

Example Contract Clauses

Example procurement clauses:

Procurement strategy:

Ensure all your documents refer to the CLOCS Standard. For example, state that *'all contracts requiring delivery and servicing activity by road will comply with the requirements of the CLOCS Standard.'*

Pre-Qualification Questionnaire (PQQ), Selection Questionnaire (SQ) or Suitability Assessment Questionnaire) SAQ template

To ensure that tenderers are aware of your CLOCS requirements at the earliest stage, include a preamble in your SQ template for example:

[ORGANISATION NAME] aims to promote safe and efficient site operations and associated fleet operations within our organisation's supply chain and in vehicle movements relating to our project and servicing our sites. We are committed to CLOCS and you are also required to comply with the CLOCS Standard as part of your contractual requirements on this project. This includes ensuring that all your own and third-party transport providers used to deliver this contract in all tiers of the supply chain also comply with the CLOCS Standard.

Explicitly, all transport providers shall present acceptable evidence that they meet the requirements described as Silver in the FORS Standard; they should also immediately notify their customer of all collisions (on associated journeys as defined by the client that involve personal injury or death) such that the principal contractor and/or client are also notified as soon as practicable.

Specific questions should then be added to your PQQ, or SQ template in a 'restricted procedure' or SAQ in an 'open procedure'. The aim of the questions should be to set out clearly what you expect of the candidates / tenderers and the evidence that is required to demonstrate their capability. For example:

CLOCS site monitoring scores, CLOCS Champion status, evidence of their managerial and supervisory capability by way of a project record. Failing this, candidates should be required to confirm that they and their entire supply chain will fully comply with the CLOCS Standard within 90 days of contract commencement.

If a structured supply chain review demonstrates that your suppliers are not yet able to meet the requirements of the CLOCS Standard, then you must give notice that compliance will be required within 6 months of advising them to do so, and clearly communicate what needs to be achieved if they wish to continue to win your work.

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Invitation to tender (ITT)

Ensure your ITT template includes reference to the CLOCS Standard, for example:

'Specific requirements relating to the CLOCS Standard: will be specified in the works information or as a condition of contract'.

A statement like the following should be included in the ITT:

The CLOCS Standard has been developed with the aim of reducing the risk of a collision between commercial vehicles in the construction sector and vulnerable road users such as cyclists and pedestrians. On execution of this contract / appointment to this Framework Agreement, the successful bidder / supplier /service provider shall implement the requirements of the CLOCS Standard ensuring that compliance is achieved within 90 days of appointment or contract commencement, whichever is earliest. The successful bidder shall also ensure that all site operations comply with the CLOCS Standard and associated third party transport providers in all tiers of the supply chain used to deliver this contract (unless specifically exempted) present acceptable evidence that they meet the requirements described as Silver in the FORS Standard; they should also immediately notify their customer of all collisions (on associated journeys as defined by the client that involve personal injury or death) such that the principal contractor and/or client are also notified as soon as practicable.

Specific requirements relating to road safety will be specified in the works information and/or as a condition of contract. The requirements are summarised here...

These could clarify scope, timescale, evidence etc. but must operate within the remit of the CLOCS Standard.

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For the purposes of clauses (numbers) of this contract, the following expressions shall have the following meanings:

Expression	Meaning
CLOCS	Construction Logistics and Community Safety www.clocs.org.uk
CLOCS Standard	The CLOCS Standard is a national industry standard. It defines the primary requirements placed upon the key stakeholders associated with a construction project and places responsibilities and duties on the regulator, the client, the principal contractor controlling the construction site and the supply chain including the operator of any road-going vehicles servicing that project. The specific requirements are described at www.clocs.org.uk/page/clocs-standard
CLOCS Champion	A CLOCS Champion has co-invested in the programme and is responsible for actively implementing and ensuring compliance to the requirements within the CLOCS Standard. Where it is not possible to actively implement the CLOCS Standard straight away, the CLOCS Champion is responsible for communicating the organisation's intentions to implement together with related timescales and a dedicated point of contact. www.clocs.org.uk/page/Membership
CLOCS site monitoring	To help Champions understand and improve site compliance and consequent safety, CLOCS Site Monitoring has been developed in partnership with CLOCS partners Considerate Constructors Scheme (CCS). www.clocs.org.uk/page/site_monitoring
FORS	The Fleet Operator Recognition Scheme, which is an accreditation scheme for businesses operating all vehicle types of fleets. It offers impartial, independent advice and guidance to motivate companies to improve their compliance with relevant laws and their environmental, social and economic performance. The requirements of the FORS Standard, described at: www.fors-online.org.uk
FORS Silver level	Intermediate level of accreditation within the FORS Standard, the requirements of which are aligned to the CLOCS Standard and more particularly described at: www.fors-online.org.uk