

## Schedule 4b - Mid Kent Joint Waste Collection & Cleansing Contract 2021 - Performance Criteria

### Definitions:

**Business Day:** refers to the normal office working week Monday to Friday. (Contract Services clearly operate outside of this time period).

**Calendar Day:** each day shown on the calendar beginning at 00.00hours, including Saturdays, Sundays and Bank Holidays.

**Operational Day:** is any day on which contract services are normally provided.

**Streets Working Hours:** as defined in the Specification – 8.28

**Justified Missed Collection:** This is a collection that has not been collected because it was not presented or was contaminated and the Contractor has complied with all the requirements of the Specification in respect of notifying the householder and the Council.

**Initial Rectification Period:** sets out the time period from when the initial failure is notified to the Contractor from which the Contractor is required to complete rectification of the failure.

**Real Time:** Real-time means all users can exchange information instantly or with negligible latency or transmission delays. In this context, the term real-time is synonymous with live.

**Refresh Period:** The period after the Initial Rectification Period (if applicable) from which a further Performance Deduction will be applied if the performance failure has not been rectified. A further deduction will be applied if the failure is not rectified after a second refresh period has elapsed and a third deduction applied if the failure is not rectified after a third Refresh Period has elapsed. In respect of a failure which continues beyond three Refresh periods the Contractor is required to supply a Rectification Plan within two Business Days, unless agreed otherwise with the Supervising Officer. Failure to provide a Rectification Plan will give rise to a Category A service deduction.

**Service Deduction Category:** refers to the table at 3.1 of the Performance Mechanism that sets out the levels of Performance Deduction (financial) and Performance Points relevant to different categories detailed in the Performance Criteria.

**Unjustified Missed Collection:** Refers to any missed collection which is not a Justified Missed Collection.

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period
		<b>Waste Collection Service Standards</b>				
<b>PC1</b>	<b>4.6</b>	Failure to rectify a notified Unjustified Missed Collection from any collection services – refuse/ recycling/food services/ /Garden Waste /Bulky Waste/Clinical/Commercial and reporting of action taken on the WMS.  Note: Missed Collections reported more than 48 hours from the scheduled day of collection will be recovered on the next scheduled day of collection.	Per Unjustified Missed Collection	D	Rectification By the end of the day of notification if notified before midday, or by the end of the next	1 Business Day

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period
					Business Day if notified after midday	
<b>PC2</b>	<b>4.6</b>	<p>Minimise as far as possible the number of total Unjustified Missed Collections in a week The Contractor shall identify the number of Unjustified Missed Collections each week across the partnership. The threshold numbers are as follows:</p> <ul style="list-style-type: none"> <li>No deduction will be applied if the total number of unjustified missed collections across the partnership area is 130 or less.</li> <li>For each unjustified missed collection above 130 but equal or less than 160 a £10 deduction will be applied.</li> <li>For each unjustified missed collection above 160 a £20 deduction will be applied.</li> </ul> <p>For example: a missed collection total of 165 would give rise to a deduction of 30 x £10 and 5 x £20 = £400</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>Missed collections and rectifications will be measured on a weekly basis and therefore all thresholds refer to the total number of missed collections across the Partnership area per week. A week will run from 00:00 Monday to 23:59 Sunday. As residents have two Business days after the scheduled collection day to report it, then residents with Friday scheduled collections should have to 23:59 on Tuesday to report a missed collection.</li> <li>A missed collection is deemed to have occurred when there is no lockout recorded on the WSMS and if the collection is not completed on the scheduled collection day. Any Reports made on the collection day and rectified on the collection day will not count as a missed collection.</li> <li>Where a lockout is correctly logged at the time of collection in accordance with the specification, i.e. Bin Contaminated or not presented, then this will not count as a missed collection.</li> <li>Where a service fails to complete as result of major breakdown, snowfall or similar reasons, it will be at the Authorised Officers discretion whether these will be recorded as missed collections.</li> <li>Please Note the threshold numbers are fixed for the contract period and this is expected to drive improvements in service performance even as property growth increases.</li> </ol>	Weekly	Variable – see measurement	Not applicable	Not applicable
<b>PC3</b>	<b>Section 4</b>	Failure to collect Household Waste in accordance with Specification Requirements at Section 4:	Per Incident	D	None	n/a

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period
		<ul style="list-style-type: none"> <li>4.1.1 Emptying</li> <li>4.1.4 Returning container to Collection Point</li> <li>4.2 Side Waste</li> <li>4.5 Return of Bulk Bins and Locking</li> <li>4.6.2 Lockouts</li> <li>4.7 Contamination</li> <li>4.8 Non-Collection Advice Notes</li> <li>4.9 Spillages</li> </ul>				
<b>PC4</b>	<b>Section 4 4.1.4</b>	Failure to return container to Collection Point and leave in a dangerous position for the householder or other member of the public.	Per Incident	C	1 Business Day	1 Business Day
<b>PC5</b>	<b>4.13</b>	Failure to comply with the restricted access times detailed in the Specification Appendices and as updated by the Authorised Officer	Per Street	B	Not applicable	Not applicable
<b>PC6</b>	<b>4.11.4</b>	Any Failure to comply with Sn 4.11.4 regarding the notification of households in advance of a change that has a direct effect on Service Users. Service Users must be advised of forthcoming changes to the Services, in accordance with Contract Documentation.	Per Street not notified	B	4 Business Days	Not Applicable
<b>PC7</b>	<b>4.4</b>	Failure to provide relevant exempted Domestic Property Units with plastic sacks in accordance with the Specification at 4.4.	Per Street not delivered	C	3 Business Days	Not Applicable
<b>PC8</b>	<b>4.6</b>	Repeat of an Unjustified Missed Collection of any waste stream from the same property within a rolling 6week period. Note: With respect to PC6 only collections of two commodities from the same household by the same crew on the same day will count as only one missed collection.	Per Household	D	Not applicable	Not applicable
<b>PC9</b>	<b>4.7</b>	Failure to deliver collected waste as directed by the Authorised Officer, or Failure to ensure that all recycling, garden and food waste is not contaminated to the extent that loads are rejected at the point of transfer.	Per Load	A plus the cost of sorting and disposing of contaminated material and lost income.	Not Applicable	Not Applicable
<b>PC10</b>		Failure to collect or keep separate recyclable materials (including Recyclable Materials, WEEE, Textiles, Batteries, food waste and garden waste) which have previously been segregated by residents from residual waste.	Per Incident	B	Not Applicable	Not Applicable
		<b>Bin Deliveries and Maintenance</b>				
<b>PC11</b>	<b>4.14.3</b>	Failure to deliver containers within 10 Business Days of service request and/or remove damaged containers where appropriate.	Per Bin	D	None	1 Business Day

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period																									
PC12	4.14.10	Failure to replace containers within 1 Business Day damaged by the Contractor in the course of collection and/or remove damaged containers	Per Bin	D	None	1 Business Day																									
PC13	4.15.1	Failure to undertake container maintenance within 10 Business Days of service request.	Per Bin	D	None	1 Business Day																									
		<b>Bulky Waste Collections</b>																													
PC14	5.6	Failure to complete a Bulky Waste Collection within 10 Business Days of a request from the customer, or a recorded notification from the Authorised Officer.	Per Incident	D	1 Business Day	1 Business Day																									
PC15	5.0	Failure to provide Bulky Collection Service in accordance with Section 5 of the Specification.	Per Incident	D	1 Business Day	1 Business Day																									
		<b>Clinical Waste</b>																													
PC16	6.0	Failure to complete a Clinical Waste Collection in accordance with Section 6 of the Specification.	Per Incident	D	1 Business Day	1 Business Day																									
		<b>Street Cleansing and Litter ABC and SBC ONLY</b>																													
PC17	8.4.7	<p>Failure to comply with a Rectification Notice to return relevant Highways/Parks, Cemeteries and Openspaces, Carparks and Housing Land to Grade A within timescales specified.</p> <table border="1"> <thead> <tr> <th></th> <th>Grade A</th> <th>Grade B</th> <th>Grade C</th> <th>Grade D</th> </tr> </thead> <tbody> <tr> <td>Zone 1</td> <td>After Cleansing</td> <td>6 Hours</td> <td>2 Hours</td> <td>1 Hour</td> </tr> <tr> <td>Zone 2</td> <td>After Cleansing</td> <td>No Response</td> <td>1 Operational Day</td> <td>12 Hours</td> </tr> <tr> <td>Zone 3</td> <td>After Cleansing</td> <td>No Response</td> <td>5 Days</td> <td>1 Day</td> </tr> <tr> <td>Zone 4</td> <td>After Cleansing</td> <td>No Response</td> <td>28 Days</td> <td>28 Days</td> </tr> </tbody> </table> <p><b>Please note: These rectification times will apply only within the permitted working time periods. See Streets Working Times 8.28.1 of the Specification.</b></p>		Grade A	Grade B	Grade C	Grade D	Zone 1	After Cleansing	6 Hours	2 Hours	1 Hour	Zone 2	After Cleansing	No Response	1 Operational Day	12 Hours	Zone 3	After Cleansing	No Response	5 Days	1 Day	Zone 4	After Cleansing	No Response	28 Days	28 Days	Per Rectification Notice	D	As specified and re-referenced in description	As specified and re-referenced in description
	Grade A	Grade B	Grade C	Grade D																											
Zone 1	After Cleansing	6 Hours	2 Hours	1 Hour																											
Zone 2	After Cleansing	No Response	1 Operational Day	12 Hours																											
Zone 3	After Cleansing	No Response	5 Days	1 Day																											
Zone 4	After Cleansing	No Response	28 Days	28 Days																											
PC18	8.5.1 – 8.5.3	Failure to undertake inspection and self-monitoring tasks as specified at 8.5.1 to 8.5.3. In particular, failure to provide web accessible reports of inspection monitoring results.	Weekly	D	1 Business Day	1 Business Day																									
PC19	8.5.8	Failure to provide Annual Traffic Management Plan within 10 Business Days of Contract Year end in any contract year or provide Monthly traffic management reports within 5 Business Days of month end.	Monthly	B	1 Business Day	1 Business Day																									
PC20	8.8.7	Failure to complete Highspeed Road Cleansing to standard within specified times: once	Per Rectification	A	20 Business Days	20 Business Days																									

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period										
		between 15 <sup>th</sup> February and 15 <sup>th</sup> April and once between 15 <sup>th</sup> August and 15 <sup>th</sup> October or as agreed with the Authorised Officer.	Notice													
<b>PC21</b>	<b>8.11</b>	Failure to supply sacks or collect streets cleansing arisings from Community Clean Up as advised by the Authorised Officer.	Per Incident	C	1 Operational Day	1 Operational Day										
<b>PC22</b>	<b>8.12</b>	Failure to comply with a Rectification Notice to return Watercourse areas to Grade A within timescales specified below:  <table border="1" data-bbox="421 454 1281 528"> <thead> <tr> <th></th> <th>Grade A</th> <th>Grade B</th> <th>Grade C</th> <th>Grade D</th> </tr> </thead> <tbody> <tr> <td>Zone 3</td> <td>After Cleansing</td> <td>No Response</td> <td>5 Days</td> <td>1 Day</td> </tr> </tbody> </table>		Grade A	Grade B	Grade C	Grade D	Zone 3	After Cleansing	No Response	5 Days	1 Day	Per Rectification Notice	D	As specified	As specified
	Grade A	Grade B	Grade C	Grade D												
Zone 3	After Cleansing	No Response	5 Days	1 Day												
<b>PC23</b>	<b>8.14.1</b>	Failure to empty a Litter Bin sufficiently frequently to prevent it from being full or overflowing	Per Bin	D	None	4 Working Hours										
<b>PC24</b>	<b>8.16.1</b>	Failure to empty Dog Bins/Recycling Bins sufficiently frequently to prevent it from becoming full/overflowing.	Per Bin	C	None	4 Working Hours										
<b>PC25</b>	<b>8.14.7</b>	Failure to undertake the locking of containers on each visit and the servicing of the lock, hinges and other moving parts to the container.	Per Bin	D	None	1 Operational Day										
<b>PC26</b>	<b>8.14.11</b>	Failure to empty Beach Waste Transfer Litter Bins sufficiently frequently to avoid overflowing.	Per Bin	C	None	1 Hour										
<b>PC27</b>	<b>8.17</b>	Failure to cleanse Shelters in accordance with Specification requirements at 8.17	Per Shelter	D	None	1 Operational Day										
<b>PC28</b>	<b>8.18</b>	Failure to keep gulley gratings from being blocked by refuse, fallen leaves, weeds and blossoms, or any other matter as part of his normal cleansing duties	Per Grating	D	None	1 Operational Day										
<b>PC29</b>	<b>8.19</b>	Failure to supply to Annual Leafing and Blossom Plan	Per Incident	B	5 Business Days	5 Business Day										
<b>PC30</b>	<b>8.19</b>	Failure to adhere to Annual Leafing and Blossom Plan	Per Incident	C	1 Operational Day	1 Operational Day										
<b>PC31</b>	<b>8.21</b>	Failure to clear fly tips	Per Fly Tip	C	Zone 1 – 24hours Zone 2 – 48hours Other areas – 5 Business Days	Zone 1 – 24hours Zone 2 – 48hours Other areas – 5 Business Days										
<b>PC32</b>	<b>8.22</b>	Failure to undertake street and pavement washing within 5 Business Days of a request from the Authorised Officer	Per Request	C	1 Business Days	1 Business Day										
<b>PC33</b>	<b>8.23</b>	In the event of an emergency, failure to ensure that nominated Staff shall be contactable and able to initiate the agreed emergency procedure within 30 minutes from the first evidenced attempt at contact from the Authorised Officer.	Per incident	B	1 Hour	1 Hour										
<b>PC34</b>	<b>8.25.3</b>	Failure to remove Offensive Graffiti within 4 hours of notification by the Authorised Officer or Failure to remove non offensive graffiti within 24 hours of notification by the Authorised Officer.	Per Incident	D	Offensive-4 Hours Non-Offensive – 24 Hours	Offensive-4 Hours Non-Offensive – 24 Hours										
<b>PC35</b>		Failure to respond to a service request made by the Authorised Officer in the agreed	Per Incident	D	1 Business Day	1 Business Day										

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period
		timeframe				
		<b>Legal Compliance and Health, Safety and Welfare</b>				
PC36	9.1.1	Failure to comply with Legislation. Failure to carry out the Services with adherence to the Necessary Consents as determined by the relevant statutory authority, including rules and regulations relating to Depots and Transfer Stations.	Per Incident	A	1 Business Day unless specified differently	1 Business Day unless specified differently
PC37	9.3.1	Failure to submit Annual Review of a health, safety and welfare policy by 30 <sup>th</sup> November in any Contract Year, (including procedures, operating rules and codes of practice relevant to the Services that meets the guidance and recommendations of BS 8800:2004 to Authorised Officer).	Per Contract Year	A	None	1 Month
PC38	9.3.1	Failure to maintain Health & Safety training records for all Contractor employees/RIDDOR Reports/DBS Checks in accordance with 9.3.1	Per Incident	B	None	5 Business Days
PC39	9.1.1	Failure to comply Government Guidance or Good Industry Practice.	Per Incident	B	1 Business Day unless specified differently	1 Business Day unless specified differently
PC40	<b>Project Agreement</b>	Misuse of position for financial gain or the benefit of family/friends	Per Incident	B	Not applicable	Not applicable
		<b>General Requirements</b>				
PC41	9.6	Failure to provide vehicles that are fit for purpose and otherwise compliant with the Output Specification	Weekly	A	1 week	1 week
PC42	9.2.2 and 9.6.3	Failure to display branding on staff uniforms, waste management facilities, vehicles, receptacles and promotional/educational materials in accordance with the Contract Documentation.	Per Incident	D	1 week	1 week
PC43	9.2.2 and 9.2.3	Failure to ensure all staff providing Contract Services: a) act in accordance with the Contractor's staff code of conduct b) are qualified to a standard required to perform the responsibilities defined within the Output Specification c) are at all times properly and sufficiently trained, skilled and instructed with regard to the task or tasks that they have to perform d) wear the appropriate uniform and PPE e) do not bring the Councils into disrepute f) behave in an orderly and polite manner in accordance with 9.2.3.	Per Incident	B	Not applicable	Not applicable
PC44	9.2.2	Failure to investigate, take appropriate action to address unacceptable behaviour of employees (as determined by the Authorised Officer) including bad/abusive language, lewd or aggressive behaviour and/or provide evidence to the Authorised Officer accordingly.	Per Incident	C	3 Business Days	3 Business Days
PC45	9.5	Failure to provide reporting and/or ensure all control, monitoring and information systems	Daily	D	1 Business Day	1 Business Day

Ref.	Output Spec. Ref.	Performance Criteria	Reporting Unit	Service Deduction Category	Initial Rectification Period if Applicable	Refresh Period
		made are accessible to the Council to provide timely, accurate and appropriate data to comply with reporting requirements within the specification and contractors service delivery plans.				
PC46	9.5/9.6/9.7/8.19.4/9.9	Failure to complete and submit Monthly, Annual, Action Plan, Fleet Audit, Leafing Plan, Annual Traffic Management Plan, High Speed Road, Annual Environmental reports and records as required by Contract Documentation and evidenced by defined audit trails, where required under the Agreement.	Per Incident	B	5 Business Days	5 Business Days
PC47	9.5.2	Failure to notify the Authorised Officer promptly of any Performance Failures or events that hinder the Contractor from complying with the Agreement.	Per Incident	C	1 Business Day	1 Business Day
PC48	9.5.4	Failure to supply to the Authorised Officer an electronic Weekly Data Report of Performance in accordance with the Specification all Weighbridge transactions under the Contract during the previous seven days in a format to be approved by the Authorised Officer. The Contractor must submit this Report on the third Business Day following the end of the previous week.	Weekly	C	1 Business Day	1 Business Day
PC49	9.5.6	Failure to submit Annual Report in accordance with the requirements of 9.5.6 of the Specification by 30 <sup>th</sup> November in any Contract Year,	Per Incident	B	1 week	1 week
PC50	9.7	Failure to deliver the Services in compliance with Council Policies.	Per Incident	B	1 week	1 week
PC51	Performance Mechanism	Failure to produce and adhere to a Performance Failure Rectification Plan after 3 Refresh Periods have been exceeded or when reasonably required by the Authorised Officer.	Per Incident	A	3 Business Days	3 Business Days
PC52		Failure to complete the Services, including refuse, recycling, food waste, garden waste, Bulky collections and clinical waste in accordance with the Contract Specification as a result of failing to deploy appropriate resources, unless agreed by the Authorised Officer (e.g. inclement weather/Force Majeure) (Missed Collections and other failures detailed within the Performance Criteria will not be considered a failure to complete the Services).	Per Incident	A	Not applicable	Not applicable
		<b>Waste Service Management System (WSMS)</b>				
PC54	Section 10	Failure to provide an operational WSMS in accordance with Specification requirements	Per Incident	A	None	1 Business Day
PC55	10.1	Failure to update WSMS with service requests, complaints, service information, service updates in Real Time	Per Incident	D	1 Business Day	1 Business Day
PC56	10.1	Failure to provide response or holding response to all calls, enquiries and complaints and update the WMS within 24 hours of receipt of the call or request from the Council	Per Incident	D	1 Business Day	1 Business Day
PC57	10.1	Failure to provide a full response to all calls, enquiries and complaints and update the WMS within 5 Business Days of receipt of the call or request from the Council	Per Incident	D	1 Business Day	1 Business Day
PC58	10.1.8	Failure to provide sufficient information for the Council to respond to public enquiries, complaints and queries and where required by the Authorised Officer to communicate with representatives of the press, television, radio or other communications media on any matters concerning the Project.	Per Incident	C	3 Business Days	3 Business Days

<b>Ref.</b>	<b>Output Spec. Ref.</b>	<b>Performance Criteria</b>	<b>Reporting Unit</b>	<b>Service Deduction Category</b>	<b>Initial Rectification Period if Applicable</b>	<b>Refresh Period</b>
<b>PC59</b>	<b>10.12/8.5.6</b>	Failure to provide information and all reasonable assistance to enable audits to be completed by the Council, where directed by the Authorised Officer in accordance with the Agreement.	Per Incident	B	1 Business Day	1 Business Day
<b>PC60</b>	<b>10.8</b>	Failure to provide Handheld/PDA and Incab equipment (hardware and software) or equivalent access to facilitate live reporting.	Per Incident	C	1 Business Day	1 Business Day
<b>PC61</b>	<b>10.8</b>	Failure to ensure staff adequately trained or equipped to provide live reporting in accordance with the Specification	Per Incident	C	1 Business Day	1 Business Day
<b>PC62</b>	<b>10.8</b>	Failure to report a service failure at the time e.g. Damaging/crushing household waste containers	Per Incident	C	1 Business Day	1 Business Day