

Date: 09/04/19
Our Ref: RFI2643
Your Ref: FOI Request – Demolition of site tender
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

[REDACTED]
By Email Only

Windsor House
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

RE: Request for Information – RFI2643

Thank you for your request for information, which was processed under the Freedom of Information Act 2000 (FOIA).

For clarification, you requested the following information:

Demolition of Former Cocklestorm Building & Sub-station (ELPM), Car Craft Site and Barrowcroft 2019

Please provide the following information for the above tender:

- List of all companies that submitted a tender for the contract
- Values of their respective tenders

Response

We will address each of your points in turn.

1) List of all companies that submitted a tender for the contract

We are able to confirm that we do hold the information contained within the scope of your request. Please see below the list of companies that submitted a tender for the contract.

AW Demolition Ltd
Reddish Demolition
Forshaw Demolition
JBV Demolition
Ron Hull Demolition Ltd
J Freeley Limited
AR Demolition Ltd
Frank O’Gara & Sons Ltd
Graham Industries Ltd t.a. GBM Demolition
Howard Stott
Lee Ashworth Demolition

2) Values of their respective tenders

We are able to confirm that we do hold the information contained within the scope of your request.

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Section 43 - Commercial interests

The information requested engages section 43(2) of the FOIA as its release would be likely to, prejudice the commercial interests of the Agency and of the companies who submitted a tender bid.

Section 43 is a qualified exemption. This means that in order to withhold information under this exemption, we must consider the public interest in disclosure.

Public Interest Test – Factors in favour of disclosure

Homes England is compliant with the government agenda of transparency and recognises the benefit of publishing the information, particularly when it concerns how Homes England undertakes its work.

Public Interest Test – Factors in favour of non-disclosure

Homes England believes that it should not disclose information surrounding the value for each of the tender bids.

The contract has very recently been awarded to the third party and the Agency considers the information surrounding the tender to be commercial sensitive if it were to be disclosed to the wider public.

We believe that to disclose the value of tenders received would be likely to prejudice the commercial interests of the third parties concerned and would also pose a threat to the Agency's procurement process.

To disclose copies of the tender values would be likely to prejudice ongoing and future commercial and contractual obligations between the Agency and third party concerned. This would prejudice the ability of Homes England to effectively manage the terms of the procurement process which would not be an effective use of public money.

It is also our view that disclosure of the tender values could be detrimental concerning the future requests of a similar nature, if the wider public is provided with information it could be used to exploit the procurement process for profit or other gain.

After careful consideration we have concluded that at this time, the balance of the public interest favours the non-disclosure of the tender documentation that is held.

The full text of in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Access Team
Windsor House
50 Victoria Street
London
SW1H 0TL

Or via email to foi@homesengland.gov.uk

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You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link.

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

Information Access Team

For Homes England