



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE



NFCC
National Fire
Chiefs Council

Further Competition Procedure

NFCC Emergency Response Vehicle
Framework

DS478-24

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Using Framework

Before using the NFCC ERV framework, the Contracting Authority must read and understand the Framework Background guidance to establish they can use the framework and under which lot for their requirement/s.

The table provides the key information for using the framework:

Category	Description
Scope of Framework	Buy Pumping Appliances, Aerial Appliances, Special Vehicles and Vehicle Disposal
Buying options	Further Competition only
Access to the framework	https://bluelightcommercial.police.uk/helping-fire/emergency-response-vehicles-pa23/
Framework requirements	The requirements set by the Framework are split into two types: • Organisation requirements – covered by the Procurement Selection Questionnaire (Part 1 under Evaluation of Tender Submissions) and Framework Assessment Questionnaire (Part 3) • Vehicle requirements – provided in the Statement of Requirements. Contracting Authority requirements should not repeat, substantially change or conflict with those set by the Framework.
Lot requirements	The framework standards for each lot were developed by NFCC Transport Officers Group and shall apply to this Framework and form the basis of vehicle requirements for Further Competitions. The purpose of these requirements is to outline nationally set requirements for Pumping Appliances, Aerial Appliances, Special Vehicles and Vehicle Disposal, whilst providing flexibility to Contracting Authorities to apply their own specific requirements to all Call-Off Contracts.
Further Competition templates	The further competition templates must be used by the Contracting Authorities and can be found on the BLC Emergency Response Vehicle website (as shown above).
Maximum contract length	There is no maximum contract length
Framework support	procurement@dsfire.gov.uk

PLAN for the Further Competition Procedure

Before the Further Competition

Before or as part of the Further Competition procedure, the Contracting Authority may want to consider the following:

- a) Considering the lots and ensure your requirements fits into one and is with the scope (can be found in Part 1 – Framework Background):

Lot	Lot name	Lot description
1	Pumping Appliances	All Pumping Appliances with gross vehicle weight of more than 3t
2	Aerial Appliances	All Aerial Appliances within the scope of EN 14043, 14044 and 1777
3a	Small Special Vehicles	All Special Vehicles with gross vehicle weight of 3.5t or below
3b	Medium Special Vehicles	All Special Vehicles with gross vehicle weight of more than 3.5t and <7.5t
3c	Large Special Vehicles	All Special Vehicles with gross vehicle weight of more than 7.5t
4	Vehicle Disposal	Disposal of any Emergency Response Vehicles

- b) A pipeline notice is not required for Further Competitions under this framework, however a Contracting Authority may have published a pipeline notice which includes your procurement for an emergency response vehicle/s.
- c) A preliminary market engagement notice is not required for Further Competitions under this framework.

A [PME guide](#) has been developed.

- d) Carrying out a conflict of interest declaration and assessment for anyone involved in the procurement.

A Conflict of Interest [declaration](#) and [assessment](#) has been developed.

- e) The procurement timescales and ensuring sufficient time is allocated to the project, please see [Appendix A](#) for a guide on procurement timescales.
- f) Consider collaboration with other Contracting Authorities, which could include sharing learning and technical expertise, sharing resources, undertaking a procurement process in conjunction with a number of contracting authorities or harmonising technical requirements between collaborating contracting authorities.
- g) Consider the whole life costing of the vehicle and how this may affect your Further Competition. This may include maintenance and servicing, disposal, travel costs, cost of change etc.

DEFINE the Further Competition

Further Competition Only

The Framework only permits Further Competitions. Direct award is not available as an option. All Framework Suppliers named under the lot/s selected for a Further Competition must be invited to tender for the requirement.

Contracting Authority's Obligations

Any Contracting Authority completing a Further Competition for Goods and/or Services under this Framework shall:

- a) identify the most suitable lot and all suppliers capable of supplying the Goods and/or Services;
- b) develop the Further Competition pack for Goods and/or Services including:
 - Assessment matrix – select either Appendix 1a for lot 1, 2, 3a, 3b or 3c or Appendix 1b for lot 4
 - Statement of Requirements – Technical – select the correct Appendix 2a for the relevant lot. The Technical Statement of Requirements includes the framework requirements, Contracting Authority requirements and questionnaire.
 - Statement of Requirements - Standards
 - Statement of Requirements – Non-Technical – includes the framework requirements, Contracting Authority requirements and questionnaire.
 - Form of Tender and Declaration
 - Pricing Schedule
 - Further Competition ITT

Example questions that you can included in the questionnaire have been included in this guidance in [Appendix C](#).

Please note that the Further Competition ITT and Appendices include guidance on completion in green and for information that needs to be updated by the Contracting Authority in yellow.

- c) amend or refine the Call-Off Terms to reflect its Goods and/or Services requirements only to extent permitted by and in accordance with the requirements of Procurement Act 2023;
- d) consider the materialisation of known risk grounds to enable the Contracting Authority to make a modification to a Call-Off Contract. The Framework has sufficiently identified the specific risks that may require a modification in the tender notice and the Framework ITT;
- e) partially draft the Call Off Order Form with the information about your Contracting Authority and the known details e.g. contract period, provision etc.

Contracting Authorities should consider all elements within the Order Form before publishing the Further Competition as this forms part of the invitation. It is suggested that you consider the following:

- Contract term – is this for the life of the vehicle? Are you including parts within the contract and how long do you need them?
- Price increase clause – consider non-vehicle items.

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Contracting Authorities may need to consider the following additional key themes as part of their Further Competition:

Lots	Contracting Authorities must select the correct lot for the vehicle type being procured e.g. Lot 1 for Pumping Appliances. For vehicles with a specialist role but fitted with a pump, this would fall into one of the Special Vehicle lots depending upon the weight.
Award Criteria Weightings	Contracting Authorities must choose the award criteria for their Further Completion and decided on the weighting applied e.g. Technical – 50%, Pricing 40% and Social Value – 10%.
Question Weightings	Contracting Authorities must apply weightings to each question within the difference award criterion e.g. Q1 – 3%, Q2 – 2%, Q3 – 5% to make the total Social Value weighting of 10%.
Word Limits	Contracting Authorities may choose to apply word limits to the responses requested. Please ensure you define if diagrams, photos, policies etc are included or excluded. Contracting Authorities may want to consider if they will include any words in photos as part of the word limit.
Data Protection	Contracting Authorities may use the Data Protection clause and Annexes in the Call-Off Terms. Contracting Authority will need to consider what data will be used before publishing the Further Competition.
Chassis	Contracting Authorities order the chassis as part of the build, free issue the chassis or ask an agent to buy it on their behalf. This requirement will need to be detailed within the requirements.
Kit Requirements	Contracting Authorities can specify for the Supplier to provide a fully kitted vehicle, part kitted vehicle or for the Contracting Authority to free issue equipment to the Supplier. Contracting Authorities will need to assess which option works best for their FRS whilst providing value for money.
Additional Requirements	Contracting Authorities can include additional requirements to allow them to choice upon award of the Call-Off Contract e.g. telematics, CCTV etc. Contracting Authorities need to ensure this is included within the 'Additional Requirements' section within the Appendix 2a - Statement of Requirements.
Servicing	Contracting Authorities can include servicing, maintenance and parts as part of their requirements. Please note that the duration of the Call-Off Contract needs to mirror the requirements.
Artificial Intelligence	Artificial Intelligence (AI) systems, tools and products are starting to be used for tender submission writing to improve the efficiency, however this is introducing an increased risk of misleading statements via 'hallucination'. Contracting Authorities are responsible for determining if tender submissions with AI are accepted and/or to confirm if the Contracting Authority is using AI to evaluate the tender submissions. The Form of Tender and Declarations covers the use of AI, in what capacity AI was used, and confirmation of the answers being checked and verified.
Title Transfer	Contracting Authorities will need to consider how they will ensure that the title of the stage has transferred to the FRS. You may want to seek evidence from the supplier e.g. seek evidence that the supplier has paid the chassis manufacturer upon the Contracting Authority making the stage payment to the supplier.
Cyber Security	Contracting Authorities may want to include cyber security requirements if the Further Competition requires it. The Statement of Requirements include a section to include further requirements. Please note that some

	Suppliers may be working towards an accreditation and not necessarily have obtained it yet.
Social Value	Social Value formed part of the Framework award criteria, and this will be monitored as part of ongoing framework management. Contracting Authorities that are not 'In-Scope organisations' as classified in Procurement Policy Notices (PPNs), can either choose to: - use the due diligence carried out by the Framework for information purpose only and remove Social Value from your assessment criteria, or - apply a weighting to Social Value for your assessment criteria and specific questions for your requirements. It is encouraged for all Contracting Authorities to apply at least 10% weighting within their Further Competition. All In-Scope Organisations must ensure they follow the Social Value Guidance and apply 10% within your Further Competition. Please review PPN 002 and PPN 003 for further guidance. The Framework included a question on the following topics: - Equality and Diversity - Skills and Experience - Carbon Emissions Reduction - Waste Management The full list of questions can be found Part 3 – Framework Assessment questions. Each Supplier has agreed to a Social Value Action Plan and completing the Modern Slavery Toolkit (where required), which will be monitored by the Framework Management Team. If a Contracting Authority chooses to use the Framework due diligence on Social Value and not include any Social Value questions in their Further Competition, the Contracting Authority shall request the Social Value progress for each supplier on the relevant lot for their Further Competition from procurement@dsfire.gov.uk. The Contracting Authority must ensure this information is kept confidential and not shared to anyone else. A Social Value guide has been developed and published.

Contracting Authorities must ensure that any supporting document in addition to the Further Competition templates are title 'schedule' rather than Appendix.

PROCURE the goods/service via the Further Competition

Conflict of Interest

Conflicts of Interest declarations and Conflicts of Interest assessment shall be regularly reviewed and updated during the tender process from commencement of the project.

Conducting Further Competition

Any Contracting Authority conducting a Further Competition under this Framework shall:

1. invite tenders by conducting a further competition procedure for its Goods and/or Services in accordance with the Procurement Act 2023 and in particular;
 - a) consult in writing the suppliers capable of performing the Call-Off Contract for the completed Goods and Services requirements and invite them within a specified time limit to submit a tender in writing for each specific contract to be awarded;
 - b) set a time limit for the receipt by it of the tenders which takes into account factors such as the complexity of the subject matter of the contract and the time needed to submit tenders; and
 - c) keep each tender confidential until the expiry of the time limit for the receipt by it of tenders;
2. ensure that clarification questions are responded to within a timely manner and in accordance with the timetable and are communicated fairly and transparently to all Suppliers. A prompt response to clarification questions is greatly appreciated by Suppliers.
3. apply the further competition award criteria to the supplier's compliant tenders submitted through the further competition procedure as the basis of its decision to award a Call-Off Contract of its Goods and/or Services;
4. to provide assessment summaries to both the successful and unsuccessful suppliers.

For successful suppliers, the assessment summary shall be limited to the assessment information relating to their own tender.

For unsuccessful suppliers, the assessment summary shall include:

- written feedback explaining the reasons why their tender was unsuccessful;
- the relevant assessment information relating to the Most Advantageous Tender (MAT), with any commercially sensitive information redacted where appropriate; and
- the scores awarded for each assessment criterion, together with an explanation of how those scores were determined, referencing the relevant information contained within the tender submissions.

The Contracting Authority is not required to provide a direct comparison of tenders or a narrative describing the relative advantages of the successful tender over unsuccessful tenders. By receiving both their own assessment information and the relevant assessment information relating to the MAT, unsuccessful suppliers will be provided with sufficient information to understand the award decision and identify any relative advantages for themselves.

5. implement a voluntary standstill period, however, this is not mandatory in accordance with the Act;

6. on the basis of the further competition award criteria, award its Call-Off Contract to the successful supplier by issuing an Order Form which:
 - a) includes the statement of requirements (including the Specification) for the required Goods and/or Services;
 - b) incorporates the tender submitted by the successful supplier;
 - c) states the Contract Price payable for the Goods and/or Services in accordance with the tender; and
 - d) incorporates the Call-Off Terms (as may be amended or refined by the Contracting Authority).
7. publish a Contract Award Notice following the decision to award the Call-Off Contract and before the Call-Off Contract is entered into. If the Contracting Authority chooses to apply a voluntary standstill period, this notice shall be published at the start of the process;
8. following signing of the Call-Off Contract, publish a Contract Details Notice with 30 days of contract award.

Award Criteria for Further Competitions

Call-Off Contracts shall be awarded based on the most advantageous tender ("MAT"), assessed from the point of view of the Contracting Authority.

The following criteria shall be applied to further competitions carried out for lots 1, 2, 3a, 3b and 3c via this Framework:

Award Criteria for Further Competitions	Suggested Sub-Criteria	Percentage Weighting*
<u>Price</u>		0-100%
<u>Technical</u>	• Technical Merit (ability to meet technical requirements) • Compliance with Standards and Regulations • Vehicle Reliability and Durability • Vehicle Design and Manufacture • Quality Control (including certification, inspection, quality management and/or acceptance testing) • Aesthetic and Functional Characteristics • Documentation • Health and Safety • Interoperability and/or compatibility with existing vehicles, equipment and/or systems • Supply and/or installation of equipment <i>This award criteria could include in all sections of the Technical Statement of Requirements.</i>	0-100%
<u>Non-Technical</u>	<u>Customer Support</u> • Training • After Sales/Technical Support • Warranty • Maintenance, Service, Repair and Refurbishment • Parts and Key Components	0-100%

	• Governance, Customer Liaison and Communication • Contract, Performance and Relationship Management • Issue and Change Management <i>This award criteria could include section 1, 2, 3, 4, 5, 10, 11 and 12 of the Non-Technical Statement of Requirements.</i>	
	<u>Delivery</u> • Mobilisation • Delivery Period and Lead Times • Project Management / Production Planning <i>This award criteria could include section 13 of the Non-Technical Statement of Requirements.</i>	0-100%
	<u>Organisation</u> • Business Continuity • Security • Information Management • Supply Chain Management • Skills/Competencies of Staff <i>This award criteria could include section 6, 7, 8 and 9 of the Non-Technical Statement of Requirements.</i>	0-100%
<u>Social Value</u>	• Sustainability and the Environment • Equality and Diversity • Education attainment e.g. training, apprenticeship schemes, work placements <u>Where Social Value is selected as Award Criteria for a Further Competition, it is recommended that it has a weighting of at least 10%.</u> Contracting Authorities may want to consider the key theme on Social Value before deciding on the award criteria. <i>This award criteria could include section 14 of the Non-Technical Statement of Requirements.</i>	0-100%

* Percentage weightings to be set by the Contracting Authority conducting the Further Competition

Contracting Authorities do not need to use all of the award criteria provided in the table above and may set and apply the weighting for any selected criteria at a level to suit their requirement.

Contracting Authorities may add to and amend the suggested sub award criteria to fit their requirement (which must be in keeping with the overarching award criteria) but shall not introduce new award criteria.

The following criteria shall be applied to further competitions carried out for lot 4 via this Framework:

Award Criteria for	Suggested Sub-Criteria	Percentage Weighting*
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Further Competitions		
<u>Price</u>		0-100%
<u>Vehicle Disposal</u>	• Process • Security • Audit • Supply Chain Management • Skills/Competencies of Staff	0-100%

* Percentage weightings to be set by the Contracting Authority conducting the Further Competition

Where the Contracting Authority has invited tenders across multiple lots it reserves the right to appoint one Contractor based on the most advantageous tender ("MAT") across all competed lots, assessed from the point of view of the Contracting Authority. The award criteria and method of evaluation shall be defined by the Contracting Authority within their Further Competition Invitation to Tender.

Site Visits

The Contracting Authority can include a site visit as part of the procurement process or upon award of the Contract if required. This must be included within your Further Competition.

It is suggested to include this within your Further Competition ITT.

Supplier's Obligations

The supplier shall in writing, by the time and date specified by the Contracting Authority following an invitation to tender, provide the Contracting Authority with either:

- a statement to the effect that it does not wish to tender in relation to the required Goods and/or Services; or
- the full details of its tender made in respect of the required Goods and/or Services.

The supplier agreed that:

- all tenders submitted by the supplier in relation to a Further Competition shall remain open for acceptance by the Contracting Authority for a minimum of ninety (90) calendar days (or such other period specified in the invitation to tender issued by the relevant Contracting Authority); and
- all tenders submitted by the Framework Supplier are made and will be made in good faith and that the supplier has not fixed or adjusted and will not fix or adjust the price of the tender by or in accordance with any agreement or arrangement with any other person. The supplier certifies that it has not and undertakes that it will not:
 - communicate to any person other than the person inviting these tenders the amount or approximate amount of the tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain quotations required for the preparation of the tender; and
 - enter into any arrangement or agreement with any other person that he or the other person(s) shall refrain from submitting a tender or as to the amount of any tenders to be submitted.

Assessment

The assessment questions asked of all Suppliers at the procurement stage for the Framework are contained within the document named Part 3 – Framework Questions.

Contracting Authorities must not ask the same questions for their Further Competition unless substantial changes are anticipated and are considered necessary.

Contracting Authorities must ensure that the marking guidelines are included within the Assessment matrix (column F) before publication of the Further Competition to the framework suppliers. This allows the framework suppliers to answer your question and ensure fairness.

When assessing the tender submissions, Contracting Authorities must ensure that they apply the marking guidance (either pass/fail or scored) consistency.

Abnormally Low Tenders

As per regulation 19 of the Procurement Act 2023, Contracting Authorities may reject any tenders submitted by Suppliers that are considered abnormally low. Circumstances for such rejection are outlined within the Procurement Act 2023.

Pre-Build Meetings

It is highly recommended for Contracting Authorities to set up and attend a pre-build meeting to go through the Statement of Requirements to ensure the Contracting Authority and Suppliers understanding of each requirement is the same. This meeting must be recorded in minutes with an action log of any outstanding tasks by either party. Further Competition.

It is suggested to include this within your Further Competition ITT.

Award Procedure

If any Contracting Authority decides to procure Goods and/or Services through this Framework, then it will award its Call-Off Contract with the procedure and the requirements of the Procurement Act 2023 (including any guidance issued or updated by the UK Government in relation to the Procurement Act 2023).

Call-Off Contracts formed under the Framework shall under no circumstances entail substantial modifications to the terms laid down in this Framework.

All Call-Off Contracts shall be formed as a result of carrying out a further competition process with all capable suppliers (who are named under the relevant lot/s).

Where a Contracting Authority has outsourced its fleet management or procurement function to a third party, the suppliers shall co-operate with such third party as if that third party was the Contracting Authority. Such co-operation shall include but is not limited to co-operation in respect of the Ordering Procedure and performance and management of any resulting Call-Off Contract.

Responsibility of Award

The Suppliers acknowledge that each Contracting Authority is independently responsible for the conduct of its award of Call-Off Contracts under this Framework and that the Authority is not responsible or accountable for and shall have no liability whatsoever in relation to:

- a) the conduct of Other Contracting Authorities in relation to this Framework; or

- b) the performance or non-performance of any Call-Off Contracts between the Supplier and Contracting Authorities entered into pursuant to this Framework.

No Award

Notwithstanding the fact that the Contracting Authority has followed a procedure as set out above, the Contracting Authority shall be entitled at all times to decline to make an award for its Goods and/or Services. Nothing in this Framework shall oblige any Contracting Authority to award any Call-Off Contract.

Forming a Call-Off Contract

Before forming the Call-Off Contract, it is the responsibility of the Contracting Authority to perform due diligence checks on the successful supplier to ensure they meet the minimum requirements that the Contracting Authority expects, which could include financial strength, framework management compliance etc.

The Framework Management Team can support in providing information on the framework checks performed e.g. insurances, social value etc.

The terms and conditions of the Framework and Call-Off Contracts have been written specifically for procuring Fire and Rescue vehicles and are designed to protect the interests and assets of the Contracting Authorities.

The transfer of risk, title and ownership terms including free issued equipment owned by the Contracting Authority, are linked to stage payment processes which have been established to be in line with the build and delivery of the vehicles. Service credits linked to key performance indicators are also captured.

In addition to the Framework itself which automatically applies to all Call-Off Contracts, Call-Off Contracts consist of the following documents:

- Appendix 6 - Call-Off Order Form
- Appendix 3 - Call-Off Terms

To form a Call-Off Contract, Contracting Authorities must complete Appendix 6 - Call-Off Order Form and Appendix 3 - Call-Off Terms.

Once Appendix 6 - Call-Off Order Form and Appendix 3 - Call-Off Terms v4 are complete, the Order Form (accompanied with the Call-Off Terms) must be signed by both Parties.

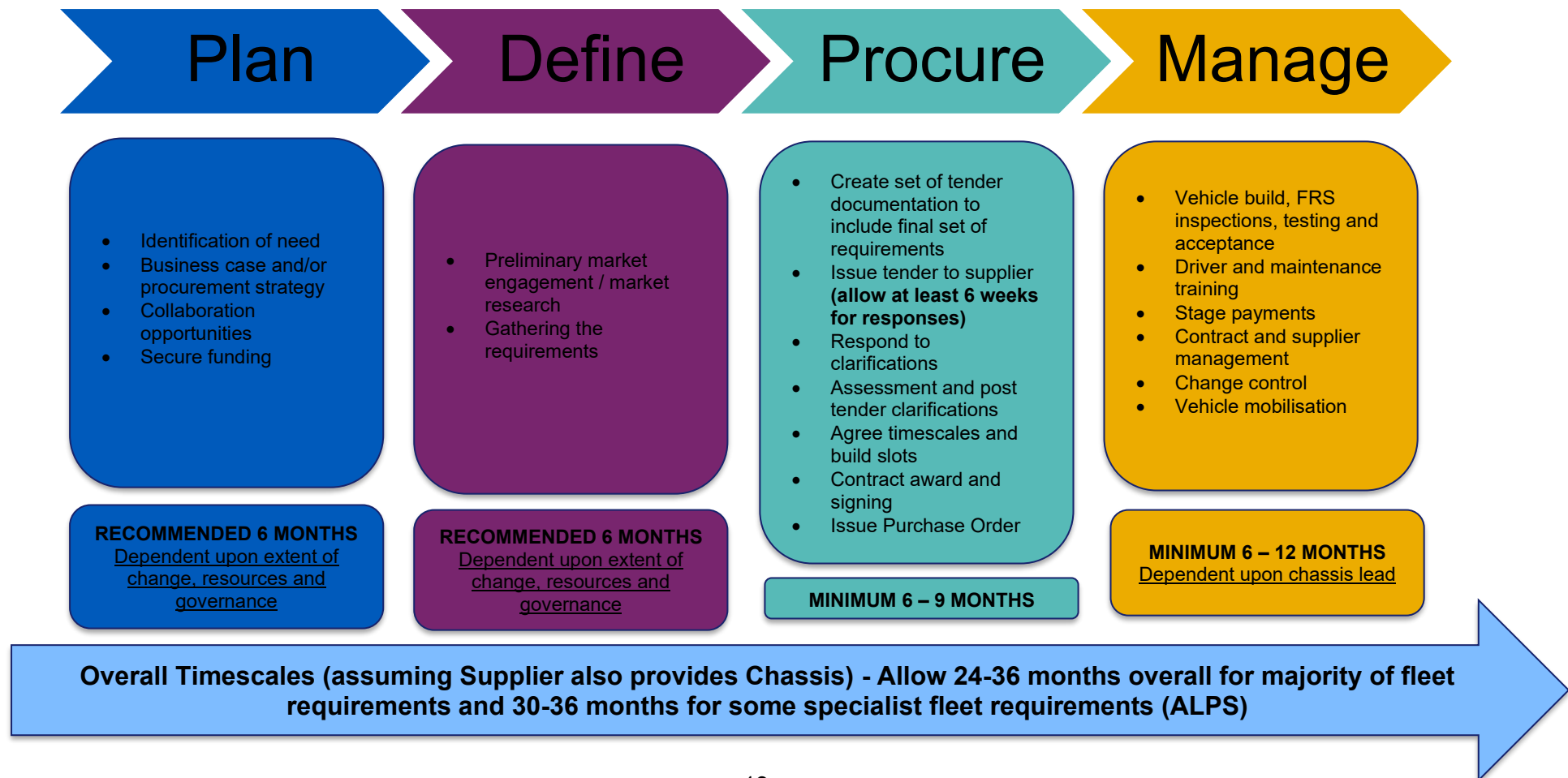
Once signed, purchase orders should be raised as necessary.

The purchase order must include:

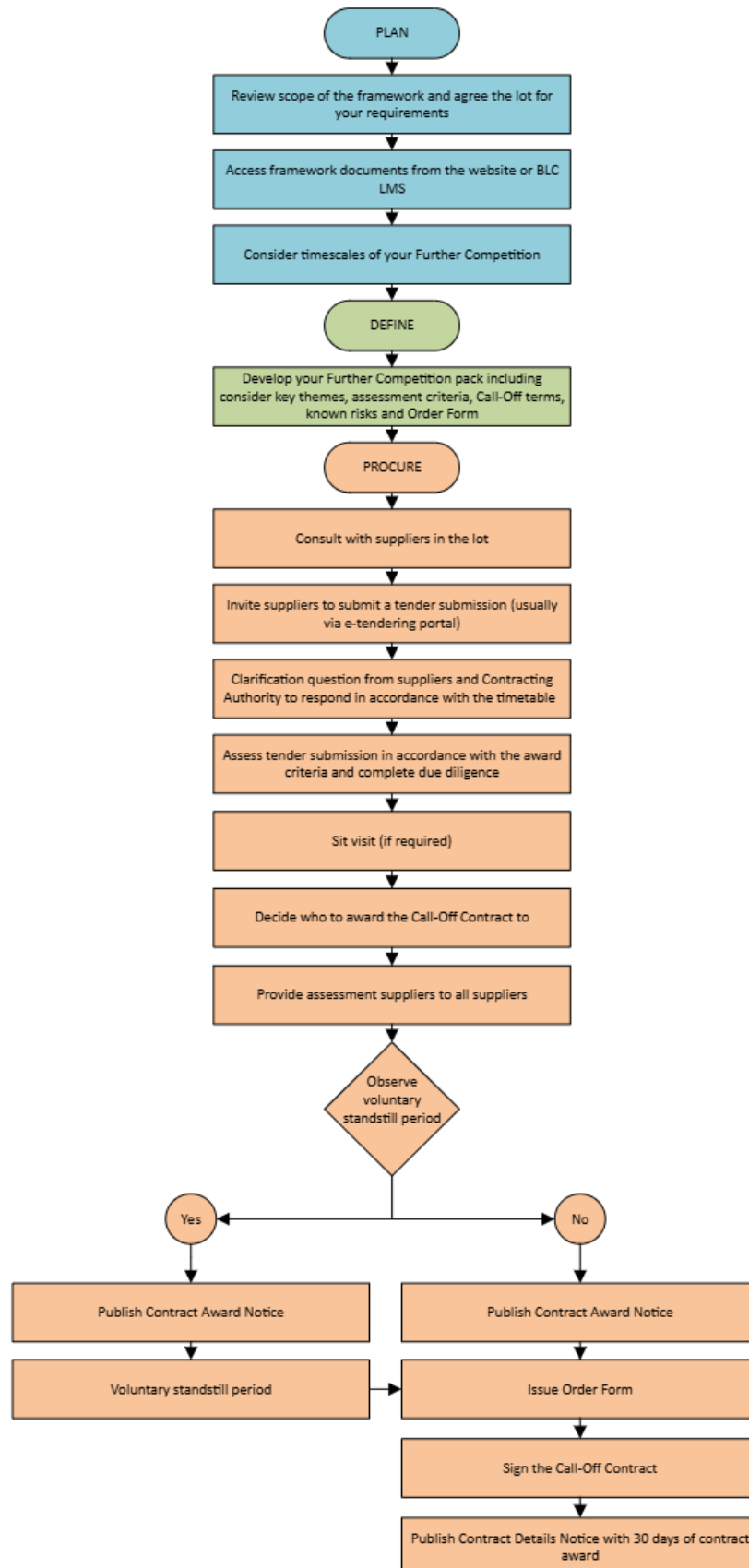
- state that the Goods and Services are to be supplied in accordance with the Framework DS478-24
- state the Goods and Services requirements
- state the charges payable for the Goods and Services
- state the delivery location and date
- incorporates the Terms and Conditions of the Call-Off Contract

Appendix A – NFCC Fleet Procurement Timescales

This document is developed as a simple guide to illustrate the key stages and timescales to consider in the NFCC fleet procurement planning process from identification of needs through to mobilisation. Timescales will vary considerably depending on extent of organisational changes, requirements, consultation requirements, internal governance, vehicle type, market and supplier capacity and also wider market conditions. However, the document is to assist FRS with advising on where there are agreed considerations and timescales that ensure the market and suppliers can respond to the requirements and to ensure FRS secure response to tenders, competition and therefore demonstrate best value.



Appendix B – Flowchart for Further Competition



Appendix C – Example Questions for Further Competitions

Category	Subject	Question
Technical	Chassis	Please provide details of the proposed chassis and engine and provide technical documentation from the chassis manufacturer to support your response. Your response shall include, but not limited to: • A description on the proposed chassis and engine selected • The chassis considered, the reasons for selecting the chassis detailed within your response and how did you make the chassis decision • Technical documents from the chassis manufacturer including information on the engine
Technical	Access for Maintenance	Please provide a response detailing access to major components and safety features relating to cab and engine maintenance and station daily checks. Your response shall include, but not limited to: • A description of the major components and safety features and how they are accessed by technicians including oil checks and refill, cab tilt mechanism, cab props, safety guidance signs and axle stand brackets • Information on how station daily checks will be completed.
Technical	Bodywork and Stowage	Please provide a technical schematic and detailed description of the full laden Appliance. Your response shall include, but not limited to: (a) A technical schematic with calculations for the total weight of the fully laden Appliance, including water, fuel, other fluids, equipment, and crew. The calculation shall show the axle loadings and demonstrate whether it exceeds 95% of the permitted axle loading and Gross Vehicle Weight. (b) Complete the table below providing the overall dimensions of the completed Appliance, the approach angle, departure angle, angle of scope, ground clearance and turning circle that meets BS EN 1846.
Technical	Body Construction	Please provide a detailed response and any technical documents on the materials and components used in the construction of the Appliance body. Your response shall include, but not limited to: • Weight of the body • Configuration • Durability

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		• Ease of repair and maintenance • Use of high-quality materials and components for extended life and reduction of maintenance/replacement.
Non-Technical	Delivery	Please provide a project and production plan which shall, as a minimum cover: a) the implementation of contract, from award of contract, including pre-build meeting, activities, review meetings, key milestones, timescales, resources, and communications b) production schedule, telnet surveys and inspections, date(s) for Authority equipment to be provided, stage inspections, stage payments, VCA/Eteel or equivalent assessment, PDI, confirmed and agreed delivery schedule.
Non-Technical	After Sales	Please provide a detailed response on your after-sales support. The response shall include, but not be limited to: • your (chassis manufacturer, installed equipment manufacturer, software provider etc.) after-sales support services • your third party (chassis manufacturer, installed equipment manufacturer, software provider etc.) after-sales support services.
Non-Technical	Operators Training	Please provide a detailed response on the training course(s) to be provided to the Authority's operational trainers, including duration of course, locations, maximum number of attendees, overview of course content and training materials, the qualifications and experience of personnel delivering the training and period that certification is valid.
Social Value	Carbon Emissions	How will you consider the lifetime energy consumption and environmental impact of any vehicle supplied via the Call-Off Contract? Your organisation shall address the complete cycle of a vehicle, to include design, build, delivery and full life cycle of the vehicle (to include operational usage, service and maintenance and end of life disposal). The response shall include, but not be limited to: • Air pollution (to include CO2 emissions) • Fuel • Noise emissions • Hazardous chemicals (to include in the paint work and tyres)

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		• Recyclability and reuse • End of life disposal including the recycling processes.
Social Value	Equality, Diversity and Inclusion	Please provide a narrative response detailing how the differing needs of Appliance operators and technicians are identified, considered and incorporated into the design and build of the Appliance. The response shall include, but not be limited to: • Impact Assessments • Manual handling • Ergonomics • Visual designs.