

STATES OF DELIBERATION

24th February, 2010

Billet d'État No. IV Article 14

AMENDMENT

Proposed by: Deputy M M Lowe

Seconded by: Deputy G Guille

Requête – Residual Waste Treatment – Contracting with Selected Preferred Bidder

To delete the proposition and substitute the following:-

- “1. To rescind the Resolutions on Billet d'État No. XX of 2009.
2. To rescind Resolutions 4 and 5 on Billet d'État No. I of 2007.
3. To direct the Public Services Department to give written notice to Suez Environnement of the States' decision to withdraw its status as Preferred Bidder and to withdraw from the procurement process.
4. To direct the Public Services Department to return to the States as soon as practicable with a Report setting out proposals for a revised strategy for disposing of solid waste.”.

Explanatory Note

The purpose of this amendment is to reverse the previous decisions of the States endorsing the Public Service Department's Procurement Strategy as set out in Billet d'État No. I of 2007 and agreeing to seek competitive tenders, which subsequently resulted in the appointment of Suez Environnement as the Preferred Bidder for the design build and operation of a residual waste treatment facility. As a consequence, the Public Services Department will be required formally to notify Suez that the States will no longer proceed to contract closure and to develop and report to the States on a revised strategy for waste disposal as soon as practicable.

Resolutions 4 and 5 on Billet d'État No. I of 2007 state as follows:-

- “4. *To agree to seek competitive tenders for the design, build and operation of either*
- (a) *A Mass Burn Energy from Waste Facility, or*
 - (b) *A Mechanical Biological Treatment plant coupled to an Energy from Waste facility, which facility may be a Mass Burn or Advanced Thermal Treatment Plant*

such facilities, whether through procurement of successive modules or not, to have the capacity to deal with the waste arisings to be endorsed, but that tenders for any, or any combination, of MHT, MBT and ATT should also be considered.

5. *To endorse the principles of the Procurement Strategy as set out in section 14.”;*

and the Resolutions on Billet d'État No XX of 2009 are:-

- “1. *To agree to the appointment of Suez Environnement as the Preferred Bidder for the design build and operation of a residual waste treatment facility as detailed in that Report.*
2. *To authorise the Treasury and Resources Department to advance to the Public Services Department a loan to the maximum sum of £93.5m to be drawn down according to the schedule and for the purposes outlined in that Report.*
3. *To direct the Public Services Department to set a gate price from time to time that covers the full capital and operating cost of the facility.*
4. *To direct the Treasury and Resources Department to take into account the revenue implications associated with the proposals set out in that report when recommending to the States Cash Limits for the Public Services Department for 2012 and subsequent years.”.*

STATES OF DELIBERATION

24th February, 2010

Billet d'État No. IV Article 14

AMENDMENT

Proposed by: Deputy R R Matthews
Seconded by: Deputy M H Dorey

Requête – Residual Waste Treatment – Contracting with Selected Preferred Bidder

To number the proposition as “1” and to insert two further propositions as follows:

- “2. To direct the Policy Council, with assistance from the Public Services Department, to ascertain from the States of Jersey the most beneficial contractual terms on which the States of Jersey will agree to import and dispose of waste exported from Guernsey and to report to the States thereon as soon as practicable and, in any event, before the date on which a final contract with Suez Environnement for the design build and operation of a residual waste treatment facility is to be executed.
3. To direct the Public Services Department to inform the Policy Council from time to time, and at least fortnightly, of the date on which it envisages that a final contract with Suez Environnement will be ready for execution.”.

Explanatory Note

The purpose of this amendment is to require the Policy Council to find out from the Jersey authorities what contractual terms are available under which waste could be exported to Jersey for disposal there and to provide that information to the States before a final contract with Suez Environnement is to be executed. To enable that to happen, the Policy Council and the Public Services Department are required to liaise over the likely timing of contract closure with Suez.