

UK-Northallerton: refuse services

2007/S 169-208874

CONTRACT NOTICE

Services

SECTION I: CONTRACTING AUTHORITY

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

North Yorkshire County Council (on its own behalf and on behalf of City of York Council), County Hall, Racecourse Lane, Attn: Ian Fielding, UK-Northallerton DL7 8AH . Tel. 01609 532161. E-mail: waste@northyorks.gov.uk. Fax 01609 532474.

Internet address(es):

General address of the contracting authority: www.northyorks.gov.uk.

Further information can be obtained at: As in above-mentioned contact point(s).

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).

Tenders or requests to participate must be sent to: As in above-mentioned contact point(s).

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

Regional or local authority.

General public services.

Environment.

The contracting authority is purchasing on behalf of other contracting authorities: yes.

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

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

Waste Treatment PFI Contract.

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

Services.

Service category: No 16.

Main place of performance: North Yorkshire.

NUTS code: UKE2.

II.1.3) The notice involves:

A public contract.

II.1.4) Information on framework agreement:

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

North Yorkshire County Council (NYCC) and City of York Council are Waste Disposal Authorities for the purposes of the Environmental Protection Act 1990 and other legislation that imposes statutory duties on them in respect of municipal waste. The two councils, working in partnership, are seeking a private sector partner (PSP) to whom a Waste Treatment Contract will be awarded. It is presently intended that the Contract will be under the Government's Private Finance Initiative. The PSP will be responsible for the treatment of residual municipal waste so as to attain statutory and non-statutory targets (particularly, but not limited to, the diversion

of biodegradable municipal waste from landfill). Whilst the two councils are acting in partnership, NYCC is the lead authority and will be the only party contracting with the PSP. It is intended that the waste arisings from CYC will be secured under a sub-contract between NYCC and CYC. NYCC reserves the flexibility to require the PSP to treat waste arising from other local authorities if to do so offers best value. Arisings of municipal waste in 2005/06 were: North Yorkshire 384 620 tonnes and York 120 870 tonnes more up to date figures are in the descriptive document). NYCC presently anticipates awarding the Contract in December 2010. The Contract's duration will depend on the solution proposed by the PSP, but it is not expected to be for a period greater than 35 years (for example a duration of between 20 and 25 years with up to 5 yearly extensions is considered most likely).

- II.1.6) **Common procurement vocabulary (CPV):**
90120000, 90121000, 90121300, 45222100, 45222110.
- II.1.7) **Contract covered by the Government Procurement Agreement (GPA):**
No.
- II.1.8) **Division into lots:**
No.
- II.1.9) **Variants will be accepted:**
Yes.
- II.2) **QUANTITY OR SCOPE OF THE CONTRACT**
- II.2.1) **Total quantity or scope:**
- II.2.2) **Options:**
No.
- II.3) **DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION:**

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

- III.1) **CONDITIONS RELATING TO THE CONTRACT**
- III.1.1) **Deposits and guarantees required:**
The contract will have a performance related payment mechanism but NYCC reserves the right to require bonds or guarantees or other forms of appropriate security to secure proper performance of the contract.
- III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them:**
The contract is intended to be awarded in a manner consistent with the Government's private finance initiative.
- III.1.3) **Legal form to be taken by the group of economic operators to whom the contract is to be awarded:**
NYCC reserves the right to require groupings of contractors to take a particular legal form or to require that one party has primary liability or to require each party to be jointly and severally liable.
- III.1.4) **Other particular conditions to which the performance of the contract is subject:**
- 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: In accordance with articles 45 to 50 of directive 2004/18/EC and regulations 23 to 25 of the Public Contracts Regulations 2006 and as set out in the tender documents available from the above-mentioned contact point.
- III.2.2) **Economic and financial capacity:**

Information and formalities necessary for evaluating if requirements are met: In accordance with articles 45 to 50 of directive 2004/18/EC and regulations 23 to 25 of the Public Contracts Regulations 2006 and as set out in the tender documents available from the above-mentioned contact point.

III.2.3) **Technical capacity:**

Information and formalities necessary for evaluating if requirements are met: In accordance with articles 45 to 50 of directive 2004/18/EC and regulations 23 to 25 of the Public Contracts Regulations 2006 and as set out in the tender documents available from the above-mentioned contact point.

III.2.4) **Reserved contracts:**

No.

III.3) **CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

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

No.

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

Yes.

SECTION IV: PROCEDURE

IV.1) **TYPE OF PROCEDURE**

IV.1.1) **Type of procedure:**

Competitive dialogue.

IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate:**

Envisaged minimum number: 3.

Objective criteria for choosing the limited number of candidates: As set out in the descriptive document available from the above-mentioned contact point.

IV.1.3) **Reduction of the number of operators during the negotiation or dialogue:**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated yes.

IV.2) **AWARD CRITERIA**

IV.2.1) **Award criteria:**

The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document.

IV.2.2) **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(s) concerning the same contract:**

Prior information notice

Notice number in OJ: [2006/S 128-136792](#) of 8.7.2006.

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

Time limit for receipt of requests for documents or for accessing documents: 28.9.2007.

Payable documents: no.

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

1.10.2007.

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates:**

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

English.

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

IV.3.8) **Conditions for opening tenders:**

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) **THIS IS A RECURRENT PROCUREMENT:**

No.

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

No.

VI.3) **ADDITIONAL INFORMATION:**

NYCC is anxious to exploit the inherent flexibility of the competitive dialogue process and accordingly bidders are encouraged to be creative in formulating their solutions and to offer solutions that take into account or exploit any or all of the aspects of the waste related functions contained in the Environmental Protection Act 1990 and other legislation affecting waste disposal authorities.

VI.4) **PROCEDURES FOR APPEAL**

VI.4.1) **Body responsible for appeal procedures:**

VI.4.2) **Lodging of appeals:**

Precise information on deadline(s) for lodging appeals: In accordance with regulations 32 and 47 of the Public Contracts Regulations 2006.

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

VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

1.9.2007.