

Worksheet 3.7D

Clauses for cleaning, waste and recycling contracts

The following inserts may be suitable for inclusion in new cleaning, waste and recycling contracts tendered for office properties. This has been adapted from the original text by Colonial First State Global Asset Management. This is an example only – adapt this worksheet to suit your organisation's requirements.

Conditions of tendering

Performance objectives

Include as an additional objective: 'A reduced impact on the environment through a commitment to sustainability and environmentally sound systems of resource recovery.'

Performance benchmarks

Include the following KPIs:

Key performance indicator	Performance level	Measurement/comments	Source of data
Regulatory compliance	100%	No formal infringement or penalties associated with any relevant environmental or safety regulation, by-law etc.	Contractor and/or subcontractor
Verification of recycling	95%	Provision of accurate and comprehensive information on building recycling performance on at least a monthly basis.	Waste Contractor receipts, weighbridge receipts, Contractor records.
Principal's audits	No significant non-compliance	Minor non-compliances rectified within 5 days.	Audit report

Terms and conditions

1.0 Statutory obligations and safety and environmental compliance

The Contractor shall, in the execution and performance of the service required by this agreement, comply with all statutes, regulations, ordinances, by-laws and requirements of all competent authorities which relate to or affect the service.

The Contractor shall take all reasonable and proper safety and environmental precautions to prevent death or injury to any person or damage to any property in or near the property. In particular, all equipment and cleaning materials used by the Contractor shall be used in a manner and maintained and stored so as to prevent unauthorised use or misuse thereof and to minimise the danger of accident, spills, injury or loss arising from the use of such items.

1.1 Preparation of Environmental Management Plan

The Contractor must have an Environmental Management Plan that complies with ISO 14001:2004 and that details the impact of its service delivery on the environment and measures to improve environmental performance and management.

A draft of the Contractor's Environmental Management Plan must be submitted at least 1 month prior to the Services Commencement Date.

The Landlord may direct that the Contractor make any amendments to the Environmental Management Plan that it considers appropriate. However, non supply of comments does not relieve the Contractor of the responsibility for the Environmental Management Plan and its implementation.

1.2 Review of Environmental Management Plan

The Contractor must review the Environmental Management Plan annually and advise when the review has taken place. Any amendments to the plan must be submitted and any such review must be to the satisfaction of the Landlord.

2.0 Storage

The landlord will provide a dedicated area within the property for temporary storage of segregated waste materials for collection by the waste removal contractor/subcontractor. The contractor is to confirm that the waste handling area is, and remains, of sufficient size and location to enable effective removal of recyclable and residual waste from the subject property.

3.0 Specifications for mobile bins

Unless otherwise agreed with the Landlord, mobile bins used in the performance of services must conform to the following specifications:

- comply with AS 4123: 2006 *Mobile waste containers*
- be coloured coded as detailed in the particular service specification
- contain a minimum of 30% post-consumer recycled Australian content
- where reasonably possible, be made in Australia
- be hot stamped with individual identification serial numbers
- be labelled with high quality stickers to identify materials, using the standard signs and symbols recommended by the Department of Environment and Climate Change NSW, and
- may contain bar coding, embedded passive chip systems or RFID where these devices are used by the Contractor to improve collection service, for data gathering, monitoring and reporting.

The Contractor must retrieve all damaged bins, or bins no longer required, at any location and either:

- recycle them where it is practicable
- dispose of them where a practicable recycling option is not available, if they are damaged beyond repair, or
- repair them and store them at the Contractor's depot for re-issue to locations as required.

3.0 Cleaning materials

The Contractor shall submit details of all cleaning and polishing materials and equipment intended to be used in the performance of the work. Those details shall include Material Safety Data Sheets indicating environmental and safety precautions and the toxicity of the materials.

Where the properties of cleaning materials reduce the impact on the environment and risk of adverse health effects, such as low toxicity cleaning chemicals or cleaning cloths that do not require chemicals, these are to be offered over the conventional materials. Such a provision should be highlighted in the submission for consideration as it is appreciated this may impact on the price for the supply of the materials.

4.0 Emission management system for diesel vehicles

The Contractor must introduce an emission management system that complies with the standards of the Clean Fleet™ Program for Diesel Vehicle Maintenance for all collection vehicles that are diesel vehicles. Within 6 months of the Services Commencement Date, the Contractor should become a member of the Clean Fleet™ Program for Diesel Vehicle Maintenance and pay any associated costs including for periodic audits.

Scope of work (property requirements)

Waste management and recycling

A comprehensive waste management and recycling program using an approved recycling contractor will constitute a major part of this contract.

Waste removal performance objectives

- To maintain an appropriate size and frequency of service applicable to the recycling activity within the property in a cost-effective manner.
- To collect, remove and dispose of all wastes in accordance with relevant State environmental legislation
- To ensure all recyclable wastes including paper, cardboard, co-mingled containers and wet wastes (if applicable) are removed to a proper recycling or reprocessing facility, and
- To ensure all waste activity is quantified (by weight) and outcomes verified for reporting back to building management.

Waste handling generally

Waste material (recyclable and putrescible) collected from tenants' floors shall be by lightweight, leak-proof, collapsible trolleys. Contractors will ensure that the corners of these trolleys are suitably protected to prevent damage to office furniture and equipment and to walls within the building. The contractor shall only use the goods lift for wet and recycling material removal. This lift [if applicable] will be available for this purpose between the hours of [1800 to 0600 the following morning].

Putrescible waste and the recyclable wastes are to be collected in separate colour-coded bags and placed in the bins located in the [basement/ground floor loading dock] for collection by the responsible contractors. Black bags are to be used for putrescible waste only. If

supplied, the waste contractor's container (e.g. skip, compactor), or similar equipment provided by the Landlord, will be used to store the wastes.

The Contractor is to ensure all waste storage facilities have adequate and appropriate signage to ensure no contamination of waste containers by inappropriate wastes. The Contractor is also to ensure that tenants do not contaminate the waste containers or leave materials or prevent proper working of the waste containers. The Contractor is to ensure the waste contractor has adequate access to the waste containers for removal and delivery.

The Contractor is to advise the building manager immediately where hazardous or toxic materials have or are likely to have been disposed of in the waste system.

The Contractor is to advise building management where opportunities arise or are identified to improve the recycling system and further divert wastes from landfill.

Wet/putrescible waste removal responsibilities

The Contractor is responsible for:

- delivery of wet waste to a waste collection point on a daily basis as described in the cleaning scope of works
- safe removal of tenant waste from the property, including redundant chemicals used for cleaning services
- supplying and maintaining appropriately sized waste bins serviced at optimum frequency as applicable to the property and the generation of waste
- ensuring signage on tenant waste bins (if provided), particularly in office hubs or similar central bin locations, is easily visible and appropriately located to facilitate waste disposal by building occupants
- where directed by the building manager, installation and maintenance of an odour desensitising system, or similar, in the basement or central waste handling area
- ensuring waste is not stored on the premises for an unnecessary period of time so as to lead to odour, vermin problems or complaints by tenants
- removal of all waste from the property to a licensed waste facility
- collecting and reporting to the building manager waste performance on a monthly basis and maintaining records as necessary to verify performance (by weight only of material removed)
- assisting the building manager as necessary and providing all information required during the course of waste performance reviews or activity audits, and
- making recommendations to and assisting the building manager in efforts to increase tenant awareness of waste avoidance or minimisation.

Recycling service performance responsibilities

The Contractor shall be responsible for:

- day-to-day operation of recycling systems in a way that maximises recycling efficiencies
- provision of adequately sized, located and signed recycling containers within tenant floors and in the central waste handling area in the [basement/ground floor loading dock]

- the use of a colour-coded bag system to allow differentiation of recyclable materials from generation point to the recycling collection point
- periodically assessing the contamination rates of material disposed of in the recyclable containers/bins and advising the building manager if contamination is likely to be significant or put at risk the collection of recycled material by the recycling contractor
- delivery of recycling material to recycling collection points on a basis as described in the cleaning scope of works
- ensuring all recycling material collected and removed from the building is sent to the appropriate recycling facility for reprocessing of these materials
- collecting and reporting to the building manager recycling performance on a monthly basis and maintaining records as necessary to verify recycling performance (by weight only of material in each recycling stream removed)
- assisting the building manager as necessary and providing all information required during the course of waste performance reviews or activity audits, and
- making recommendations to and assisting the building manager in efforts to increase tenant awareness of recycling and improved recycling results.

Education

The Contractor must actively participate in the education and training of tenants in the use of these services. This includes:

Developing and delivering pre-service and start-up education

The Contractor will nominate and provide appropriately qualified and experienced personnel to develop, implement and evaluate the pre-service and start-up education program on behalf of the building manager. The pre-service and start-up education phase will cover the period prior to the Services Commencement Date and include the first 12 months of the Contract Term.

The Contractor must purchase environmentally preferable goods where possible for the development of the pre-service and start-up education. Printed materials should be produced in an environmentally sensitive manner and must contain a minimum of 50% recycled fibre and be manufactured using cleaner production printing practices, including but not limited to, use of vegetable-based inks and manufacture without the use of bleaches containing chlorine.

Pre-service and start-up education plan

One month prior to the Services Commencement Date, the Contractor must provide a draft pre-service and start-up education plan for approval by the building manager.

At a minimum, this plan must include:

- ultimate and immediate outcomes of the plan
- design and production of bin stickers
- design and production of pre-service information flyers
- tenant information packages
- other initiatives to assist tenants to correctly use the Services
- proposed environmentally preferable goods to be purchased

- detailed timeline and responsibilities for activities
- details on how the plan will be evaluated including useful, feasible key performance indicators for the ultimate and immediate outcomes, and
- ongoing education for tenants on at least an annual basis.

The pre-service and start-up education plan must be approved by the building manager prior to implementation. The Building Manager reserves the right to make amendments or additions to the education plan prior to final approval.

Ongoing education

Annual education plan

Two months prior to each anniversary of the Contract Commencement Date, the Contractor will prepare and submit for approval, a detailed annual education plan for the following year of the Contract. This will include:

- ultimate and immediate outcomes of the plan
- groups that the plan will target
- strategies to be used to target each group
- new resources to be developed
- reprinting of existing resource materials
- proposed environmentally preferable goods to be purchased
- details of how the plan will complement or enhance other contractual obligations such as contamination management and reporting recycling performance back to users on a quarterly basis
- specific timeframes and responsibilities for carrying out tasks
- reporting timeline and methods
- details on how the plan will be evaluated including useful, feasible key performance indicators for the ultimate and immediate outcomes, and
- methods of ensuring that customers understand the importance of:
 - separated waste streams
 - end-markets for recyclables
 - outcomes of recycling by material types, and
 - minimising waste.

The annual education plan must be approved by the building manager prior to implementation.

Reporting

The Contractor must provide reports on a quarterly basis as per Section XXX and as required by [specific agencies]. The reporting should be in accordance with NSW Government Policy and the Contractor's compliance with that policy.

The Contractor must report waste and recycling flows on a monthly basis and maintain records as necessary to verify recycling performance (by weight only of material removed). Where data is collected in volume then the conversion factor used must also be disclosed.

The Contractor must report composition of the co-mingled recycling streams on a 6-monthly basis via an accredited third-party verified audit. This must be a percentage figure (%) of the different recyclables collected.

The Contractor must verify the sorting efficiency of any off-site separation of co-mingled recyclable material. The 'sorting rate' of the Sorting Facility must be provided via an accredited third-party verified audit. This must be a percentage figure (%) of the recycling and re-use materials collected from a particular building.