

Our ref: 751, 441

Your ref:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

via E-mail

cc:

From:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

GTN:

[REDACTED]
7 June 2017

Dear [REDACTED]

REQUEST FOR THE BREAKDOWN OF QUALITY AND PRICING SCORES FOR ALL BIDDERS, SUCCESSFUL AND UNSUCCESSFUL FOR THE A303 AMESBURY TO BERWICK DOWN TECHNICAL PARTNER TENDER.

I am writing to advise you that we do hold information that is relevant to your request for the breakdown of quality and pricing scores for all bidders, successful and unsuccessful, for the A303 Amesbury to Berwick Down technical partner tender dated 10 May but regret to inform you of my decision not to disclose this information.

The information you requested is being withheld in reliance on the exemption in section 43 [<http://www.legislation.gov.uk/ukpga/2000/36/section/43>] of the Freedom of Information Act 2000 because the disclosure of this information would be likely to prejudice the commercial interests of the bidders.

In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosure. The key public interest factors for and against disclosure are detailed in Annex A below.

If you are unhappy with the way we have handled your request you may ask for an internal review within 2 months of the date of this response for Freedom of Information requests and within 40 days for Environmental Information Regulations requests.

Our internal review process is available at:

<https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail info@highwaysengland.co.uk. You should contact me if you wish to complain.

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:

Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number 751, 441 in any future communications.

Yours sincerely

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████████████████████

Annex A:

<p>Request for Information regarding breakdown of scores on the procurement of a Technical Partner for the A303 Amesbury to Berwick Down scheme.</p>	
<p>FOIA Exemption S.43 (1) & (2) – Commercial Interests</p>	
<p>Factors supporting disclosure</p>	<p>Factors supporting non-disclosure</p>
<ul style="list-style-type: none"> • There is a clear public interest in the work of government being closely examined to encourage the discharging of public functions in the most efficient and effective way • There is a public interest in disclosing information about public procurements to ensure there is transparency in the spending of public money and that public bodies are getting value for money when entering into contracts. 	<ul style="list-style-type: none"> • Whilst the requestor is not asking for the prices to be disclosed, revealing the breakdown of scores for all bidders when read in conjunction with other information already in the public domain (scoring methodology published in the IFT) would result in other competitors in the market being able to determine the relative price differentials between the bidding companies, which is commercially sensitive information. • The procurement process must be seen to be fair and that commercial interests of the suppliers or services are not unduly prejudiced by the release of commercially sensitive information. It is important that Highways England maintains the confidence of our suppliers in order to achieve best value for the tax payer.
<p>Conclusion: there are compelling arguments which support withholding the information which outweigh those supporting release.</p> <p>PIT members:</p> <p>Date of PIT: 1 June 2016</p>	