

Regulation for the Selection of Waste Batteries Treatment Operators

Waste Batteries Storage and Sorting Center / Reception Center

Waste Batteries Recycling Center

CONTEST Nº 1/2018

1. SCOPE

1.1. The purpose of the current Regulation is to establish the procedures rules for the selection of the Waste Batteries Treatment Operators, as defined in the license granted to Ecopilhas – Sociedade Gestora de Resíduos de Baterias e Acumuladores, L^{da}., published through the Dispatch nº 11275-B/2017, of December 19th, 2017.

2. CONTRACTING AUTHORITY

2.1. The management and promotion of the contest is carried out by Ecopilhas – Sociedade Gestora de Resíduos de Pilhas e Acumuladores, L^{da}. (hereinafter referred to as “Ecopilhas”), with registered office at Rua Padre Américo, nº19, letra D, Escritório D, 1600-548 Lisboa.

3. PARTICIPANTS

3.1. The contest is aimed to authorized waste treatment operators for the activities of recycling of Waste Batteries or for the activities of storage and sorting of Waste Batteries, depending on the subject of the contract to be awarded.

4. CONTEST DURATION

4.1. The contest will present 50 business days of duration, from the notice of the disclosure date.

4.2. The opening notices will be available at the Ecopilhas website (www.ecopilhas.pt)

5. DEFINITIONS

5.1. The following definitions shall apply for the purpose of the current Regulation:

5.1.1. Waste Storage: temporary and controlled disposal of the waste for a fixed period of time in order to be prepared for further transport and subsequently, to be treated (recovery or disposal).

5.1.2. Waste Management: the collection, transport, recovery and disposal of waste, including the operations monitoring, the maintenance of post-closure disposal sites, as well as the measures taken as traders or brokers.

5.1.3. Operator: individual or collective person which proceed to the waste management.

5.1.4. Waste Transport: the planning, preparation and shipment of the collected waste batteries to the storage and sorting center or to the recycling center.

5.1.5. Waste Treatment: manual, mechanical, physical, chemical or biological process which change the waste characteristics in order to reduce its volume or hazard as well to aid its movement, recovery or disposal after collection operations.

5.1.6. Waste Sorting: process by which waste batteries are separated into different chemical systems, which can occur manually or automatically (mechanical processes) without changing its original characteristics.

5.1.7. Waste Recycling: the reprocessing of waste batteries, previously separated by chemical systems, for the recovery and / or regeneration of their constituent materials in new products.

6. PROPOSALS

6.1. The deadline of the proposal submissions will have 20 business days, starting on the contest opening date.

6.2. The proposals consist in the fulfillment of the applications forms (Annex I) and in the attachment of the documents required during the opening of the contest, in the forms and in this Regulation. Nevertheless, participants can attach other documents that they consider relevant for the assessment of the application submissions.

6.3. The proposals must be sent by electronic mail to geral@ecopilhas.pt, until 5.00 p.m. (Lisbon Local Time) on the last day of the deadline for the submission of the proposals.

6.4. After receiving the application form, the respective entity will be notified by Ecopilhas.

7. GENERAL CONDITIONS

7.1. For the application submission of the waste batteries treatment operators it is mandatory the compliance of the Qualification Requirements in the context of the Specific Stream of Waste Batteries (Annex II) in accordance with article 8 of the Decree-Law no. 152-D/2017, of December 11th, and with article 34 and 36 of the Decree-Law no. 178/2006, of September 5th, in the wording given by the Decree-Law no. 73/2011, of June 17th.

7.2. The non-compliance of the defined conditions means the exclusion of the application from the contest.

8. AWARD CRITERIA

8.1. The application assessment for “Waste Batteries Recycling Center” is carried out in accordance with the following criteria:

8.1.1. *Technical Value*

- a) Recycling effectiveness by chemical systems;
- b) Installed capacity for the recovery and / or disposal of the waste batteries as defined in the candidate license;
- c) Quantity of the waste batteries received for recycling in the last calendar year;
- d) Certificate of: environment (ISO 14001), quality (ISO 9001), and safety, hygiene and health at work (OHSAS 160120);
- e) Compliance with the legislation in force;
- f) Geographic distance to Ecopilhas Warehouse, with address at Estrada de Pintéus 15, 2660-194 Santo Antônio do Tojal.

8.1.2. *The most economically advantageous tender*

8.2. The application assessment for “Waste Batteries Storage and Sorting Center” is carried out in accordance with the following criteria:

8.2.1. *Technical Value*

- a) Sorting effectiveness by chemical systems;
- b) Installed capacity for the storage of waste batteries as defined in the candidate license;
- c) Geographic distance to Ecopilhas Warehouse, with address at Estrada de Pintéus 15, 2660-194 Santo Antônio do Tojal;
- d) Certificate of: environment (ISO 14001), quality (ISO 9001), and safety, hygiene and health at work (OHSAS 160120);
- e) Compliance with the legislation in force;

8.2.2. *The most economically advantageous tender*

9. APPLICATION ASSESSMENT

9.1. The applications analysis and verification process have a duration of 30 business days, starting from the last day of the application submissions.

9.2. The analysis and verification process are conducted by Ecopilhas.

9.3. The procedure referred in point 9.2. consists in the verification of the admissibility of the application forms with the conditions presented and assess these submissions with the selection criteria listed in chapter 8.

9.4. Whenever it deems necessary, Ecopilhas may request clarifications of the applications submitted or the missing documents. The candidate that do not cooperate will determine his exclusion at the selection procedure.

9.5. Ecopilhas can perform a visit at the participant's installations in order to evaluate the conditions presented at the place.

9.6. Ecopilhas will select the best proposals presented and after will submit its selection to a validation by an independent entity.

10. FINAL DECISION DISCLOSURE

10.1. The final decision is release to all the participants of the contest as well to the Portuguese Environmental Agency (Agência Portuguesa do Ambiente, APA).

10.2. The final results will be available in the Ecopilhas website (www.ecopilhas.pt).

11. AGREEMENT

11.1. Ecopilhas shall send the contract draft (Annex III) to the selected operators, within a maximum period of 30 calendar days following the disclosure of the results.

11.2. If the selected candidate doesn't submit the original contract signed and stamped within 15 calendar days, Ecopilhas reserves the right to exclude this candidate and to select the participant that was classified in the following place.

12. AMENDMENTS TO REGULATION

12.1. Ecopilhas reserves the right to change the present Regulation at any time, without prejudice of these changes to be always previously disclosed on the website.

12.2. The participation of the companies/entities implies the acceptance of the present Regulation and its possible changes.

13. DOUBTS AND CASES

13.1. The participants should contact Ecopilhas via e-mail address geral@ecopilhas.pt in order to clarify any doubts about the contest.

13.2. The interpretation of the doubts and the cases not covered in the present Regulation will be analyzed and integrated by Ecopilhas and its decisions will be definitive.

ANNEX I – FORM AND DOCUMENTATION TO BE SUBMITTED

The participants that are in accordance with the demanded requirements must fill in the Application Form and submit by e-mail to geral@ecopilhas.pt.

The Application Forms are attached in Ecopilhas website on “Recolha e Reciclagem” (Collection and Recycling).

The documents to be presented with the proposal will be defined in the opening notice of the contest or in the Forms.

ANNEX II – QUALIFICATION REQUIREMENTS TO BE FULFILLED BY WASTE TREATMENT OPERATORS IN THE CONTEXT OF THE SPECIFIC STREAM OF WASTE BATTERIES

The requirements to be fulfilled by the candidates are divided into the following categories:

- Administrative;
- Installations;
- Technical;
- Human Resources.

1. Administrative Requirements

The participant must:

- a) Ensure the compliance of the current applicable legislation on the waste batteries management;
- b) Ensure the compliance of the current applicable legislation on safety, hygiene and health at work.

2. Installations Requirements

The candidate’s premises for the Waste Batteries Temporary Storage and Sorting Center must include the following area:

- Waste Batteries Storage.

The candidate’s premises for the Waste Batteries Recycling Center must include the following areas:

- Waste Batteries Storage;
- Waste Batteries Recycling.

These areas must comply with the following requirements:

- a) To be separated and identified considering the chemical systems and the EWL (European Waste List) codes;

- b) Have a waterproofed surface for suitable areas (e.g. equipped with spill collection systems) and weatherproof covers for suitable areas;
- c) Have a fire-fighting system and structures made of fire-resistant materials;
- d) Comply with the legal obligations, regulations and requirements related to the Waste Management, Wastewater Discharge and the Legal Framework of Fire Safety in Buildings, if applicable;
- e) Take into account, in terms of design, organization and maintenance, the secure access and exit, as well as the security requirements in order to prevent the access by unauthorized personnel;
- f) Must be aerated to ensure indoor air quality by circulation and maintenance, due to the steam that can be released.

2.1. Requirements for the Waste Batteries Storage Area

The waste batteries storage section shall have a suitable area for the maximum installed capacity, in order to manage with the increased waste inflow periods and with the forklift maneuvers.

Waste Batteries must be stored in suitable containers permitted by the Dangerous Goods Transport, where applicable.

2.2. Requirements for the Waste Batteries Recycling Area

To ensure an adequate separation of metallic and non-metallic materials, the recycling center must have the necessary infrastructures and equipment for the waste batteries recycling and their components.

The treatment and recycling processes must comply with the General Regime of Waste Management (GRWM), and with other applicable legislation. In addition, the operator must ensure the total extraction of fluids and acids.

3. Technical Requirements

The participant must:

- a) Present the detailed and separated costs per weight (kilogram) for the Transport, Storage, Sorting and Recycling activities, relating with the chemical systems;
- b) The costs should be presented in Euros;
- c) Mention the type of information that is available and how often it is for the waste transport, the waste reception conditions, the waste storage and sorting results for each different chemical system, the waste mass balance, the pollutant emissions and other parameters that the participants consider relevant;
- d) Present a detailed description of the Waste Transport, Sorting, Storage and Recycling process and methods;

- e) The participant must state the establishment date, the location of its registered office and of its installations, environmental, quality and safety, hygiene and health at work certificates, various technical means at its disposal, as well must declare all information that allows assessing the conditions of service provision;
- f) In case of the candidate have a contract with a third party for any of the services to be provided to Ecopilhas, the participant must identify the company and proceed according to point e);
- g) Ensure the recycling efficiencies referred at point b), article 76º of the Decree-Law no. 152-D/2017.

4. Human Resources Requirements

The participants must provide the following human resources:

- a) Employees qualified in the environmental, health and safety matters, in particular in cases of emergency and health, safety and hygiene measures at work;
- b) Employees authorized to carry out operations for the Waste Batteries management, in terms of reception, handling, storage, sorting and treatment, as appropriate.

ANNEX III –DRAFT CONTRACT

The models of the draft contracts for each waste treatment operator are available on Ecopilhas website on “Recolha e Reciclagem” (Collection and Recycling).

The draft contracts will correspond to the adaptation of the model contracts, according to the submitted proposal and awarded, and sent to the participant chosen in the terms of Chapter 11 of the present Regulation.