

West of England Partnership Board
5 February 2009

Joint Waste Strategy Phase 2 and Phase 3 Update, and Tender Evaluation Criteria for Phase 3

Purpose of the Report

1. To provide the West of England Partnership Board with an update on the Phase 2 Contract and for the Board to note the process by which the Joint Waste Management Committee is determining the evaluation criteria for the Phase 3 PFI Contract.

Background

2. The Partnership Board received reports on the Joint Waste Strategy (JWS) and the procurement of waste treatment capacity under Phase 2 and Phase 3 on 19th September 2008 and 24th October 2008 respectively.
3. Phase 2 involves the procurement of interim waste treatment capacity for the period 2011 to 2016, whilst long-term treatment facilities will be secured through the Phase 3 PFI contract for the period 2016 to 2040.
4. Phase 2 procurement has now reached the stage at which five short-listed contractors are in the process of responding to an Invitation to Tender. Tenders are due to be returned on 9th March 2009.
5. Phase 3 has been the subject of an Outline Business Case (OBC) to DEFRA which was submitted on 31st October 2008. The OBC has been approved by the Minister for Farming and Environment and is now before Partnerships UK and the HM Treasury Project Review Group for final consideration.
6. Once the OBC for Phase 3 has received HM Treasury approval, an OJEU Notice can be published inviting potential bidders to register their interest and to enable them to pre-qualify for procurement, which will be run through a Competitive Dialogue tendering process.
7. Under EU public procurement policy, potential bidders must be notified at or before the Invitation to Participate in Dialogue stage as to how their tenders will be evaluated. Therefore the evaluation criteria and their weightings need to be determined early in the process of procurement. The stages of procurement are shown in Appendix A. The Phase 3 project is currently between Outline Business Case and the publication of the OJEU Notice.
8. Throughout the development of the Joint Waste Strategy and the OBC, the Joint Waste Management Committee has sought to be as open and transparent in its dealings with this project as possible, including the use of Joint Scrutiny. More recently key stakeholders have been invited to help in developing the Evaluation Criteria Framework to be used to evaluate potential solutions.

Context

9. Stakeholders, identified by each of the partnering Authorities and comprising representatives of community and environmental groups, business and Government agencies together with elected members, were invited to contribute to the determination of the tender evaluation criteria. Members included both Waste Executive and individual UA Scrutiny members. This workshop event was held on 12th January 2009.
10. The focus of the workshop was to determine the quality criteria and their weightings that would deliver the Key Service Objectives, ie the outcomes that the partnering Authorities wish to secure from any future contract, and how tenders (solutions offered by contractors) are to be evaluated.
11. The Key Service Objectives are derived from the priorities found within the adopted Joint Waste Strategy (JWS) and the Outline Business Case (OBC). These were initially shared with the Joint Scrutiny Committee on 12th December 2008, subsequently refined in the light of further examination of the core documents and then used as a reference point in the determination of the evaluation criteria at the workshop.
12. An example of an Evaluation Framework which has been successfully used and tested on other waste projects was provided to stakeholders at the workshop. During the workshop stakeholders refined this model into one designed to bring forward the desired contractual outcomes for Phase 3. This reference framework is illustrated in Appendix B.
13. The outcomes of the workshop have been fed back to participants and were subsequently reported to the Joint Scrutiny Committee on 23rd January 2009, at which the Committee was invited to express their views. These views, together with further work being carried out by officers and the Partnership's Financial and Legal advisors will enable the Joint Waste Management Committee to consider a final Evaluation Criteria Framework on 12th February 2009.
14. The final proposed Evaluation Criteria Framework for the Phase 3 Contract will form part of the papers to be published for the Joint Waste Management Committee on 12th February 2009.

Recommendation:

- That the Board notes: (i) the process by which the Joint Waste Committee is determining the evaluation criteria for Phase 3 of the Joint Waste Strategy; and
- (ii) that the Evaluation Criteria Framework will be published as part of the papers going before the Joint Waste Management Committee for consideration on 12th February 2009.

Appendices:

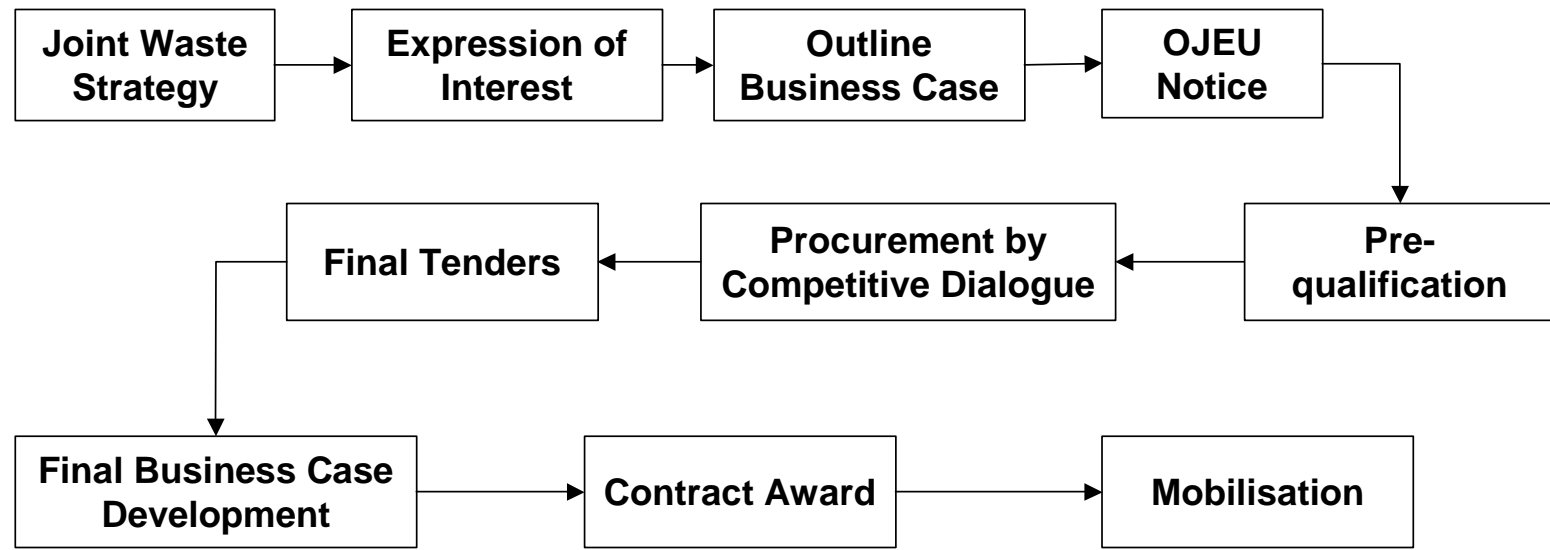
Appendix A: The Stages in the Procurement of Phase 3

Appendix B: Example Evaluation Framework used at the Stakeholder Workshop

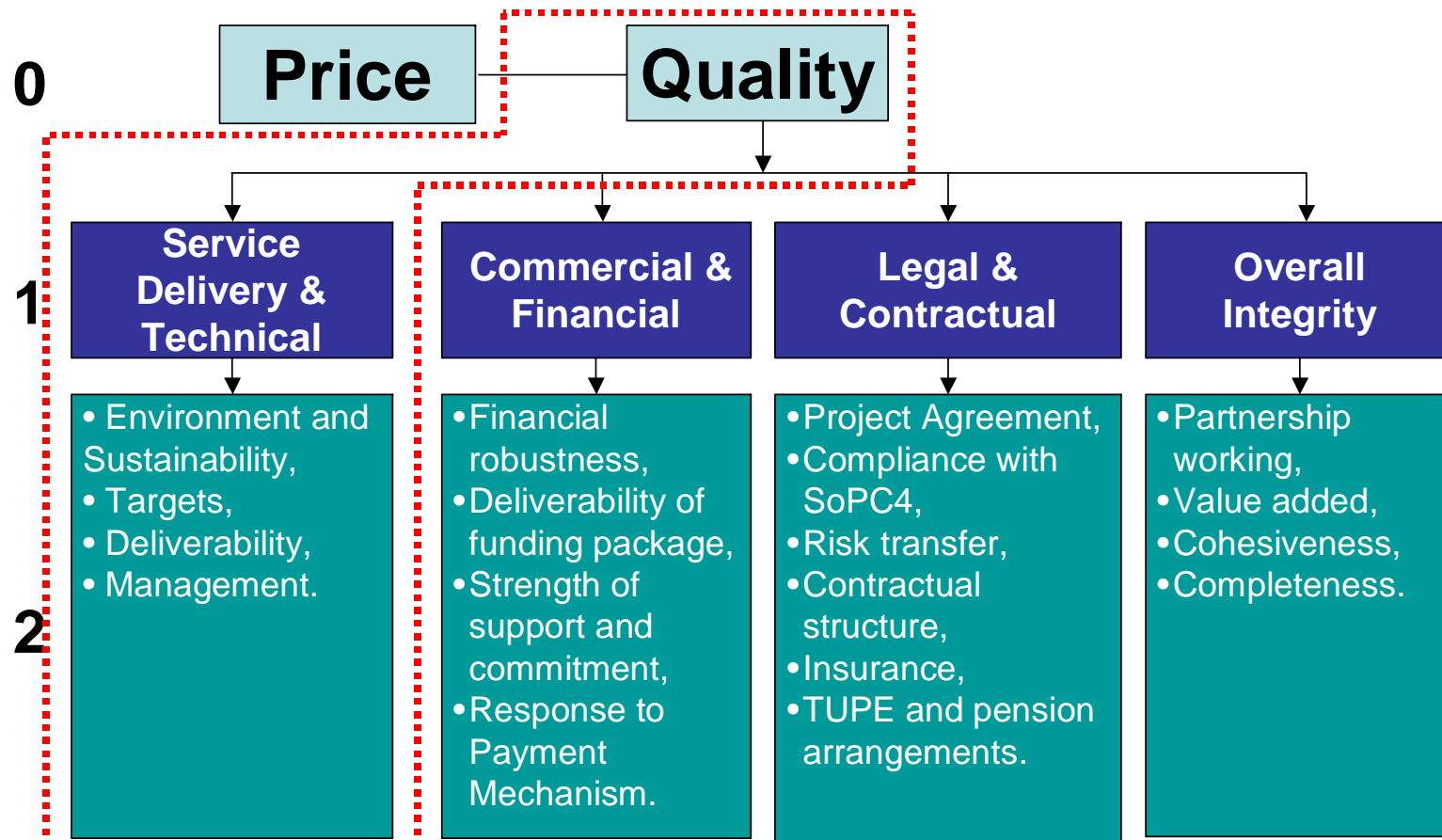
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Stages in the Procurement of Phase 3 Longer Term Treatment Capacity



Example Evaluation Criteria Framework



The **West of England Partnership**

