

Planning, Transportation, Environment and Waste Overview and Scrutiny Panel

Additional Meeting

Date: **Tuesday 30 March 2010**
Time: **10.30am**
Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr A D Adams	Mr T Garrod
Mr R A Bearman	Mr B Iles
Mr A P Boswell	Mr J M Joyce
Mr J S Bremner	Mr M C Langwade
Mr A J Byrne	Mr B W C Long
Mrs M Chapman-Allen	Mr J M Ward
Mr P G Cook	Mr A M White
Mr N D Dixon	Mr R J Wright
Mr T East	

Non Voting Cabinet Members

Mr A J Gunson	Planning and Transportation
Mr I Monson	Waste Management and the Environment

Non Voting Deputy Cabinet Member

Mr B H A Spratt	Planning and Transportation
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**For further details and general enquiries about this Agenda
please contact the Committee Administrator:**

Jo Martin on 01603 223814
or email jo.martin@norfolk.gov.uk

A g e n d a

- 1. To receive apologies and details of any substitute members attending.**
- 2. Members to Declare any Interests**

Please indicate whether the interest is a personal one only or one which is prejudicial. A declaration of a personal interest should indicate the nature of the interest and the agenda item to which it relates. In the case of a personal interest, the member may speak and vote on the matter. Please note that if you are exempt from declaring a personal interest because it arises solely from your position on a body to which you were nominated by the County Council or a body exercising functions of a public nature (e.g. another local authority), you need only declare your interest if and when you intend to speak on a matter.

If a prejudicial interest is declared, the member should withdraw from the room whilst the matter is discussed unless members of the public are allowed to make representations, give evidence or answer questions about the matter, in which case you may attend the meeting for that purpose. You must immediately leave the room when you have finished or the meeting decides you have finished, if earlier. **These declarations apply to all those members present, whether the member is part of the meeting, attending to speak as a local member on an item or simply observing the meeting from the public seating area.**

- 3. To receive any items of business which the Chairman decides should be considered as a matter of urgency**
- 4. Public Question Time**

15 minutes for questions from members of the public of which due notice has been given.

The report for Item 6 (below) will be published on Wednesday 24 March. The Chairman has therefore agreed to extend the deadline for questions to allow members of the public time to consider the information. Members of the public should submit their questions by 5 pm on Friday 26 March.

Please submit your question(s) to the person named on the front of this agenda. For guidance on submitting public questions, please refer to the Council Constitution Appendix 10, Council Procedure Rules or www.norfolk.gov.uk/reviewpanelquestions

5. **Local Member Issues/Member Questions**

15 minutes for local members to raise issues of concern of which due notice has been given.

The reports for Item 6 and 8 (below) will be published on Wednesday 24 March. The Chairman has therefore agreed to extend the deadline for questions to allow members time to consider the information. Members should submit their questions by 5 pm on Friday 26 March.

Please submit your question(s) to the person named on the front of this agenda.

6. **Residual Waste Treatment PFI Project – Shortlist Approval**

(Page A1)

To consider which applicants should be placed on a shortlist and agree a recommendation to Cabinet.

Officers will provide a presentation covering:

- Drivers for the Waste PFI
- Evaluation criteria
- Contract targets
- The site
- The procurement process

7. **Exclusion of the Public**

The committee is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the item below on the grounds it involves the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The committee will be presented with the conclusion of the public interest test carried out by the report author and is recommended to confirm the exclusion.

8. **Residual Waste Treatment PFI Project – Shortlist Approval**

To consider which applicants should be placed on a shortlist and agree a recommendation to Cabinet.

9. **To consider any items of business which the Chairman decides should be considered as a matter of urgency**

Group Meetings

Conservative	9.30am	Mezzanine 4
Liberal Democrats	9.30am	Room 504
Green	9.30am	Room 532

Chris Walton
Head of Democratic Services
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Martineau Lane
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NR1 2DH

Date Agenda Published: Monday 22 March 2010



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Waste PFI Contract – Shortlist Approval

Report by the Director of Environment, Transport and Development

Summary

The Waste PFI (Private Finance Initiative) contract is to secure a service to treat around 170,000 tonnes of municipal solid waste each year during a 25 year contract expected to start providing a service in 2015.

Detailed proposals were received from four bidders on 28 January 2010:

1. AmeyCespa (Amey UK plc / Cespa SA).
2. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
3. MVV Umwelt GmbH.
4. Resources from Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

The evaluation model, informed by the results of a public consultation 'Future of Waste in Norfolk, What's Important to You?', March 2008, established the following ranking of bids:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).
3. MVV Umwelt GmbH (variant bid).
4. MVV Umwelt GmbH (standard bid).
5. Resources From Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

This has led to the recommendation of a shortlist of the following two applicants:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).

It is considered normal that only two bidders would be placed on a shortlist at this stage. Shortlisted bidders would be invited to participate in a series of meetings to discuss their proposals before the submission of their final proposals for treating residual waste are received in mid 2010. These would then be evaluated before a recommendation was made to select a preferred bidder in late 2010.

Action Required

To recommend to Cabinet that the following applicants are placed on a shortlist for the Waste PFI and invited to participate in dialogue:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).

1. **Background**

- 1.1. The Authority's Outline Business Case for PFI credits to support the cost of a residual waste treatment contract received Treasury approval on 17 March 2009 for the provisional award of £91m PFI credits which would provide £169m support over the period of a 25 year contract.

On 06 April 2009 Cabinet approved the placement of a contract notice for the Waste PFI contract in the Official Journal of the European Union in April 2009, this notice was sent on 23 April 2009.

The Outline Business Case identified a site for bidders to use at the Willows Business Park, at Saddlebow, south of King's Lynn.

A shortlist of four participants was approved by Cabinet on 14 September 2009:

1. AmeyCespa (Amey UK plc / Cespa SA).
2. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
3. MVV Umwelt GmbH.
4. Resources from Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

Successful participants were debriefed on 23 September 2009 and unsuccessful participants were debriefed in September and October 2009.

2. **Information Provided to Participants and an Explanation of the Detailed Solution Stage**

- 2.1 A Participants' Conference was held in King's Lynn on 30 September 2009 to launch the Invitation to Submit Detailed Solution phase and allow participants and their funders to ask questions and visit the site on the Willows Business Park. Clarification meetings with participants were held on 07/08 October, 02/03/04/05 November and 09/10 December 2009 and visits to reference plants were completed in November 2009.

- 2.2 Using a project extranet participants were provided on 14 September 2009 with a set of documents that comprised the Invitation to Submit Detailed Solutions (approximately 850 pages of documentation):

- (a) Instructions and Guidance for Participants, including the procedure by which responses would be evaluated and applicants selected. The full evaluation model is detailed in Appendix A of this report.
- (b) Draft contract documents (referred to as a Project Agreement and Schedules).
- (c) A Revised Descriptive Document. This was an updated document used as a general reference document for participants and included: background

information on the Authority, existing arrangements for waste management, detail of the reference project, waste flow and composition information, the approach to sites and planning, and the approach to procurement and evaluation.

Participants were also provided with:

- (a) Site specific Combined Heat and Power initial business case studies for Mechanical Biological Treatment with Anaerobic Digestion and Energy From Waste solutions.
- (b) Joint Municipal Waste Management Strategy for Norfolk.
- (c) Initial Environmental Assessment for the Willows Business Park.
- (d) Site Investigation Reports for the Willows Business Park.
- (e) The Authority's Outline Business Case for PFI credits.

3. **The Evaluation Process**

3.1 On 03 February 2010 the four bidders presented their solutions to representatives of the five separate evaluation teams:

1. Technical and Environmental.
2. Partnership and Waste Collection Authorities.
3. Planning and Property.
4. Financial.
5. Legal.

The evaluation process involves teams meeting across the country that include representatives from:

- Ernst and Young (financial advisors).
- Enviros (technical advisors).
- Mott MacDonald (planning advisors).
- Sharpe Pritchard (legal advisors).
- Waste Collection Authority staff.
- Waste Disposal Authority staff.

Members of the Project Assurance Team were embedded in each evaluation team.

3.2 The full evaluation model applied to the four participants' detailed solutions is detailed in Appendix A. The evaluation model is informed by:

- The results of a public consultation 'Future of Waste in Norfolk, What's Important to You?', March 2008.
- A series of four focus groups with a range of stakeholders in April and May 2008.
- A member and officer workshop on 05 June 2008 in which members of the Planning, Transportation, Environment and Waste Review Panel and representatives of the Waste Project Board and other key individuals considered the results of the consultation process and the focus groups and used these insights to help develop suitable bid evaluation criteria.

- 3.3 The outcome of the workshop was recommended by the Waste Project Board and Overview and Scrutiny Panel and approved by Cabinet on 06 April 2009. The main changes compared to the evaluation model for Contract A are the changes to the environmental weighting, which has increased, and the technical weighting which has decreased.
- 3.4 The environmental criteria looks at the total environmental performance of solutions using the Waste and Resource Assessment Tool for the Environment (Wrate) to provide a comparison across a range of potential impacts including their contribution to global warming potential in terms of kilograms of Carbon Dioxide (CO₂) equivalent, essentially providing a comparative 'carbon footprint'. The total score for the environmental weighting is 12.5% i.e. 25% of the Quality 50%, whilst the risk adjusted cost would be 40% of the total score, i.e. 100% of the Affordability and Cost 40% as shown in the evaluation model below.
- 3.5 Participants are evaluated at various stages of the procurement against the evaluation criteria. The evaluation criteria form the basis of de-selection of participants throughout the procurement through to preferred bidder selection following the receipt of final tenders.

The contract will be ultimately awarded to the most economically advantageous tender. The evaluation criteria to be applied to determine the most economically advantageous tender, together with the relative weightings, are set out in appendix A.

4. **Contract Targets**

- 4.1 The contract is to secure long term services capable of treating around 170,000 tonnes each year during a 25 year contract and to manage waste delivered by the Authority such that:
- (a) The amount of biodegradable municipal waste sent to landfill is significantly less than the Authority's landfill allowances.
 - (b) Minimal waste is sent to landfill without prior treatment and recovery.
 - (c) Opportunities to recycle or recover materials, energy and/or process residues are maximised.
- 4.2 To ensure this three main contract targets are established and participants have to provide their proposals as to how they can meet or exceed these requirements:
- (a) Treatment and Recovery Target, 92% as a minimum. The definition of treatment incorporates recovery, i.e. recycling, composting and energy recovery all contribute to recovery.
 - (b) Treatment Residues Diversion Target, 82% as a minimum of the residues from the process are diverted from landfill.
 - (c) Greenhouse Gas Reduction Target. The participants have to demonstrate how they will achieve a reduction in the average annual emissions of greenhouse gases (calculated as CO₂ equivalents per tonne of waste) on a rolling five year basis from the sixth year of a contract onwards.

The intention is to procure a total solution whereby the solution being offered by participants has little or no dependency on third parties for the delivery of the contract targets (or security of contracts with third parties can be guaranteed for the contract duration), i.e. to deliver the recovery and the diversion of waste from landfill.

5. The Participants

5.1 The closing date for receipt of responses to the Invitation to Submit Detailed Solutions was 28 January 2010 and returns were received from four participants:

1. AmeyCespa (Amey UK plc / Cespa SA).
2. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
3. MVV Umwelt GmbH.
4. Resources from Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

The sections below provide a description of the detailed solutions received from each applicant.

5.2 **AmeyCespa (Amey UK plc / Cespa SA)**

AmeyCespa is proposing an Energy From Waste and Recycling Plant that is Combined Heat and Power ready. The technology is conventional Energy From Waste. The proposed site is the Willows Business Park, south of King's Lynn. The plant would generate electricity which would go in to the local grid network and could generate steam which could be used locally for industrial uses or to provide cheap district heating. A recycling facility on site would recover metals and materials to be used as aggregates. The plant would be sized to treat 170,000 tonnes each year of the County Council's waste and in addition commercial waste that would otherwise go to landfill.

The AmeyCespa consortium consists of Amey UK Plc and Cespa SA, sister companies within the Ferrovial Group.

The consortium has relevant experience from Cespa's Spanish operations, which includes residual waste treatment amongst other waste management activities. However, the consortium is unable to provide relevant UK-based experience for securing appropriate sites, obtaining necessary consents, and operation of a waste treatment facility. UK PFI experience has been indicated by the consortium, although this experience is not within the waste treatment industry, with examples provided including schools and hospitals.

Cespa has waste treatment facilities in Spain, Portugal and Andorra, comprising:

- 36 Sorting and Selection Plants / Material Recovery Facilities.
- 23 Composting or Anaerobic Digestion Plants.
- 50 Municipal Solid Waste Transfer Stations.
- 16 Clinical/Hazardous Waste Treatment Plants.

- 1 Energy From Waste Plant.
- 34 Non Hazardous Landfills.
- 1 Hazardous Landfill.

5.3 **Cory Environmental Management Ltd / Wheelabrator Technologies Inc**

Cory Environmental is proposing an Energy From Waste and Recycling Plant that is Combined Heat and Power ready. The technology is conventional Energy From Waste. The proposed site is the Willows Business Park, south of King's Lynn. The plant would generate electricity which would go in to the local grid network and could generate steam which could be used locally for industrial uses or to provide cheap district heating. A recycling facility on site would recover metals and materials to be used as aggregates. The plant would be sized to treat 170,000 tonnes each year of the County Council's waste and in addition commercial waste that would otherwise go to landfill.

The Cory Wheelabrator consortium consists of a joint venture between Cory Environmental Management Limited and Wheelabrator Technologies Inc. Recent waste experience can be seen in the Riverside Energy From Waste project.

Wheelabrator has strong technical and project experience in waste treatment gained in the US, operating hundreds of landfill sites and transfer stations and 16 Energy From Waste facilities.

5.4 **MVV Umwelt GmbH**

MVV is proposing an Energy From Waste and Recycling Plant that is Combined Heat and Power ready. The technology is conventional Energy From Waste. The proposed site is the Willows Business Park, south of King's Lynn. The plant would generate electricity which would go in to the local grid network and could generate steam which could be used locally for industrial uses or to provide cheap district heating. A recycling facility on site would recover metals and materials to be used as aggregates. The plant would be sized to treat 170,000 tonnes each year of the County Council's waste and in addition commercial waste that would otherwise go to landfill.

MVV Umwelt GmbH is the entity bidding for the project (Mannheimer Versorgungs-und Verkehrsgesellschaft mbH was re-organised in 1988 as MVV GmbH).

MVV has good technical experience in delivering Energy From Waste treatment solutions in Germany including, planning, construction, securing markets for outputs and contract management.

5.5 **Resources from Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd)**

Resources From Waste is proposing an Advanced Thermal Treatment and Recycling Plant. The technology uses Mechanical Biological Treatment to generate materials for recycling and a solid recovered fuel that would be used by a close coupled Gasification plant (also referred to as an Advanced Thermal Treatment plant) on the same site. The proposed site is the Willows Business

Park, south of King's Lynn. The plant would generate electricity which would go in to the local grid network. An additional recycling facility, possibly on site, would recover further materials, metals and materials to be used as aggregates. The plant would be sized to treat 170,000 tonnes each year of the County Council's waste and in addition some commercial waste that would otherwise go to landfill.

The Resources From Waste submission is a consortium application comprising of United Utilities Plc, Laing O'Rourke Plc and John Laing Investments Limited.

The consortium has a history of working together, for example the Merseyside Waste Disposal Authority contract. Partners in the consortium have other recent experience in the market, with United Utilities being selected as Preferred Bidder for the Derby City and Derbyshire Waste Treatment procurement and John Laing reached financial close on the Greater Manchester Waste Project, an integrated project which includes the design construction and operation of:

- 5 Mechanical and Biological Treatment facilities.
- 4 In Vessel Composting Facilities.
- 1 Materials Recovery Facility.
- 7 Transfer Stations.
- 2 Green Waste Facilities.
- 24 Household Waste Recycling Centres.
- 1 Energy From Waste Facility.

6. **Establishment of a Shortlist**

6.1 The ranking following the evaluation is detailed below:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).
3. MVV Umwelt GmbH (variant bid).
4. MVV Umwelt GmbH (standard bid).
5. Resources From Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

6.2 The results are generated by application of the evaluation model detailed in Appendix A and are based purely on the nature and quality of the information provided by applicants in response to the Invitation to Submit Detailed Solutions and the subsequent clarification and verification process.

Due to the nature of this information and with regards to the Local Government Act 1972 (as amended 01 March 2006), Schedule 12A, Part 1, clause 3 ('Information relating to the financial or business affairs of any particular person (including the authority holding that information)') this information is exempt and is covered in the exempt report on the agenda which identifies what commercial information was considered in the evaluation. The public interest in disclosing these issues is outweighed by the public interest in non-disclosure. Disclosing sensitive business and financial information may also impact on the Authority

attaining best value in future negotiations.

6.3 In the light of the ranking of the applicants following the evaluation the recommendation is for the following shortlist:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).

6.4 There is no need to invite more than two participants. It is considered normal that only two participants would be invited to submit final tenders after another stage of dialogue meetings.

7. **Waste PFI Timetable Including Decision Points**

7.1 The Authority's provisional procurement timetable is set out below. Highlighted in bold are the foreseeable points at which the Project Board, Overview and Scrutiny Panel and Cabinet may be required to make recommendations or decisions.

March – 06 April 2010	De-selection of two participants. Board 17 March, Planning and Transportation the Environment and Waste Overview and Scrutiny Panel 30 March, Cabinet 06 April.
06 April – 30 July 2010	Following de-selection further dialogue will be used to develop the two final solutions, together with all project documentation prior to the call for final tenders.
June 2010	Call for final tenders.
30 July 2010	Final tenders submitted for evaluation.
October 2010	Preferred Bidder selected. Board in mid-October, Planning and Transportation the Environment and Waste Overview and Scrutiny Panel late October, Cabinet 08 November.
November 2010	Submission of final business case to Defra.
December 2011	Defra/Treasury approval of final business case.
March 2011	Contract award. Board in mid-March, Planning and Transportation the Environment and Waste Overview and Scrutiny Panel late March, Cabinet late March.
31 March 2011	Financial close.

8. **Resource Implications**

8.1 **Finance:**

Cabinet on 02 March 2009 was notified of an urgent decision made on 02 February 2009 to proceed with the PFI procurement on the basis of the cost for a theoretical reference project of £525.1m without PFI credits.

8.2 The combined impact on the reference project costs for a range of sensitivities, e.g. a 10% increase in capital costs, a 10% reduction in third party income or a year's delay to the planning process, led to a ceiling cost of £668.1m without PFI credits.

8.3 The cost of any bid is supported by the potential benefit of £91m PFI credits allocated to the Waste PFI by Defra, which is equivalent to a £169m cash grant over the life of the contract. This would be provided quarterly from hot commissioning of a facility, expected to be in 2014 and the precise amount would be subject to approval of a final business case by Defra. This is expected to occur late in 2010 and would be subject to final approval by Defra at the financial close of the contract in spring 2011.

9. **Other Implications**

9.1 **Legal Implications:**

Some financial and bid issue information is considered to be exempt under Paragraph 3 of Part 1 of Schedule 12A to Local Government Act 1972 ('Information relating to the financial or business affairs of any particular person (including the authority holding that information)').

The public interest in disclosing these issues is outweighed by the public interest in non-disclosure. Disclosing sensitive business and financial information may impact on the Authority attaining best value in future negotiations.

This information has been presented as a separate report.

9.2 **Communications:** Due to the large scale of the procurement it is likely that the nature of the recommendation and any subsequent decision will attract a high degree of interest. A dedicated website address for the project is www.norfolk.gov.uk/futureofwaste, this is used to alert stakeholders to progress on the project and also to address frequently asked questions and provide further information.

The Waste PFI also has dedicated communications support to ensure that as required road shows, presentations and information is provided to the public and to the very broad range of stakeholders.

9.4 **Any Other Implications:**

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications

to take into account.

10. **Section 17 – Crime and Disorder Act**

10.1 There are no issues arising from this report.

11. **Risk Implications/Assessment**

11.1 If either bidder on the shortlist withdraws this would lead to a reduction in the degree of competition which may impact on the ability to secure optimum value for money solutions; this is considered to be a low level risk.

11.2 If the shortlist approval process or subsequent procurement process is protracted bidders may withdraw which would reduce competition; this is considered to be a medium level risk.

11.3 Any delays in the procurement also have a knock on effect by delaying the service benefits being procured. Where these delays are significant this would leave the Authority with a reliance on other strategies to comply with its landfill allowances and possibly leave the Authority exposed to further increased costs of landfill and landfill tax. This is considered to be a medium level risk.

11.4 Significant delays to the procurement process could lead to the loss of the £91m PFI credits provisionally awarded to the Authority, equivalent to approximately £169m over the period of the contract. This is considered to be a low level risk.

12. **Waste Project Board Comments**

12.1 On 17 March 2010 the Waste Project Board agreed to recommend that the following applicants are placed on a shortlist and invited to participate in dialogue:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).

The recommendations of the Planning and Transportation Environment and Waste Overview and Scrutiny Panel and the Waste Project Board will be presented to Cabinet on 06 April 2010; the recommendation of this Panel will be reported verbally.

13. **Conclusion**

13.1 The officer recommendation, and recommendation of the Waste Project Board, is that based on the ranking following the evaluation of bids received the following applicants should be placed on a shortlist and invited to participate in dialogue:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).

There is no need to invite more than two bidders. It is considered normal that only two bidders would be invited to participate in dialogue and subsequently be asked to submit their final tenders.

Action Required

- (i) To recommend to Cabinet that the following applicants are placed on a shortlist for the Waste PFI and invited to participate in dialogue:
1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
 2. AmeyCespa (Amey UK plc / Cespa SA).

Background Papers

Cabinet 14 September 2009, 'Residual Waste Treatment PFI Contract – Shortlist Approval'.

Cabinet 06 April 2009, 'Phase Two of the Residual Waste Treatment Project – Bid Evaluation Methodology'.

Cabinet 02 March 2009, 'Notification of an Urgent Decision: Phase Two of the Residual Waste Treatment Project – Revised Affordability Assessment'.

Cabinet 01 December 2008, 'Phase Two of the Residual Waste Treatment Project – Reference Project and Affordability Assessment'.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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Appendix A – Bid Evaluation Model

Appendix A - Evaluation Model

A1 Evaluation Criteria and Methodology

- A1.1. The Contract will be ultimately awarded to the most economically advantageous tender. The Evaluation Criteria to be applied to determine the most economically advantageous tender, together with the weightings to be applied, are set out in Table A1.5 below.
- A1.2. Participants' Detailed Solutions shall be evaluated at the formal submission stages of the procurement process against these Evaluation Criteria.
- A1.3. With the exception of Affordability and Cost Criteria (which is scored differently), the evaluation team will apply a score out of 10 to each Tier 3 Criterion (see below under each evaluation heading for an explanation of the scoring system).
- A1.4. All numbers between zero and ten are available to be used within the Tier 3 Criteria scoring, with two exceptions that use only the score of zero and between five to ten. The scoring system is set such that a robust and good quality response would gain a score of around 6. A proposal of exceptional quality, for example, may be awarded an appropriately higher score up to the maximum of 10 points. Where the response is lacking in appropriate detail, only partially complete or inadequately justified, the overall score will be adjusted downwards. Scores of 2 and below reflect more serious concerns on the part of the evaluation team.
- A1.5. A Detailed Solution must score more than one for each of the Tier 3 Criterion, otherwise it may be rejected notwithstanding the overall score and ranking.

Appendix A – Bid Evaluation Model

Table A1.5 Evaluation Criteria

Tier 1	Tier 2	Tier 3
Quality (50%)	Technical (25%)	Cost Robustness (30%)
		Technology Deliverability (55%)
		Added Value and Innovation (15%)
	Environmental (25%)	Contract Waste Treatment and Recovery Performance (35%)
		Treatment Residues Diversion Performance (35%)
		Wrate Analysis of Carbon Footprint (17.5%)
		Sustainable Design and Construction (12.5%)
	Partnership (15%)	Timescales (55%)
		Contract and Service Management (45%)
	Waste Collection Authorities (15%)	Interfacing with the Waste Collection Authorities (100%)
Planning (15%)	Planning (100%)	
Property (5%)	Property (100%)	
Affordability and Cost (40%)	Economic Cost (100%)	Economic Cost (75%)
		Affordability of the Cost of the Service Provision in the first nine years of the contract period (25%)
Commercial (10%)	Financial Robustness (30%)	Financial Robustness (100%)
	Deliverability of Funding (30%)	Deliverability of Funding (100%)
	Legal and Contractual (20%)	Acceptability of Contract Documentation and risk profile therein. To include Participants' mark up of Payment Mechanism (80%)
		Acceptability of Ancillary Documentation such as the forms of construction subcontract, O&M contract and off take arrangements (20%)
	Economic Standing (10%)	Acceptability of security suite such as collateral warranties and direct agreements to the Authority. Consideration of bank security requirements relating to SPV/consortium structure, and the robustness and roles of SPV/consortium (100%)
	Overall Integrity (10%)	Consistency across the Solution in terms of quality, affordability and cost and commercial proposals (100%)

Appendix A – Bid Evaluation Model

A2 Submission Requirements

- A2.1 Detailed Solutions will first be subject to an initial assessment to determine compliance with the requirements of this ISDS (Submission Requirements).
- A2.2 As set out in A2.3 (Submission Requirements) below, this is a pass/fail criteria and the Authority reserves the right not to consider Detailed Solutions and / or not to include them on a shortlist and / or reserves the right to discontinue dialogue with any Participant(s) who fails to comply with these Submission Requirements at any stage regardless of the overall score and ranking.
- A2.3 Participants should note that at Final Tender stage it will also be a Submission Requirement that Participants submit a bid that reflects the dialogue to date and does not step back or renege from the Solution as progressed in dialogue.

Table A2.3 Submission Requirements

Submission Requirements	Explanation	Pass / Fail
Compliant and bona fide Submission	Detailed Solutions will be checked to ensure that there is no material breach of ISDS requirements, no collusion or corruption and no anti-competitive behaviour.	
Completeness of information	Detailed Solutions must include all information requested in the ISDS.	
Legality	Detailed Solutions must have no legal impediments; Detailed Solution and proposed contractual arrangements must be lawful and intra vires the Authority and the Participant.	
Form of Tender / Bid Forms	Form of Tender/Bid Forms must be signed at director level to demonstrate board support for the Bid. In the case of a consortium or grouping these must be signed at director level by each member of the consortium or group.	

A3 Quality Criteria

A3.1 Introduction

- (a) Detailed Solutions will be assessed against each of the Tier 3 Criteria within the Tier 1 (Quality) Evaluation Criteria as set out in Table A1.5 (Evaluation Criteria). The methodology for the evaluation against each of these criteria is described within this document.
- (b) The weightings of each criterion (as set out in table A1.5) shall be applied to provide an overall weighted score (out of 50%) for the Quality Tier 1 Evaluation Criteria.

Appendix A – Bid Evaluation Model

- (c) A Detailed Solution must score 50% (fifty per cent) or more of the available marks (as weighted) for each Quality Tier 2 Criterion otherwise it may be rejected notwithstanding its overall score and ranking.

A3.2 Technical

A3.2.1 Cost Robustness

- (a) The robustness of the cost inputs as applied to the financial model and commercial offering by the Participants for their Detailed Solutions shall be evaluated by the technical evaluation team, with input from and discussion with financial and legal teams as necessary.
- (b) The purpose of this aspect of evaluation is to assess the demonstration by Participants of the robustness the cost inputs and will be evaluated in accordance with the Scoring Matrix for Cost Robustness provided in table A3.2.1 below.
- (c) The evaluation team will consider the level of robustness afforded by the submitted Bid Form 17 and the relevant supporting information taking into account all of the submitted information relating to cost input robustness, as explained further in the explanation column within the Scoring Matrix for Cost Robustness.

Table A3.2.1 Scoring matrix for Cost Robustness Tier 3 Criterion

Score	Assessment	Explanation
10	Bid Form 17 references each of the cost/revenue input parameters included in the financial model, and provides evidence to demonstrate that the true cost/revenue inputs may be considered to be 0% higher/lower than those in Bid Form 17.	A score of ten may be given in the event the Participant references each of the cost/revenue input parameters included in the Participant's financial model and demonstrates full engagement with the supply chain by the provision of formal quotes, Heads of Terms or other similar documentation and supporting documentation, including, without limitation, as appropriate, Bills of Quantities, Activity Schedules, Power Purchase Agreements, etc.
9	Bid Form 17 references each of the cost/revenue input parameters included in the financial model, and provides evidence to demonstrate that the true cost/revenue inputs may be considered to be within 5% of those in Bid Form 17.	A score of nine may be given in the event the Participant references each of the cost/revenue input parameters included in the Participant's financial model and demonstrates engagement with the supply chain with the provision of formal quotes, Heads of Terms or other similar documentation and some supporting documentation including without limitation, as appropriate, Bills of Quantities, Activity Schedules, Power Purchase Agreements, etc.

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Score	Assessment	Explanation
8	Bid Form 17 references each of the cost/revenue input parameters included in the financial model, and provides evidence to demonstrate that the true cost/revenue inputs may be considered to be 5-10% higher/lower than those in Bid Form 17.	A score of eight may be given in the event the Participant references each of the input parameters included in the Participant's financial model and demonstrates engagement with the supply chain with the provision of formal quotes, Heads of Terms or other similar documentation but without the breakdown of the quotes or any supporting documentation including without limitation, as appropriate, Bills of Quantities, Activity Schedules, Power Purchase Agreements, etc.
7	Bid Form 17 references each of the cost/revenue input parameters included in the financial model, and provides evidence to demonstrate that the true cost/revenue inputs may be considered to be 10-15% higher/lower than those in Bid Form 17.	A score of seven may be given in the event the Participant references each of the input parameters included in the Participant's financial model and demonstrates engagement with the supply chain with letters of support (or similar documentation) from the supply chain committing to the cost/revenues but without formal quotes, Heads of Terms or other similar documentation being included.
5-6	Bid Form 17 references each of the cost/revenue input parameters included in the financial model, and provides evidence to demonstrate that the true cost/revenue inputs may be considered to be 15-25% higher/lower than those in Bid Form 17.	A score of five to six may be given in the event the Participant references each of the cost/revenue input parameters included in the Participant's financial model and demonstrates engagement with the supply chain, but with only letters of support (or similar documentation) from the supply chain being provided without committed cost/revenues being cited.
3-4	Bid Form 17 references each of the cost/revenue input parameters included in the financial model, but only provides limited evidence that the offered cost/revenue inputs are robust such that the true cost/revenue inputs may be considered to be 25% higher/lower	A score of three to four may be given in the event the Participant references each of the cost/revenue input parameters included in the Participant's financial model, but demonstrates only limited engagement with the supply chain, with no letters of support (or similar documentation) from the supply chain being provided.

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Score	Assessment	Explanation
	than those in Bid Form 17.	
2	Bid Form 17 references each of the material cost/revenue input parameters included in the Participant's financial model. The information submitted provides no evidence that the offered cost/revenue inputs are robust.	A score of two may given in the event the Participant references each of the material cost/revenue input parameters included in the Participant's financial model, but does not demonstrate any engagement with the supply chain by the lack of provision of justification for the input parameters that demonstrates such engagement.
1	Bid Form 17 does not reference each of the material cost/revenue input parameters included in the Participant's financial model.	A score of one may be given in the event the Participant does not reference each of the material cost/revenue input parameters included in the Participant's financial model, irrespective of the level of robustness that the referenced input parameters may be deemed to have achieved.
0	Bid Form 17 has not been submitted with the submission.	A score of zero may be given in the event the Participant does not submit Bid Form 17.

A3.2.2 Technology Deliverability

- (a) The Technology Deliverability Tier 3 Criterion will be evaluated on the extent to which the Detailed Solutions demonstrate evidence of the deliverability of the technology(s) proposed for the Project, as set out in the table below.

Table A3.2.2 Scoring matrix for Technology Deliverability Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the technology solution would be able to deliver a best practice service in excess of the specified service.
7-8	Very Good	The information submitted demonstrates evidence that the technology solution would be able to deliver the specified service.
5-6	Satisfactory	The information submitted demonstrates that the technology solution would be able to deliver the specified service, although there is only limited evidence of technology track record and/or capability of such delivery.

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Score	Term	Explanation
3-4	Fair	The information submitted demonstrates only limited evidence that the proposed technology solution is able to deliver the specified service.
1-2	Poor	The information submitted does not demonstrate that the technology solution is capable of delivering the specified service.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

(b) **Guidance Notes**

In carrying out its evaluation, the evaluation team may consider the suitability of the Detailed Solutions for the Authority, the proven commercial track record of the Detailed Solutions both nationally and internationally, the complexity of interfaces between proposed technologies (if more than one) and between all stakeholders and the extent to which such interface risks are identified and mitigated, the proposed availability and reliability of the Detailed Solutions, the impacts of maintenance requirements relating to the Detailed Solutions, the extent to which the Detailed Solutions satisfy current waste legislation and policy, the extent to which the Detailed Solutions complement environmental policy and guidance, the proposals for managing contaminants Rejected Loads and Treatment Residues, the flexibility of the Detailed Solutions taking into account without limitation waste composition any limitations relating to calorific value and tonnage, legislation change and economic conditions, key areas of deliverability risk including the extent to which they have been identified and mitigated, reliance on third party waste input and / or off take contracts for successful delivery of the Detailed Solutions, availability of markets and whether they are proven. Reference site visits undertaken by the Authority to Participant reference facilities will be used to inform the evaluation process and aid understanding of Detailed Solutions.

A3.2.3 Added Value and Innovation

- (a) The Added Value and Innovation Tier 3 criterion will be evaluated based on the content of and evidence provided in the submission to demonstrate the extent to which the Participant will contribute added value and innovation to the Project as set out in the table below.

Table A3.2.3 Scoring matrix for Added Value and Innovation Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the solution will have attributes that add value and/or are innovative with a track record of delivering similar attributes previously.
7-8	Very Good	The information submitted demonstrates that the solution will have attributes that add value and/or are innovative, although there is limited evidence of past track record of delivery of such attributes

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Score	Term	Explanation
5-6	Satisfactory	The information submitted demonstrates that the solution may have attributes that add value and/or are innovative, although there is limited evidence of track record and/or capability of delivery of such attributes.
3-4	Fair	The information submitted demonstrates only limited evidence that the solution may have attributes that add value and/or are innovative.
1-2	Poor	The information submitted does not demonstrate that the solution may have attributes that add value and/or are innovative.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

(b) **Guidance Notes**

In carrying out its evaluation, the evaluation team may consider energy use, CHP provision, additional revenue streams, local community benefits, traffic management, technology adaptations, benefits of the site visits undertaken by the Authority to Participants reference facilities, and methods of monitoring and reporting against proposed elements.

A3.3 Environmental

A3.3.1 Contract Waste Treatment and Recovery Performance

- (a) The Contract Waste Treatment and Recovery Performance Tier 3 Criterion will be evaluated against the Contract Waste Treatment and Recovery Target as guaranteed by Participants rounded to one decimal place, and as set out in the table below.

Table A3.3.1 Scoring Matrix for Contract Waste Treatment and Recovery Performance Tier 3 Criterion

Guaranteed Contract Waste Treatment Target	Score
99.1 – 100%	10
98.1 – 99%	9
97.1 – 98%	8
95.1 – 97%	7
93.1 – 95%	6
92 – 93%	5
<92%	0

A3.3.2 Treatment Residues Diversion Performance

- (a) The Treatment Residues Diversion Performance Tier 3 Criterion will be evaluated against the Treatment Residues Diversion Target as guaranteed by Participants rounded to one decimal place and as set out in the table below.

Table A3.3.2 Scoring matrix for Treatment Residues Diversion Performance Tier 3 Criterion

Guaranteed Treatment Residues Diversion Target	Score
95.1 – 100%	10
90.1 – 95%	9
87.1 – 90%	8
85.1 – 87%	7
83.1 – 85%	6
82 - 83%	5
< 82%	0

A3.3.3 Wrate Analysis of Carbon Footprint

- (a) Evaluation of the Greenhouse Gas Emissions Tier 3 Criterion will be based on the evidence provided in the submission to demonstrate that the Detailed Solutions can deliver with respect to reducing greenhouse gas emissions.
- (b) The method of evaluating this sub-criterion will be through the use of the Waste and Resource Assessment Tool for the Environment (Wrate). Wrate is the Environment Agency's approved tool for evaluating the environmental aspects of waste management activities and is therefore deemed to be the most appropriate tool for undertaking assessment of greenhouse gas emissions.
- (c) Evaluation will be based on the Detailed Solution's contribution to global warming potential over 100 years (GWP 100) for the year 2019/20 in terms of kilograms of carbon dioxide (CO₂) equivalent per tonne of Contract Waste in 2019/20 as calculated by Wrate.
- (d) To allocate evaluation scores the Wrate output for GWP 100 (kg CO₂ eq.) calculated per tonne of Contract Waste from the Participants Wrate model will be scored relative to:
 - (i) The improvement over the worst case do nothing model.
 - (ii) A best case model scenario developed to reflect the project requirements using default processes.
- (e) This default best case model will provide for a benchmark that relates to a 'Very Good' score of 8, whilst the worst case 'do nothing' model will provide for a benchmark that relates to a score of 0. To the extent any solution demonstrates a GWP 100 per tonne of Contract Waste which is of a better performance (i.e. greater carbon offset) than the 'best case' scenario, the solution will be awarded a score of 10.
- (f) If the Wrate default processes do not accurately reflect the Participants solution, user-defined processes may be developed and validated in accordance with the Wrate process explained in Paragraph 5.9 of Part 1. Participants' attention is drawn to the timescales set out within this Method Statement. In the event that any user-defined process utilised within the submission is not validated in accordance with the Method Statement, or in the event that any user-defined process utilised within the submission is different

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in any way from that which was validated, the process will be substituted by that which is considered to be the most appropriate default process.

A3.3.4 Sustainable Design and Construction

- (a) The evaluation of the Sustainable Design and Construction Tier 3 Criterion will be based on the evidence provided in the Detailed Solutions to demonstrate the Participant's intent and ability to utilise sustainable design and construction practices within the proposed solution as set out in the table below:

Table A3.3.4 Scoring Matrix for Sustainable Design and Construction Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the solution would be able to deliver a best practice solution in excess of the specified service with respect to sustainable design and construction practices.
7-8	Very Good	The information submitted demonstrates evidence that the solution would be able to deliver design and construction that would incorporate sustainable design and construction practices.
5-6	Satisfactory	The information submitted demonstrates that the solution would deliver design and construction that would incorporate sustainable design and construction practices, although there is limited evidence of track record and/or capability of such delivery.
3-4	Fair	The information submitted demonstrates only limited evidence that the solution would be able to deliver design and construction that would incorporate sustainable design and construction practices.
1-2	Poor	The information submitted does not demonstrate evidence that the solution would be able to deliver design and construction that would incorporate sustainable design and construction practices.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

(b) **Guidance Notes**

In carrying out its evaluation, the evaluation team may consider the proposals for working in accordance with the appropriate BRE Environmental Assessment Method (Breeam) assessment with consideration of the standard achieved, the proposals for working in accordance with the guidance of The Commission for Architecture and the Built Environment (Cabe), the proposals for incorporating Sustainable Urban Drainage System (Suds), the extent to

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which the solution supports the ½ Waste to Landfill (½ W2L) initiative, and the proposals for working in accordance with the Defra Guide to Designing Waste Facilities.

A3.4 Partnership

A3.4.1 Timescales

- (a) The Timescales Tier 3 Criterion will be evaluated based on the evidence provided to support the Participant's ability and capacity to achieve their proposed timescales and the corroboration of those timescales with those required by the Authority, as set out in the table below:

Table A3.4.1 Scoring Matrix for Timescales Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the solution would be able to deliver a best practice service in excess of the specified service with respect to Participant's programme, taking into account the extent to which the programme achieves the Authority's intended timescales as set out within the Reference Project.
7-8	Very Good	The information submitted demonstrates evidence that the Participants programme for the solution would be deliverable, taking into account the extent to which the programme corroborates with the Authority's intended timescales as set out within the Reference Project.
5-6	Satisfactory	The information submitted demonstrates that the Participants programme for the solution would be deliverable, taking into account the extent to which the programme corroborates with the Authority's intended timescales as set out within the Reference Project, although there is only limited evidence of track record and/or capability of such delivery.
3-4	Fair	The information submitted demonstrates only limited evidence that the Participants programme for the solution would be deliverable, taking into account the extent to which the programme corroborates with the Authority's intended timescales as set out within the Reference Project.
1-2	Poor	The information submitted does not demonstrate that the Participants programme for the solution would be deliverable and/or corroborate with the Authority's intended timescales as set out within the Reference Project.

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Score	Term	Explanation
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

(b) Guidance Notes

In carrying out its evaluation, the evaluation team may consider the robustness of the submitted Construction Programme, the robustness of the timescales for licensing and permitting; the robustness of the timescales for planning, the robustness of the Construction Programme, the corroboration of the submitted programmes with respect to the Authority requirements, and the Landfill Allowance Trading Scheme (Lats) performance resulting from the Commencement Date.

A3.4.2 Contract and Service Management

- (a) The Contract and Service Management Tier 3 Criterion will be evaluated on the extent to which the Detailed Solutions demonstrates that the Participant has the ability to be compliant with the Specification with regard to contract and service management, as set out in the table below.

Table A3.4.2 Scoring Matrix for Contract and Service Management Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the solution would be able to deliver a best practice service in excess of the specified service with respect to contract and service management.
7-8	Very Good	The information submitted demonstrates evidence that the solution would be able to deliver the specified service with respect to contract and service management.
5-6	Satisfactory	The information submitted demonstrates that the solution would be able to deliver with respect to contract and service management, although there is only limited evidence of track record and or capability of such delivery.
3-4	Fair	The information submitted demonstrates only limited evidence that the solution would be able to deliver the specified service with respect to contract and service management.
1-2	Poor	The information submitted does not demonstrate that the solution would be able to deliver the specified service with respect to contract and service management.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

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(b) Guidance Notes

In carrying out its evaluation, the evaluation team may consider proposals for Quality and Environmental Management, proposals for Health and Safety Management, proposals for local community economic benefits, proposed monitoring recording and reporting systems, proposed supply chain management arrangements, proposals for access arrangements, deliverability risk assessment and appropriate contingency arrangements, proposed management and staffing structure, proposals for education and visitor facilities, stakeholder engagement including managing enquiries, and detail on how the site visits undertaken by the Authority to Participant reference facilities benefited the submission with regard to contract and service management.

A3.5 Waste Collection Authorities

A3.5.1 Interfacing with the Waste Collection Authorities

- (a) Evaluation of the Interfacing with Waste Collection Authorities (WCAs) Tier 3 criterion will be based on the extent to which the Detailed Solutions demonstrate evidence of technical ability and experience with regard to managing WCA interfaces relevant to this Contract as set out in the table below.

Table A3.5.1 Scoring Matrix for Interfacing with WCAs Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the service would be able to deliver a best practice solution in excess of the specified service with respect to interface management.
7-8	Very Good	The information submitted demonstrates evidence that the service would be delivered with effectively managed interfaces.
5-6	Satisfactory	The information submitted demonstrates that the service would be delivered with effectively managed interfaces with limited evidence of track record and/or capability of such delivery.
3-4	Fair	The information submitted demonstrates only limited evidence that the service would be delivered with effectively managed interfaces.
1-2	Poor	The information submitted does not demonstrate that the service would be delivered with effectively managed interfaces.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

(b) Guidance Notes

In carrying out its evaluation, the evaluation team may consider managing interfaces with the Authority Partners WCA's landfill operators, third party off-takers etc, the compatibility of the Detailed Solutions with existing contracts,

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impacts on the collection system, e.g. with regard to opening hours for delivery and access, vehicle turnaround time within the Delivery Point(s), the proposals for monitoring mitigating and reporting between relevant parties and to the Authority, the proposals for ensuring a convenient and pleasant experience for the WCAs, and the proposals for Best Value and Continuous Improvement.

A3.6 Planning

- (a) The Planning Tier 3 Criterion will be evaluated on the extent to which the submission demonstrates evidence that the Participant is able to successfully obtain the necessary planning permissions, environmental permits and other consents required to deliver the Detailed Solutions for the Project as set out in the table below.

Table A3.6 Scoring Matrix for Planning Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the Participants would be able to deliver a best practice service in excess of the specified service with respect to obtaining all consents for the solution.
7-8	Very Good	The information submitted demonstrates evidence that the Participant would be able to obtain all consents for the solution.
5-6	Satisfactory	The information submitted demonstrates that the Participant would be able to obtain all consents for the solution, although there is limited evidence of track record and/or capability of such delivery.
3-4	Fair	The information submitted demonstrates only limited evidence that the Participant would be able to obtain all consents for the solution.
1-2	Poor	The information submitted does not demonstrate that the Participant would be able to obtain all consents for the solution.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

(b) Guidance Notes

In carrying out its evaluation, the evaluation team may consider the track record and ability in obtaining relevant planning permissions permits and consents to include the ability to operate plants under any conditions which may be imposed, the extent to which proposals complement current environmental planning policy and guidance, the proposed resourcing of permissions permit and consent work including evidence that the Participant understands all of aspects of obtaining the relevant permissions permits and consents, the detail on the proposals being put forward including site size and type, architectural design and suitability, current land use, etc with a demonstration of why these proposals have been chosen, the proposals for

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stakeholder engagement with regard to the planning process, the approach to planning policy, the proposals for community engagement, the identification of further survey or monitoring work that will be carried out in order to obtain permissions permits and consents, and any environmental impacts including traffic which arise from the proposals being put forward along with mitigation measures where appropriate.

A3.7 Property

- (a) The Property Tier 3 Criterion will be evaluated on the extent to which the Participant demonstrates that the proposed site (whether it is the Authority owned site in King's Lynn, or an alternative site) is technically suitable and deliverable for the Detailed Solutions, as set out in the table below.

Table A3.7 Scoring Matrix for Property Tier 3 Criterion

Score	Term	Explanation
9-10	Outstanding	The information submitted demonstrates strong evidence that the solution is suitable and deliverable on the proposed site with no material site constraints.
7-8	Very Good	The information submitted demonstrates evidence that the site is suitable and deliverable for the proposed solution, with material site constraints.
5-6	Satisfactory	The information submitted demonstrates only limited evidence that the site is suitable and deliverable for the proposed solution, but with evidence of track record and/or capability of such delivery on similar sites.
3-4	Fair	The information submitted demonstrates only limited evidence that the site is suitable and deliverable for the proposed solution.
1-2	Poor	The information submitted does not demonstrate that the site is suitable and deliverable for the proposed solution.
0	Unacceptable	The information is either omitted or fundamentally unacceptable to the Authority.

- (b) Guidance Notes

In carrying out its evaluation, the evaluation team may consider the appropriateness of the size shape and topography of the site, the location of the site, and the suitability of the site in relation to ground conditions.

A4 Affordability and Cost Criteria

- (a) Bids will be evaluated on the basis of the most economically advantageous Bid having regard to the criteria set out in the ISDS. This methodology sets out how each Bid will be scored against the criteria set in the Affordability and Economic Cost aspects of the Bid.

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- (b) The scoring mechanism used to evaluate the Economic Cost and Affordability criteria reflects the fact that this is a quantitative assessment of the Economic Cost and the Affordability of the project to the Authority.
- (c) The Economic Cost and Affordability criteria accounts for 40% of the total evaluation score. The scoring system will award scores by comparing the Economic Cost and Affordability of the bids to the mean of the Economic Costs and Affordability of all the bids received. Further details of how the mean for Affordability and Economic Cost criteria and the scoring are derived are set out below.
- (d) These criteria are scored out of 10. The agreed scores will then be weighted accordingly with 75% weighting given to Economic Cost, and 25% weighting given to Affordability, to give a score out of 40 for Affordability and Economic Cost.
- (e) Participants should note that they should provide fully worked up responses to all questions for all solutions.

A4.1 Economic Cost

The Economic Cost to the Authority of each of the Participants' submissions evaluates the risk adjusted Net Present Cost (NPC) to the Authority of each of the bids provided. When considering the Economic Cost of the bids, there are a number of elements which will be taken into account which are outlined below.

- (a) The NPC of the Unitary Charge; the Unitary Charge paid by the Authority over the life of the contract will be discounted by the Treasury real discount rate of 3.5% (i.e. a nominal discount rate of 6.0875%) to give the NPC to the Authority of each bid.
- (b) Adjustments for identifiable and quantifiable differential risk positions within bids, for example where a Participant has not accepted a risk within its bid that the Authority has sought to transfer through the contractual documentation and this risk is quantifiable and judged to be of suitable materiality that the cost should be adjusted to reflect the risk, then an adjustment will be made to the Unitary Charge put forward by the Participant to reflect the risk adjusted cost to the Authority. An example of this would be where a Participant may seek to pass back some risk of electricity prices falling below the level shown within the financial model to a lower guaranteed price. This represents a risk to the Authority as a change would directly impact the Gate Fee and can be quantified.
- (c) Additional implied costs of a bid; as a result of choosing a particular solution, the Authority may incur additional costs outside the original contract scope, such as transport cost dependent on the site being proposed, or transfer station costs. These costs would be added to the NPC of the Unitary Charge for the relevant Participant.
- (d) Exposure to additional Landfill Gate Fee and Landfill Tax costs. The exposure to Landfill Tax costs in each solution will be undertaken using the following landfill tax scenario. Based on the Chancellor's announcement for the 2009 Budget, the landfill rates to be used within the financial model are tabled in the Landfill tax section of the ISDS document. The main assumption post 2010/11 is that the annual increase in the value of the Landfill Tax rate will be £8, until 2013/14 onwards, where the Landfill tax rates will be fixed at £72, subject to RPIx of 2.5% pa.

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- (e) Additional exposure to Landfill Allowance costs resulting from the proposed solution is evaluated by estimating the NPC of the difference between the bid cost assumption and a Landfill Allowance fine of £150 per tonne where the bid fails to remain within the Authority allocation of landfill allowances of Biodegradable Municipal Waste for the initial years of the contract. This is set out in the Descriptive Document.
- (f) The timeframe over which the cost of the bids should be measured (see Sections 4.1.2 and 4.2 below).

The scoring methodology to be adopted in the evaluation of Economic Cost at ISDS stage is to derive a mean of the NPC of each of the bids, derived from the tests above and then score each bid in relation to its position to this mean. The score for a particular bid is calculated based on the percentage deviation of its net present cost from the mean; the framework to be used is shown below.

Participants should note that it is currently the Council's intention to continue to use this mean in the Economic Cost evaluation of submissions made in later stages of the procurement process (for example the Final Tender evaluation).

A4.1.1 Economic Cost - Evaluation and Scoring

The economic cost score for a particular bid is calculated based on the percentage deviation of its net present cost from the mean. A deviation 25% or greater above the Mean will score 0, a deviation 25% or less below the Mean will score 10, with a three part linear scoring in-between.

The formulae for calculating the score based on the percentage deviation from the mean is as follows:

Percentage Deviation of the NPC from Mean (%)	Formula to be used
+5 < X <= +25	$Y = 2.5 - 0.1X$
-5 <= X <= +5	$Y = 5 - 0.6X$
-25 <= X < -5	$Y = 7.5 - 0.1X$

Where:

X = Deviation from the mean in percentage terms.

Y = Score calculated for the Bid.

A4.1.2 Economic Cost – Timeframe for Evaluation

- (a) In order to ensure comparability of Bids we will be evaluating all submissions over a 29 year appraisal period from the proposed date of Financial Close i.e. from 01 April 2011 to 31 March 2041, This period is derived from the timescales in the Reference Project in the Authority's OBC which set out an indicative project lifecycle period of 29 years comprising of one year for planning, three years for construction and 25 years operation.
- (b) It is for Participants to propose their best estimate of planning and the construction period for the facility, based on their experience. The robustness of these proposals will be tested through the technical evaluation.

A4.1.3 Affordability of the Cost of the Service Provision

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- (a) The affordability analysis will review the comparative affordability of each Solution over the first nine years of the appraisal period.
- (b) The scoring methodology to be adopted in the evaluation of affordability at the ISDS stage is to derive a mean of the nominal cost of each Solution and then score each Solution in relation to its position to this mean.
- (c) Participants should note that it is currently the Council's intention to continue to use this mean in the Affordability evaluation of submissions made in later stages of the procurement process (for example the Final Tender evaluation).
- (d) The affordability score for a particular Solution is calculated based on the percentage deviation of its nominal cost from the mean. A deviation 25% or greater above the Mean will score 0, a deviation 25% or less below the Mean will score 10, with a three-part linear scoring mechanism in-between (as set out in A4.1.1).
- (e) If required, Adjustments will be made to this nominal cost in the same way as the Economic Cost as detailed above.

A4.1.4 Commercial Criteria

- (a) Solutions will be evaluated on the basis of the most economically advantageous Solution having regard to the criteria set out in the ISDS. This methodology sets out how each Solution will be scored against the criteria set in the Commercial aspects of the Solution.
 - (i) Where a new member of the Participant has been introduced since the submission of the PQQ, then all the information requested by that document must be submitted.
 - (ii) Where any changes in the structure and composition of the Participant are anticipated since the submission of the PQQ, then all the information and full details of the mechanism proposed to control any such changes must be submitted.
 - (iii) Where any changes (implemented or potentially planned) to the financial standing or commercial structure of the Participant are anticipated since the submission of the PQQ including any major acquisitions or disposals, then all the information and full details must be submitted.
 - (iv) Participants must advise the Authority promptly of any changes to the information provided at PQQ during the ISDS stage.
- (b) Each criteria is weighted in order to derive its relative importance as set out in the table below.

Table A4.1.4 Weightings of Commercial Evaluation

Criteria	Weighting %
Financial Robustness of the Bid	30
Deliverability of funding	30
Economic Standing	10
Legal and Contractual	20
Overall Integrity	10

A4.2 Financial Robustness of the Bid

- (a) The evaluation of the Financial Robustness of the Bid will consider the issues set out below.

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- (i) The credibility of the financial assumptions used, completeness, quality, and integrity of financial information provided, an acceptable level of cash throughout the Contract Period, an acceptable level of distributable reserves throughout the Contract Period, reasonableness of rates and margins (including any deviation from margins provided), reasonableness of interest cover ratios, reasonableness of debt service ratios, the acceptability of the level of third-party income assumed, reasonableness of project / equity IRR, and the completeness of the bid forms.
- (b) The evaluation and scoring for the financial robustness of the bids is based on the framework shown below.

Table A4.2 Financial Robustness of the Bid – Evaluation and scoring

Basis for Scoring	Score
Participant provides strong evidence and information to support assessment of the Financial Robustness of the Solution. No significant issues identified in relation to the Financial Robustness of the Bid.	9-10
Participant provides acceptable evidence and information to support assessment of the Financial Robustness of the Solution. Issues identified in relation to the Financial Robustness of the Bid but are not considered to have a material impact on the deliverability of the project.	7-8
Participant provides information that has some minor omissions or provides limited information or evidence to support assessment of the Financial Robustness of the Solution. Issues identified in relation to the Financial Robustness of the Bid which have the potential to materially impact the deliverability of the project but are considered capable of resolution.	5-6
Participant provides information that has omissions or provides limited information or evidence to support assessment of the Financial Robustness of the Solution. Issues identified in relation to the Financial Robustness of the Bid which have the potential to materially impact the deliverability of the project.	3-4
Participant provides information that has omissions or proves to be fundamentally unacceptable to support assessment of the Financial Robustness of the Solution. Issues identified in relation to the Financial Robustness of the Bid which materially adversely impact the deliverability of the project.	1-2
Unacceptable response	0

A4.3 Deliverability of Funding

A4.3.1 The evaluation of the Deliverability of Funding (including Funder due diligence requirements and the time table) will consider the issues set out below.

Appendix A – Bid Evaluation Model

A4.3.2 The suitability of the debt/equity split for proposed funding solution, the acceptability of the terms and conditions of financing and degree of conditionality attached, an indication as to the margins the Participant expects for the project, the degree of commitment to these margins than the standardised margins set, the acceptability of the terms and conditions relating to any guarantees and other security required to realise financing (including liability caps), the suitability of the previous funding history of the technology solution proposed by the Participant. For inter-company funding, the existence of the funding guarantees from the lending entity.

A4.3.3 Other issues that will be considered include the quality of letters of support from funders and financial advisors as requested in the ISDS, the extent to which Participants have demonstrated the support of the funder(s), including the requirements of the funder within the project agreement and direct agreement, the comprehensive indicative timetable to Financial Close, including the disclosure of finalising funding and site solutions, and whether Participants have conformed to the following in their ISDS response to Due Diligence:

- (a) Participants and/or their respective funders have carried out Legal, Technical and Financial (if applicable) prior to ISDS submission.
- (b) Preliminary Credit Committee approval has been received (if applicable).
- (c) Clear indication on the extent to which due diligence has been conducted as part of the ISDS.
- (d) Provided the detail of the cost of due diligence undertaken and the indicative cost of due diligence that remains to be undertaken at later stages.

A4.3.4 The evaluation and scoring for the deliverability of funding of the bids is based on the framework shown below.

Table A4.3.4 Deliverability of Funding – Evaluation and Scoring

Basis for Scoring	Score
No significant issues identified in relation to the deliverability of funding of the Participant.	9-10
Issues identified in relation to the deliverability of funding of the Participant but are not considered to have a material impact on the deliverability of the project.	7-8
Issues identified in relation to the deliverability of funding of the Participant which have the potential to materially impact the deliverability of the project but are considered capable of resolution.	5-6
Issues identified in relation to the deliverability of funding of the Participant which have the potential to materially impact the deliverability of the project.	3-4
Issues identified in relation to the deliverability of funding of the Participant, which materially adversely impact the deliverability of the project.	1-2
Unacceptable response.	0

A4.4 Legal and Contractual

Appendix A – Bid Evaluation Model

- (a) The evaluation of the Legal and Contractual elements of the Bid will consider the issues set out below.
- (i) The extent to which any amendments derogate from SOPC4 or 4Ps Guidance, the sufficiency of response to the contract agreement, the acceptability of Payment Mechanism, and the responses to the risks arising from the future legislative changes.

A4.4.1 Acceptability of Contract Documentation including Payment Mechanism – Evaluation and scoring

- (a) The evaluation and scoring for the legal and contractual elements of the bids is based on the framework shown below.

Table A4.4.1 Acceptability of Contract Documentation including Payment Mechanism – Evaluation and Scoring

Basis for Scoring	Score
Participant either fully accepts the Project Agreement and Payment Mechanism (to the extent they are applicable to their proposed Solution) or, where amendments are proposed, those amendments are considered to be wholly acceptable to the Authority (e.g. on risk and VFM grounds). Level of risk accepted by the Participant in relation to commercial positions not embodied within the Payment Mechanism or Project Agreement generally (for example in relation to the Base Case) is considered acceptable to the Authority (e.g. on VFM grounds). No material Widp or SOPC4 derogations (in so far as PFI credits are to be secured)	9-10
Participant clearly accepts the Project Agreement and Payment Mechanism to the extent they are applicable to their proposed Solution) but proposes a number of amendments, the majority of which are considered acceptable to the Authority (e.g. on VFM or risk grounds) and the remainder are considered surmountable and therefore has the potential to expose the Authority to some but not significant risk. Level of risk accepted by the Participant in relation to commercial positions not embodied within the Payment Mechanism or Project Agreement generally (for example in relation to the Base Case) is considered acceptable to the Authority (e.g. on VFM grounds) and exposes the Authority to limited risk. No material Widp or SOPC4 derogations (in so far as PFI credits are to be secured)	7-8
Participant clearly accepts the Payment Mechanism and Project Agreement (to the extent they are applicable to their proposed Solution) but proposes a number of amendments, some of which are considered acceptable to the Authority (e.g. on VFM grounds) and the majority are considered surmountable and therefore has the potential to expose the Authority to a greater risk.	5-6

Appendix A – Bid Evaluation Model

<p>Level of risk accepted by the Participant in relation to commercial positions not embodied within the Payment Mechanism or Project Agreement generally (for example in relation to the Base Case) is considered acceptable to the Authority (e.g. on VFM grounds) and has the potential to exposes the Authority to some but not significant risk.</p> <p>Some Widp or SOPC4 derogations (in so far as PFI credits are to be secured)</p>	
<p>Participant accepts the Payment Mechanism and Project Agreement (to the extent they are applicable to their proposed Solution) but proposes a number of amendments, the majority of which are either unacceptable to the Authority (e.g. against the core principles) or do not demonstrate VFM and has the potential to expose the Authority to more significant risk.</p> <p>Level of risk accepted by the Participant in relation to commercial positions not embodied within the Payment Mechanism has the potential to expose the Authority to significant risk.</p> <p>Many Widp or SOPC4 derogations (in so far as PFI credits are to be secured)</p>	3-4
<p>Participant does not accept or does not clearly accept the payment Mechanism P or Project Agreement and / or proposes a number of significant amendments which are unacceptable to the Authority (e.g. on VFM or Risk grounds).</p> <p>Level of risk accepted by the Participant in relation to commercial positions not embodied within the Payment Mechanism is considered unacceptable to the Authority (e.g. on VFM grounds).</p> <p>Material Widp or SOPC4 derogations (in so far as PFI credits are to be secured)</p>	1-2
Unacceptable response	0

A4.4.2 Acceptability of Ancillary Documentation

(a) Acceptability of Ancillary Documents, such as:

- (i) Construction suite.
- (ii) Land agreements.
- (iii) Sub-Contracts, Third Party Waste Contracts and Off Take Contracts.
- (iv) Collateral Warranties.
- (v) Direct Agreements.

Table A4.4.2 Acceptability of Ancillary Documents – Evaluation and Scoring

Basis for Scoring	Score
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Appendix A – Bid Evaluation Model

Outstanding. Consistent and clear across all areas and gives full confidence. No concerns	9-10
Very good. Consistent and clear in most areas. Gives confidence	7-8
Satisfactory. Consistent in many areas, but some inconsistencies	5-6
Basic. Some omissions and/or inconsistencies. Raises concern	3-4
Generally unsatisfactory. Significant omissions and/or inconsistencies, serious or many concerns	1-2
Poor or Unacceptable. No or insufficient information provided, numerous significant inconsistencies and positions unclear, no confidence	0

A4.5 Economic Standing

A4.5.1 The evaluation of the Economic Standing of the Detailed Solution is concerned with ensuring that the consortium and SPV structure is sufficiently certain and has sufficient strength (as opposed to the economic standing of the Participants themselves which of course has already been dealt with at PQQ). This will take into account:

The SPV/consortium structure, its robustness and the proposed roles in the project, the SPV/consortium structure guarantees to be put in place to support this structure, and in instances of a 'corporate finance' solution being proposed, the value of direct performance-related Parent Company Guarantees provided direct to the Authority, the conditions attached to these Guarantee, and the credit quality of the entity providing the Guarantee, the suitability of the proposed contract delivery vehicle, and the extent to which Participants have demonstrated support of all members of the Participant's proposed consortium, including any amendments required to the draft contract.

A4.5.2 The evaluation and scoring for the economic standing of the bids is based on the framework shown below.

Table A4.5.2 Economic Standing – Evaluation and Scoring

Basis for Scoring	Score
No significant issues identified in relation to the economic standing and financial strength of the contracting structure of the Participant. Funders and Authority will have confidence in security suite.	9-10
Issues identified in relation to the economic standing and financial strength of the contracting structure of the Participant but are not considered to have a material impact on the deliverability of the Project. Funders and Authority will have confidence in security suite.	7-8
Issues identified in relation to the economic standing and the financial strength of the contracting structure of the Participant which have the potential to materially impact the deliverability of the Project but are considered capable of resolution. Funders and Authority will have fair confidence in	5-6

Appendix A – Bid Evaluation Model

security suite.	
Issues identified in relation to the economic standing and the financial strength of the contracting structure of the Participant which have the potential to materially impact the deliverability of the Project. Funders and Authority will have modest confidence in security suite.	3-4
Issues identified in relation to the economic standing and the financial strength of the contracting structure of the Participant, which are highly likely to materially adversely impact the deliverability of the Project or the security of the Authority.	1-2
Wholly incomplete or unacceptable response.	0

A4.6 Overall Integrity

A4.6.1 Solutions will be evaluated on the extent to which the Solution in each area (quality, affordability and cost and commercial proposals) is consistent between each other. For example, positions accepted in the Project Agreement must be supported and not retracted or blurred in the Method Statements or in the Payment Mechanism. The evaluation and scoring is based on the framework shown below.

Table A4.6.1 Overall Integrity – Evaluation and Scoring

Basis for Scoring	Score
Outstanding. Consistent and clear across all areas and gives full confidence. No concerns	9-10
Very good. Consistent and clear in most areas. Gives confidence	7-8
Satisfactory. Consistent in many areas, but some inconsistencies	5-6
Basic. Some omissions and/or inconsistencies. Raises concern	3-4
Generally unsatisfactory. Significant omissions and/or inconsistencies, serious or many concerns	1-2
Poor or Unacceptable. No or insufficient information provided, numerous significant inconsistencies and positions unclear, no confidence	0

Appendix B – Glossary of Terms

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Term	Definition
2006 Regulations	the Public Contracts Regulations 2006
4Ps	the local government project delivery organisation and publisher of model documentation and guidance for PPP / PFI projects (public private partnerships programmes), a part of Local Partnerships since 2009
Authorised Vehicle	the vehicles delivering Contract Waste to the Delivery Points which the Authority has provided notification of to the Contractor for the delivery of Contract Waste
BMW	Biodegradable Municipal Waste
Competitive Dialogue	the competitive dialogue procurement route pursuant to Regulation 18 of the Public Contracts Regulations 2006
Contract Notice	the Authority's contract notice that was published in the Official Journal of the European Union inviting expressions of interest in the Project on 25 October 2008
Contractor	the party which ultimately enters into the Contract with the Authority
Authority	Norfolk County Council
Defra	Department of Environment, Food and Rural Affairs
Defra Waste Derogations	Defra's Standardisation of Waste Management PFI Contracts: Guidance on SOPC4 Derogations
Designated Tipping Area	the location within a Delivery Point at which Loads are tipped, as directed by the Contractor
Detailed Solutions	Participants' detailed solutions to be submitted as part of the second stage of the Competitive Dialogue in response to the ISDS
Dialogue Phase	the period from the issue of the Invitation to Participate in Dialogue to the call for Final Tenders
EA	the Environment Agency
EIR	the Environmental Information Regulations 2004
EPA	the Environmental Protection Act 1990
EPC contract	Engineering, Procurement and Construction Contract
Evaluation Model	the evaluation model and accompanying methodology set out at Appendix 1 to these Instructions
FBC	Final Business Case
Final Tenders	the final offer submitted by the shortlisted Participants in response to the Authority's ISFT
FOIA	the Freedom of Information Act 2000
HMT	Her Majesty's Treasury

Appendix B – Glossary of Terms

Term	Definition
Information	the information and data contained in the ISDS Documents, the Supporting Information and all appendices, annexes, responses to clarification questions and further information, documentation, data and communication provided at any stage of this procurement prior to entering into the Contract (whether provided via or held on the Project Extranet or otherwise)
Invitation to Participate in Dialogue	the letter of Invitation to Participate in Dialogue dated 14 September 2009 issued by the Authority to the four shortlisted Participants as part of the ISDS
ISDS	the Invitation to Participate in Dialogue, the Invitation to Submit Detailed Solutions and Revised Descriptive Document dated 14 September 2009
ISFT	the Invitation to Submit Final Tenders
Lats	the Landfill Allowance Trading Scheme
Load	the Contract Waste delivered by or on behalf of the Authority or its Partners to a Delivery Point and deposited in a Designated Tipping Area
MSW	municipal solid waste
NPV	net present value
OBC	the Authority's Outline Business Case for this Project submitted to Defra on 30 April 2008 and resubmitted as a revised OBC in February 2009, both available through the Project Extranet
Ojeu	the Official Journal of the European Union
Participant	each of the organisations to whom this ISDS is issued including any members of any consortium
PFI	Private Finance Initiative
PPP	Public Private Partnership
PQQ	the Authority's pre-qualification questionnaire completed by Participants as an expression of interest in the Project pursuant to the 2006 Regulations
Project	the authority's residual waste treatment project, which is the subject of this ISDS
Project Extranet	the Authority's electronic data room and communication portal for the Project made available to Participants at the commencement of the ISDS stage
PUK	Partnerships UK, part of Local Partnerships since 2009
Reference Project	the Authority's Reference Project as set out in the OBC
Rejected Load	a Load which cannot be Accepted
Solution	Participants' proposed solution to meet the Authority's requirements submitted in response to the ISDS and ISFT (and if appropriate any ISRS) Documents (as appropriate)

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Term	Definition
SOPC4	HMT's Standardisation of PFI Contracts version 4 (27 March 2007)
SPV	Special Purpose Vehicle
Supporting Information	the supporting information relevant to the Project being made available to Participants via the Project Extranet
Variant Solution	a variant solution submitted by a Participant
Unauthorised Vehicle	any vehicle which is not an Authorised Vehicle
VFM	Value for Money
WCA	a Waste Collection Authority pursuant to section 30 of the EPA. For this Project, the WCAs are the District, City and Borough Authorities in Norfolk
WDA	a Waste Disposal Authority pursuant to section 30 of the EPA. For this Project, the WDA is the Authority
Widp	Waste Infrastructure Delivery Programme, Defra's Local Authority support programme which supports new waste disposal infrastructure
Wrate	the Waste & Resources Assessment Tool for the Environment