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Award

## **Residual Waste Treatment Contract (Modification)**

Rutland County Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-011752

Procurement identifier (OCID): ocds-h6vhtk-02b55a

Published 26 May 2021, 4:18pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Rutland County Council

Catmose House, Catmose Street

Oakham

LE15 6HP

#### **Contact**

Amy Myers

#### **Email**

[amyers@melton.gov.uk](mailto:amyers@melton.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKF22 - Leicestershire CC and Rutland

**Internet address(es)**

Main address

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

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

General public services

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

Residual Waste Treatment Contract (Modification)

**II.1.2) Main CPV code**

- 90500000 - Refuse and waste related services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

PLEASE NOTE THAT THIS IS A MODIFICATION NOTICE, BEING SUBMITTED USING THE VEAT FORM, DUE TO THE ORIGINAL CONTRACT AWARD NOTICE NOT BEING AVAILABLE. ALL INFORMATION REQUIRED BY Part G, Annex V of the Public Contracts Directive IS PROVIDED.

Provision of haulage and treatment of residual waste.

**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: £11,058,664

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 90500000 - Refuse and waste related services

### **II.2.3) Place of performance**

NUTS codes

- UKF22 - Leicestershire CC and Rutland

### **II.2.4) Description of the procurement**

This Notice is to publish details relating to the need for additional works, services or supplies by the original contractor, under Regulation 72 (1) (b) of the Public Contract Regulations.

1) An in scope contract extension for 36 month (01.04.2021 - 31.03.2024). The value of the Contract Extension has seen a 14.25% increase to costs over the duration of 13 years (10 years to date, 3 year extension until 2024)

2) A change in responsibility for costs arising should the third party waste transfer facility not be available. Going forward these will be shared between the parties on an agreed basis (previously the sole responsibility of FCC).

The original contract Terms provide for a 60 month contract extension period. The Council is now invoking 36 months of this extension option until 31st March 2024.

The value of the Contract Extension has seen a 14.25% increase to costs over the duration of 13 years (10 years to date, 3 year extension until 2024) and an increase in volumes and tonnage rates.

The Agreement was due to expire on 31 March 2021. The global outbreak of COVID-19 has caused substantial disruption to the Council and the running of a new procurement process in this climate for two further years of service would cause substantial duplication of costs and inconvenience. The Extension Period of the Agreement will enable the Council to recover from the effects of the pandemic and to restore value for money.

There is a contractual change in responsibility for costs arising should the third party waste transfer facility not be available. Going forward these will be shared between the

parties on an agreed basis (previously the sole responsibility of FCC).

#### ORIGINAL CONTRACT DETAILS

Length in months - 120 months

Start date - 01/04/2011

End date - 31/03/2021

Extension option - 60 months (until 31/03/2026)

Date of award decision - 2010

Contractor:

FCC RECYCLING (UK) LIMITED

Company Reg. No. 02674166

Ground Floor West, 900 Pavilion Drive, Northampton Business Park, Northampton, NN4 7RG

SME - No

Total Value of the Contract:

£7,445,500 (10 years)

£744,550 (per annum)

£9,679,150 (15 years, if extension taken as per original award)

#### MODIFIED CONTRACT DETAILS

Length in months - 156 months

Start date - 01/04/2011

End date - 31/03/2024

Contractor:

FCC RECYCLING (UK) LIMITED

Company Reg. No. 02674166

Ground Floor West, 900 Pavilion Drive, Northampton Business Park, Northampton, NN4 7RG

SME - No

Total Value of the Contract:

£11,058,664

### **II.2.11) Information about options**

Options: No

### **II.2.14) Additional information**

PLEASE NOTE THAT THIS VEAT IS BEING USED AS A PUBLICATION TOOL, TO PROVIDE DETAILS OF A MODIFICATION.

Reasons for modification:

Need for additional works, services or supplies by the original contractor (Art. 43(1)(b) of Directive 2014/23/EU, Art. 72(1)(b) of Directive 2014/24/EU, Art. 89(1)(b) of Directive 2014/25/EU).

Please see II.2.4. Description of the procurement for full details.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated without a prior call for competition

- New works/services, constituting a repetition of existing works/services

Explanation:

PLEASE NOTE THAT THIS VEAT IS BEING USED AS A PUBLICATION TOOL, TO PROVIDE DETAILS OF A MODIFICATION.

Reasons for modification:

Need for additional works, services or supplies by the original contractor/concessionaire (Art. 43(1)(b) of Directive 2014/23/EU, Art. 72(1)(b) of Directive 2014/24/EU, Art. 89(1)(b) of Directive 2014/25/EU).

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

The procurement is covered by the Government Procurement Agreement: Yes

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## **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**

26 May 2021

#### **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**

FCC RECYCLING (UK) LIMITED

Ground Floor West, 900 Pavilion Drive

Northampton

NN4 7RQ

Country

United Kingdom

NUTS code

- UKF2 - Leicestershire, Rutland and Northamptonshire

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: £11,058,664

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Rutland County Council

Catmose House, Catmose Street

Oakham

LE15 6HP

Country

United Kingdom