



Mr Owen Smith

Communities Directorate
PO Box 43
Warwick
CV34 4SX

Telephone 01926 412395
Email foicommunities@warwickshire.gov.uk

Sent by Email

Please ask for Mustufa Khalifa

Our ref: 6218332

Your ref:

Date: 16 December 2020

Dear Mr Smith

Freedom of Information Act 2000

I am pleased to provide some of the information you have requested. I have detailed this below:

*** *Actual contract values of each framework/contract (& any sub lots)***

The total value of the contract is £556,062.50. (There are no sub lots).

*** *Start date & duration of framework***

The contract started on 23rd October 2020. The initial term is until 31st December 2020.

*** *Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?***

Yes, the Council reserves the right to extend the contract by further periods not exceeding 48 months.

*** *Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?***

No

*** *Who is the senior officer (outside of procurement) responsible for this contract?***

Mark Ryder, Strategic Director for Communities

I can confirm that the remainder of the information you have requested is held by Warwickshire County Council. However, I am unable to give this to you.

*** *Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages***

The successful Tenderer

This is a single supplier contract for a specialist organisation to deliver a start-up service across Warwickshire. The procurement followed the Open Procedure; the contract was awarded to Coventry and Warwickshire Chamber of Commerce.

Unsuccessful Tenderers

Tenders were received from four suppliers in total. One of the suppliers failed to pass the Selection Stage, the remaining three proceeded to the Award (ITT) Stage.

Contracting Authorities are obliged to publish the results of a procurement procedure in a Contract Award Notice including the number of tenders received and the successful bidder (CAN number is 2020/S 031-073829). However, we are under no obligation to publish details of the unsuccessful bidders. This is commercially sensitive information.

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) applies to the information requested. Therefore, we have decided to withhold the information.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

This shows Warwickshire County Council's commitment to openness and transparency in its commercial activities, to allow public scrutiny and to demonstrate that public funds are being used in an efficient and effective way.

Factors in favour of withholding

As a Contracting Authority Warwickshire County Council are not required by law to publish details of the unsuccessful bidders. This is recognised by the market. Some suppliers would also argue that publishing this information is against their commercial interests.

Disclosing their names could potentially cause damage to an unsuccessful supplier's reputation, affecting the supplier's competitive position in their respective market and confidence that its customers, suppliers or investors may have in its commercial operations.

It could also deter potential bidders for future contracts. Warwickshire County Council must retain commercial confidence of third party bidders when they choose to engage in commercial activities with us. The release of this information may jeopardise this commercial confidence.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 days of the date of receipt of the response to your original letter and should be addressed to:

Information Management
Shire Hall
Warwick
CV34 4RL
inforights@warwickshire.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF.

Tel: 0303 123 1113
Website: www.ico.org.uk

I will now close your request as of this date.

Yours sincerely

Mustufa Khalifa
Freedom of Information Team
Customers & Information Services
