

12 April 2021
Our ref: 7111780

Thank you for your request received on 10 March 2021, for the following information:

I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract below.

Community Equipment Services:

The details we require are:

- * Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages**
- * Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date**
- * Start date & duration of framework**
- * Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?**
- * Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?**
- * Who is the senior officer (outside of procurement) responsible for this contract?**

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we consider that the following exemptions apply to some of the information requested. The remaining information is not withheld and is below.

I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract below.

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

Three bidders submitted tenders for this framework, all of whom were successful at the Selection Questionnaire (formerly known as the Pre-Qualification Questionnaire Stage). One provider was successful at the Invitation to Tender stage, to whom the contract was awarded - this was Millbrook Healthcare Ltd.

○ **Section 43 – Unsuccessful bidders**

Information concerning unsuccessful bidders is refused on the grounds that the disclosure of this information would prejudice or be likely to prejudice the commercial interests of the London Borough of Barnet and third-party organisations. Disclosure of this information would also be likely to make firms unwilling to participate in future exercises, thereby limiting our aim of achieving best value for money and the exemption in section 43 (2) of the Freedom of Information Act 2000 (FOIA) applies. This is a qualified or non-absolute exemption and the public interest test applies.

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.

- Furthering the understanding, and participation in the public debate of issues
- Facilitate the accountability and transparency of public authorities for decisions taken
- Facilitate accountability and transparency in the spending of public money
- Allowing individuals to understand decisions made by public authorities affecting their lives and, in some cases, assist individuals in challenging those decisions

Factors in favour of withholding.

- Council and contractors position in a competitive environment, market sensitivity of information and potential usefulness to competitors
- Need to obtain value for money.
- The Council's bargaining position for the future will be prejudiced and / or commercial organisations may become reluctant to enter into discussions which could undermine the Council's ability to fulfil its role effectively.

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

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

Cost calculated from the start of the contract to February 2021 = £13,220,644.17

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

The initial term of the framework as agreed via Delegated Powers Report DPR was to commence on 1 July 2017 and expire on 30 Jun 2020.

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

An optional extension term of 12-months from 1 July 2020 to 30 June 2021 was also agreed when the contract was initially awarded.

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

Yes the framework was extended as per provision allowed in the original contract award and is presently being re-procured.

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

Jess Baines Holmes

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.

