

Background and OJEU Notice

Q: Did Prosiect Gwyrdd have a preferred option?

No, the procurement for this project was advertised as technology neutral and the Pre Qualification Questionnaire analysed interested companies on their previous experience and not on any technology solution. All bids were assessed against agreed criteria, as laid out in the procurement documentation which was approved by the Joint Committee on 10th March 2010.

Q: Why is the procurement process confidential?

So that each company is treated fairly and their commercially sensitive information isn't divulged. Also, so that good competition is kept at all times to ensure the best price is achieved for the tax payers within the Partnership's area. The Project has to operate in line with procurement legislation, as and when each procurement stage is complete, the 'marking scheme' is published on www.prosiectgwyrdd.co.uk so that stakeholders and the public can see how the companies were/will be assessed at each procurement stage. Specific information on these bids will not be released to the public, even if the companies have left the procurement process. Specific questions on bidders' submissions should be taken up directly with the company that submitted the proposal.

Q: Why was Energy from Waste chosen as the technology for the Outline Business Case?

EfW was the most tried, tested and proven technology and was therefore an obvious candidate. The Project had to produce an Outline Business Case (OBC) for financial benchmarking to check whether the Project was affordable. The Outline Business Case was submitted to the Welsh Government to bid for funding. A detailed options appraisal was undertaken on a number of candidate technologies as part of the OBC and Energy from Waste scored highest and was used as the reference technology. This did not mean this was the chosen technology, it was deemed as the best option, at the time that the OBC was written.

Q: What is a WRATE assessment?

WRATE stands for 'Waste and Resources Assessment Tool for the Environment'. The assessment compares the environmental impacts of different municipal waste management systems. WRATE uses life cycle assessments to include the resources used, waste transportation and operation of a whole range of waste management processes with their environmental costs and benefits. WRATE was one of the tools used in the Options appraisal to select the Reference Case in the OBC.

Q: What will stop local authorities sending recyclable waste for treatment?

Each local authority has been set challenging recycling and composting targets by the Welsh Government (WG) which is now set in law, and it is each of the partners' priority to meet these targets. Prosiect Gwyrdd will deliver the infrastructure to treat the remaining 30-35% of waste, after recycling and composting has been maximised in each area. The funding from the WG for this project does have strict criteria associated with the terms and conditions which include a cap on the amount of waste that can be sent for residual waste treatment.

Q: The WG recycling and composting target for 2025 is 70% which will mean that 30% will remain for treatment. Why is Prosiect Gwyrdd stating that 30% to 35% will be sent for treatment?

Each of the partners is striving to meet the challenging recycling and composting targets set by the Welsh Government with at least 70% combined recycling and

composting by 2025. Further material can also be recovered for recycling through residual waste treatment technologies and these will contribute to the Welsh Government waste targets. Due to this Project Gwydd has estimated that 30% to 35% of waste will remain for treatment, with at least a further 5 to 7% recycling delivered through the residual waste treatment facility. Viridor has guaranteed 100% of its bottom ash to produce reusable metals and building material.

Pre Qualification Questionnaire (PQQ)

Q: Were we pleased with the variety of different companies that were interested in this contract?

Thirty six companies downloaded the PQQ, with fourteen submitting their responses to the questionnaire. Five 'Outline Solutions' were received following the Invitation to Participate in Dialogue (ITPD) and these were evaluated at the 'Outline Solution' stage and four solutions were invited to submit 'detailed solutions'. Two companies submitted a 'detailed solution' and both bids are strong and credible.

Q: Why weren't companies that were offering alternate technologies shortlisted for the Project?

The PQQ stage does not evaluate technology. It is a backward looking process to evaluate whether the companies demonstrated their ability to deliver a Project of this scale and complexity. All of the companies that passed the PQQ stage demonstrated an ability to deliver a range of residual waste technologies.

Q: Sterecycle, a known autoclave company with planning permission on a site in Cardiff bid for the contract and they were not shortlisted, why?

Sterecycle did submit a PQQ for the contract, they however did not score high enough to be shortlisted at the PQQ stage. The Project isn't in a position to release details on the reasons why, but the company has been fully de-briefed. In relation to planning, the PQQ does not evaluate the planning status of bidders. At the PQQ, the Project didn't receive any bids, the assessment was backward looking, assessing whether the company were able to demonstrate their experience of technical ability, their financial standing and whether they have demonstrated experience of operating projects such as ours. Subsequently Sterecycle has gone into administration.

Invitation to Submit Outline Solutions (ISOS)

Q: What criteria were evaluated at the 'Outline Solution' stage?

Specific emphasis was on technical assessment, service delivery and deliverability and the integrity of proposed solutions.

Q: What technologies were offered at the Outline Solution Stage?

The only technology solution proposed by the companies that successfully passed the PQQ stage was modern energy from waste systems with the ability to export heat. Most of the companies were able to offer a range of technologies if they wanted to.

Q: Why wasn't MBT offered by the market?

Presumably because due to the high household recycling targets in Wales, bidders did not see the environmental or commercial benefit of adding extra costly recycling equipment to their bids. Each of the partner authorities has developed waste strategies to divert as much waste as possible from landfill. Each of the partners is developing recycling and composting facilities so that significant front end recycling

can take place up to 70% and beyond by 2025. Plastics, metals, paper and glass will be diverted for reuse from the kerbside. Local authorities are also procuring a service for organic waste, with food and green garden waste being sent for treatment either through in vessel Composting or Anaerobic Digestion. For the remaining waste, modern highly efficient energy from waste systems have been proposed. Local authorities are committed to divert clean front end recycling and composting reducing the need for mechanical and biological extraction from the residual waste.

Q: There have been claims that Project Gwyrdd favours incineration. Is this the case?

No. The documentation doesn't favour any technology solution. There wasn't anything stopping any waste company with any technology from bidding for the contract. The contract was advertised to the global market as required under EU procurement legislation.

Invitation to Submit Detailed Solutions (ISDS)

Q: What criteria were evaluated at the detailed stage?

At the detailed stage significant emphasis is on the technical aspects of the proposal, as well as financial and legal criteria.

Q: The Project issued the ISDS documentation to four companies but only two were evaluated. Why?

Four companies were invited to submit detailed solutions at the ISDS stage of the procurement however WRG left the process on March 29 2011, as they did not believe that they were in a position to submit a bid to their high standards. The Project dialogued with the three remaining companies, Covanta, Veolia and Viridor. The Competitive Dialogue process has been and continues to be an opportunity for the Project to negotiate with the companies, to ensure that their bids are mature and deliverable. During the Competitive Dialogue process Covanta decided to withdraw from the procurement on October 24, 2011.

Q: So the Project believes that the process is still competitive?

The procurement continues to be competitive and the Project is pleased to confirm that the two remaining bids, which have passed the necessary requirements of the evaluation, at ISDS were strong and credible

Q: Who is the front runner at ISDS?

The Project will not release this level of detail into the public domain, as the procurement is ongoing and this information is commercially confidential.

Invitation to Submit Final Tenders (ISFT)

Q: When will the bidders submit their Final Tenders?

The Project continues to negotiate with the bidders through 'Competitive Dialogue' and will only close these negotiations when we are content that the bids meet our requirements. When the dialogue closes, Final Tenders will be requested and under the current timeline this is scheduled for the end of October.

Q: How long will it take until a preferred bidder is selected?

The project expects that a preferred bidder announcement will be made early 2013.

Q: Reports have gone to the various Council Executives on the waste flow

calculations for the contract. The figures clearly show the Project has calculated a 65% recycling and composting rate from local authority waste strategies. Why?

The partner authorities will recover approximately 5% recycling through the contract and through Welsh Government Policy the recycling of the remaining metals and Incinerator Bottom Ash can contribute towards the local authority recycling and composting rate. The waste flow calculations has been predicted using current recycling and composting rates, future recycling and composting targets and population growth in the 5 partner authority areas.

Q: So the Project is discouraging recycling and composting by setting the front end recycling and composting rate through local authority strategies at 65%?

65% is only a theoretical prediction which in no way affects the actual recycling performance. As PG will only receive the rubbish that's left after recycling has occurred, it can not influence or discourage the level of recycling that occurs at the kerbside. The contract is structured in such a way that with the recycling of remaining metals and IBA, the partners will be able to recycle and compost up to 80% of their waste by the end of the contract, without even reaching their Guaranteed Minimum Tonnage.

Q: The Welsh Government has stated that waste growth will reduce by 1.2%, why hasn't Prosiect Gwyrdd used this figure?

The partners all have active waste minimisation strategies and support the Welsh Government's waste reduction principles. Prosiect Gwyrdd is not predicting waste growth per person but expects a small increase in the overall tonnage each year due to the predicted population growth in the five local authority areas over the contract period.

Preferred Bidder (PB)

Q: Why was the procurement extended, incurring additional costs to the partner authorities?

This allowed the project to continue to negotiate with both bidders to get the best possible deal. The additional time spent in dialogue is estimated to have saved the partnership over £90M in cash terms over the 25 year period.

Q: Has Viridor won the contract as Veolia failed to get planning permission from Newport City Council?

No, planning is separate to the procurement process. In conventional projects in other parts of the UK planning permission isn't usually submitted until after contract award. If Veolia had beaten Viridor in the evaluation, Veolia would have been awarded the Preferred Bidder's status while the planning decision was being appealed.

Q: What happens to Veolia's planning appeal now?

This is a matter for Veolia and inquiries relating to their planning appeal should be directed to the company.

Q: When is the Preferred Bidder status being presented to Full Councils?

Following the Joint Committee meeting on February 7th, it is envisaged that the recommendation will be made to each Full Council. Each Full Council will take place at the end of February and early March.

Q: When will the contract be signed?

It is anticipated that after the governance arrangements have taken place the contract will be signed in July.

Q: When will the facility accept Project Gwydd's waste?

There will be a commissioning period but Viridor will formally accept Project Gwydd's waste on April 1st 2016.

Contract with the Preferred Bidder

Q: How long will the contract be?

The contract with the successful bidder is expected to be for 25 years, with a possible 5 year extension.

Q: Does a 25 year contract restrict flexibility?

The PG contract has flexibility built-in allowing the Partnership to adapt to changing legislation and environmental standards. If the Partnership wants to change the facility or the contract over time, there are mechanisms to accommodate this.

[The successful bidder will have to supply a facility that is in accordance with the Project's output specification, stating the authority's requirements, and then operate to a strict Project Agreement (contract) that will incorporate mechanisms for dealing with any change in regulation. This will ensure that there is flexibility in the contract. The construction and commissioning period will be at least three years and a long term contract of this kind is the most cost effective option. The solution will be required to treat waste of varying composition and quantity throughout the contract term.]

Communications

Q: When will the Project be holding events to give further information to the public?

Now that the Preferred Bidder is identified, the project will be working with the successful company to finalise the material that will be given to the public. Four public events will take place in Cardiff, with a roadshow in each other local authority area, as close to the Preferred Bidders' site as possible.

Q: How can the public contact the partnership?

All up to date information is published on www.prosietgwydd.co.uk and the partnership can be contacted via phone or email. We ask the public to email info@prosietgwydd.co.uk or phone 02920 717523.

The Project can always be contacted via info@prosietgwydd.co.uk or by phone on 02920 717523.

By-products of Municipal Waste Incineration

Q: Claims are made that the ash from the incineration process is toxic? Is this true and what ash is produced from the process?

Neither of the ash produced from the incineration process is toxic, there are two types of ash produced, bottom ash and fly ash.

Bottom ash

Bottom ash is one of the by products of incineration and is the material which remains at the bottom of the grate after combustion has taken place. Bottom ash is classed by the Environment Agency as non-hazardous and can be recycled into building materials, such as hardcore or fill material. This offsets the need to use virgin aggregate in processes such as road building. The Project has put an obligation on the successful contractor to recycle 100% of the bottom ash.

Fly ash

Fly ash is classed as hazardous material due to the high pH caused by the lime which is added to treat the flu gasses. This mixture is commonly referred to as APCR (Air Pollution Control Residues). This will stored on site in sealed units before being transported for disposal by deep storage or landfill at suitable licensed facilities. Currently there is an emerging market for the recycling of APCR, but as yet the processes are in their infancy. The PG contract will place an obligation on the successful contractor to seek out and evaluate these technologies as they develop so that 100% of the ash produced will be recycled in the future.

Regulation of municipal waste incinerators

Q: Has there been research carried out assessing a variety of waste treatment technologies and their effects on health?

Yes, the comparative impacts on health of different methods of waste disposal have been considered in detail in a report prepared for the Department of Environment, Food and Rural Affairs (Defra 2004). A summary of this extensive research can be reviewed through the following link:

<http://archive.defra.gov.uk/environment/waste/statistics/documents/health-report.pdf>

This research, 'The Review of the Environmental and Health Effects of Waste Management Municipal Solid Waste and Similar Wastes', 'considered 23 high quality studies of the patterns of disease around EFW plants and four peer review papers looking at the health effects of EFW plants. It concluded that there is no convincing link between EFW plants and adverse effects on public health.

Q: Who regulates Energy from Waste facilities?

The Environment Agency regulates all Energy from Waste facilities larger than 1 tonne an hour (non hazardous waste and all hazardous waste incinerators). All waste facilities, including incineration are regulated to prevent or minimise any risks to the environment or health. These facilities are subject to the EU Integrated Pollution Control (IPPC) regime which aims to prevent, reduce or eliminate pollution at source. For all information on regulation by the Environment Agency, visit:

http://www.environmentagency.gov.uk/static/documents/Business/3_wip_regulation_2147973.pdf

Q: What is the Waste Incineration Directive?

All waste processes which involve burning have to comply with the Waste Incineration Directive (WID). This law sets stringent controls on emissions of all types of Energy from Waste technologies, including Pyrolysis, Gasification and Energy from Waste with Combined Heat and Power (Incineration). These technologies are required to monitor emissions to ensure that they comply, as a minimum, with the limits in the EU Waste Incineration Directive (2000/76/EC) which sets strict emissions controls for pollutants. The Directive has been implemented in England and Wales by the Environmental Permitting (EP) (England and Wales) Regulations 2007. From April 2008 these replaced the Pollution Prevention and Control (PPC) (England and

Wales) Regulations 2000. The guidance on this legislation can be viewed through the following link:

<http://www.defra.gov.uk/publications/files/pb13570-wid-guidance-091001.pdf>

Q: So Project Gwydd relies on the regulator? And doesn't control the facility?

The regulator is responsible for ensuring that the operator complies with their environmental permit and all relevant legislation. The Project does have control over the contract through the Performance Measurement Framework (PMF) and the Payment Mechanism (PM). These control measures will be monitored by a contract manager on behalf of the 5 local authorities. The PMF enables the Authority to manage the performance of the day to day requirements of the contract and the PM determines how much the contractor should be paid for the services and ultimately has the power to terminate the contract.

Q: How do I get specific questions and answers on Energy from Waste facilities?

The Environment Agency has an extensive questions and answers briefing sheet on energy from Waste. To access these questions and answers, visit:

[http://www.environmentagency.gov.uk/static/documents/Business/Information_Pack_-_QA_\(2\).pdf](http://www.environmentagency.gov.uk/static/documents/Business/Information_Pack_-_QA_(2).pdf)

Q: Historically, there has been concern that energy from waste facilities are damaging to human health, is this true?

The Health Protection Agency has published two reports in September 2009 and February 2010, addressing the concerns that have been raised. The report can be accessed through the following link,

<http://www.caerphilly.gov.uk/prosietgwydd/pdfs/RCE13%20for%20web%20with%20security.pdf>