procurements, some Municipalities have different regulations that support SMEs to bid, thus the documentation required of potential Suppliers is reduced;
- Competitive Dialogue – for higher value Construction projects, some Municipalities have adopted a Dialogue approach with a number of potential Suppliers to shape the design of the Construction

and the added value to be delivered. Potential Suppliers will still submit tender documentation, but following the Dialogue;

- Innovation Partnerships – this is where the Municipality works directly with the market to design and deliver a good, thus enabling innovation.

3.3.3 Decide upon Wider Outcomes

As detailed earlier, the EU Procurement Directives actively promote that Municipalities use Procurement to contribute towards address social and environmental goals. It is at Step 3 of the Design Stage, that those looking to procure the good, service or work decide which wider outcomes they want to contribute towards delivering as part of their Procurement and as part of delivery.

If in place, those designing the good, service and work should look in detail at the Municipality's Strategic Procurement Plan and Social Value Procurement Framework and decide which of the outcomes are relevant. In the case of Play, it may well be that different outcomes are relevant dependent on the nature of the Procurement.

- For goods, the relevant wider outcomes may be around reducing Carbon Emissions through the distance the goods (toys and books, for example) have to travel from their place of manufacture to the Municipality;
- For services, the relevant wider outcomes may be around Suppliers providing Volunteering during Game Festival, for example;
- For works, the relevant wider outcomes may be around creating Jobs and Apprenticeships for local people to work on the Construction project.





3.4 STAGE 4 – Engage

The fourth stage of the Procurement approach of goods, services, and works associated with Play is to undertake initial market engagement. There has been an often misconception that Municipalities should not engage with potential Suppliers at any stage in Procurement. However, it is important to do so in order to gauge who the potential market is and to ensure both efficient and effective delivery of goods, services and works. There are 2 steps to this Stage:

3.4.1 Implement Business Database

Many Municipalities will have internal Economic Development Teams or external Chambers of Commerce, which have knowledge of the businesses and other organisations that operate in their area. Some will have sophisticated Business Databases, which are broken down by Sector (such as Construction) and Type of Organisation (such as SME). The first step of the Engage Stage is to therefore to engage with the holder of business and other organisation information and identify a long-list of organisations that could potentially bid for and deliver the good, service, or work opportunity. Once these organisations have been identified, they can then be made aware of the Procurement at the next stage of Tender.

3.4.2 Hold Event

For larger value and scale Procurement opportunities, particularly around Construction, Municipalities have started to hold Events with potential Suppliers. The purpose of these Events is often three-fold. First, they are an opportunity for the Municipality to explain the good, service, or work they are looking to Procure and the Procedure they will be utilising. Second, they are an opportunity for the Municipality to explain any wider outcomes they are seeking from the Procurement and successful Supplier, and why they are seeking them. Third, they are an opportunity for large National and Multinational Organisations that will be bidding for the opportunity to engage with more localised businesses which may form part of the Core Suppliers Supply Chain for the delivery of the good, service or work.





3.5 STAGE 5 - Tender

The fifth stage of the Procurement approach of goods, services, and works associated with Play is to actually tender for the opportunity, by sending documentation to the Market to respond to. There are 3 steps to this Stage.

3.5.1 Decide upon Weighting

Municipalities firstly need to decide the level of importance they are going to place on responses to Tenders from potential Suppliers – we call this ‘Weighting’. Historically, Municipalities have often placed greatest weight on price (the proposed cost of the good, service or work), for example 70%; and quality (the methodology and experience), for example 30%. However, Municipalities are increasingly introducing a third Weighting, which is around wider outcomes, with 10% of the weight allocated to this, for example.

3.5.2 Finalise Tender Documents

Throughout each of the previous stages and steps, those looking to procure the good, service or work will have been collecting information about: the existing Supplier (if there is one); the legal framework for the Procurement; what they want; and the wider outcomes they want to achieve. This information can all be used to create the final Tender Document. This should include:

- The context to the good, service or work that the Municipality is looking to procure;
- Information about the Procurement procedure being utilised;
- Information about the wider outcomes that the Municipality is seeking as part of the Procurement;
- Questions for potential Suppliers to respond to including:
 - Questions about how they would provide the good, service or work required;
 - Questions about their relevant expertise and experience in relation to the good, service or work being procured;
 - Questions about the Suppliers costs for delivering the good, service or work;
 - Questions about how Suppliers will deliver against the wider outcome requirements.

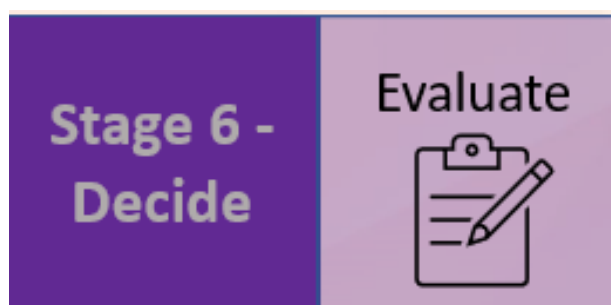
3.5.3 Advertise the Opportunity

Once the Tender Documents have been finalised, then the Opportunity needs to be advertised to a wide market. There are four main ways of advertising Procurement opportunities:

- First, opportunities above particular thresholds need to be advertised across Europe using the Official Journal of the European Union;
- Second, opportunities can be advertised through National or Regional Level Portals;

- Third, opportunities can be advertised through the Municipality's own website or local press;
- Fourth, Municipalities can utilise a Business Database as discussed in Stage 4 to raise awareness amongst organisations based in the locality.





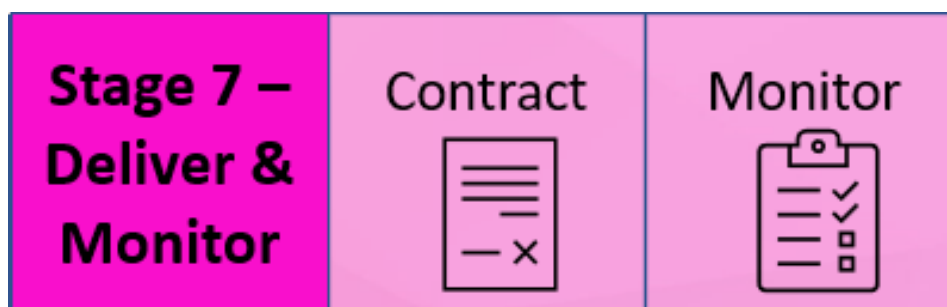
3.6 STAGE 6 - Decide

The sixth stage of the Procurement approach of goods, services, and works associated with Play is to evaluate the responses and decide upon the winning bidder. There is effectively 1 step to this Stage.

3.6.1 Evaluate Responses

As part of the Tender Stage, Municipalities should have already decided how they are going to weight Supplier responses to questions on the basis of price, quality, and wider outcomes. They should also have developed a means by which those reading the Tender Responses can evaluate them. These means of evaluation should be a mix of qualitative and quantitative methods and should be used to create an overarching score for each potential Supplier. In many cases the Supplier with the highest score will win the contract; however, Municipalities may want to additionally evaluate potential Suppliers through undertaking a small number of interviews.





3.7 STAGE 7 – Deliver and Monitor

Many of those associated with procuring goods, services and works will think their job is complete at the end of Stage 6 and upon the selection of the successful Supplier. However, there is one more Stage that the Procurement approach of goods, services, and works associated with Play should undertake. There are 2 steps to this Stage.

3.7.1 Embed in Contracts

Upon selection of the successful Supplier, those responsible for Procurement need to work with Lawyers to develop the contract for the good, service or work. The commitments detailed in the Tender Response of the successful Supplier should be translated directly into the Contract, including those commitments around wider outcomes. The Supplier should be held to account against those commitments throughout the delivery of the good, service or work.

3.7.2 Monitor

Finally, those responsible for Procuring goods, services, and works associated with Play should gather data during the delivery of the Contract. This can be data around the ongoing costs and timeframes of delivery; but it can also be data around the wider outcomes that a Supplier has agreed to contribute towards.

4. Next Steps

The above section has presented a Guide for undertaking the Procurement of goods, services and works associated with Play. In terms of next steps, it is suggested that:

- The Lead Partner and Lead Expert of Playful Paradigm comment upon the Guide;
- The draft Guide is sent to Partners of Playful Paradigm;
- Matthew facilitates an online session in June 2020 with the Partners, which explains the Guide and seeks volunteer Partners to test it;
- The Guide is finalised as an output of Playful Paradigm and shared amongst the wider URBACT Community.

Matthew Baqueriza-Jackson

