

United Kingdom-Swindon: Refuse and waste related services

OJ S 192/2013 03/10/2013

Contract notice**Services****Directive 2004/18/EC****Section I: Contracting authority**

I.1. Name and addresses

Official name: Swindon Commercial Services Limited

Postal address: Waterside Park, Darby Close, Cheney Manor Industrial Estate

Town: Swindon

Postal code: SN2 2PN

Country: United Kingdom

For the attention of: Sue Connaghan

E-mail: Fuelofftaketender@swindon.gov.uk

Telephone: +44 1793463753

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

the abovementioned address

Tenders or requests to participate must be submitted: the abovementioned address**I.2. Type of the contracting authority**

Body governed by public law

I.3. Main activity

General public services

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1. Description**II.1.1. Title attributed to the contract by the contracting authority**

Swindon Commercial Service Ltd Fuel Use Contract for the Offtake of Refuse Derived Fuel /Solid Recovered Fuel.

II.1.2. Type of contract and place of performance or delivery

Services

Service category No 16: Sewage and refuse disposal services; sanitation and similar services

NUTS code UKK14 Swindon

II.1.3. Information about a framework agreement or a dynamic purchasing system

The notice involves a public contract

II.1.4. Information about framework agreement

II.1.5. Short description of the contract or purchase(s)

Refuse and waste related services. Refuse disposal and treatment. Non-hazardous refuse and waste treatment and disposal services. Urban solid-refuse disposal services. Refuse recycling services. Refuse transport services. Refuse incineration services. Landfill management services. Waste-tip management services. Commodity brokerage services. Ash disposal services. Swindon Borough Council in its role as a Waste Disposal Authority has an obligation to meet targets for diversion of waste from landfill under the Landfill Allowance Trading Scheme. These targets are for the recycling and composting of municipal solid waste ("MSW") and for the diversion of remaining biodegradable municipal waste ("BMW").

Swindon Commercial Services Ltd is seeking to procure a fuel use solution which will manage the residual waste diversion targets that Swindon Borough Council are required to meet, without impacting upon its existing recycling and composting achievements.

Swindon Commercial Services Ltd is a wholly owned company of Swindon Borough Council and is a "Teckal" company pursuant to the rules and principles of UK and European procurement law. They deliver a range of services, including waste collection, recycling and disposal to Swindon Borough Council under contractual arrangements that were put in place at the time Swindon Commercial Services Limited was incorporated.

The key outcomes of the fuel use solution is the use of the Refuse Derived Fuel ("RDF")/Solid Recovered Fuel ("SRF") in a cost effective manner and to minimise the climate change impact of managing MSW. Swindon Commercial Services will be looking for services which represent value for money.

Refuse Derived Fuel is a Municipal Solid Waste that has been shredded, sorted for recyclates, baled and wrapped. Average moisture content of 35-40 % with a calorific value ranging from 10 to 14 megajoules.

Solid Recovered Fuel is a Municipal Solid Waste that has been shredded, sorted for recyclates, dried, baled and wrapped. Average moisture content of less than 20 % with a calorific value of greater than 18 megajoules.

The fuel use solution will be let for the use of Refuse Derived Fuel/Solid Recovered Fuel, the successful contractor will be responsible for

— collection/or delivered by Supplier of the Refuse Derived Fuel/Solid Recovered Fuel from Swindon to the delivery point of the fuel use.

— collection/or delivered by Supplier of the Refuse Derived Fuel/Solid Recovered Fuel from the delivery points to the fuel use facility, if different.

— the management of residues and by products.

The initial contract period will either be for a One year contract with an option to extend for a further 1 plus 1 plus 1, total 4 year period or a Two year contract with an option to extend for a further 1 plus 1 year, total 4 year period. The operational commencement date is anticipated to be 2 January 2014.

Swindon Commercial Services Ltd reserves the right to decide on the most cost effective solution for delivery and Contact term, once the tender evaluation has been completed.

II.1.6. CPV code(s)

90500000 Refuse and waste related services - FC03 - FC02 - FC01, 90510000 Refuse disposal and treatment, 90513000 Non-hazardous refuse and waste treatment and disposal services, 90513200 Urban solid-refuse disposal services, 90514000 Refuse recycling services , 90512000 Refuse transport services, 90513300 Refuse incineration services, 90531000 Landfill management services, 90533000 Waste-tip management services, 66132000 Commodity brokerage services, 90513400 Ash disposal services

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

II.1.8. Lots

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Swindon Commercial Services Ltd is looking to procure a fuel use solution. The estimated value of the Fuel Use Contract is expected to be between GBP 4 900 000 to GBP 8 700 000 for the duration of the contract including any extension periods. The range includes options for collection, delivery and testing.

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Duration in months: 48 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Refuse Derived Fuel ("RDF")

1) Short description

Municipal Solid Waste that has been shredded, sorted for recyclates, baled and wrapped. Average moisture content of 35-40% with a calorific value ranging from 10 to 14 megajoules.

2) CPV code(s)

90500000 Refuse and waste related services

3) Quantity or scope

Estimated 26 250 tonnes of Refuse Derived Fuel for the duration of the contract including extension periods.

Estimated price range is GBP 1 300 000 to GBP 2 300 000 for the duration of the contract including extension periods. The range includes options for collection, delivery and testing.

4) Indication about different time frame or duration

Duration in months: 48 (from the award of the contract)

5) Additional information about lots

Lot No: 2

Lot title: Solid Recovered Fuel ("SRF")

1) Short description

Municipal Solid Waste that has been shredded, sorted for recyclates, dried, baled and wrapped. Average moisture content of less than 20% with a calorific value of greater than 18 megajoules.

2) CPV code(s)

90500000 Refuse and waste related services

3) Quantity or scope

Estimated 142 000 tonnes of Solid Recovered Fuel for the duration of the contract including extension periods.

Estimated price range GBP 3 600 000 to GBP 6 400 000 for the duration of the contract including extension periods. The range includes options for collection, delivery and testing.

4) Indication about different time frame or duration

Duration in months: 48 (from the award of the contract)

5) Additional information about lots

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Swindon Commercial Services reserves the right to request deposits, guarantees, bonds or other forms of appropriate security. Further details will be provided in the tender documentation.

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Payment shall be based on monthly consolidated billing.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

SCS reserves the right to require in the context of a consortium, bidders to take a particular legal form or to require a single contractor to take primary liability or to require that each party undertakes joint and several liability. Bidders must provide full details of their proposed contracting structures. Changes to consortia or contracting structures must be notified to SCS which may impose conditions on or reject the change if that is reasonably necessary to ensure the Authority meets legal or procurement obligations.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: The Selected Contractors will be required to have all the appropriate licences under UK legislation. The Contractors may also be responsible for attaining or contributing to certain statutory and non-statutory targets (such as but not limited to, recycling performance targets and the diversion of biodegradable municipal waste from landfill).

Please refer to the Tender documents for further information.

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: The Authority will apply all the offences listed in Article 45(1) of Directive 2004/18/EC (implemented as Regulation 23(1) of the Public Contract

Regulations (PCR) 2006 in the UK) and all of the professional misconducts listed at Article 45 (2) of Directive 2004/18/EC (see also Regulation 23(2) in the PCR 2006) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.delta-esourcing.com/delta/project/reasonsForExclusion.html#pcr>

Candidates will be required to answer these questions as part of the qualification process. For candidates who are registered overseas, you will need to declare if you have any offences /misconduct under your own countries laws, where these laws are equivalent to the Regulation 23 lists.

Candidates who have been convicted of any of the offences under Article 45(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 45 (2) may be excluded from being selected to bid at the discretion of the Authority.

Please refer to the Tender documents for further information.

III.2.2. Economic and financial ability

List and brief description of conditions: (a) Appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance.

(b) The presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established.

(c) A statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available.

Please refer to the Tender documents for further information.

Minimum level(s) of standards possibly required: Please refer to the Tender documents for further information.

III.2.3. Technical and professional ability

List and brief description of conditions:

(a) a list of the works carried out over the past five years, accompanied by certificates of satisfactory execution for the most important works. These certificates shall indicate the value, date and site of the works and shall specify whether they were carried out according to the rules of the trade and properly completed. Where appropriate, the competent authority shall submit these certificates to the contracting authority direct.

(c) an indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, those upon whom the contractor can call in order to carry out the work.

(d) A description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities.

(e) Where the products or services to be supplied are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authorities or on their behalf by a competent official body of the country in which the supplier or service provider is established, subject to that body's agreement, on the production capacities of the supplier or the technical capacity of the service provider and, if necessary, on the means of study and research which are available to it and the quality control measures it will operate.

(f) The educational and professional qualifications of the service provider or contractor and/or

those of the undertaking's managerial staff and, in particular, those of the person or persons responsible for providing the services or managing the work.

(g) For public works contracts and public services contracts, and only in appropriate cases, an indication of the environmental management measures that the economic operator will be able to apply when performing the contract.

(h) A statement of the average annual manpower of the service provider or contractor and the number of managerial staff for the last three years.

(i) A statement of the tools, plant or technical equipment available to the service provider or contractor for carrying out the contract.

(j) An indication of the proportion of the contract which the services provider intends possibly to subcontract.

(k) With regard to the products to be supplied: (i) samples, descriptions and/or photographs, the authenticity of which must be certified if the contracting authority so requests; (ii) certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to specifications or standards.

Please refer to the Tender documents for further information.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: no

III.3.2. Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Open

IV.1.2. Information about the limits on the number of candidates to be invited

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

IV.2.2. Information about electronic auction

An electronic auction will be used: no

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

IV.3.4. Time limit for receipt of tenders or requests to participate

25.11.2013 - 12:00

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

IV.3.8. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

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

VI.3. Additional information

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender.

To view this notice, please click here:

<https://www.delta-esourcing.com/delta/viewNotice.html?noticeId=75020156>

GO Reference: GO-2013930-PRO-5164095

VI.4. Procedures for review

VI.4.1. Review body

Body responsible for mediation procedures

Official name: Swindon Commercial Services Ltd

Town: Swindon

VI.4.2. Review procedure

VI.4.3. Service from which information about the review procedure may be obtained

Official name: Swindon Commercial Services Ltd

Country: United Kingdom

VI.5. Date of dispatch of this notice

30.9.2013