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PRIVATE AND CONFIDENTIAL

Eva Smith

23 September 2022

Dear Eva Smith

Environmental Information Regulations 2004, Reference: FOI-36123-2022

The council has completed its search relating to your request about Schools Asbestos Surveys 2022: received on Wed, 24 Aug 2022.

Request

<https://www.contractsfinder.service.gov.uk/Notice/971d16b0-b9f8-4682-bc68-c057ecb0314f>

The details we require are:

- 1• What are the contractual performance KPI's for this contract?
- 2• Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages
- 3• Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date
- 4• Start date & duration of framework/contract?
- 5• Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?
- 6• Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?
- 7• Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?
- 8• Who is the senior officer (outside of procurement) responsible for this contract?

Response

The council does hold information within the definition of your request.

1• What are the contractual performance KPI's for this contract?

Section 43 of FOIA states that information is exempt from disclosure if its disclosure would or would be likely to prejudice the commercial interests of any person (including the public authority hold it).

The Council considers that disclosure of contractual performance KPI's would likely prejudice the commercial interests of the council and third party. Disclosure would give other organisations a greater understanding of its competitors' commercially sensitive information. This could cause risk in terms of unrealistic information being provided and used by competitors in the future.

As Section 43 of the FOIA is engaged in this case, I have gone on to consider the public interest test.

Public Interest Test

There are public interest arguments in favour of disclosure of the requested information in this case. The Council acknowledges the public interest in openness, transparency and accountability and in members of the public having access to information which allows them to see contractual information, being able to compare these with others.

The information would be useful to competitors and the general public. However, disclosure is not in the public interest and is likely to prejudice the existing commercial interests and any competitive edge third parties have worked hard at achieving. Disclosure would also be likely to hinder the Council's ability to secure the best possible deal when working through the tender process which would in turn have a negative effect on the public purse. Such consequences are also not in the wider interests of the public.

As the public interest in maintaining the exemption outweighs the public interest in disclosure, the information requested about payment made to the third party shall remain withheld.

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

Single stage tender invitation to Inspectas, Lucion and Environtech

3• Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date

£0

4• Start date & duration of framework/contract?

Contract Commencement 20th June 2022, duration 6 months

5• Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?

See attached - Specification as Briefing document, ITT and appendices

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

No extension clause

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

Contract cannot be extended

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

Stephen Leaper/Colin Faulder/Grant Long

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Further information can be found on the council's website: <http://www.cumbria.gov.uk/council-democracy/accesstoinformation/internalreviewscomplaints.asp>

Yours sincerely

Information Governance Team