

Client: Norwich Business Improvement District Ltd

Date: 25th October 2021

Title: Procurement Methodology

Project:

·Phase 1 – To develop a protocol and methodology for the procurement of circular waste, both collection and treatment.

·Phase 2 – To carry out a full tendering exercise to deliver a pilot project for the above

Procurement Concept Proposal:

Having considered the project in some detail it is clear that a procurement protocol and delivery methodology for tendering will need to be flexible and wide enough to cover both Small Medium Enterprises and much larger Economic Operators, delivering procurement across a diverse mix of Workstreams. It also needs to be administratively light and straightforward for all users to deliver, or alternatively for the B.I.D. or a Contracting Authority to deliver.

In addition, the procurement needs to be able to benefit from innovation in upcycling, utilising techniques and new ideas that may only now be emerging.

To achieve all the above our procurement proposal comprises two tendering streams; firstly, creating a Dynamic Purchasing System (DPS), which will benefit existing organisations, bringing them into a process whereby they can engage directly with the commercial sector and secondly to procure using an Innovation Partnership those economic operators that have the ability to bring new innovations in waste management and upcycling to the market. This could occur following the establishment of a DPS.

Considering predominantly the DPS:

A Dynamic Purchasing System (DPS) is a way of carrying out works and services using a group of approved suppliers:

- There is no restriction in time on the length of a DPS. Commonly they will operate for ten or even fifteen years
- There is no limit to the number of suppliers that can be admitted to a DPS – if you meet the criteria, you will be invited to tender
- It is open to new contractors for the duration of the DPS – you can join at any time.
- It is a simple process to compete for a contractor and a contracting Authority
- Multiple Contracting Authorities can be a part of the DPS
- Multiple workstreams can be created under the DPS and which are termed “Categories”

Categories

- These will be based on the type of waste treatment (recycling, re-using, disposal) and upcycling that can be provided by suppliers and are completely independent of each other, enabling users of the DPS to select the Category they wish to use.
- Anyone admitted to a category must be invited to tender for all opportunities
- The contract should be consistent across the categories
- The selection criteria for tendering each Category can differ

How does a DPS work?

Expressions of Interest:

- Suppliers complete a standard Selection Questionnaire / PAS 91
- All Suppliers who meet and pass the exclusion and selection criteria must be admitted to the DPS and/or the relevant categories within it.
- Suppliers do not need to be invited for all categories they apply and are successful for
- Once the Contract Notice is published, Suppliers have 30 days (minimum) to submit an application. This period cannot be changed
- Once applications are received, they must be evaluated within 10 working days (or 15 in exceptional circumstances)
- Rejected Suppliers should be provided with feedback in order to know how to re-apply at a later date (if they wish to do so)

Tendering under a DPS with appointed Suppliers:

- The B.I.D. or authority will prepare an Invitation to Tender specific to the Contract requirements
- All Suppliers on the DPS (or relevant category) are invited to tender (minimum of 10 days)
- Tenders can be evaluated as price only or price/quality tender (as long as you specify this)
- Individual contracts are awarded at this stage
- There is no obligation to undertake a 'standstill period'
- There is no obligation to provide feedback, however it is considered good practice to do so

Need to publish Contract Award Notices, but these can be batched and issued quarterly

Benefits of a DPS for this project:

- Suppliers don't have to demonstrate suitability and capability every time they wish to compete for a contract
- A DPS is more accessible for Small Medium Enterprises
- DPS remains open to new suppliers throughout the period of the agreement. This enables suppliers who may not be able to meet the selection criteria at the time a DPS is first established, to review their processes, finances and capabilities and reapply onto the DPS at a later stage. It also enables new suppliers in the market to join.
- A supplier who fails the exclusion or selection stage can reapply later if circumstances have changed (for example if it had newly available skills or experience.)
- A supplier is able to apply for as many categories for which it is suitable.
- Using a DPS will help speed up and streamline procurement for suppliers and buyers and the award of tenders can be quicker than some other procurement procedures.

Innovation Partnership:

The Innovation Partnership procedure is essentially a procurement process combined with a Research & Development (R&D) contract. Contracting Authorities are then able to purchase the “end result” of the R&D exercise, without having to undergo a new procurement procedure. One can choose to appoint a number of partners to participate in the R&D phase and may purchase ultimately one or some of those solutions.

The procedure was designed to drive innovation which is why I see it to have benefit here. Indeed, it may only be used in circumstances where a solution is not already available on the open market. Therefore, participants in the Innovation Partnership will be asked to create something which does not already exist and should be tailored towards solving a particular problem or ‘challenge’ set by the authority.

This procedure may also be attractive to SME's and start-ups who often find it easier to innovate.

When may an Innovation Partnership be appropriate?

- When a solution to a ‘problem’ is required
- When the authority does not have the budget to fund the entirety of the research required to investigate potential solutions on its own or appoint a third party to do this
- When the authority wishes to retain the flexibility to explore a solution(s) in more detail (including potentially working with the supplier(s) as part of the R&D phase) before awarding a contract to purchase the goods, services or works.
- When the authority wants the flexibility not to appoint a supplier, following the R & D phase

NB.

I can provide further information or presentation if required.



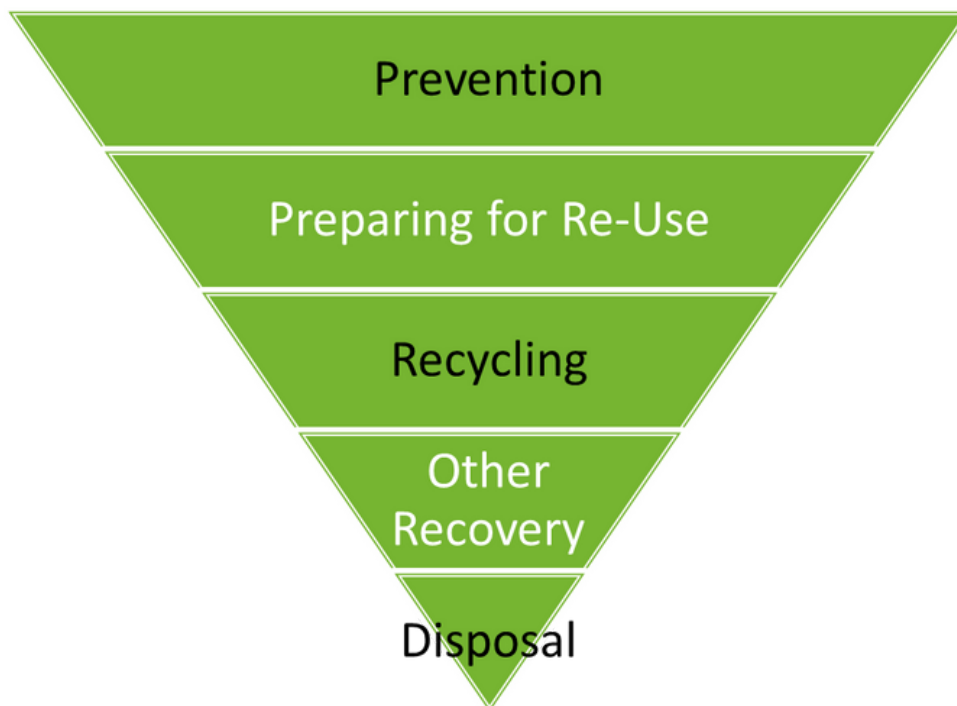
Waste Fact Sheet

Waste Definition

“Waste is a substance or object which is discarded or to be or is required to be discarded”.

DEFRA

Waste Hierarchy 2011 - Guidance for businesses and public bodies which generate, handle or treat waste.



Controlled waste is subject to the Environmental Protection Act 1990 regardless of its end use.



Why is it important?

Producer - If you give your waste to someone else, you must be sure they are authorized to take it and can deal with it or dispose of it safely. You hold a Duty of Care.

Producer to ensure the waste is:

- Stored safely on site
- Collected by a registered waste carrier
- (Disposed of at a licenced facility)
- Satisfies Duty of Care and is covered by a valid Waste Transfer Note
- Correctly described on the Waste Transfer Note
- Satisfies the pre-treatment requirements by either separating some waste for recycling at your site or ensuring your collector takes it to a sorting facility

User – The person collecting waste must be a registered waste carrier.

There are two classifications of waste within the regulations – Upper Tier and Lower Tier.

- Upper Tier – where transporting waste for others, comprising building/construction, paper, metal and glass recycling, plastics, gardening and landscape waste. Professional waste carriers are Upper Tier
- Lower Tier – where transporting one's own waste, generally non construction waste

Broker – A broker is a person / organization that arranges waste collection by someone else. They must also be registered and hold a Waste Carrier Licence.



What do you need to do?

Obtain a Waster Carrier Licence (environmental-licence website)

- Lower Tier will normally cost £49 per annum
- Upper Tier (If you are transporting other peoples' waste) will cost £264 for 3 years and will allow you to transport any type of waste

Complete Waste Transfer Notes - Every transfer of waste between two parties must be covered by a Waste Transfer Notice (WTN);

- A legal requirement
- Must contain information and the signature of both parties between whom the waste is transferred. Governed by Waste (England & Wales) Regulations 2011 (amended 2014)
- The Environment Agency provides a down loadable template
- For repeated transfers where the description of the waste and all the circumstances remain the same, a 'season ticket' can be used to cover all transfers for 12 months.

