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Tender

## **Cheshire East Borough Council - Contract for Household Waste Recycling Centre Services**

Cheshire East Borough Council

F02: Contract notice

Notice identifier: 2024/S 000-014920

Procurement identifier (OCID): ocds-h6vhtk-043544

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### **Section I: Contracting authority**

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

Cheshire East Borough Council

Westfields, Middlewich Road

Sandbach

CW11 1HZ

#### **Contact**

Mr Steve Mellor

#### **Email**

[steve.mellor@cheshireeast.gov.uk](mailto:steve.mellor@cheshireeast.gov.uk)

#### **Telephone**

+44 1270686439

#### **Country**

United Kingdom

**Region code**

UKD62 - Cheshire East

**Internet address(es)**

Main address

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

Buyer's address

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

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

[www.the-chest.org.uk](http://www.the-chest.org.uk)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.the-chest.org.uk](http://www.the-chest.org.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**

Cheshire East Borough Council - Contract for Household Waste Recycling Centre Services

Reference number

DN715688

#### **II.1.2) Main CPV code**

- 90000000 - Sewage, refuse, cleaning and environmental services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Cheshire East Borough Council (the "Authority") wishes to procure a medium-term contract for the operation, management and maintenance and repair of the Authority owned Household Waste Recycling Centre (HWRC) Facilities including all vehicles, equipment and assets, and the delivery of associated waste management services to the Authority (the "Contract").

The scope of the services is anticipated to include (without limitation) the management, operation and maintenance of the Authority's HWRC Facilities; the haulage of residual waste received at the HWRC Facilities to a specified delivery point; and, the haulage, treatment and re-use, recovery and/or disposal of all other waste received at the HWRC Facilities (as more fully described in the procurement documents). The scope of the services also includes works to modify the HWRC Facilities, although such Works are currently expected to be relatively minor.

To access this competition and selection questionnaire, please visit [www.the-chest.org.uk](http://www.the-chest.org.uk), project ID DN715688.

Further details of the Authority's requirements are contained in this Contract Notice at section II.2.4.

This Contract Notice is published to advertise and invite expressions of interest from organisations wishing to enter into a contract with the Authority for the provision of HWRC

Facilities services and works. The Authority is conducting this procurement under the Competitive Dialogue procedure pursuant to Regulation 30 of the Public Contracts Regulations 2015 (the “2015 Regulations”). The aim of the Competitive Dialogue process is to identify and define the means best suited to satisfy the Authority’s needs and requirements. In accordance with the 2015 Regulations the Authority is conducting the procurement in successive stages to reduce the number of Solutions and Bidders throughout the process.

The first stage of the procurement process for the Contract is this Selection Questionnaire (SQ) stage. Organisations responding to this SQ stage of the procurement process who wish to participate in this procurement exercise may access the SQ descriptive document, SQ response document and DRAFT procurement documents via the Chest e-tendering portal (the “Portal”). Applicants must ensure that all clarifications, queries, communications, and the submission of all documents and application forms that may form part of their SQ Response are submitted via the Portal. Following submissions of the completed SQ responses, the Authority will apply the selection criteria in the SQ. The Council intends to select the highest scoring FOUR (4) economic operators to progress from the SQ stage to the invitation to submit detailed solutions and participate in dialogue stage (subject to selected economic operators meeting the Authority’s Minimum Standards set out in the SQ). Following the submission and evaluation of detailed solutions, the Authority intends to invite all bidders to detailed dialogue sessions. Once the Authority identifies the solution capable of meeting its needs, dialogue will be concluded, and bidders invited to submit a final tender before a preferred bidder is selected that represents the most economically advantageous tender. The Authority reserves the right to add stages or revise this process without reverting to an earlier stage.

The deadline for clarifications to be submitted to the portal at this SQ stage is 12 noon (12:00 pm), on 31st May 2024. The Authority is seeking responses to this call for competition in advance of the deadline of 12 noon (12:00 pm), on the 10th June 2024. Applicants who do not submit a response to this call for competition by 12 noon (12:00 pm), on the 10th June 2024 may not be eligible to participate in proceeding stages of this procurement.

#### **II.1.5) Estimated total value**

Value excluding VAT: £32,000,000

#### **II.1.6) Information about lots**

This contract is divided into lots: No

### **II.2) Description**

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

- 90500000 - Refuse and waste related services
- 90700000 - Environmental services

## II.2.3) Place of performance

NUTS codes

- UKD62 - Cheshire East

## II.2.4) Description of the procurement

Context and Contract Services

The Authority is a unitary local authority that provides waste collection and disposal services to some 406,500 residents. All waste disposal authorities, including the Authority, must provide facilities for the disposal of household waste. Under Section 51(1)(b) of the Environmental Protection Act 1990 it shall be the duty of each waste disposal authority to arrange for Household Waste Recycling Centres (HWRC Facilities) to be provided at which persons resident in its area may deposit their household waste. There must therefore be provision for household waste to be disposed of in Cheshire East whether in its current form or some other sustainable form.

The Authority currently owns seven HWRC Facilities that are located within the Cheshire East Administration Area.

The Authority are looking to enter into a Contract for (without limitation):

- the management, maintenance, repair, and operation of the Authority's HWRC Facilities in line with the Specification and the successful Contractor's Service Delivery Plans which set out, as appropriate, how the successful Contractor proposes to provide the Services;
- the receipt and acceptance of residual household waste received at the HWRC Facilities by the Contractor; and the haulage of residual household waste to the Authority's Transfer station located at Cledford Lane, Middlewich, Cheshire East, CW10 0JW. The treatment, recovery and/or disposal of residual household waste shall be carried out under a separate Authority waste management contract.
- the receipt, acceptance, haulage; and, the re-use, recycling, treatment, recovery and/or disposal of all other wastes (with the exception of residual household waste) that are received at the HWRC Facilities;

- the sale of all process outputs to end markets and disposal of any treatment residues;
- obtaining, maintaining and complying with all consents which may from time to time be required for the performance of the Services; and,
- the procurement and management of works to modify the HWRC Facilities.

#### Potential Changes within Procurement Documents

#### Committee Decision on number of HWRC Facilities

On 27th February 2024 at Full Council (all Councillors meeting together), the Authority approved the Medium-Term Financial Strategy that included:

- i. 72 – Emergency reduction of Household Waste Recycling Centres (HWRC) to four core sites: Temporary Emergency reduction of Household Waste Recycling Centres (HWRC) to four core sites at Alsager, Crewe, Knutsford and Macclesfield from 1 April 2024 in advance of the formal HWRC review being presented to Committee in September 2024.
- ii. 96 – Review of Household Waste Recycling Centres Permanent rationalisation of HWRC provision within the borough, as identified through the outputs from the now established HWRC Review, the scope of which was confirmed by the Environment and Communities Committee in September 2023.

Further to the Medium-Term Financial Strategy, the Authority is undertaking a review on the number of HWRC Facilities required to deliver the Services in the Cheshire East Administrative Area. The Authority has identified and is considering the feasibility of 4 scenarios for the future delivery of the Contract. Economic operators are to note that the Authority intends for Detailed Solutions to be sought from Bidders on the basis of all 7 HWRC Facilities, but Bidders will also be asked to price for each scenario as part of its commercial submission.

A Committee decision is expected in September 2024 on the scenario that will form the basis of service delivery under the Contract. Following this decision, Bidders will be invited to detailed dialogue with the Authority and submit their Final Tenders on the chosen scenario only. Further information on this process will be made available to Bidders in the draft procurement documents.

#### Other Matters Subject to Consultation

There are several requirements within the draft Specification (Document 3) that are subject to consultation, including (but not limited to) the number of HWRC Facilities, the HWRC Facilities Opening Hours, the inclusion and scope of booking systems, and accessibility arrangements for non-car users. A formal committee decision on the HWRC

Strategy and scope of HWRC services to be included within this upcoming HWRC Services Contract is expected to be made at the Committee Meeting in September 2024. Prior to Competitive Dialogue and call for Final Tender, the Authority shall provide bidders with clarity regarding the scope of services, specifically the matters that are subject to consultation.

It is our intention to discuss during dialogue solutions across the scope of the service requirements to identify efficiencies, service improvement opportunities, waste reduction and increased recycling that could be included in the final Contract Documents

The full description of the scope of Services can be found within the procurement documents at [www.the-chest.org.uk](http://www.the-chest.org.uk) ,project ID DN715688.

### Contract Works

As a comparatively small part of the contract, the Authority will require the Contractor to specify and undertake works at the HWRC Facilities.

Further details about the potential scope of works required and financing arrangements being considered by the Authority are set out in the draft procurement documents.

### ANSA Environmental Services Limited

For the purposes of this procurement, the Authority is the contracting seeking to procure the Services and will be the counterparty to the Contract with the successful contractor. The Authority's wholly owned company, Ansa Environmental Services Limited, provides environmental services on behalf of the Authority, including in respect of waste management and the HWRC Facilities. Economic operators are to note that it is anticipated that Ansa will undertake certain management functions under the Contract on behalf of the Authority. Further information will be provided in the draft procurement documents.

### Anticipated Changes

The contracting authority reserves the right to introduce anticipated changes to the Services that are foreseeable during the Contract term. These include (without limitation) the closure of a HWRC Facility, the replacement of a HWRC Facility and a change to the delivery point that receives residual household waste. Please refer to the draft Contract for further information.

### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6) Estimated value**

Value excluding VAT: £32,000,000

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

Duration in months

84

This contract is subject to renewal

Yes

Description of renewals

An initial term of 7 years and a maximum extension period of 3 years. Any extension shall be at the Council's sole and absolute discretion and for a period or periods (each to be no less than one (1) year in duration) of up to three (3) years in the aggregate.

### **II.2.9) Information about the limits on the number of candidates to be invited**

Maximum number: 4

Objective criteria for choosing the limited number of candidates:

Criteria are set out in the Selection Questionnaire (SQ) Pack and in the draft procurement documents.

### **II.2.10) Information about variants**

Variants will be accepted: No

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

Options: Yes

Description of options

An initial term of 7 years and a maximum extension period of 3 years. Any extension shall be at the Council's sole and absolute discretion and for a period or periods (each to be no

less than one (1) year in duration) of up to three (3) years in the aggregate.

### **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 III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.2) Economic and financial standing**

Selection criteria as stated in the procurement documents

#### **III.1.3) Technical and professional ability**

Selection criteria as stated in the procurement documents

## **Section IV. Procedure**

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

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

Competitive dialogue

#### **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: [2024/S 000-002868](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

10 June 2024

Local time

12:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

1 July 2024

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: No

### VI.3) Additional information

This procurement exercise will be conducted on Cheshire East Borough Council's electronic

Contract and Tender Management System at the [www.the-chest.org.uk](http://www.the-chest.org.uk) Organisations wishing to be considered for this contract must register their expression of interest and provide additional required information through the Contract and Tender Management System. If you have any technical problems with The Contract and Tender Management System please contact the help-desk on: Email: [ProContractSuppliers@proactis.com](mailto:ProContractSuppliers@proactis.com) telephone 0330 005 0352. In order to participate, providers must register, complete and upload completed documentation and submit this via the Chest at the link provided in this notice. The project reference on The Chest is DN715688. The values given in this notice are only estimations and take into account the extension option — the Council gives no guarantee or warranty or makes any representation as to the accuracy of any indicative volumes.

The estimated contract value for the full possible contract period of 10 years is £32,000,000. In arriving at the estimated contract value the contracting authority has considered without limitation estimated revenue costs associated with the provision of the services, inflation and potential betterment work to be explored as part of the competitive dialogue. For completeness, the contracting authority has considered the estimated costs of all service options that will be subject to Committee decision in September 2024 (including the number of HWRC Facilities to be included within the Contract) and considers the estimated contract value for the full possible contract period of 10 years for all scenarios to range between £27,000,000 - £32,000,000.

The estimated contract value does not include the capital costs associated with any Contract Works undertaken at the HWRC Facilities nor does it include the costs of vehicles, equipment and assets which are anticipated (at this stage) to be predominantly funded by the contractor.

Economic operators should note that the procurement documents marked as draft provide indicative information only of the Authority's approach to the procurement process at this stage and the Authority reserves the right to vary, amend and update any aspects of the procurement documents and final details and versions of them will be confirmed to applicants successful in being selected to submit detailed solutions and participate in dialogue.

The Authority reserves the right not to award the opportunity or to award only part (or a different arrangement) of the opportunity described in this contract notice.

The Authority is of the view that TUPE is likely to apply to some staff.

The competitive dialogue process will be limited and streamlined. The Authority does not intend to enter into extensive dialogue.

The Authority reserves the right to omit any part of the Services at any stage (including in respect of the scenarios being presented for Committee decision in September 2024) and to require those tenderers remaining in the process to adjust their bids accordingly without reverting back to previous stages.

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

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

Royal Courts of Justice

London

WC2A 2LL

Country

United Kingdom

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

In accordance with Regulation 86 (Notices of decisions to award a contract), Regulation 87

(Standstill Period) and Regulations 91 (Enforcement of duties through the Court) of the Public Contracts Regulations 2015 (as amended).

Cheshire East Borough Council will incorporate a standstill period at the point information on the award of the contract is communicated to tenderers. That notification will provide full

information on the award decision. The standstill period, which will be for a minimum of 10 calendar days provides time for unsuccessful tenderers to review and scrutinise the award decision before the contract is entered into.