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Award

Combined Cleansing Services Contract

ARUN DISTRICT COUNCIL

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-002876

Procurement identifier (OCID): ocds-h6vhtk-03a157

Published 31 January 2023, 9:35am

Section I: Contracting authority/entity

I.1) Name and addresses

ARUN DISTRICT COUNCIL

Arun Civic Centre, Maltravers Road

LITTLEHAMPTON

BN17 5LF

Email

procurement.clients@hants.gov.uk

Country

United Kingdom

Region code

UKJ27 - West Sussex (South West)

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.arun.gov.uk>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Combined Cleansing Services Contract

II.1.2) Main CPV code

- 90500000 - Refuse and waste related services

II.1.3) Type of contract

Services

II.1.4) Short description

NOTICE PUBLISHED ON BEHALF OF ARUN DISTRICT COUNCIL

Arun's Combined Cleansing Services Contract (CCSC) includes the delivery of residential waste collections comprising of weekly kerbside residual collection from sacks, a fortnightly dry mixed kerbside recycling collection and a fortnightly subscriber-based garden waste collection service. The contract also provides street cleansing services comprising litter collection, litter and dog bin collection, street sweeping and public convenience cleaning.

This VEAT notice is for the award of a three-year contract extension with modifications to the above contract.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £54,640,000

II.2) Description

II.2.2) Additional CPV code(s)

- 90500000 - Refuse and waste related services

II.2.3) Place of performance

NUTS codes

- UKJ27 - West Sussex (South West)

Main site or place of performance

Arun District

II.2.4) Description of the procurement

Arun's Combined Cleansing Services Contract (CCSC) includes the delivery of residential waste collections comprising of weekly kerbside residual collection from sacks, a fortnightly dry mixed kerbside recycling collection and a fortnightly subscriber-based garden waste collection service.

The contract also provides street cleansing services comprising litter collection, litter and dog bin collection, street sweeping and public convenience cleaning.

The current 3+3 year contract commenced in 2017 is currently operated by Biffa and is due to expire on 31 January 2023. The annual cost of the contract has varied over the duration. The current annual cost of the contract is £5.82 million. The total contract value over the 3+3 duration is £32,650,000.

This VEAT notice is for the award of a three-year contract extension with modifications from the 1st February 2023 at an annual cost of £7.33 million, which will be subject to indexation.

There is provision within the extension period to move to an alternate weekly/three weekly residual collection service, with the introduction of a weekly food waste collection (subject to committee approval and subject to confirmed government position (section 57 of the Environment Act 2021 amends section 45A of the Environmental Protection Act 1990 to include a new requirement on Waste Collection Authorities (WCAs) to collect food waste from households on a weekly basis. Commencement regulations will bring this requirement into force in due course)

II.2.11) Information about options

Options: No

II.2.14) Additional information

1. The contract is being modified by a 3 year extension and may be modified further with a reduced residual frequency/addition of weekly food waste collection.
2. Food waste collections were included in the original procurement for this contract with

bidders invited to provide pricing and other information. Although this option was not taken up initially its inclusion does permit the contract to now be modified to include these collections under Regulation 72(1)(a). The decision on this shall be subject to Committee approval.

3. The extension of the contract for delivery of the existing services is permissible under Regulation 72(1)(e) in that it is not considered a substantial modification within the meaning of the Regulations.

4. A modification is not substantial within the meaning of the Regulations where:

a) It does not render the contract materially different in character. In this instance although there is potential for a small revision to the way in which the services are delivered (i.e. collection frequency), the services remain essentially the same and therefore the contract is not materially different.

b) It does not introduce conditions which would have allowed for the admission or acceptance of other candidates or tender, or, would have attracted additional participants. While it is impossible to say for certain that no other party would have been interested had they been aware of the potential for a longer contract length this is a relatively specialised and small market so one can posit that this would be highly unlikely. As the services remain essentially unchanged the extension alone would not have allowed for the acceptance or admission of other candidates.

c) It does not change the economic balance of the contract in favour of the contractor in a way not provided for in the contract. In this instance while changes to collection Page 18 frequency may result in a small increase in the price paid to the contract this is relatively minimal in the context of the overall contract value and is attributable to additional costs incurred by the contractor for making those changes.

d) It does not considerably extend the scope of the contract. As stated above, in this instance the services remain essentially the same so there is no alteration to the contract scope.

5. Therefore, the modification to extend the current contract for an additional three years is permissible under Regulation 72(1)(e).

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

This contract can be awarded without prior publication of a contract notice because the modification is not considered to be substantial.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2016/S 070-122768](#)

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

19 May 2022

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

BIFFA WASTE SERVICES LIMITED

Coronation Road, Cressex

High Wycombe

HP12 3TZ

Country

United Kingdom

NUTS code

- UKJ1 - Berkshire, Buckinghamshire and Oxfordshire

Companies House

00946107

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession: £54,640,000

Section VI. Complementary information

VI.3) Additional information

Current contract cost;

6 years (3+3)

Total £32,650,000

Additional extension cost relating to this VEAT notice;

£7,330,000 per annum

3 years

£21,990,000

Combined Total £54,640,000

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

Royal Courts of Justice, Strand

London

WC2A 2LL

Country

United Kingdom

Internet address

<http://www.justice.gov.uk>