

Specification

Ref: 26054

Title: North, Anglian and Midlands Operational Waste Management Framework

All works are to be carried out in line with the Environment Agency's Health & Safety Policy (attached below), adhering to relevant health and safety legislation and individual site rules including site induction if required.



1. Introduction

The Environment Agency ("the Agency") is committed to managing our environmental impacts including waste by reducing and managing them using the best practical environmental option. This framework will cover the collection, disposal and recycling of a variety of operations-derived waste streams generated by our sites, primarily across the North, Midlands, Lincolnshire and Northamptonshire Areas of England. The geographical extent of the framework may be expanded at the Agency's discretion, subject to satisfactory performance of the Contractor.

The Environment Agency also requires the ability to transfer waste, using their own transport, direct to a disposal site under the management control or under partnership with the contractor.

Please refer to Appendix A for the Area map and Appendix B for a list of the primary sites with their requirements.

The successful Contractor will provide safe, sustainable and legal working practices to a high standard, during the collection, transport, recycling, recovery and where necessary disposal of operational waste.

It is envisaged that the successful Contractor will be able to recover all possible waste streams in Section 2.3, including hazardous or contaminated waste. We seek a solution which will re-use, recycle or compost the highest possible proportion of waste and which will be of sufficient quality to guarantee a sustainable market.

The Environment Agency is certified to ISO 14001. This drives our desire to continually improve our own environmental performance and to see that all our suppliers and contractors perform and behave in a way that is consistent with this standard.

2. Requirements

NB. The requirements below must be met in full and are non-negotiable.

2.1 Contract Period

The contract will run for an initial period of 24 months, subject to satisfactory performance by the contractor, with options to extend for up to two additional 12-month periods.

Performance will be reviewed on a quarterly basis against agreed Supplier Performance Measures.

2.2 Contact Persons

Post contract award, the Contractor shall appoint a Framework Manager and a dedicated Customer Service Contact. The Framework manager will be responsible for all dealings with the Environment Agency's Framework Managers at framework level and no others, unless otherwise agreed (for example, nominated Area Leads).

The Customer Service Contact will be responsible for the day to day operational contact with nominated Environment Agency Area Leads or Depot contacts. If the point of contact is unavailable, a suitable alternative will be nominated and communicated to the waste contractor as and when required.

A list of authorised contacts will be provided to the Contractor post contract award.

2.3 Waste Streams

The following waste streams are likely to be covered by this framework but are not exhaustive:

- Scrap metal
- Batteries (hazardous and non-hazardous, including heavy duty lead acid batteries)
- Hazardous waste (e.g. fluorescent tubes, oily waste incl. waste oil solvents, chemicals)
- Waste oil
- Waste Electrical and Electronic Equipment (WEEE)
- Wood (non-hazardous and hazardous)
- Tree trunks (potentially contaminated)
- Green waste (potentially contaminated)
- General mixed waste
- Animal (e.g. dog) waste
- Plastics
- Tyres
- Soil and clay (potentially contaminated)
- Stone & river gravel (potentially contaminated)
- Silt and sediments from small works (potentially contaminated)
- Concrete and building materials
- Shopping trolleys, bicycles and beer kegs
- Animal carcasses

The requirements of Duty of Care (DoC) must be met in full and all appropriate documentation, paper or electronic must be maintained and available so records are auditable at all transfer points. The Environment Agency's preference is to operate with season tickets for non-hazardous waste. See Section 2.11 for further information.

2.4 Waste Collections

Waste collections will be made at frequencies appropriate to the quantities and types of waste generated at each site.

Collections will be sustainably managed by the Contractor to avoid unnecessary journeys. The Environment Agency's premises have relevant waste exemptions in place with conditions relating to the maximum quantities of waste (by type) that can be stored during a given period. The scheduling of our waste collections must be planned in such a way as to remain mindful of our operational needs whilst not allowing the Environment Agency to exceed any exemption conditions relating to storage quantities at any time, through failure to collect and remove our waste. The current collection frequencies are guides only and the Contractor will be expected to recommend frequencies and the most suitable skip types and capacities to optimise efficiency and reduce transport requirements.

No waste should remain on site for a period of longer than 3 months. It will be the Contractor's responsibility to monitor the frequency of skip exchange and pro-actively liaise with sites to ensure all waste is removed from site within this time period.

When Environment Agency staff have to be on site as part of collection and/or disposal of waste, collection and exchange must occur within a 2 hour predefined window. All deliveries/ collections must be pre-arranged and agreed with the Field Team Leader or other nominated Environment Agency person for the site. Where delays are expected, the supplier is to advise the appropriate Environment Agency contact at the earliest opportunity to agree a revised window. The Environment Agency reserves the right to refuse vehicles delayed beyond an acceptable period and or if the delay is not advised in advance. The Environment Agency will not be liable for any costs incurred by the Contractor for re-arranging collections.

Collections during normal working hours

Deliveries / collections must take place within normal site hours (Monday to Thursday 08:00 – 16:00, Friday 08:00 – 15:00) within 48 hours of request. Any visits outside these hours must be agreed in advance with the Field Team Leader or other named contact. Where special access times are identified, these must be adhered to ensure operational needs are met. A minimum of 24 hours notice will be given to the contractor when a collection is required.

The Environment Agency reserves the right to reclaim any additional costs incurred by the delay. These may include but are not limited to staff time, travel costs, alternative arrangements, additional clean-up costs etc.

All skip placing & removal operations MUST be covered by a risk assessment and method statement provided by the supplier and approved by the site responsible officer or Team Leader before any equipment is moved. An emergency procedure must be included and will cover skip placing & removal operations at both EA manned and unmanned sites. Particular attention should be paid to operating at unmanned automated weed-screen sites where increased risk must be managed accordingly. Procedures should be established for fixed sites at the commencement of the contract.

Upon commencement of the framework a schedule of expected collection intervals and days must be provided by the Contractor.

The number of collections required on a site by site basis may be subject to change in the future, at the Agency's discretion.

Collections outside normal working hours (weekends/public holidays)

At certain times at key strategic sites, skip emptying/replacement may be required out of hours, at weekends or over public holidays. The Contractor will be notified and placed on stand-by at least 48 hours in advance, when this service is required and at which sites. Arrangements must be made for these sites

locally so that capacity is always available.

An agreed fee will be paid for the Contractor to provide this increased level of service cover for each authorised period of standby. All standby cover must be authorised by the Field Team Leader.

An indicative list of sites requiring this level of cover will be included in the tender for the contractor to establish appropriate arrangements and pricing schedules. Full details will be confirmed at tender award.

Supplier performance measures will be set to monitor compliance with these service levels.

2.5 Transfer of Own Waste to permitted disposal sites.

For logistical reasons some depots require the ability to transfer waste directly to a disposal facility using their own transport. The successful contractor shall be able to facilitate this arrangement with appropriately permitted facilities. The preference is for the Contractor to accept all charges from the disposal site which then shall be recharged to the Environment Agency at cost + the agreed fee percentage. The Contractor shall be responsible for recording and reporting the management information relating to these disposals as set out in 2.12 below.

2.6 Hazardous Waste Identification and Disposal.

The Contractor will provide a response to pollution incidents where there is any tipping of potentially hazardous waste has occurred. This may be at the location the incident has occurred or at the depot the waste has been recovered to, Services will include:

- Identification of unknown waste materials
- Sampling
- Analysis
- Appropriately permitted disposal/treatment in accordance with the Waste Hierarchy
- Provision of chain of custody, recording systems and certifications

Where the waste poses a risk to the public, wildlife or the environment a time frame for response will be agreed with the authorised contact but shall be within 24 hours during normal working hours. Where waste is at a secure site, response shall be within 48 hours during normal working hours.

2.7 External Storage Containers and Signage

The type of waste storage containers provided must be appropriate for the proposed waste.

Waste storage containers shall be in a clean, serviceable condition and free from damage or corrosion, which could lead to waste escaping or injury to personnel using the containers. All waste storage containers, with the exception of containers placed at automated weedscreens, must be supplied complete with light-weight covers to help prevent waste escaping and also prevent any ingress of rainwater leading to potential contaminated leachate. The Contractor remains responsible for any associated maintenance required on these waste storage containers, under PUWER (Provision and Use of Work Equipment Regulations 1998). The Contractor is responsible for replacing or removing containers if they are not fit for purpose as described above.

The Environment Agency reserves the right to refuse vehicles and or skips onto site if they are poorly maintained and or present a potential pollution hazard. All costs of replacement services will be borne by the Contractor and must be supplied within two hours unless otherwise agreed. The Environment Agency reserves the right to reclaim any additional costs incurred by the delay. These may include but are not limited to staff time, travel costs, alternative arrangements, additional clean-up costs etc.

The Contractor is required to ensure appropriate bio-hazard control measures are in place for containers and vehicles used on sites close to water courses or containing potentially contaminated waste to prevent the spread of disease or invasive species.

The Environment Agency has adopted the “Recycle Now” brand signage / labelling for a consistent identity for its waste streams, and it is expected that the successful Contractor will provide suitable signage for the waste receptacles in keeping with any existing signs. Full guidelines governing the use of this iconography can be found at the Recycle Now website www.recyclenowpartners.org.uk

2.6 Management of Waste Targets and the Environment Agency’s Waste Hierarchy

The Environment Agency is currently updating their sustainability plan (E:mission) with goals to 2030. One of our goals is to re-use, recycle and recover 100% of our waste, including operational and construction / project waste. It is recognised that this target is not feasible for this framework due to operational factors of how the waste arises. Therefore, it is expected that this framework will have a requirement for <5% waste to be sent to landfill where technically feasible

We also have a target to reduce our total waste that is produced. To enable us to achieve this, we have implemented the following waste hierarchy:

- Eliminate;
- Reduce;
- Re-use & repair;
- Recycle or compost;
- Recover (i.e. energy recovery);
- Dispose (i.e. high temperature incineration)
- Dispose (i.e. landfill).

This waste hierarchy may be updated at times, at the Agency’s discretion, in accordance with current best practice guidelines as described by DEFRA and Government Guidelines.

The Contractor shall proactively engage with the Environment Agency Framework Manager and Sustainability Leads to help reduce its total waste and to improve its ability to reach our target by 2030. The Contractor must be able to offer guidance and advice on best methods for collecting and re-marketing / recycling and reducing our operational waste.

Where sites are not able to meet our targets, the Contractor must work with the Environment Agency to identify barriers and issues, and to improve recycling rates. A supplier performance measure will be set to monitor progress against this requirement.

2.7 Waste Metal and other Marketable Waste Streams

The Environment Agency seeks to recover as much of its costs as is reasonably practicable. Given the increasing value of waste metal, the Contractor must demonstrate how they take this into account and propose a mutually acceptable solution whereby some scrap value is recovered by the framework in the form of financial rebates against other catalogued charges. Innovative proposals for other waste streams are also encouraged. It will be the Contractor's responsibility to record and report rebates to the Framework Manager.

2.8 Meeting Waste and Other Relevant Legislative Requirements

The Contractor shall deliver this framework in accordance with all relevant legislative requirements. Relevant waste management requirements include, but are not limited to:

- The Environmental Protection Act 1990
- The Waste (England and Wales) Regulations 2011
- The Environmental Permitting (England and Wales) Regulations 2016
- The Hazardous Waste (England and Wales) Regulations 2005
- DEFRA Waste Duty of Care Code of Practice March 2016

2.9 Waste Carriers

The Contractor will ensure that anyone collecting waste is authorised to take it. This will mean they are either:

- a registered carrier of waste; or
- exempt from registration as a carrier of waste.

The Contractor will ensure checks are undertaken to establish whether their chosen waste carriers are authorised to collect the waste, prior to its transfer from the Environment Agency's custody, and will provide evidence of this. These checks must be carried out, as a minimum, on an annual basis (April each year) or prior to any new waste sub-contractor being appointed.

If the Contractor will be acting as the waste carrier themselves, they will provide evidence of their authorisation at the tender stage and annually thereafter (and within two weeks of a request being made by the client).

The waste carrier will ensure that they remain authorised to transport the waste type(s) being collected, at all times, and will ensure that they renew their licence promptly.

If at any time the waste carrier's licence is subject to an Environment Agency enforcement action, withdrawn or revoked, they must inform the Environment Agency Framework Manager immediately and cease any further movement of our waste, until they become authorised again.

The Contractor will be required to inform the Environment Agency Framework Manager in writing prior to any change in waste carrier and must receive written approval from the Framework Manager prior to any waste collections taking place. The Environment Agency reserves the right to prohibit the use of sub-contractors with poor compliance histories for this Framework.

Where the Contractor is acting as the waste carrier, persistent licence infringements, suspension, revocation or withdrawal of their licence(s) may result in termination of the contract.

2.10 Environmental Permits (formerly Waste Management Licences) and Waste Exemptions

All facilities that receive Environment Agency waste must have an environmental permit (formerly known as Waste Management Licence or an Authorisation) to manage our waste, or an exemption from having a permit that must be registered with the Environment Agency.

The Contractor will ensure checks are undertaken to establish whether their chosen disposal / recovery sites are suitably permitted to accept or treat the Environment Agency's waste, prior to its transfer, and will provide evidence of this. These checks must be carried out, as a minimum, on an annual basis or prior to any new waste management facility being utilised.

The Contractor will be required to inform the Environment Agency Framework Manager in writing prior to any change in waste management disposal / treatment facilities used prior to waste being disposed of. The Environment Agency reserves the right to prohibit the use of facilities with poor compliance histories for this Framework.

The Contractor will ensure that the different waste streams are transferred to facilities that best suit the waste type and the Environment Agency's operational requirements.

The Contractor will ensure that the receiving facilities remain permitted to receive the Environment Agency's waste throughout the duration of the framework. The Contractor will provide the Framework Manager with evidence of these checks on an annual basis (and within two weeks of a request being made by the client).

If at any time the environmental permit or exemption is subject to an Environment Agency enforcement action, suspended, withdrawn or revoked, the Contractor must inform the Environment Agency Framework Manager immediately and cease to receive our waste, until they become authorised again.

Where the Contractor is also the permit holder for the receiving facility(s), persistent permit infringements, suspension, revocation or withdrawal of the permit(s) may result in termination of the contract.

2.11 Duty of Care Paperwork

Under Section 34 of the Environment Protection Act 1991 and Regulation 35 of the Waste (England and Wales) Regulations 2011, a "written information" describing the waste must be provided by the holder on the transfer of waste to another person.

The Environment Agency requires this written information to be prepared prior to any waste removals from our premises, for each waste stream at each site. The document must include the following information:

- Waste carrier's licence details and full address;
 - a description of the waste (e.g. office paper);
 - how the waste is contained or packaged (e.g. 1100 litre bin);
 - the quantity of the waste (e.g. 20kg);
 - the place, date and time of transfer;
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- the name and address of both parties;
- details of the environmental permit or exemption held by the person receiving the waste;
- the appropriate European Waste Catalogue (EWC) code for the waste (see Appendix 5); and
- confirmation that the waste hierarchy in Regulation 12 of the Waste (England and Wales) Regulations 2011 has been applied, that is, every reasonable action has been taken to prevent, reuse, recycle or recover (in that order) the waste.

The Contractor must provide annual waste transfer notes (“season tickets”). These will cover a single waste stream for each Area of our operations.

Each movement of hazardous waste must be accompanied by a consignment note. The Contractor is required to comply with the Hazardous Waste (England and Wales) Regulations 2005 (and amendments). In particular, the Contractor must ensure that consignment notes are being completed, and will submit Consignee’s Returns to the producer (Environment Agency site) within one month of the end of the quarter in which the waste concerned was accepted. Quarterly submissions must be made no later than the dates set out in Section 53(4) of the Hazardous Waste Regulations 2005.

Failure to ensure DoC is complied with will result in an escalation of framework management procedures, and may result in payments being withheld or the contract being terminated for persistent non-performance. A supplier performance measure will be set to monitor compliance with this requirement.

2.12 Management Information Required

The Contractor will be required to provide monthly management information. The information shall be available within one week of the end of each calendar month and submitted directly to the Framework Manager, and any other agreed Environment Agency contacts requested, via e-mail. The Contractor may *additionally* provide the data online, for access by agreed Environment Agency contacts.

The Environment Agency is required to report on a number of sustainability measures. The Contractor must be able to provide us with the following data in Microsoft Excel format, in order for us to accurately report on our waste, and allow us to set future targets:

- Weight of total waste produced per site / per month (in kilograms)
- Cost of disposal of each waste stream per Environment Agency site/per month
- Weight of each waste stream produced per Area / per month (in kilograms);
- Weights collected for each site by category of waste destination (i.e. recycled, incinerated).
- Weight & waste type where Environment Agency transports waste direct to disposal or transfer site

Where the data indicates that any waste has been taken to landfill, details of the specific collections concerned must be provided, together with:

- reasons justifying why it was not technically feasible to divert the waste from landfill; and
- potential actions for the waste originating site to consider and address where appropriate.

The Contractor shall endeavour to provide data on the volumes of waste exported, volumes, destination and details of end waste/recovery facility, where feasible.

These results will be reviewed at scheduled framework management meetings and be linked to the supplier performance measure set for point 2.6.

Waste Management information for Environment Agency sites must be maintained and updated throughout the duration of the framework. The following information must be provided at least 6-monthly for all Environment Agency sites under the framework:

- Environment Agency site name and location;
- A description of the waste (e.g. green waste);
- Associated European Waste Code (EWC);
- Number of associated containers (e.g. 2 bins);
- Type and capacity of the containers (e.g. 1,100 litres);
- Quantity of the waste (e.g. 20kg);
- Frequency of collection (e.g. once per week);
- Service provider name and address;
- Waste Carrier Licence number (WCL);
- Waste Management Licence number (WML);
- Environmental Permit number (EPR) or registered exemption reference; and
- Details of the end waste facility.

2.13 Supply Chain Environmental Data

The Environment Agency has a target to reduce the environmental impact of our supply chain by 20% by 2020. To support delivery of this target, we work with a named external party to map our supply chain annually.

Delivery of this framework is considered to have a high environmental impact for the Environment Agency. The Contractor is therefore required to supply and verify environmental data linked to its supply chain impacts, e.g. Carbon Footprint measurement, when requested by either the Agency or its named external party. The data requests and analyses may be managed by the Agency or the external party.

Participating in this analysis will enable the Contractor to see its major impacts and help it to set action plans to reduce the impacts and deliver efficiencies over the course of the framework. This also enables the Agency to monitor and reduce the impact of its own supply chain which is a corporate target.

2.14 Health, Safety & Wellbeing.

The Environment Agency is committed to high standard of Health and Safety for our own staff and the contractors we employ. Suppliers will required to evidence a high standard of Health and Safety awareness and management both within your own organisation and of any sub-contractors you may use.

Ideally Suppliers should be members of a recognised accreditation scheme such as BS OHSAS 18001 or industry scheme e.g. Safe Contractor or similar and be able to evidence a strong safety record and commitment to continuous improvement.

It is the Contractor's responsibility to provide the Personal Protective Equipment (PPE) required to protect their employees in their duties and ensure any sub-

contractors carry the same responsibility. The Agency will not be responsible for any additional costs arising from the failure of either the Supplier or their sub-contractor to provide the correct equipment for the task to be undertaken.

The Contractor shall ensure that all staff employed for this framework have received the appropriate health and safety and professional training for their role. Training will be reviewed and updated as required during the framework term.

Employment Policy

The Environment Agency is committed to ensuring that workers employed within its supply chains are treated fairly, humanely and equitably. The Environment Agency expects the Contractor to share this commitment and to understand any areas of risk associated with this and work to ensure they are meeting International Labour Standards. The Contractor ensures that it and its sub-contractors and its supply chain:

- comply with all relevant legislation relating to the employment of non-EU workers
- comply with the provisions of the Modern Slavery Act 2015
- pay staff fair wages (and pays its staff in the UK not less than the Foundation Living Wage Rate)
- Implement fair shift arrangements, providing sufficient gaps between shifts, adequate rest break and reasonable shift length, and other best practices for staff welfare and performance.

Lone working/Emergency Procedures

The contractor shall provide details of the company lone working policy and emergency procedures for its employees engaged in the delivery, collection, placing & removal of skips while on Environment Agency manned and unmanned premises. These may include sign in/sign out or call in/call out procedures.

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