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CONTRACT NOTICE

SECTION I: CONTRACTING AUTHORITY

I.1) NAME, ADDRESSES AND CONTACT POINT(S)

Official name: London Borough of Croydon as Lead Borough on behalf of itself and the contracting Authorities within the South London Waste Partnership namely the London Borough of Croydon, the London Borough of Merton, the London Borough of Sutton and the Royal Borough of Kingston upon Thames (see Section VI.3)

Postal address: London Borough of Croydon
Resources and Customer Services Department
Corporate Procurement Team
6th Floor Taberner House
Park Lane

Town: Croydon

Postal code: CR9 3JS

Country: United Kingdom

Contact point(s): Gary Seed, Procurement Team

Telephone: +44 (0) 20 8726 6000
extension 62720

For the attention of:

Email: gary.seed@croydon.gov.uk

Fax: +44 (0) 20 8760 5571

Internet address(es) (if applicable)

General address of the contracting authority (URL):

Address of the buyer profile (URL):

Further information can be obtained at:

- As in above-mentioned contact point(s)
- Other: please complete Annex A.I

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

- As in above-mentioned contact point(s)
- Other: please complete Annex A.II

Tenders or requests to participate must be sent to:

- As in above-mentioned contact point(s)
- Other: please complete Annex A.III

I.2) TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES

- Ministry or any other national or federal authority, including their regional or local sub-divisions
- National or federal agency/office
- Regional or local authority
- Regional or local agency/office
- Body governed by public law
- European institution/agency or international organisation
- Other

(please specify):

- General public services
- Defence
- Public order and safety
- Environment
- Economic and financial affairs
- Health
- Housing and community amenities
- Social protection
- Recreation, culture and religion
- Education
- Other

(please specify):

The contracting authority is purchasing on behalf of other contracting authorities

- yes
- no

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Title attributed to the contract by the contracting authority

South London Waste Partnership - Long Term Residual Waste Contract

II.1.2) Type of contract and location of works, place of delivery or of performance

(Choose one category only - works, supplies or services - which corresponds most to the specific object of your contract or purchase(s))

(a) Works

- Execution
- Design and execution
- Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities

(b) Supplies

- Purchase
- Lease
- Rental
- Hire purchase
- A combination of these

(c) Services

Service category: No16
(For service categories 1-27, please see Annex II of Directive 2004/18/EC)

Main site or location of works

Main place of delivery

Main place of performance

London Borough of Croydon,
London Borough of Merton,
London Borough of Sutton and the
Royal Borough of Kingston upon
Thames

NUTS code UKI22

II.1.3) The notice involves

A public contract

The setting up of a dynamic
purchasing system (DPS)

The establishment of a
framework agreement

II.1.4) Information on framework agreement (if applicable)

Framework agreement with several operators

Framework agreement with a single operator

Number , OR, if applicable, maximum number of
participants to the framework agreement envisaged

Duration of the framework agreement:

Duration in year(s):

or month(s):

Justification for a framework agreement, the duration of which exceeds four years:

Estimated total value of purchases for the entire duration of the framework agreement (if applicable; give figures only):

Estimated value excluding VAT:

Currency:

OR Range: between

and

Currency:

Frequency and value of the contracts to be awarded:(if known) :

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

The South London Waste Partnership ("the Partnership") comprises the London Boroughs of Croydon, Merton and Sutton and the Royal Borough of Kingston upon Thames ("the Partners"). The Partners are the Waste Disposal Authorities for those Boroughs. The Partnership wishes to procure a long term PPP/PFI contract ("the Contract") with one contractor (or consortium) for the management and treatment and/or disposal of residual waste of the Partnership in order to divert that waste from landfill. This (subject to affordability and value for money) will enable the Partnership to minimise its exposure to landfill tax and achieve its Landfill Allowance Trading Scheme ("LATS") diversion targets throughout the duration of the Contract. The Partnership intends to make three (3) sites available for the project but bidders are free to propose their own site or sites. Options and solutions will be more fully identified and discussed during the course of the procurement which is intended to be under the competitive dialogue process. Further details are set out in section II.2.1 below.

II.1.6) Common procurement vocabulary (CPV)

	Main vocabulary	Supplementary vocabulary <i>(if applicable)</i>
Main object	90500000	
Additional object(s)	09310000	
	09320000	
	09323000	
	31682000	
	45100000	
	45222100	
	45222110	
	45232470	
	45252000	
	45252300	
	90510000	
	90512000	
	90513000	
	90513100	
	90513300	
	90513900	
	90520000	
	90524200	
	90530000	
	90531000	

II.1.7) Contract covered by the Government Procurement Agreement (GPA)

- yes no

II.1.8) Division into lots *(for information about lots, use Annex B as many times as there are lots)*

- yes no

If yes, tenders should be submitted for *(tick one box only)*

- one lot only one or more lots all lots

II.1.9) Variants will be accepted

- yes no

II.2) QUANTITY OR SCOPE OF THE CONTRACT

II.2.1) Total quantity or scope *(including all lots and options, if applicable)*

The solution may be required to deal with tonnages ranging from approximately 222,000 tonnes of total residual waste per annum in 2014 to 200,000 tonnes by 2023. After 2023 available waste is profiled to remain at that quantity until the end of the Contract. However, tonnages are not warranted or guaranteed by the Partnership and will be developed through the procurement process. The stated tonnages do not take account of any third party capacity. Bidders are permitted to propose facilities that are capable of treating third party waste in addition to waste sourced by the Partnership.

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS RELATING TO THE CONTRACT

III.1.1) Deposits and guarantees required *(if applicable)*

The Partnership reserves the right to require guarantees, deposits, bonds or other forms of appropriate security. Further information will be provided to those invited to participate in dialogue.

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

Payment of the services will be in accordance with the performance of the facilities and services for the duration of the contract by way of an annual unitary charge which will be abatable for non-acceptance of waste/poor performance. The payment mechanism will be a key part of the competitive dialogue. Further information will be provided to those invited to participate in dialogue.

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded *(if applicable)*

It is anticipated that the Contract may be awarded to companies and partnerships with separate legal identities. Joint ventures or group bids must make clear the status, shares and stakes of all the partners and the legal entity with whom the Partnership would contract. Applicants may prior to contract, form a special purpose vehicle (SPV). In the case of a joint venture or group bid, the partners must make clear how they intend to deliver the services (for example through sub-contracts or by way of an SPV).

III.1.4) Other particular conditions to which the performance of the contract is subject *(if applicable)*

- yes no

If **yes**, description of particular conditions

Please refer to the procurement documentation.

III.2) CONDITIONS FOR PARTICIPATION

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if requirements are met:

These are detailed in the Pre-Qualification Questionnaire.

III.2.2) Economic and financial capacity

Information and formalities necessary for evaluating if requirements are met:

These are detailed in the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required *(if applicable)*:

These are detailed in the Pre-Qualification Questionnaire.

III.2.3) Technical capacity

Information and formalities necessary for evaluating if requirements are met:

These are detailed in the Pre-Qualification Questionnaire.

Minimum level(s) of standards possibly required *(if applicable)*:

These are detailed in the Pre-Qualification Questionnaire.

III.2.4) Reserved contracts *(if applicable)*

yes no

The contract is restricted to sheltered workshops

The execution of the contract is restricted to the framework of sheltered employment programmes

III.3) CONDITIONS SPECIFIC TO SERVICES CONTRACTS

III.3.1) Execution of the service is reserved to a particular profession

yes no

If **yes**, reference to the relevant law, regulation or administrative provision:

III.3.2) Legal entities should indicate the names and professional qualifications of the staff responsible for the execution of the service

yes no

SECTION IV: PROCEDURE

IV.1) TYPE OF PROCEDURE

IV.1.1) Type of procedure

- Open
- Restricted
- Accelerated restricted
- Negotiated

Justification for the choice of accelerated procedure:

Candidates have already been selected

- yes
- no

If yes, provide names and addresses of economic operators already selected under Section VI.3)
Additional information

- Accelerated negotiated
- Competitive dialogue

Justification for the choice of accelerated procedure:

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate
(restricted and negotiated procedures, competitive dialogue)

Envisaged number of operators

OR Envisaged minimum number 3 and , *if applicable*, maximum number 8

Objective criteria for choosing the limited number of candidates:

The objective criteria set out in the specifications, the descriptive document and the Invitation to Participate in Dialogue.

IV.1.3) Reduction of the number of operators during the negotiation or dialogue*(negotiated procedure, competitive dialogue)*

- Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated
- yes
 - no

IV.2) AWARD CRITERIA

IV.2.1) Award criteria *(please tick the relevant box(es))*

Lowest price

OR

The most economically advantageous tender in terms of

the criteria stated below *(the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)*

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

Criteria	Weighting	Criteria	Weighting
1.		6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

IV.2.2) An electronic auction will be used

yes no

If yes, additional information about electronic auction *(if appropriate)*

IV.3) ADMINISTRATIVE INFORMATION

IV.3.1) File reference number attributed by the contracting authority *(if applicable)*

IV.3.2) Previous publication(s) concerning the same contract

yes no

If yes,

Prior information notice Notice on a buyer profile

Notice number in OJ: 2009 /S 031 - 045462 of 14/02/2009 *(dd/mm/yyyy)*

Other previous publications *(if applicable)*

IV.3.3) Conditions for obtaining specifications and additional documents *(except for a DPS) or descriptive document* *(in the case of a competitive dialogue)*

Time limit for receipt of requests for documents or for accessing documents

Date: 15/06/2009 *(dd/mm/yyyy)*

Time: 16:00

Payable documents

yes no

If yes, price *(give figures only)*:

Currency:

Terms and method of payment:

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

Date: 15/06/2009 (dd/mm/yyyy)

Time: 16:00

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates (if known)
(in the case of restricted and negotiated procedures, and competitive dialogue)

Date: (dd/mm/yyyy)

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up

ES	CS	DA	DE	ET	EL	EN	FR	IT	LV	LT	HU	MT	NL	PL	PT	SK	SL	FI	SV	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other:

IV.3.7) Minimum time frame during which the tenderer must maintain the tender (open procedure)

Until: (dd/mm/yyyy)

OR Duration in month(s):

or days: (from the date stated for receipt of tender)

IV.3.8) Conditions for opening tenders

Date: (dd/mm/yyyy) Time:

Place (if applicable):

Persons authorised to be present at the opening of tenders (if applicable)

yes

no

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) THIS IS A RECURRENT PROCUREMENT *(if applicable)*

yes no

If **yes**, estimated timing for further notices to be published:

VI.2) CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY EU FUNDS

yes no

If **yes**, reference to project(s) and/or programme(s):

VI.3) ADDITIONAL INFORMATION *(if applicable)*

The Partnership currently comprises the London Boroughs of Croydon, Merton and Sutton and the Royal Borough of Kingston upon Thames. During the period of the Contract, other local authorities and waste authorities may join the Partnership (and so be regarded as contracting Authorities for the purpose of this procurement) and/or some of the existing Boroughs may leave the Partnership. At a future date the Partnership may become a statutory Joint Waste Authority. For the purpose of this procurement, the London Borough of Croydon is acting as the procurement lead on behalf of itself and the other Partners.

It is possible that the Partnership may make available waste from other sources. This will be explored in the early stages of the dialogue together with the most suitable form of legal arrangement. The Partnership is not prescribing any specific waste treatment technology or solution. The Partnership intends to make three (3) sites available to the project. The sites are available to be visited on Friday 15 May 2009 and are located in the London Boroughs of Croydon and Merton and the Royal Borough of Kingston upon Thames. However, bidders should note that they are free to propose their own site or sites. Parties interested in visiting the 3 sites being made available to the project should contact Frank Smith by e-mail at frank.smith@croydon.gov.uk.

It is likely that the successful contractor will also be responsible for securing "off-take" contracts in respect of, for example but not limited to, electricity produced as a result of the solution offered by the bidder.

All interested organisations are required to complete and return a Pre-Qualification Questionnaire ("PQQ") by the date and in the manner set out in the PQQ documentation. Only those organisations returning a completed PQQ will be deemed to have made an expression of interest.

All interested parties are invited to a bidder information day on Monday 18 May 2009. Please contact the Partnership using the contact details at Annex A.1 for further details and to request your attendance.

The description of the Contract opportunity is the best available at present. Specifications and details may be altered at any stage.

The Partnership reserves the right not to award the Contract at all or any part of the Contract for any reason.

Although the deadlines on bidders identified in this notice are binding, the broader timetable disclosed in the procurement documents is illustrative only. All times specified in this notice are GMT.

The Partnership shall not be responsible for any costs incurred by bidders in any way whether or not the competition proceeds to a final award and signature of the Contract or otherwise.

A PQQ can be requested from Gary Seed using the contact details at I.1. Any request for additional information about the project itself can be sought from Frank Smith using the contact details at Annex A.1.

VI.4) PROCEDURES FOR APPEAL

VI.4.1) Body responsible for appeal procedures

Official name: The London Borough of Croydon

Postal address: Taberner House, Park Lane

Town: Croydon

Postal code: CR9 3JS

Country: United Kingdom

Email:

Telephone:

Fax:

Internet address
(URL):

Body responsible for mediation procedures (if applicable)

Official name:

Postal address:

Town:

Postal code:

Country:

Email:

Telephone:

Fax:

Internet address
(URL):

VI.4.2) Lodging of appeals (please fill heading VI.4.2 OR if need be, heading VI.4.3)

Precise information on deadline(s) for lodging appeals:

In accordance with Regulation 32 (Information about Contract Award Procedures and the Application of Standstill Period Prior to Contract Award) and Regulation 47 (Enforcement of Obligations) of the Public Contract Regulations 2006. Prior notice of any challenge must be given and any challenge must be made promptly and in any event within 3 months of the grounds of challenge arising.

VI.4.3) Service from which information about the lodging of appeals may be obtained

Official name:

Postal address:

Town:

Postal code:

Country:

Email:

Telephone:

Fax:

Internet address
(URL):

VI.5) DATE OF DISPATCH OF THIS NOTICE:

11/05/2009 (dd/mm/yyyy)

ANNEX A

ADDITIONAL ADDRESSES AND CONTACT POINTS

I) ADDRESSES AND CONTACT POINTS FROM WHICH FURTHER INFORMATION CAN BE OBTAINED

Official name: Frank Smith, Partnership Director
Postal address: London Borough of Croydon
Democratic and Legal Services Division
Chief Executive's Office
Southside 5th Floor Taberner House
Park Lane
Town: Croydon Postal code: CR9 3JS
Country: United Kingdom
Contact point(s): Telephone: +44 (0) 7916 225 227
For the attention of:
Email: frank.smith@croydon.gov.uk Fax: +44 (0) 20 8633 9638
Internet address (URL):

II) ADDRESSES AND CONTACT POINTS FROM WHICH SPECIFICATIONS AND ADDITIONAL DOCUMENTS (INCLUDING DOCUMENTS FOR COMPETITIVE DIALOGUE AS WELL AS A DYNAMIC PURCHASING SYSTEM) CAN BE OBTAINED

Official name:
Postal address:
Town: Postal code:
Country:
Contact point(s): Telephone:
For the attention of:
Email: Fax:
Internet address (URL):

III) ADDRESSES AND CONTACT POINTS TO WHICH TENDERS/REQUESTS TO PARTICIPATE MUST BE SENT

Official name:
Postal address:
Town: Postal code:
Country:
Contact point(s): Telephone:
For the attention of:
Email: Fax:
Internet address (URL):

