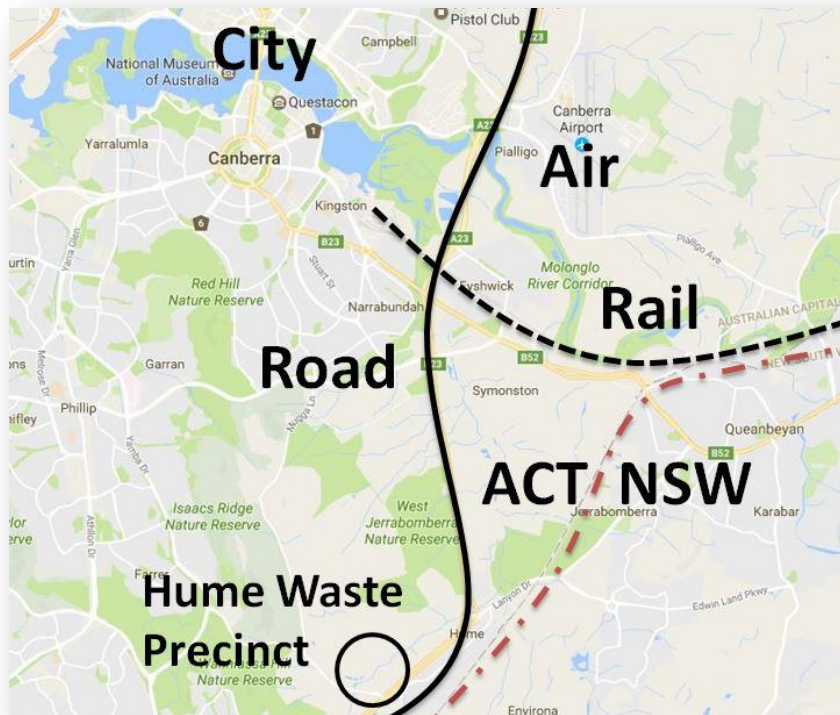


MARKET SOUNDING NO. 38532-01



TO BUILD AND OPERATE OR PROVIDE NEW WASTE SERVICES

ON BEHALF OF

TRANSPORT CANBERRA AND CITY SERVICES DIRECTORATE

PROCUREMENT AND CAPITAL WORKS

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FOREWORD

Waste management is an integral part of a sustainable Canberra. The ACT is one of the leading jurisdictions in waste management, and has set ambitious targets for increasing recycling and resource recovery, and reducing the waste sector's carbon footprint.

Diverting waste from landfill and treating waste as a valuable resource provides tremendous opportunities to diversify and grow the local economy and increase employment.

The Canberra region is an excellent place for business to invest. It boasts the country's best educated workforce, high labour productivity, modern infrastructure, low business costs, a culture of innovation, and has one of the strongest and most secure economies in Australia.

The Government is seeking innovative and sustainable proposals from both the waste and non-waste sectors on how best to achieve the ACT's waste management objectives. This marketing sounding provides an opportunity for local, national and international businesses and not-for-profit organisations to showcase ideas and solutions that will contribute to the ACT achieving national best practice in waste management.

I encourage you to participate in this market sounding and be part of an exciting new future for management of waste in the ACT.



Meegan Fitzharris

Minister for Transport Canberra and City Services

ACT Legislative Assembly

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1. INTRODUCTION

1.1 Background

- 1.1.1. The Territory wishes to invite interested organisations to participate in this market sounding by describing their capability and capacity to directly contribute to the Territory's achievement of the targets under the ACT Waste Management Strategy 2011–2025 (the Strategy) through the establishment and operation of new waste infrastructure and/or other waste management services. The Strategy is available at: http://www.environment.act.gov.au/__data/assets/pdf_file/0007/576916/ACT-Waste-Strategy-Policy_access.pdf.
- 1.1.2. The Strategy seeks to create a carbon neutral waste sector by 2020 and to achieve full resource recovery by 2025. This means that, by 2025, the current recovery performance of the Territory's waste sector must improve by nearly 20%. The Territory promotes a waste management hierarchy that favours reuse and recycling over energy recovery. To achieve full recovery, the Territory appreciates that waste to energy may form part of its solution.
- 1.1.3. The Territory seeks input to its scoping stage in order to better inform its business case and to ensure that its discussion of waste management solutions is based on, and includes, material from industry suppliers and infrastructure managers.
- 1.1.4. The Territory is aware that it needs to make every effort possible to ensure it establishes commercial waste management solutions that industry are able to provide, and furthermore, at the end of its procurement activities, that no waste stream or material has been ignored. The Territory wants respondents to offer solution for all its waste, no matter how big or small the proposals may be.
- 1.1.5. This is therefore an opportunity for industry to frame unique and innovative solutions tailored for the Territory, and to assist the Territory to develop a procurement strategy that is aligned with industry's current and projected capabilities and intentions.
- 1.1.6. The Territory intends to develop a procurement strategy that:
- (a) engenders a genuine partnership with industry; and
 - (b) is aligned with industry's current and projected capability and capacity to provide the services and infrastructure.
- 1.1.7. To achieve this, it is important that the Territory understands industry's capability, capacity and drivers in relation to participating in any partnership. Additionally, the Territory needs to understand where we can go to in the future, what is achievable and what industry is prepared to participate in or provide.
- 1.1.8. The Territory is aware that successful waste outcomes require the Territory and industry to cooperate. The Territory recognises the management of waste is a complex and dynamic business and that it has a role creating commercially viable opportunities.
- 1.1.9. By responding to this market sounding suppliers will have the opportunity to:
- (a) help the Territory understand what they can offer; and
 - (b) describe what the Territory has to do to ensure they are operating in a commercially predictable market.

2. MARKET SOUNDING OBJECTIVE

- 2.1.1. The Territory is seeking to set higher standards for resource management and continue to remain as a leader in resource recycling and recovery.
- 2.1.2. The Territory wishes to invite Suppliers to consider options and strategies that will assist the Territory to achieve its targets and to describe waste solutions that:
 - (a) increase resource recovery and reduce waste to landfill;
 - (b) minimise environmental impacts and greenhouse gas emissions;
 - (c) improve social outcomes; and
 - (d) represent value for money.

3. THE TERRITORY WASTE ENVIRONMENT

3.1 Key Stakeholders

- 3.1.1. Unlike most Australian states, the Territory has only one level of government. It does not have councils, and instead embeds its council functions within its directorates. Given its close proximity to NSW population centres, regional NSW councils are important stakeholders that the ACT cooperates closely with.
- 3.1.2. Responsibility for Territory waste management resides with the Transport Canberra and City Services Directorate (TCCS) which has a Deputy Director-General who is the Territory's Waste Manager appointed pursuant to the Waste Management and Resource Recovery Act 2016. The role of the Waste Manager is to administer in accordance with the objectives of the Act.
- 3.1.3. ACT NOWaste is a business unit within TCCS which supports the Waste Manager and is responsible for Territory waste infrastructure, service delivery, regulation, policy and strategy.

3.2 Current Situation

- 3.2.1. In 2015 the Territory commissioned the Waste Feasibility Study (WFS) to investigate long-term options for the management and treatment of waste in the ACT.
- 3.2.2. The WFS has now entered the second year of its two year program and will report its findings in 2017. The knowledge and information sharing across the community and industry garnered as part of the WFS demonstrates that we can work together to create an improved future for resource recycling and recovery.
- 3.2.3. The information provided by suppliers to this market sounding will help the WFS finalise its roadmap and produce a business case for Government consideration in mid-2017.
- 3.2.4. Total waste generation in the Territory is currently just over 1 million tonnes per year and is projected to grow by approximately 2% pa.
- 3.2.5. The ACT recovers approximately 70% of the waste it generates.

- 3.2.6. ACT waste sent to landfill is in the order of 300,000 tonnes each year, an estimated 10% of which is landfilled out of state, predominantly in NSW. Of the landfilled 300,000 tonnes, about a third is Commercial and Industrial waste.
- 3.2.7. The ACT has no processing solution for residential or other waste that typically presents in general waste red-lid bins.
- 3.2.8. Household waste is predominantly collected via a weekly kerbside collection of 120 litre red-lid bins and is delivered directly to the Mugga Lane Landfill. The Territory landfill at the West Belconnen Resource Management Centre, which does not accept putrescible waste, will close in 2020 and be incorporated into a new residential development.
- 3.2.9. The Territory currently operates five Recycling Drop-Off Centres (RDOC) and three larger Resource Management Centres (RMC). These facilities vary in size and capability. RDOCs are unmanned facilities that accept paper, cardboard, glass and plastics.
- 3.2.10. Two of the RMCs include transfer stations. These are located at Mugga Lane and in Mitchell and accept self-hauled waste. Between 10% and 35% of this is recovered with the residual sent to the Mugga Lane Landfill.
- 3.2.11. The Territory owns a Materials Recovery Facility (MRF), which is operated by commercial supplier. This clean MRF is located in the Hume Waste Precinct and processes domestic kerbside co-mingled recyclables which are collected fortnightly predominantly from 240 litre yellow-lid bins. It also processes recyclables from the RDOCs, commercial operators and regional councils. All material processed by the MRF is owned by the operator.
- 3.2.12. The Territory has current contracts with two suppliers to accept, and take ownership of, self-hauled green waste. These contracts do not commit the Territory to anything in regard to green or other organic waste collected in new (green-lid) garden waste bins. These bins will be universally rolled out over three years and are expected to collect approximately 40,000 tonnes of garden waste each year. In addition, the Territory also has 10,000 tonnes of the Territory's own urban forest pruning.
- 3.2.13. Like many Australian jurisdictions, the Territory has incomplete waste data and the data it has varies in quality and counting rules. All the data the Territory has will be made available for respondent use. Information on RDOCs and RMCs will also be contained in the data room. The data room will be available to anyone who registers on the TendersACT portal.

3.3 Proposed Changes

- 3.3.1. The Territory recognises the benefits of comprehensive at-source sorting of waste and is proposing to introduce regulatory changes, possibly as enforceable Codes of Practice under the *Waste Management and Resource Recovery Act 2016*, over the next three years.
- 3.3.2. Some of the regulatory policy options being considered include:
- (a) Construction and Demolition Waste (C&D), excluding soil, may be required to be sorted and processed through a material recovery facility before non-recyclable residuals are disposed of in landfill. Mixed C&D waste may not be permitted to be sent directly to landfill.
 - (b) Businesses may be required to sort waste materials at-source. Businesses may be required to separate paper, cardboard and comingled recyclables from residual waste and ensure these materials are collected for recycling.

- (c) Some businesses may be required to sort their organic waste and have it collected separately. This may include provisions that encourage “food rescue” where food is still fit for consumption or for animals.
 - (d) Multi-Unit Developments may be required to separately collect paper, cardboard and comingled recyclables for delivery to an appropriate recycling facility. Property managers will be permitted to collect and sell waste generated within their building.
- 3.3.3. The Territory may introduce a new waste levy in the future to incentivise recovery and recycling over landfill, whether within the ACT or interstate and to fund expanded regulatory enforcement and behavioural influencing capabilities. The Territory is proposing to introduce improved waste reporting.
- 3.3.4. The Territory has committed to introducing a Container Deposit Scheme (CDS) in 2018. It is probable the Territory’s scheme will mirror the NSW scheme. CDS may create revenue opportunities for new recycling drop-off facilities. It is envisaged that a network of enhanced recycling drop-off facilities will act as CDS collection points.
- 3.3.5. A feed-in tariff may be offered for the renewable portion of any energy generated from waste. It would likely be set a rate between the prices previously awarded in the Territory’s large scale renewable energy auctions, ie \$79-\$186/MWhr. More information is available at <http://www.environment.act.gov.au/energy/cleaner-energy/how-do-the-acts-renewable-energy-reverse-auctions-work>
- 3.3.6. The Territory is rolling out an optional garden waste kerbside collection service to ACT households. It is envisaged that at some time in the future the Territory may transition to a universal food-organics garden-organics bin. Typically about a third of red bin general waste is food or other organics. It is anticipated much of this may be diverted to green bins, mean the 50,000 tonnes in paragraph 3.2.12 could grow to 75,000 tonnes (split 2/3 green, 1/3 food).

4. SCOPE

- 4.1.1. There are four parts to the market sounding. Suppliers are invited to respond to any or all of them.
- (a) **Part A – Collection.** The Territory is looking for suppliers that would be interested in constructing and operating recycling collection facilities that may also be suitable to function as CDS collection depots. Suppliers may utilise and build on existing Territory-owned Recycling Drop-off Centres and Resource Management Centres or acquire their own land. Suppliers may offer solutions for all or some of the Territory’s needs, and may expand their proposals to offer other collection solutions they feel would achieve improved recovery options in the Territory. The Territory is interested in any waste collection solution industry wishes to propose for the ACT, even it is a service rather than a facility. This may include hazardous waste and waste associated with product stewardship schemes.
 - (b) **Part B – Processing.** The Territory is interested in receiving ideas from the market on how waste currently going to landfill could instead be beneficially recovered in facilities owned and operated by industry. Suppliers may offer solutions for one or multiple types of waste, and may include options that combine technologies or capabilities. Suppliers may indicate an intention to build on land in the Hume Waste Precinct or acquire their own land.

- (c) **Part C – Excavated Material.** The Territory wishes to explore ideas from businesses interested in facilitating the exchange of non-contaminated soil between willing parties that may include the development of physical soil banking solutions or through virtual solutions.
- (d) **Part D – Advisory Services.** The Territory is interested in proposals from businesses able to provide customised waste advice and other extension services to managers and developers of multi-unit developments. The Territory is seeking to reduce general waste by improving recycling in older apartment blocks and is interested in businesses that can consider the unique challenges of a particular complex, then produce and monitor agreed actions to achieve measurable waste improvements. It is anticipated such services may be funded in whole or part by a waste levy.

5. COMMERCIAL MATTERS

- 5.1.1. While the Territory is able to guarantee delivery of its collected waste to service providers, it cannot guarantee what that waste comprises. Suppliers will need to make their own predictions and assumptions in this regard. They will need to do the same in regard to waste that might enter the ACT from NSW, or leave the ACT to other interstate facilities.
- 5.1.2. Respondents seeking land in the Hume Waste Precinct should ensure it is clear whether they have assumed market or other rates in their response, and if it is not a market rate, what the effect of market rates would be on gate fees or other pricing. Responses will help the Territory formulate a policy position in this regard. Suppliers building on the Hume Waste Precinct will be responsible for whatever they construct and operate on that land. Suppliers should indicate what they would like to occur at the end of any contract in terms of asset transfers or make-good provisions. The Territory is open to all suggestions in this regard.
- 5.1.3. The Territory is aware of the need to establish a commercial environment that makes it feasible for suppliers to approach financial institutions for support, and will work with industry to create contract durations that do that. Suppliers should indicate what they believe commercially viable contract durations would be.
- 5.1.4. The Suppliers should state any regulatory or other Territory-initiated changes required to ensure the viability of their proposals. This may include increased landfill charges or a waste levy.
- 5.1.5. At a later point in any procurement, suppliers may be asked to submit detailed Key Performance Indicators (KPI) and indicate how performance incentives and abatements might apply. If suppliers wish to help guide the Territory's thinking in this respect, they are invited to include their approach to KPIs in their proposals.

6. PROVIDING RESPONSES

6.1 Introduction

- 6.1.1. The Territory is appreciative of respondent participation and recognises any submission, no matter how small requires considerable time and effort. Consequently, there is no specific word count or page requirement.

6.1.2. Suppliers are encouraged to provide responses that provide sufficient detail to ensure their solution is understood and should not feel constrained including existing brochures, diagrams, tables or illustrations.

6.1.3. For guidance, it is anticipated that responses will probably not exceed 20 pages.

6.2 Timeline

6.2.1. The indicative timetable follows.

Event	Proposed Date
Release of Formal Market Sounding	20 Feb 17
Group Industry Briefing (voluntary)	28 Feb 17
One on One Interactive Sessions (voluntary)	1-14 Mar 17
Market Sounding Closure (8 weeks)	14 Apr 17
Production of Business Case	mid 17
Consideration by government	late 17
Procurement action as approved thereafter	

6.3 Industry Briefings

6.3.1. A voluntary industry briefing session will be held at the Pavilion on Northbourne (242 Northbourne Ave, Dickson) at 10:30 am on Tuesday 28 Feb. Attendance at the briefing can either in person or by teleconference. Attendees are invited to register their intention to attend on the TendersACT website or, if they encounter difficulty, by emailing TCCS_ACTWasteFeasibilityStudy@act.gov.au

6.3.2. The briefing will take one hour and will discuss the content of this document and the operation of the data room.

6.3.3. In addition to the Industry Briefing, the Territory will provide one-on-one interactive sessions where Suppliers can privately discuss aspects of their proposal, obtain more clarity about the Territory's waste management and/or explore options they may be considering. The sessions can occur by teleconference or in person over the period 1-14 March. Respondents wishing to take up this opportunity are invited to request a one hour session on the TenderACT website or, if they encounter difficulty, by emailing TCCS_ACTWasteFeasibilityStudy@act.gov.au

6.4 Data Room

6.4.1. The Territory will establish a Data Room for all information, reports and other data to enable Suppliers to conduct any necessary due diligence regarding the framing of their response.

6.4.2. The details of the Data Room will be released on TendersACT.

6.5 Response Format

6.5.1. Suppliers are asked to broadly structure their submissions into the following sections:

- (a) identification of which of the four parts (described in Section 4 SCOPE) the supplier is providing a response for, and a clear description of the technical solution they are proposing.

(Please see Attachment 1 for guidance on recommended inclusions)

- (b) the aim of the proposed solution and any assumptions it relies on.
- (c) an indicative costing and/or analysis of the triple bottom line (social, environment and value for money) outcomes they intend to achieve;
- (d) indicative timeframes that the supplier believes can be achieved;
- (e) any risk that the Territory should be aware of;
- (f) any commercial matters associated with the proposal, including any land sought (please see Attachment 2 - HUME WASTE PRECINCT);

Note: desired contract lengths and pricing will be treated as indicative only and do not constitute a commercial offer.

- (g) Any other feedback.

- 6.5.2. In the 'Other Feedback' area, the Territory is interested in respondent's opinions on anything else that could be done to improve the commercial viability of their solution, or help achieve better waste outcomes. It is also interested in any lessons Suppliers may have learned elsewhere that the Territory should either replicate, or try and avoid.

6.6 Submission and Questions

- 6.6.1. TendersACT is the Territory's procurement information system. Access to and use of TendersACT is subject to the acceptance of the Terms of Use located on TendersACT (www.tenders.act.gov.au).
- 6.6.2. The TendersACT Team is available between 9 am and 5pm ACT local time, Monday to Friday (excluding ACT and national public holidays).
- 6.6.3. All queries and requests for technical or operational support should be directed to:
- (a) TendersACT Team
Telephone: 02 6207 7377
 - (b) International: +61 2 6207 7377
Email: tendersACT@act.gov.au
- 6.6.4. TendersACT features an online forum that enables Respondents to seek clarification or ask questions. It is proposed that Respondents use this feature for questions after the one on one interactive sessions cease. Posts made to the forum are not displayed until the Territory has developed a response.
- 6.6.5. In some cases, for example when an answer might expose a Respondent's intellectual property, the Territory may not publish a response. Respondents should regularly check the online forum.
- 6.6.6. If any addenda are required, Respondents who have downloaded this market sounding will be notified by TendersACT via email.
- 6.6.7. All responses must be lodged electronically with TendersACT. When a response lodgement has successfully been completed a receipt is provided on screen.

7. TERRITORY'S USE OF RESPONSE MATERIAL

- 7.1.1. All responses are appreciated and will contribute to the Waste Feasibility Study's final report, however the specific outcome of this market sounding is a business case that includes a recommended procurement strategy.
- 7.1.2. The contribution responses make to the business case will be based on the extent that the description of services offered, current and projected capacity and capabilities, and commercial offers, will:
- (a) Assist the Territory to achieve strategic waste outcomes, in particular increased resource recovery and reduced waste to landfill;
 - (b) Obtain favourable ACT community social, economic and environmental outcomes; and
 - (c) Provide opportunity for value for money waste management service delivery.
- 7.1.3. The Territory may, after receiving responses, ask respondents to participate in further discussions to provide the Territory with an opportunity to better understand aspects of their proposed solutions.
- 7.1.4. Responses will not be treated as commercial offerings or as commitments by any supplier.

7.2 Unsolicited Proposals

- 7.2.1. Any unsolicited proposal received previously will **not** be treated as a response to this market sounding and will not be considered in the market sounding unless the proponent directs otherwise.
- 7.2.2. As the Territory is undertaking this market sounding in preparation for an active procurement process, no consideration will be given to unsolicited proposals relating to waste management until after the ensuing procurement process is completed.

8. TERMS AND CONDITIONS OF PARTICIPATION

8.1 Costs of Responses

- 8.1.1. The Territory will make no payment to a Respondent for any costs, losses or expenses incurred by a Respondent in preparing its response or in respect of any discussions, negotiations, enquires or requests for details or information made by or on behalf of the Territory after the submission of responses.

8.2 Ownership of Responses

- 8.2.1. By participating, Respondents consent to the Territory using information provided to produce a business case for Government, which may then be used to inform any procurement process that follows.
- 8.2.2. Respondents must specify if any intellectual property or moral rights vest in an entity or a person other than the respondent, naming that entity or person.

8.3 Disclosure of Information

- 8.3.1. Respondents should be aware that the Territory may be required to disclose information under the *Freedom of Information Act 1989*.

Attachment 1 - RECOMMENDED INCLUSIONS**A1.1 General**

A1.1.1 The following guidance is intended to help Suppliers produce their technical responses. It is a short checklist of questions that should be addressed in a respondent's submission.

A1.2 Part A – Collection

A1.2.1 The Territory is looking for suppliers that would be interested in constructing and operating recycling collection facilities. Suppliers may propose to utilise and build on existing Recycling Drop-off Centres and Resource Management Centres or propose facilities at new locations. Suppliers may offer solutions for all or some of the ACT's needs, and may expand their proposals to offer other collection solutions they feel would achieve improved recovery options in the ACT. The Territory is interested in any waste collection solution industry wishes to propose for the ACT, even it is a service rather than a facility. This may include hazardous waste and waste associated with product stewardship schemes.

A1.2.2 Suppliers are invited to:

- (a) Describe how their proposed solution will look and operate.
- (b) Indicate how many facilities they intend to operate and where they would see their facilities being located.
- (c) Describe the materials their facility would collect and the proposed markets for such materials.
- (d) Describe the outcomes from their proposed solution.
- (e) Indicate the importance or otherwise of CDS collection being part of their proposal
- (f) Indicate where any proposed technology has been used before
- (g) Describe how long such facilities would take to construct and commission
- (h) Indicate where they believe the major risks might lie (possibly in a risk allocation table)

A1.3 Part B – Processing

A1.3.1 The Territory is interested in receiving ideas from the market on how waste currently going to landfill could instead be beneficially recovered in facilities owned and operated by industry. Suppliers may offer solutions for one or multiple streams or types of waste, and may include options that combine technologies or capabilities. Suppliers may indicate an intention to build on land in the Hume Waste Precinct or acquire their own land. Respondents seeking land in the Hume Waste Precinct should ensure it is clear whether they have assumed market or other rates in their response, and if it is not a market rate, what the effect of market rates would be on gate fees or other pricing. The Territory is interested in every solution industry offers, however small it might be. The Territory is seeking recovery solutions for every waste material it has.

A1.3.2 Suppliers are invited to:

- (a) Describe their waste solution clearly indicating how it will function.
- (b) Describe the outcomes for their proposed solution.
- (c) Indicate where their solution will be located
(using the map at Attachment 2 if land in the Hume Waste Precinct is sought).
- (d) Describe the waste their solution will process, and at what efficiency.
- (e) Indicate where any proposed technology has been used before.
- (f) Describe how long such facilities would take to construct and commission.
- (g) Indicate where they believe the major risks might lie (possibly in a risk allocation table).

A1.4 Part C – Excavated Material

A1.4.1 The Territory is seeking innovative solutions from businesses interested in facilitating the exchange of non-contaminated soil between willing parties. This could include such things as virtual soil exchanges or physical solutions such as soil banking.

A1.4.2 Suppliers are invited to:

- (a) Describe their waste solution clearly indicating how it will function.
- (b) Describe the outcomes from their solution.
- (c) Indicate where their solution will be located and if it requires new land.
- (d) Describe the types of soil it will process or otherwise facilitate the movement of.
- (e) Indicate where any proposed technology has been used before.
- (f) Describe how long such a solution would take to build and commission.
- (g) Indicate where they believe the major risks might lie (possibly in a risk allocation table).

A1.5 Part D – Advisory and Other Extension Services

A1.5.1 The Territory is interested in proposals from businesses able to provide customised waste management advisory and other extension services to managers and developers of multi-unit developments. The Territory is seeking to reduce general waste by improving recycling in older apartment blocks and is interested in businesses that can consider the individual challenges of a particular complex, then produce and monitor agreed actions to achieve measurable waste improvements. The Territory is also interested in supporting developers incorporate innovative waste management solutions in new multi-unit developments. Suppliers are invited to:

- (a) Describe their proposed solution.
- (b) Describe the outcomes from their proposed solution.

- (c) Indicate the number of buildings they would need to service annually to provide commercially viable permanent employment.
- (d) Describe how long such a solution would take to become operational.
- (e) Indicate where they believe the major risks might lie (possibly in a risk allocation table).

Attachment 2 - HUME WASTE PRECINCT



- A2.1** The Hume Waste Precinct is immediately southeast of the ACT landfill and, aside from its proximity to the transfer station, recycling collection and green waste processing that occurs, is adjacent to a major arterial road that connects to the interstate highway. Rail and air links are nearby, as is the NSW boundary. The area is zoned industrial and it is an excellent site for a waste precinct and is one that will eventually grow into a nationally recognised waste centre of excellence.
- A2.2** The map above indicates the general size and disposition of blocks of land available for businesses contracted to build infrastructure within the Hume Waste Precinct. The blocks are indicative parcels and are not Territory Plan blocks or sections. Similarly, the red 50m scale on the building and attached fence is to generally indicate size.
- A2.3** It is intended that heavy infrastructure will be built in the blue areas (A to F) and that very light or customer facing facilities will parallel the main road in the orange areas (G to I).
- A2.4** Suppliers should describe their land needs in square metres and indicate two or three blocks they might seek in order of preference. Suppliers need not be constrained to a single block, the blocks are indicative to facilitate easy discussion.