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Contract

## **Mixed Dry Recyclate Treatment Service**

Leeds City Council - PACS

F20: Modification notice

Notice identifier: 2021/S 000-027856

Procurement identifier (OCID): ocds-h6vhtk-02f43d

Published 5 November 2021, 3:13pm

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

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

Leeds City Council - PACS

Civic Hall

Leeds

LS1 1UR

#### **Contact**

Rachael Grimes

#### **Email**

[rachael.grimes@leeds.gov.uk](mailto:rachael.grimes@leeds.gov.uk)

#### **Telephone**

+44 1133785883

#### **Country**

United Kingdom

**NUTS code**

UKE42 - Leeds

**Internet address(es)**

Main address

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

Buyer's address

<https://www.yortender.co.uk>

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## **Section II: Object**

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

#### **II.1.1) Title**

Mixed Dry Recyclate Treatment Service

Reference number

DN205171 - LCC27776

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

- 90513100 - Household-refuse disposal services

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

Services

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

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

NUTS codes

- UKE42 - Leeds

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

Mixed dry Recyclate Treatment Service

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

Start date

7 November 2021

End date

6 November 2023

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## **Section IV. Procedure**

### **IV.2) Administrative information**

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

Notice number: [2013/S 209-362900](#)

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

### **Contract No**

DN194526

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

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

26 October 2013

#### **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**

H W Martin Waste Ltd

Fordbridge Lane Blackwell Alfreton Derbyshire

Alfreton

DE55 5JY

Country

United Kingdom

NUTS code

- UKF13 - South and West Derbyshire

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: £4,000,000

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## **Section VI. Complementary information**

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

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

The High Court of Justice

The Strand

London

WC2A 2LL

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**

- 90513100 - Household-refuse disposal services

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

- 90514000 - Refuse recycling services

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

NUTS code

- UKE42 - Leeds

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

Mixed dry recyclate treatment service.

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

Duration in months

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

Total value of the contract/lot/concession:

£1,944,508

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

H W Martin Waste Ltd

Fordbridge Lane Blackwell Alfreton Derbyshire

Alfreton

DE55 5JY

Country

United Kingdom

NUTS code

- UKF13 - South and West Derbyshire

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):

The current contract is to be extended by a 2-year period, the cost of the extension is 1 944 508 GBP.

### **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:

The contract end date was previously varied in 2019 utilising regulation 72 (1) (b) (i) & (ii) of the Public Contracts Regulations 2015 and presently those same justifications for extension still remain. It was anticipated over the course of last year that more firm plans would be laid out by government and DEFRA around the new waste strategy for England, however as a result of the effects of the COVID pandemic no further information or firm requirements have been forthcoming.

It would cause significant inconvenience or substantial duplication of costs for the contracting authority: significant uncertainty in waste market regarding requirements for kerbside collection and requirements for disposal of recyclates. Due to be resolved through legislation expected in approx. 2 years. this would necessitate putting a 2-year contract in place. This is short term in this market and may require re-routing of collection rounds twice in 2 years. Resources are better spent accurately scoping and tendering the service provision for the new contract to commence November 2023 and engaging with DEFRA consultation on the new requirements. The additional 2-year term will be less than 50 % of the value of the original contract.

### **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: £4,977,000

Total contract value after the modifications

Value excluding VAT: £6,921,508