

# Social requirements in public civil engineering contracts

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To be defended at Room V:D, V-building, LTH, John Ericssons väg 1, Lund.  
Date 17<sup>th</sup> of January 2020 at 10.30.

*Faculty opponent*

Anders Vennström, Teknologie Doktor, Trafikverket

<b>Organization</b> LUND UNIVERSITY  Author: Agnes Lindell	<b>Document name: Social requirements in public civil engineering contracts</b>	
	<b>Date of issue: 2020-01-17</b>	
	Sponsoring organization: Trafikverket (The Swedish Transport Administration)	
<b>Title and subtitle:</b> Social requirements in public civil engineering contracts		
<b>Abstract</b>  <p>During the recent years there has been higher demands from the society to act social responsible and social sustainable. The Global Goals and the 2030 Agenda for Sustainable Development is an important part of this. Likewise, the European Commission's Pillar of Social Rights from 2017. In the civil engineering sector the focus on social considerations is apparent since large client organizations have involved social requirements in the construction contracts. Social requirements are stated in the in civil engineering contracts and this leads to that it is necessary to follow-up the social requirements. Social responsibility is not new in the academia perspective but still there is limited research related to the follow-up process in construction management and the civil engineering sector.</p> <p>By using a case study that includes three studies, this research explore the possibilities to follow-up social contractual requirements in the civil engineering sector. The Swedish Transport Administration as a client organization was chosen as case study organization. Interviews with procurement officers, document study of contract documents, interviews with project managers and document study of project documentation regarding social requirements from the client organization has been conducted and analysed.</p> <p>The research shows that implementation of the social requirements and the follow-up process is essential. Also, that there are guidelines to use but the knowledge of them and the knowledge of where to find them are limited in the client organization. Further, the definition of social requirements are clear according to the studied client organization. However, there are possibilities to include other requirements with aspects of social responsibility in the contracts. Lastly, it is not clear if there are any specialists of social requirements in the client organization that can support the procurement organization and the project organizations.</p>		
<b>Key words:</b> Social responsibility, CSR, Public procurement, construction projects, construction contracts, civil engineering industry		
Classification system and/or index terms (if any)		
Supplementary bibliographical information		<b>Language: English</b>
<b>ISSN and key title</b>		<b>ISBN</b>
Recipient's notes	<b>Number of pages</b>	Price
	Security classification	

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Date 2019-01-17

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ISBN 978-91-85257-22-5 (print)

ISBN 91-85257-22-2 (pdf)

ISSN 1651-0380

ISRNLUTVDG/TVBP--20/1052-SE

Printed in Lund University  
Lund 2019

# Acknowledgements

These recent three years has been a time filled with insights, knowledge, challenges and personal development for me. As an industrial PhD-student, there have been challenges to meet and join expectations from my employer and the academia but this has also been my driving force that gave me energy and meaning for the work. I am thankful for having the opportunity to work as an industrial PhD-student in this research project sponsored by the Swedish Transport Administration and for that, I especially would like to thank Stefan Olander at Lund University who initiated the arrangement and suggested me to the research project. Additionally, I would like to thank Ingela Olofsson Renström, my former manager at the Swedish Transport Administration, for letting me try this opportunity and thanks to Roger Rang as the officer of the research project at the Swedish Transport Administration.

Moreover, I want to thank Stefan Olander again, now as main supervisor, for guiding me through the studies and for helping me through the process. I would also like to thank Radhlinah Aulin as co-supervisor for being a part of my PhD-study. Furthermore, I would like to send my gratitude to all colleagues at the Division of Construction Management – you all create a warm and welcoming workplace.

Last but not least, all my love to those who make “the pillars of my life” standing strong. My family and friends – my great husband, wise mom, supporting dad, incredible brother and best friends – for supporting me through ups and downs, helping me to find new perspectives and giving me courage to try new things.

Malmö, 2th of January 2020

Agnes Lindell



# Table of Contents

<b>Introduction .....</b>	<b>9</b>
Background.....	9
Problem formulation.....	11
Limitations.....	11
The author’s frame of reference .....	11
Structure of the thesis .....	12
Appended papers.....	12
Scientific papers appended to this thesis .....	12
Paper I .....	13
Paper II .....	14
Paper III.....	15
<b>Method .....</b>	<b>17</b>
Research approach.....	17
Research process & design .....	18
Literature review .....	19
Case study research .....	20
Data gathering methods and analysing methods .....	20
Validity and reliability of chosen method.....	23
<b>Theoretical framework and literature review.....</b>	<b>25</b>
Social responsibility .....	25
Social responsibility, stakeholders and organization .....	26
Social responsibility and public procurement .....	29
<b>Findings and analysis .....</b>	<b>31</b>
Findings of study 1 .....	31
Findings of study 2 .....	33
Findings of study 3 .....	34
<b>Discussion .....</b>	<b>37</b>
<b>Conclusion .....</b>	<b>41</b>
Final conclusions.....	41
Future research.....	42
<b>References .....</b>	<b>43</b>



# Introduction

## Background

Social considerations in the society has increased the recent years. There are nowadays higher demands from the society to act social sustainable within organizations and companies. This is apparently according to the work within United Nations that resulted in The Global Goals and the 2030 Agenda for Sustainable Development. The 2030 Agenda includes a broad and universal policy agenda with 17 Sustainable Development Goals and 169 associated targets (UN, 2015). The 2030 Agenda seeks to strengthen the environmental, economic and social dimensions of sustainable development and shows the relation between social responsibility and sustainability. The increased focus on social sustainability is also apparent through European Commission's Pillar of Social Rights, presented in 2017. The Pillar of Social Rights includes 20 key principles and rights to maintenance fair and well-function markets and welfare systems (EU, 2017). The perspective of social sustainability is broader than the concept social responsibility, that relation is pointed out in ISO 26000 Guidance on social responsibility;

*“Social responsibility is closely linked to sustainable development. Because sustainable development is about the economic, social and environmental goals common to all people, it can be used as a way of summing up the broader expectations of society that need to be taken into account by organizations seeking to act responsibly.” (ISO26000:2010, p.9)*

Social responsibility is not new in the academia perspective. It has been discussed for many years but in different perspectives. Levitt (1958) stated that governments should take care of welfare in general so the businesses could take care of welfare from a material perspective and Epstein (1987) discussed that the concept corporate social responsibility principally in relation to the achievement of results in a specific issue determined by the organization. Social responsibility combining with procurement has evolved and Loosemore (2015) studied the barriers to procuring services and products from the perspective of social procurement in construction projects, and found that changes are needed to existing procurement practices to address social issues.

In the civil engineering industry, public procurement is well established and constitutes the major part of the procured contracts. For example, the Swedish Transport Administration, as a client organization, procure road and railroad projects to a value of €40 billion annually with public procurement (Trafikverket, 2018). Client organizations have a significant impact in the civil engineering industry. During several years, client organizations in the civil engineering sector have involved social considerations in the construction contracts. The focus on social aspects in these contracts has developed since a few years back and the civil engineering sector is still in the beginning of working more active with social requirements. In 2015, the Swedish Transport Administration raised the focus on social requirements in the organization and in the contract relation to the suppliers. Later in 2016, the Swedish Transport Administration introduces a new form of social consideration in the contracts – employment requirements. Since the Swedish Transport Administration is the largest client organisation in the civil engineering sector, the impact is considerable.

Moreover, there is need of knowledge about the concepts used for social considerations in civil engineering contracts procured by public procured. Troje and Gluch (2019) stated that there is a wide-spread lack of understanding about social procurement between different actors that might hinder an effective collaboration about social issues. Barriers to more social considerations in the procurement of construction projects largely depend upon the absence of actors that understand social requirement and how these are to be implemented and followed up on in the contracts (Loosemore 2019).

Since social requirements are stated in the in civil engineering contracts, it is necessary to follow-up those (Edman and Nohrstedt, 2017) but even if social responsibility is not new in the academia perspective there is limited research related to the follow-up process in construction management and the civil engineering sector. There is also need of guidelines of how to manage social considerations within the construction sector and how social considerations in public procurement are managed in the civil engineering sector.

## Problem formulation

The aim of the research is to explore the possibilities to follow-up social contractual requirements in the civil engineering sector and the research has been carried out around the three following research questions:

RQ 1: How are social requirements expressed in civil engineering contracts?

RQ 2: How aware is the civil engineering industry about social requirements?

RQ 3: What kind of challenges and possibilities are there in the process of follow-up social requirements?

## Limitations

This study is limited to an exploration of social considerations from the perspective of one client organization in civil engineering projects and contracts. Other actors such as consultants and contractors the sector, their perspectives are not included. The emphasis is on the follow-up process initiated by the client in the civil engineering industry. Moreover, the study is limited to civil engineering contracts procured by public procurement.

## The author's frame of reference

I hold a Master of Civil engineering at Lund University and I have worked in project organizations both in private and public construction sector. In the last four years, I have worked as project engineer, project manager and now in a role to develop social sustainability at the Swedish Transport Administration. The role as project manager included responsibility to follow-up social requirements in the railway project Lund-Arlöv. The railway project was not included in the research project but the experience from that work has given me valuable knowledge to understand the data during the research process better. During the first year of the doctoral studies, I participated in internal meetings regarding development of social requirements in the purchasing organization at the Swedish Transport administration. This, to understand the ongoing development about social requirements in the organization. The last year, I have been working with social sustainability in a broader perspective at the Swedish Transport Administration. That role and work have given me valuable knowledge and insights about how the management of the organization is working.

## Structure of the thesis

Chapter 1: Introduce the reader with a brief background of the research and to the related research area. Further, the aim of the research, research questions, limitations, the author's frame of reference and appended papers is presented.

Chapter 2: Presents my approach to the research methodology. Thereafter, it explains the process and design of the research, the case study methodology, data gathering methods and the validation and reliability of chosen research process and design.

Chapter 3: Describes and presents the core theoretical concepts: social responsibility; social responsibility combined with stakeholders and organization; and social responsibility in public procurement.

Chapter 4: Presents findings from the three studies. Study 1, explore the social requirements stated in the contracts. In study 2, the knowledge about social requirements in the procurement organization and their view of the follow-up process is examined. In study 3, the project organizations possibilities to follow-up the social requirements is explored.

Chapter 5: Is a discussion to answer the research questions. The purpose of the discussion is to analyse the results according to the research questions.

Chapter 6: Presents final conclusions and the particularly contributions. Last, suggestions for further research related to this research.

## Appended papers

### **Scientific papers appended to this thesis**

Paper I            Submitted to Construction Management and Economics.

Paper II           Published in Emerald Reach Proceedings Series.

Paper III          Manuscript to be submitted.

Table 1 Distribution of work, papers.

<b>Paper</b>	<b>Distribution of work</b>
Paper I	Lindell is the main author, Olander contributed with the idea of the paper and to theory.
Paper II	Lindell is the main author, Olander contributed to theory and writing of the paper.
Paper III	Lindell is the main author, Olander contributed to theory and writing of the paper and Aulin contributed to the theory.

## **Paper I**

### *Social requirements in civil engineering contracts*

Agnes Lindell and Stefan Olander Construction Management, Lund University, Lund, Sweden

Inclusion of social requirements has become increasingly common in publicly procured civil engineering contracts and social requirements can be instrumental in making an impact on the progress of social considerations in societal development. The aim of the research presented is to investigate the relationship between social requirements in public contracts in addition to social considerations in general. The study provides a mapping of contractual requirements connected to social considerations, and contributes to our understanding of social considerations in the civil engineering industry in particular, and the construction industry in general. Through data studies of 11 contractual documentations, a mapping of requirements with social aspects has been examined. The requirements has been categorised and compared to the European Commission's guideline on social considerations in public procurement. The results show the difficulty of defining social requirements in specific categories and, in some cases, there are no clear demarcation lines between the categories. The requirements found in the contract documentation adequately cover the guidelines of the European Commission but there are not always a clear distinction regarding social considerations in the contracts – neither within nor between the categories of social considerations.

## **Paper II**

### *Social Considerations in the Procurement of Road and Railroad Projects in Sweden*

Agnes Lindell and Stefan Olander Construction Management, Lund University, Lund, Sweden

Social sustainability is of increasing importance in societal development, which will affect the implementation of construction projects. The social responsibilities for both construction clients and suppliers will be an increasingly relevant part of their business processes. The objective of this study is to evaluate how the procurement process functions today with respect to social considerations. The empirical data is based on interviews with procurement officials for each studied contract, together with official guidelines concerning social considerations and tender documents for each studied contract. Furthermore, the interviews addressed the level of knowledge that exists with procurement officials concerning social considerations in the procurement of road and railroad projects.

The results showed that there was a positive attitude towards social considerations in the procurement process and that there is a need in the construction sector to consider social issues to a higher degree. This study is based on six road and five railroad contracts within the Swedish Transport Administration's client organization. It was evident that the level of knowledge with individual procurement officials concerning social issues is relatively low and needs to be increased. There is a perception that the management of social considerations in construction procurement need to be clarified.

Further research is needed to develop procedures, guidelines, routines and strategies for social considerations in procurement. Another important issue for further research is the development of routines to follow up social terms of contract during the implementation of the project.

## **Paper III**

### *Monitoring social requirements in construction projects*

Agnes Lindell, Stefan Olander and Radhlinah Aulin Construction Management, Lund University, Lund, Sweden

Social requirement has become increasingly common for construction and civil engineering projects. If these are not monitored correctly the risk for opportunistic behaviours is a relevant concern. The purpose of the study presented here is to investigate the challenges facing construction project managers when monitoring and follow up social contract requirements. The study is based on interviews with project managers in public civil engineering projects. Furthermore, the study evaluates the formal process of how to follow up these requirements as stated by the client organization on a corporate level. The interview respondents were project managers within the client organization with the responsibility of monitoring and follow contract requirements. The client organization confirmed the following as social requirements: discrimination, taxes and social insurance, ethical issues, working conditions, fundamental rights for workers in the delivery chain, identity obligation and attendance registration, and employment. The studied projects represented three types of contracts: new and re-construction projects, large and complex projects (both new and re-construction) and maintenance projects. The contracts represent nine (9) contracts with contractors and five (5) contracts with consultants. The document study was conducted from the same projects and included a brief analyse of the documents from contract meetings. There are challenges to monitor and follow-up social requirements. Some challenges are directly connected to the fact that these types of projects often have large supply chains and several sub-contractors. However, most of the challenges concerns the fact that implementing processes and follow-up processes in an organization is not always easy and may impose changes to project management procedures that needs to be analyses.



# Method

## Research approach

This research was conducted with a qualitative research approach. Qualitative approaches are people orientated, whether as groups or as individuals, and seek to understand and to gain their perceptions of 'the world' (Fellows & Liu, 2003). Qualitative research rather focus on interpretation discovery and insight than hypothesis testing (Merriam, 1994) and the exploration of the subject is undertaken without prior formulations (Fellows & Liu, 2003). The main purpose with a qualitative approach is to understand the meaning of a certain phenomenon for example to understand how different individual parts are connected together as a whole (Merriam, 1994).

The qualitative research approach is inductive, explorative and focus on processes rather than goal and end results (Merriam, 1994). An inductive approach develop concepts, hypothesis and theories rather than testing of hypotheses (Merriam, 1994) The grounded theory can be seen as an inductive approach (Jakobsson, 2011) and Strauss & Corbin (1998) describe grounded theory as a theory derived from data, systematically gathered and analysed through the research process. Grounded theory offer insight, understanding and provide a meaningful guide to action since the researcher does not have a predetermined theory in mind and therefore let the theory emerge from the data (Strauss & Corbin, 1998) that is the research approach I have tried to assumed for this study.

This research is based on data gathering about social requirements, working procedures and follow-up processes and the aim is to comprehend and find connections and understanding about the research area and to draw conclusions from that. With a deductive approach the researcher want to find information that suites a stated theory but with an inductive approach the researcher want to find a theory that can explain the data that is gathered (Merriam, 1994).

## Research process & design

Research methodology refers to procedures of a logical process applied to a scientific exploration (Fellows & Liu, 2003). Qualitative methodology provides a sense of vision of the researchers progress with the research and the method meant to bring vision into reality (Strauss & Corbin, 1998). This research includes one case study containing three studies that were conducted over three years, see figure 1 Through the case study and the three studies the purpose was to understand the follow-up process from initial requirement formulation in the tender phase to the practical follow-up of the requirements during the contract period.

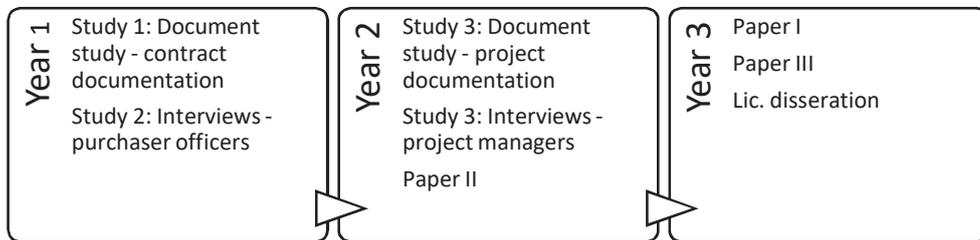


Figure 1 Timeline of the research process

The three studies is connected to the case study as shown in figure 2. All studies include literature study. Study 1 focus on the requirement formulation and 11 contract documents was studied. Study 2 includes 11 interviews with procurement officers. Moreover, study 3 contain 14 interviews with project managers and associated project documentation from the 14 projects. Further, the document study, both contract and project documentation was used to consider interviewing questions.

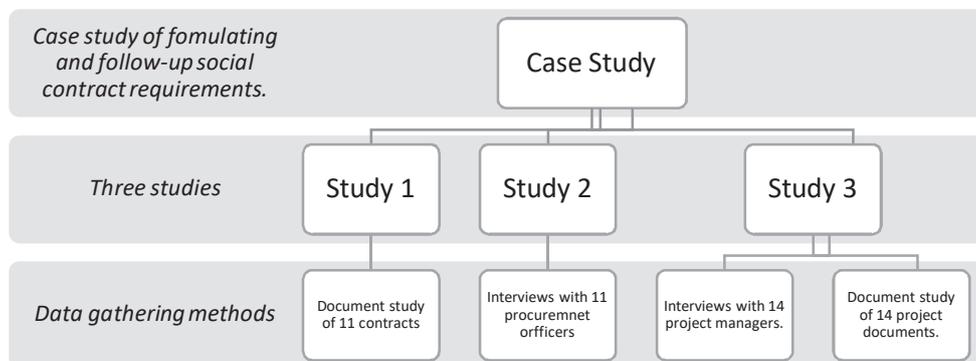


Figure 2 Visualization of containing parts in the research process.

Table 2 explains the connection between the studies, papers, the data gathering method, and the research questions.

Table 2 Studies, related papers and empirical data.

Study	Publication	Data gathering method	Research question
1	Paper I	Document study – Contracts	RQ 1
2	Paper II	Interview study – Purchasers	RQ 2 & RQ 3
3	Paper III	Interview study – Project managers Document study – project documentation	RQ 2 & RQ 3

## Literature review

The purpose of the literature review was to create a theoretical framework to guide the study as well as to define the research problem. The aim of the literature review was to connect the theories and concepts of social considerations, social responsibility and social procurement. The selected literature is from academic articles and books, government reports and standardizations.

## **Case study research**

To understand complex social phenomena, case study is a useful research method since it investigate phenomenon in its real-life context and the boundaries between contemporary phenomenons (Yin, 2014). This research intention is to understand possibilities and challenges which social requirement in organizations and project organizations. To examining organizational processes, a case study is especially suitable (Pratt, 2009). A method, such as a case study method, is a set of techniques and procedures for gathering and analysing data (Strauss & Corbin, 1998) and a case study can be seen as a research strategy (Yin, 2014) where the research questions focus on “how?” and “why?” and mostly focuses on contemporary events (Yin, 2014). The results from a case study presents in qualitative terms with words and pictures rather than numbers (Merriam, 1994).

## **Data gathering methods and analysing methods**

According to Merriam (1998) data can provide for example description information, offer historical understanding, track change and development. Additionally, qualitative methods aims to capture the uniqueness of the individual entity and its particular life situation and the information that becomes central to the survey is thus highly dependent on the information source (Magne Holme & Krohn Solvang, 1991). In this study both interviews, observations and document analysis were used. The combination of these three data gathering methods has the potential to achieve a holistic interpretation of the studied phenomena (Merriam, 1998). Fellows & Liu (2003) suggest that methods of collecting data can be categorized as one- or two-way communications. Study of documents, completely structured interview and postal questionnaires can be seen as one-way communication and semi-structured interviews and participant observation as two-way communication. In this study, both types of communication was used; document analysis, semi-structured interviews and participating observations.

### *Document studies and analysis*

Any written, visual and physical material relevant in a study is a document (Merriam, 1998). The documents that were used in this research involves contract documentation, minutes of contractual meetings, routines, guidelines and policy documentation. In study 1, the study includes 11 contracts distributed as table 3 shows.

Table 3 Distribution of studied contracts, document study in study 1.

	Road	Rail	Total
New and rebuilding projects	3	1	4
Large and complex projects, new and rebuilding	1	3	4
Maintenance projects	2	1	3
<b>Total</b>	<b>6</b>	<b>5</b>	<b>11</b>

Coding of empirical data is the analytic processes where data are fractured, conceptualized, and integrated to form theory (Strauss & Corbin, 1998). The aim of coding is to make the data easier to survey and further analyse the content (Jakobsson, 2011). The contract documentation in study 2 was coded and analysed as figure 3 explains. The contracts were screened for requirements that, with the literature study as background, could be seen as a social aspect. The identified requirements in each contract were compared and merged to collect unique requirement from the contracts. This resulted in 21 unique contract requirements. These unique requirements were then categorized according to European Commission’s guidelines of social responsibility.

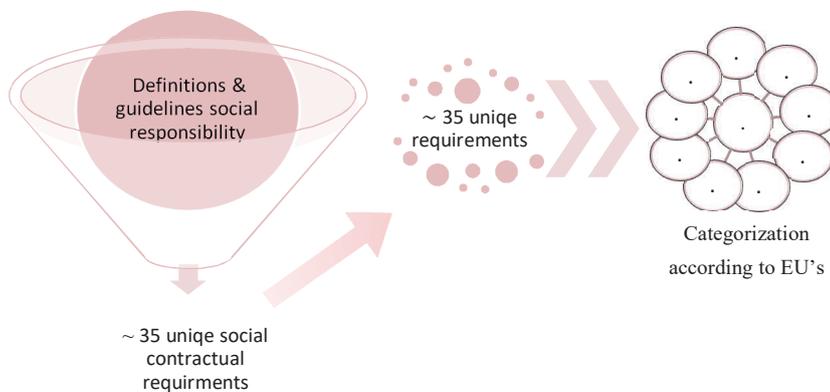


Figure 3 Description of the document study in study 1.

The document study of project documentation presented in study 3 was gathered from 14 projects, distributed as shown in table 4. The project document contained contractual meeting protocol and the analysis was done by identifying which of

the social requirements mention and discusses in the protocols. The main purpose of this document study was to prepare interview questions for the project managers and also to understand how social requirements is mention and discussed in formal meeting with the contractor.

*Table 4 Distribution of studied project documentation in study 3.*

	Road	Rail	Total
New and rebuilding projects	2	3	5
Large and complex projects, new and rebuilding	2	3	5
Maintenance projects	2	2	4
<b>Total</b>	<b>6</b>	<b>8</b>	<b>14</b>

#### *Interview studies and analysis*

In qualitative case study research, the interview is an essential tool (Gillham, 2000). In fact, Yin (2014) urge that interviews are one of the most important source of information in a case study. In study 2, 11 interviews were conducted and in study 3, a number of 14. In table 5 and 6 the distribution of interviews in study 2 and 3 presents. In study 2, the respondents were procurement officials and in study 3, the respondents were project managers. All interviews were conducted as semi-structured interviews by telephone, with the possibility to show a presentation which also was done. When using semi-structured interviews, the researcher wants to ask questions based on certain themes and give the respondent significant scope to develop and deepen the answers (Alvesson, 2011).

*Table 5 Distribution of interviews with purchasers in study 2.*

	Road	Rail	Total
New and rebuilding projects	3	1	4
Large and complex projects, new and rebuilding	1	3	4
Maintenance projects	2	1	3
<b>Total</b>	<b>6</b>	<b>5</b>	<b>11</b>

*Table 6 Distribution of interviews with project managers in study 3.*

	Road	Rail	Total
New and rebuilding projects	2	3	5
Large and complex projects, new and rebuilding	2	3	5
Maintenance projects	2	2	4
<b>Total</b>	<b>6</b>	<b>8</b>	<b>14</b>

The purpose of the interviews in study 2 was to explore the approach that the purchasing organization has to social considerations in construction contracts. Also, examine the knowledge, in the purchasing organization, of how to make social consideration in public procurement and how to follow up this when the contract is carried out. In study 3, the purpose was to examine how the projects follow-up social requirements. Additionally, to investigate how the follow-up model works and puts into practise in the projects and the organization.

Pilot-interviews was used in both studies; interviews with purchasers officers and project managers. The use of piloting an interview is a valuable tool to test whether the questions are easy to answer, and unambiguous and the feedback from the pilot-respondents will be opportunity for improving the questions, filling the gaps etc. (Fellows & Liu, 2003). Furthermore, all interviews were analysed by data-driven coding which helps the researcher to find patterns from individual interviews and develop conclusions from them (Kvale and Brinkmann, 2009).

### **Validity and reliability of chosen method**

To strengthen the chosen method the perspective of reliability and validity has been taken into account. There are different aspects of reliability and validity and in the chosen method, for example an evaluation of chosen respondents for the interview studies is one aspect. To investigate how the social requirements are formulated and the organizations view on social requirements the procurement officers was chosen as respondents for the first interview study, study 2. The procurement officers are active involved during the tender phase of a project and have the responsible to ensure that the social requirements are stated in the contracts. Moreover, to understand how the social requirements are follow-up, the project managers that is responsible of fulfilling the contract were chosen as respondents in study 3.

Furthermore, when using interviews as data gathering method it is necessary to take into account that the respondent may not always tell everything they actually know or that they try to answer the questions right rather than describe the actually situation. When formulating the interview questions this is important to take into account. When using interviews the validity can be increased by specifying the target group as well as formulating clear and concise questions (Björklund and Paulsson, 2014). Additionally, the researches interpretation of the answers is another important part to take into account. Therefore, the interviews in the studies have been transcribed to ensure that the answers are understood in the right way. Another way to increase the reliability and validity is to perform pilot-interviews (Fellows & Liu, 2003). In both study 2 and 3 pilot-interviews was used to test whether the questions was easy to answer and get valuable feedback from the pilot-respondents.



# Theoretical framework and literature review

## Social responsibility

The concept corporate social responsibility [CSR] is one part of the wider concept of social responsibility. Over the years there has been lot of research about the meaning of CSR. There is extensive literature trying to clarify the concept or definition of CSR. Still, there is no precise definition (Frankental, 2001). Companies that acting social responsible, are companies who are going beyond the law and acting voluntarily to pursue social and environmental objectives in their daily work (EU, 2010).

Another statement about CSR is that it is an antagonism in relation to economy, that there is contradictions between the company's profit-making purpose and social responsibility (Andrews, 1973). Frankental (2001) argue that CSR is just an invention of public relations due the concept social responsibility does not have certain characteristics. The characteristics is i.a. a definition which is commonly understood and a common point of references or benchmarks to measure the achievement of CSR. Furthermore, Andrews (1973) summarize CSR as:

- Charities and voluntary contributions to education, which also consequently reduces the corporations profit.
- Operate with higher ethical level than law and custom is required.
- Evaluate social worth in business opportunities.
- Consider the investment return both in economic and quality of life within the corporation.

Epstein (1987) evolve the concept of CSR and discuss the differences between business ethics, corporate social responsiveness and CSR. In the concept business ethics, moral reflection is a central part. The concept concerns the value-based and systematic reflection on the organizations business actions with a moral approach. The business ethics concept is also based on the organizations activities and its

consequences for societal stakeholders (Epstein, 1987). The concept corporate social responsiveness is process oriented and implicate a process of development for organizational decision-making (Epstein, 1987). In sum, Epstein (1987) points out that the concept of business ethics focus on both process and product, although the CSR has strongest product focus.

The concept of social responsibility has been described and encompassed by i.a. economic, legal and voluntary activities (Carroll, 1979) it shows the breadth of the concept of social responsibility. There are many ways that social responsibility has been defined and conceptualized and Frankental (2001) point out that CSR is an evolving concept. There is a connection between social responsibility and the expectations of society at a certain time. The society's concerns of an organization change over the time and therefore the aspects of social responsibility is liable to change (ISO26000:2010). The concept CSR has indeed evolved over the years which is apparent according to Levitt (1958) who expressed that the government should take care of the welfare in general so the business could take care of the welfare from a material perspective.

## Social responsibility, stakeholders and organization

Managing social responsibility is a complex process that needs interaction with many different actors. The guidance on social responsibility ISO 26000 connect social responsibility with organizations stakeholder and point at the increased awareness of the need for and benefits of social responsibilities in organizations and to their stakeholders (ISO26000:2010). Further, Epstein (1987) claims that the concept CSR principally relates to achieving results in a specific issue decided by the organization. The results of the decisions should have beneficial effects upon corporate stakeholders, rather than unfavourable effects. Furthermore, Carroll (1991) also point as the relation between organization's stakeholders and CSR (Carroll, 1991). Stakeholders in this context are those who can be affected of or affect the organizations activities or the decision process (Freeman, 1984).

By combining social responsibility and stakeholders' interest, provides an internal and external perspective (EU, 2001). The internal perspective focus at the organization's internal opportunities that includes health and safety, personal recourses, environmental influence and use of resources. The external perspective focus on the effects on the outside world such as management of suppliers, human rights management, societal perspectives, local and global sustainability considerations. Business who had committed to CSR often have organizational processes that maximize the positive effects on important stakeholder issues and minimize the negative effect (Maignan, Ferrell and Ferrell, 2005). A challenge for

the organizations is to value different stakeholders concerns; “behaviour with respect to one stakeholder issue, is may fail to properly address another stakeholder concern” (Maignan, Ferrell and Ferrell, 2005, p.958).

In ISO 26000 social responsibility is defined as; “Responsibility of an organization for the impacts of its decisions and activities on society and the environment, through transparent and ethical behaviour that: contributes to sustainable development, including health and the welfare of society; takes into account the expectations of stakeholders; is in compliance with applicable law and consistent with international norms of behaviour; and is integrated throughout out the organization and practised in its relationships.” (ISO26000:2010, p.3)

It is important for organizations to set up strategies to handle conflicting demands from different stakeholders without losing focus on social responsibility and Carroll (1991) present an analytic tool to organize economic, legal, ethical and philanthropic sense to different stakeholder groups, presented in figure 4.

	<i>Types of CSR</i>			
<i>Stakeholders</i>	Economic	Legal	Ethical	Philanthropic
Employees				
Community				
Suppliers				
<i>Etc.</i>				

Figure 4 Matrix, stakeholder and responsibility (Carroll, 1991).

According to Freeman et al. (2010) the approaches of social responsibility in organisations can be traditional and intergraded, table 7. The traditional approach is when the social activities is an “add on” to the organization’s ordinary processes. The integrated approach is when an organization integrate the social activities in the processes and decision-making processes.

Table 7 Assessment of social responsibility - traditional and intergraded (Freeman et al., 2010).

	<i>Traditional</i>	<i>Integrated</i>
<i>Definition</i>	After profits are made, giving back to society	Integration of economic with ethical, social and environmental decision making criteria
<i>Stakeholder focus</i>	Shareholders first, then others for example communities	All stakeholders have moral standing
<i>Economic focus</i>	Profit distribution	Value creation
<i>Purpose</i>	Sustain legitimacy of business	Contribute to overall success of the corporation
<i>Business model</i>	Being responsive to societal claims	Building partnership with stakeholder groups
<i>Processes</i>	Communication and PR	Stakeholder engagement
<i>Activities</i>	Sponsorships and corporate philanthropy	Integration of "nonfinancial reporting" into traditional corporate reporting

Social responsibility includes knowledge of the broader expectations of society. The rules of law and compliance with legally binding obligations is a fundamental principle of social responsibility. Actions beyond legal compliance also involves in social responsibility, such as common ethical values (ISO26000:2010). For the organization and manages it is not always easy to see the link between daily business activities and social responsibility, therefore it can be challenging how the organization can contribute to the responsible behaviour (Maignan, Ferrell and Ferrell, 2005).

Managers in an organization have a great influence whether a corporate will change to a responsible behaviour or not. Andrews (1973) points out that without interest and conviction from the managers it is almost impossible to formulate strategic intentions. Further, the value is considerable for the well-being of society to integrating social responsibility throughout an organization (ISO26000:2010).

The ISO-standardization (ISO26000:2010) points out seven principles of social responsibility for an organizations:

- Accountability - an organization should be accountable for its impacts on society, the economy and the environment.
- Transparency - an organization should be transparent in its decisions and activities that impact on society and the environment.
- Ethical behaviour - an organization's behaviour should be ethical.
- Respect for stakeholder interests - an organization should respect the interests of its stakeholders.
- Respect for the rule of law - an organization should accept that respect for the rule of law is mandatory.
- Respect for international norms of behaviour - an organization should respect international norms of behaviour, while following to the principle of respect for the rule of law.
- Respect of human rights - an organization should respect human rights and recognize both their importance and their universality.

## Social responsibility and public procurement

Considerations of socially responsible procurement have partly been the basis for directive of EU on public procurement (2014/24/EU) where article 37 appear:

”With a view to an appropriate integration of environmental, social and labour requirements into public procurement procedures it is of particular importance that Member States and contracting authorities take relevant measures to ensure compliance with obligations in the fields of environmental, social and labour law that apply at the place where the works are executed or the services provided and result from laws, regulations, decrees and decisions, at both national and Union level, as well as from collective agreements, provided that such rules, and their application, comply with Union law.”

The directive of EU (2014/24/EU) clarify the possibilities of taking other perspectives such as social considerations into public procurement procedures. This also shows the possibility of contracting authorities to use their purchasing

power to influence suppliers by including social considerations (Konkurrensverket, 2015).

European Commission (2010) present how social consideration within public procurement can be framed by encouraging;

- employment opportunities;
- decent work;
- compliance with social and labour rights;
- social inclusion and social economy organisations;
- design and accessibility for all;
- ethical trade;
- wider voluntary commitment to CSR;
- respect for human rights;
- giving small and medium companies access to public procurement.

This could be used by organizations to commence their work with social responsibility and gives the organizations possibility to relate to social considerations in public procurement.

Social considerations could be seen as non-economic requirements (Sundstrand, 2015) and further, as horizontal requirements that is not directly related to the object of procuring (Arrowsmith och Kunzlik, 2009). The opposite type is functional requirements that is directly connected to the object of procuring. (Arrowsmith och Kunzlik, 2009) Related to the procured object, sometimes the functional requirements could perceived as more important than the horizontal requirements this is not always necessarily true, in fact in could be the opposite (Arrowsmith och Kunzlik, 2009) but there could be some communicative challenges in a procuring organizations to increase the awareness of the importance of horizontal requirements, such as social requirements.

# Findings and analysis

## Findings of study 1

The findings from study 1 show the differences between the requirements in the contracts compared to the guidelines of the European Commission's categorization on aspects of socially responsible public procurement. The findings also indicate that there are some obstacles to categorize the social requirements and furthermore to separate them from other disciplines such as working environment. In general, the requirements found in the contract documentation cover the guidelines of the European Commission's categorization on aspects of socially responsible public procurement, presented in figure 5.



Figure 5 Representation of contract requirements connected to the EU's guidelines.

The five dark categories (*voluntary corporate social responsibility, human rights, employment opportunities, decent work and social and labour rights*) represent those categories that were well represented by contract requirements. The two lighter categories (*social inclusion and accessibility and design for all*) are those where there were some requirements, but not in general, in the contracts. The two remaining categories (*promoting small and medium enterprises and ethical trade*)

represent the categories where there are no social requirements in the contracts. There are difficulty of defining social consideration in specific categories and sometimes there are no clear demarcation line between the categories.

In a broader perspective of social considerations, social inclusion is an important part to ensure social behaviour. Similarly, accessibility is one of the core concept in social considerations. Despite this, the client organization does not define this type of requirements as social requirements.

*Ethical trade* was not found in the studied contract documentation but it is possible to interpret that it can be included in the requirements concerning the ILO's core conventions and ethical behaviour.

There are no requirements regarding the categorization of *promoting small and medium-sized enterprises*. Actually, it is not clear whether there are other definitions or aspects that imply "promoting small and medium-sized enterprises" as a social consideration.

The connection between social considerations and stakeholder's interests is not clear in the client's definition of social requirements. For example, there are no requirement about stakeholder analysis based on social aspects but in some contracts specific stakeholders are pointed out to ensure their interests.

The boundaries between different disciplines are not always well defined and the aim of a requirement could represent, for instance, both social considerations and the working environment.

An interesting requirement is the identification and electronic registration at the work site. That requirement, at first glance, has no connection to social consideration but the effects can increase social responsiveness by identify for example black-marked labour. It could be seen as a requirement ensuring safety at the workplace, which can be regarded as a social aspect. Further, the delimitation between social consideration and the working environment is not clearly defined and the client organization does not define working environment as a social aspect.

## Findings of study 2

The findings in study 2 indicated that improvements according to the following four areas could result in better implementation of social considerations in the construction contracts:

- clarify the meaning of social considerations;
- clear work procedures in the management of social considerations;
- increase organizational competence concerning social considerations;
- develop procedures for communication and information about social considerations.

The procurement organization is well aware of that the social considerations being made but the result indicate that there are lack of knowledge of how social considerations would be implemented in practice within the procurement organization. The respondents take up the difficulties and uncertainties of how to follow up that social contractual terms during the implementation of the project. Similarly, there are uncertainties how the social contract terms are being fulfilled. Table 8 shows the results from the study summarized by social aspect, approach and knowledge in the procurement organization and the procurement officers assessment of possibility to follow-up the social contract aspects.

*Table 8 The procurement organization's approach and knowledge about social requirements combine with their view on the possibility to follow-up the requirements, structured from the EU's guidelines of social aspects in public procurement.*

<b>Social aspect EU's guideline</b>	<b>Approach and knowledge</b>	<b>Possibility to follow-up</b>
<b>Protecting human rights</b>	Valued as the main pillar of social considerations. Knowledge is good.	Challenges of following up sub-contractors and material suppliers.
<b>Decent work</b>	Limited knowledge.	Unclear requirement, at present, difficult to follow up.
<b>Compliance with social and labour rights</b>	Important requirement. Ask for education about, for example discrimination.	Easy to follow up if the contractors have an equality plan but to evaluate the systematic work it is more difficult.

<b>Ethical issues</b>	Positive attitude and good knowledge.	Requirement diffusely formulated and therefore challenging to follow up.
<b>Employment opportunities</b>	Easy to understand the requirement and quite good knowledge.	Easy to know what to follow up but concerns about the possibility for contractors to fulfilling the requirement. (The number of places for employment and internship.)

The result from study 2 also indicated the need of methods and tools of how to deal with social considerations in the procurement process. There are methods and tools but the knowledge of them is not yet fortified in the procurement organization. The procurement officers also highlight the unclear responsibilities of which part of the organization that shall follow-up the social considerations stated in the contract. Furthermore, this could be related to that, the procurement officers mention that there are insufficient resources to adequately manage the follow-up of social considerations in the contract.

### Findings of study 3

The study shows, that there are various thoughts about challenges according to the possibility to follow-up the social requirements. Some project managers does not see any specific problems to follow-up the social requirements and other describe challenges regarding: knowledge about the supply chain; time and resources within the project; and the fact that the monitoring of these requirements is not done frequently. Furthermore, the study shows that the social requirements is still perceived as new for the organization and that there are uncertainties about how to follow-up these requirements. There is need of increased knowledge regarding social requirements and the follow-up process. The study indicate that there are sufficient knowledge in the client organization but it is not always clear that the projects knows where to find it. Furthermore, the guidelines on the follow-up process contains valuable information but the challenge for project managers is to keep up to date regarding all guidelines and documents that should be followed during the project. Therefore, the project managers asks for short and easy guidelines and documents.

There has not been many contractual deviations regarding the social requirements. The few deviations that has appear is regarding the employment requirement and

taxes and social insurance. Most of the deviations comes from audit accomplished regarding social requirements. The study shows that if the social requirements are not followed-up the consequences probably would be: a devastating situation for people, negative publicity, and economic impacts.

The study shows, that there are not often any selected resource that has the responsibility to follow-up the social requirements during the contract period. Often the project manager or a project engineer follow-up the social requirements but the responsibility is not explicit expressed between the project manager and the project engineer. There are examples of resources from the procurement organization supporting the project organization with some parts of the follow-up process. Likewise, there are examples of resources from Health, Safety, Risk and Quality having some responsibility according to social requirements by following-up at the safety-rounds.

The study indicate that the most apparent challenge of follow-up social requirements concerns the fact that implementing processes and follow-up processes in an organization is not easy. The project organizations needs to handle many different types of requirements and the project members are expected to adapt new information or new processes from brief information. Therefore, the implementation process of guidelines of social requirements could be useful.



# Discussion

*RQ 1: How is social requirements expressed in civil engineering contracts?*

It is not always clear how to define social requirements and the research shows that there are different views on what social aspects in the civil engineering contracts can be. Requirements stated in civil engineering contracts with a social aspect can also be seen as a requirement regarding working environment and the distinction between contract requirements other than social requirements are not always clear.

This research shows that social requirements in civil engineering contracts are quite narrow compared to perspectives of social responsibility. Social responsibility is a broad perspective which is shown both in literature and definitions from European Union's guideline and the Standardization of ISO 26000. The social requirements in civil engineering contracts could be regarding discrimination, taxes and social insurance, ethical issues, working conditions, fundamental rights for workers in the delivery chain, identity obligation and attendance registration, and employment. That is parts of the broader perspective of social responsibility. Several requirements in the contracts that are not defined by the client organization as social requirement could in fact be defined as social responsible requirements. For example the client organization does not take up the perspective of stakeholders as a social requirement.

A reflection about how the social requirements are expressed in the contracts is that it might not be the most important thing what kind of social requirements that are stated in the contracts. More important, is that the client organization take active decisions about the scope of the social requirements and that the organization is well aware of what kind of social requirements that are included in the contracts. In the studied contracts it appeared that the social requirements is not very easy to find. Because of that, the requirements are spread out in the contract documentation. On the other hand, it might be difficult to collect all social requirements especially since the perspective of social responsibility is even broader than the client's definition of social requirements.

*RQ 2: How aware is the civil engineering industry about social requirements?*

In general, the client organization, both the procurement and the project organization, is aware of that there are social requirements in the contracts. Parts of the organization knows exactly which the social requirements are but not everyone can describe all the social requirements in detail. The client's procurement organization has quite good knowledge about requirements connected to *Protecting human rights, Ethical issue and Employment opportunities* but more limited about *Decent work and Compliance with social and labour rights*. It is clear that the procurement organization has better knowledge about the contract formulation than most of the persons in the project organizations but regarding how the requirements should be followed-up the situation is reverse. In general, the procurement organization does not reflect about the possibility to follow-up the social requirements and the project organizations express that the follow-up process is especially important.

This shows that the procurement and project organizations have different perspective of the social requirements. The procurement organization is involved during the early phases in the procuring process, thereafter during the contract period the procurement organizations often is not that much involved. The project organization has the responsible to follow-up the contract requirements during the contract period and therefore they have more questions about the follow-up process.

From this research, it is not possible to draw solid conclusions about the awareness about social requirements for all parts in the civil engineering industry but the research indicate that the client organization probably reflect the civil industry quite well overall. Contractors in the civil industry perhaps has a bit lower awareness and knowledge about the social requirements because the client organizations design the contract conditions, thereby the formulations of social requirements. There are likely a delay throughout the supply chain and therefore it is possible that the contractor's awareness and knowledge could be a bit lower than the client organization. Especially since, the knowledge in the client organization is quite limited.

*RQ 3: What kind of challenges and possibilities are there in the process of follow-up social requirements?*

This research shows that there are several challenges and possibilities with the follow-up process regarding social requirements in a client organization. Starting with the formulation of the social requirements. First, it is necessary to find out and clarify the meaning of social considerations. Since there are many definitions and that social requirements can be very broad, it is important that the procuring

organization state and clarify what is included in the social requirements. Further, the contract formulation of social requirements is important. Besides that the formulation of the requirements must be understandable and follow the public procurement restrictions, it is also important to include the perspective of follow-up when formulating the requirements. To include the follow-up perspective when formulating requirements (social or others) will most likely give requirements that are more distinct and probably it will be easier to follow-up the requirements during the contract period.

Furthermore, the research shows that it could be valuable to develop procedures for communication and information about the social requirements. This is not exclusively for the social requirements, but the research shows that it is necessary with education and knowledge of social considerations when implementing social contract requirements.

Another perspective is that there are uncertainty in the organization about what part of the organization that is responsible of the social requirements, the procurement organization or the project organizations. Although, the research shows that the procurement organization usually is involved and active during the procurement phase. During this phase the procurement organization is liable for that the social requirements is included in the contract documentation. Furthermore, the project organization usually takes the responsible for the follow-up process during the contract period. The uncertainty is mostly about to which extend the procurement organization, more specifically the procurements officers, should be involved during the contract period and the follow-up process. Therefore, there could be valuable to clarify the responsible between the procurement organization and the project organizations when it comes to state and follow-up the social requirements.

Similarly, there are challenges that the procurement organization formulate the social requirements and other parts of the organization (project organizations) has the responsible to follow-up the social requirements. The main risk is that knowledge get lost between the different parts of the organization but also regarding experience feedback and the possibility to adjust the formulation of the requirements based on that.

There are of course challenges with the social requirements itself, according to the follow-up process, but the main issue for the client organization seems to be the implementation of the follow-up process. The study shows that it is necessary and important to involve, inform and increase knowledge in the organization about the social requirements and the follow-up process. Furthermore, there are challenges but also possibilities regarding available guidelines. The awareness and knowledge about that the guidelines exist is one first step. There are lack of knowledge, especially within the project organizations, about the guidelines. Since the project

organization has the responsible to follow-up the social requirements, it is necessary to know that there are guidelines. Additionally, there is lack of knowledge where to find the guidelines; this is another part that could be improved.

Several respondents highlights, in general, how guidelines are formed. There are many documents, guidelines and processes that the project organization is expected to use, therefore the formation is important to think of when the guidelines are produced. There is a wish from the organization to have simple, clear and especially short guidelines.

Further to gain the follow-up process of social requirements, it is necessary to increase organizational competence concerning social considerations. According to this, there are two different aspects. (1) One aspect is the individual knowledge and possibility to follow-up the requirements. (2) The other aspect is what part of the organization should have the specialist competence and to support the other parts of the organization regarding social requirements. The research shows that there are doubts in the organization, mainly in the project organizations, where to get support within the organization. It is clear that the project managers often use their personal network when questions about social requirements arise, this might work for senior project managers that have been working in the client organization for many years. For project managers that are new in the organization this could be more problematic. It is not clear if there are any co-ordinated support in the organization where the projects can get support regarding the follow-up process of the social requirements.

Another important part that affect the follow-up process, is how the management in the organization is focusing on the social requirements; are there any questions asked about these requirements from the managers? The research shows that it would have impact whether the projects are expected to report propulsion of the social requirements to their managers or not.

# Conclusion

## Final conclusions

This thesis shows that there are several aspects of the possibility to follow-up social contractual requirements in the civil engineering sector. Following four conclusion are fundamental according to this research:

- Implementation of the social requirements and the follow-up process is essential.
- There are helpful guidelines to use for the follow-up of social requirements but the knowledge of them and the knowledge of where to find them are limited in the client organization.
- The definition of social requirements are clear according to the studied client organization. However, there are possibilities to include other requirements with aspects of social responsibility in the contracts.
- It is not clear where the support could be found in the client organization. Likewise, if there are any specialists of social requirements in the client organization that can support the procurement organization and the project organizations.

My intention with this research has been to contribute to a better understanding of social responsibility connected to the civil industry, both according to the theoretical definitions of social requirements but also according to the possibilities and challenges of follow-up stated social requirements. Since the focus on social requirements has increased over the recent years, the research about the follow-up process of social requirements are limited. Similarly, the follow-up processes in the civil engineering industry are not fully developed and adopted in the projects. I hope that this research can facilitate the continued development of social responsibility in the civil engineering industry.

## Future research

Possible further research regarding social requirements in the civil engineering industry could be to gain deeper knowledge about specific social requirements in civil engineering contracts. Additional further examples of contract documentation to compare and understand the broader perspective of social considerations in civil engineering contracts, is another possible future research within the field.

Regarding the possibilities and challenges of the follow-up process of social requirements there are more to evaluate. For example, it would be interesting to investigate how contractors, sub-contractors and other companies in the supply chain work with the follow-up of social requirements. According to this perspective, it could be interesting to examine different types of contracts, both public and private procured contracts.

A third further research area could be to extend with studies about implementation and change management regarding social considerations in organizations. Further, to investigate how organizations implement and integrate social responsibility.

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