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Contract

## **Waste Management Services**

Aberdeen City Council

F20: Modification notice

Notice identifier: 2023/S 000-011778

Procurement identifier (OCID): ocds-h6vhtk-03c3db

Published 25 April 2023, 11:27am

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

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

Aberdeen City Council

Woodhill House, Westburn Road

Aberdeen

AB16 5GB

#### **Email**

[CPSSprocurement@aberdeencity.gov.uk](mailto:CPSSprocurement@aberdeencity.gov.uk)

#### **Telephone**

+44 1467539600

#### **Country**

United Kingdom

#### **NUTS code**

UKM50 - Aberdeen City and Aberdeenshire

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00231](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00231)

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**Section II: Object**

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

**II.1.1) Title**

Waste Management Services

Reference number

000-YJMP3366

**II.1.2) Main CPV code**

- 90500000 - Refuse and waste related services

**II.1.3) Type of contract**

Services

**II.2) Description**

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

- 90500000 - Refuse and waste related services

**II.2.3) Place of performance**

NUTS codes

- UKM50 - Aberdeen City and Aberdeenshire

Main site or place of performance

Aberdeen

**II.2.4) Description of the procurement at the time of conclusion of the contract:**

Operation of the Household Waste Recycling Centres (HWRCs), Waste Transfer Stations, management of the authority's recyclable wastes and residual waste, closed landfill management, design and build of an energy from waste facility or more suitable alternative, design and build of new HWRC's.

**II.2.7) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

17 July 2000

End date

21 September 2025

**II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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**Section IV. Procedure**

**IV.2) Administrative information**

**IV.2.1) Contract award notice concerning this contract**

Notice number: [2022/S 002-191062](#)

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**Section V. Award of contract/concession**

**Contract No**

000-YJMP3366

**Title**

Waste Management Services

## **V.2) Award of contract/concession**

### **V.2.1) Date of conclusion of the contract/concession award decision:**

17 July 2000

### **V.2.2) Information about tenders**

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

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

SUEZ recycling and recovery UK Ltd

SUEZ House, Grenfell Road

Maidenhead

SL6 1ES

Telephone

+44 01628513100

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

No

### **V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)**

Total value of the procurement: £200,000,000

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## **Section VI. Complementary information**

### **VI.3) Additional information**

Current company details (reflecting changes in name and registered office):

SUEZ RECYCLING AND RECOVERY NORTH EAST LIMITED, a company incorporated in England and Wales under registration number 02331133, whose registered office is at Suez House, Grenfell Road, Maidenhead, Berkshire, SL6 1ES.

(SC Ref:713175)

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

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

Aberdeen Sherriff Court

53 Castle Street

Aberdeen

AB11 5BB

Country

United Kingdom

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## **Section VII: Modifications to the contract/concession**

### **VII.1) Description of the procurement after the modifications**

#### **VII.1.1) Main CPV code**

- 90500000 - Refuse and waste related services

#### **VII.1.2) Additional CPV code(s)**

- 90510000 - Refuse disposal and treatment
- 90530000 - Operation of a refuse site

#### **VII.1.3) Place of performance**

NUTS code

- UKM50 - Aberdeen City and Aberdeenshire

Main site or place of performance

Aberdeen

**VII.1.4) Description of the procurement:**

SUEZ Recycling and Recovery North East Limited is the Council's existing contractor under its existing 25 year waste management contract which is due to expire on 21st September 2025. That existing contract covers the operation of the Household Waste RecyclingCentres (HWRCs), the Council owned Materials Recycling Facility (MRF) and Waste Transfer Station and management of the authority's recyclable wastes. This procurement shall extend the existing waste management services to be performed SUEZ Recycling and Recovery North East Limited for a further three and a half years to 31 March 2029.

**VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession**

Start date

17 July 2000

End date

31 March 2029

**VII.1.6) Information on value of the contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession:

£443,996,113

**VII.1.7) Name and address of the contractor/concessionaire**

SUEZ Recycling & Recovery UK LTD

Campground VEC, Springwell Road, Wrekenton

Gateshead

NE9 7XW

Telephone

+44 7730816787

Country

United Kingdom

NUTS code

- UKC2 - Northumberland and Tyne and Wear

The contractor/concessionaire is an SME

No

## **VII.2) Information about modifications**

### **VII.2.1) Description of the modifications**

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

Extension of the existing contact services by a period of 42 months from 21st September 2025 to 31st March 2029.

Circumstances which a diligent contracting authority could not have foreseen –

Developing the documentation for the procurement of a long-term waste management contract to replace the existing contract to go to market in 2024 would be very challenging and will pose a significant risk of contractors either being reluctant to bid, or bids being inflated due to the need to price for risk associated with the uncertainty of impending significant legislative and policy initiatives (including the Deposit Return Scheme and Extended Producer Responsibility, recently published Incineration Review which suggests there could be a future need for pre-treatment of waste prior to incineration and the biodegradable waste landfill ban in 2025). It is anticipated the aforementioned will have a significant impact on Council's recycling waste composition/volume) collected & sent for processing together with as yet unknown effects on particular waste streams such as bulky waste, with concomitant effects on residual waste composition and volume. Following the implementation of any new requirements (e.g. collection service changes, changes to material composition, etc) it will generally take at least 12-24 months to be able to gain a good understanding of the impacts on the waste streams. It is estimated that the re-procurement of a contract to replace the existing waste management contract will take around 2-2.5 years to complete, from initial scoping through to contract award.

The Initial contract included provision of an Energy from waste facility subject to obtaining

necessary planning permission. This was not achieved, so the parties could agree the best suitable alternative solution. The Contract was modified in 2015, as per VEAT in 2015 which included for the design, build & operation of a MRF and the management of residual waste at an on-site RDF Facility for export or by bulk-hauling (with no on-site preparation) for UK processing. A Council waste depot and office facility were also built.

The Contract was also varied in 2013 to include the construction of a new Household waste recycling centre at Hazlehead, Aberdeen.

### **VII.2.2) Reasons for modification**

Need for modification brought about by circumstances which a diligent contracting authority/entity could not foresee.

Description of the circumstances which rendered the modification necessary and explanation of the unforeseen nature of these circumstances:

Procurement falls outside the scope of application of the Directive Explanation:

The existing contract is being modified on the grounds of:

1. Reg 72(1)(c) PC(S)R 2015 (unforeseen circumstances); and/or
2. Reg 72(1)(e) PC(S)R 2015 (non-substantial variation)

The nature and scope of the services are unchanged compared to what is envisaged in the existing contract. The modification does not change the economic balance of the contract in favour of the contractor. The modification does not extend the scope of the contract or framework agreement considerably.

### **VII.2.3) Increase in price**

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £415,996,113

Total contract value after the modifications

Value excluding VAT: £443,996,113