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**United Kingdom-Matlock: Waste disposal site construction work
2019/S 143-352158**

Prior information notice

This notice is for prior information only

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1) **Name and addresses**

Derbyshire County Council
County Hall, Matlock
Matlock
DE4 3AG
United Kingdom
Contact person: Christopher Wright
E-mail: DDCwasteprocurement@agilia.co.uk
NUTS code: UKF1

Internet address(es):

Main address: <https://www.derbyshire.gov.uk/home.aspx>

I.1) **Name and addresses**

Derby City Council
The Council House, Corporation Street
Derby
DE1 2FS
United Kingdom
Contact person: Christopher Wright
E-mail: DDCwasteprocurement@agilia.co.uk
NUTS code: UKF11

Internet address(es):

Main address: <https://www.derby.gov.uk>

I.2) **Information about joint procurement**

The contract involves joint procurement

I.3) **Communication**

Additional information can be obtained from the abovementioned address

I.4) **Type of the contracting authority**

Regional or local authority

I.5) **Main activity**

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title:

Derby and Derbyshire Long-Term PPP Waste Project — Potential Retendering

II.1.2) Main CPV code

45222110

II.1.3) Type of contract

Services

II.1.4) Short description:

This PIN relates to a potential retendering of the Derby City Council and Derbyshire County Council (together 'the Councils') PPP waste services contract ('the Contract') in accordance with its terms. The contract was stated to have a value of 950 000 000 GBP in August 2014.

The contract involves management, operation and maintenance of nine regional Household Waste Recycling Centres (HWRCs) and the management of Council and third party owned transfer stations, as well as the transportation of residual waste and its treatment and disposal. The latter encompasses the construction, operation and maintenance of the Sinfin Lane New Waste Treatment Facility (NWTF) which is an Energy from Waste (EfW) gasification plant including a Material Recovery Facility (MRF), Mechanical Biological Treatment (MBT) and education centre.

II.1.5) Estimated total value

Value excluding VAT: 950 000 000.00 GBP

II.1.6) Information about lots

This contract is divided into lots: no

II.2) Description

II.2.1) Title:

II.2.2) Additional CPV code(s)

90500000

II.2.3) Place of performance

NUTS code: UKF1

II.2.4) Description of the procurement:

This PIN relates to a potential retendering of the Derby City Council and Derbyshire County Council (together 'the Councils') PPP waste services contract ('the Contract') in accordance with its terms. The contract was stated to have a value of 950 000 000 GBP in August 2014. The objective of the retendering procedure, if that route is open to and adopted by the Councils, would be to establish and pay to RRS the Highest Compliant Tender Price (as defined in the contract) and for the Councils to appoint a new contractor to deliver the services under a new contract (as defined in the contract).

The contract was entered into between Resource Recovery Solutions (Derbyshire) Ltd ('RRS') and the Councils on the 8.12.2009. The contract involves management, operation and maintenance of nine regional Household Waste Recycling Centres (HWRCs) and the management of Council and third party owned transfer stations, as well as the transportation of residual waste and its treatment and disposal. The latter encompasses the construction, operation and maintenance of the Sinfin Lane New Waste Treatment Facility (NWTF) which is an Energy from Waste (EfW) gasification plant including a Material Recovery Facility (MRF), Mechanical Biological Treatment (MBT) and education centre.

The potential retendering follows the issue of a notice, served on the funders of the contract, on 10.4.2019 inviting them to step into the project. If the funders decide against taking action, then the Councils may bring their contract with RRS to an end and will then have an option to retender the contract (provided that there is a liquid market for PFI or PPP or similar contracts for services the same as or similar to those provided under the contract). Should a retendering take place, it would be done in accordance with the terms of the contract which requires that the Unitary Charge is, subject to some adjustments under the contract, made available in order to provide Services. The expiry date for any retendered contract would be 31.3.2042.

If you are interested in receiving further information in relation to this potential retendering as and when it may become available or attending potential industry day events please send your details to DDCwasteprocurement@agilia.co.uk

II.2.14) **Additional information**

The estimated date of publication of a contract notice would be during the last quarter (October-December) of this year (2019) subject to a decision by the Councils whether to proceed with this approach.

II.3) **Estimated date of publication of contract notice:**

02/12/2019

Section IV: Procedure

IV.1) **Description**

IV.1.8) **Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

Section VI: Complementary information

VI.3) **Additional information:**

The Councils have not yet determined whether to retender the contract, in the event that the current contract is terminated. Furthermore, their ability to do so would be constrained should there not be a liquid market for PFI or PPP or similar contracts for services the same as or similar to those provided under the contract.

The Councils are interested in hearing from parties who would be interested in the potential retendering of the contract. In particular, the Councils would wish to hear from parties in the market for PFI or PPP or similar contracts for services the same as or similar to those provided under the contract and which have the legal capacity, power and authority to perform the obligations of the new contract as well as possessing the necessary experience and technical competence and financial and other resources to enable it to perform the new contract.

Interested parties will not be prejudiced by any response or failure to respond to this PIN. This PIN does not constitute a call for competition to procure any works or services and neither Council is not bound to accept any proposals offered.

Neither Council shall be liable for any costs, fees or expenses incurred by any party responding to this PIN or any party who may participate in any subsequent competition.

In the event that the Councils decide to proceed with any procurement, it is currently assumed that such procurement will be carried out in accordance with the provisions of the Public Contracts Regulations 2015 unless any legal requirement requires a different procedure to be adopted.

For more information on the Derby and Derbyshire Long-Term Waste Project please visit: <https://www.derbyshire.gov.uk/environment/rubbish-waste/waste-strategy/waste-contracts/waste-management-contracts.aspx>

VI.5) **Date of dispatch of this notice:**

23/07/2019