
Meeting: Executive
Date: 24 September 2013
Subject: Green Waste Disposal Contracts
Report of: Cllr Brian Spurr, Executive Member for Sustainable Communities – Services

Summary: This report seeks approval to retender green garden waste treatment and disposal services for household garden waste collected in Central Bedfordshire.

The retendering of this service will facilitate the continuation of service provision to cover the interim period between the end of the current period of the contracts, which end on 31 March 2014, and the commencement of the Central Bedfordshire Energy and Recycling (BEaR) Project organics solution.

The estimated total value for the contract/s is £570k per annum.

Advising Officer: Marcel Coiffait, Community Services Director
Contact Officer: Tracey Harris, Head of Waste Services
Public/Exempt: Public
Wards Affected: All wards
Function of: Executive
Key Decision No
Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS

Council Priorities:

The action supports the Council priorities of providing:

- Great universal services – bins, leisure and libraries

by providing suitable disposal arrangements for green waste collected by the Council.

Financial:

1. As an ongoing statutory service, revenue is provided for in the service base budget for 2013/14 and ongoing within the Medium Term Financial Plan.

Legal:

2. Pursuant to Section 1 of the Refuse Disposal (Amenity) Act (RDA) 1978 and section 51 of the Environmental Protection Act (EPA) 1990 the Council has a statutory duty to dispose of the waste it collects, green waste is classed as household waste.
3. The first year extensions on the three current contracts end on 31 March 2014. The BEaR project will provide the longer term waste treatment and disposal solution for the Council, including green waste. There is a second year extension period within the existing contracts; however this will not cover the interim period to the date the BEaR project provider is expected to commence the green waste treatment and disposal service. Therefore an interim contract is required.
4. The EU procurement process applies in this case due to the total value being over the EU threshold.

Risk Management:

5. The Council has a statutory duty to dispose of the waste it collects under section 1 of the RDA 1978 and section 51 of the EPA 1990. Green waste collection would be at risk of suspension if these contracts were not retendered and new contracts let to secure disposal for the collected waste.

Staffing (including Trades Unions):

6. Not Applicable.

Equalities/Human Rights:

7. The procurement process will check contractors' compliance with the requirements of equality legislation.

Public Health:

8. The health and wellbeing of residents would be negatively impacted if green waste disposal was unavailable for an extended period of time as it would impact on collections and could increase levels of fly tipping of the waste.

Community Safety:

9. Under section 17 of the Crime and Disorder Act 1998 the Council has a duty to do all that it reasonably can to reduce crime and disorder, including environmental crime. Green waste disposal makes a key contribution to reducing the incidents of fly tipping in our area and were the service unavailable for an extended period of time as it would impact on collections and could increase levels of fly tipping of the waste. Approval for the procurement of disposal of green waste will ensure that the Council fulfils its statutory duties under section 17.

Sustainability:

10. The new contract/s will ensure that waste is managed in line with the updated waste hierarchy contained within the EU Waste Framework Directive 2008. Waste will be treated to the highest level in the waste hierarchy as is financially and practically feasible, thereby continuing to divert it from landfill and reducing greenhouse gas emissions.

Procurement:

11. The Council's Code of Procurement Governance provides that the Executive must approve expenditure before commencing any procurement over £500,000 per annum. The annual costs of the contract/s exceed that threshold. The procurement team will actively support the tender process and the Council's Procurement Procedures will be followed.

Overview and Scrutiny:

12. The matter has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:**The Executive is asked to:**

1. **approve the procurement of the Disposal of Green Garden Waste collected from households and the four Household Waste Recycling Centres across Central Bedfordshire in accordance with the Council's Code of Procurement Governance.**

<i>Reason for Recommendations:</i>	<i>To ensure that the treatment and disposal of green waste can continue in the interim period to the commencement of the BEaR Project waste management solution.</i>
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Executive Summary

13. This report seeks approval for retendering of the treatment and disposal of green garden waste collected from households and the four Household Waste Recycling Centres (HWRCs) across Central Bedfordshire. The purpose of this is to cover the interim period between the end of the current contracts and the start of the BEaR Project waste management solution.
14. The estimated total contract value based on current costs is £570k per annum.

Green Waste Treatment & Disposal Service

15. The green waste disposal contracts treat and dispose of green garden waste collected from the kerbside and the four HWRCs within Central Bedfordshire. The first single year extension on each of the three current contracts ends on 31 March 2014. The BEaR project will provide the longer term waste treatment and disposal solution for the Council, including treatment and disposal of green waste. There is a second year extension period within the existing contracts to 31 March 2015; however this will not cover the interim period to the date the BEaR project provider is expected to commence the green waste treatment and disposal service. Therefore an interim contract is required.

16. It is proposed that the contract is split in to 4 lots to reflect the geographical spread of the source of the waste:

- a. Green waste collected via kerbside collections in the North
- b. Green waste collected via kerbside collections in the South
- c. Green waste collected via Ampthill and Biggleswade HWRCs
- d. Green waste collected via Dunstable and Leighton Buzzard HWRCs

This, along with a calculation to account for proximity of the tipping point for the waste, ensures potential tenderers provide a local tipping point for delivery of the waste.

17. It is proposed that two options for the term of the contract are included:

- a. 2 years from 1 April 2014 to 31 March 2016 with an 18 month flexible extension to 31 October 2017
- b. 1 year from 1 April 2015 to 31 March 2016 with an 18 month flexible extension to 31 October 2017, taking advantage of the second single year extension within the current contracts to 31 March 2015.

This allows us to select the most cost effective solution from the options available.

18. The procurement process milestones are set out below:

Complete contract documentation	11/10/13
OJEU notice and open tender issued	16/10/13
End of tender period	09/12/13
End of evaluation and intention to award	03/01/14
Formal award and mobilisation period	13/01/14
New contract start date	01/04/14 or 15

Conclusions and Next Steps

- 19. The Executive is asked to approve the retendering of the green waste treatment and disposal service due to the value being £570k p.a. for the interim period to the commencement of the BEaR Project waste management solution.
- 20. Following the procurement process, the award of contracts will be approved by the Community Services Director in consultation with the Executive Member for Sustainable Communities Services.

Appendices: None

Background Papers: None