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# Strategies to Strengthen Socially Responsible Public Procurement Practices in German Municipalities

## A Mapping Exercise

*Maximilian Müngersdorff  
Tim Stoffel*

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## Abbreviations

CIR	Christliche Initiative Romero/Christian Initiative Romero
CSO	civil society organisation
EC	European Commission
EU	European Union
EUR	euro
FEMNET	Feministische Perspektiven auf Politik, Wirtschaft und Gesellschaft/feminist perspectives on politics, economy and society
GDP	gross domestic product
GPP	green public procurement
GWB	Gesetz gegen Wettbewerbsbeschränkungen/Act against Restraints on Competition
ICLEI	Local Governments for Sustainability
ICT	information and communication technology
ILO	International Labour Organization
KEPOL	Koordination Kommunale Entwicklungspolitik/Coordination of Municipal Development Policy
MDG	Millennium Development Goal
NGO	non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
SDG	Sustainable Development Goal
SKEW	Service Agency Communities in One World
SPD	Sozialdemokratische Partei Deutschland/Social Democratic Party of Germany
SPP	sustainable public procurement
SRPP	socially responsible public procurement
SÜDWIND	Südwind Institut für Ökonomie und Ökumene/Südwind Institute for Economics and Ecumenism
UBA	Umweltbundesamt/German Environment Agency
WEED	World Economy, Ecology & Development

## Executive summary

The market power of the public sector is enormous, accounting for 15 to 20 per cent of the global gross domestic product (GDP). In Germany, municipalities account for more than 50 per cent of all public procurement. Thus, by applying sustainability criteria to their tenders, municipalities possess a significant lever for making production patterns and product characteristics more sustainable, thereby helping to achieve Sustainable Development Goal (SDG) 12 of the Agenda 2030 (Ensure sustainable consumption and production patterns). In fact, “promoting public procurement practices that are sustainable” (SDG 12.7) is explicitly highlighted as one of the key policy options in the Agenda 2030.

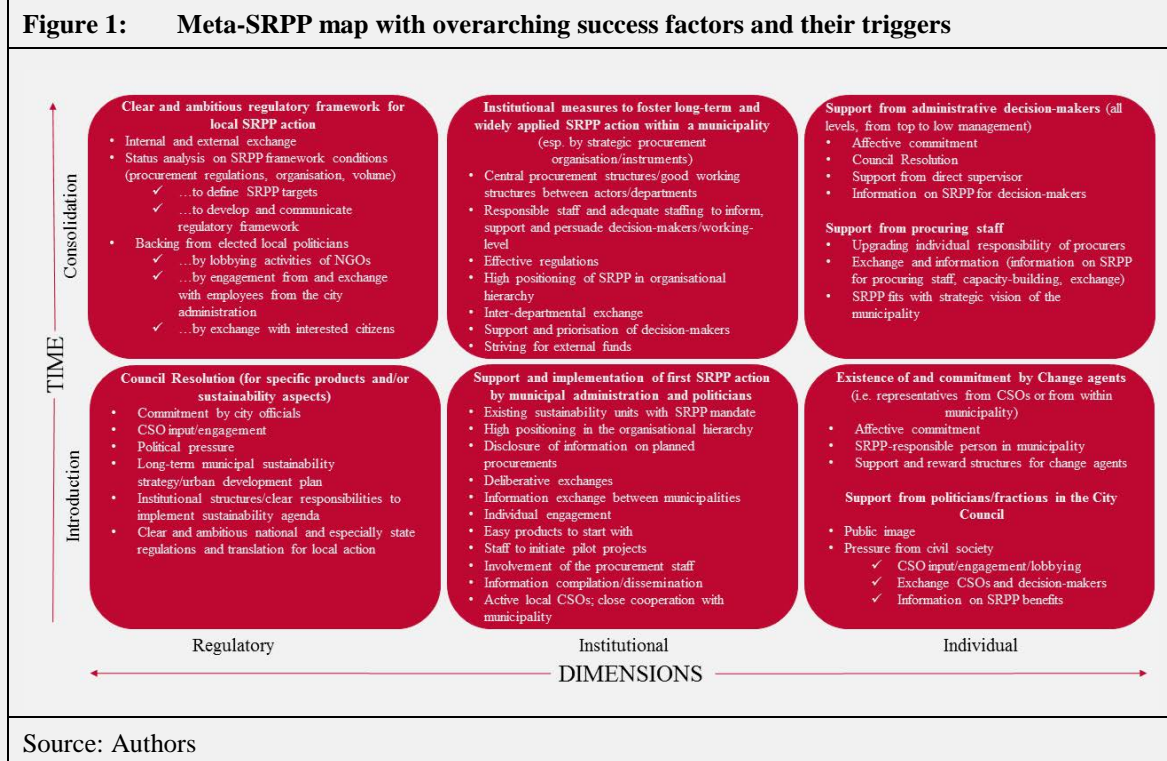
However, German municipalities largely do not implement sustainable public procurement (SPP) effectively. While *environmental* criteria are being increasingly taken into account in public tenders and considerable knowledge has been built with regard to successful implementation, *social* standards have been considered far less. This report therefore zooms into socially responsible public procurement (SRPP) as a subset of SPP. Our aim is to **identify success factors and triggers to introduce and to consolidate SRPP practices in German municipalities**. Our guiding research questions are: What are crucial regulatory, institutional and individual factors that support the introduction and the consolidation of SRPP in German municipalities? What triggers the occurrence of those factors and how does this process take place?

We answer these questions by triangulating interview data with secondary literature. By interviewing municipal practitioners, we address a crucial shortcoming in the empirical operationalisation of change management research, namely a lack of exchange with practitioners. A particularly valuable source of information are practitioners in successful frontrunner municipalities who shed light on key aspects of change management in their organisations.

Our research shows that there is not one gold standard of implementing SRPP in a municipality. Rather, there are numerous possible strategies and entry points, some of which we present in this paper. A gold standard appears obvious only at first glance since existing SRPP and SPP toolboxes and handbooks suggest standardised approaches, not considering the highly diverse preconditions in municipalities and other public entities. As the empirical chapters of this study show, various different factors or combinations of factors can lead to good SRPP practices. Figure 1 provides a synthesis of the most important success factors and triggers identified in the empirical chapters. This meta-SRPP map distinguishes between factors needed for the successful *introduction* of SRPP procedures and their *consolidation*. The meta-SRPP map is further disaggregated later on in such a way that for each of the six “meta success factors” detailed SRPP “sub-maps” are provided. We not only identified and categorised beneficial factors of SRPP action but also their underlying triggers, and uncovered correlations between those layers. Thus, we provide missing pieces to the current discourse on SRPP.

It should be noted that in *none* of the cases investigated were all success factors and triggers present. Hence, what the map shows are by no means minimum conditions for successful implementation of SRPP but rather a compilation of different entry points from which practitioners may embark on fitting pathways.





Our research also highlights the role of individuals. What distinguishes successful municipalities from less successful ones is – above all other factors – personal commitment. This commitment may come from various different SRPP stakeholder groups within the municipality, from politics or from civil society. This finding, however, is problematic when it comes to transferring and upscaling good practices. The positive effects of dedicated change agents then need to be embedded in institutional routines and regulatory frameworks that make them replicable. To reach a high level of broad and ambitious SRPP action, the balance between the three dimensions shown in the meta-SRPP map has to change for the benefit of the regulatory and the institutional dimensions.

As already highlighted, many different paths can lead to SRPP. Yet, we can distil **nine policy recommendations** for decision-makers and implementers. For those recommendations, we have translated the most crucial success factors and triggers for political action.

1. Laws and regulations are important for orientation: Make them clear and ambitious on all political levels, especially with regard to SRPP.
2. Ensure support from superior management levels: Provide information on the strategic power of public procurement.
3. Understand your local procurement: Conduct a status analysis on the regulatory framework, the procurement organisation, product portfolio and volume, and define strategic targets.

4. You do not have to revolutionise your procurement organisation: Ensuring communication and an effective coordination between the departments and persons involved is already a big step in the right direction.
5. Make human resources available and allocate responsibilities: A formally responsible person or persons makes SRPP implementation much more likely.
6. Apply for external funds to kick-start SRPP practices: Special funds are available and most frontrunners benefited from this possibility.
7. Do not make SRPP a top-down topic: Ensure intrinsic support for the working level by involving procurement officers and the end-users of procured goods.
8. Facilitate and use external input and support: Engage in formal and informal exchanges on SRPP with official support bodies, civil society organisations (CSOs), consulting institutions, and interested citizens.
9. Ensure compliance by employees at the working level: Translate SRPP targets and policies in as detailed and clear a way as possible.

We hope that our results support practitioners and policymakers in designing SRPP programmes suitable for their local contexts.

## 1 Introduction and research questions

The market power of the public sector is enormous, accounting for 15 to 20 per cent of the global gross domestic product (GDP) (European Commission, 2019; UNECE, 2019). By demanding specific product or service characteristics in tender procedures, public entities from the nation state down to the municipality may use this market power to pursue strategic policy goals, such as promoting innovation or fostering sustainability. Although numerous research articles and policy papers recommend such a usage of public procurement, practical application remains low, even when sustainable public procurement (SPP) practices are mandatory (Heinrichs & Sühlsen, 2015, p. 11f.; Sack, Schulten, Sarter & Böhlke, 2016, p. 56). Incentive structures and active change management to enable the introduction and consolidation of SPP practices in public administrations are missing.

Research suggests that respective structures and change management approaches should address three dimensions: the regulatory, the institutional, and the individual dimension (Grandia, 2015; Kuipers et al., 2014). The regulatory dimension relates to the legal basis to facilitate a strategic usage of public procurement, such as SPP, and its “translation” down to the working level. The institutional dimension concerns organisational issues, such as competence structures, as well as concrete procurement instruments such as e-procurement or the use of framework agreements. The individual dimension refers to a central, though often-neglected, parameter to enable strategic public procurement: it relates to all persons involved in procurement, at both the decision-making and working levels, as well as to their motivation. As this study shows, key stakeholders within a municipality need to support the idea of using procurement to reach certain strategic policy goals. If they do not, fulfilment will not take place even if regulatory and institutional conditions are favourable.

Public entities may use their procurements to reach strategic policy goals, such as fostering innovations by enterprises, reducing costs, or supporting the sustainability characteristics of procured goods. The last points refers to SPP, which is commonly defined as

a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment. (Department for Environment Food and Rural Affairs (United Kingdom), 2006)

Politics increasingly acknowledge public procurement as an instrument to foster respective market adjustments towards sustainability. While the debate started with a focus on promoting both the ecological and the social dimension of sustainability, the green side increasingly gained momentum in public entities in the Global North. According to the European Commission (EC), green public procurement (GPP) can be understood as “a process whereby public authorities seek to procure goods, services and works with a reduced environmental impact throughout their life cycle when compared to goods, services and works with the same primary function that would otherwise be procured” (European Commission, 2008, p. 4).

By including social criteria in tenders, public procurement may also serve as a powerful policy tool to limit social imbalances in global value chains. However, both the academic and the political discourse in the Global North have paid far less attention to the promotion of social goals via public procurement, namely socially responsible public procurement (SRPP), as compared to ecological ones (Appolloni, Sun, Jia & Li, 2014; Beck & Schuster, 2013, pp. 19-20; Eßig & Thi, 2011, p. 243; Heinrichs & Sühlsen, 2015, p. 11; Sarter, Sack & Fuchs, 2014, p. 5). In practical terms, “SRPP aims to address the impact on society of the goods, services and works purchased by the public sector” (Tepper, 2019, p. 7). It is about the impact on “compliance with labour law, social inclusion, enhanced employment opportunities, equal opportunities, accessibility and design for all [and] ethical trade, human rights and decent work” (Tepper, 2019, p. 7). Thus, SRPP facilitates the fulfillment of Sustainable Development Goal 12 (ensuring sustainable production and consumption) as well as other goals including SDG 8 (decent work) and SDG 10 (reduced inequalities).

Given the discrepancy between the high potential leverage effect of SRPP to meet the SDGs on the one hand and its low performance in both practical implementation and academic discussion on the other hand, this paper focuses on the conditions necessary for the implementation of SRPP practices. However, the analysis will also cover “best practices” that have been shown to promote green public procurement. Since GPP and SRPP are often pursued together, ignoring factors that have been shown to promote GPP practices would draw a one-dimensional and curtailed picture of SRPP implementation in public entities. We will make the differences clear in our empirical analysis.

During our research, we identified success factors and triggers for the introduction and consolidation of SRPP practices in German municipalities. The first reason for focusing on Germany was that, within the Global North, the European Union (EU) had developed the most sophisticated regulatory approach to including sustainability criteria in public tenders. As an EU member state, Germany has to follow the EU’s procurement regulations at every level of governance. Article 67(2) of Directive 2014/24/EU points out that

the most economically advantageous tender [...] shall be identified on the basis of [...] a cost-effectiveness approach, such as *life-cycle costing* [...], and may include the best price-quality ratio, which shall be assessed on the basis of criteria, including qualitative, *environmental and/or social aspects* [...] (italics added).

The second reason was that Germany had stated its clear aspiration to implement SRPP practices within national regulations and programmes, for instance in Paragraph 97(3) of the Act against Restraints on Competition (*Gesetz gegen Wettbewerbsbeschränkungen*, GWB). The third reason was that, compared to other countries of the Organisation for Economic Co-operation and Development (OECD), Germany has a high share of public procurement at the sub-central level. Over 75 per cent of overall procurement is conducted by entities below the national level (OECD, 2015, p. 137). Municipalities alone account for more than 50 per cent of all public procurement (Hepperle & Müller, 2016, p. 21). Thus, German municipalities are the most important governance level to look at when it comes to making use of public procurement’s market power for a transformation towards sustainability. The fourth reason was that municipal practitioners lack knowledge on effective SRPP implementation (Beck, Heinrichs & Horn, 2012, p. 4). In practice, economic efficiency defined by acquisition (and thus not by environmental, social or life-cycle) costs

still dominates most public procurement procedures (Beck & Schuster, 2013, p. 20; Eßig & Thi, 2011, p. 242).

In sum, the aim of this study is to identify incentives and change management structures in German municipalities that have been shown to reconfigure framework conditions for the benefit of SRPP introduction and consolidation. Our guiding research questions in pursuing this goal are:

- What are crucial regulatory, institutional and individual factors that support the introduction and the consolidation of SRPP in German municipalities?
- What triggers the occurrence of those factors, and how does this process take place?

With these questions, we strive to address three gaps in SRPP research in particular:

First, up to now research on SRPP – and SPP in general – has failed to generate knowledge on how and why specific success factors for its implementation occur in practice (Grandia, 2015, p. 31). While most studies are fairly descriptive or exploratory, only a few have a more explanatory approach (examples would be Brammer and Walker (2011) or Zhu, Geng and Sarkis (2013)). By focusing not only on factors for success (our first research question) but also on their triggers (our second research question), we follow an explanatory research agenda (see Section 2 for more details on methodology).

Second, the role and the motivation of individuals with regard to the introduction and consolidation of SRPP has not been addressed appropriately up to now (Grandia, 2015, p. 45; Kuipers et al., 2014, p. 34). The type of individuals to look at during the analysis are:

- procurers (both full-time and occasional),
- municipal staff with SRPP responsibilities,
- administrative decision-makers (top- to low-level management),
- political decision-makers, and
- relevant external individuals (such as consultants, representatives of non-governmental organisations (NGOs) and interested citizens).

While it is clear that change agents and personal commitment are decisive in promoting the effective uptake of SRPP, many sub-questions remain unanswered, especially regarding the questions of who is, or should be, committed to SRPP and which factors determine this commitment. Therefore, Kuipers et al. (2014, p. 34) call for a close exchange with practitioners in order “to explore the realities of change implementation”. In this study, we identify success factors leading to a change in public management structures towards SRPP. In doing so, we base our analysis particularly on expert interviews with municipal practitioners and, thus, provide new insights in order to reduce this research gap (see Annex table A1).

Third, there is a fundamental gap in knowledge regarding aggregated success factors and triggers for SRPP implementation at the municipal level in Germany. Examples exist only on a regional scale (Becher, 2017; S. Beck & Schuster, 2013; Hepperle & Müller, 2016).

We strove to answer the research questions outlined above by compiling a comprehensive and theory-guided literature review, underpinned by expert interviews with representatives from well-selected municipalities and using a method of case selection that took the diversity of municipalities into account (see Section 3).

This paper proceeds as follows: The following section introduces the methodology relating to case selection as well as data collection and analysis, followed by a theoretic section on change management research. After having presented the basis of our research in those sections, the following three sections constitute the analytical core of this study, outlining the regulatory, institutional and individual drivers of SRPP action and their respective triggers. Those analytical sections are subdivided by a time-logic, each starting with the introductory phase of SRPP action, followed by the consolidation phase. Section 7 will sum up and discuss the empirical results along with presenting central policy recommendations. The paper ends with concluding remarks.

## 2 Methodology

In the following paragraphs, we outline the methodological approach applied to select and gather data as well as how we analysed that information in order to answer our research questions. We linked the theory to the methodological issues of case selection, data collection and data analysis and interpretation in the following four steps:

Step 1: Developing a theory-guided holistic evaluation grid, drawing on secondary literature.

Step 2: Integrating data from secondary literature into the evaluation grid.

Step 3: Compiling interview guidelines and case selection for interviews.

Step 4: Triangulating interview data and secondary literature and assessment/interpretation.

As a first step, we developed a theory-guided holistic evaluation grid, based on secondary literature, as will be outlined in Section 3. This grid supported us in designing a blueprint to collect data on the analytical meta-dimensions of this study, namely the dimensions of relevant change processes in municipalities (regulatory, institutional, and individual) and their concrete configuration over time leading to successful SRPP practices. Grandia (2015) shows that the uptake of SPP practices in Dutch public entities critically depends on the configuration of specific conditions within those dimensions. Literature on SPP uptake in German municipalities suggests respective correlations as well, while their configuration is expected to vary due to systemic differences between the organisation of public procurement in Germany and the Netherlands.

Based on this, in a second step, we systematically collected data from secondary literature on SRPP practices in German municipalities. Those data enabled us to develop a first hypothesis on important factors in the three dimensions outlined, which were reflected in the questionnaire for semi-structured interviews with municipal practitioners. In accordance with our research questions, the questionnaire not only asked for information on success factors but also on their triggers.

In a third step, we selected municipalities where we would conduct interviews. Since we needed insights from municipalities that had successfully introduced SRPP practices, their frontrunner status was a crucial selection criterion. We rated the level of a municipality's frontrunner status on SRPP implementation based on five criteria:

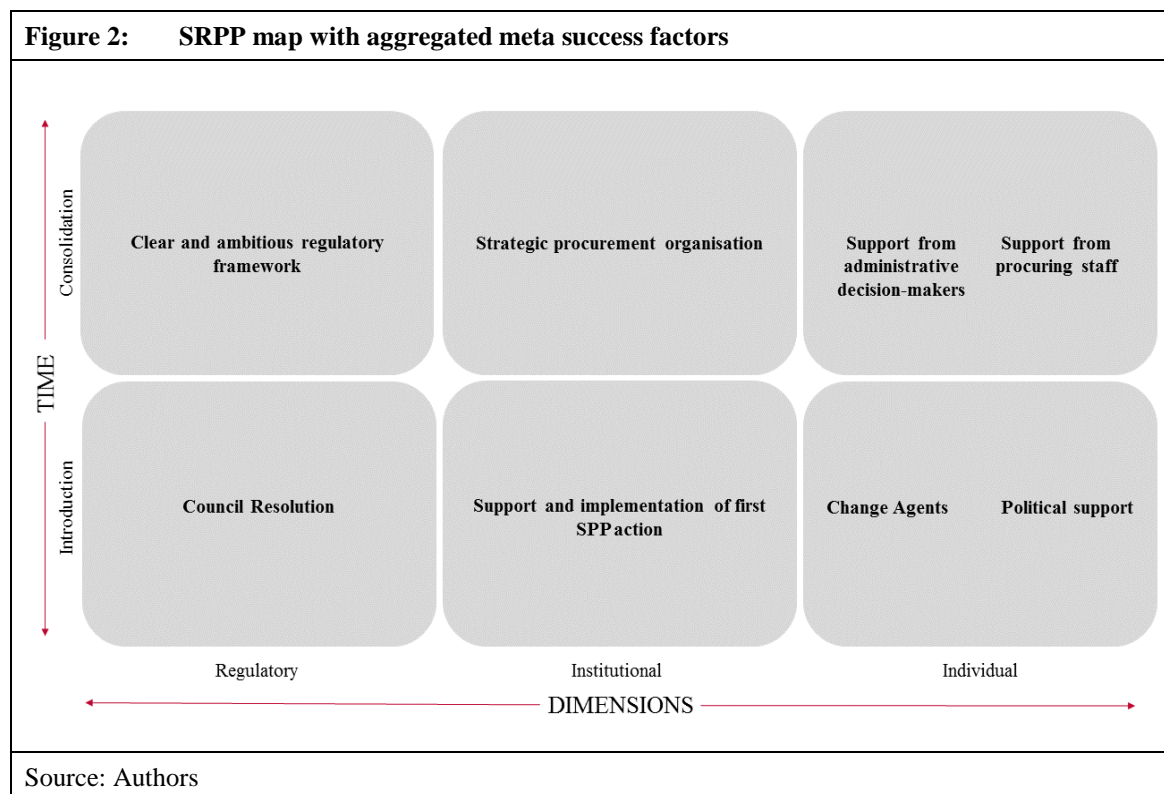
- The municipality was mentioned in publications on SRPP.
- Availability of at least five good practice examples of the municipality on socially responsible tenders at the *Kompass Nachhaltigkeit*, a German national online hub on SRPP. (Filter: practical examples in socially sensitive product categories (natural stone, sport equipment, textiles); internal regulations *Dienstanweisung* (Council order).
- The municipality was mentioned in the online database of the Service Agency Communities in One World (SKEW), a German national competence centre for local development cooperation (Filter: diverse fair products; procurement; at least one Council order concerning socially responsible procurement).
- The municipality was a member of an ICLEI network on SPP (ICLEI is an international organisation that fosters sustainable development at the local level).
- The municipality was a member of another relevant network (for example, collaboration with an NGO on SRPP).

Two further preconditions were variation in size and geographical location in Germany in order to reduce potential biases (for instance, due to diverging financial capacities or state legislation). On this basis, we selected 52 municipalities and reduced this number to 20 based on a preferably good performance level regarding the above-mentioned criteria and an even variation in size. As a result of restrictions in access and time, we were finally able to conduct interviews with 14 representatives from those cities (13 by phone, one in person) with city representatives from 8 German States and City States (see Table 1).

<b>Table 1: Overview of municipalities in which interviews were conducted</b>	
<b>City size</b>	<b>Interviewed city representatives from</b>
Up to 20,000 inhabitants	Rosstal
20,000-100,000 inhabitants	Ludwigsburg Nuremberg Metropolitan Region Tübingen Wesel
100,000-500,000 inhabitants	Freiburg Heidelberg Mainz Saarbrücken
Over 500,000 inhabitants	Berlin Bremen Cologne Leipzig Munich
Source: Authors	

This case selection approach and its practical result come with some limitations. First, due to time constraints we approached and interviewed only one person in each of the 14 municipalities. Most of the interviewees were situated in strategic management positions within the municipal administration (for example, in the sustainability department). Thus, while these persons had a good overview of SRPP action in all departments of the municipality, they were mostly not directly involved in the procurement process. Secondly, while we had a relatively even distribution with regard to city size in the three upper categories, access to representatives from smaller cities was difficult. For this reason, we were only able to conduct one interview with a representative of a small city (that is, up to 20,000 inhabitants).

The fourth step represents the analytical and core part of this paper, that is, the triangulation of interview data and secondary literature and its assessment and interpretation. We first coded the interview data based on i) the theory-guided holistic evaluation grid (see Section 3); and ii) the enriching of this grid with secondary literature in order to develop more practice-oriented codes. After that, we interpreted the aggregated empirical data to answer the research questions. The analytical frame of this step followed the known content logic, further nuanced by a time logic. The horizontal content logic focused on regulatory, institutional and individual factors leading to SRPP action. The vertical time logic strove at structuring the content dimensions according to when they typically appeared (introduction or consolidation phases). Figure 2 illustrates this approach.



We structure the following analytical part in accordance with the six fields in Figure 2, based on the three content dimensions which are subdivided by the two time dimensions (regulatory: 4.1/4.2; institutional: 5.1/5.2; individual: 6.1/6.2). The differentiation into phases should be understood as a structuring tool. Overlaps and steps forward and backwards may be possible in practice. For the analysis, we will discuss each of the six



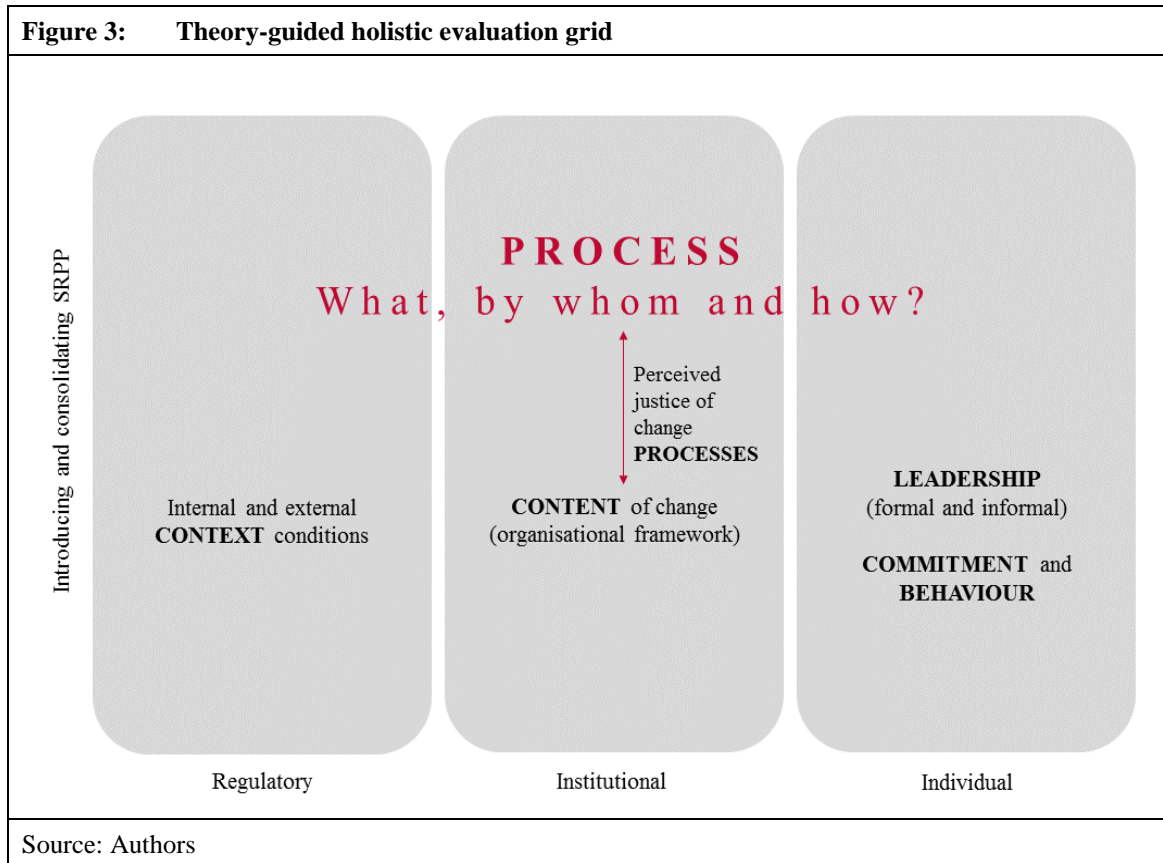
fields in the matrix separately. For all six fields, we will aggregate the results visually in SRPP sub-maps. Along with this, we categorise success factors and their triggers in each empirical subsection according to their relevance in initiating SRPP. This categorisation is based on the robustness of the empirical material, that is, on the number of times mentioned or on the soundness of findings in the case of only one or only a few mentions in the data.

### **3 Management of change for SRPP**

We were interested in identifying successful drivers and underlying triggers for changes towards SRPP. Concepts of change management allowed us to develop a theory-guided structure for the effective gathering and analysis of data and to present our research in a practice-oriented manner. Every private and public organisation is almost permanently subject to both internal and external dynamics that may provoke or even require change. Those dynamics originate from different sides, externally via altered regulations (such as new environmental standards) or internally, via new strategic targets (for instance, budget cuts) (Burnes, 2004).

The push to introduce SRPP practices in German municipalities may well originate from different sides and lead to changes in different spheres of public organisations. An effective management of those changes can increase the likelihood of the successful introduction of SPP and its long-term consolidation (Luecke, 2003). In practice, this means triggering a process in which the routines of public organisations – in our case the municipalities – are questioned and possibly transformed (Becker, Lazaric, Nelson & Winter, 2005). According to Feldman and Pentland (2003, p. 623) organisational routines are “rules that allow people to select elements of a repertoire in order to construct sequences of behaviour that make sense to others in the organisation”.

As defined in a literature review by Kuipers et al. (2014), five dimensions are relevant for the management of change in public organisations: content, context, process, outcome and leadership. By referring to insights on the role of individual employees in such change processes by Walker, Achilles and Jeremy (2007), Grandia (2015, p. 31) adds the individual dimension to this list, conceptually integrating the strong role that individuals play in the introduction and consolidation of SRPP. As will be outlined below, we incorporated these dimensions in a structure that is close to the reality of managing public organisations. Figure 3 illustrates how we assigned Kuiper’s and Grandia’s dimensions to the overarching dimensions “regulatory”, “institutional” and “individual”. With regard to the individual dimension, we did not analyse the degree of sustainability in procurement projects, but instead focused only on commitment and behaviour. Grandia (2015, p. 35) defines commitment to change in the case of SRPP as “a force that binds a procurer or project team to a course of action deemed necessary for the successful implementation of sustainable procurement in procurement projects”. Thus, we do not refer to “outcome” at this point.



The issue of reflecting upon the *process* when analysing change management refers to the overarching need to focus on concrete actions that lead to the introduction and/or consolidation of new organisational routines (Walker et al., 2007). Therefore, it is about identifying and describing the triggers of change within an organisation and how they come about (What is done? Why is it done? By whom? And how?). Reflecting on the process during the empirical analysis thus means that we can answer those questions both with reference to single elements of change (such as action of specific change agents) as well as regarding potential interrelations between different elements (for instance, specific regulations in conjunction with new training options for staff).

While the process variable is overarching and cannot be connected to only one analytical dimension (regulatory, institutional, or individual), the issue of investigating the *context* in which an organisation acts largely corresponds to the *regulatory* perspective. According to Grandia (2015, p. 33) – and based on the work of Kuipers et al. (2014) – “contextual issues refer to pre-existing forces in the organisation’s external or internal environment”. While external context issues are usually quite static and difficult to change, internal conditions can be transformed more easily (Grandia, 2015, p. 33; Walker et al., 2007). Thus, this study will only partially investigate the external political and in particular regulatory framing conditions under which municipalities procure. The main focus will be on the internal context conditions, such as action plans, Council Orders or other documents that affect the actions of procurers and other relevant actors directly (manuals, form sheets, and so on). A key question in this regard is whether the observed context conditions, including those not directly connected to SRPP, infringe or promote the goal of introducing and/or implementing SRPP (Grandia, 2015, p. 34). A rather large part of the literature on SRPP focuses on the external regulatory dimension, that is, on European Directives and national

as well as sub-national laws and directives on public procurement. However, despite those legal changes in favour of SPP, implementation in public entities – especially in municipalities – remains low (Heinrichs & Sühlsen, 2015, p. 11f.).

When it comes to the *institutional* level of analysis, two issues that may foster change towards SRPP need to be examined; first, the *content* of change with regard to the organisational framework conditions to encourage SRPP and, second, the question of whether the *process* of introducing and applying those conditions is perceived as just. Following Armenakis and Bedeian (1999, p. 297), the content of an organisation's change specifically refers to its "strategic orientation, [...] structure, and [its] [...] fit" with the internal and external environment. In this study, we consider the strategic orientation and the structure to foster change within an organisation to incorporate both fairly "soft" measures to achieve new behaviours (for example, internal and external communication and involvement) as well as "hard" initiatives of organisational reconfigurations (for example, by implementing a SRPP competence centre within the institution). The mentioned fit between an organisation's environment (both internal and external) and its strategic visions and structures already touches on the perceived justice of change processes. Translating this connection to establishing SPP within a public administration, Grandia (2015, p. 33) points out "that the more that procurers perceive the procedures [...] used to implement sustainable procurement are just, the more they are favourable towards implementing them". In this context, procedures and policies that make procurers become risk-averse and less open to break new ground represent a big challenge for successful SPP (Rolfstam, 2012).

The analytical part of this study will provide empirical insights into the role of *individuals* in introducing and consolidating SRPP practices. Up to today, this has been overlooked in most studies on the topic (Grandia, 2015, p. 16). That is why this study examines the effects of individuals on SRPP performance from three different angles: *formal leadership*, *informal leadership* and *outcome* (depending on commitment and behaviour). Leadership has been widely acknowledged to be a crucial driver of change within organisations in literature on temporary change management. Informal leadership that induces change within an organisation is executed in particular by so-called change agents. According to Caldwell (2003, pp. 139-140) "a change agent is defined as an internal or external individual or team responsible for initiating, sponsoring, directing, managing or implementing a specific change initiative, project or complete change programme". Change agents can enhance the employees' approachability for new perspectives by influencing their opinions, aims and finally also their behaviour (Armenakis, Harris & Mossholder, 1993). With regard to SRPP introduction, both internal staff (for instance, single procurers or a person or persons responsible for sustainability issues) as well as individuals from outside (for example, consultants or NGO representatives) can act as change agents.

Formal modes of leadership that will be investigated here are top management support and a transformational leadership style. With regard to top management support, studies that focus on sustainable procurement, both in the public and private sector, found this variable to be of pivotal importance for successful implementation (Ageron, Gunasekaran & Spalanzani, 2012; Brammer & Walker, 2011). Types of individuals who would be important for this study would for instance be the heads of the specialised departments within the municipal administration or the Lord Mayor her- or himself. Turning to transformational leaders, Yukl (1999, p. 286) describes them as persons who are able to communicate a vision in a way that their followers "transcend their own self-interest for the sake of the

organization". Thus, as a result of appreciation, those followers would by choice do more than they were expected to do (Yukl, 1999). However, with regard to the implementation of SPP at the national level in the Netherlands, Grandia's research shows that neither type of formal leadership – top management support or a transformational leadership style – played a key role in SPP implementation (Grandia, 2015). It remains to be seen whether this holds true for establishing successful SRPP structures among German municipalities.

The third angle from which we look at the role of individuals for SRPP performance in German municipalities is the outcome. However, we will not analyse the *degree* of sustainability in procurement projects since a comparatively good SRPP performance already represented a key criterion for selecting our research subjects, namely German municipalities that had shown good practices in introducing and consolidating SRPP practices. Thus, we focus on commitment and on a respective behaviour in practice (Grandia, 2015, p. 34), based on Meyer, Stanley, Herscovitch and Topolnytsky (2002, p. 475). According to Grandia (2015, p. 35) individual commitment

can be fuelled by a desire to support sustainable procurement based on a belief in the benefits of sustainable procurement (affective commitment); a recognition that not procuring in a sustainable manner will be penalized (continuance commitment); or, by peer pressure (normative).

Research suggests a positive correlation between transformational leadership and individual commitment in general (Michaelis, Stegmaier & Sonntag, 2010). With regard to affective commitment in particular, scientific findings also support the assumption that both knowledge on SRPP (what it is, how it works, what it can achieve, and so on) and a personal sustainability attitude in general affect SRPP implementation positively (Grandia, 2015, pp. 37-38). Sustainable procurement behaviour, as the second outcome criteria, refers to the level to which procurers integrate SRPP criteria into the tendering process (Grandia, 2015). Also in this case, research suggests a positive correlation between knowledge and ecological (and thus, potentially also SRPP) behaviour (Chan, Hon, Chan & Okumus, 2014).

## **4 The regulatory dimension**

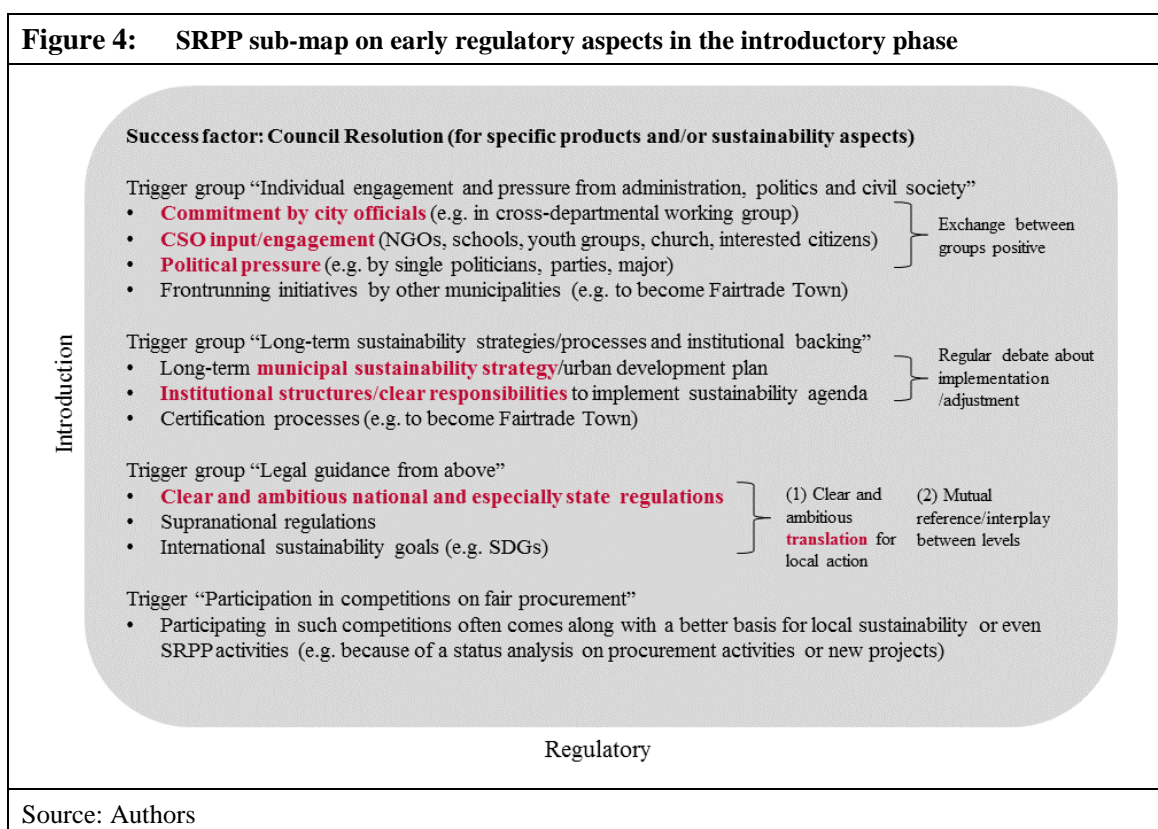
A crucial basis for all routines of public administration – including procurement – are sound and applicable regulations. Design and content of those regulations as overarching success factors for effective SRPP action have been described and analysed in various different studies and are thus not the primary subject of the following analysis. However, so far, triggers that facilitate the emergence of a respective regulatory basis have been largely neglected in academic discourse. They are thus in the focus of the following subsections. With regard to the structure of this section, it is subdivided according to a time logic, that is, the introduction and the consolidation phases of SRPP.

### **4.1 Regulatory dimension: the introductory phase**

In the following analytical part, we present the central regulatory success factor to initiate SRPP practices in the introductory phase: namely Council Resolutions on the topic. Though it would be beneficial if those guidelines already provided an ambitious basis for broad and

rigorous SRPP action, empirical evidence shows that a more cautious approach is more realistic in that phase. Thus, resolutions that cover only one or specific product groups and refer to selected sustainability aspects, such as the avoidance of child labour in the production chain of procured products, are important first steps in the introductory phase. The following subsections will present triggers for developing and adopting Council Resolutions on SRPP.

Figure 4 summarises key insights from this section. Three trigger groups and one standalone trigger have been identified as leading to the emergence of a Council Resolution. The first three trigger groups are of particular relevance, while the most crucial triggers are highlighted in red.



#### 4.1.1 Individual engagement and pressure from administration, politics and civil society

Individual engagement and pressure from administrations, politics and civil society are the first trigger group that may initiate a Council Resolution on SRPP. We have merged those apparently different aspects into one group since the interviews have shown that they typically appear in interaction with each other. As the following case examples show, the emergence of single elements of this trigger group initiate processes leading to a profound regulatory basis for SRPP action. While the empirical insights point to the high importance of CSO pressure and information in the early stages, the exchange between the various different groups is of a far higher importance than their isolated appearance. Examples for platforms bringing those elements together are information events for interested citizens and responsible persons within politics and administration as well as more formalised and long-

term group settings with broad participation (such as working groups around the Local Agenda 21 or steering committees of Fairtrade Towns).

Experiences from Mainz and Wesel show that pressure from youth groups and schools on politicians and administrations can be a crucial trigger for the commencement of SRPP resolutions and initiatives. In both cases, those groups developed their position in cooperation with civil society organisations. Klaus Bauer, initiator of the process in Wesel, refers to an event where the youth group informed the City Council and interested citizens of the Fairtrade Town initiative and fair procurement in general. According to him, it was this event that led to a Council Resolution in Wesel in December 2008 (Bauer/Wesel).<sup>1</sup> In the case of Mainz, it was the CSO *Entwicklungspolitisches Landesnetzwerk Rheinland-Pfalz* which carried out a project on SRPP in schools. The students presented their insights both to the head of the city's procurement department and to the mayor. Both promised to take action, which fostered the successful application of Mainz as a Fairtrade Town (Gresch/Mainz).

However, in the case of Mainz another factor was even more decisive for the regulatory recognition of SRPP: Long before the described CSO engagement, an internal working group pushed for the topic, ensuring its inclusion in a resolution on the UN's Millennium Development Goals (MDGs) in Mainz during the late 1990s/early 2000s. Sabine Gresch, coordinator of the Local Agenda 21 in the City of Mainz, highlighted the impact of those engaged individuals in this context:

It was doubtless due to the people who dealt with [the development of the resolution]. That was a colleague from the Environmental Department, someone from the procurement department, and myself [...] It was more of an accident that we met up. We set up our working group on sustainable procurement and the same group of people always met up. [...] And we [...] discussed various things that had to be coordinated and agreed, and went along that path together. (Gresch/Mainz).

This example impressively shows the potential effect of engagement from within the city administration for regulation on SRPP.

In the City of Tübingen, a civil society-led, bottom-up process resulted in the first Council Resolution in 2006. The process was particularly triggered by CSOs, accompanied by interested citizens and representatives from the city administration, that were organised within the Local Agenda 21 and different working groups, for instance, on fairtrade. In 2012, the Resolution was substantially expanded and internal instructions were adjusted to align administrative processes within the city administration of Tübingen. The instructions also stipulated that procurements *below* the threshold for public tenders should respect fairtrade standards "as far as possible". The initial trigger for this expansion was the certification of the neighbouring municipality of Rottenburg as first Fairtrade Town of the State of Baden-Württemberg in 2010. According to a city representative, this certification had "initiated new dynamics in the city" what resulted in the formation of a steering

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1 Please find a list of all persons (including the municipality for which they work) in Annex table A1. This table also serves as a bibliography for all interview sources and introduces the citation form for the interviews used in the text. The interviews were conducted in German and translated into English by the authors of this study. Any potential errors in translating the interviews are the authors' sole responsibility.

committee with participants from the city administration and CSOs to make Tübingen a Fairtrade Town as well (Narr/Tübingen).

While in the cases of Wesel and Tübingen it was CSOs that initiated the process, early triggers in the case of Leipzig came from political parties and the motivation of the procurement department itself. The first resolution on excluding goods where exploitative child labour was involved was passed in the 1990s following an initiative by Bündnis 90/Die Grünen (Alliance 90/The Greens). Both Alliance 90/The Greens and the procurement department itself triggered a subsequent Council Resolution connected to the Fairtrade Town process from 2010.

Munich and Bremen, the last two cities investigated in this section, are two of the best-known city examples on early and broad SRPP action in Germany. In both cases, the triggers investigated here – namely individual engagement and pressure from administrations, politics and civil society – occurred closely connected with each other. In the early 2000s, Munich was the first German city to pass a law to abandon products where exploitative child labour was involved and, thus, served as a reference point for other cities. The initial trigger for coming up with this groundbreaking law was an initiative by a member of the local Agenda 21 office. With the support of other NGOs and the broader civil society, he started the campaign *Keine ausbeuterische Kinderarbeit* (No exploitative child labour). At this time, a coalition of the Social Democrats (Sozialdemokratische Partei Deutschland, SPD) and Alliance 90/The Greens governed Munich. In particular, the third mayor of Munich, Josef Monatzeder from Alliance 90/The Greens, and his office took up the topic and developed the draft for the resolution. From the early 2000s until the election of a new coalition in 2014, the third mayor and his staff remained very active in respect to SRPP and organised events and roundtable discussions together with CSOs (such as FIAN e.V.). This engagement was a crucial trigger for the following initiatives around SRPP, namely the adoption of further resolutions in 2006 and 2013 as well as Munich's successful application to become a Fairtrade Town (Baringer/Munich).

In Bremen – not only a city but together with Bremerhaven also a German state – the procurement law was opened up for the voluntary consideration of social criteria in public procurement procedures in 2009. The topic was introduced in the political debate by various NGOs which intensely lobbied at party level, especially the SPD and Alliance 90/The Greens. Only two years later, the State Parliament of Bremen passed a new resolution that made the consideration of social criteria in procurement procedures obligatory for some product groups. According to Birte Detjen, then employed by a local development NGO, it was the interplay between “the political will [...], the strong engagement of single politicians [...] and NGO pressure” (Detjen/Bremen) that paved the way for tightening the regulatory basis for SRPP. Though she assessed the information activities of NGOs as important, she pointed to the indispensable role of politics in taking responsibility and adopting a stable regulatory framework.

#### 4.1.2 Long-term sustainability strategies and institutional backing

The empirical data shows that the existence of a long-term municipal sustainability strategy or respective processes constitutes a further trigger for the adoption of a resolution on SRPP. Having the institutional capacity and clear responsibility structures to implement those

strategies and processes appears to be a further beneficial factor in this regard. The existence of a municipal sustainability strategy and/or processes with institutional backing can create supportive conditions to develop a legal frame for SRPP action. As already became visible in the preceding subsection, the support and involvement of leading individuals in local politics and municipal administrations can further reinforce the process.

In the cities of Heidelberg, Tübingen and Neumarkt, long-term urban development plans paved the way for SRPP activities. Regina Hammes from the City of Heidelberg refers to the plan as a “door opener” since sustainable city action is the basic objective of the plan and SRPP “the logical consequence” thereof (Hammes/Heidelberg). Ulrich Narr from the City of Tübingen perceived the municipality’s process of developing and regularly adjusting its guiding principles for sustainable city action as a “starting point” and a discussion forum for issues around SRPP (Narr/Tübingen). Both Jeannette Jäger, who is a consultant to the City of Ludwigsburg on SPP, as well as Michaela Morhard from the City of Rosstal further highlighted the processes leading to the Fairtrade Town certification of their municipalities as important triggers to foster discussions leading to SRPP resolutions.

In every case, existing institutional structures and clear responsibilities for issues around sustainability appeared to be a further favourable element. In the case of Heidelberg, the Agenda 21 office proposed topics to work on and had the capacity to prepare suggestions for the Council and the heads of administration. Thus, it was not the Council that initiated a debate on SRPP in the first place but the Agenda 21 office with strong support from the mayor (Hammes/Heidelberg). Both Neumarkt and Ludwigsburg introduced specific departments to support the introduction of their urban development plans.

#### 4.1.3 Legal guidance and sustainability strategies from above

The third trigger group to initiate local regulatory action on SRPP is legal guidance and sustainability strategies from above, namely from the international, down to the state level. However, as existing literature and especially the empirical data generated for this study suggest, while regulations and strategies from higher levels of government might inspire local regulatory action, they do not necessarily translate into respective regulations at the local level. Often, regulations or strategies from inter- and supranational governance levels are too imprecise and general to initiate concrete local action. Thus, regulations at national and state level that open up possibilities for an integration of SRPP into the procurement process are far more successful and important at this point. They are perceived as granting legal certainty and as an argument for the necessity of regulatory changes enabling SRPP practices to be undertaken at the local level. However, regulations at federal and state level are also often too broad and too general and thus do not translate into concrete action.

At the *international level*, the United Nation’s Millennium Development Goals (MDGs) of 2000 were referred to as relevant frames and points of departure for the adaption of regulations in favour of SRPP by two interviewees (Feldmann/Cologne; Gresch/Mainz). In the case of Cologne, the City Council passed a resolution on local MDG action in 2007, including aspects to do with fair procurement. However, respective structures never materialised due to a lack of specifications of how to accomplish this goal. In 2008, a new resolution to implement fair procurement principles followed, inter alia referring to the International Labour Organization (ILO) Core Conventions. However, though the 2008 goals



were embedded in the local procurement rules in 2016, almost no calls for tender included those social criteria in Cologne until 2018 (Feldmann/Cologne). This example shows clearly that, irrespectively of the “triggering” governance level, the translation of municipal regulations calling for SRPP practices is often neglected (Beck & Schuster, 2013).

While sustainability strategies like the MDGs may initiate regulatory changes promoting SRPP at the local level, both existing literature and feedback from practitioners suggest that the realisation of this translation effort at the municipal level *critically depends on the existence of more specific regulations on procurement at all levels above the municipality*. State, national or supranational regulations may present important initiating factors in this regard but implementation always depends on the translation of superior regulations to rules at subordinated governance levels (Burgi, 2017, p. 5; Fincke, 2014, p. 18; Heinrichs & Sühlsen, 2015, p. 13). The lower the level, the more concrete and practice-oriented provisions should be, in order to make their application more likely. An example in this respect would be the provision of product-specific guidelines on what proof of sustainability may be required from economic operators in public tenders at state level (Bartscher, 2014). In Leipzig, the absence of respective regulations at state level prevented the adoption of Council Resolutions on SRPP, while the adoption of such a law was the main reason for developing and adjusting respective resolutions in the City of Freiburg (Pflaum/Freiburg).

Looking at Freiburg also shows that international regulations or target systems with more specific goals and measures trigger or – in the case of Freiburg – perpetuate and strengthen local action. The SDGs represented the starting point for the modification of the local sustainability agenda in the city, including rules on SRPP. Thus, a practice-oriented discussion and “translation” of international target systems in and to municipal conditions can foster the adoption of local rules on SRPP.

The existing literature and the empirical data collected for this study provide a clear picture: In most cases by far, it is not *the one* governance level alone that triggers the development of a local resolution on the topic; rather it is mostly *an interplay* between levels and respective regulations that helps to trigger local decisions. A crucial barrier for such developments constitutes the voluntary nature of most regulations on SRPP above the state level as, for instance, stipulated in the EU Procurement Directive or the Act against Restraints on Competition (*Gesetz gegen Wettbewerbsbeschränkungen, GWB*) (Detjen/Bremen; Jansen/Berlin). Beyond this, those acts remain unspecific on many key issues for practice, for example regarding a potential weighting of sustainability criteria versus short-term acquisition costs. The resulting legal uncertainty limits the potential direct impact of those regulations on local SRPP action. However, despite those uncertainties, cases like the City of Mainz show that even such insufficient rules above the municipal level can help in justifying or even initiating local action, as the following quote from Sabine Gresch shows:

I think that regulations from above are indispensable to implement such things [SRPP action] locally. In every case [where] there was a new EU Directive or new provisions by the German Association of Towns and Municipalities, we wrote a status report for the Economic Committee [of the City Council of Mainz] [...]. So that it is clear that what we are doing here in Mainz is based on those regulations [...]. (Gresch/Mainz)

Thus, it is also about the internal communication and application of those rules by individuals within the city administration, may they be formally responsible for SRPP or “only” committed to the topic.

To conclude: legal guidance from higher up, that is, state, national as well as supra- and international governance levels, can significantly support the development of a local resolution on SRPP. Regulations at the level of the German states can serve as a connector to make meta-regulations applicable on the ground (Sack et al., 2016, p. 55). However, legal guidance from above is not the “golden bullet” for the development of local SRPP resolutions. Examples like the Cities of Bonn, Cologne and Munich show that local resolutions can also originate from local actors and discourses, for instance through political parties or NGOs.

#### 4.1.4 Competitions for fair procurement

Competitions for best practices constitute another – though less central – driving force for initiating local SRPP action, including the development of first resolutions on the topic (Pohl/Leipzig). In Germany, the biannual competition Fairtrade Capital (*Hauptstadt des Fairen Handels*) represents the most important competition on SRPP. It is organised by the Service Agency Communities in One World of Engagement Global, which aims at fostering local development cooperation. In 2017, over 100 municipalities applied with more than 900 projects in the field of SRPP, including new regulatory approaches to push for more sustainability criteria in tendering procedures SKEW [Servicestelle Kommunen in der einen Welt], 2020).

The City of Dortmund – probably the most advanced city in Germany when it comes to SRPP – has been highlighting its projects in this field since the early 2000s in the competition and regularly reaches one of the top ranks. For sure, such competitions are not an instrument for securing large-scale and long-lasting SRPP consolidation, as the municipalities have to engage and invest resources in the first place. However, within some cities, they can be the starting signal to create a critical mass to move forward.

#### 4.2 The regulatory dimension: the consolidation phase

During the introductory phase of local SRPP action, resolutions that cover only one or specific product groups and/or refer to selected sustainability aspects are already a step in the right direction. However, in order to perpetuate this action in the long run, a broader, more ambitious and strategic regulatory approach is necessary. During the consolidation phase, a crucial task of the regulatory framework is to provide a blueprint for institutional action. Thus, instead of general resolutions with meta-targets (“introduction of a fair procurement system”), concrete goals and procedures on how to address specific sustainability dimensions in particular product groups and/or departments are needed (Gröger, Brommer & Hermann, 2014, p. 6). The clearer the regulations, the easier their “translation” into institutional action. Such a basis provides legal security for procurers and their supervisors when designing tenders. Missing guidance and resulting legal *insecurity* is one of the main barriers for broad SRPP implementation in German municipalities.

Previous studies conclude that regulatory frameworks should provide clear guidance on how and where to include sustainability criteria in tender procedures for all officials involved within the contracting authority (Burgi, 2017, p. 5; Gröger et al., 2014, p. 6; Heinrichs & Sühlsen, 2015, p. 13; Schormüller, 2014, p. 10). At the same time, general Council Resolutions on new or adjusted procedures within the administration need to be “translated” into concrete instructions for the working level. On the one hand, this can be achieved through policymaking again, for example, by adopting more specialised resolutions on specific product groups. On the other hand, the administration itself needs to accomplish this translational work, via for instance:

- instructions (*Dienstanweisungen*),
- new administrative forms that integrate SRPP aspects,
- adjusted procurement rules,
- guidelines, or
- circular letters from heads of administration (or even by the mayor her-/himself) (Barraket, Keast & Furneaux, 2016; Becher, 2017, p. 28; Fincke, 2014, p. 23; Gröger et al., 2014, p. 6; Heinrichs & Sühlsen, 2015, p. 13; Jäger/Ludwigsburg; Pensel, 2014).

However, as both secondary literature as well as the interviews for this study show, even German frontrunner municipalities on SRPP have not implemented such an advanced regulatory basis (or only to a very limited extent). Practitioners describe the legal framework – especially above the municipal level – as a central obstacle to more ambitious local SRPP action. According to them, central shortcomings are:

- the lack of a binding character for existing rules (such as of the EU Procurement Directive or the Act against Restraints on Competition),
- the low level of ambition of existing rules and agreements, and
- the absence of a coherent legal framework above the municipal level (perceived conflicting demands of supranational, national and state regulations) (Bozsoki&Bauer/Wesel; Hammes/Heidelberg; Pflaum/Freiburg; Pohl&Eichhorn/Leipzig).

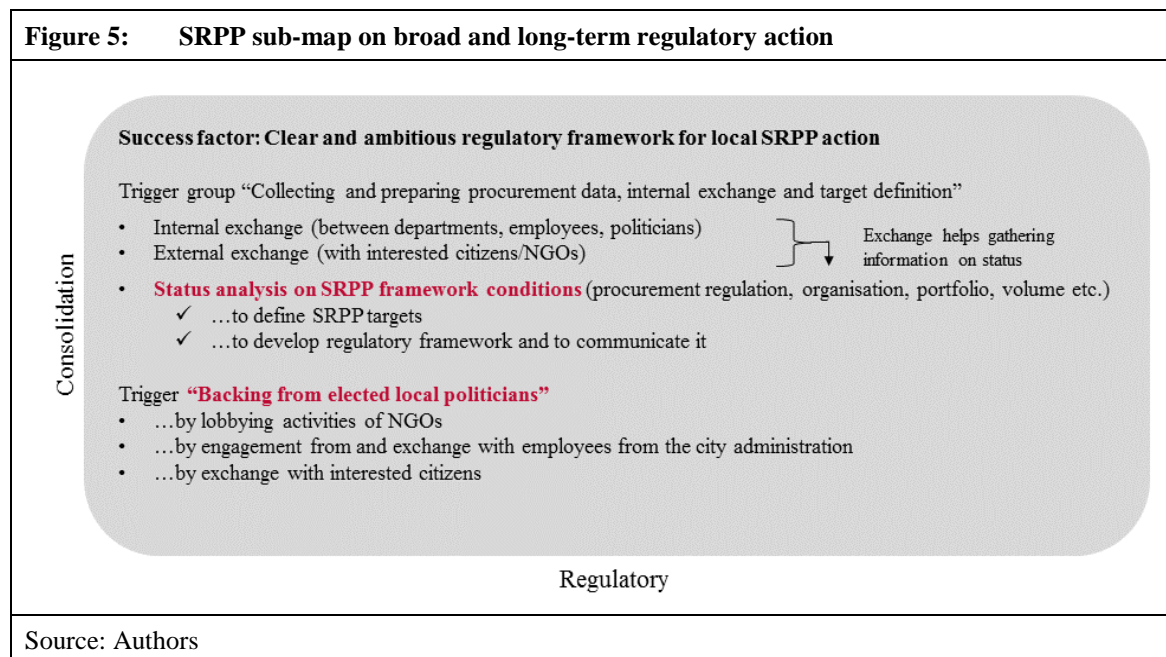
Especially due to those shortcomings, the translation of meta-goals for effective SRPP practices to the local level poses a challenge. In practice, clear and rigorous internal working instructions on how to improve the sustainability performance of public procurements tend to be the exception rather than the rule. The interviews showed that, partly due to the decentralised procurement responsibilities in most German municipalities, procurers need very clear guidance on where and how to include such criteria in the tendering process. Regulations need to create a legally clear and unambiguous level playing field for institutional SRPP practices in municipalities.

Even among the German frontrunner cities of SRPP, none have developed a convincing approach to creating a clear and ambitious regulatory framework for local SRPP action which represents the central success factor for consolidating efforts in the regulatory

dimension. Having said that, the following two subsections will describe the impressive steps taken by many cities to improve their regulatory systems. As Figure 5 illustrates, we found two key triggers that were of particular importance in this regard:

- conducting a status analysis on SRPP framework conditions (procurement regulations, organisation, portfolio, volume, etc.), and
- securing backing from elected local politicians.

Triggers from the introductory phase may also exert an impact during the consolidation phase. Figure 5 summarises the key triggers for the development of a clear and ambitious regulatory framework for local SRPP action.



#### 4.2.1 Collecting and preparing procurement data, internal exchange and a target definition

An important prerequisite for developing SRPP regulations that are adapted to local conditions is having an overview of relevant local procurement activities. What sounds obvious in the first place is at second glance a big challenge: Procurement in most German municipalities is decentralised, meaning that individual departments, sub-units or, for many tenders below certain thresholds, single persons are responsible. In the vast majority of cases, there is no central collection of procurement data. Thus, structured and sound data on what is procured, for how much, and by whom, is largely missing. Collecting and preparing such data is not only important for the regulatory dimension (context) but also for the development and implementation of new and/or adapted procurement management structures within the municipality (content).

For this reason, Isenheim (2011, p. 66f.) proposed the accomplishment of a status analysis of the municipal procurement framework, focusing on:

- the existing regulatory framework,
- the procurement organisation,
- the product portfolio and volume, as well as
- practical considerations (such as those concerning complexity of including sustainability criteria and local experiences).

Furthermore, local interests and discourses should be acknowledged that could, for instance, favour action in specific product groups due to civic society engagement or the like. Information on the product portfolio and the volume in particular could help to guide SRPP (and general SPP) action towards products with a high leverage effect. Even in the frontrunner cities interviewed, information on local procurement was limited and scattered, being a crucial challenge for more targeted regulatory and institutional SRPP action as well as for overall effective procurement, including not only social and environmental, but also economic aspects.

In order to collect and prepare data on the procurement status within a municipality, exchange between people and departments is indispensable. While this exchange can initially help to generate the data needed, it is – after the preparation process – also crucial to inform both the practitioners and the politicians on the City Council about the potential or already agreed way forward. Sabine Gresch from the City of Mainz and Jeannette Jäger, consultant of the City of Ludwigsburg, particularly highlighted the regular and targeted briefing of politicians within relevant committees. Informing the decision-makers and securing their support can become the “starting signal” for more rigorous regulation (Jäger/Ludwigsburg). The status analysis should likewise go hand in hand with a clear definition of what SRPP means in the specific local context. It needs to be clarified which sustainability dimensions should be addressed within the local SPP approach and how sustainability should be controlled within tender processes, for instance: at a fairly low level (such as through self-declarations) or via more complex techniques (for instance, life-cycle cost approaches). The consideration and disclosure of life-cycle costs could again become an important argument towards politicians and/or heads of administration to buy sustainable products with higher acquisition costs (Becher, 2017, p. 41).

In addition, clearly defined targets can substantiate the regulatory basis since they help the administration to develop a roadmap for consolidation. According to Gelderman, Semeijn and Bouma (2015, p. 77), SPP-initiatives “that were classified as successful appear to have well-defined goals, while the less successful initiatives showed a lack of clear and realistic goals”. Sustainable procurement goals, such as the one of the City of Freiburg to increase the share of electric vehicles in the city fleet to 75 per cent, can provide an important point of reference for procurement practitioners (Pflaum/Freiburg).

To conclude, the development of a rigorous regulatory framework to implement SRPP practices can benefit a lot from filling the “data hole” on municipal procurement activities, developing targets from these data and from communicating those efforts to internal target groups. However, as the cases investigated show, this is easier said than done since all these steps depend on scarce resources such as time, money, expertise and personnel.

#### 4.2.2 Political backing

An important trigger to come up with and to follow through with clear and ambitious regulations on SRPP is backing by local politicians. The political opinion to procure more sustainably may be part of the parties' or individual politicians' belief system, which is often the case for politicians from Alliance 90/The Greens. However, as we have outlined in previous sections, it can also grow due to external input, such as because of lobbying activities from civil society organisations, engagement from within the municipal administration, or because of exchange with interested citizens.

The example of the City of Munich displays the potentially huge effect of political backing and pressure. Between 2011 and 2014, the City Council passed several resolutions on SRPP that either tightened existing rules or added new aspects such as not buying any natural stones where child labour was involved in the production or asking for stricter proof (certificates instead of self-declarations). All those resolutions can be traced back to the initiative of the former third mayor of Munich Josef Monatzeder from Alliance 90/The Greens and his office. However, after the elections of a new City Council in 2014, Alliance 90/The Greens had to leave the city government and Josef Monatzeder was replaced by a Social Democrat. As a result, support for and political interest in SRPP issues dropped which also led to a significant decrease in practical engagement including sustainability criteria in public tenders (Baringer/Munich). Thus, the example of Munich is in line with other cases investigated in this paper in indicating that the existence of a *variety of supporting factors* and respective preconditions is necessary to make sustainable procurement really happen. It is *not* enough to have only good resolutions on the topic, pressure from specific groups, local reference to the international sustainability discourse or the like. In this regard, it is particularly important to realise that even comparably "hard" factors, like adopted resolutions, do not necessarily lead to concrete action. Besides Munich, the feedback from practitioners in Heidelberg and the Berlin district of Friedrichshain-Kreuzberg also underlined the positive effect of political backing for SRPP action (Hammes/Heidelberg; Jansen/Berlin). In this regard, the example from Berlin further stipulated the importance of exchange between administrative staff and parliamentarians (Jansen/Berlin).

A major challenge with political backing is its potential volatility. Political goals gain and lose relevance quickly but SRPP demands support over time to succeed. Of course, strategic targets must be subject to democratic scrutiny and this naturally also applies to sustainable procurement initiatives. However, the adjustment of a city's procurement system to include extensive sustainability criteria in tenders entails crucial changes in the management structures and tendering procedures, something which takes a long time and requires staff and possibly financial resources. Such adjustments and their maintenance may become independent from political majorities to a certain extent through the institutionalisation of SRPP practices and this will be covered in the next chapter. As the case of Munich shows, the absence of ongoing political pressure on the city administration to comply with regulatory demands weakens the shift from introduction to consolidation or even the continuance of SRPP practices more generally. As long as SRPP is not the institutionalised norm, active political support is needed to enable and facilitate change in administrative procedures.

## 5 The institutional dimension

Institutional conditions within a municipality represent the second central dimension in which we group success factors and their triggers that have been proven to support local SRPP practices. We identified eight success factors during the introductory phase and six during the consolidation phase. Those success factors structure the following subsections on the two phases.

The distinction between the introductory and the consolidation phase (5.1 and 5.2) of the *institutional dimension* is less clear, compared to the regulatory dimension. Though the time-logic, with factors primarily appearing in the early introductory and the late consolidation phase, is still valid, its boundaries are more permeable. This is because the main parameter for grouping those factors to either the introductory or the consolidation phase is the *threshold in terms of effort required* for institutions to establish certain elements. In the introductory phase, there are more elements, which are comparably easy to introduce, such as new responsibilities for existing departments or a close exchange with civil society. In the consolidation phase, elements that need more resources to be implemented, may it be time, money or personnel, appear dominant, for example, more centralised procurement structures or clear monitoring schemes.

### 5.1 The institutional dimension: the introductory phase

Secondary literature and empirical data gathered for this study show that nine success factors can facilitate the *support and implementation of first SRPP practices by municipal administration and politicians* as the overarching goal at this point. As soon as institutional adjustments take place that support the fulfilment of this goal, the initiation of more resource-intensive modifications appears more likely. One success factor is the adoption of a Council Resolution/Resolutions that cover only one or only specific product groups and refer to selected sustainability (see subsection 4.1). The remaining eight success factors will be outlined in this subsection. The following SRPP sub-map on early institutional action illustrates those success factors as well as their underlying triggers. The triggers that have been shown to be most relevant to support the success factors are highlighted in red.

**Figure 6: SRPP sub-map on early institutional action**



### 5.1.1 Institutional structures and responsibilities for SRPP introduction and communication

The definition of clear responsibilities for SRPP practices among the municipal personnel and possibly even the establishment of new or adjusted institutional structures facilitate sustainable procurement activities. The following four triggers show which conditions may initiate respective structures and responsibilities.

*Existing sustainability units with a mandate (and possibly additional resources) to introduce/communicate SRPP action*

Marina Malter of the Nuremberg Metropolitan Region stated: “It is definitely important to have a specialised department for sustainability issues or a special person who consults the other departments [on SPP] and controls for implementation” (Malter/Nuremberg Metropolitan Region).

The interviews showed that specialised departments for sustainability issues can have a positive effect in two respects. First, such departments can act as agenda-setters in taking up the topic of SRPP for the first time at municipal level and spread it to other actors within



the administration and local politics (Hammes/Heidelberg). Second, respective departments that have a clear mandate on SRPP introduction and communication are extremely beneficial to initiate first concrete action in the field (Baringer/Munich; Hammes/Heidelberg; Malter/Nuremberg Metropolitan Region). Such departments can also keep up the attention and pressure for the topic, independent of single change agents. However, clear responsibility structures within the department and a high level of personal commitment by the appointed person(s) are of help as well (Hammes/Heidelberg). As pointed out by Sabine Baringer from the City of Munich, the early recruitment of a person responsible only for introducing SRPP in the municipal administration can further facilitate the process (Baringer/München).

#### *High positioning of SRPP (and/or SPP in general) in the organisational hierarchy of a municipal administration*

According to Sylvia Baringer, City of Munich, “The positioning [of SRPP introduction/communication] at the office of the Third Mayor was extremely helpful” (Baringer/Munich).

The quote from Sylvia Baringer shows that authority to enforce the introduction of SRPP may also result from political backing and a high positioning of the topic in the organisational hierarchy of a municipal administration. Thus, in the case of Munich, the responsible person for SPP issues in the early 2000s was directly located in the Third Mayor’s office. This proved to be extremely helpful in transforming Munich into an early frontrunner on the topic (Kühnrich & Fincke, 2014b, p. 42). In practical terms, the Mayor’s office cooperated closely with the sub-unit responsible for SRPP at the Department for Health and Environment (*Fachstelle Eine Welt*), which increased the authority of the latter (Kühnrich & Fincke, 2014b, p. 42) (a comparable set-up also fostered initial SRPP action in the City of Freiburg (Pflaum/Freiburg)). However, the mostly low level of authority of departments responsible for SRPP and/or persons represented a serious obstacle to enforcement (Hammes/Heidelberg).

#### *Closer inter-municipal cooperation on sustainability topics*

Marina Malter of the Nuremberg Metropolitan Region, said: “Since recently, we have a local development agency which connects all municipalities, particularly on issues related to fair public procurement” (Malter/Nuremberg Metropolitan Region).

As this quote shows, a closer inter-municipal cooperation on the topic can facilitate SRPP practices in an entire region. In the case of the Metropolitan Region of Nuremberg, closer cooperation and target-setting took place in three steps. First, already in preparation for setting up the Metropolitan Region, various different fora on topics for inter-municipal cooperation were established, including a forum on “Climate Action and Sustainable Development”. Fair procurement became a topic of a sub-working group in which representatives from NGOs and municipalities of the region came together regularly. Second, it was decided to establish a new position of a fairtrade coordinator in the district administration (*Landratsamt*) in 2017 to gather data and to provide initial input on respective topics, including SRPP, to the municipalities. In a third and final step, the Nuremberg Metropolitan Region was set up and the position of the fairtrade coordinator was moved to

the new organisation. This example shows that new modes of inter-municipal cooperation with participatory agenda-setting structures can successfully facilitate SRPP action.

### *New positions and financial resources*

Though the establishment of new positions and probably even the approval of further financial resources for the introduction and consolidation of SRPP is rather a topic of the consolidation phase, three examples show that such “hard” measures can also take place early on in the process. For instance, Cologne established a new staff position for local development policy as early in 2011. However, since fair procurement was only one of many topics, it was practically neglected, which further increased the gap between the good regulatory basis and the lack of practical action in the city (see subsection 4.1.3). The second example from the City of Leipzig shows that the successful participation in competitions on the topics, for example, to become Capital of Fairtrade, may also lead to the release of new financial resources (see also 4.1.1). In the case of Leipzig, the participation in the competition supported the successful application at the Service Agency One World for a new temporary staff position to support SRPP (Eichhorn/Leipzig). The third example from the City State of Bremen shows that the successful application for EU projects can also support the establishment of new staff positions. The city applied to be part of the Landmark project, a consortium of European frontrunner municipalities on SRPP. The application was successful and the staff position funded still exists today financed by the State (Detjen/Bremen). Those examples demonstrate that new financial and staff resources for SRPP are sometimes even available at the beginning of the introduction of SRPP practices. This already requires strong political will during the introductory phase.

### 5.1.2 Transparent information on planned procurements

As outlined in subsection 4.1.3, the lack of relevant information on procurement, including an overview of municipal regulations and data on the kind and volume of goods purchased, represents an obstacle to the effective drafting of SRPP rules. Disclosure of and information on planned procurements was identified as the central trigger in this context.

#### *Disclosure of information on planned procurements*

The vast majority of German municipalities adhere to a decentralised procurement system, meaning that individual departments or even persons and/or sub-units are responsible for developing the qualification criteria and selecting the successful bidder (Sack et al., 2016, pp. 15-17). We have identified four factors that decide whether information on planned procurements is shared at a more aggregated level:

First, the size of a municipality: The bigger the municipality, the more important centralised procurement structures are. These may be any kinds of physical or virtual platforms and/or departments to overview procurement projects.

Second, the degree of centralisation of procurement, which primarily depends on the existence of a central procurement department, its authority towards decentralised procurers and its adequate staffing (regarding number and qualification): Such a department can for instance consult on legal requirements in general or even on how to integrate sustainability

criteria into tender specifications. In many municipalities, the obligatory involvement of the central procurement department depends on the anticipated value of a tendered good or service. The lower this threshold, the better for both transparency and potentially sustainability concerns (Fincke, 2014, p. 21).

Third, the existence of staff positions responsible for SRPP facilitates the likelihood of information disclosure since the generation of respective data is in many cases one of their first tasks.

Fourth, informal networks of municipal officials who are responsible for SRPP: In practice, usually the more senior staff members who have already been interested in and followed sustainability topics for some years possess networks that inform them about planned procurements (Bersin/Saarbrücken).

### 5.1.3 Regular exchange between various actor groups

Empirical data show that communication and exchange with different actor groups, both inside and outside the municipality, represent a key success factor for the implementation of initial SRPP practices in German municipalities. We identified two triggers, which helped to initiate such exchange processes: Support by local politics and administrations; and staff to initiate and supervise exchange.

#### *Local politics and administration support and initiate deliberative exchanges*

Local politics and administration can support exchanges on SRPP issues by shaping the agendas of existing fora of municipal development cooperation or sustainability action, for example, in the context of local Agenda 21 processes (Pensel, 2014, p. 29). The joint push of different actor groups can facilitate the integration of SRPP in such exchanges. In the case of Munich and Neumarkt, it was a push by CSOs and the administration – with political backing – that triggered such a process (Baringer/Munich; Malter/Neumarkt).

However, as an example from the City State of Bremen showed, it is also important *how* the inclusion of different viewpoints during such settings takes place: Around 2010, Bremen established an Advisory Board on Socially and Environmentally Responsible Administrative Action (*Beirat zu ökologisch- und sozialverantwortlichem Verwaltungshandeln*). Members of the Board were experts from civil society and academia that advised the public sector once a year on respective topics, including SRPP. Yet, those meetings tended to be information events for the senators rather than fora of exchange between different viewpoints where new ideas could potentially be developed. Also, due to this unsatisfying set-up, the meetings did not continue after 2014 (Detjen/Bremen).

When it comes to concrete platforms for exchange, empirical data emphasise the specific role of fairtrade steering committees. The committee is the most frequently mentioned platform to discuss SRPP issues, from institutional challenges to new initiatives for new product groups or questions related to certification and monitoring (Feldmann/Cologne; Malter/Neumarkt; Morhard/Rosstal; Narr/Tübingen).

*Staff to initiate and supervise exchange*

In the words of Rudolf Pohl, Environmental Officer of the Lord Mayor of the City of Leipzig, Ms Eichorn and her successor are KEPOL (*Koordination Kommunale Entwicklungspolitik/Coordination of Community Development Policy*) coordinators):

We have tried to make the City of Leipzig a member of the national network “Fair Public Procurement” for some years. However, we did not succeed in persuading our procurers to support this initiative. The successor of Ms Eichorn was finally successful in bringing Leipzig into the network. Only since then, have we been part of a truly effective network. (Pohl/Leipzig)

The launching and supervision of exchange processes require time and, hence, human resources. As the empirical data show, either the existence of a department for sustainability issues and/or a specific position for SRPP issues are beneficial in this regard. The above quote highlights the possible impact of the latter option. As in the case of Leipzig, the high priority of SRPP in the Nuremberg Metropolitan Region can also be traced back to a new staff position. In both cases, KEPOL coordinators filled those positions (Malter/Nuremberg Metropolitan Region).

A staff position and/or responsible department for SRPP (or SPP in general) very often push the topic forward. Close ties to CSOs and a high level of personal engagement are further beneficial factors.

#### 5.1.4 Input from civil society organisations

In accordance with our assessment of the regulatory dimension, CSOs can also become a central driver for more concrete institutional SRPP action. While the local civil society can lobby for the topic over a longer period of time, specialised NGOs can consult on specific tenders. Two triggers have proven to be of significance in this regard: Active CSOs and a close cooperation with the municipality and financial support of such activities.

*Active CSOs and a close cooperation with the municipality*

As Miriam Feldmann, staff member of the Department for International Affairs of the City of Cologne, has said:

With regard to municipal development cooperation, the civil society played a crucial role in Cologne, also with regard to fairtrade and fair public procurement. Those topics were heavily pushed by the civil society, while the city administration was more reluctant. (Feldmann/Cologne)

Both secondary literature and data collected for this study show that a close cooperation between active local CSOs and the city administration as well as an exchange with politicians can foster local SRPP action. At the national level, trade unions and NGOs initiated the debate to respect ILO core labour standards in public procurements during the late 2000s (Fincke, 2014, p. 18). In many cities, organised civil society picked up this topic and played a crucial role in establishing fairtrade and fair procurement in the following years

(Bersin/Saarbrücken; Feldmann/Cologne). In practice, the exchange between local CSOs and the city administration mostly took place in working groups or specific networks (for instance, in Fairtrade Town Steering Committees).

CSOs can also provide valuable inputs and support in the preparation and accomplishment of tendering procedures (Wehlau, 2014). In most of the cities interviewed, civil society provided respective support in at least one or more cases. In the case of Cologne, FEMNET, the Christian Initiative Romero (CIR), SÜDWIND and WEED supported the inclusion of social criteria in various different tenders, among other things on work wear and protective clothing (Feldmann/Cologne).

#### *Financial support for local civil society engagement*

Two interviewees also highlighted the positive effect of financial support for the local civil society to trigger the organisations' preparedness for input on local issues (Malter/Nuremberg; Pohl/Leipzig).

### 5.1.5 SRPP pilot projects

Successful pilot projects are important showcases for the feasibility of SRPP practices and in arguing for the more streamlined integration of sustainability criteria into municipal tenders. To initiate pilot projects for SRPP practices, two triggers have been identified that will be presented below.

#### *Easy products to start with*

A key trigger that lowers the burden of accomplishing successful pilot projects is to focus at the beginning on *easy* product groups. Regarding social criteria, products such as coffee, tea or natural stones would qualify in this regard. Such an approach allows the practitioners involved to get familiar with integrating sustainability criteria into tenders on a systematic basis (Pierk, Wulff & Defranceschi, 2007; Wehlau, 2014).

#### *Staff to initiate pilot projects*

Some municipalities already strove to create additional staff positions in early phases of their SRPP commitment, even though this is rather resource-intensive. However, in most cases, those positions were not financed by internal means but at least partly through external grants. In practice, especially the so-called KEPOL coordinators, financed by the Service Agency Communities in One World of Engagement Global, are worth mentioning in this regard. They are responsible for fostering municipal development cooperation and very often deal with issues of fair procurement. Marina Malter from the Nuremberg Metropolitan Region emphasised the importance of those positions for municipalities in her region, because “[KEPOL] coordinators take a highly supportive role [...] and can provide municipalities with orientation [...] and initiate lighthouse projects” (Malter/Nuremberg Metropolitan Region). She also underlined that external funds for SRPP increase the confidence of municipalities in introducing respective criteria widely and in the long term.

### 5.1.6 High level of perceived justice when incorporating SRPP into existing structures

As outlined in Section 3 on the management of change, the perceived justice of procurement officers with regard to introducing or changing organisational structures and responsibilities acts as another driver of SRPP action (Grandia, 2015, p. 126). The involvement of procurement officers and exchanges within and beyond the municipality can make municipal officials engaged in procurement more disposed to including social criteria in tenders.

#### *Involvement of the procurement officers and exchange within and beyond the municipality*

Sylvia Baringer, Fachstelle Eine Welt, City of Munich told us the following:

Together with the specialised departments, we developed the draft resolution for specific products. As the next step, we arranged a meeting of the city-wide working group to coordinate the draft with other departments and the directorate. During those meetings, it was important that the specialised department saw that not only we [the “Fachstelle Eine Welt”] were pushing fair procurement but that it was a broad topic that other departments deal with as well. This exchange among departments is very important to get a sense of the importance of fair procurement. We also arranged several meetings of the working group after resolutions had been passed to exchange on implementation. (Baringer/Munich)

Both the theory of change management and the feedback by practitioners indicate that the support of municipal employees is crucial when introducing new topics and/or structures. Thus, when it comes to SRPP, the support of those who are specifically responsible for public procurement, both within the central procurement department and within the specialised departments (*Fachämter*), is of critical importance (Beck & Schuster, 2013, p. 36). A lack of involvement might lead to rejection and insecurity simply due to a lack of knowledge. Grandia points out that

[p]ublic organizations that want to increase the sustainable procurement behaviour of their procurers should [...] look closely at the procedures they use and want to use to implement the policy further and ensure that they are perceived by the procurers as just. (Grandia, 2015, p. 126)

In concrete terms, the involvement could take place by developing procedures or policy documents together, for example, during inter-departmental meetings. Along with the inclusion of procurement officers, a wider exchange within the municipality and beyond, for instance with other municipalities, can further facilitate engagement in SRPP and thus corresponding action (Bersin/Saarbrücken; Feldmann/Köln).

### 5.1.7 Learning from the good practices of other municipalities

Learning from the good practices of other municipalities is a further important factor for success in creating an affirmative atmosphere within a municipal administration towards SRPP. This is triggered by exchanging information with other municipalities and having

neighbouring municipalities that are active on the topic of SRPP. One trigger has been identified in this regard.

#### *Information exchange on SRPP between municipalities*

Miriam Feldmann, staff member of the Department for International Affairs of the City of Cologne, has stated:

We [in our department] are convinced. But you have to convince the administration as a whole, including the procurers. In this regard, it is very helpful to be able to refer to successful experiences, for instance by inviting a procurer from a municipality that has already accomplished a successful tender project in the field. If this person says ‘Yes it works, you can do it this way’ prejudices can be overcome – for instance, that fair procurement is very expensive. (Feldmann/Cologne)

Information exchange between municipalities on the topic is an important trigger. As the quote illustrates, sharing good practices with peers from other municipalities, especially with other procurers, is particularly helpful in demonstrating the feasibility of SRPP in practice. Miriam Feldmann further points out that the city invited practitioners from frontrunner municipalities like Dortmund, Bremen or Bonn for joint training sessions and to take part in bidder dialogues. Along with direct contacts with other municipalities, different virtual platforms offer information on good practices, sometimes even in the form of uploaded tender documents (see, for instance, the *Kompetenzstelle Nachhaltige Beschaffung*, *Kompass Nachhaltigkeit*<sup>2</sup>).

#### 5.1.8 Communication of SRPP benefits to political decision-makers and responsible departments and persons in the administration

Concerns regarding increasing costs are one of the main obstacles for the more comprehensive integration of social and environmental criteria in municipal tendering procedures (Brammer & Walker, 2011, p. 456; Min & Galle, 2001). Two triggers can help overcome such prejudices: A compilation and dissemination of SRPP benefits to relevant stakeholders within the municipality and, though to a limited extent, the use of sustainable products within municipal settings.

#### *Information compilation and dissemination of SRPP benefits*

The best way to convince sceptics is to provide information on the social and environmental impacts as well as cost savings. Furthermore, such information needs to be substantiated by examples from practice (Pierk et al., 2007, p. 12). In this regard, we see some positive examples concerning the environmental side on green public procurement. Gröger et al. (2014, p. 94) for instance provide evidence that the State of Berlin achieves an annual cost reduction of EUR 38 million due to the incorporation of green criteria in the procurement of 15 products and services. With regard to SRPP, direct links between social criteria demanded in public tenders and the respective conditions in value chains of procured

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2 See also *Kompetenzstelle Nachhaltige Beschaffung* at <http://www.nachhaltige-beschaffung.info> and *Kompass Nachhaltigkeit* at <https://www.kompass-nachhaltigkeit.de/>.

products are more difficult to identify and, thus, respective information is scarce. At the same time, general information on social shortcomings in global value chains is indeed available. The same applies to information on the effects of verification systems for products procured for private consumption (such as standards or certificates). As long as more specific information on the social effects of *public* procurement activities is missing, that information should be compiled and disseminated in public entities in order to adapt their procurement standards. Awareness-raising is of utmost importance and should be a central task of units or persons working on SRPP implementation in municipal and other settings.

Various different data hubs provide an overview of recent studies and practical examples of SRPP and the respective benefits. Though most of them have a focus on environmental criteria, examples of SRPP benefits are available as well. Prominent examples are:

- the resource section of the International Learning Lab on Public Procurement and Human Rights (with a focus on SRPP),
- the resource centre of ICLEI's Sustainable Procurement Platform,
- the section on examples from practice of the *Kompass Nachhaltigkeit*, and
- examples on the benefits of green procurement in various sections of the procurement website of the German Environment Agency (*Bundesumweltamt* (UBA)).<sup>3</sup>

Thus, engaged practitioners and politicians at municipal level find many platforms with compiled information on various different aspects of SRPP. In addition, information on positive examples of course also result from exchanges with colleagues in neighbouring municipalities or with representatives of the abovementioned groups (academia, civil society organisations, city networks).

### *Use of sustainable products in municipal settings*

A further trigger with which to sensitise a preferably large circle of practitioners and the wider public is to provide sustainable products – primarily food items – in municipal settings. Examples would be Council Meetings, the office of the mayor or public events where the city is the main or co-organiser. The involvement of local suppliers of sustainable products, such as *Eine Welt Läden* can further facilitate support of SRPP (Gröger et al., 2014, p. 8).

## 5.2 The institutional dimension: the consolidation phase

The preceding subsection introduced comparatively low-key measures for adjusting to and using institutional structures to support SRPP. However, in most cases, these tend to lead to fairly isolated SRPP practices such as project-bound standalone tenders. The following

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3 See: International Learning Lab on Public Procurement and Human Rights: <https://www.hrprocurementlab.org/>; ICLEI's Sustainable Procurement Platform: <https://sustainable-procurement.org/home/>; Kompass Nachhaltigkeit: <https://www.kompass-nachhaltigkeit.de/>; Procurement website of the German Environment Agency: <https://www.umweltbundesamt.de/themen/wirtschaftskonsum/umweltfreundliche-beschaffung>.

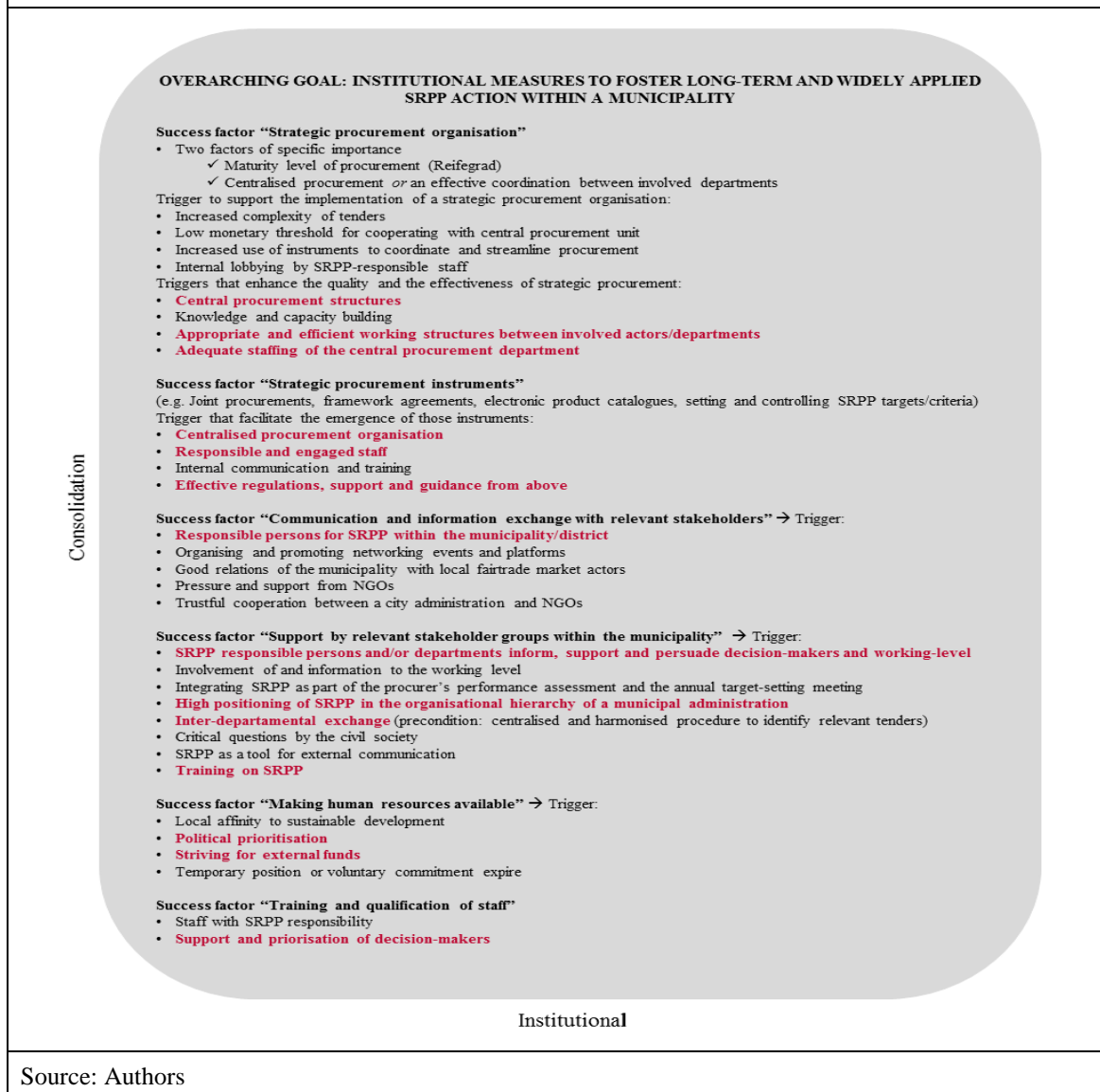


subsection will focus on more demanding and resource-intensive *institutional measures that may foster long-term and widely applied SRPP action within a municipality* as an overarching goal.

As a fundamental precondition to reach this goal, both local politicians and decision-makers within the municipal administration need to grasp the potential of their procurement decisions to reach strategic policy targets. Respective targets are not limited to sustainability issues, derived for example from a city's urban development plan. The accomplishment of procurement procedures – from identifying needs to developing specifications to accepting a bid – may serve varying strategic and societal purposes. For instance, more streamlined and centralised procurement structures, including aspects such as e-catalogues, framework contracts or joint procurements, may reduce the overall expenses of a municipality. Furthermore, tools like e-catalogues or electronic platforms that gather information on procurement procedures increase transparency and mirror the current trend towards e-government solutions.

As an essential step to exploit the strategic potential of local procurements, politicians and administrative staff should not define procurement as a solely executive task to satisfy a specific need by accomplishing a tender (Becher, 2017, p. 38). Instead, procurement should be considered as a powerful instrument to achieve political goals. In order to use this potential in practice, structures for managing procurement procedures, and thus for respecting strategic goals, need to involve the whole procurement cycle, including demand planning, tendering, service provision as well as an overarching monitoring system (Eßig, Jungclaus, Scholzen & Thi, 2013, p. 27). Looking at the success factors that structure the following subsections, a strategic procurement *organisation* and the use of strategic procurement *instruments* are in particular part of such a strategic procurement approach. Thus, implementing the claims from the following two subsections on those success factors is key to consolidating institutional conditions for SRPP. The success factors highlighted in the following four subsections should be understood as accompanying factors to support a more strategic alignment of local procurement. The following SRPP sub-map illustrates those factors as well as their underlying triggers (see Figure 7). Triggers of particular importance are highlighted in red.

**Figure 7: SRPP sub-map on broad and long-term institutional action**



### 5.2.1 Strategic procurement organisation

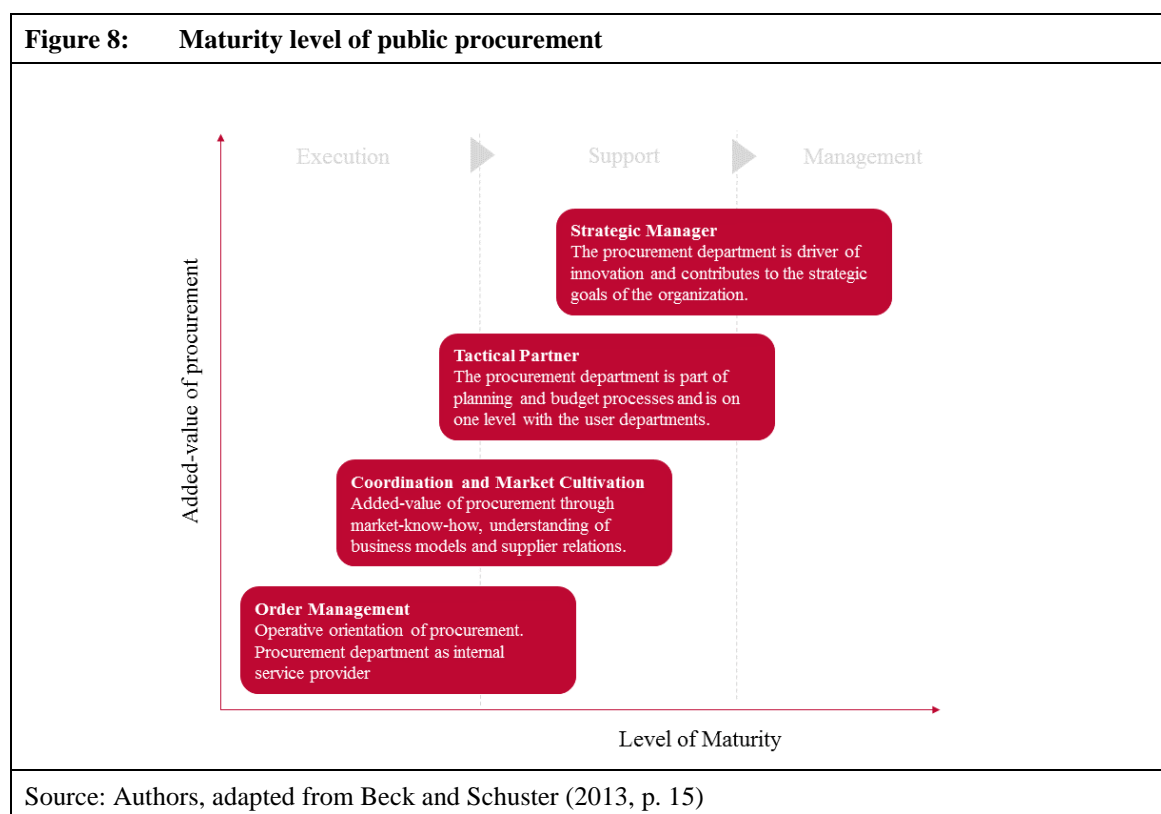
Jeannette Jäger, a consultant of the City of Ludwigsburg on SPP, has remarked: “It is easier to implement sustainable procurement if you really procure centrally. This is definitely the case [...] But I know that most municipalities procure in a decentralised manner. And they don’t really want to change this” (Jäger/Ludwigsburg).

We will approach the topic of strategic procurement from two different angles: First, with regard to procurement organisation, that is, with a focus on the different actors and departments involved, their cooperation, and particularly the question of centralisation; second, with regard to concrete instruments to foster strategic procurement, such as e-procurement or the use of framework agreements.

Starting with procurement organisation, Gelderman et al. (2015, p. 84) assess a “clear link between procurement initiatives and the organizational strategy” as a success factor for

SRPP. Thus, a certain degree of consistent alignment between the *type* and the *magnitude* of strategic goals is needed. “Type” refers to the actors and the departments that should be involved, whereas “magnitude” refers to the question of how intensively procurement should be used to reach strategic policy goals. In the case of standalone, irregular procurement projects, temporary structures of cross-departmental cooperation are sufficient. However, if procurements are to be used widely to reach specific goals, procurement needs to be organised in a well-designed and effective way. The concrete way that strategic procurement structures are designed depends on many factors. Besides the ones mentioned—type and magnitude – issues like the degree of centralisation in procurement and the existing distribution of tasks between the departments involved are deciding factors. There is no “one size fits all solution” when it comes to strategic procurement organisation.

However, two factors have shown themselves to be of specific importance in facilitating strategic procurement organisation; first, an advanced maturity level (*Reifegrad*) of procurement and, second, fairly centralised procurement or effective coordination between the departments involved. Where the maturity level of procurement is concerned, Beck and Schuster (2013, p. 17) highlight the importance of the internal definition of the procurer’s role. Is procurement used to process demands and orders or as a more tactical and strategic function to help reaching strategic goals? Figure 8 shows the four levels of maturity that public procurement can reach according to this model (Beck & Schuster, 2013, p. 15).



In a survey, about two-thirds of municipal procurement departments assessed themselves to be on one of the two lower levels of maturity. However, the authors of the report assessed the share within the lower levels to be far bigger and thus the share of the two upper levels far below the remaining one-third. According to them, the positive self-assessment of procurement staff reflected their desire to be perceived as a strategic partners by other departments rather than the actual status quo (Beck & Schuster, 2013, p. 16). An indicator

for the validity of this assessment is the rather low use of concrete instruments to foster strategic procurement, as will be presented in the following subsection.

Beyond this, a fairly centralised procurement or an effective coordination between the departments involved allows one to draw conclusions on the strategic use of procurements in a municipality. The latest available figures suggest that 10 per cent of German municipalities have decentralised procurement structures, 20 per cent centralised, and 70 per cent a mix of both (Beck & Schuster, 2013; Schormüller, 2014, p. 7).<sup>4</sup> A mix of both would translate into the following dominating division of labour between departments (Beck & Schuster, 2013, p. 17; Schormüller, 2014, p. 10):

- technical know-how by the specialised departments (for example, for defining technical specifications in tenders),
- legal and procedural know-how by the central procurement department, and
- know-how on the strategic use of procurements (for example, via SRPP) by further department(s)/person(s) (if not part of central procurement unit).

In the case of decentralised procurement structures, the central provision of procedural and legal expertise is missing, while in the case of highly centralised procurement structures, most of the technical and the strategic knowledge is accumulated in the central unit.

We will present the triggers for a more strategic procurement organisation in a two-step approach. First, we will outline basic triggers that have been shown to support the implementation of respective structures. Second, we will introduce triggers that might enhance the quality and effectiveness of strategic procurement organisation. In doing so, obvious drivers such as support from the decision-maker level or the establishment of SRPP responsibility high up in the municipal hierarchy will not be specifically mentioned.

Triggers that have been shown to support the implementation of a strategic procurement organisation are:

- **increased complexity of tenders**, among other things as a result of including strategic targets and the subsequent need for better advisory and support structures (Malter/Metropolitan Region of Nuremberg);
- **low monetary thresholds for cooperating with the central procurement unit**: the lower this threshold (which is usually between EUR 5,000 and 10,000), the bigger the potential influence and support of the central unit for a more strategic use of procurements (Becher, 2017, pp. 34-35; Pütter & Soldan, 2013, p. 165);
- **increased use of instruments to coordinate and streamline procurement**: empirical data shows that the use of strategic procurement instruments (see next subsection) can

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4 Based on the interviews and the available literature, we have the impression that a 20 per cent share of central procurement structures in German municipalities lies far above the actual percentage. We suppose that this high figure results from the assumption that the existence of “central procurement departments” would necessarily translate into a bundling of all the mentioned competencies in this unit. In practice, however, this term mostly indicates the existence of a consulting unit and, thus, a mixed structure.

foster the consolidation of organisational structures (Detjen/Bremen; Jäger/Ludwigsburg);

- **internal lobbying by staff responsible for SRPP:** for a better structural integration of SRPP, for instance, by appointing contact persons for SPP issues in the specialised departments (Feldmann/Cologne).

The following triggers might enhance the quality and the effectiveness of strategic procurement:

- **central procurement structures**, as favoured by most interviewees, improve the basic condition for SRPP (Bersin/Saarbrücken; Detjen/Bremen; Feldmann/Cologne; Gresch/Mainz; Narr/Tübingen);
- **knowledge and capacity-building** as discussed in more depth in subsection 5.2.6 (Schormüller, 2014, p. 7);
- **adequate staffing of the central procurement department**, which is in most cases seriously short-staffed (Beck & Schuster, 2013, p. 12).

Due to its complexity, the last trigger for a more strategic procurement organisation will be dealt with in more detail in the following section.

#### *Appropriate and efficient working structures between the actors/departments involved*

As outlined above, procurement in municipalities can be organised either in a centralised or decentralised way, or – as in most cases – in a mix between both. With regard to the sharing of competences, mainly technical, strategic, procedural and legal responsibilities are at stake. In the case of a highly centralised procurement organisation the question of an appropriate and efficient sharing of competencies does not arise, at least when applying an inter- (and not intra-)departmental perspective, as we are doing here. Highly decentralised procurement structures without an advisory body for legal or procedural issues constitute a huge challenge to the, often part-time, procurers in the specialised departments (Heinrichs & Sühlsen, 2015, p. 10). Respective structures pose the biggest organisational barrier to the inclusion of strategic procurement, including SRPP.

A mix of the mentioned competencies between the specialised departments, the central procurement department and, possibly, a unit or person with responsibilities for strategic issues, is most prevalent. We identified three factors that influence the working structures between involved actors and departments positively: firstly, a clear division of labour and competencies between those stakeholders. In practice, the technical expertise might for instance rest within the specialised departments, while procedural and legal expertise comes from the central procurement unit (Beck & Schuster, 2013, p. 17; Schormüller, 2014, p. 7). If knowledge and advice on the strategic use of procurement, for example to foster sustainability, is not part of the central unit's competencies, those responsibilities also need to have a clear positioning in the administrative structure. Based on the data analysed, we suggest the hypothesis that the closer the cooperation – or even integration – of the person/department responsible for strategic procurement within the central unit, the more likely and easier the potential integration of respective goals. Examples from Bonn, Dortmund or Bremen underline this assumption (Bartscher, 2014; Wehlau, 2014, p. 21).

Secondly, in the case of positioning strategic procurement competencies outside the central department, a clear alternative “institutional spot” for those issues needs to be determined. In practice, however, this clear allocation of strategic procurement competencies often does not take place which constitutes a major challenge to the implementation of respective goals. Thirdly, effective and inclusive communication and information structures between the stakeholders involved appear as a further key issue. Respective structures are the basis for an efficient integration of the various different fields of expertise mentioned above (Schormüller, 2014, p. 10). At the same time, the realisation of this component is also faced by major challenges, including the often understaffed central procurement units or the implementation of temporary and flexible working structures that are necessary for bigger procurement projects.

Due to the case-specific working structures regarding procurement, especially when also incorporating SRPP as strategic target dimension, a commonly valid blueprint for appropriate and effective working structures cannot be developed here. However, a thorough evaluation of the present structures based on the three factors presented above might provide practitioners with ideas for potential improvements.

### 5.2.2 Strategic procurement instruments

After the organisational specifications just outlined, the second angle from which we assess strategic procurement is an instrumental one, that is, measures to foster strategic – and, in particular, sustainable – procurement management. Crucial in this regard are instruments that support volume-bundling, standardisation and harmonisation as well as active planning and steering (Dicks, Felten, Kappler & Püstow, 2014, p. 9). The following procurement instruments have the potential to promote these goals and will thus be introduced in this subsection:

- joint procurements within a municipality,
- joint procurements with other municipalities,
- framework agreements,
- e-procurement,
- setting and controlling strategic procurement targets,
- setting and controlling SPP criteria in tenders, and
- clear rules to implement regulations.

After the presentation of those instruments, we will present triggers that have been proven to support their introduction.

*Joint procurements within a municipality* can take place on two different levels: First, only within the core municipal administration by bundling the demands of the different departments. Second, by also integrating municipal enterprises, such as public utilities or

public transport providers (Dicks et al., 2014, p. 9). However, in practice this option is only rarely used (Beck & Schuster, 2013, p. 36).

*Joint procurements with other municipalities* can further increase the potential benefits of bundling procurements, namely cost reductions, less workload and an increased likelihood that sustainability criteria will be met (Gröger et al., 2014, p. 7). Ulrich Narr from the City of Tübingen explained the last point with the increased market power of tenders in a consortium. Since the contract volume is higher than usual, potential providers would invest more to comply with the criteria (Narr/Tübingen). Joint procurements are especially interesting for standard products of high demand (Gröger et al., 2014, p. 7).

*Framework agreements* have the potential to alleviate the pitfalls of a (partly) decentralised procurement organisation, for instance, legal or procedural failures due to lacking expertise or missing use of economies of scale due to deficient inter-departmental communication. Concluded by the central procurement department, framework agreements bundle public demands and help standardise procedures, particularly with regard to the legally sound inclusion of sustainability criteria (Wehlau, 2014, p. 21). In practice, however, procurers in the specialised departments often still procure by themselves although they could retrieve products from the framework agreements (Feldmann/Cologne). Introducing an obligatory commitment (*Abnahmeverpflichtung*) to make use of the framework agreements – also in the case of procurements below the monetary competence threshold of the central procurement department – would curb this inefficient practice (Pütter & Soldan, 2013, p. 165). Birte Detjen from the City State of Bremen suggested expanding this commitment by obliging the specialised departments to participate in centrally organised tenders as well (Detjen/Bremen).

*E-procurement* represents an instrument to both increase the use of framework agreements and to limit decentralised procurements practices (Pütter & Soldan, 2013, p. 168). The two most important fields of application of e-procurement are i) electronic tender management systems and ii) electronic product catalogues. Both types of usage can increase the leverage effect of public sector demand for sustainability goals tremendously. The disclosure of well-prepared tenders via an electronic tender management system represents a key tool for municipalities to inform the market in a transparent manner about tender requirements, including sustainability criteria. Such a management system can also become an internal information hub that limits resources needed to conduct market explorations. For instance, the tender management programme FAIRgabe of the City of Bonn lists all companies that have participated in public or in restricted tender procedures (Becher, 2017, p. 39). On the other hand, centrally managed electronic product catalogues provide procurers in the decentralised departments with the option of purchasing pre-selected products, also from framework agreements. For instance, in the City of Mainz, over 600 procurers may choose from about 40,000 products (Gresch/Mainz). Mainz is known as a frontrunner in the field, while other cities, including Saarbrücken, Bremen, Erfurt and Munich, also run electronic catalogues. Besides economic advantages, operating such catalogues imply two central advantages: On the one hand, they facilitate the retracing of demands for the products and services that are part of the catalogue (Bersin/Saarbrücken; Pensel, 2014, p. 35). Especially in the dominant case of partly decentralised procurement structures, this overview is missing in most German cities. On the other hand, they facilitate both the use of sustainability criteria in tenders and the actual purchase of sustainable products by the procurers. In the case of Mainz, sustainable products from framework agreements that respect such criteria are

increasingly set as the “default option” within the catalogue. The catalogue further provides visible information on whether a product has social and/or environmental sustainability characteristics. This mix lowers the burden for sustainable purchasing decisions, particularly for part-time procurers, including office managers (Hachgenei&Gresch/Mainz).

*Setting and controlling strategic procurement targets* represents a further instrument to foster SPP. Respective targets can be either quantitative or qualitative (Becher, 2017, pp. 39-40; Isenheim, 2011, p. 68f.). Quantitative targets can for instance define a fixed share of contracts that should include sustainability criteria, set a target amount for sustainable purchases in euros, or determine goals with regard to effects of SRPP such as CO<sub>2</sub> or waste reduction. Qualitative targets are, for instance, a revision of internal procurement guidelines to facilitate SPP or joining a procurement network. With regard to target definition in general, Isenheim (2011, p. 67) points to the well-established SMART model, which suggests that targets should be specific, measurable, achievable, relevant and time-bound. Though intuitively the establishment of strategic SRPP targets appears a logical way to go, no German frontrunner municipality has completed a structured target-setting up to now. At the same time, almost all interviewees assessed targets to be a very useful instrument. First practical experience comes from cities with KEPOL coordinators since the subsidy for the position is linked to a project plan with specific targets, for example, on training to be conducted or fair products to be integrated into the e-catalogue (Feldmann/Cologne). According to Miriam Feldmann, KEPOL coordinator in the City of Cologne, those targets were important both to better grasp her working field and to communicate efforts externally, among other things towards the Fairtrade Town steering committee (Feldmann/Cologne).

*Setting and controlling SPP criteria in tenders* represents another major and extremely broad topic in the discussion, whose entire consideration goes beyond the scope of this paper. Generally, it appears crucial to develop practice-oriented criteria that are straightforward, transparent and effective with regard to sustainability performance (Pierk et al., 2007, p. 13). When it comes to effectiveness, self-declarations are a highly questionable verification instrument since they rely solely on the economic operator’s self-assessment without any external control. Nevertheless, they are used in most tender procedures and are very popular, especially as proof of social criteria. This again leads to a serious disadvantage for enterprises with certified product alternatives since they have to be treated the same as their self-assessed counterparts. Thus, focusing on more reliable verification instruments such as labels and certificates would be a step in the right direction, as for instance municipalities in Schleswig-Holstein do with legal backing from the State. When it comes to controlling for compliance with criteria in the case of missing third-party monitoring, that is, in the case of self-declarations, there are hardly any examples of respective monitoring procedures in German municipalities (Fincke, Schmitz & Strauß, 2014, p. 30). One prominent exception represents the Procurement Law of the City State of Berlin, which stipulates the establishment of a control group to do random controls, especially regarding the compliance with self-declarations (Fincke, 2014, p. 22; Jansen/Berlin). However, in practice, the control group is not capable of performing this task, among other things, because of a lack in its competency to control tender documents proactively and missing binding sanctioning rights (Jansen/Berlin). This example showcases a general weakness regarding the enforcement of strategic procurement goals and regulations in German municipalities: Even in cases of ambitious target-setting on the meta-level, such as in a City Council Regulation, there is often too much leeway to just ignore those objectives in everyday work (Heinrichs & Sühlsen, 2015, p. 10).



Thus, *clear rules to implement regulations* are key success factors to make strategic and, thus, sustainable procurement widely possible. In practice, this refers to a sound “translation” of regulations to applicable rules for the working level (see also subsection 4.1.3). Areas that are of particular relevance in this context are accessible staff and financial resources, internal instructions and standard forms as well as an overarching management concept. Especially with regard to smaller municipalities, concise internal instructions and a revision of standard forms are already a big step forward (Bozsoki&Bauer/Wesel; Gresch/Mainz). In practice, having comprehensive instructions and highly standardised forms at hand increases the likelihood of SPP application tremendously (Bauer/Wesel). While this represents a success factor also in the case of bigger cities, they further profit from an overarching management concept for implementing and controlling strategic procurement, that is, from a strategy on how to apply the instruments mentioned in this section (Gresch/Mainz). However, in general such an overarching management concept tends to be missing (Beck & Schuster, 2013, p. 23).

The triggers that may initiate a development leading to the above-mentioned management instruments are highly diverse. Generally, a good regulatory framework as well as most triggers presented in this section and the following on personal engagement may foster their introduction. Thus, the overview below will only briefly outline the triggers that were particularly mentioned by the interviewees with regard to the instruments:

- **centralised procurement organisation** (Detjen/Bremen; Pütter & Soldan, 2013, p. 168; Wehlau, 2014, p. 21),
- **responsible and engaged staff**,
- **internal communication and training** (for example, via training, circular letters or information via intranet), and
- **effective regulations, support and guidance from above** (see particularly subsection 4.2 on consolidating regulatory efforts) (Fincke, 2014, p. 24; Wehlau, 2014, p. 20).

### 5.2.3 Communication and information exchange with relevant stakeholders

Effective modes of communication and information exchange further support the implementation of a strategic procurement organisation and respective instruments. Diverse stakeholders, such as other municipalities, private market actors or CSOs, have different roles and are somewhat differently addressed by municipalities during the procurement process. We will first present an overview of the relevance and the type of communication between municipalities and those groups. Subsequently, we will introduce triggers that support the emergence of respective communication and exchange structures.

When it comes to the importance of exchanging with *colleagues from other municipalities*, subsection 5.1.7 already provided a first insight into the benefits of learning from other municipalities’ good practices. In order to perpetuate strategic and sustainable procurement structures within a municipality, an exchange with peers helps to set up new or rearrange existing structures (Becher, 2017, p. 35; Pierk et al., 2007). Concrete modes of

communication and exchange between municipalities on SRPP can be either formal and regular or on a more informal and ad hoc basis. Prominent examples of formal channels are:

- regional city networks such as the networks of fairtrade municipalities (for example, the *Netzwerk Fairtrade Kommunen Rheinland-Pfalz* or the *Fairtrade Metropolregion Rhein.Main.Fair*),
- regular exchanges between municipalities of a Metropolitan Region (for example, in the Metropolitan Region of Nuremberg), or
- networks managed and facilitated by the Service Agency Communities in One World (SKEW) of Engagement Global, especially the Network on Fair Procurement (*Netzwerk zur Fairen Beschaffung*) (Detjen/Bremen; Feldmann/Cologne; Baringer/Munich; Gresch/Mainz).

The SKEW is surely the most important actor in connecting municipalities in Germany on SRPP issues. The Network on Fair Procurement as SKEW's central exchange platform has currently around 250 members from German municipalities, ministries, institutions and NGOs. The goals are qualification on the one hand and exchange of experiences among practitioners on the other. Beyond this, the SKEW-financed KEPOL coordinators, of whom many are engaged in implementing fair public procurement structures in their municipalities, have regular exchange meetings (Jansen/Berlin). Though Sabine Gresch from the City of Mainz appreciated those different options for exchange, she criticised missing interlinkages between them:

I don't like it that there are so many platforms that don't know about each other. If I attend a meeting of one of those platforms, I start again at the same point where I started at a similar meeting of another platform. Many of these exchanges are managed by Engagement Global and, I think, interlinkages between the networks are often missing. (Gresch/Mainz)

Besides those formal modes of exchange, more informal ad hoc contacts between municipal practitioners are an important mode of information-gathering (Baringer/Munich; Bersin&Rode/Saarbrücken; Gresch/Mainz; Hammes/Heidelberg; Jansen/Berlin; Pflaum/Freiburg). Those exchanges result either from questions on tenders in specific product groups or from general procurement management topics. Sylvia Baringer from the City of Munich highlights the importance of product- and tender-specific exchanges between municipalities: "If every municipality did every tender from scratch, the effort would be enormous. So you are very lucky if you can exchange with other municipalities that have practical experience."

*Market actors*, especially enterprises and traders – but also for instance certification companies – represent an often-neglected group when it comes to exchanges with municipalities on SRPP. One reason for this neglect are suspicions of corruption and collusion that pop up quickly with regard to connections between public procurers and representatives from enterprises (Heinrichs & Sühlsen, 2015, p. 20). Another reason is the fact that the arrangement of exchanges that are not suspect of such allegations require a certain level of knowledge on how to implement them as well as resources to do so (such as staff resources to invite representatives of enterprises) (Becher, 2017, p. 36). However, an exchange with market actors to implement SRPP is beneficial and should be particularly

considered during two phases of the procurement process: First, municipal practitioners may enter into a dialogue with the market in the process of developing tenders and sustainability criteria. Both sides need to exchange information on what sustainability requirements can and should be expected from a product or within a product group and how the fulfilment of criteria can and should be monitored (Kühnrich & Fincke, 2014a, p. 34). Sustainability criteria that have at some point not been discussed with market actors and are thus either too demanding or technically not applicable are one of the main reasons for missing bids and, hence, a lack of practical implementation of SRPP (Heinrichs & Sühlsen, 2015, p. 20; Jansen/Berlin). Second, municipal practitioners may exchange information with market actors as soon as tender criteria are ready and tender documents are public, for example during competitive dialogues. During such exchanges, municipal practitioners can explain the criteria and react to potential questions (Heinrichs & Sühlsen, 2015, p. 16; Jansen/Berlin)

The last actor group to look at are *CSOs*. Regarding the reasons for exchange with representatives from respective organisations, practitioners highlight their supportive role, both on a more structured and long-term basis by providing advice in specific tender procedures and more informally on an ad hoc basis (for instance, regarding certificates in specific product groups) (Baringer/Munich; Detjen/ Bremen; Gresch/Mainz). For Helena Jansen from the district Berlin Friedrichshain-Kreuzberg the “exchange with the civil society is extremely important, including legal advice” (Jansen/Berlin). Modes of communication between municipal practitioners and CSOs are very diverse. Along with the already mentioned options, the interviewees point to regular roundtable events to inform and exchange information with other parties as well as to the important role of Fairtrade Town steering committees (Bersin&Rode/Saarbrücken; Detjen/Bremen).

It is important to keep in mind that the type and the depths of communication and exchange with actors beyond the municipality depend on already existing internal expertise and on the concrete product to be procured. The procurement of products for which there are sustainability standards, such as fair traded coffee, would need much less or even no communication and exchange, compared with the procurement of a product for which no sustainability standards are (yet) on the market or which only have a very small market coverage (such as information and communication technology hardware products).

An exchange between municipal practitioners and the three stakeholder groups can be extremely beneficial to foster long-term and widely applied local SRPP practices. However, effective communication and exchange structures are often still missing, which is why we will present factors that may trigger their appearance in the remaining part of this subsection:

- **persons responsible for SRPP within the municipality/district**, for example, in the form of KEPOL coordinators or strategic buyers in certain product groups (Baringer/Munich; Bozsoki&Bauer/Wesel; Detjen/Bremen; Feldmann/Cologne; Gresch/Mainz; Jansen/Berlin); the more complex the mode of communication (such as in case of organising a bidder dialogue), the more important the existence of responsible person(s);
- **organising and promoting networking events and platforms** (for instance, the Network on Fair Procurement of the SKEW) (Gresch/Mainz);

- **good relations of the municipality with local fairtrade market actors** (Hammes/Heidelberg);
- **pressure and support from CSOs** for organising communication/networking events (Detjen/Bremen; Hammes/Heidelberg; Pflaum/Freiburg);
- **trustful cooperation between a city administration and CSOs** (Kühnrich & Fincke, 2014b, p. 47).

#### 5.2.4 Support by relevant stakeholder groups within the municipality

Regina Hammes, project coordinator at the Agenda Office of the City of Heidelberg made the following comment:

I think it is very important [...] that the local Council and the heads of administration support the topic [of SPP]. [...] In addition, I think it is important to inspire and convince the employees as a whole [...]. In my view, you should really try to convince people and, thus, foster their cooperation in a positive manner instead of a top-down approach. (Hammes/Heidelberg)

The consolidation of SPP practices within an institution heavily depends on the support of senior management (Bansal & Roth, 2000). In our understanding, this refers to both elected political decision-makers as well as to heads of administration who, according to Gelderman et al. (2015, p. 84), are in a position to support SRPP action generally or grant priority to its fulfilment and provide direction in the form of additional resources, concrete procurement goals, a common position, and so on. Also, the empirical data selected for this study particularly highlight the pivotal role of support, priority and guidance by such stakeholders for fostering SRPP action (Detjen/Bremen, Hammes/Heidelberg). Sabine Gresch from the City of Mainz even assessed respective signals from higher up as more important than other comparably “hard” measure such as additional staff for SPP (Gresch/Mainz). Rudolf Pohl and Friederike Eichhorn from the City of Leipzig further underlined the critical importance of developing and expressing a common position by decision-makers towards the working-level. A lack of consistency may easily lead to non-action (Pohl&Eichhorn/Leipzig).

As our interviews clearly show, the working level – that is, procurers as well as employees who procure only occasionally – represent a third crucial stakeholder group to be considered with regard to long-term and broad SRPP action within a municipality. In order to exploit the strategic potential of local procurement for sustainability goals, it is of particular importance to change the understanding of procurers’ roles. In other words, procurers should no longer serve as internal service providers by only processing purchases but as innovative drivers to achieve internal strategic goals (Schormüller, 2014, p. 9).

Below, we will present crucial triggers that have been proven to facilitate support by the stakeholder groups outlined above in practice. Personal engagement and commitment will not be mentioned here, though both can for sure encourage support of both decision-makers and the working level. Since this driver fits better into the subsections on the individual dimension, it will be dealt with more in depth there (6.1 and 6.2):

- **responsible persons and/or departments inform, support and persuade both decision-makers and the working-level** (Detjen/Bremen; Feldmann/Cologne);
- **involvement of and information to the working level** (see also subsection 5.1.3) (Gröger et al., 2014, p. 9; Schormüller, 2014, p. 9);
- **integrating sustainability criteria as part of the procurer's performance assessment and the annual target-setting meeting** (Becher, 2017, p. 38);
- **high positioning of SRPP in the organisational hierarchy of a municipal administration** (Baringer/Munich; Feldmann/Cologne; Hammes/Heidelberg; Pflaum/Freiburg);
- **inter-departmental exchange** in fixed working groups, temporary working groups on a project or tender basis or bigger events; fixed or temporary working groups should comprise representatives from the procurement department, sustainability officers and purchasers from the specialised departments (Baringer/Munich; Barraket et al., 2016; Detjen/Bremen; Jansen/Berlin; Jäger/Ludwigsburg; Pensel, 2014);
- **critical questions by the civil society** (Bozsoki&Bauer/Wesel; Narr/Tübingen).
- **SRPP as a tool for external communication** (Barraket et al., 2016; Wehlau, 2014);
- **training sessions on SRPP** to lift support and to decrease prejudices against the inclusion of sustainability criteria in public tenders (Bariger/Munich, Malter/Nuremberg Metropolitan Region).

### 5.2.5 Making human resources available

A critical factor for success in implementing SRPP practices within a municipality is to make human resources available (Barraket et al., 2016; Becher, 2017, p. 28; Heinrichs & Sühlsen, 2015, p. 11). We have already highlighted the relevance of this factor in various sections of the analysis and will thus not go into detail on the reasons. As the probably most crucial point, we refer to the complexity of applying sustainability criteria in public tenders. In connection with the high workload of many procurers and the decentralised procurement organisation in most municipalities, additional human resources are key to broadly implementing SRPP practices.

We identified five options for how to use human resources to foster SRPP (or broader SPP) action:

- first, providing a unit and/or specific person(s) with new responsibilities for the topic *without* direct institutional binding to the procurement department;
- second, providing one or more persons *within* the procurement department with respective responsibilities;
- third, having a mixture of options one and two;

- fourth, having contact persons within the specialised departments on SRPP (or SPP in general); and
- fifth, hiring an external consultant.

Options 1-3 display different ways of establishing a competence centre/position on SRPP in a municipality, which is a prominent claim of academic literature on the topic (Becher, 2017, p. 34). Especially due to the decentralised procurement structures in most German municipalities, such a central body with pooled knowledge on the topic can be beneficial. In practice, specialised departments – and also the central procurement department if the competence centre is not integrated into it – can contact the centre regarding SRPP-related questions.

The first option, that is, **a unit and/or specific person(s) with new responsibilities for SRPP without direct institutional binding to the procurement department**, is the most frequent among German SRPP frontrunner municipalities. In practice, introducing SRPP practices is often one of the tasks of KEPOL coordinators, whose positions are, however, temporary and subsidised by federal funds (for example in Berlin Friedrichshain-Kreuzberg, Mainz, Cologne and Leipzig). Thus, though the financing of those positions is a positive signal, it remains to be seen how sustainable the efforts of the coordinators will be. However, some cities have already decided to extend their financial commitment with regard to the KEPOL positions on a permanent basis, for example, the City of Cologne has established a half-time permanent position to support fair procurement (Feldmann/Cologne). Independent of external funding, other cities have established permanent positions, for instance, Heidelberg and Mainz (Gresch/Mainz; Hammes/Heidelberg). Institutionally most persons dealing with the topic are part of the departments for international affairs, environmental issues, urban development or similar. Since procurement in most German cities is decentralised and thus quite complex to grasp, it appears reasonable to provide the KEPOL coordinators with a contact person who knows the internal procedures and who, at best, is familiar with SPP. The following quotes by KEPOL coordinators from Berlin Friedrichshain-Kreuzberg and Leipzig illustrate the importance of a (permanent) staff position:

I think it is almost illusive to assume that the procurement department will handle this on its own one day. Except you have very engaged people working there. But I think they have already so much work to do that they can simply not deal with certificates and verifications on top of this. You need support here. (Jansen/Berlin)

The [KEPOL] project position is important to build up pressure. But I think without staff that continue working on it and really make an effort to implement SRPP on a long-term basis, you will not have success. (Eichhorn/Leipzig)

The second option of using human resources to foster SRPP action is to **establish position(s) on the topic within the procurement department**. An example is the City of Bonn, where the central procurement department supports the procurers in the specialised departments by, inter alia, collecting and transmitting information on sustainable procurement (Becher, 2017, pp. 34-35). Since September 2013, one employee in the procurement department has been exclusively responsible for SPP issues. The City of Heidelberg is a further interesting case, since the person promoting those issues within the procurement department is not formally responsible for the topic but – consistent with the

assessment of Helena Jansen above – personally committed to, and thus engaged in, SPP (Hammes/Heidelberg). The City State of Bremen probably chose the most ambitious approach by integrating SRPP into the central procurement department's scope of action. In January 2018, Bremen established a competence centre (*Kompetenzstelle*) on socially responsible procurement, which is institutionally linked to the procurement department. Thus, at that point of time, Bremen was the only municipality (however also a city-state) that had such a permanent full-time position only for social issues (Detjen/Bremen). In the meantime, other municipalities and city states have followed this example, such as Hamburg and Schleswig-Holstein. Birte Detjen, who currently holds this position in Bremen, consults and supports procurers on the topic, for instance with regard to the credibility of certificates or making contact with market actors. Detjen assesses this institutional set-up as extremely beneficial for a consideration of the topic:

The fact that the person responsible for social procurement is sitting right next to the procurers and takes part in the team meetings and can be approached by just crossing the corridor, makes the topic much more tangible to the procurers. (Detjen/Bremen)

The introduction of strategic procurers has further improved the connection between the *Kompetenzstelle* and the other staff members of the central procurement department. Bremen's strategic procurers aim at exploiting the strategic potential of purchasing decisions within specific product groups. Particularly the strategic procurer for textiles aims at incorporating social criteria in tenders. In addition, since the *Kompetenzstelle* came into being, strategic procurers for other product groups have also begun to approach Detjen on SRPP issues (Detjen/Bremen).

The third option is having both – **person(s) outside and inside the procurement department working on SRPP (or SPP in general)**. A prominent example for this solution is the City of Munich, where Sylvia Baringer holds the position of the Competence Centre One World (*Fachstelle Eine Welt*), where SRPP is one sub-field of her responsibilities. Institutionally, the *Fachstelle* is part of the Department of Health and the Environment. However, until the local elections in 2014, the *Fachstelle* was institutionally part of the Third Mayor's Directorate, which implied a much higher assertiveness with regard to implementing SRPP. While Baringer is responsible for social criteria, her colleague in the procurement department works on environmental criteria. In addition, there is another person in the directorate who coordinates SRPP as one of many tasks. Baringer particularly highlighted the importance of having a person on SPP working in the procurement department since this enables a close collaboration with the procurers (Baringer/Munich).

The fourth option to use human resources to foster SRPP practices is to establish **concrete contact persons within the specialised departments on SRPP**. Those contact persons serve as fixed reference points on the topic, both for persons and procurers from within the department and for a competence position or equivalent. The City of Ludwigsburg currently plans the establishment of a respective responsibility structure within its specialised departments (Jäger/Ludwigsburg).

The fifth and last option would be to hire an **external consultant** on SRPP, as done for instance by the City of Ludwigsburg (in this case on SPP in general). Among other things, the consultant was responsible for providing expertise and for coordinating the activities of an inter-departmental project group on the topic (Jäger/Ludwigsburg). Defining the

utilisation of external expertise beyond classical consultant firms, NGOs also play an important role in this respect. Many pilot tenders which applied sustainability criteria were supported by respective organisations (for example, FEMNET (Feministische Perspektiven auf Politik, Wirtschaft und Gesellschaft), WEED (World Economy, Ecology & Development), CIR and SÜDWIND (Südwind Institute for Economics and Ecumenism)).

We identified four triggers that may increase the availability of additional human resources for SRPP. Typically, at least two of the triggers mentioned below appear together in order to bring about respective SRPP-supporting adjustments in the staff structure of a municipality:

- **local affinity to sustainable development**, which condenses in the organisational and/or political culture of the municipality or the attitude of individual employees (Brammer & Walker, 2011, p. 457; Narr/Tübingen);
- **political prioritisation** of SRPP (Baringer/Munich; Detjen/Bremen; Feldmann/Cologne; Morhard/Rosstal);
- **striving for external funds**, for instance, to finance a KEPOL position (Nuremberg Metropolitan Region, Cologne, Berlin Friedrichshain-Kreuzberg, Bremen);
- **temporary position or voluntary commitment expire**; together with political prioritisation of SRPP such a situation can trigger the establishment of permanent positions (Bozsoki/Wesel; Feldmann/Cologne).

### 5.2.6 Training and qualification of staff

Structures for permanent and high-quality training and qualification of relevant staff is a further key measure to foster long-term and widely applied SPP action within a municipality (Brammer & Walker, 2011, p. 456). This is not only due to the complexity of the topic and the consequential need for knowledge transfer but also to the importance to involve relevant staff – particularly from the working level – in the process of implementing SRPP (Becher, 2017, p. 33).

Based on a recent survey among Dutch procurers, Grandia found that “more than half of the procurers felt that they were not knowledgeable enough to procure in a professional manner to achieve sustainable procurement” (Grandia, 2015, p. 147). This lack of expertise lowered the SPP performance. As a result, she points to the high importance of capacity-building, such as via workshops, lectures and conferences (Grandia, 2015, p. 147). Though such a study does not exist for Germany, we put forward the hypothesis that the share of procurers who would feel a lack of knowledge on SRPP is even higher among German procurers. One of the main reasons for this assessment is the more advanced central advisory structure in the Netherlands provided by PIANOo (Dutch Public Procurement Expertise Centre). Furthermore, existing research on German municipalities suggests a major knowledge and qualification gap on SRPP, constituting a serious barrier to implementation (Becher, 2017, p. 32; Poell, 2014, p. 18). Besides effective general knowledge and qualifications in the topic, a lack of expertise on adequate measures to interact with market actors represents a further widespread deficiency. When integrating sustainability criteria in a tender’s



specifications, communication with market actors and market research are key to developing workable criteria and to receiving suitable offers (Kühnrich & Fincke, 2014a, p. 38).

The interviews conducted for this study show that even among German frontrunner municipalities, serious shortcomings regarding structures for high-quality training and qualification on SRPP exist. Friederike Eichhorn, coordinator for fair procurement in the City of Leipzig, points to the enormous scepticism of procurers with regard to seals or certificates for social issues. As the central reason for this situation, she identifies the lack of internal guidelines and a lack of knowledge on SRPP within the city (Eichhorn/Leipzig). The lack of an introduction to SPP in the training of municipal administrative staff is another obstacle. Many training institutions do not touch on the topic at all, while others dedicate only a few hours to it (Becher, 2017, p. 33). However, the integration of sustainability criteria in tenders is actually a cross-cutting topic in public procurement and should thus be part of all aspects of the training; that is, demand assessment, development of tender criteria, market involvement, instrument for procurement management, and so on. Also at this point, the decentralised procurement structure poses a barrier since many part-time procurers in the specialised departments have been trained in the respective subject and not in administrative procedures, including procurement (Heinrichs & Sühlsen, 2015, p. 11).

Having said that, there are of course positive examples in Germany, also among the interviewed cities. Almost all of them have introduced mechanisms for internal capacity-building. At the same time, those actions are mostly just starting and far away from a structured and permanent approach. Beyond this, interest in participating in the mostly voluntary workshops is often quite low. Especially due to the decentralised organisation of procurement in German municipalities, it is difficult to reach a critical number of procurement officers in order to change habits widely. Against this background, staff who are responsible for implementing SPP often focus on virtual information-gathering and dissemination, for example by preparing and sharing SPP-related information in the municipality's intranet or network folders (Gröger et al., 2014, p. 9; Hammes/Heidelberg). Often those internal information hubs would also refer to publicly accessible information platforms that provide comprehensive and practice-oriented knowledge on SRPP, such as the *Kompass Nachhaltigkeit*, the Competence Center for Sustainable Procurement (*Kompetenzstelle Nachhaltige Beschaffung*), *Siegelklarheit.de* or on ICLEI's PROCURA+ Manual and Forum. Many interviewees highlighted those platforms as important sources for information and as a great help for their everyday work (Bersin/Saarbrücken; Jäger/Ludwigsburg; Pohl/Leipzig.).

Employees responsible for and committed to SRPP can find suitable modes and opportunities to enter into direct dialogue with the specialised departments or at least share information virtually. We discuss the triggering role of engaged individuals in this respect in subsections 6.1 and 6.2. It has been possible to identify two triggers for training and qualification of staff for SRPP practices:

- **staff with SRPP responsibility,**
- **support and prioritisation of decision-makers.**

## 6 The individual dimension

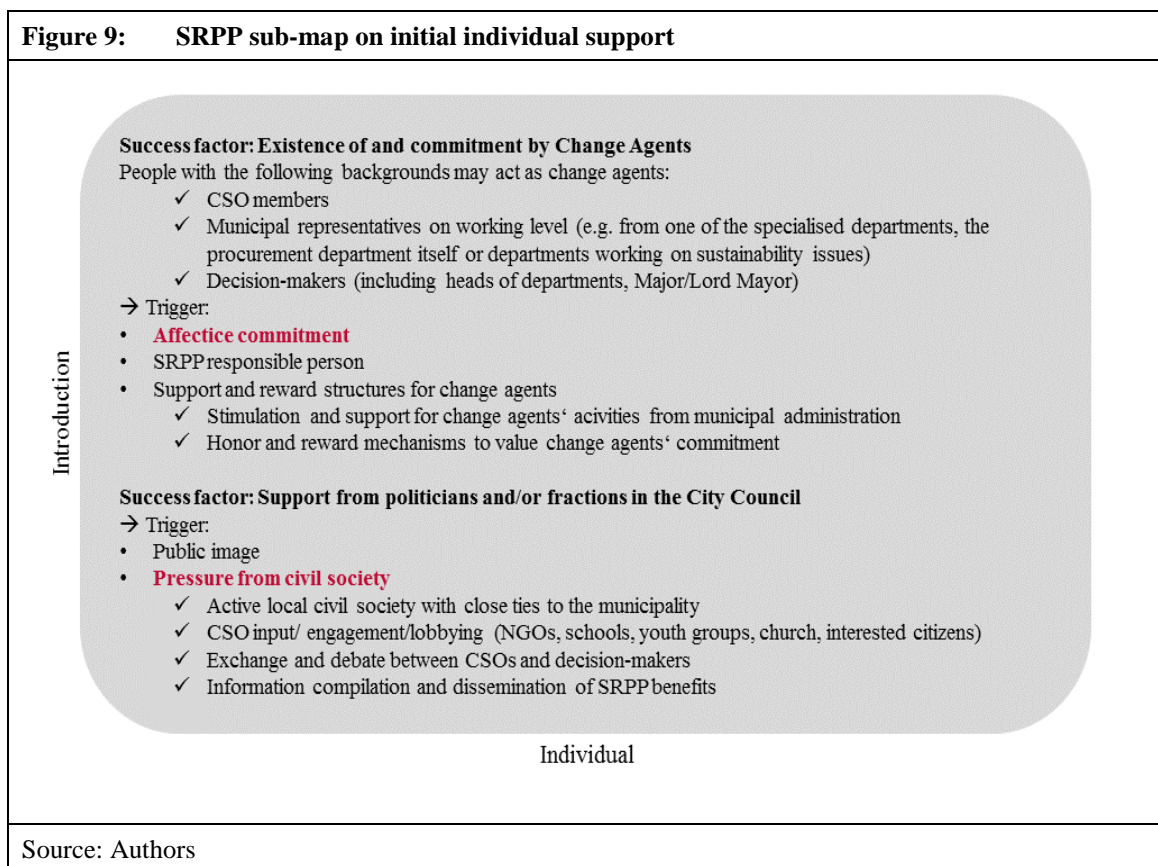
Christian Bersin, the head of the Department for Climate and Environmental Protection of the City of Saarbrücken, would seem convinced that “[h]aving engaged individuals who feel connected to the topic and really push for it is probably worth far more than 100,000 Council Resolutions, internal instruction documents, or whatever” (Bersin/Saarbrücken).

The individual dimension represents the third content area in which we assess success factors of SRPP practices and their triggers. As the initial quote already suggests, both the interviews and most of the secondary literature analysed emphasise the central role of engaged individuals for the initial introduction and long-term consolidation of SRPP within German municipalities.

As it was already the case with the institutional dimension, the boundary between elements grouped in the introductory phase and those in the consolidation phase is permeable. Overlaps and steps forward and backward do appear. Despite those probable deviations from the time-bound appearance of specific factors, we have decided to stick to this structure for two reasons: First, we find that most factors have a higher relevance for one of those time sections. Second, the appearance of specific factors in one of those sections has shown itself to be of particular importance for stimulating SRPP practices in the respective period.

### 6.1 The individual dimension: the introductory phase

During the early phase of introducing SRPP, two overarching success factors have shown themselves to be of specific importance in initiating particularly fair procurement projects. First, the existence of change agents with high levels of commitment, and second, the support from politicians and/or fractions within the City Council. Mayors play a hybrid role in the municipality, as they are both political figures and heads of a city’s administration. Support from mayors in the form of a clear political signal encouraging and calling for SRPP is of key importance in initiating SRPP practices. Later in the process, his or her role as head of the city administration will gain importance. For this reason, the latter function will be looked at during the subsection on consolidation. The following SRPP sub-map illustrates the two key success factors during this phase as well as their underlying triggers (the most important ones are highlighted in red).



### 6.1.1 Commitment of change agents

Sylvia Baringer, from the City of Munich, said: “It is crucial to find people that *burn* for the topic, find it important and want to implement it. Without them, administration won’t move forward even if a Council Resolution exists” (Baringer/Munich).

In this study, a change agent “is defined as an internal or external individual or team responsible for initiating, sponsoring, directing, managing or implementing a specific change initiative, project or complete change programme” (Caldwell, 2003, p. 139f.). With regard to change processes towards SRPP, the existence of change agents is of particular significance in the initial phases (Grandia, 2015, p. 87; Müller, 2013, p. 33). Typically, change agents engage informally in this phase. Later in the process, change agents take on more the role of advisors and facilitators (Grandia, 2015, p. 87). All stakeholders mentioned in this section may act as change agents. However, it is beyond the scope of this paper to determine specific “thresholds” as to when engagement in the topic reaches a level that may qualify calling such a representative a “change agent”.

Change agents can execute their commitment either from an external position – in Germany typically as a member of an NGO – or from within the municipal administration (Bersin/Saarbrücken). However, interview data suggest that internal change agents, who inspire and motivate colleagues to take action regarding SRPP, are in most cases more important than external actors (Malter/Nuremberg Metropolitan Region; Morhard/Rosstal; Pohl/Leipzig). Practitioners further highlighted that SPP practices in the specialised departments highly depended on the existence of committed change agents in those units

(Baringer/Munich; Bauer/Wesel). This is in line with recent research on the role of change agents for SRPP action in German municipalities. Becher concludes that proactive individuals from all municipal hierarchy levels appear to be change agents (Becher, 2017, p. 29). Research from the Netherlands comes to a similar conclusion by highlighting the important role of individual actors from within the municipality “in determining the degree of sustainable procurement” (Grandia, 2015, p. 72). With regard to functions, these “actors were actively trying to increase commitment, expertise, and top management support for a sustainable procurement initiative” (Grandia, 2015, p. 72). Change agents are important for addressing both decision-makers and the working level (Grandia, 2015, p. 148). Concerning the emergence of change agent activities, Grandia (2015, p. 87) further concludes that they “vary across projects and the organisation”.

We identified three triggers that determine the existence of change agents in an administration. The first two – support and reward structures and the presence of a person responsible for SRPP (or SPP in general) – can be actively influenced by taking decisions to implement respective structures. The third – affective commitment – is mostly intrinsic motivated and depends more on the individual. However, it might be fruitful to further analyse in future research how affective commitment can be activated within administrations.

#### *Support and reward structures for change agents*

First insights recommend that supporting measures by the municipal administration enhance the level and impact of change agents’ action. In practice this means that municipalities “should stimulate change agents to become more pro-active and embedded within projects as this allows change agents to directly influence the decision-making process” (Grandia, 2015, p. 88). Thus, change agents should be supported in carrying out their formal or informal advisory role, for example, in Fairtrade Town steering committees or by encouraging them in organising cross-departmental working groups or workshops for capacity-building (Grandia, 2015, p. 87; Morhard/Rosstal). Beyond those supporting structures, Grandia (2015, p. 148) recommends implementing specific honour and reward mechanisms to value change agents’ voluntary and often passionate work. Referring to the situation in the Netherlands, she finds that change agents “regularly felt underappreciated and, sometimes, even felt that their activities as a change agent would not benefit their career” (Grandia, 2015, p. 148). In practice, such mechanisms do not exist up to now (at least not formally) – neither in the Dutch nor in the German case. However, feedback from practitioners in German municipalities shows that their assessment would probably be similar to the one of their Dutch counterparts. Thus, we suggest the hypotheses that honour and reward mechanisms would, firstly, increase the effort of existing change agents, and secondly, would motivate more people to become committed and potentially even act as change agents. Discussing the concrete design of those mechanisms is, however, beyond the scope of this paper.

#### *SRPP-responsible person*

A key trigger to support SRPP practices in a municipality and potentially also the emergence of new change agents is having a specific person responsible for establishing SRPP (Wehlau, 2014). According to Ulrich Narr, from the City of Tübingen, other actors such as the City Council or CSOs often do not have the capacities to exert continuous lobbying for

the topic. SRPP needs responsible person(s) who have up-to-date knowledge and carry out networking within the city administration (Narr/Tübingen).

### *Affective commitment*

Following Grandia (2015), we define affective commitment here as the “inherent belief in the benefits of sustainable procurement” (2015, p. 126). Our interviews suggested that affective commitment represents a central determinant for the degree of effort towards SRPP practices in German municipalities, as it does for Dutch municipalities (Grandia, 2015, p. 71). The empirical data further shows that increasing the notion of sustainability as a central sub-target of everyday work encourages employee engagement. This is in line with respective insights from the private sector (Wilhelm, 2013, p. 182). The following quote from Sabine Gresch, responsible for SRPP implementation in the City of Mainz from the very beginning, underlines these findings:

It was very much my passion and I am convinced that we do the right thing and that we have to do it. When I retire at some point, I want to be able to tell my children, ‘I tried everything to change something’ [...]. I know this sounds emotional but I know that my colleague in the Environmental Office would argue the same way. She is also not obliged to put too much effort into sustainable procurement as she does. Of course, we have an indirect mandate since we are responsible for sustainability but I would definitely not be obliged to do it to this extent. (Gresch/Mainz)

Affective commitment not only triggers the emergence of change agents, as specifically motivated and active persons to promote SRPP; as interview data showed, it also affects the general level of engagement of representatives from all stakeholder groups mentioned in this section (Bersin/Saarbrücken; Detjen/Bremen; Gresch/Mainz; Hammes/Heidelberg; Malter/Nuremberg Metropolitan Region; Narr/Tübingen; Pflaum/Freiburg). In addition, the interview data confirm Grandia’s finding that a high level of affective commitment is of especial importance when pursuing voluntary SRPP initiatives, which tends to be the case during the introductory rather than during the consolidation phase (Grandia, 2015, p. 107).

### 6.1.2 Support from politicians and/or fractions in the City Council

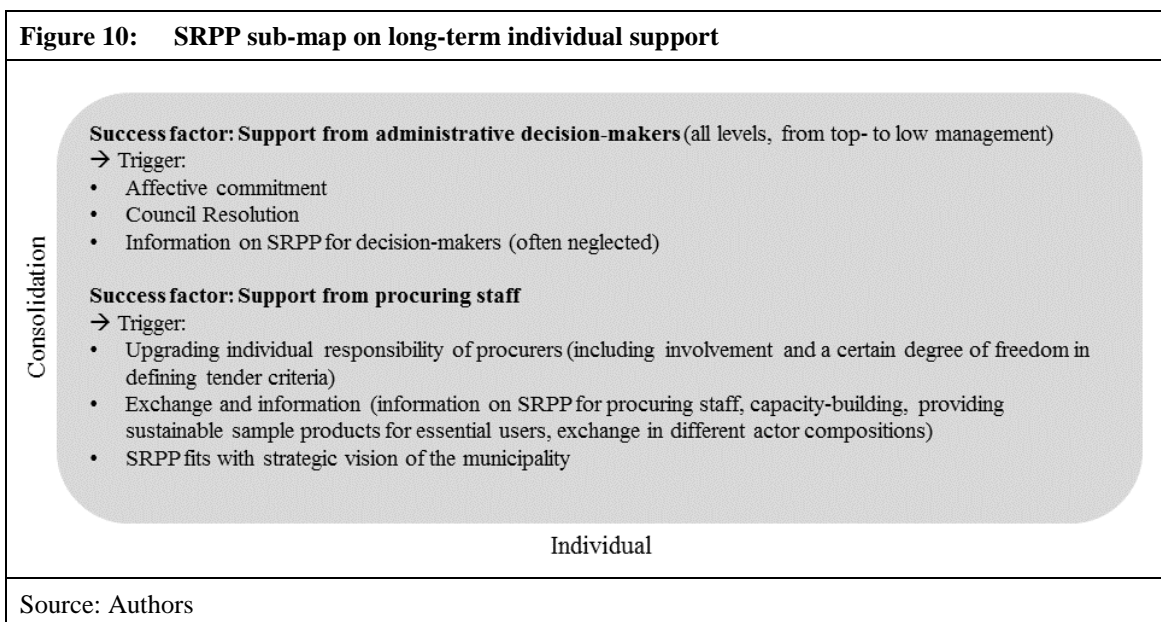
Miriam Feldmann, responsible for the introduction of SRPP in the City of Cologne told us: “If the mayors say, ‘This is important and we need it’ that has an enormous effect” (Feldmann/Cologne).

When it comes to concrete stakeholder groups, politicians and/or fractions of the City Council are of particular relevance for the accomplishment of initial SRPP action. In practice, they set up regulatory initiatives, demand specific pilot projects and/or push to take part in structured processes in the field, for instance, to become a Fairtrade Town (Gresch/Mainz; Jansen/Berlin; Narr/Tübingen; Pflaum/Freiburg). Besides members of the City Council, the group of politicians also comprises mayors and/or the Lord Mayor. As stated above, our analysis suggests that a clear political positioning of the mayors/the Lord Mayor is of particular importance to initiate first SRPP action. Together with the two triggers mentioned below, the trigger “affective commitment” may also initiate momentum by the actors highlighted in this subsection:

- **pressure from civil society** to trigger initial support from municipal politics, for example, from interested citizens, youth groups, the church or more professionalised NGOs (Bauer/Wesel; Gresch/Mainz);
- **public image** of and for the city (Bersin&Rode/Saarbrücken; Feldmann/Cologne; Jansen/Berlin).

## 6.2 The individual dimension: the consolidation phase

We have identified two crucial success factors for individual action to foster long-term SRPP consolidation. In order to leap from single pilot projects to mainstream institutional action, municipal stakeholders need to refocus from informal ad hoc measures to increasingly formal procedures. Thus, we tighten the focus on administrative stakeholders, namely the support from administrative decision-makers and procurement officers as the two central success factors. The following SRPP sub-map illustrates those factors as well as their underlying triggers. Practical actions to consolidate measures in this dimension are scarce and thus so is empirical evidence. Therefore, we abstained from prioritising triggers in this section and the following Figure.



## 6.2.1 Support from administrative decision-makers

According to Birte Detjen, Immobilien Bremen:

If you don't have the political will and staff that promotes the topic with strong commitment but without too much missionary aspiration, you have already lost the game. You need persistent politicians and administrative decision-makers, because those processes may take decades with long dry spells. Often things don't work out as expected or you need to take smaller steps than intended. If the idealistic potential is not very high, I think you won't have a chance. (Detjen/Bremen)

As becomes clear from this introductory statement, the boundary between elements grouped in the introductory phase and those in the consolidation phase is permeable. However, our data suggests an increasing importance of administrative decision-makers for continuous commitment and support to assure broad SRPP consolidation.

Without the support of committed decision-makers from the municipal administration, SPP practices would not be possible, especially when it comes to broad and ambitious action beyond pilot projects (Becher, 2017, p. 28; Brammer & Walker, 2011, p. 467; Pierk et al., 2007, p. 12). Thus, the heads of departments and sub-units, mayors and especially the Lord Mayor play an important role at this point (Detjen/Bremen; Hammes/Heidelberg). According to Jeannette Jäger, who is a consultant for the City of Ludwigsburg on SPP, "the support of the Lord Mayor is already half the battle" (Jäger/Ludwigsburg). In practice, the Lord Mayor of Ludwigsburg not only advocated for hiring an external consultant on the topic but also supported the inclusion of sustainability criteria in single procurement projects (Jäger/Ludwigsburg). Christian Bersin from the City of Saarbrücken points to the crucial role of the Lord Mayor in ensuring support from the subordinated management levels for SPP practices (Bersin/Saarbrücken). Beyond those examples, almost all interviewees pointed to the high importance of the mayors' and/or the Lord Mayor's support as a precondition for broad SPP consolidation.

Besides mayors, the subordinated management levels play a vital role as well. This group is quite diverse both with regard to the hierarchy spectrum involved, top to lower management, as well as with regard to the connection of single actors to procurement questions. The common denominator of the group is staff responsibility. In the case of the top management level, their support may be as volatile and related to critical junctures as the one of political decision-makers. However, once their approval of and support for SRPP has been announced, the working level should stick to those guidelines. With regard to procurement, it is of particular importance that the heads of departments, including the head of the procurement department, support and require the inclusion of sustainability criteria in tenders (Baringer/Munich; Hammes/Heidelberg; Pflaum/Freiburg). The lower the hierarchy level and the closer the area of responsibility of managing staff to procurement, the more crucial his or her steady support for the topic in everyday work. Thus, Jeannette Jäger, consultant for the City of Ludwigsburg on SPP, highlighted the importance of having many supporters among mid- to low-level management staff "where the concrete work is actually done" (Jäger/Ludwigsburg).

As the example of the City of Dortmund showed, only the intertwined support of all those administrative levels facilitates broad SPP consolidation. Thus, Pütter and Soldan conclude

that “the political will of the City Council and the continuous support of the Lord Mayor and the heads of the city administration were a crucial precondition for the success” (Pütter & Soldan, 2013, p. 162). Kühnrich and Fincke (2014b, p. 47) further underline that in all SPP relevant departments, one should find engaged persons who are convinced of the importance of sustainable development and who would even assess this concept as a guiding principle of municipal action.

“Affective commitment”, as described above, is hence a crucial trigger for the support of administrative decision-makers. Beyond that, two additional triggers were identified:

- **Council Resolution** (Baringer/Munich);
- **information on SRPP for decision-makers**, for instance via workshops and more ad hoc forms of knowledge sharing; of which there is in practice often a lack (Baringer/Munich; Feldmann/Cologne).

### 6.2.2 Support from procurement officers

The last and determining administrative level for successful SRPP consolidation is the working level of procurement officers. Here, “procurement officers” refers to those municipal employees who procure goods and services only occasionally. Research from the Netherlands “shows that the sustainable procurement behaviour of the procurers directly and significantly increases the implementation of sustainable procurement in procurement projects” (Grandia, 2015, p. 147). In this paper, subsections 4.1.1, 5.1.3, 5.1.4 and 5.2.3 underline the importance of procurement officers who consider sustainability criteria for the German case as well. The high degree of variation concerning a SRPP-supporting behaviour among procurers observed in the Netherlands coincides again with observations from Germany. The following triggers were shown to increase the SRPP behaviour of procurement officers.

#### *Upgrading individual responsibility of procurers*

With regard to procurers – and thus only to municipal employees whose main task is procurement – upgrading their individual responsibility in everyday work can positively affect their stance on SPP. This assessment is underlined in the sections on the maturity level of procurement (5.2.1) and the one on perceived justice when adapting administrative processes to respect SPP (5.1.6). In this regard, acknowledging procurement as an instrument to reach strategic policy goals and involving procurement staff in change processes can have positive effects. Jeannette Jäger, consultant for the City of Ludwigsburg on SPP, also referred to the important role of upgrading the individual responsibility of procurers. They would need a certain degree of freedom to define workable criteria for tenders (Jäger/Ludwigsburg). The implementation of strategic buyers in certain product groups in the City State of Bremen (Detjen/Bremen) constitutes a further example from practice.



### *SRPP fits with strategic vision of the municipality*

A second trigger for a positive outlook on SPP by procurement officers is a perceived fit of procurement goals with the overall strategic vision of the municipality (Brammer & Walker, 2011, p. 467; Grandia, 2015, p. 127). Practitioners highlighted the supporting function of municipal meta-goals on sustainability for SPP action by procurement officers (Jäger/Ludwigsburg; Malter/Nuremberg Metropolitan Region).

### *Exchange and information*

Grandia (2015, p. 106) found that a further trigger for SPP-benefitting behaviour of procurers besides affective commitment was “their ability (knowledge) to show sustainable procurement behaviour”. Our interviewees broadly confirmed the crucial role of information and exchange as preconditions for building up knowledge for the situation in Germany. Thus, they highlighted the importance of providing information on SRPP, including the effects of applying social criteria in value chains, for both full-time procurers and for municipal employees who only procure occasionally (Bersin&Rode/Saarbrücken; Detjen/Bremen; Gresch/Mainz; Jäger/Ludwigsburg).

## **7 Discussion and policy recommendations**

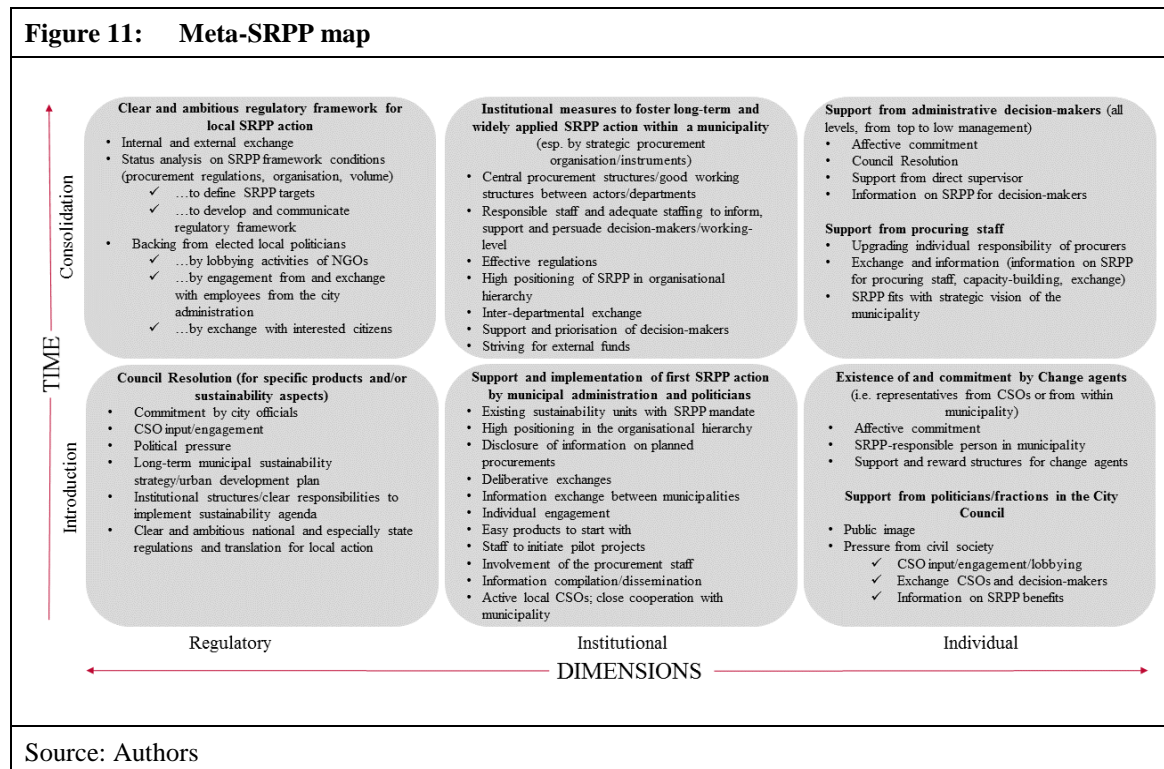
In the previous sections, we began by categorising drivers for the introduction and consolidation SRPP into the following three dimensions of municipal action: regulatory, institutional, and individual. After that, we identified previously largely unknown underlying triggers that promote the emergence of those factors. Figure 11 summarises our findings in a meta-SRPP map.

In a nutshell, our research shows that there is not one gold standard for implementing SRPP in a municipality. Rather, there are numerous possible strategies and entry points. A gold standard would only seem obvious at first glance since existing SRPP and SPP toolboxes and handbooks suggest standardised approaches, but these toolboxes/handbooks do not consider the highly diverse preconditions existent in municipalities and other public entities. As the empirical sections of this study show, different factors or combinations of factors can trigger key drivers of SRPP practices, such as a Council Resolution or a more strategic way of organising procurement. This has implications for practitioners. First, there are no minimum preconditions for SRPP, without which nothing can be achieved. Second, there are multiple entry points to initiate and strengthen SRPP practices in a municipality, as shown in the SRPP sub-maps and in the summarising meta-SRPP map below (Figure 11).

The empirical sections of this paper have outlined which success factors and underlying triggers are of specific importance and at what point in time, either during the introduction or during the consolidation phase of SRPP practices. Our results thus confirm previous research which claimed that a differentiation into success factors and triggers is useful. We categorised triggers in each empirical subsection according to their relevance to initiate SRPP, visualised in the SRPP sub-maps.

In this current section, we wish to present the most important success factors and triggers in two ways: First, in the following meta-SRPP map and the subsequent descriptions of its three

dimensions: regulatory; institutional; and individual. After that, we translate the most crucial factors and triggers into policy recommendations, put forward at the end of this section.



Turning to the more concrete findings, it is important to remember that we based our analysis on a compilation of “best practices” in which we discovered factors beneficial to municipal actions towards SRPP practices. In *none* of the cases investigated were all of those conditions present in all six fields of the map.

Our analysis shows that, in the **introduction** phase of **regulatory** measures, various key triggers can support the adoption of a first Council Resolution. Of specific importance are:

- commitment by city officials,
- CSO input/engagement,
- political pressure,
- municipal sustainability strategy/urban development plan (as a point of orientation/departure),
- clear responsibilities and institutional structures, along with
- clear and ambitious national and especially federal state regulations and their translation into local action.

When aiming to develop a clearer and more ambitious regulatory framework for local SRPP during the **consolidation phase**, backing from politicians as well as collecting and preparing procurement data are key. With regard to the latter point, the empirical data revealed a much higher need for action than previously anticipated. Without a sound knowledge of local

procurement rules, organisation, portfolio and volumes, the development of an ambitious regulatory framework and a strategic procurement organisation are hardly possible. In most municipalities, knowledge gaps on those issues are huge, underlining the low priority municipal decision-makers assign to procurement.

The overarching goal in the **introductory** phase of the **institutional** dimension constitutes the support for and the implementation of first SRPP action by the municipal administration and politicians. Two main trigger groups can support this goal. The first group refers to staff responsible for SRPP, their tasks and their interaction with relevant stakeholders within the municipalities. Key triggers are:

- existing sustainability units with a mandate (and possibly additional resources) to introduce/communicate SRPP action,
- a high positioning of SRPP in the organisational hierarchy of a municipal administration to give it authority (for instance, part of the central procurement unit or attached to the office of a mayor),
- the initiation of first pilot projects in relatively “easy” product groups in order to start the process (for example, fair-traded coffee), and
- the involvement of procurement officers in the decentralised departments.

The second trigger group comprises measures related to information-gathering and information dissemination and exchange. The following triggers have proved to be of specific importance:

- information compilation and dissemination of SRPP benefits (especially, to secure support from decision-makers and the working-level),
- disclosure of information on planned procurements, and
- exchange within and beyond the municipality, including other municipalities and NGOs (e.g. on how to integrate social criteria in planned procurements).

When it comes to **consolidating institutional** structures for long-term and widely applied SRPP practices, two factors for success are of particular importance: an appropriate procurement organisation – meaning centralised procurement structures *or* an effective coordination between involved departments – and the use of strategic procurement instruments (such as e-procurement and framework agreements). Most triggers in the consolidation phase match with those of the introduction phase. However, the following triggers join in or gain additional importance:

- effective regulations (that is, the realisation of the points stated in the consolidation phase of the regulatory dimension),
- support and political prioritisation of SRPP,
- staff to implement SRPP, and

- training on SRPP (for procuring officers in central procurement departments and for those in other departments who act as procurement officers in those other departments).

Our empirical data show that individual factors play by far the most important role in actions promoting SRPP practices in frontrunner municipalities. This assessment is well voiced by the following quote of Christian Bersin from the City of Saarbrücken which is worth repeating: “Having engaged individuals that feel connected to the topic and really push for it is probably worth far more than 100,000 Council Resolutions, internal instruction documents or whatever” (Bersin/Saarbrücken). This finding, however, is problematic when it comes to transferring and upscaling good practices: the positive effects of dedicated change agents then need to be embedded in institutional routines and regulatory frameworks that make them replicable. To reach a high level of broad and ambitious SRPP action, the balance between the three dimensions shown in the meta-SRPP map has to change to the benefit of the regulatory and the institutional dimensions.

During the **introductory** phase for **individual** action, the presence of committed staff within the municipal administration, for example, in the form of change agents and support by politicians, is key. Confirming a finding of Grandia (2015) with regard to public entities in the Netherlands, affective commitment is also key to ensuring the support of those two groups in German municipalities. Regarding the question of who might be a potential change agent, it may for instance be a committed person working in a sustainability-related department with a high organisational knowledge and close ties to staff in the specialised departments. Later in the process, the presence of highly committed persons within the central procurement department, possibly even of strategic buyers, gains importance. Regarding the factors evoking commitment of those actors, personal conviction as a result of sustainability-related knowledge and the respective attitude is vital, confirming another finding of Grandia (2015, pp. 37-38). In addition, the analysis cautiously suggests that structures that stimulate and support the commitment of municipal staff along with those that honour and reward the value of their work have a positive effect. However, as such structures only exist in a few cases, further research on their actual impact and their most useful configuration is necessary.

Turning to **individual** factors in the **consolidation phase**, the support from procurement officers and from administrative decision-makers gains importance. With regard to the latter group Grandia (2015, p. 141) found that in Dutch public entities “formal leadership plays a smaller role than expected in the implementation of SPP”. We can confirm this assessment for the early phase of SRPP introduction. However, our data suggests that particularly in the phase of “professionalising” SRPP – that is, in the phase of developing an ambitious regulatory framework with a strategic procurement organisation – top-management support is of high significance. With regard to the second group of actors, procurement officers and especially full-time procurers, Rolfstam (2012) suggests the development of procedures and policies that make procurers become less risk-averse and more prepared to try out new approaches in tenders – for instance, functional criteria; intensified market dialogues; or ambitious sustainability criteria. This is very much in line with the suggestion of Beck and Schuster (2013, p. 17) to raise the maturity level (*Reifegrad*) of procurement to include a tactical and strategic function. Our analysis shows that this would indeed be a beneficial development and some municipalities have shown well performing strategies in this respect, for instance, the establishment of strategic buyers for certain product groups and/or more well-trained and specialised staff in the central procurement department.

As highlighted, SRPP can be reached via many different pathways. Yet, we can distil nine policy recommendations from our empirical analysis for both political and administrative decision-makers (from top- to lower-level management). These recommendations also constitute a summary of the most crucial factors and triggers for success when introducing and consolidating SRPP:

1. Laws and regulations are important for orientation: Make them clear and ambitious on all political levels, especially with regard to SRPP.
2. Ensure support from superior management levels: Provide information on the strategic power of public procurement.
3. Understand your local procurement: Conduct a status analysis on the regulatory framework, the procurement organisation, product portfolio and volume, and define strategic targets.
4. You do not have to revolutionise your procurement organisation: Ensuring communication and an effective coordination between the departments and persons involved is already a big step in the right direction.
5. Make human resources available and allocate responsibilities: A formally responsible person or persons makes SRPP implementation much more likely.
6. Apply for external funds to kick-start SRPP practices: Special funds are available and most frontrunners benefited from this possibility.
7. Do not make SRPP a top-down topic: Ensure intrinsic support for the working level by involving procurement officers and the end-users of procured goods.
8. Facilitate and use external input and support: Engage in formal and informal exchanges on SRPP with official support bodies, civil society organisations, consulting institutions, and interested citizens.
9. Ensure compliance by employees at the working level: Translate SRPP targets and policies in as detailed and clear a way as possible.

This study has generated knowledge on success factors and triggers of sustainable procurement, a key action item for achieving SDG 12. However, it must be recognised that it has three limitations: First, its focus is on the social dimension of procurement alone; we selected SRPP frontrunner municipalities for interviews. Additional research is needed to fully understand the promotion and practices of public procurement with an environmental focus. Some of our findings may be transferrable, but there are also significant differences between SRPP and GPP regarding discourse, the legal situation, and implementation. Second, most of the interviewees were situated in strategic management positions within the municipal administration (for example, in the sustainability department). While these persons have a good overview of SRPP practices in all administrative units of the municipality, they are in most cases not directly involved in the procurement process and may have overlooked some relevant factors for success at other administrative levels. Third, while we have a relatively even distribution with regard to city size in the three upper

categories, we were able to conduct only one interview with a representative of a small city (up to 20,000 inhabitants).

## **8 Conclusions**

Municipalities represent the most important level of government in Germany to take advantage of the leverage effect of public procurement for strategic policy goals. In this regard, linking public tenders with the fulfilment of sustainability criteria is a key policy instrument of municipal development cooperation, which serves the achievement of SDG 12, that is, promoting sustainable production and consumption. However, in general, German municipalities do not implement SRPP practices effectively. Reasons are abundant, ranging from fragmentation of procurement structures and a lack of political will to failure to translate political SRPP targets into an implementation strategy for the working level. To overcome such problems, learning from SRPP frontrunner municipalities is essential.

Our research may help to improve SRPP practices in municipalities in two respects: On the one hand, we have been able to identify various different factors and factor combinations that may trigger good SRPP practices. The SRPP sub-maps provide detailed overviews of those factors, which are then aggregated into the meta-SRPP map. On the other hand, we also point to a great variety of entry points from which practitioners may start developing context-specific pathways. This is in stark contrast to existing toolboxes and handbooks that suggest uniform approaches to implementing SRPP.

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## Annex

<b>Annex table A1: Interviews</b>		
<b>Interview partner</b>	<b>Municipality/date</b>	<b>Citation</b>
Jeannette Jäger	Ludwigsburg, 22.05.2018	cited as Jäger/Ludwigsburg
Christian Bersin/ Diana Rode	Saarbrücken, 22.05.2018	cited as Bersin&Rode /Saarbrücken
Regina Hammes	Heidelberg, 23.05.2018	cited as Hammes/Heidelberg
Rudolf Pohl/ Friederike Eichhorn	Leipzig, 23.05.2018	cited as Pohl&Eichhorn/Leipzig
Marina Malter	Nuremberg Metropolitan Region, 23.05.2018	cited as Malter/Nuremberg Metropolitan Region
Birte Detjen	Bremen, 28.05.2018	cited as Detjen/Bremen
Ingrid Bozsoki/ Klaus Bauer	Wesel, 28.05.2018	cited as Bozsoki&Bauer/Wesel
Helena Jansen	Berlin, 29.05.2018	cited as Jansen/Berlin
Clemens Hachgenei/ Sabine Gresch	Mainz, 30.05.2018	cited as Hachgenei&Gresch/Mainz
Ulrich Narr	Tübingen, 04.06.2018	cited as Narr/Tübingen
Miriam Feldmann	Cologne, 06.06.2018	cited as Feldmann/Cologne
Sylvia Baringer	Munich, 11.06.2018	cited as Baringer/Munich
Simone Pflaum	Freiburg, 12.06.2018	cited as Pflaum/Freiburg
Michaela Morhard	Rosstal, 25.06.2018	cited as Morhard/Rosstal
Source: Authors		

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