



FREEDOM OF INFORMATION REQUEST



Request Number: F-2013-00585

Keyword: Organisational Information/Governance

Subject: Winning Tender for New Police College

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- disclose information in response to question 1 in full;
- partially exempt information in response to question 2 pursuant to the provisions of Section 43 of the Act.
- disclose information in response to question 3 subject to the deletion of information pursuant to the provisions of Section 43(2) & Section 40(2)(a)(b) by virtue of Section 40 (3)(a)(i) of the Freedom of Information 2000 (the Act)

Question 1

In regards to the winning tender won by Morrow Communication entitled "Desertcreat College Programme Production of an Informational Video for Officers and Staff, issued on the 26th October 2012" could you provide information on the overall cost submitted by Morrow Communication for this tender?

Answer

The total cost submitted by Morrow Communication is £11,370.

Question 2

Could you provide the winning tender's breakdown of costs that was submitted using the pricing schedule mentioned in the tender?

Question 3

Is it possible for a copy of this winning tender as a soft or hard copy?

Answer

In relation to question 2 it has been decided not to provide the breakdown of costs subject to Section 43 Commercial Interests.

In relation to question 3 please see a redacted copy of the tender document pursuant to Section 43 and Section 40 at the end of this correspondence.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemptions, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 40(2)(a)(b) by virtue of Section 40(3)(a)(i) – Personal Information
Section 43 (2) -Commercial Interests

Section 40 is a Class – based exemption, therefore it is not necessary to evidence the harm caused by disclosure. The data protection rights of a third party would be breached by disclosure. Section 40(2) is an Absolute exemption and therefore a Public Interest Test is not necessary. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under FOIA are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain and not just to an individual.

Personal Data is regulated under the principles of the Data Protection Act 1998 and when information contains personal data about a third party it can only be released if disclosure would not breach any data protection principles.

Principle 1 is that personal data must only be processed lawfully and fairly. The personal detail of employees of Morrow Communications i.e. their personal qualifications and employment history is contained within the tender document and is held as part of the procurement procedure. To process this information for any other purpose i.e. by releasing it under Freedom of Information would be unfair to the individuals concerned and therefore a breach of the principle.

Section 43 is a class based, qualified exemption which means the legislators have agreed there would be harm if this information was released and a Public Interest test must be carried out.

Harm

The information requested represents intellectual property and is contained in the tender submitted by the company as part of the competitive tendering process. As such, it is likely to be commercially sensitive and disclosure could prejudice the company's commercial interests. Disclosing a breakdown of costs would likely provide an advantage to rival businesses and undermine the company's trading ability to tender for future contracts. Companies may lose confidence in the PSNI, compromising their integrity and causing a detrimental impact on the reputation of the Service.

Public Interest Test

Factors Favouring Release

Releasing this information would facilitate the accountability and transparency of public authorities in the spending of public money. There is a keen public interest in how public authorities spend taxpayers' money and that value for money is achieved. Disclosure would better inform the public of the costs involved.

Factors Favouring Retention

To ensure fairness during the tendering process, parties do not have access to tender details from

other competitors. Companies compete with rivals and any difference in their tender is often reflected in the price. Information identifying any unique elements such as specification or quality is likely to be commercially sensitive. Exposing pricing strategies of another tender could disadvantage the company and weaken their ability to tender for future contracts in a competitive market, impacting on future business revenue.

The PSNI's commercial interests would likely be prejudiced if tender details were disclosed, damaging the business reputation of the Service. Disclosure could discourage companies from submitting commercially sensitive information and consequently undermine the ability of the PSNI to procure best value for public funds and to conduct a fair tender competition in the future.

Decision

Release of this information would likely harm the process of future tenders and prejudice the commercial interests of the PSNI and the company which successfully bid for the contract. A breakdown of costs and methodology of the winning tender are commercially sensitive and could provide competitors with an unfair advantage. No release of information should be made under FOI where a commercial advantage would be provided. Unsuccessful bidders in this competition were given the opportunity to receive face to face feedback at the time and this was provided to all those who requested it.

Whilst accountability surrounding the use of public funds is always a strong argument in favour of releasing information, I have decided that disclosing details of the winning tender and a breakdown of costs at this time would not be in the public interest.

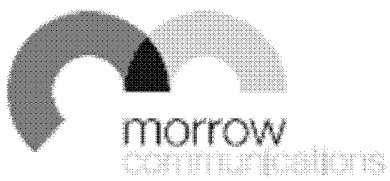
If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing xxx@xxx.xxx.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnipolice.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.



**Tender for the Production of an
Information Video For**

**The Northern Ireland Community
Safety College.**

From

Morrow Communications

Oct 2012

Background

Our Understanding of Your Requirements

The Police Service of Northern Ireland (PSNI), The Northern Ireland Fire and Rescue Service (NIFRS) and the Northern Ireland Prison Service (NIPS) wish to commission a production company to produce an informational video. The video is intended to inform officers and staff in the various organisations about the forthcoming Desertcreat Joint Public Services College or Northern Ireland Community Safety College, as it has been renamed.

The college is due to be completed and opened to first recruits in October 2015. It represents a £135million investment from the three procuring bodies named above. At this stage, tendering for the construction of the college is still underway, however, initial site preparation works have already commenced.

When completed, the college will be a first of its kind, a world-class facility, representing a new integrated approach to training across the three procuring bodies. It is anticipated that the facilities will also be of interest to other bodies engaged in related training activities.

Morrow Communications is delighted to have the opportunity to tender for this video work.

Timeframe

The Procurer wishes to produce a video which will be available to show at a Curriculum Conference to be held in Belfast on 21st and 22nd November. It is anticipated that after this date, updates to the video will be made throughout the course of the project until the completion in 2015.

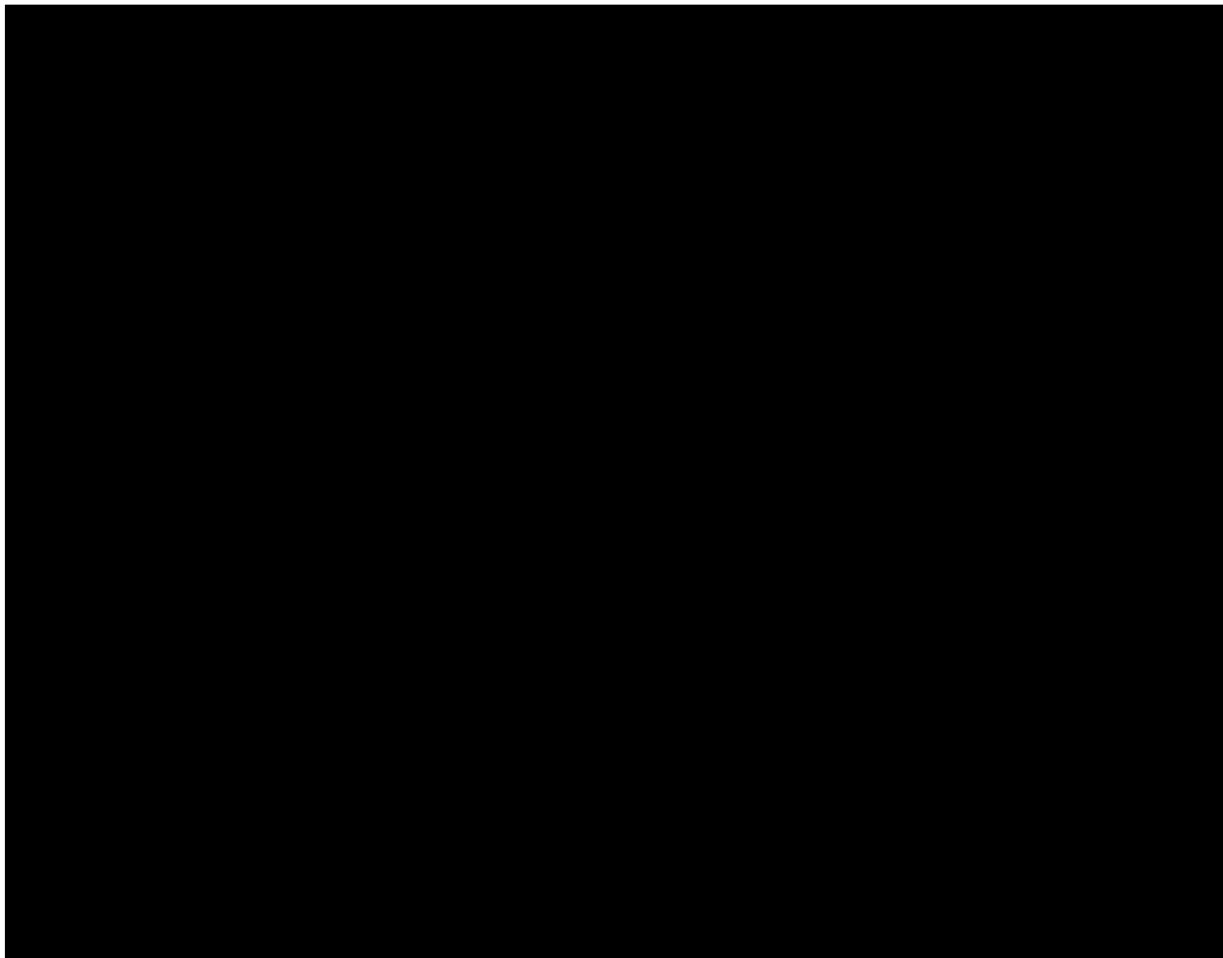
Morrow Communications is a long established company with more than 25 years production experience. In this time we have never missed a deadline and we are confident that we can deliver a top class production for the Procurer in the designated timeframe. This document sets out the methodology we will follow in order to do this.

About Us

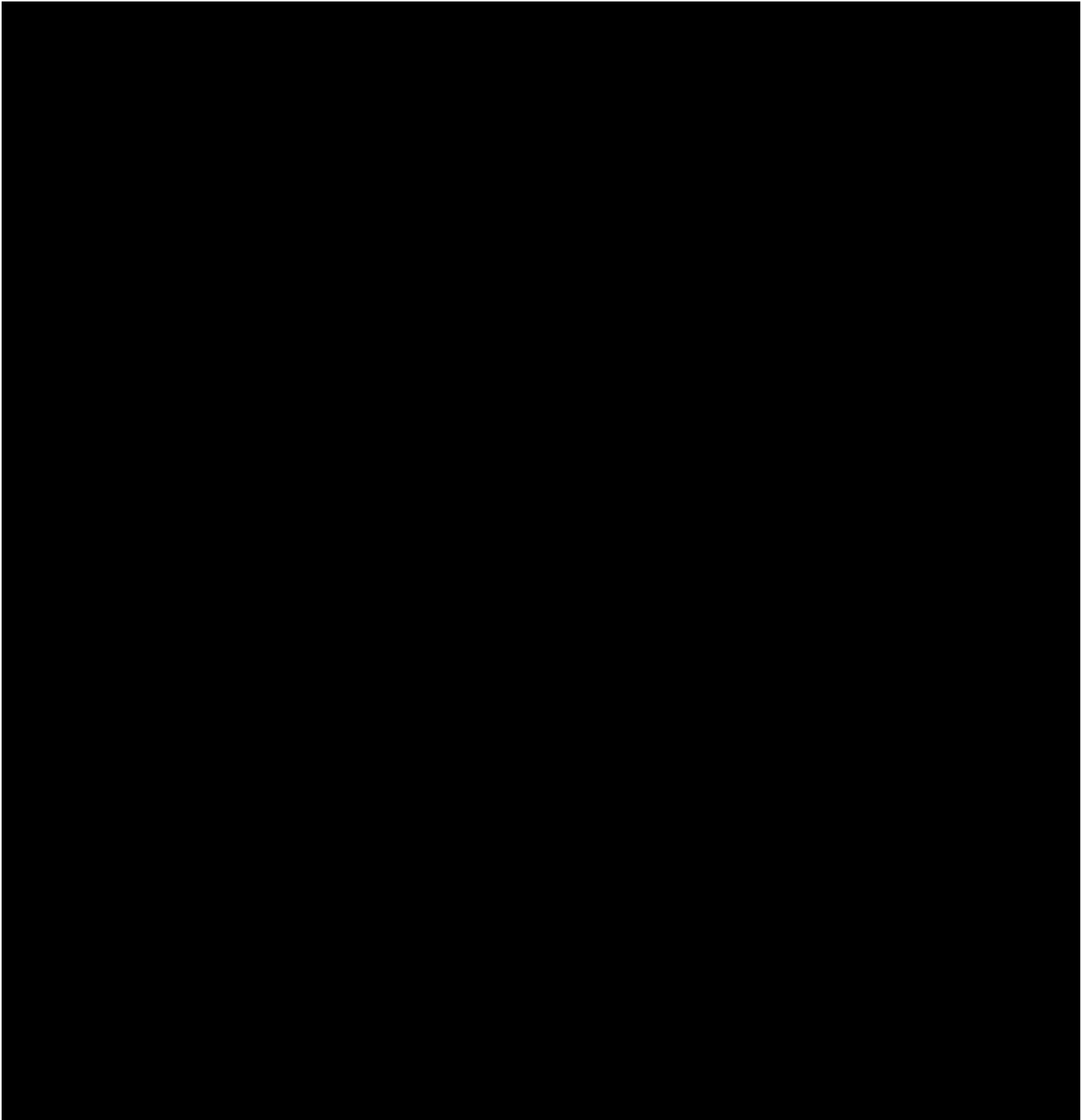
Morrow Communications is a multi-award-winning agency, recently named PR Agency of the Year 2012. Established in 1986, the company has grown to be an industry leader in all areas of communications, including traditional and digital media. We have a dedicated Video Production and Design Team with a wealth of experience producing video for a variety of purposes and platforms. The position of the team within a wider communications agency- including PR and events management, gives us a holistic outlook on the use and application of corporate productions and helps us to tailor each production to exactly meet a client's needs.

We provide a complete script to screen production service, from initial creative treatments, scripts, booking of crews and facilities, conducting interviews, production and direction, through the post production process – editing, designing graphics, recording sound and organising delivery of DVD copies and web ready files.

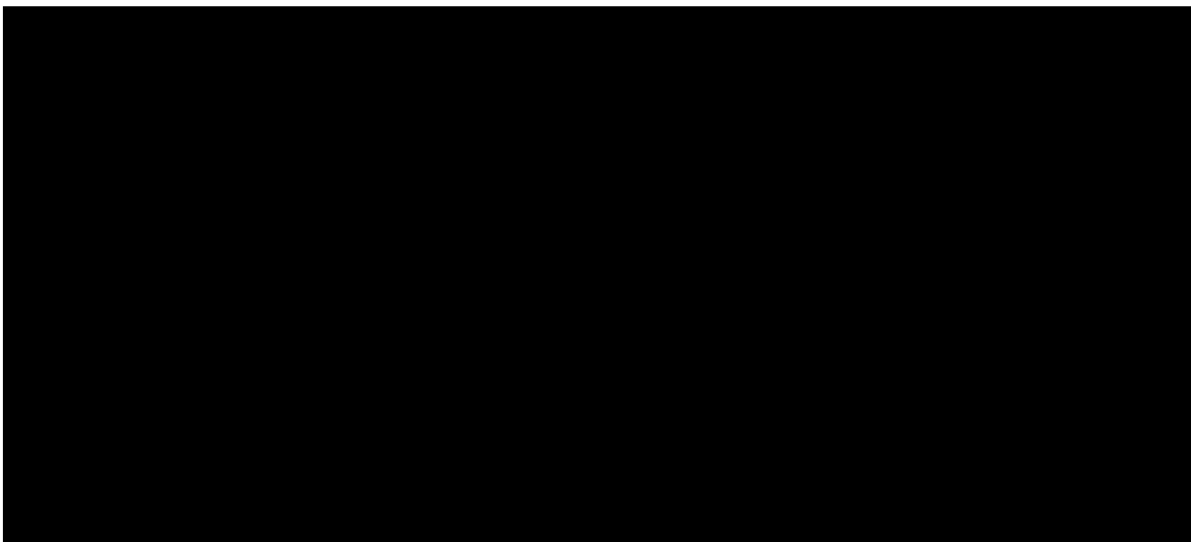
Proposed Methodology

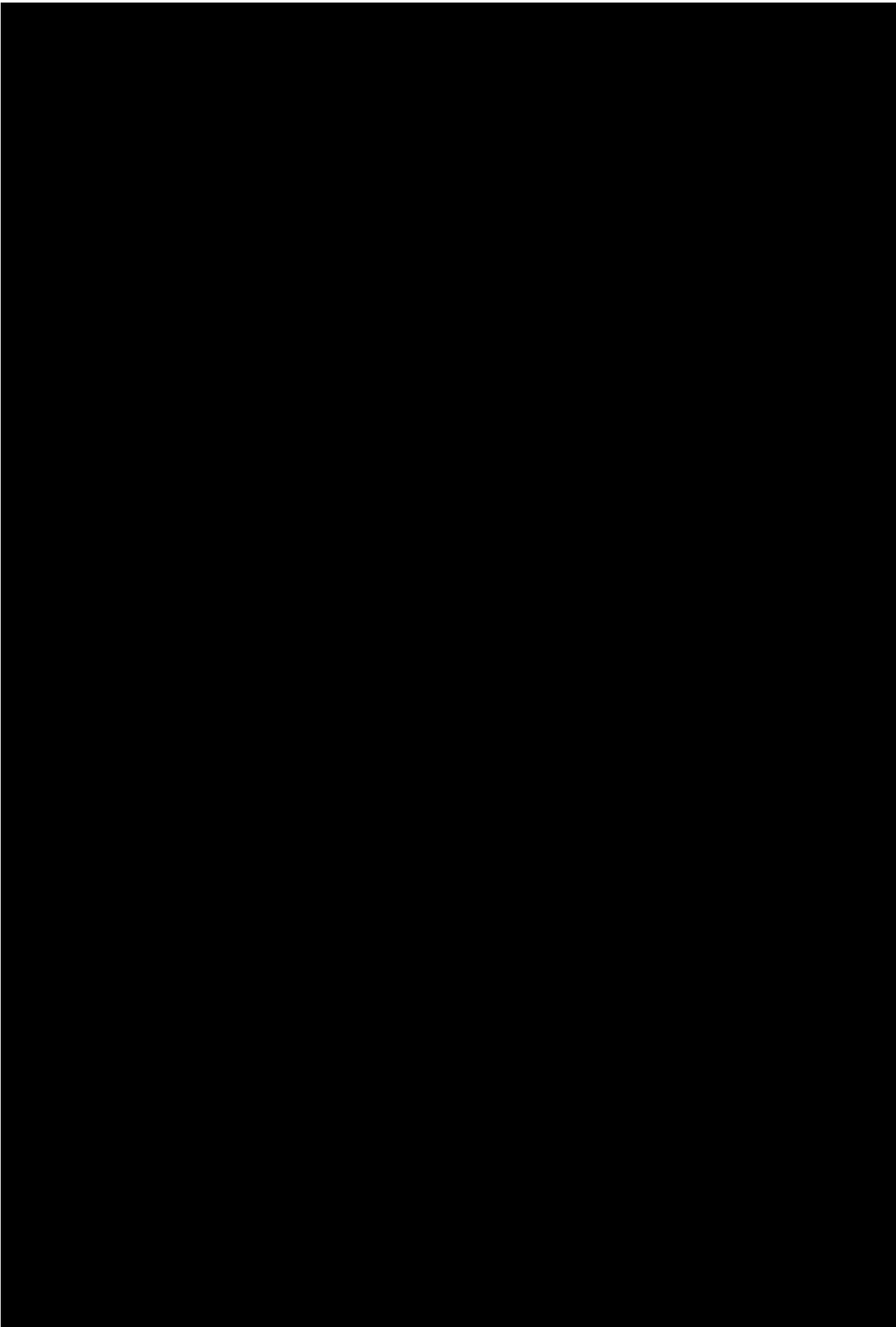


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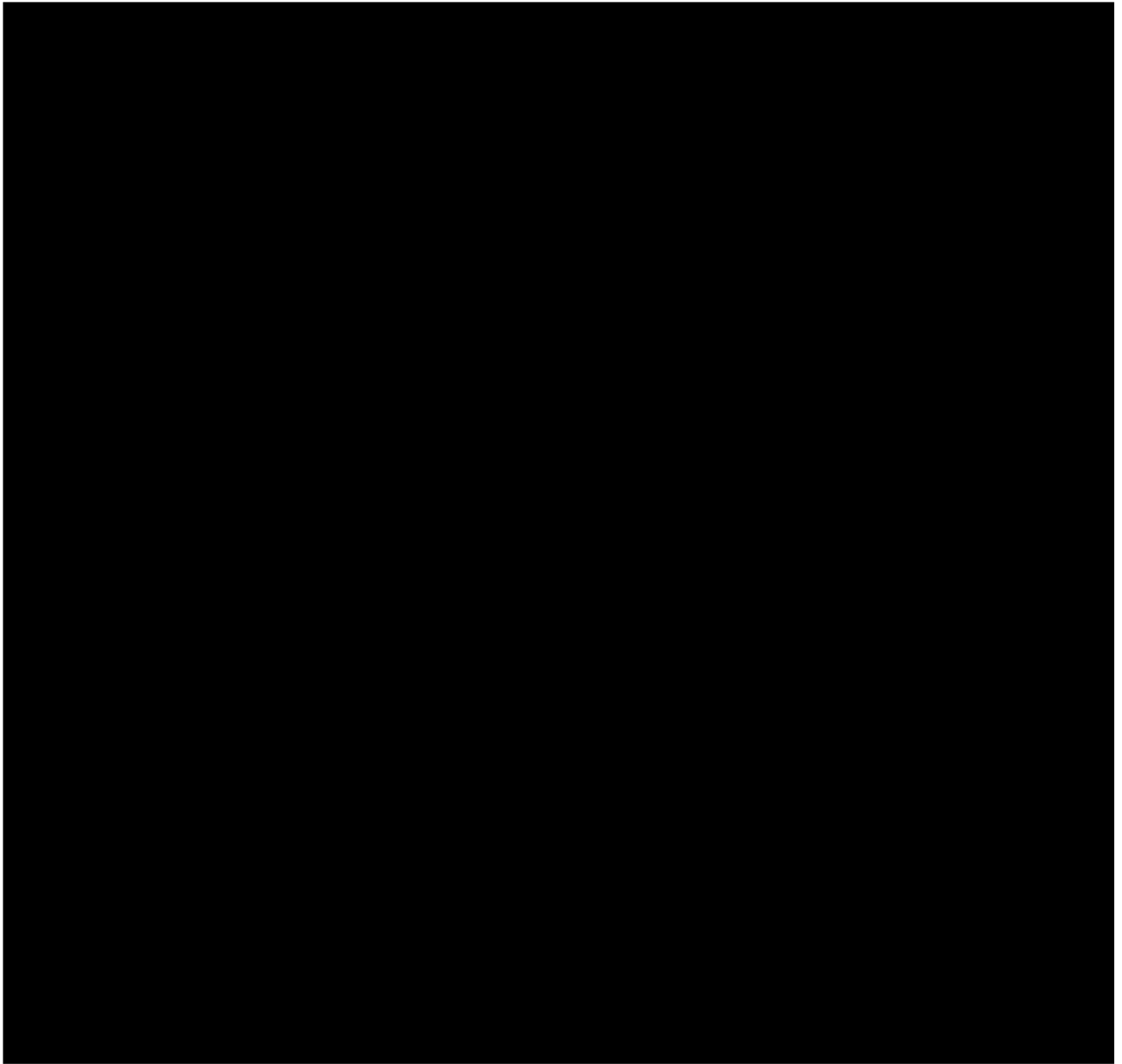


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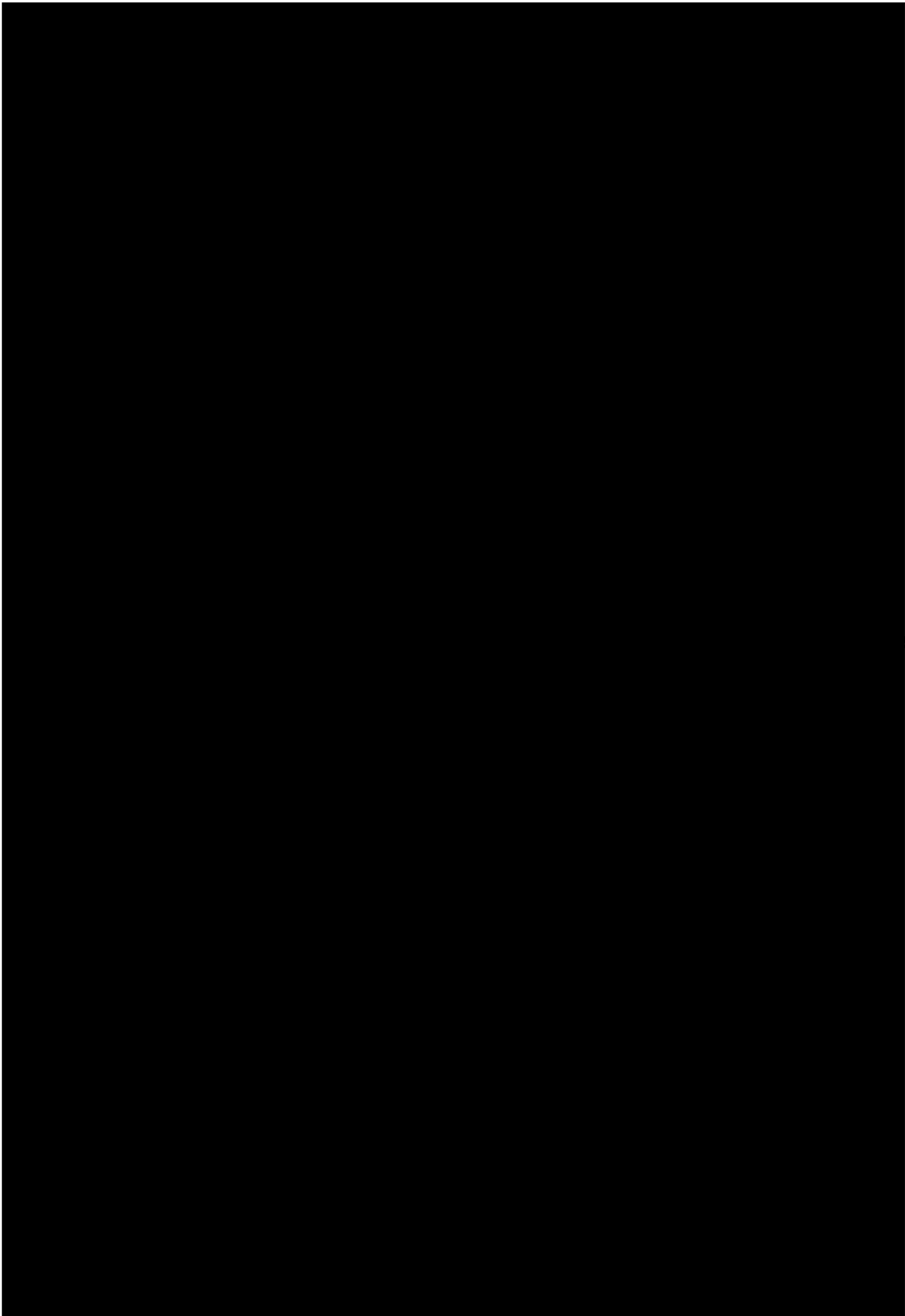
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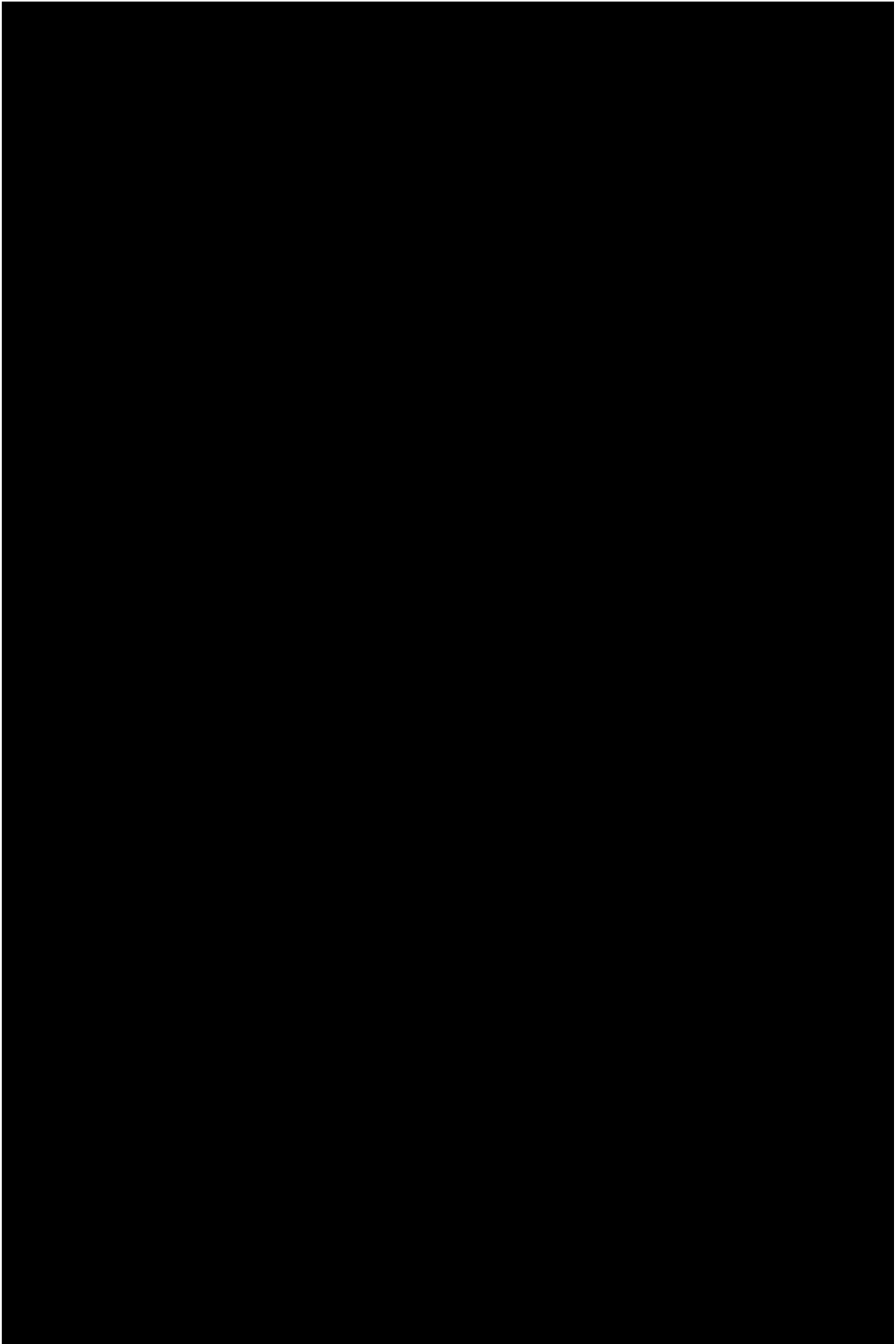
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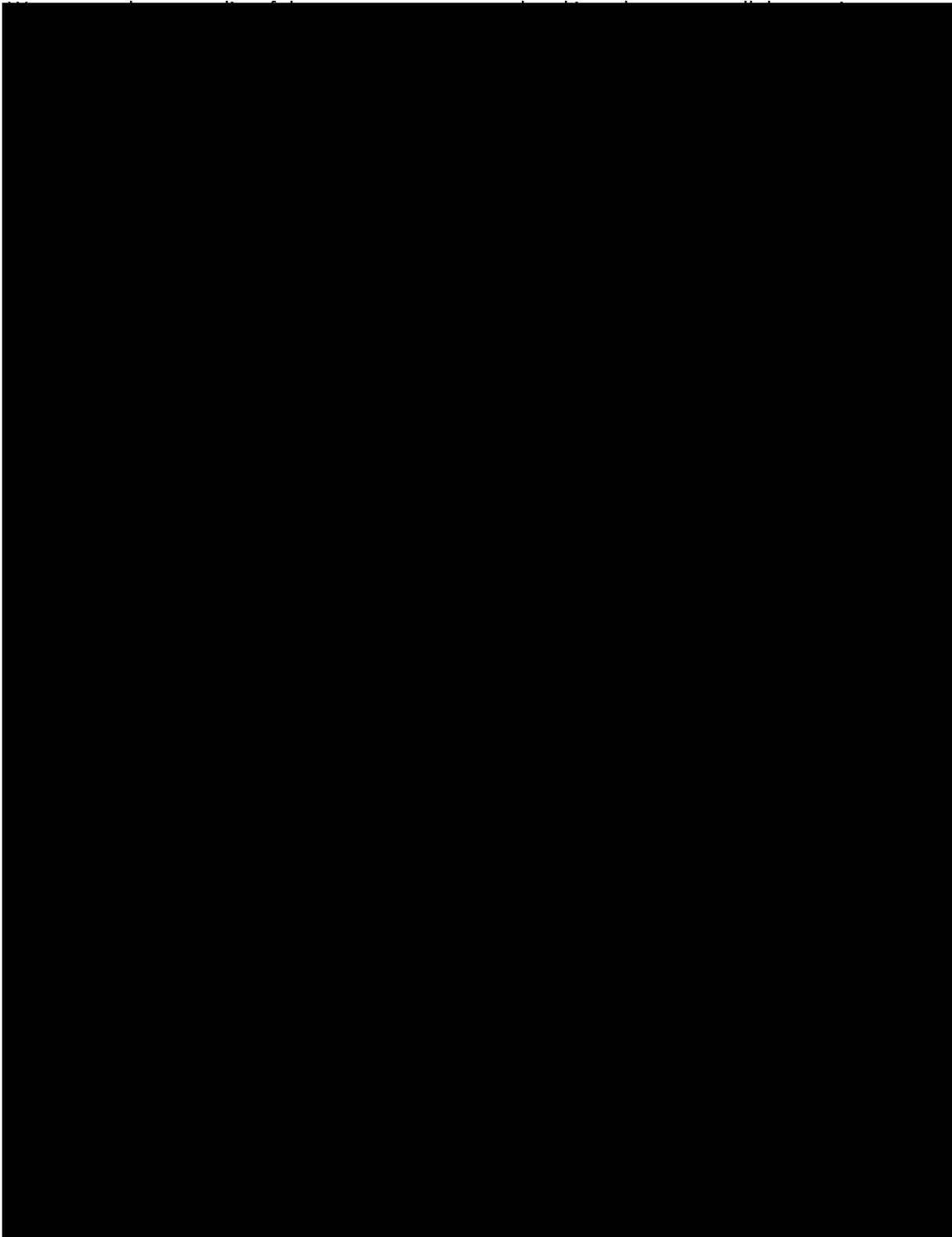
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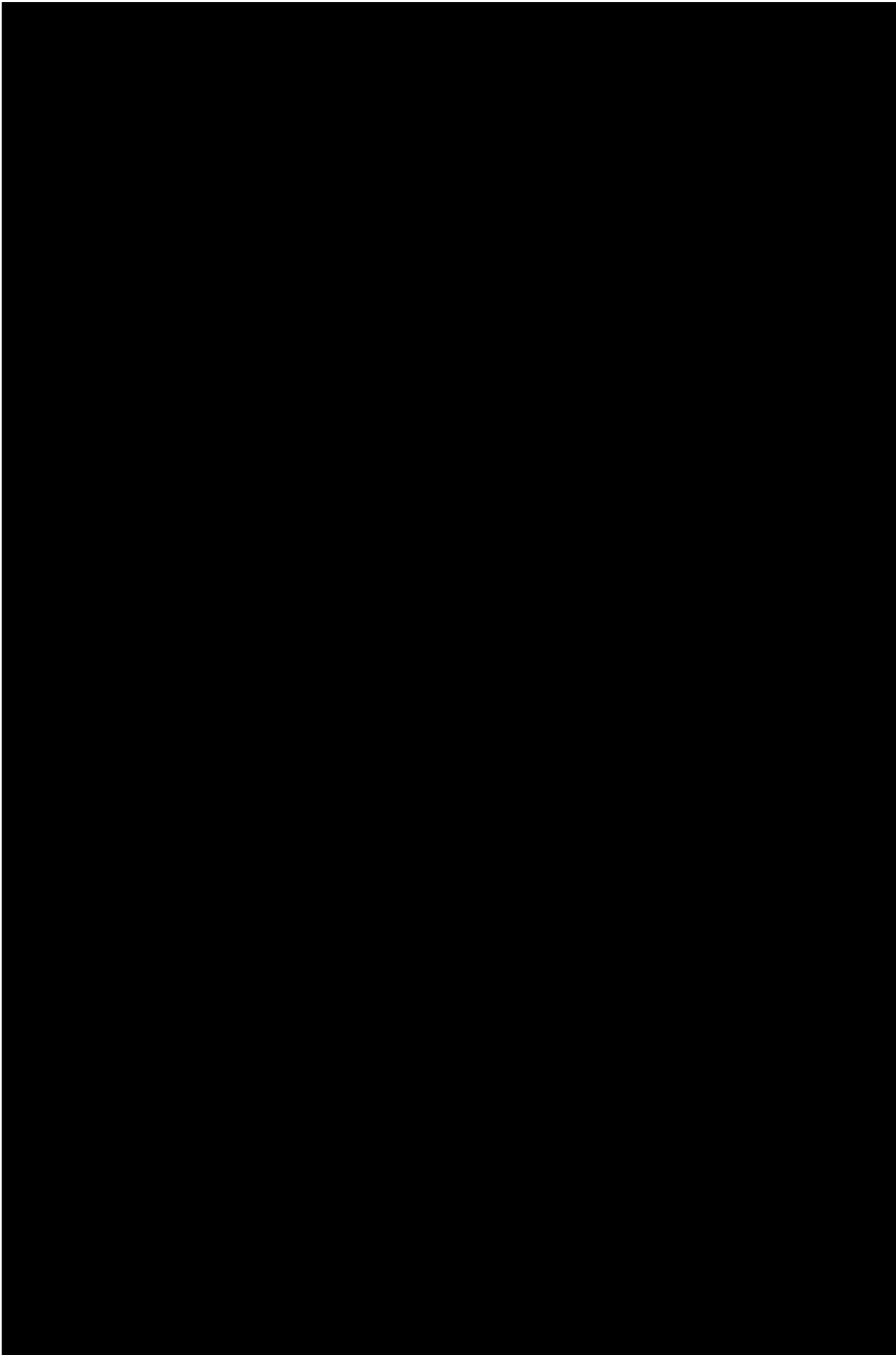
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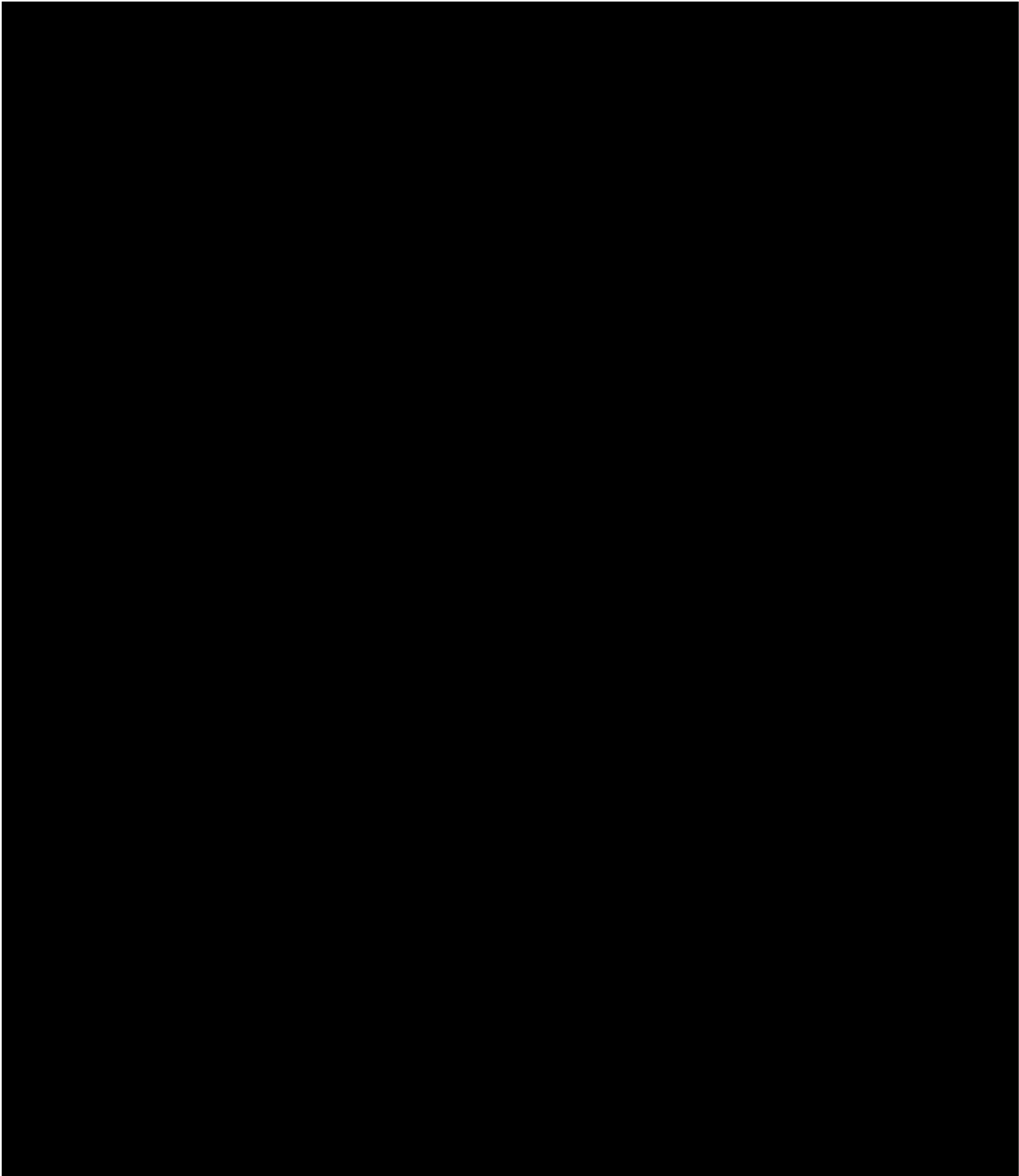


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Operational Arrangements

To make the management of the project run smoothly, we will offer a continuous team throughout the project with a single point of contact in the form of the Project Manager for this project, [REDACTED] [REDACTED] a Company Director of Morrow Communications. [REDACTED] will be the overall project manager and will work closely with the named individuals within the Programme Office and accept instructions and guidance on orders placed from these named individuals.



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Production Timetable

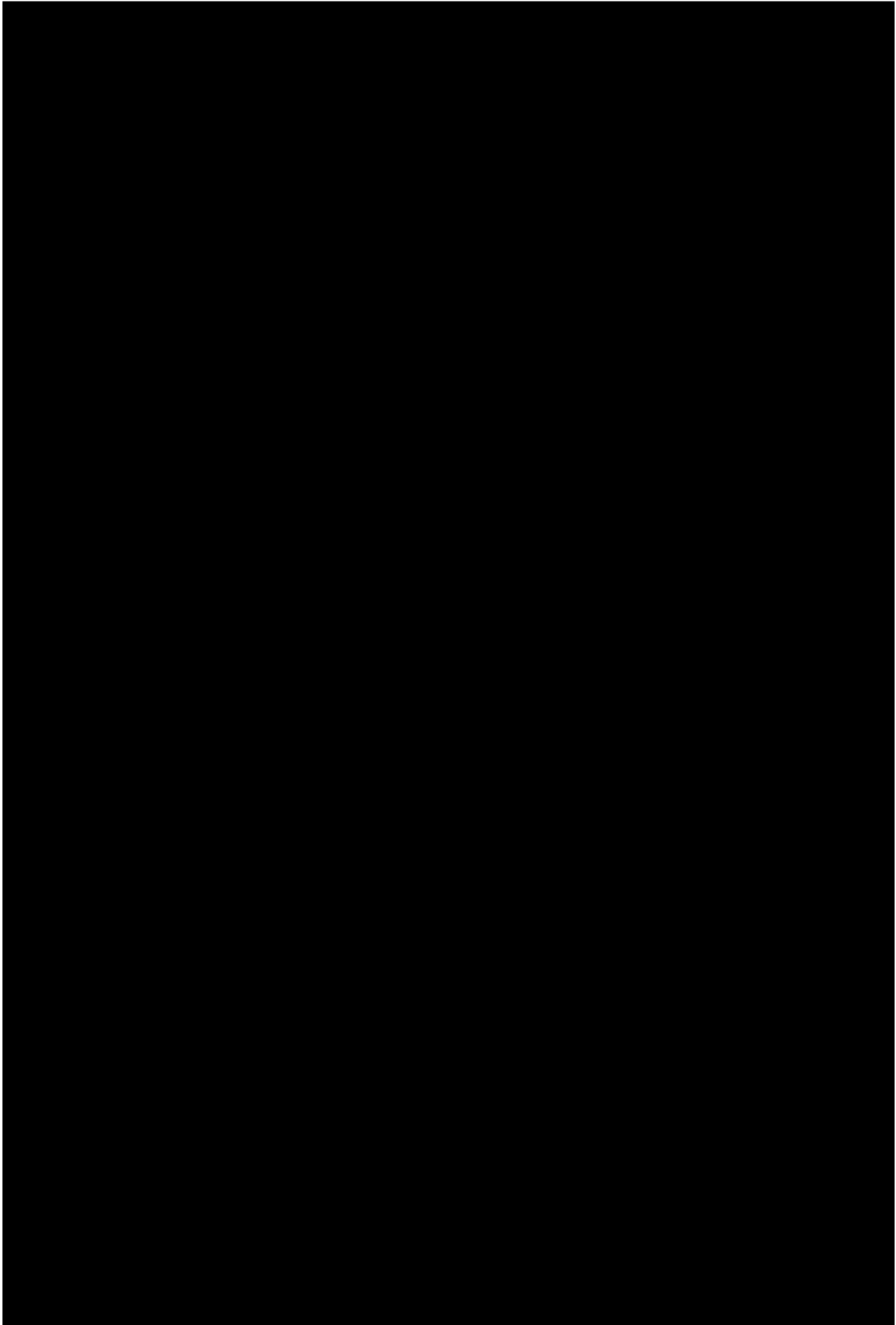
The dates below are an indication of the project plan and the deadlines for each stage of production.

We will work with the project team to set dates in conjunction with senior officials diaries etc.

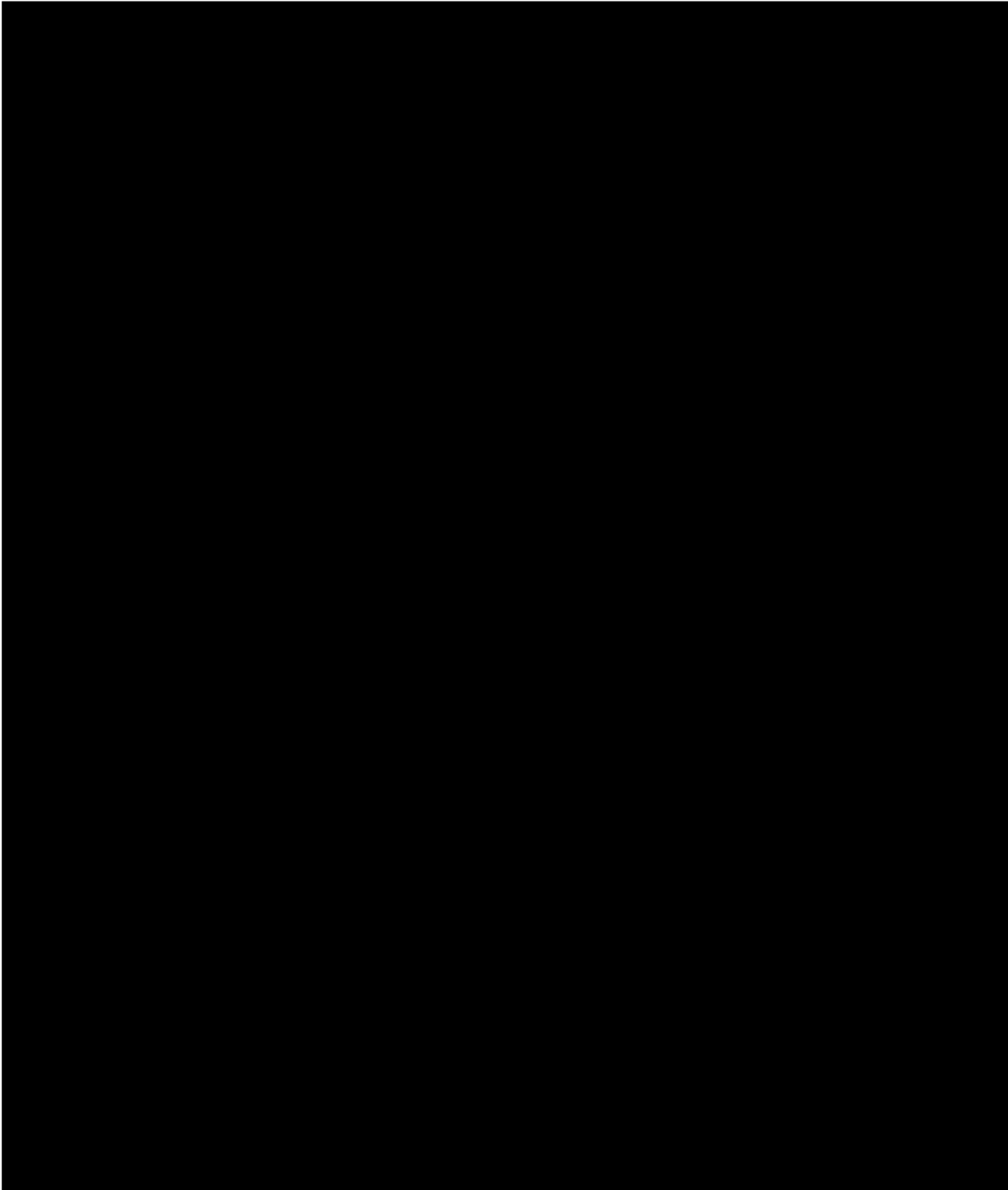
Production Timetable		
Date	Activity	Description
26 th Oct	Contract Award	Successful Tenderer is informed

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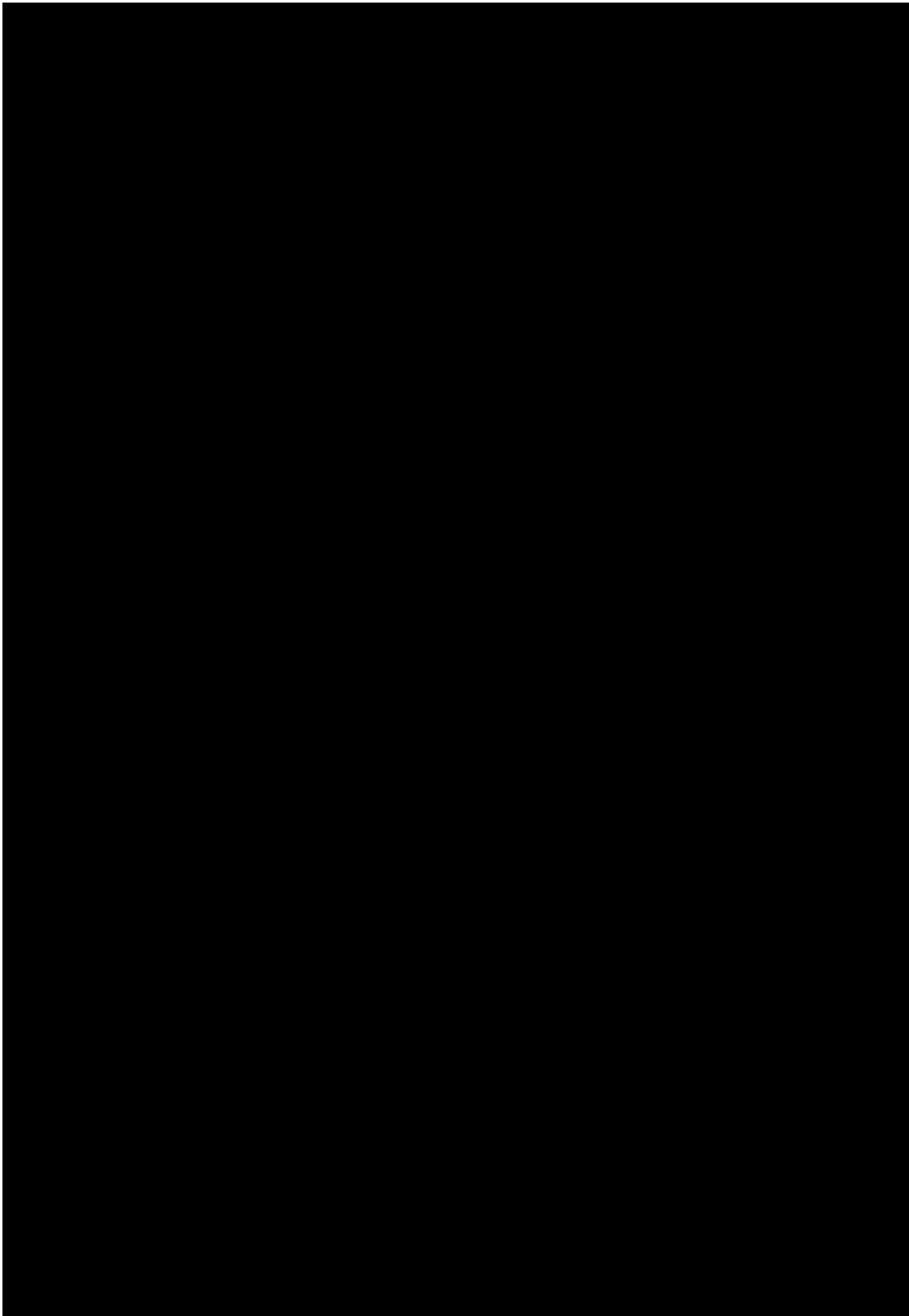
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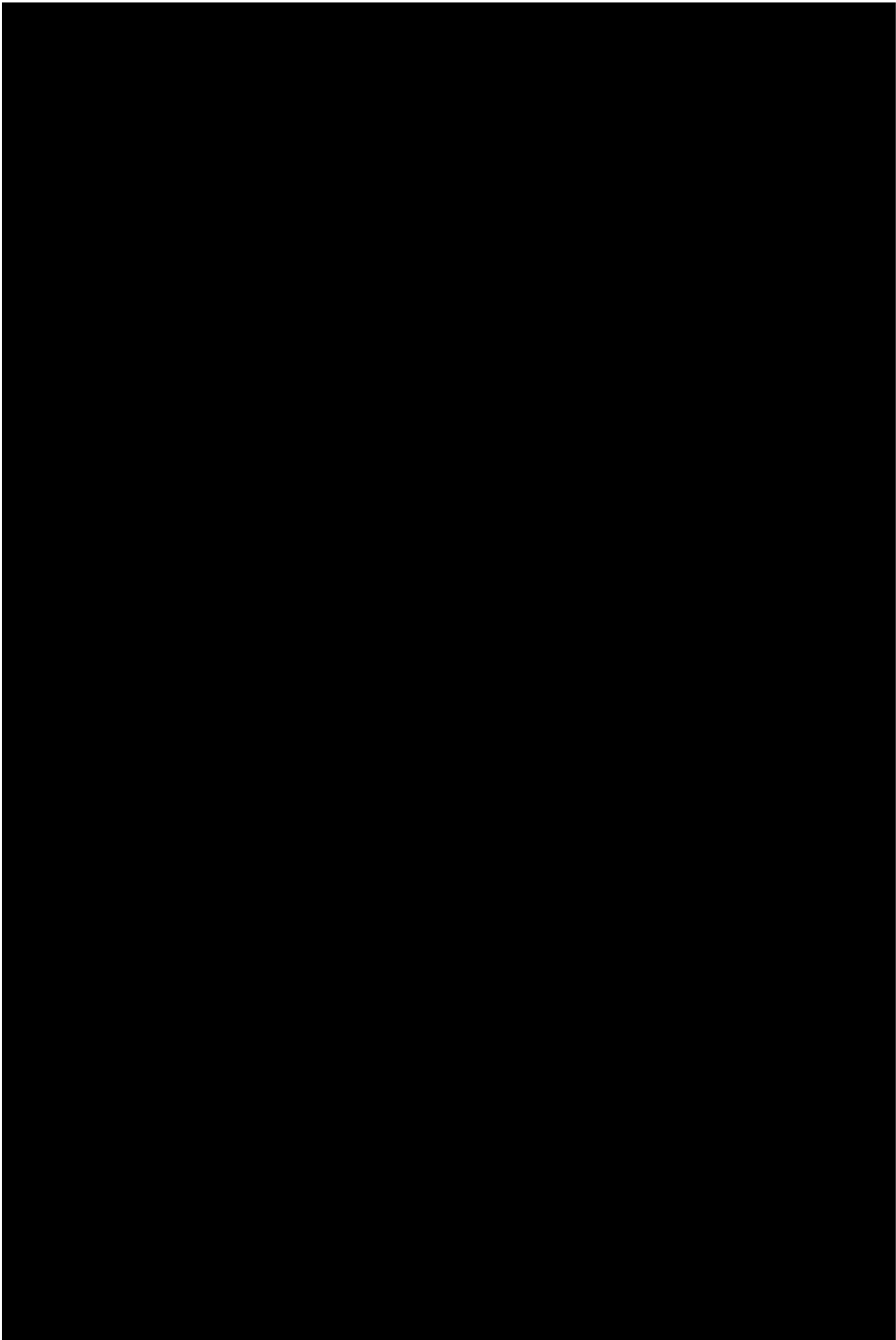
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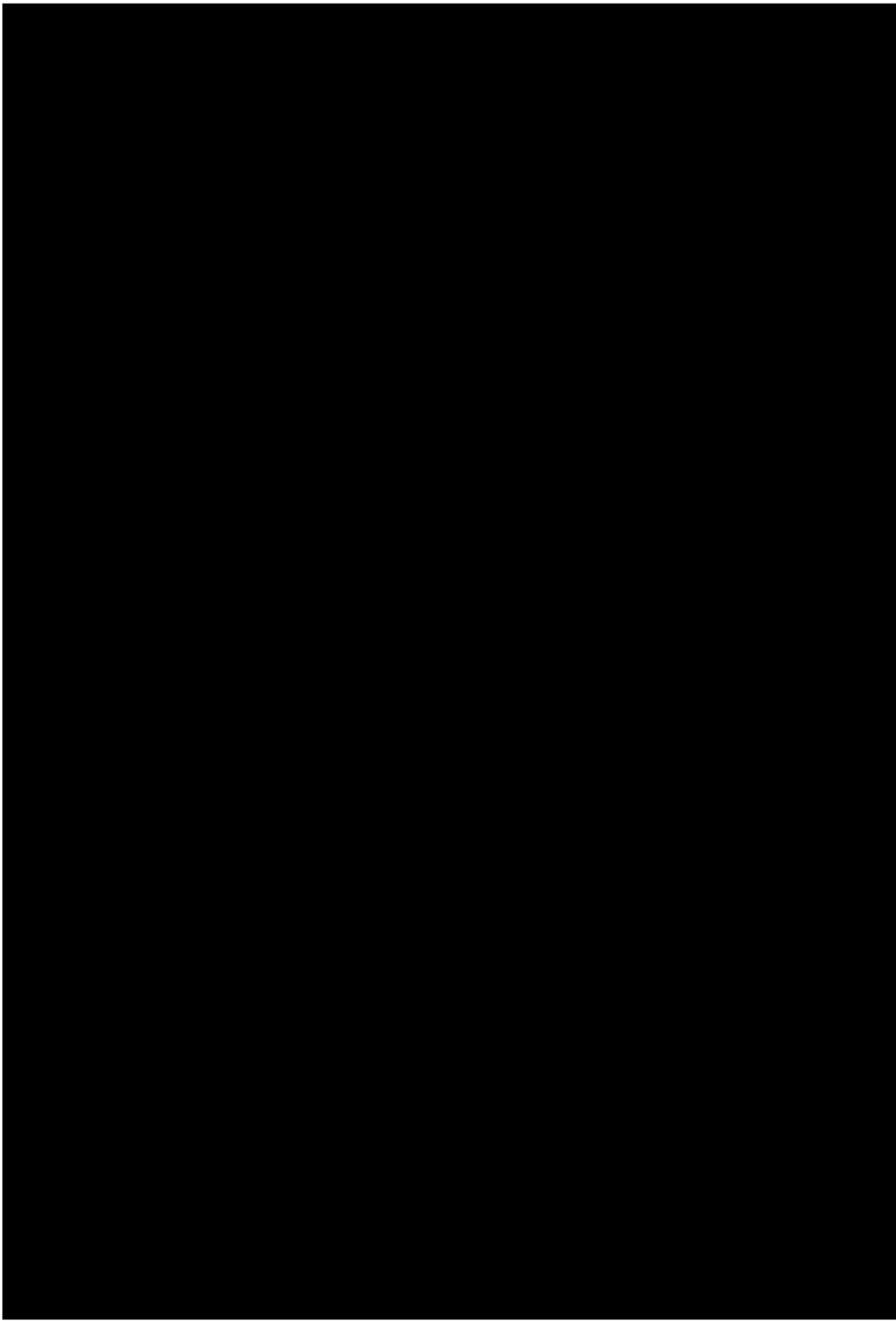
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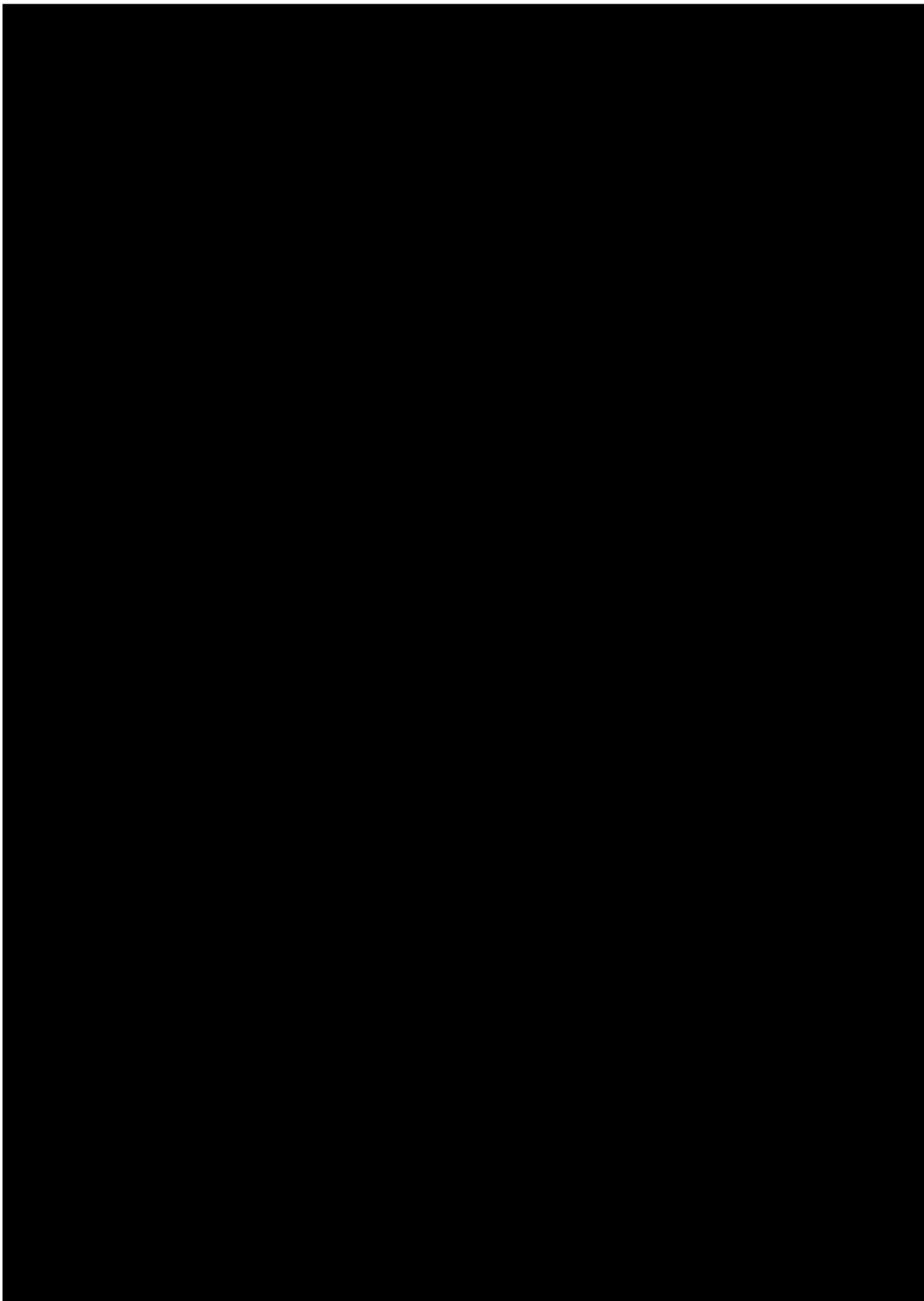
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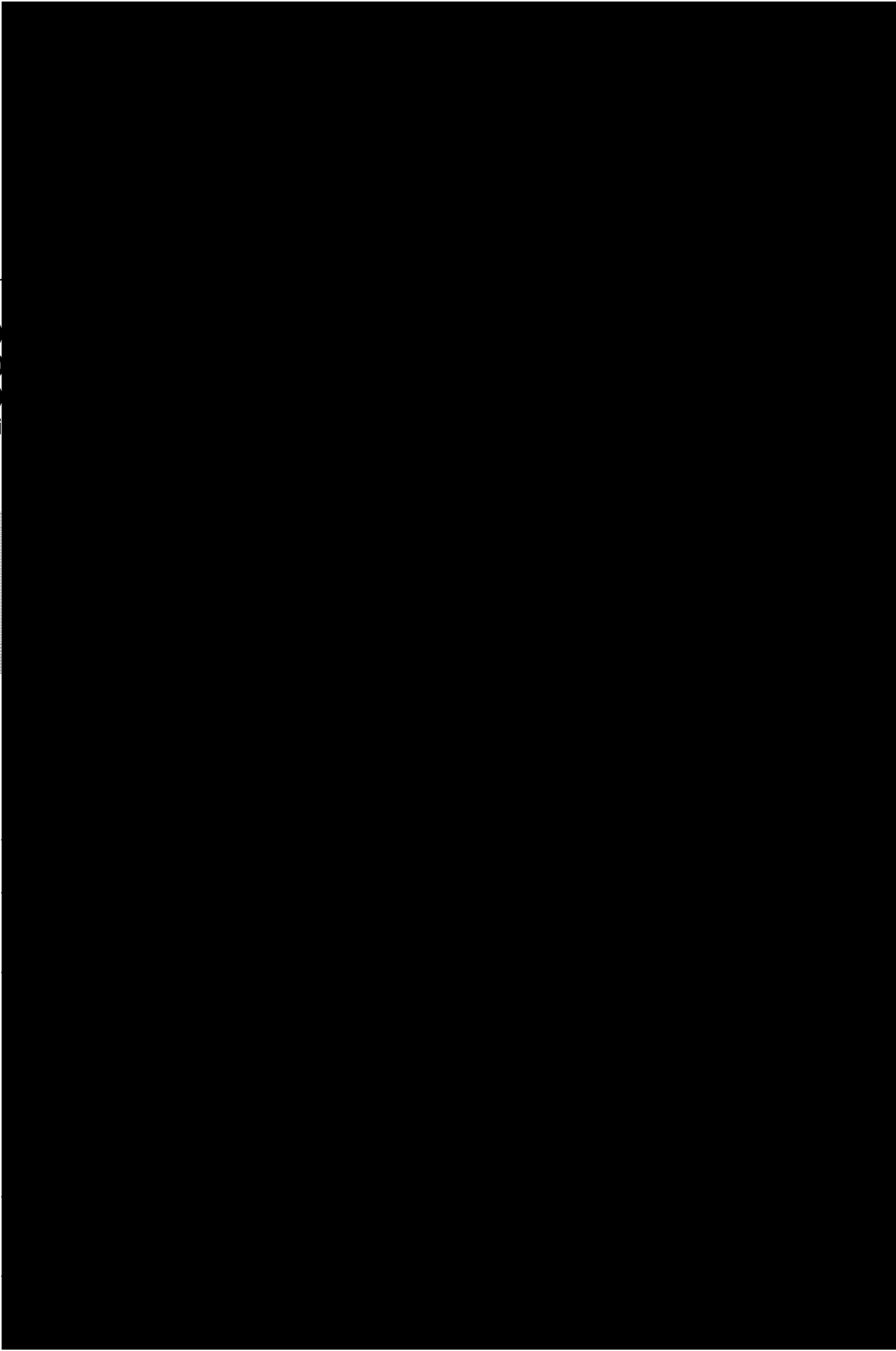


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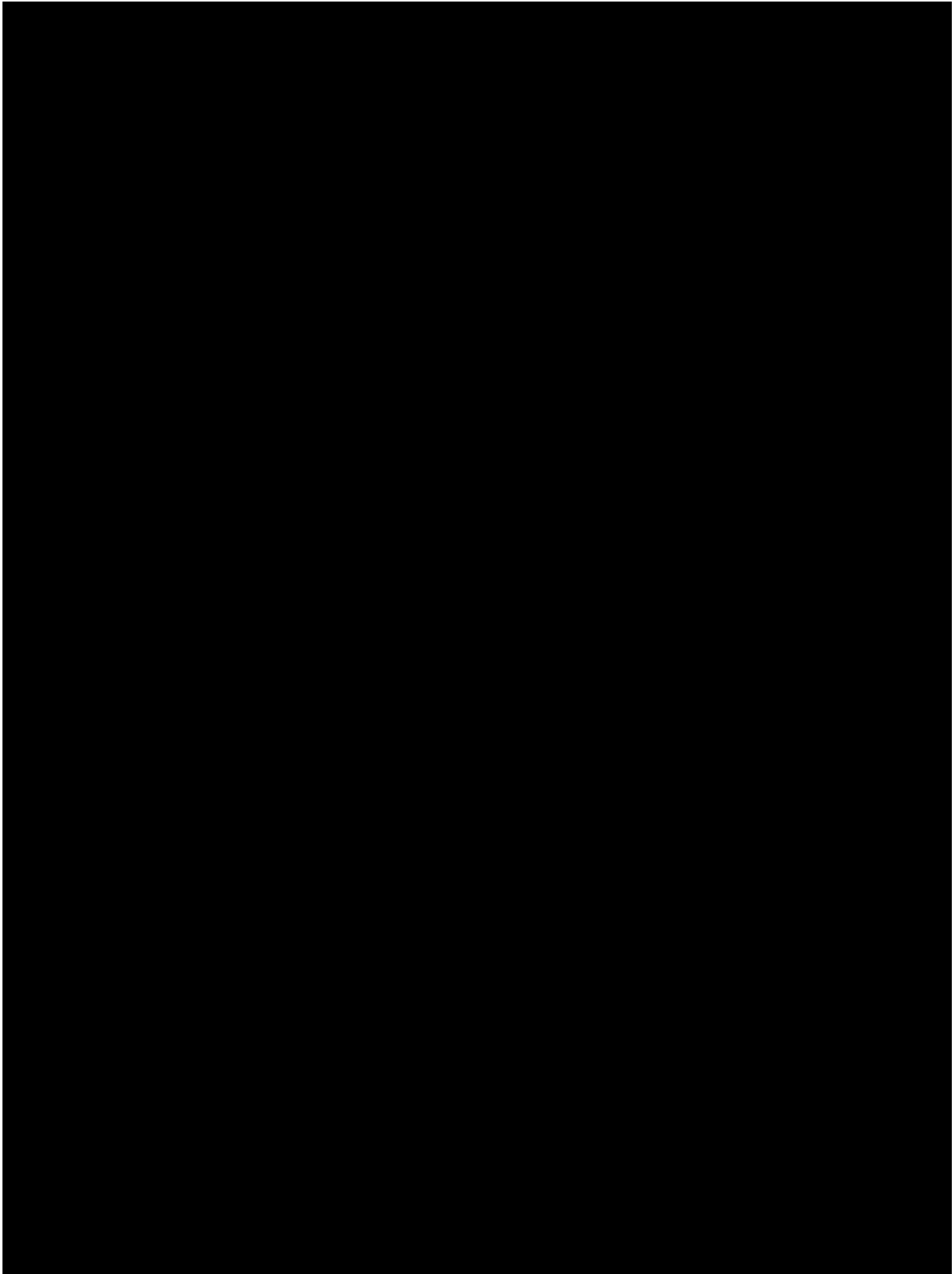


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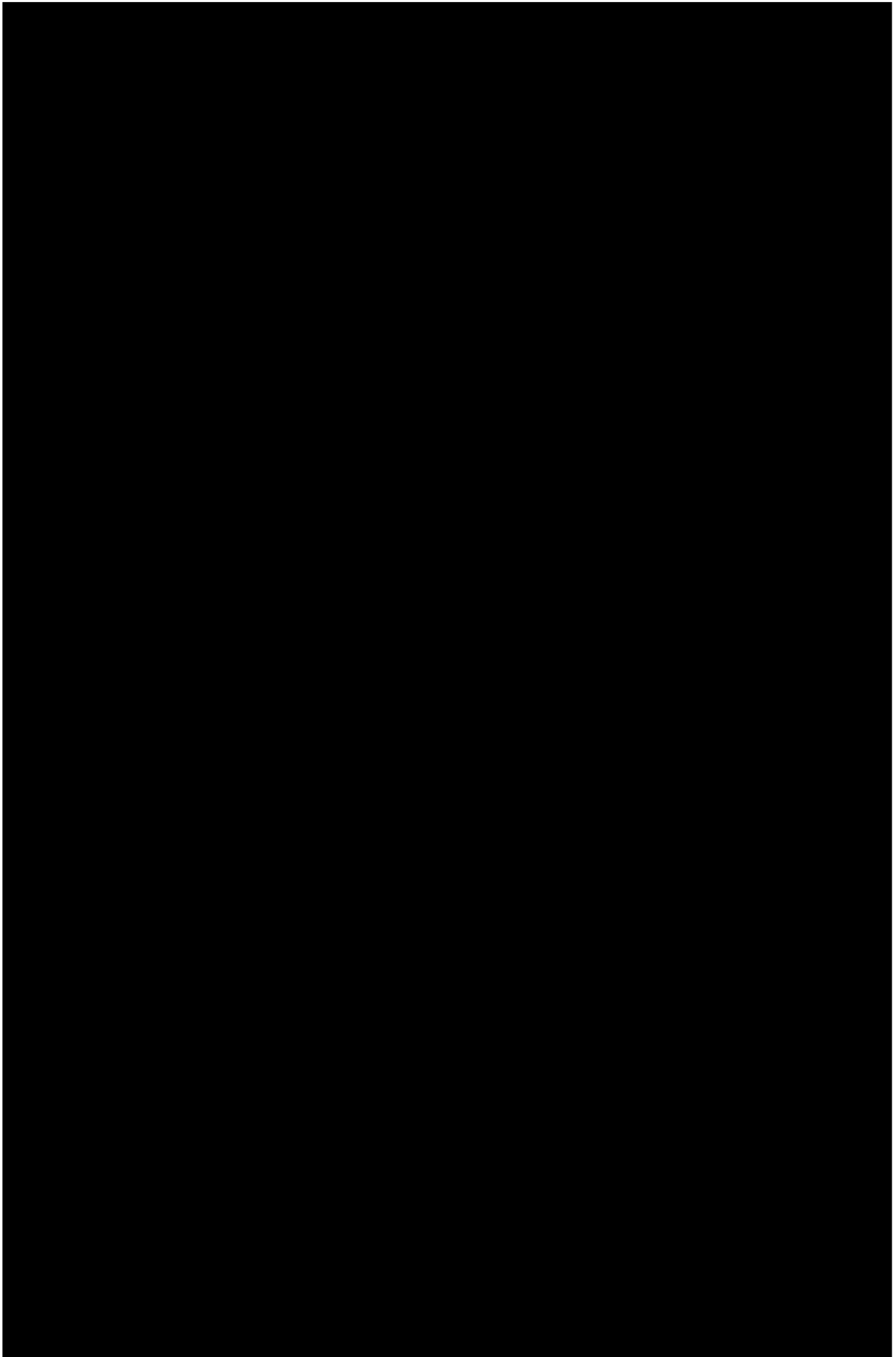
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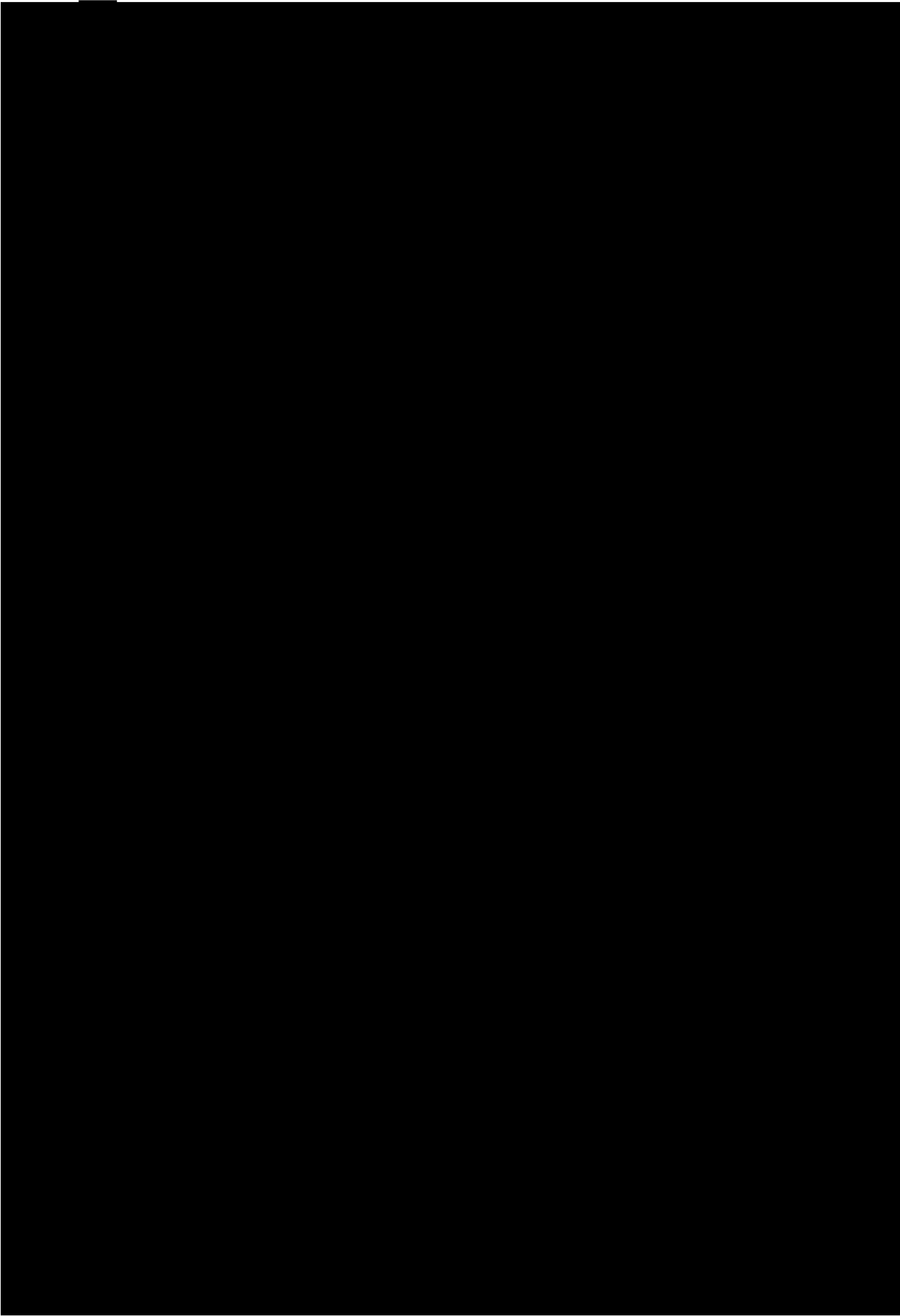
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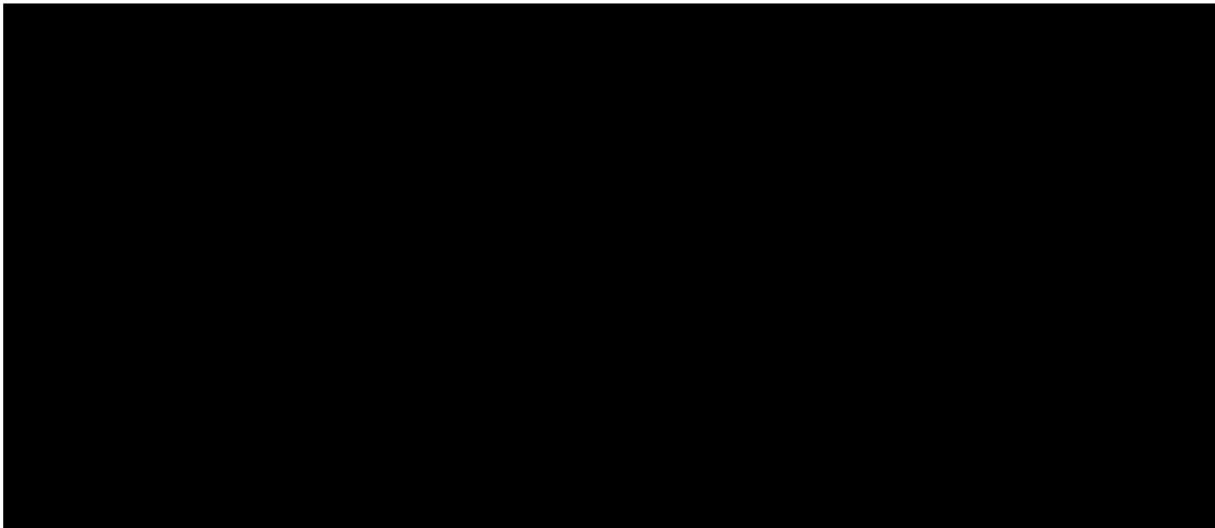


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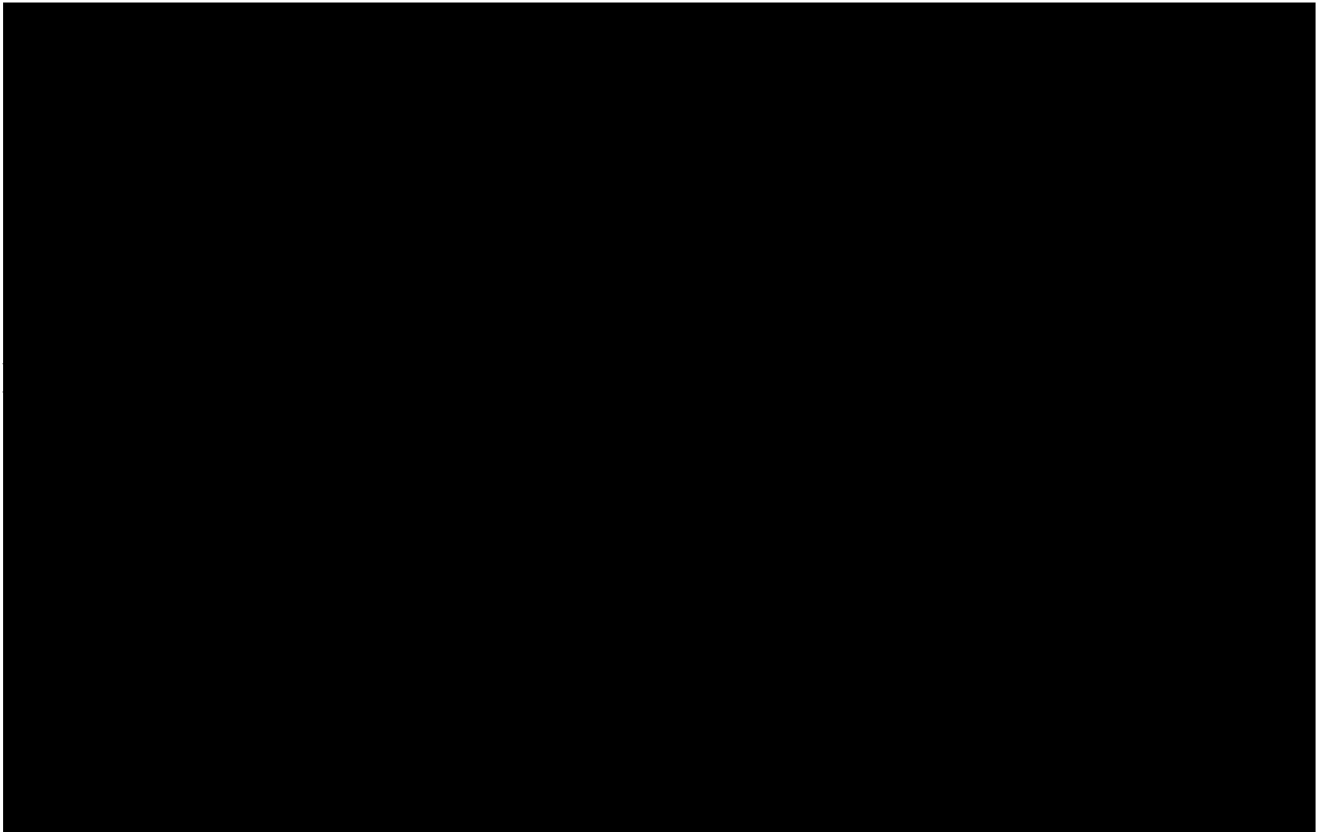


Client Testimonial

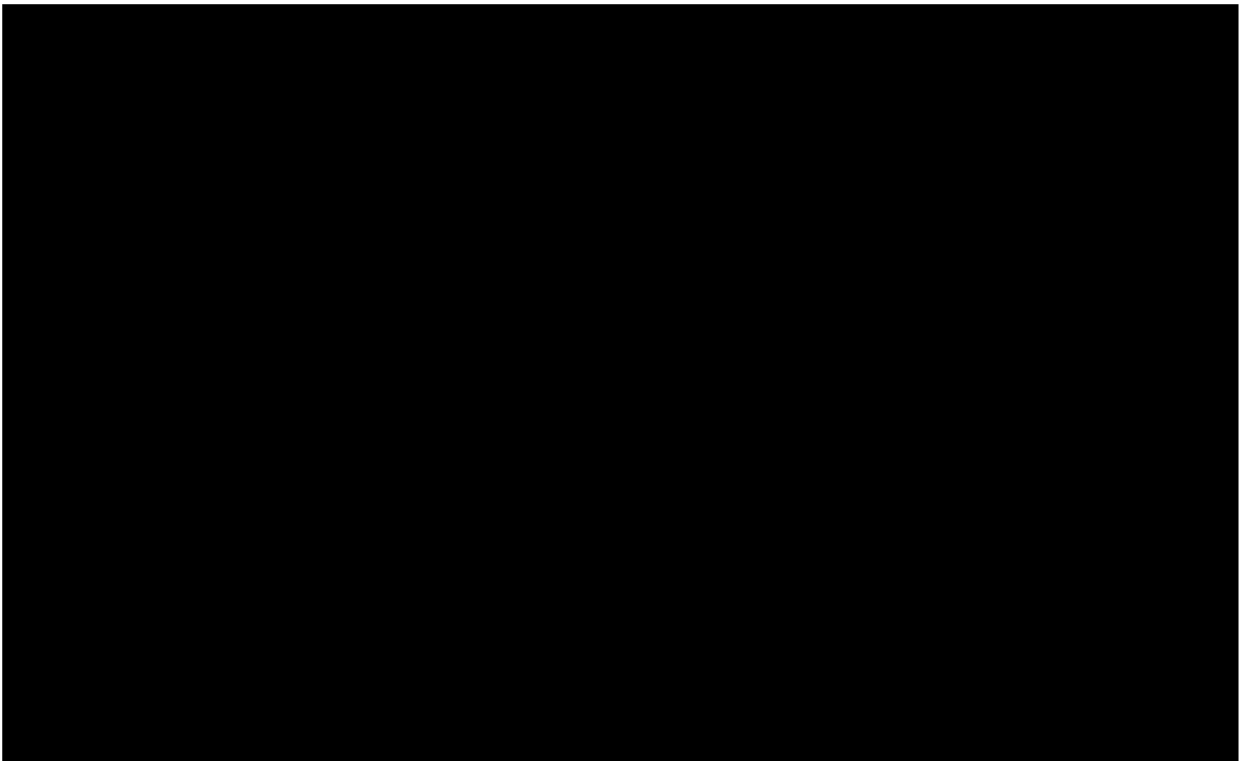
'We were extremely impressed with the quality and speed of service we received from Morrow Communications in developing our DVD and Information Leaflet. Their production team took the trouble to explore and understand our business and the objectives of the project. Their Team worked closely with ██████████ throughout the project, ensuring appropriate attention to detail, especially on articulating complex legislative matters. They displayed a high level of skill and initiative in taking a difficult subject matter and delivering a product that was watchable, informative and held the attention of the viewer. ██████████ customers have been very complimentary of the DVD as a training tool.' ██████████

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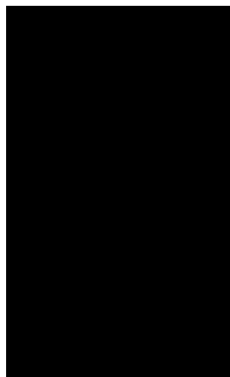


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Personnel - Key Roles for Desertcreat Programme



Senior Producer/ Project Manager – *single point of contact*

Producer/ Director

Producer / Editor

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Cameraman

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Sound operator

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Assistant Editor/ Camera Assistant

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Graphic Designer/Animator

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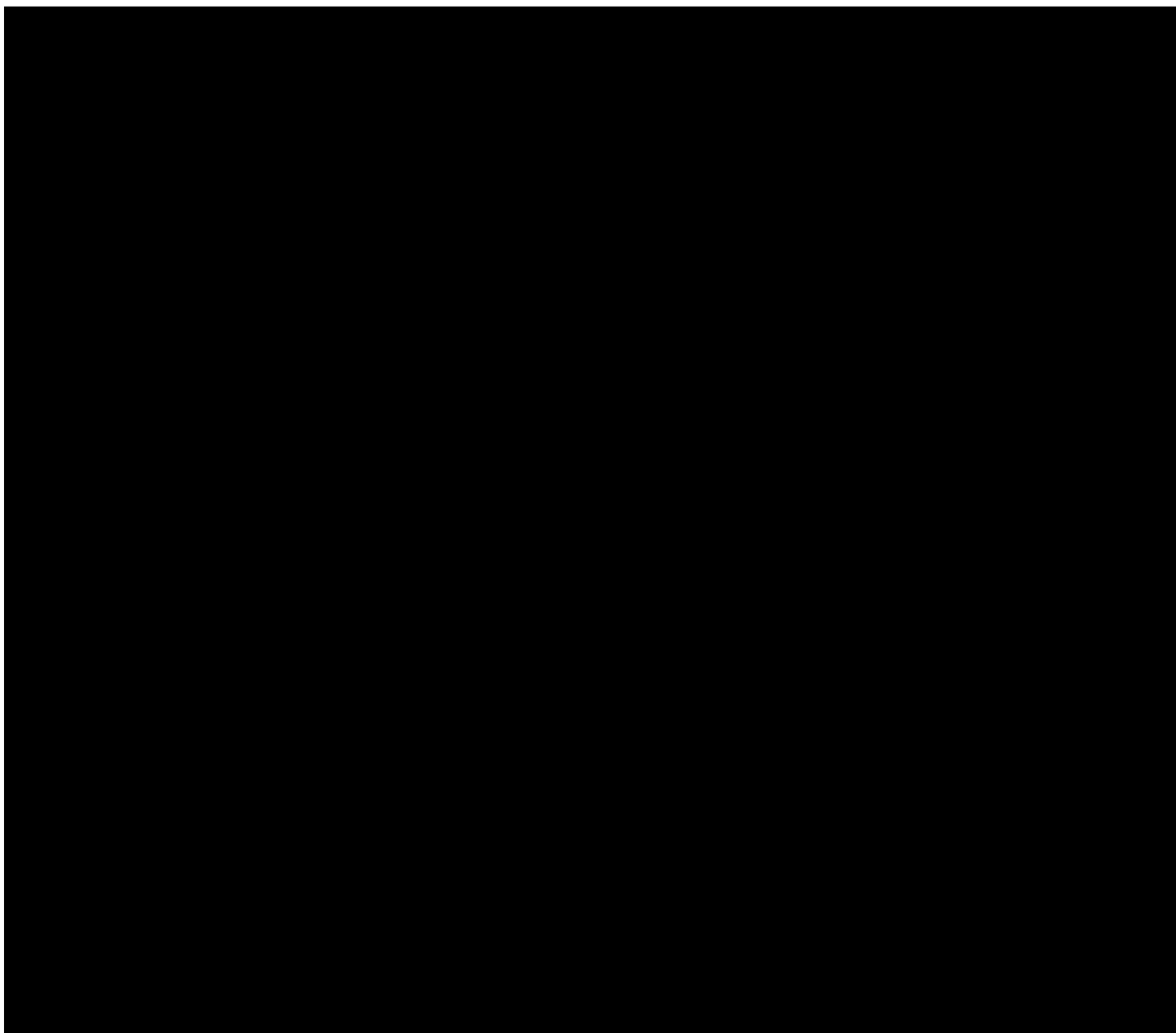
Key Personnel Experience

Team Member:



Role in Proposed Service Provision:

Senior Producer/ Project Manager



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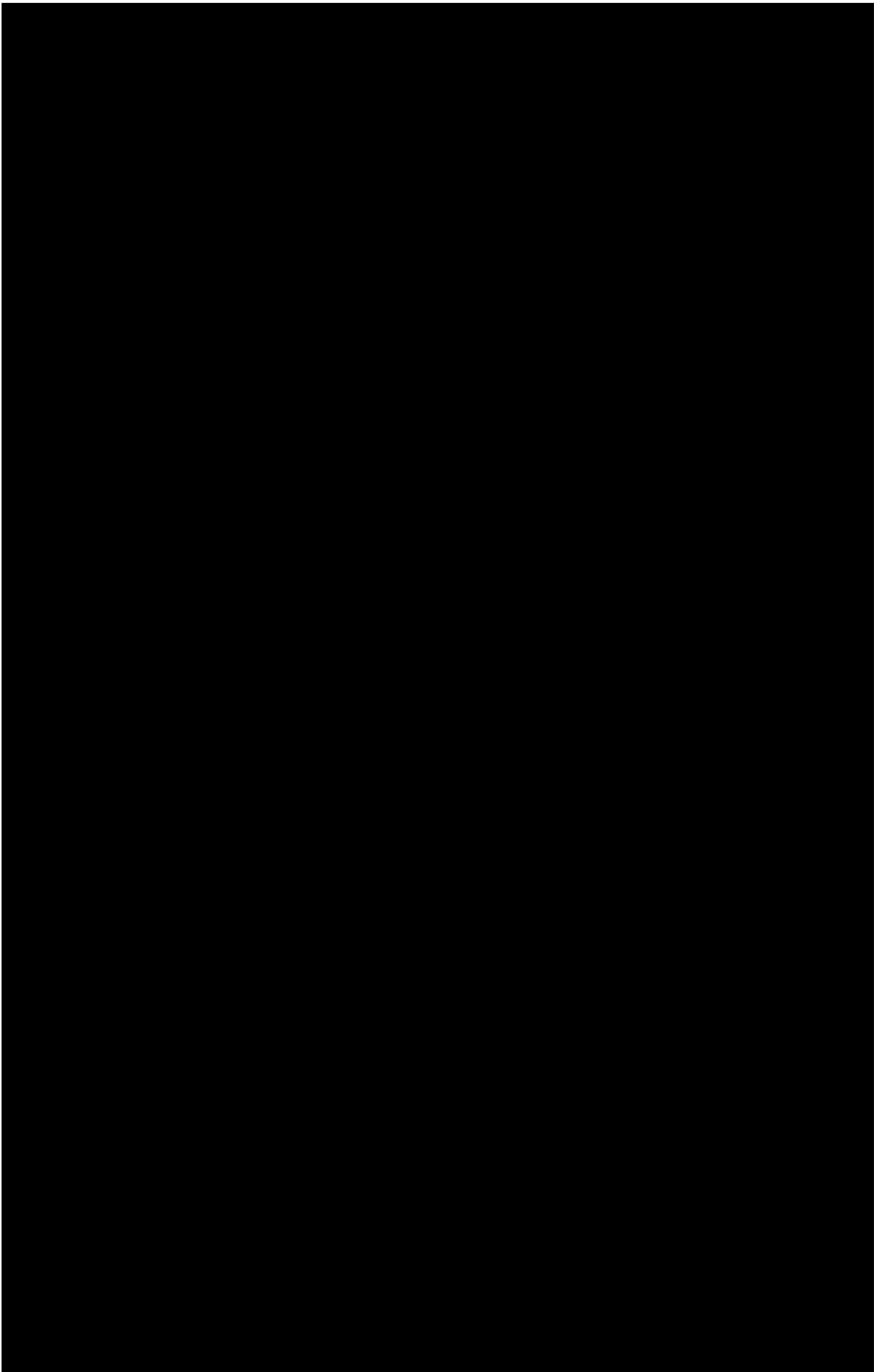
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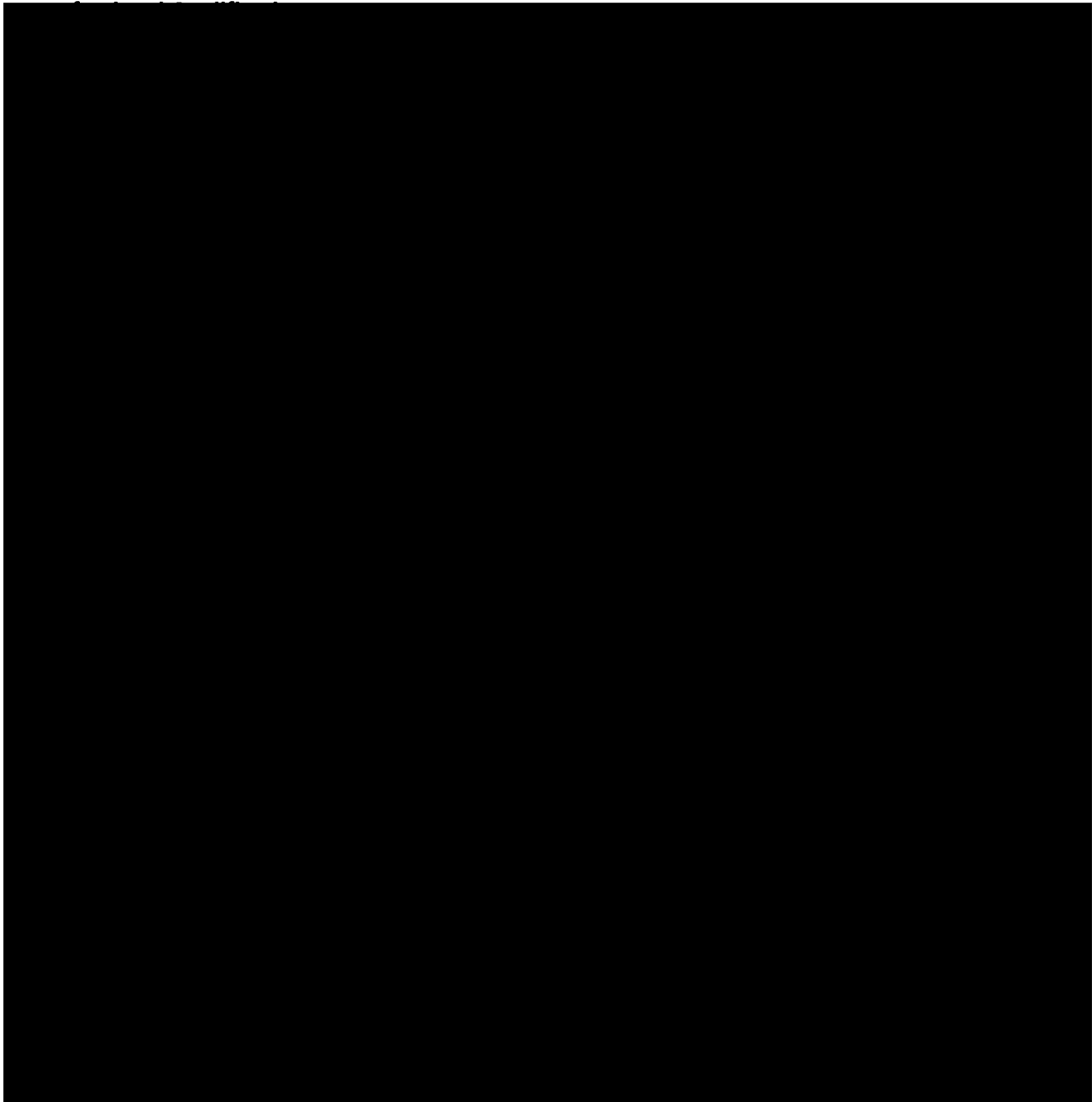
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Team Member:	Role in Proposed Service Provision:
	Producer/ Director



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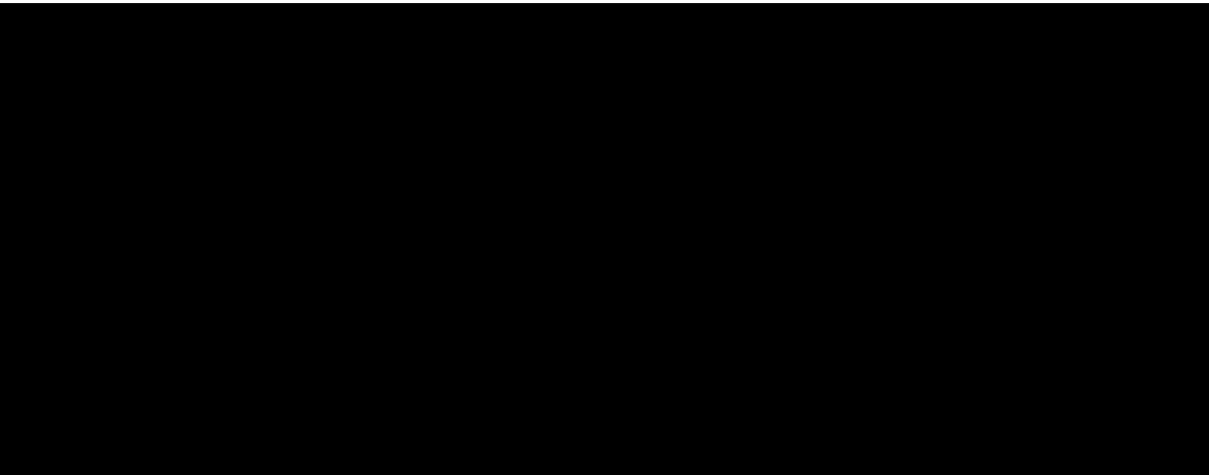
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Team Member:

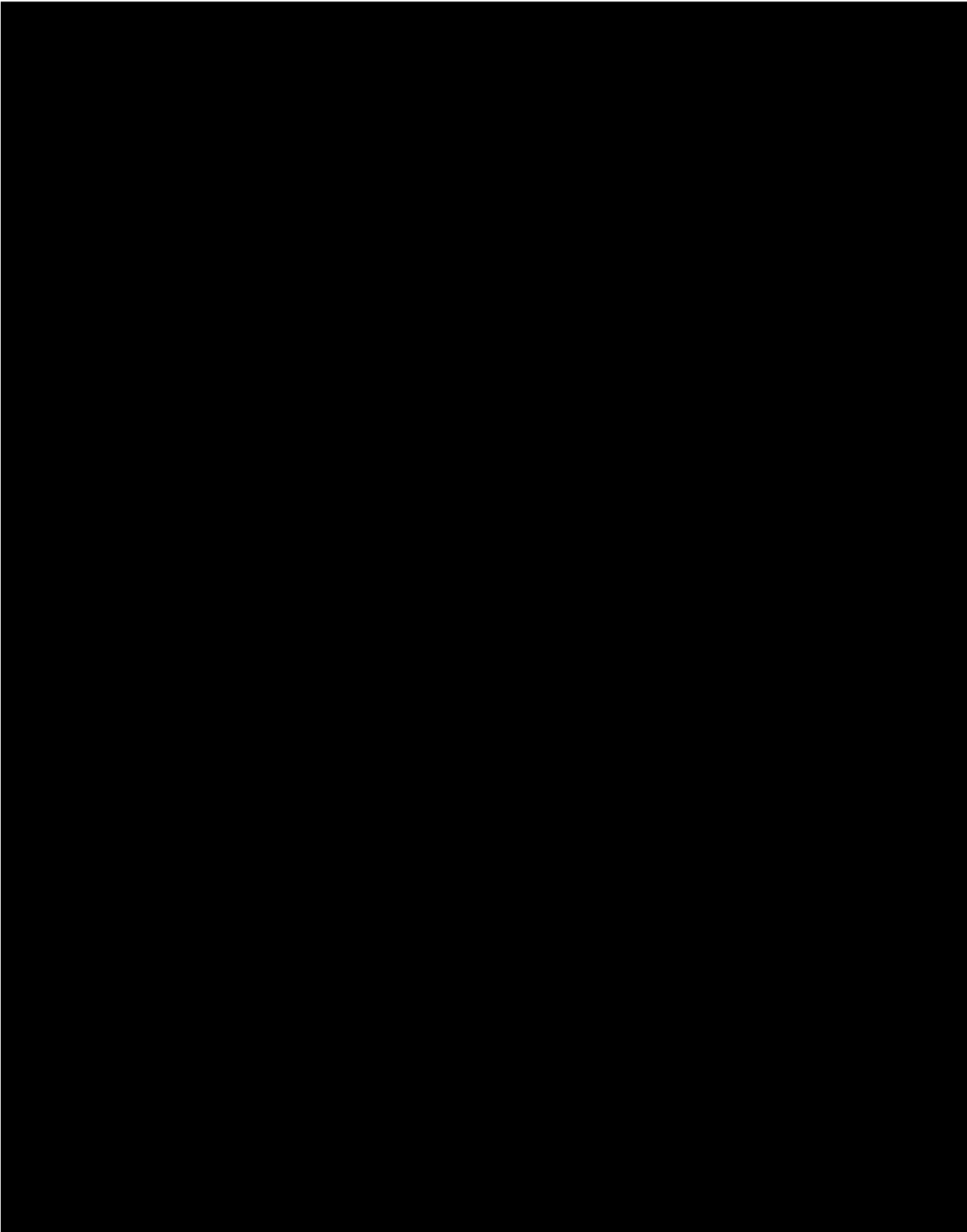


Role in Proposed Service Provision:

Producer / Editor



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Team Member	Role in Proposed Service provision
[REDACTED]	Assistant Editor/ Camera Assistant

[REDACTED]	
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Team Member:

[REDACTED]

Role in Proposed Service Provision:

Lighting Cameraman

[REDACTED]

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Team Member:

[REDACTED]

Role in Proposed Service Provision:

Sound Operator

[REDACTED]

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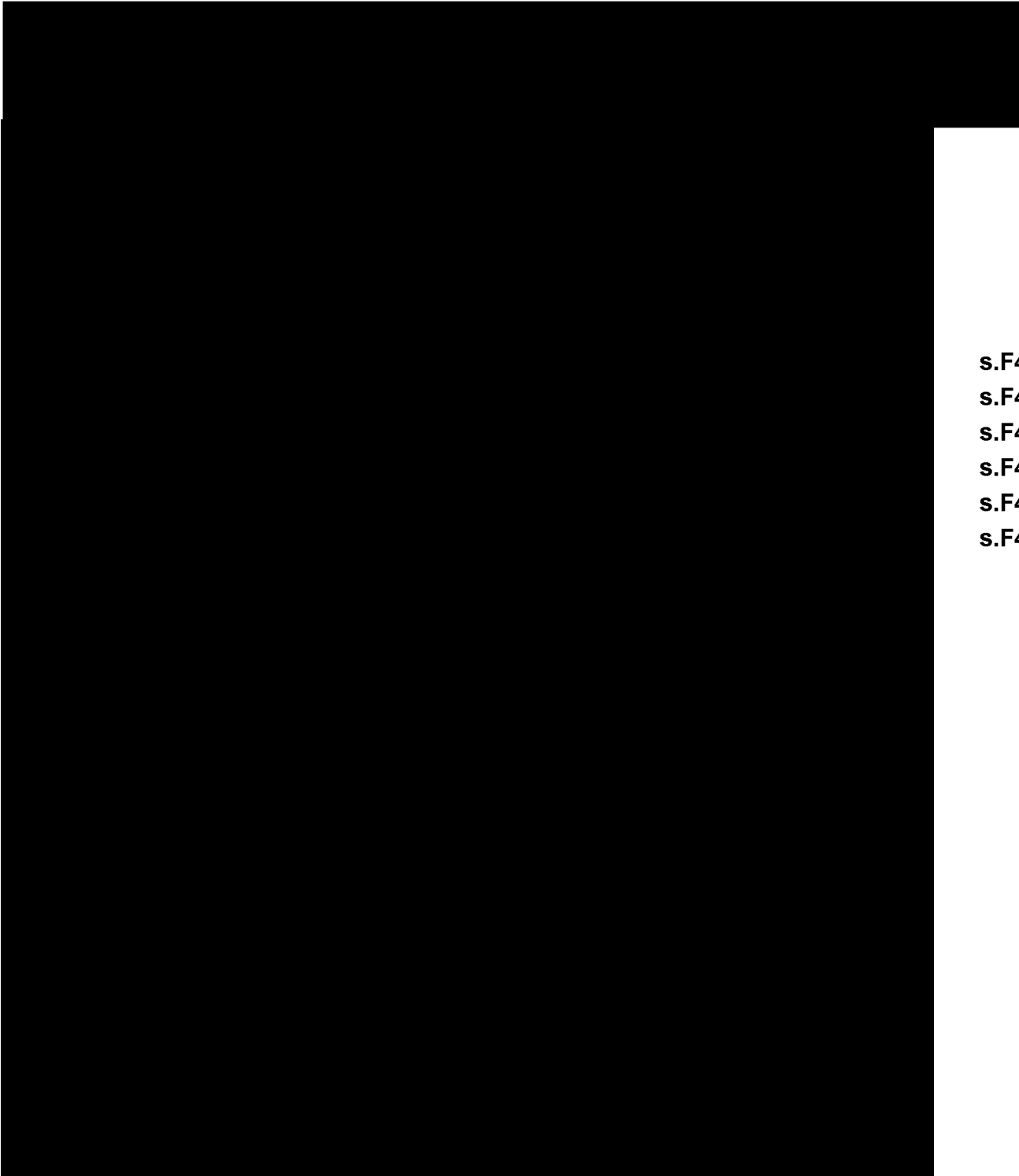


Team Member:

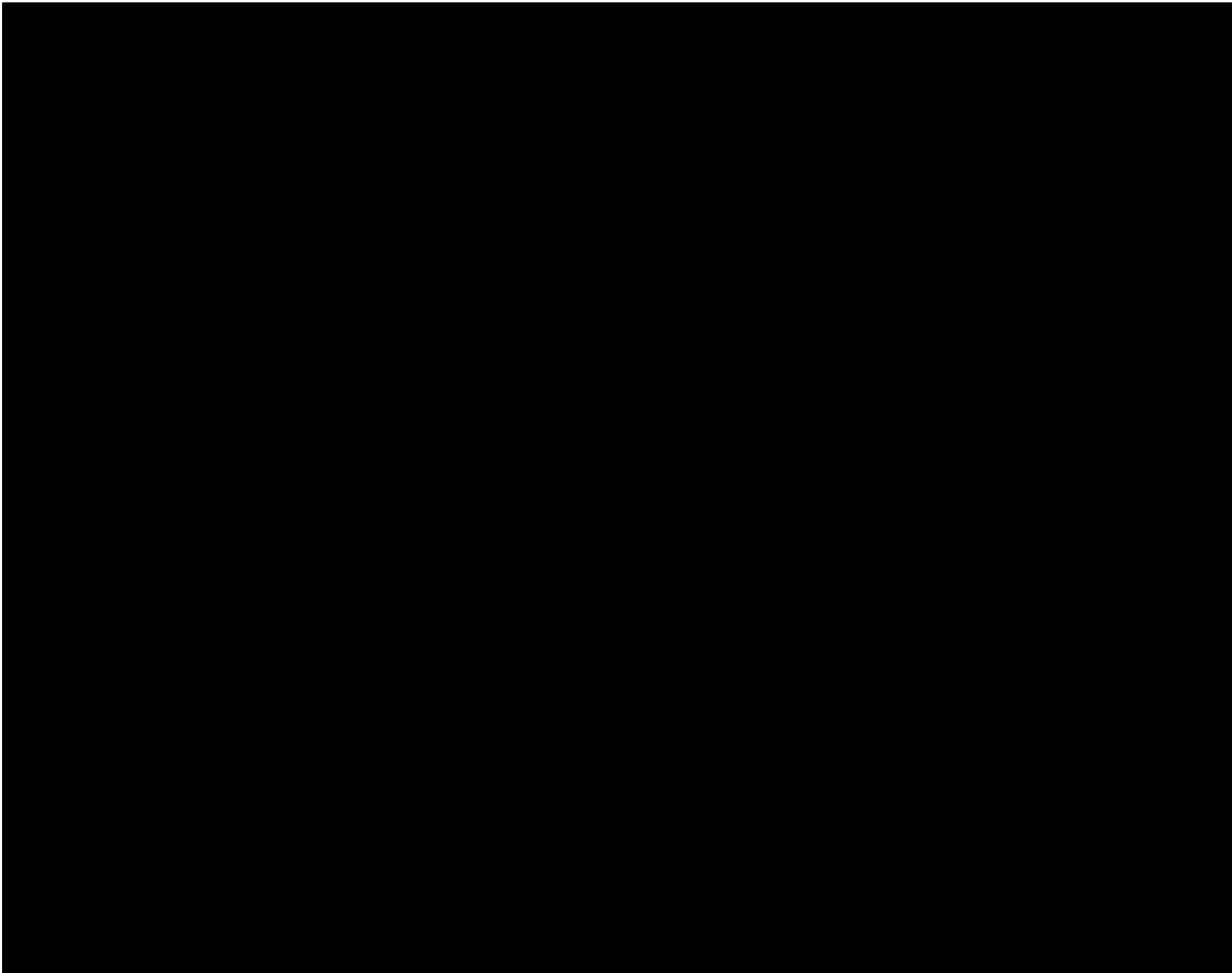


Role in Proposed Service Provision:

Graphic Designer/Animator



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Cost

Summary of Activity	Time (hours)	Time (days)	Daily Rate	Amount
PRE-PRODUCTION				
PRODUCTION				
POST PRODUCTION				
ADDITIONAL COSTS				
THIRD PARTY COSTS				
TOTAL THIRD PARTY COSTS				
		TOTAL NET COSTS		
PO NUMBER:		TOTAL COSTS IN		

000045

3. Pricing Schedule

Notes for Guidance. The tenderer must provide a cost against each of the activities set out below. If the costs are included elsewhere then £0 or NIL should be entered.	
Tenderer Name: ____Morrow Communications Ltd____	
Cost Schedule	
Key Activities	Cost
2.5 Storyboard Costs associated with Storyboarding workshops and their facilitation. Costs of using alternate locations should be included here. Any other costs associated with section 2.4 should be itemised here.	
2.6 Production <ul style="list-style-type: none"> ▪ Any costs associated with production and the requirements outlined in Section 2.6 ▪ Edit suite rates for future updating/refreshing (£ per day) ▪ Cost per 500 DVDs delivered to Garnerville 	
Any other costs <ul style="list-style-type: none"> ▪ Any other costs associated with production of a video to support this requirement should be itemized and entered here 	

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CONTRACT FOR: Desertcreat College Programme

PRODUCTION OF AN INFORMATIONAL VIDEO FOR OFFICERS AND STAFF

1. I the undersigned hereby tender for this contract in accordance with the Terms and Conditions of the Desertcreat College Programme Video Production at the prices quoted in the pricing schedule.
2. I agree that the tender together with our written acceptance thereof shall constitute a binding contract between us and the customer.
3. I certify this is a bona fide tender intended to be competitive.
4. For the purposes of Articles 64-66 of the Fair Employment and Treatment (Northern Ireland) Order 1998, an unqualified person is a person on whom a notice has been served under Article 62(2) or Article 63(1) of the Order and which has not been cancelled.
5. I hereby declare that we are not unqualified for the purposes of the Fair Employment and Treatment (Northern Ireland) Order 1998.
6. I understand that the Customer does not bind itself to accept the lowest or any tender submitted in response to this enquiry and may accept the whole or part of any tender.
7. I am/We are exempt from VAT under the terms of the Value Added Tax Act 1994.
8. If not exempt our VAT Registration No is - [REDACTED] **s.F43**
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9. I acknowledge that the customer is subject to the requirements of the Freedom of Information Act (2000) (FOIA).

Please delete the following statements as appropriate.

1.

or

2. We consider the following information supplied in this tender competition cannot be disclosed because of its sensitivity for the following reasons:

Our methodology and pricing is commercially sensitive and disclosure would give competitors and unfair advantage.

8. Please delete the following statements as appropriate.

1. We confirm that there is not a conflict or perceived conflict of interest in relation to the personnel or type of work involved in this contract;

or

2.

Signed by:



Duly
authorised to
sign for and
on behalf of:

Morrow Communications Ltd

Date

17 October 2012

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s.F40(2)(a)
s.F40(2)(b)
s.F40(3)(a)
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Please indicate what category of supplier your fit into:

Organisation Size/Number of Employees

Micro	(1 to 9 staff)	
Small	(10 to 49 staff)	X
Medium	(50 to 249 staff)	
Large	(250 or more staff)	

What is your post code?	BT 18 9JQ
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Which council area are you/your company based in?	North Down
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