

Gender-responsive Public Procurement

Award criteria

Award criteria determine the outcome of a tender competition and are a key tool for addressing gender issues in the delivery of public contracts. Under the EU procurement directives and financial regulation, public buyers have the freedom to define a range of qualitative criteria provided that these are linked to the subject matter of the contract and allow fair competition.

Social and trading considerations are explicitly referred to, along with the qualifications and experience of the staff who will carry out the contract (which might include experience with gender aspects).

The link to the subject matter means that **award criteria** cannot relate to general corporate policies or practices, but must be specific to the goods, services or works being purchased (at any stage of their life cycle). This distinction is important when formulating award criteria to address gender inequality issues. For example, it would be possible to have a criterion that specifically concerns **gender equality** in recruitment and staffing for the purposes of the contract being awarded. It is not possible to award more marks to a company on the basis of its overall gender balance, as this would go beyond what is relevant to the contract.

Examples of policies requiring the use of award criteria that include gender elements

In **Spain**, in the Basque Country, a minimum of 5 % of the marks under the award criteria must address gender equality.

In **Finland**, the city of Vantaa's procurement centre has designed a roadmap for strategic procurement that combines the city's strategic goals and the implementation of these goals through procurement. The roadmap is based on the UN sustainable development goals and the International Organization for Standardization (ISO) standard ISO 20400:2017 (sustainable procurement). Vantaa initiated a pilot project on **gender budgeting** in public procurement in 2020. The city is cooperating with other organisations by identifying how to apply gender budgeting in its operations, which may include award criteria.

Example of award criteria with gender elements



In **Germany**, as part of the award criteria for cardiac technicians, Hannover Medical School assigned the promotion of gender equality 5 points out of a total of 50 points awarded. The bidders were requested to submit specific information on the promotion of equal opportunities with the bid. As part of the tender evaluation, the information provided by the individual bidders was then awarded points. This criterion is included in approximately 40 tenders per year for products and services.

How to act

Carry out preliminary market consultations, where possible, to verify and get feedback about the award criteria chosen. In addition, or alternatively, involve gender experts in the definition of award criteria.

Explain award criteria in a thorough way, ideally with examples of what you are looking for. These may be in the form of a non-exhaustive list, so that bidders are also free to come up with their own ideas that are relevant to the award criteria.

State the weight assigned to each award criterion. Clearly distinguish between gender criteria and other criteria. Keep in mind that the approach to scoring determines the impact of the award criteria just as much as the weighting. Be prepared to use all of the available marks when comparing bids and assign scores that truly reflect the differences in what is being offered. See Tool 10 to find out more.

Mistakes to avoid

Award criteria should address aspects that go beyond the minimum requirements set out in the technical specifications and that add value from the perspective of the contracting authority. Do not award marks for merely complying with the specifications.

More important than the weighting of award criteria is the approach to scoring. Ensure that you are using the full range of marks available to distinguish between the performances of different bids under the gender-related criteria. For example, if the specification requires a gender perspective to be integrated and a bidder merely states that they will do this, without providing any detail of their approach, they should not receive any marks under an award criterion related to the gender perspective.

Commitments made in response to award criteria should be incorporated into the contract with the successful bidder (e.g. the proposed number of gender-awareness training sessions for staff delivering the contract).