



# THE BUILD-FOR-ALL REFERENCE MANUAL

## Good intentions are not enough

The Build-for-All Reference Manual aims to provide assistance for the inclusion of accessibility criteria in public calls for tender under the Public Procurement Directive of the European Union. This Manual includes, in Part 1, a Handbook and, in Part 2, a Toolkit, that can be consulted independently from each other.

This Reference Manual is produced by:

The Architects' Council of Europe (ACE); Cooperative Integrate Onlus (CO.IN); The Council of European Municipalities and Regions (CEMR); EUROCITIES; The European Committee for Standardization (CEN); The European Construction Industry Federation (FIEC); The European Disability Forum (EDF); The European Institute for Design and Disability (EIDD); The European Lifts Association (ELA); AGE - The European Older People's Platform; The National Disability Council of Luxembourg (Info-Handicap); NEUMANNCONSULT; ProASolutions; The City of Gdynia

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Please visit [www-build-for-all.net](http://www-build-for-all.net) for updates.



## Preamble

**Build-for-All** is a Pilot Project to mainstream disability policies - supported by the European Commission that ran from December 2004 to December 2006 - promoting accessibility to the built environment through the implementation of Design for All.

The Expert Group of the European Commission on Full Accessibility delivered its conclusions at the end of 2003, the European Year of People with Disabilities in a report, entitled “**2010, a Europe Accessible to All**”<sup>1</sup>. It identified a lack of awareness in the professional sector as one of the most important obstacles to achieving accessibility in the built environment. The report also identified the key role that public authorities play in changing attitudes and practices relating to accessibility and the leverage that they can exert when calling for tenders for public works and services.

The Build-for-All project gives guidance on three main areas:

1. The need to provide public authorities with **guidance** on the establishment of essential accessibility criteria and a **methodology** for step-by-step implementation of accessibility as provided for by the Public Procurement Directives of the EU
2. The need to inform the private sector and professional stakeholders about **how to meet the demands** of including accessibility criteria
3. The need to **bring together** the representatives of disability organisations and older people’s organisations at European, national and local level with their counterparts from the other professional and stakeholder groups - the local and regional authorities, the construction industry, the lift manufacturers and architects - in order to promote and create lasting and ongoing constructive dialogue.

When this document makes reference to “*accessibility for all*”, that means that principles of design for all should be respected. As an example, wheelchair users should be able to enter a building through the main entrance and not only through an accessible back door, the kitchen or similar entrances.

The “Build-for-All” project partners are aware of the definition “people with activity limitations” used in the World Health Organisation’s (WHO) International Classification of Functioning, Health and Disability (ICF)<sup>2</sup>. However for the purpose of this document, aimed at a huge diversity of readers who might not be familiar with the recent developments in disability policies, preference is given to the use of a more “traditional language” in order to make sure that the messages contained in this document are fully understandable.

<sup>1</sup> “2010 A Europe Accessible for All” - available from the Internet at <http://www.eca.lu/upload/egafin.pdf>

<sup>2</sup> <http://www.who.int/classifications/icf/en/>



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## 1. Introduction

This Reference Manual is the tangible result of work carried out by the partners of the European funded project known as Build-for-All. The principal objectives of the project are to raise awareness of accessibility to the built environment (buildings, outdoor spaces and facilities), and to provide practical guidance to those who prepare calls for tender for design and construction Works under the Public Procurement Directives of the European Union. It consists of two documents - a Handbook and a Toolkit:

- 1. The Handbook** provides background information for raising the awareness of decision makers and public servants about the importance of accessibility in the built environment for all citizens and the supporting role that Public Procurement can play in achieving this.
- 2. The Toolkit** gives a practical approach for contracting authorities to include certain procedures and technical requirements in procurement, so as to ensure that accessibility criteria are met in design and construction work.

### Target Audience

The Reference Manual is intended for those whose work brings them into contact with the Public Procurement process – either directly or indirectly. These include:

**Legislators at National and Regional Levels**, officially responsible for the transposition of the EU Directives to national and regional law

**National, Regional and Local Governments across Europe**, in their specific role as procurers, owners and managers of public infrastructure, including buildings

**Public Authorities and entities**, including all publicly funded bodies and agencies that procure Works through the use of the Public Procurement procedures established by European Law<sup>3</sup>

**Economic Operators**, as a source of information to them on how Contracting Authorities approach the making of calls for tender.

The motivation for preparing this Reference Manual arises from the introduction of revised European Union Directives on Public Procurement<sup>4</sup> that (when transposed into

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<sup>3</sup> Annex IV of the Directives names all central public entities in each Member State that will have to meet the requirements of the Directive, in addition to public authorities at all levels.

<sup>4</sup> DIRECTIVE 2004/17/EC

Of the European Parliament and of the Council, 31st March 2004

Coordinating the Procurement procedures of entities operating in the water, energy, transport and postal services sectors.

and

DIRECTIVE 2004/18/EC

Of the European Parliament and of Council of the of 31<sup>st</sup> March 2004

Coordinating the procedures for the award of public works contracts, Public supply contracts and public service contracts



national law), must be respected by Contracting Authorities when tendering for public works. These Directives offer scope to Contracting Authorities **to promote accessibility for all, including persons with disabilities, older persons and others, to the built environment** - both to public buildings, the outdoor environment of streets, pavements, roads and to any works procured by the public sector.

The goal of accessibility to the built environment was recognised internationally in 1993 in The United Nations Standard Rules on the Equalisation of Opportunities for Disabled Persons<sup>5</sup>. Despite the fact that almost every country in the world signed up to the Standard Rules, the issue of access, which is dealt with in Rule number 5 (cf Appendix 3), remains a major technical and societal problem.

The revised Public Procurement Directives offer scope for contracting authorities to consider social and accessibility issues. Public authorities, at all levels, are being encouraged to positively implement these provisions as far as the new rules allow.

The Directive makes provisions for

- technical specifications (Art. 23 and Ann. VI) (cf Chapter 6, PHASE 1)
- criteria for qualitative selection (Art. 45-52) (cf Chapter 6, PHASE 2)
- contract award criteria (Art. 53) (cf Chapter 6, PHASE 3) and, finally
- conditions of performance of contracts (Art. 26) (cf Chapter 6, PHASE 4).

These categories, each in a different way, allow public authorities and economic operators to choose to include accessibility aspects in the procurement process.

National Legislation may, in certain countries, require this obligation and this is strongly welcomed by the Build-for-All partners, but the aim of the work of the project is to encourage the voluntary adoption of accessibility requirements in procurement by public authorities in all European Union Member States. While the Public Procurement Directives do not oblige Contracting Authorities to include accessibility criteria in calls for tender, there are significant benefits associated with the adoption of this approach. Many countries have recognised this and are adopting more binding legislation, insisting on a systematic and structured implementation of the design-for-all principles...

Fundamentally, the Build-for-All partners believe that by following the principles and advice presented in this Reference Manual, Public Procurement can lead to better functioning, more comfortable and safer environments for **all** people in society<sup>6</sup>.

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<sup>5</sup> United Nations. Standard Rules on the Equalization of Opportunities for Persons with Disabilities. A/RES/48/96. 85th plenary meeting 20 December 1993. The full document can be read online at: <http://www.un.org/documents/ga/res/48/a48r096.htm>

<sup>6</sup> The CARPE Guide to Responsible Procurement provides supplemental information on how public authorities can positively influence public procurement: <http://www.carpe-net.org>

