

**26 September 2018**

**Environment and Enforcement Committee**

**Recycling Contract**

**Report of:** *Darren Laver – Operations Manager*

**Wards Affected:** *All*

**This report is:** *Public*

**1. Executive Summary**

- 1.1 The current contract for processing our mixed dry recyclables is to end 3 May 2019 and it is necessary to commence the procurement process to ensure that a contractor is in place as from the 6 May 2019.
- 1.2 It is proposed to join a procurement partnership exercise, which is led by Basildon Borough Council; the other partners are Castle Point Borough Council, Rochford District Council and Uttlesford District Council.

**2. Recommendation(s)**

- 2.1 That the Committee delegate authority to the Director of Operations to lead on the procurement exercise and to finalise the contractual agreement with the successful bidder, in consultation with the Section 151 Officer.**

**3. Introduction and Background**

- 3.1 This report is being brought to the attention of the Committee as the contract value will be significant, c. £1 million; the term is for four years, with the possibility of a two year extension.
- 3.2 The current contractual arrangements were reported to the Environment Committee 18 March 2015, at which point Members approved the introduction of the recycling contract.
- 3.3 The current contract performance is viewed as being a positive one, with all partners regarding communication as being good; with particular

reference to the gravimetric reports, facilitating the submission of data to WasteDataFlow.

#### **4. Issue, Options and Analysis of Options**

- 4.1 In order to attain the outcomes that are desirable as articulated in the Commissioning and Procurement Strategy 2016-19, the joint approach to procurement, with other local authorities, is preferred.
- 4.2 This approach is supported by Standing Orders for Contracts, which states the Council will work with others to widen the scope of its expertise and harness economies of scale.
- 4.3 The professional services of WYG have been engaged, through Basildon Borough Council, to act as lead throughout the project. WYG guided the procurement process for the current contract.
- 4.4 Brentwood Legal Services will be acting for us, providing advice and guidance at each stage of the procurement exercise up to the drafting and completion of any contract. Likewise, the Senior Payments and Procurement Officer will be actively involved throughout the process.
- 4.5 In conjunction with the continuous scrutiny by a range of experienced and knowledgeable officers, a procurement timetable has been proposed which defines the main stages; these factors will help to mitigate the adverse aspect of the expected typology of risks.
- 4.6 As a result of the procurement process, Brentwood will have its own contract which will be managed throughout its term by the Operations Manager, to ensure the contractor relationship is maintained and there is satisfactory delivery of services.

#### **5. Reasons for Recommendation**

- 5.1 Members are requested to concur with the recommendations set out in 2.1, as this will enable the Council to react to scenarios and agree, or act, upon solutions; ensuring the procurement process is seamless.

#### **6. References to Corporate Plan**

- 6.1 The eventual implementation of this contract will enable the Council to continue to focus on reducing waste through the promotion of recycling.

- 6.2 Working with other Essex local authorities will enable economic and community benefit.

## **7. Implications**

### **Financial Implications**

**Name & Title:** Jacqueline Van Mellaerts, Interim Chief Finance Officer  
**Tel & Email**

- 7.1 The contract will be significant, c. £1million; the term is for four years, with the possibility of a two-year extension. The procurement partnership exercise will present opportunities for Brentwood to harness economies of scale and presently the cost will be met within the Council current Medium Term Financial Plan.

### **Legal Implications**

**Name & Title:**  
**Tel & Email**

- 7.2 The process for the procurement of this contract will be subject to the requirements of the EU procurement regulations as well as the Council's internal requirements for commissioning as set out in its Constitution. Legal Services are available to advise and assist the Council officers, and the officers within the Lead Council handling the process, albeit that we anticipate that their legal team will primarily advise on this matter to ensure compliance as the matter progresses.

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