

**United Kingdom-Manchester: Non-hazardous refuse and waste treatment and disposal services  
OJ S 229/2013 26/11/2013****Contract notice  
Services****Directive 2004/18/EC****Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Government Procurement

Postal address: Commercial Directorate, Home Office, 15th Floor, West Point, 501 Chester Road, Old Trafford

Town: Manchester

Postal code: M16 9HU

Country: United Kingdom

For the attention of: Julie Wilson, Lee Walsh, Patricia Harris

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Telephone: +44 1612610955 / 1612610954 / 1612610958

Fax: +44 1612610982

**Internet address(es):**

General address of the contracting authority: <http://www.gov.uk>

**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**

National or federal agency/office

**I.3. Main activity**

Public order and safety

**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**

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

Destruction and Disposal of Seized Tobacco and Alcohol Products.

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

Services

Service category No 27: Other services

Main site or place of performance: United Kingdom.

NUTS code UK United Kingdom

### **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)**

Border Force (the "Authority") is a professional Law Enforcement command within the Home Office. The Authority is seeking an environmentally friendly waste to energy solution for its destruction and disposal of tobacco and alcohol products that ensures "zero to landfill".

Tobacco includes cigarettes, hand rolling tobacco, cigars, chewing tobacco, fruit tobacco and other tobacco products including tobacco leaf. Alcohol includes beers, wines, spirits and other drinks. This list of alcohol and tobacco products is not exhaustive.

The Applicant must be able to securely dispose of any quantity, size and quality of seized tobacco and alcohol products. These may be presented in sealed plastic bags, boxes, loose or palletised.

The majority of tobacco products are destroyed at the Authority's storage facility in South Yorkshire before being removed for disposal. The Applicant will be expected to come on to the Authority's storage site between Monday and Friday to destroy the tobacco before removing it for disposal. The Applicant shall provide, operate and maintain the equipment used for tobacco destruction at the Authority's storage facility.

The Applicant must be able to accept alcohol products for disposal and mixed loads of tobacco and alcohol products for destruction and disposal at their site. These items will be delivered by the Authority's Haulage Contractor.

It is the Authority's expectation that the Applicant will seek and maximise every opportunity to generate income from the recycling of tobacco and alcohol waste products and is looking for a monetary return from this waste.

The potential Applicant shall also dispose of any associated packaging including cardboard, bottles, cans and plastic. This list is not exhaustive. Where possible all packaging must be recycled. The Authority is looking for a monetary return from the associated packaging.

The Applicant must provide adequate secure storage within their premises for the Authority's products which are awaiting destruction and disposal. The Applicant will be responsible for their premises security provisions and for the Authority's products in their care; The minimum levels of security which the Applicant must provide includes perimeter and internal fencing, controlled access, alarms and monitored CCTV in place 24/7, 365/6 days.

The Applicant must have the flexibility and technical skills to be able to implement and conform to current and future environmental and health and safety legislation.

#### **II.1.6. CPV code(s)**

90513000 Non-hazardous refuse and waste treatment and disposal services, 75130000 Supporting services for the government, 90500000 Refuse and waste related services, 90510000 Refuse disposal and treatment, 90514000 Refuse recycling 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: no

#### **II.1.9. Information about variants**

Variants will be accepted: no

### **II.2. Scope of the procurement**

### **II.2.1. Total quantity or scope**

Duration of the Contract will be 3 years.

Estimated value excluding VAT: 2 193 000 GBP

### **II.2.2. Information about options**

Options: yes

Description of options: There will be an option to extend the initial 3 year Contract period for up to a further period of one year. At the award stage the Contract will be enabled for use by HM Revenue and Customs (HMRC) and National Crime Agency (NCA). The Contract will be open to other Government Departments, Agencies and Local Authorities. The estimated value of this Contract shown at II.2.1 is indicative of the Authority's and HMRC usage only.

### **II.2.3. Information about renewals**

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

Duration in months: 36 (from the award of the contract)

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

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

The Authority operates an electronic ordering system and has a Purchase Order mandatory policy. The successful tenderer will be required to provide information so that it may be adopted onto the system.

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

Joint and Several liability - No special legal form is required but (each) supplier will be required to become jointly and severally liable for the performance of the contract before awarded.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

### **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: (a) is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;

(b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;

(c) has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;

(d) has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;

(e) has not fulfilled obligations relating to the payment of social security contributions in

accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

(f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;

(g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information;

(h) has been the subject of a conviction for participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA; 12 / 19

(i) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26 May 1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;

(j) has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities; 6 / 13

(k) has been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering.

Revenue compliance checks will be undertaken throughout the tendering exercise using information from HMRC's records. UK applicants will be required to provide their tax reference numbers, i.e. Value Added Tax registration number, PAYE collection reference, Corporation Tax or Self Assessment reference, as applicable. Overseas or non-UK applicants will be required to submit a certificate of tax compliance obtained from the country in which they are resident for tax purposes. Applicants unable to demonstrate an acceptable revenue compliance record may be excluded from tendering or from further participation in the tendering exercise.

If a company is a subsidiary, or a member of a group, the above details may also be required in respect of the parent company, or other group member as appropriate. Checks will also be made in respect of any outstanding Civil Penalty actions under the terms of the Immigration and Asylum act 1999, Section 32 and any outstanding penalties may result in applicants being excluded from tendering or from further participation in this Tendering exercise. If a company is a subsidiary, or a member of a group, the above details may also be required in respect of the Parent Company or other group members.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: 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 (3) 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.

Company name, registration number, business and registered office address, telephone and facsimile numbers, e-mail address and contact name. Statement of turnover in respect of the required service

only. (Tenders from tenderers whose turnover is judged to be insufficient to support the area of interest may be excluded from further consideration). Details of relevant insurances held (with values and copy

certification), to include, as a minimum, and as applicable, Public Liability and Employers Liability Insurance. If a company is a subsidiary, a member of a group or consortium, the

above details may also be required in respect of the parent company, other group members or each consortium member as appropriate, and a parent company guarantee may be required (if applicable).

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

The information required to demonstrate compliance with the minimum standard for reliability having regard to past performance is set out below.

(1) The bidder must supply a list comprising a statement of all the relevant principal services provided in the previous 3 years by the entity or entities specified in A or B below. "Relevant" services is the provision of destruction and disposal of tobacco and alcohol products. Any reference to a "bidder" or "entity" includes reference to a consortium, where relevant, whether or not the consortium has a legal personality.

The criteria by reference to which the principal services have been identified should be stated by the bidder.

A.

The list referred to above must include at least either:

(a) contracts under which relevant services have been provided by the bidder or  
(b) a contract (or contracts) under which it has provided relevant services. Where the bidder is an entity that is continuing an undertaking or undertakings (or any part of an undertaking or undertakings) which were previously conducted by one or more other entities (each a "predecessor entity"), the list of such contracts must include the contracts under which relevant services were provided by each predecessor entity.

B.

Alternatively, where the bidder may rely on other entities (including, in the case of a consortium, members of the consortium) to enable it to perform the Contracts, save as specified below the list must:

(i) describe the function that each such other entity will perform under the Contracts, and

(ii) include at least either:

(a) contracts in respect of relevant services provided by the bidder (or a predecessor body), and contracts in respect of relevant services provided by any other entity (including any member of the consortium) on which the bidder may intend to rely to enable it to perform the contracts, or

(b) in respect of the bidder or any other such entity, a contract (or contracts) under which relevant services were provided by it and in either case which are relevant to the function that each will perform under the contract(s). Where the bidder is an entity which has been formed for the particular purposes of bidding for the Contracts that is the subject of this Notice, the bidder may comply with paragraph B(ii) above by including in its list contracts under which relevant services were provided by those entities on whom the bidder will rely to perform the contract (or their predecessor entities), instead of the bidder itself.

Where it is envisaged that the bidder will rely on one or more sub-contractors to enable it to perform the contract: in so far as any sub-contractor has not been appointed, the list should describe the function that subcontractor will perform but need not include any contract by such a sub-contractor, and in so far as the anticipated value of any particular sub-contract is less than 5 per cent of the total contract value, the bidder need not comply with the requirements in B(ii) above in relation to that particular subcontract.

(2) The bidder must also provide:

(a) certificates in the form requested in Questionnaire D (Schedules and Certificates) contained in the ITT documentation.

(b) if any such certificate cannot be obtained, an explanation of the steps taken to obtain it and

why it is not available and a certificate (in the same form) from the entity that provided the services instead;

(c) if the certificate does not state that the services have been provided satisfactorily in accordance with the terms of the contract in question, information to show that any reason why they were not so provided will not recur in the performance of the contract.

(3) In considering whether it is satisfied that the minimum standard for reliability based on past performance is met, the Contracting Authority reserves the right to verify the information required and to require the bidder/consortium to clarify or supplement it.

Minimum level(s) of standards possibly required:

Any bidder/consortium must meet the minimum standard in relation to reliability based on past performance.

The minimum standard for reliability having regard to past performance is that the Contracting Authority is satisfied that the contracts required on the list to be provided have been satisfactorily performed in accordance with their terms or, where that has not occurred, the reason or reasons why that has not occurred in relation to any such contract, will not recur in the performance of the contract to be awarded under the Contracts.

The Contracting Authority will assess whether or not this minimum standard is met at the selection stage.

In addition the Contracting Authority will also re-assess whether this minimum standard is met prior to award.

#### **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**

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#### **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: yes

Additional information about electronic auction: The planned date for the electronic Reverse Auction (e-Auction) will be included in the Tender documentation. Successful Bidders will be notified of the procedure and exact date in due course and provided with a training session prior to this date.

### **IV.3. Administrative information**

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

IMO 250/5/2013

#### **IV.3.2. Previous publication concerning this procedure**

Prior information notice  
of 23.1.2013

#### **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**

23.12.2013 - 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**

Duration in months: 12 (from the date stated for receipt of tender)

#### **IV.3.8. Conditions for opening of tenders**

### **Section VI: Complementary information**

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#### **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**

This procurement will be managed electronically via the Government Procurement Service's e-Sourcing Portal. To participate in this procurement, participants must first be registered on the e-Sourcing Portal. If you have not yet registered on the eSourcing Portal, this can be done online at <https://gpsesourcing.cabinetoffice.gov.uk> by following the link 'Register for GPS eSourcing'. Please note that, to register, you must have a valid DUNS number (as provided by Dun and Bradstreet) for the organisation which you are registering, who will be entering into a contract if invited to do so. Full instructions for registration and use of the system can be found at <http://gps.cabinetoffice.gov.uk/i-am-supplier/respondtender>. Once you have registered on the eSourcing Portal, a registered user can express an interest for a specific procurement. This is done by emailing the buyer, i.e.: [julie.wilson@homeoffice.gsi.gov.uk](mailto:julie.wilson@homeoffice.gsi.gov.uk), [lee.walsh@homeoffice.gsi.gov.uk](mailto:lee.walsh@homeoffice.gsi.gov.uk) or [patricia.harris@homeoffice.gsi.gov.uk](mailto:patricia.harris@homeoffice.gsi.gov.uk). Your email must clearly state: the name and reference for

the procurement you wish to register for; the name of the registered supplier; and the name and contact details for the registered individual sending the email. The email will be processed and then the buyer will enable the supplier to access the procurement online via the e-Sourcing Portal. The registered user will receive a notification email to alert them once this has been done.

For technical assistance on use of the e-Sourcing Portal please contact Government Procurement Service Helpdesk:

Freephone: +44 3450103503

email: [supplier@gps.gsi.gov.uk](mailto:supplier@gps.gsi.gov.uk)

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

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

##### **VI.4.2. Review procedure**

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

#### **VI.5. Date of dispatch of this notice**

22.11.2013