

## EVALUATION REGARDING THE COLLECTION OF SUSTAINABLE CRITERIA AND PRACTICES IN THE REFERENCE TERMS OF FEDERAL CONTRACTS FOR INSECT CONTROL SERVICES IN THE FISCAL YEAR 2018, THE YEAR AFTER IN NO. 05/2017 CAME INTO EFFECT

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### ABSTRACT

**Highlights:** For a long time, sustainability has been more present in contracting services in public tenders, especially those issued by agencies that are part of the federal government. This is because the government has, as its primary function, the characteristic of boosting, even if indirectly, social development without damaging the environment, thus ensuring better living conditions for Brazilian citizens. **Aim:** Therefore, this study aimed to evaluate the collection of sustainable criteria and practices in the reference terms of federal contracts for insect control services in 2018—the year immediately following the year of the effectiveness of IN No. 05/2017—and, thus, verify whether, in fact, the federal public agents, who are responsible for preparing the bidding artifacts, are observing the new guidelines contained in the models of the Office of the Federal Attorney's Office (AGU) to ensure sustainable development when performing the services. **Design/Methodology/Approach:** As a design to obtain the information for analysis, the following variables were adopted regarding pest control services to enter and obtain data on the website of the Federal Government Price Panel: Year of Purchase (2018), Material/Service Code (3417), Description (Disinsectization, Deratization, and Fumigation), Unit of Supply (M2, M<sup>2</sup>, and SQUARE METER), Mode of Purchase (Auction), and Sphere (Federal). From then on, based on the definition of the data designed for the research, the methodology used to carry out the research was to enter this information into the website and generate a report containing several calls for tender, which were analyzed one by one concerning the charging of sustainable criteria and practices as requirements for contracting. **Practical Implications:** From this, it was possible to verify how aligned public agents are with the propositions and recommendations existing in the models of reference terms proposed by AGU. **Originality/value:** As the purpose of this article is to analyze how much the collection of sustainability criteria and practices was present as requirements for contracting in the reference terms in the year after IN No. 05/2017 came into effect, this article contributed to verifying how much the public agents responsible for the call for tenders were aligned with what was proposed in the models available from the Federal Attorney's Office. **Research limitations:** The analysis of the reference terms was limited to the bidding documents of the federal sphere since these bidding instruments are commonly analyzed by federal attorneys working in the Federal Attorney's Office, who provide advisory services to the organs of the administration. **Conclusion:** 74.4% of the calls for tender for hiring pest control services in 2018 included sustainability criteria and practices as requirements, according to the AGU model. Thus, it is considered that this index is below expectations since it is the government's role to prioritize the proper management of contracted services based on environmental preservation.

**Keywords:** Sustainability; Hiring; Services; Tenders; Government.

## INTRODUCTION

### Initial considerations about sustainability and sustainable development

Going back approximately fifty years in the timeline, according to Portillo (2018), several studies conducted at that time start pointing to the issue of the environmental impact of exponential growth, not only of population but also of other factors such as industrial production. Considered the core example of this strand, the report “The Limits to Growth,” prepared by the Club of Rome and published in 1972, considered that if the growth trends of five factors—world population, agricultural production, exhaustion of natural resources, industrial production, and pollution—were maintained, the limits of the planet’s growth would be reached within a hundred years.

Several other manifestations originated with the Club of Rome, including the emergence of the concept of sustainable development through the International Union for Nature Conservation in the 1980s.

The term “sustainable development” was first formalized in the Brundtland Report. Thus, we dare say that the initial step that led most private and public entities and corporations to be concerned with the rationalization of resources and the reduction of environmental impacts occurred with the introduction of the concept of sustainability outlined by the Commission on Environment and Development through the Brundtland Report, entitled *Our Common Future: “Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”*

Then, how could the word “sustainability” be defined? Are sustainability and sustainable development the same thing?

According to Boff, Fortes, and Morais (2013), sustainability is the buzzword. Everything sustainable has added value, including economic value. It is closely linked to “political correctness.” Companies, governments, and people need to adopt sustainable ways. Then what is sustainability, after all?

According to Teixeira (2004), the word “sustainable” can express something “capable of remaining more or less constant or stable for a long time. On the other hand, “sustainability,” in its primary definition, can be understood as a quality of “sustainable.” In the early 1980s, Lester Brown, founder of the Worldwatch Institute and current president of the Earth Policy Institute, introduced a

new concept of sustainability based on the vision that a sustainable community would be one capable of meeting its own needs without reducing the opportunities of future generations.

According to Diwekar *et al.* (2021), the concept of sustainability is related to sustainable development, but the two are different. Sustainability is about ensuring the Earth can meet the material and energy needs to support complex systems, including humanity, in the long term. Sustainable development provides a vision of how human society could develop sustainably and places a greater focus on social dimensions such as intergenerational equity. Sustainability is thus a basic concept geared toward making the survival of civilized human existence on Earth viable.

On the other hand, sustainable development is a global challenge within local diversity, capacity, and contingency, including intergenerational and international dimensions, acting here and now to ensure conditions for a high and decent quality of life in other places and future generations.

Teixeira (2004) states that when we refer to the environmental issue, we understand the words “sustainable” and “sustainability” and the expression “sustainable development” as ways of expressing our convictions and concerns about the relationship we have today with natural resources and what will result from this relationship for the next generations.

Boff (2016) considers that “sustainability is, in ecological terms, everything we do so that an ecosystem does not decay and collapse. For the author, it is possible to prevent a system from collapsing by creating some sustainability expedients, such as, for example, planting trees on mountain slopes, which serve as support against erosion and landslides.

Thus, sustainability can be understood as the use of materials existing today consciously and appropriately so that they will not be lacking tomorrow, that is, the use of resources, such as environmental, social, political, technological, and legal, without harming future generations.

Likewise, Teixeira (2004) also informs us that the expression “sustainable development” is subject to several interpretations and that thoughts and currents in the environmental and economic areas believe that the words “development” and “sustainable” would be incompatible in an attempt to convey a joint idea because they are, theoretically, contradictory regarding human evolution and environmental preservation or conservation.

Bittencourt (2014) points out that the definition of sustainable development was ratified later by the United Nations Conference in 1992 and that this event was an important milestone because it is considered the precursor of the proposition of measures aimed at sustainable development with the preservation of the environment and the careful use of natural resources.

Still, according to Portillo (2018), despite having a strong influence on international environmentalist thought, the sustainable development proposal was quickly incorporated by environmentalists into various trends. Despite ambiguities and disagreements, the political-ideological force of the term increasingly gained evidence until, in the late 1980s, it was adopted mainly as a business management style.

Another relevant approach is the contribution made by the Factor 10 Club. According to Wizaäcker, Lovins, and Lovins (1998), the Factor 10 Club, a group of prominent environmental experts, declared that a tenfold improvement in material and energy productivity in industrialized countries is both possible in the next thirty to forty years and necessary for sustainable and equitable development in the world. This has stimulated governmental and intergovernmental organizations to think seriously about the need for radical changes in consumption and has provoked a debate about the feasibility of such efficiency improvements and their potential environmental and economic impacts.

Thus, it should be noted that private and public entities have been becoming more concerned and zealous about sustainable aspects in their hiring and the performance of their activities and, consequently, about sustainable consumption.

As the United Nations General Assembly's final document, "The Future We Want," highlights, it is crucial that governments take a leadership role in developing policies and strategies through an inclusive and transparent process in support of sustainable development. According to the UNEP document "Towards a Green Economy: Pathways to Sustainable Development and Poverty Eradication," government procurement represents a large proportion of total public spending in developed and developing countries.

Thus, according to Alves (2016), the government plays a relevant role in markets, given its power to create and regulate laws. Therefore, introducing sustainability in procurement by the federal government in Brazil would be no different.

Therefore, considering that the government's main role is to promote policies favoring sustainable development, it is understood that one of its main tasks, in terms of public contracting, would be to demand sustainability criteria and practices in its competitions, aiming to ensure better resource use and generate lower environmental impacts.

### **The evolution of legislation toward sustainability**

Regarding national legislation, Fiorillo (2009) states that since the publication of Law No. 4.717 of June 29, 1965, which regulated popular action, the defense of meta-individual rights has been contemplated. Other laws followed, such as Law No. 6938 of August 31, 1981, which provides for the National Environmental Policy, its purposes and mechanisms for formulation and implementation, and other provisions, and Law No. 7347 of July 24, 1985, which regulates the Public Civil Action for liability for damage caused to the environment, the consumer, goods, and rights of artistic, aesthetic, historical, tourist, and landscape value, and other provisions.

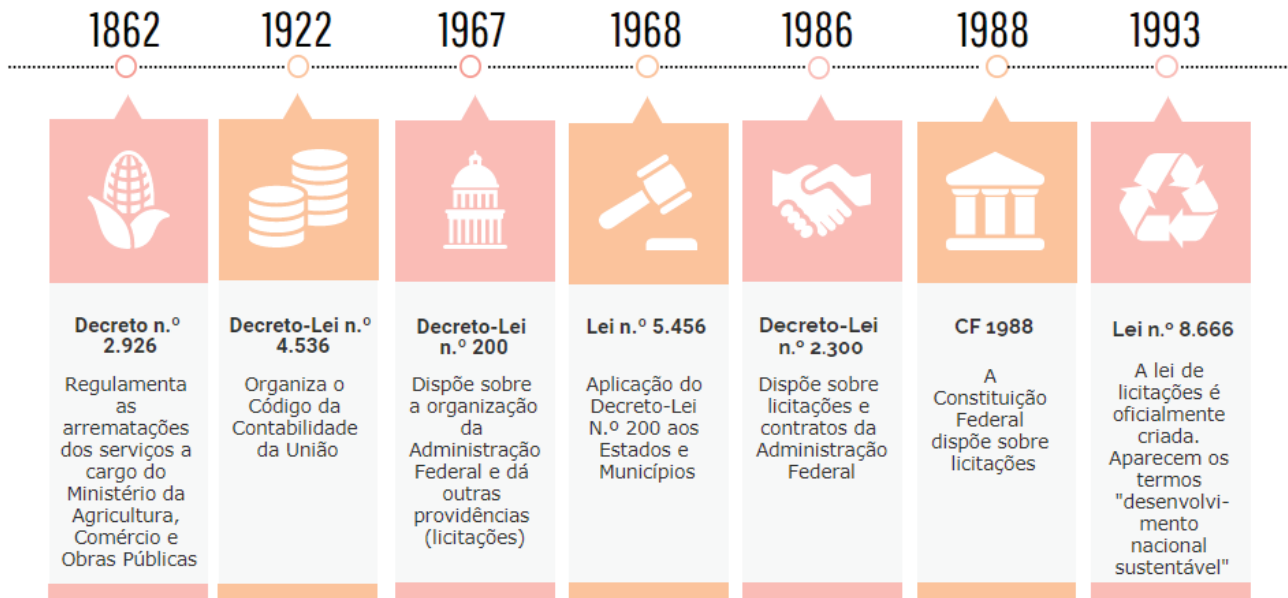
According to Baumgarten (2008), the 1988 Constitution, as far as environmental issues are concerned, is directly articulated in the Brundtland Report, just as the United Nations Conference on Environment and Development (Rio 92) and Agenda 21 are also developments of the work of the Commission led by Gro Brundtland.

As sustainability has become increasingly present in the Federal Government's day-to-day contracting activities, and considering that the materialization of decisions and needs in the Public Administration occurs through the registration of its acts through the issuing of norms, sustainability has evolved in its importance through its presence and requirement in its legal norms (decrees, laws, normative instructions, etc.).

In terms of the legislation inherent to federal contracting, Fortes Junior (2017) reports that the bidding institute in Brazilian history took place as presented in the sequence contained in **Figure 1** below.

It is noticeable that the terms "sustainable national development" appear in the very famous and important bidding law (Law No. 8,666/93) for contracting engineering works and services.

With the enactment of Decree No. 3,555 of August 8, 2000, the regulations for the type of bidding called "*pregão*" (open tender) for the acquisition of common goods and services were approved. With this decree, the public administration started to include more services—the so-



**Figure 1.** A Brief History of Bidding in Brazil

Legend: 862 - Decree No. 2.926; Regulates the auctioning of services under the responsibility of the Ministry of Agriculture, Commerce, and Public Works; 1922 - Decree-Law No. 4.536; Organizes the Union's Accounting Code; 1967 - Decree-Law No. 200; Regulates the organization of the Federal Administration and makes other provisions (bidding); 1968 - Law No. 5.456; Application of Decree-Law No. 200 to the States and Municipalities; 1986 - Decree-Law No. 2.300; Regulates the bids and contracts of the Federal Administration; 1988 - CF 1988; The Federal Constitution regulates public bids; 1993 - Law No. 8.666; The public bids law is officially created. The terms "sustainable national development" appear.

Source: Adapted from Fortes Júnior (2017)

-called common ones—to be contracted. However, this decree referred to face-to-face public bids, in which the participants had to be present to bid and act throughout the bidding.

Later came Law 10,520 of July 17, 2002, which instituted the public tender, and Decree No. 5,450, of May 31, 2005, which established the public tender in electronic form. Under the electronic form, the Federal Government intended with the creation of the law and the decree to cover the largest possible number of companies participating in the bidding process to obtain more advantageous prices.

In addition to the abovementioned, Andrade (2009) informs that one of the correlated principles brought by Law 10,520/02 was that of environmental sustainability, in which the possibility of the environmental impact of the product or service to be acquired must always be verified. Thus, in the case of bids and services or products that cause environmental impact, the protection standards must be sought and inserted in the calls for bids to have a bid that observes the precepts of protection of our environment.

It should be added that the so-called normative instructions came with the objective of standardizing the means and requirements for contracting. Thus, the evolution of normative instructions within the scope of the Federal Government took place as described in the sequence below over time:

1. Normative Instruction No. 13 of October 30, 1996 (Ministry of Federal Administration and State Reform, MARE);
2. Normative Instruction No. 18 of December 22, 1997 (Ministry of Federal Administration and State Reform, MARE);
3. Normative Instruction No. 02 of April 30, 2008 (Ministry of Planning, Budget, and Management); and
4. Normative Instruction No. 05 of May 26, 2017 (Ministry of Planning, Development, and Management)

Based on the legislation above, which guides the hiring of certain common services, the term "sustainabi-

lity” only appears significantly in Normative Instruction No. 02/2008, as transcribed below:

*Art. 42. The Basic Project must be included in the contracting of cleaning and conservation services, in addition to the other requirements outlined in this normative instruction:*

*III – environmental sustainability requirements in the execution of the service, as set forth in Annex V of this normative instruction.*

A little further ahead, it is observed that a normative rule was dedicated with a focus on the issue of sustainability, called Normative Instruction No. 01 of January 19, 2010, published by the Secretariat of Logistics and Information Technology linked to the Ministry of Planning, Budget, and Management, whose amendment provides for the criteria of environmental sustainability in the acquisition of goods, contracting services, or works by the direct federal public administration, autonomous and foundational, and other provisions.

Thus, the various instructions—the evolution of the abovementioned standards—have allowed the Reference Terms to have virtually the same formation and, therefore, the same structure (objectives, justifications, obligations, requirements, etc.). This is evident in the templates available on the website of the Office of the Federal Attorney’s Office (AGU) for the segments that are intended to be contracted: non-continuous services (*pregão*), continuous services without exclusive labor, continuous services with exclusive labor, building maintenance services, etc.

Given the above, we can take advantage of what Lemos, Santos, and Quelhas (2006) cite concerning the improvement in the application and collection of the sustainability obligation:

*All of us—governments, businessmen, non-governmental organizations, and civil society in general—are responsible for the changes needed to begin the transition toward sustainable development.*

Continuing the discussion, the collection of sustainability criteria and practices is now included in item 5 “Contracting Requirements” of the templates available for download from the AGU website, which serve as a parameter for hiring services required by the Public Administration, which is bound by law to the federal government. This proves that a movement towards contracting services is concerned with sustainable development.

Considering that the application of sustainable practices and criteria has been established and consolidated over time through its presence in various legal norms (laws, decrees, instructions, etc.), resulting in the insertion of the item “Sustainability Criteria and Practices” as a “Contracting Requirement” in the model Reference Terms of the Federal Attorney’s Office (AGU), and considering that the effectiveness of the new Normative Instruction No. 5/2017 occurred 120 days after the date of its publication, i.e, in the fourth quarter of 2017—ideal period for government agencies to adapt to the new guidelines—and also considering this author’s professional experience as a public agent for over seventeen years responsible for developing specific bidding artifacts for hiring continuous services without dedicating exclusive labor for insecticide services (pest and vector control), whose nature classifies them as of high polluting power to the environment, this study sought to verify the behavior of the collection of criteria by the federal public authorities.

## AIM

This study aims to evaluate the use of sustainable criteria and practices in the reference terms of federal contracts for pest control services in the 2018 fiscal year—a year just after the year in which the Normative Instruction No. 05/2017 became effective—and thus verify whether the federal public agents responsible for preparing the bidding artifacts are observing the new guidelines contained in the AGU models to ensure sustainable development when performing the services.

## LITERATURE REVIEW

### Reference term

According to Andrade (2009), as in the case of the basic project, before holding the reverse auction in any of its forms, the requesting sector must prepare the reference term with a precise, sufficient, and clear indication of the object, and specifications that, by being excessive, irrelevant, or unnecessary, limit or frustrate the competition or its execution must be forbidden.

Decree 3.555, of August 8, 2000, establishes in its article 8th, clause II:

*II – The term of reference is the document that must contain elements capable of propitiating the cost evaluation by the administration before a detailed budget,*



*considering the prices practiced in the market, the definition of the methods, the procurement strategy, and the contract execution term.*

Decree No. 5.450, of May 31, 2005, states that:

*Paragraph 2 – The reference term is the document that must contain elements capable of propitiating the cost evaluation by the administration in the face of a detailed budget, definition of methods, supply strategy, estimated value in spreadsheets according to the market price, physical and financial schedule, if this is the case, criteria for the acceptance of the object, contractor's and contracting party's duties, procedures for the inspection and management of the contract, term of execution, and sanctions in a clear, concise, and objective manner.*

As exposed, the contracting elements should be contemplated in the reference term. As well as the others, the collection of sustainability requirements is necessary.

### Auction and common services

According to Gasparini (2009), the public tender procedure in any of the administrative spheres will always be restricted to the acquisition of common goods or the contracting of common services. The sole paragraph of Article 1 of the Federal Auction Law establishes the following: "For the purposes and effects of this article, common goods and services are those whose standards of performance and quality can be objectively defined by the bid invitation, through usual specifications in the market. This definition, along with the one consigned by the previous provisional measures, does not suffice, and this is so true that Federal Decree No. 3,555 of 2000 includes an illustrative list of common goods and services in its Annex II.

Rodrigues (2003), with support from Silvio M. Marcondes Machado, states that "goods are things that, because they are useful and rare, are susceptible of appropriation and contain economic value." The Federal Law of Public Bids and Contracts, in Subsection II of Article 6, describes a service as any activity aimed at obtaining a certain utility of interest to the Administration. These things must be common to be the object of a public tender (*pregão*).

After relevant considerations on this topic, Justen Filho (2013) defines a common good or service as "that which presents itself under identity and standardized characteristics, and that is available at any time in its own market." Gasparini (2009) also states that it seems that whenever the good or service desired by the public administration is identifiable by the usual market name,

it is a common good or service. With this characteristic, we can include, among other goods, mineral water, gasoline, bottled gas, fuel oil, a ballpoint pen, and lined foolscap paper. In turn, these examples are common services: cleaning public toilets, painting street signs, typing a book manuscript, and transporting valuables.

In all these examples, nothing else is required for the qualification of the good or service as common but the usual name of the market. The market must naturally be the medium or sector of the economy where the good or service is available to the interested party and is known by name to all active in it. Although at first glance it may seem strange, it must be said that structurally complex goods, such as a desktop microcomputer, a television, or a refrigerator, should be considered so if, by their name, model, and technical specifications, they can be easily identified in the respective computer and household appliance markets. Therefore, the notion of common does not lie in the simple structure of the good, nor is the complex structure sufficient reason to deprive the good of its qualification as a common good.

Lastly, the federal court of auditors (TCU, 2010) informs us that common goods and services are products whose choice can be made solely based on the prices offered since they are comparable to each other and do not require detailed evaluation. They are easily found on the market.

The good or service will be common when it is possible to establish, for the purpose of judging the proposals, through specifications used in the market, standards of quality and performance peculiar to the object.

### Thus, summarizing what the TCU establishes:

*Common goods and services are those whose standards of performance and quality can be objectively defined in the bid invitation through specifications usually practiced in the market. Common goods and services are offered by many suppliers, and are easily comparable to each other.*

### Disinsectization service

Regarding the type of service chosen for the analysis contained in this article, we thought it more appropriate to use insecticide removal because it deals with sanitary issues, as shown in item 5.5 of Ordinance No. 09 of November 16, 2000, of the National Health Surveillance Agency (ANVISA), where it is essential to pay attention to sustainability issues given the impacts that can occur

when practiced in an erroneous way of execution, i.e., without any sustainability criteria to be respected.

### The Service Catalog (CATSER)

According to the Federal Government Purchasing Portal, the System of Information and Administration of General Services (SIASG) is the system in which the Federal Government's purchasing is operationalized, and it is done in several modules:

- Catalog of materials and services (CATMAT/CATSER);
- Bid Registration and Disclosure (SIDEDEC, Disclosure);
- Intentions of price registers (IRP);
- Registration of suppliers (SICAF);
- Bidding (Government Procurement, Public Session, RDC);
- Bidding results (SISPP, SISRP);
- Payment commitments (SISME);
- Registration and management of contracts (SICON).

The availability of government procurement data is a commitment signed by the Brazilian government in the Open Government Partnership (OGP). The government is committed to promoting transparency in public spending, providing value-added information to society, and stimulating research and technological innovation through the implementation of Brazil's open data policy.

Providing data as a government service has advantages for all of society, including the government. The Ministry of Planning, Development, and Management is saving resources by publishing this information on the internet. The SIASG keeps track of purchases and contracts signed by the Executive Branch of the Federal Public Administration.

Since the Federal Government Purchasing Portal features the SIASG and the CATSER is one of its elements, Normative Instruction No. 2 of August 16, 2011, in its article 3, establishes that the Catalogue of Services (CATSER) must be used for cataloging the services contracted by the Federal Public Administration, covering the identification, description, and classification of services ac-

cording to desired performance standards, according to criteria adopted by the United Nations (UN).

In the Federal Government Service Catalog (CATSER), the desinsectization service has the following characteristics:

- I. Service: 00000341-7;
- II. Status: Active;
- III. Suspended: No;
- IV. Exclusive Purchasing Center: No;
- V. CPC Code: 943 - Sanitation and Similar Services;
- VI. Unit of measure: UN, UNIT, MONTH, MONTHS, M2, or SQUARE METER.

Thus, through CATSER, it was possible to obtain the information that will serve as a basis for the research and, consequently, the various federal procurements whose reference terms can be analyzed concerning the collection of sustainability criteria and practices, as recommended in the model of the Federal Attorney's Office and the rules in force.

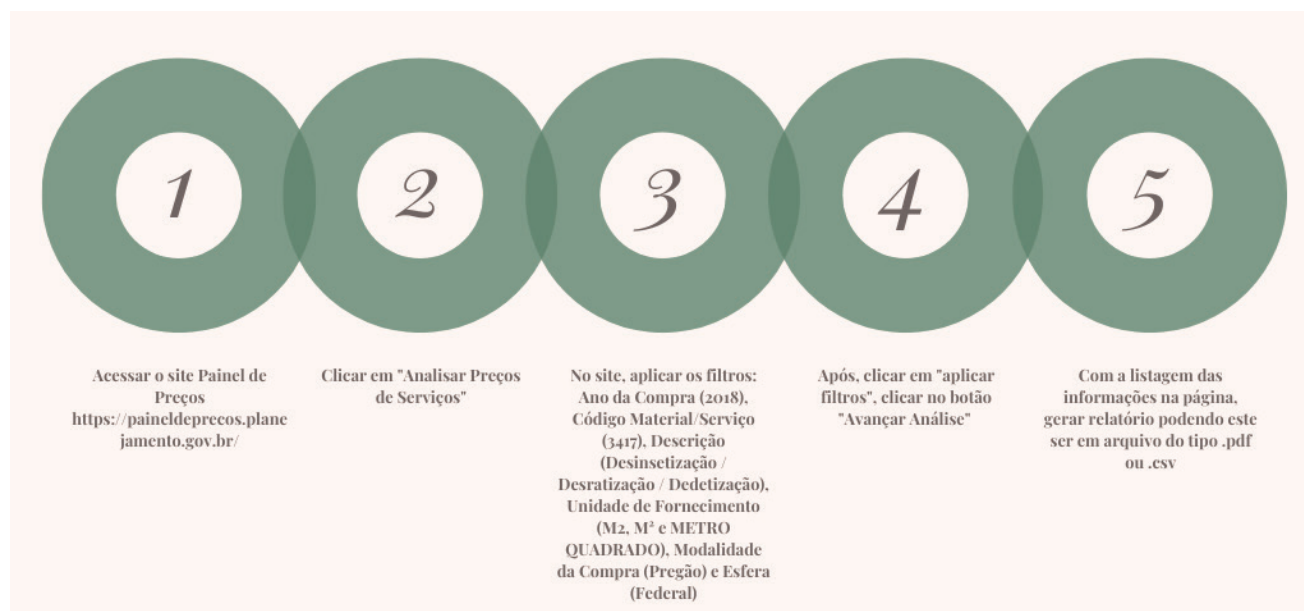
### Price Panel

According to the Manual of the Price Panel of the Ministry of Planning, Development, and Management (MP), the Price Panel, developed by the staff of the Secretariat of Management (SEGES), makes available in a friendly manner data and information on public purchases approved in the Integrated System of Administration of General Services (SIASG) and COMPRASNET, aimed at assisting public managers in making decisions about the purchase processes, providing transparency to the prices charged by the Administration, and stimulating social control.

Thus, to obtain the analysis data, it is essential to follow the step-by-step recommended by the manual, as shown in **Figure 2**.

### The New Purchasing Portal

The New Portal for Public Procurement is a restructuring of the Federal Government Procurement Portal with a modern, dynamic, and logical vision, in addition to presenting the publication of content related to the government procurement process. The portal establishes an improvement in the presentation of information and



**Figure 2.** Flow for obtaining the edits for analysis

Legend: 1 - Access the Price Panel site <https://paineldepocos.planejamento.gov.br/>; 2 - Click on "Analyze Services Prices"; 3 - On the Site, apply the filters: Year of Purchase (2018). Material/Service Code (3417). Description (Disinsectization, Deratization, and Fumigation). Unit of Supply (M2, M<sup>2</sup>, and SQUARE METER). Modality of Purchase (Public Tender) and (Federal) Sphere; 4 - After clicking on "apply filters", click on the button "Forward Analysis"; 5 - After listing the information on the page, generate the report, which can be a .pdf or .csv file

Source: Price Panel Manual (2018)

guidance to users with the division by profile. Interactively and dynamically, it standardizes the communication channel between the public administration, suppliers, and society, besides performing knowledge and communication management.

Some news from the Portal:

- Renewed visual identity;
- Exclusive space for dissemination of the actions of the Purchasing Center;
- Highlighted area for disclosing the National Electronic Process and the SEI;
- Publication of the SISG Governance Reference;
- Greater emphasis on sustainability actions;
- Access to Information Panels and public procurement systems.

From the New Portal for Procurement, it is possible to obtain the tender notices that contain the reference terms for verification regarding the collection of criteria and requirements related to sustainability. Therefore,

with the following data: bid number, modality (public tender), and UASG code, it is possible to obtain the file containing the object of study regarding sustainability.

## METHOD

To carry out the research and obtain the data for this article the following steps were established: determining the service to be analyzed by consulting the service code in the CATSER system and its respective supply units; establishing the year for the analysis; and choosing the bidding modality and scope; inserting the variables in the Price Panel site and generating a report containing the bids to be analyzed; searching for and downloading the bidding documents from the Federal Government websites; and finally, analyzing the downloaded bidding documents files to verify whether the reference; and finally, analyzing the downloaded tender files to verify whether the terms of reference included sustainability criteria and practices as requirements for the contracting process.

Having briefly described the steps, the first can be described as defining variables (in which a service with high polluting potential and with more common supply units for contracting was sought), year (year immedia-



tely after the effectiveness of the normative instruction No. 05/2017), and (federal) sphere and bidding modality (public tender, in which it is mandatory, on the part of the public administration, to include the reference term in the Price Panel system). The second step was to insert the study variables in the Prices Panel website to generate a .csv-type report showing the General Services Administration Units (UASGs) of each agency belonging to the Federal Government and the purchase identification, modality, federal agency, and purchase date. As mentioned above, the third step was to download the zipped files of the bidding documents directly from the government procurement websites. The last step dealt with the analysis of each bid notice aimed at evidencing the inclusion of sustainability criteria and, thus, verifying whether public agents and hiring managers were aligned with the guidelines presented in the reference-term models made available by the Federal Attorney's Office (AGU).

## RESULTS

With the variables discriminated in the method of this article, we proceeded to insert them on the website of the Federal Government Price Panel, obtaining, for the year 2018, ninety-seven purchases (auctions) for the consultation performed on May 22, 2019.

By way of information, the ninety-seven auctions analyzed are distributed as follows, by region, for 2018:

Source: Research data

Subsequently, based on the amount of data provided by the portal, the terms of reference were individually analyzed to highlight the collection of elements dealing with sustainability criteria and requirements.

Through thorough analysis of the content of each term of the ninety-seven purchases made by Federal Government entities, we found that eighty-six purchases, or 88.7% (eighty-eight point seven percent) of the approved procurements, used the model established by the Federal Attorney's Office (AGU) and complying with the provisions of Normative Instruction No. 05/2017. Since 88.7% of the public notices presented the model suggested by the AGU in their reference terms, it was expected that the totality of this percentage would cover the sustainability criteria and practices as requirements for hiring. However, proceeding with the individual analysis of each reference term, it was observed that 22 bidding edicts did not have the requirements recommended by the models.

Thus, in an overview of eighty-six contracts for insect control services, 25.6% of the contracts did not cover the collection of sustainability criteria and practices in the reference terms, and 74.4% of the calls for tender did, as shown in the following graph.

Source: Research data

As can be seen in the figure, approximately a quarter of the auctions analyzed did not have or adopt sustainability criteria in their reference terms for procurement.

## CONCLUSION AND RECOMMENDATIONS

As the government aims at guiding the actions towards sustainability practices and, consequently, towards the environment's defense, the collection of sustainability criteria and practices in the bidding instruments is a matter that must be addressed and considered by all managers and public agents who are directly or indirectly involved in the hiring of services required for the conservation and maintenance of public assets, especially with services that have a high potential for environmental aggression.

With respect to the percentage of 74.4% evidenced regarding the collection of sustainability criteria and practices for the public notices referring to the 2018 fiscal year, considering the recommendations of the new Normative Instruction No. 05/2017 and the models prepared by the AGU, this value is considered unsatisfactory since the availability of models of terms of reference by the Attorney's Office immediately after the effectiveness of the before mentioned 2017 normative instruction worked in the sense that the Federal Government would act as a guideline for the application of sustainable practices in its hiring.

Moreover, as a recommendation to promote the achievement of 100% as regards the inclusion of sustainability criteria and practices in the bidding documents to be published, although we are aware that the proposals set out here are not unique and are therefore limited, we believe that adopting the practices described below will contribute to this achievement and, thus, ensure that companies hired by the Federal Government can be managed in terms of sustainability:

List and discriminate, through a system or tool to be made available in the catalogs of public administration services, the services that have characteristics with a high probability of impact on the environment;

Once the potential services have been identified, the Reference Terms prepared by AGU must include the minimum and necessary criteria and practices to ensure that the execution is carried out considering sustainability;

Establish guidelines with good practices for contracting, considering sustainability criteria and practices in the bodies belonging to the Federal Government;

Promote the training and updating of public agents responsible for preparing bidding instruments, emphasizing the issues inherent to sustainability for the correct performance of their activities;

Guide the legal advisory bodies in their public notice analysis opinions to charge criteria and practices; and

Promote, through the use of technology, greater integration between government agencies to allow greater interaction and exchange of experience between those involved in terms of hiring with greater aggressive potential.

Finally, a deeper study is recommended, and it can be done for several services that have a polluting character, aiming to verify the representativeness of charging sustainability criteria in bids.

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