

London Borough of Barnet  
2 Bristol Avenue  
Colindale  
NW9 4EW  
15 June 2022  
Our ref: 8247197

Thank you for your request received on 29 April 2022, for the following information:

**Dear FOI Team,**

**I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract - Highways Term Maintenance Contract.**

**The details we require are:**

- \* What are the contractual performance KPI's for this contract?**
- \* 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/contract?**
- \* Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?**
- \* 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**

The council holds the information requested and the answers to your questions are below

Barnet's highways maintenance term contract is a call-off contract under TfL's Highway Maintenance and Projects Frameworks (HMPFs) Agreement. The initial procurement process was carried out by TfL under a competitive tender process.

All contract administration queries should be referred to TfL. The call-off contract was awarded to TarmacKier Joint Venture by Barnet in April 2021.

Award of the contract

[\(Public Pack\)Item 10 - LoHAC replacement Supplemental Report Agenda Supplement for Environment Committee, 18/01/2021 18:00 \(moderngov.co.uk\)](#)

Financial information about budget for Regional Enterprise is available on the Council's website:

2020/21 p166 (Public Pack)Agenda Document for Council, 03/03/2020 19:00  
<https://www.barnet.moderngov.co.uk/documents/g9956/Public%20reports%20pack%2003rd-Mar-2020%2019.00%20Council.pdf?T=10>

**The details we require are:**

**\* What are the contractual performance KPI's for this contract?**

Any non-commercial KPIs are reported to Performance & Resources Committee and the information is available on Council's website.

<https://www.barnet.moderngov.co.uk/>

Details of contract KPIs may be commercially sensitive, other than what is reported to P&R see Refusal Notice below.

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

Please direct your request to TfL's FOI team on [foi@tfl.gov.uk](mailto:foi@tfl.gov.uk)

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

Details of annual maintenance budgets, revenue and capital, are readily available in Financial Performance and Contracts Committee (FPCC) reports and published on Council's website, please use Advanced Search.

<https://www.barnet.moderngov.co.uk/>

**\* Start date & duration of framework/contract?**

Please direct your request to TfL's FOI team on [foi@tfl.gov.uk](mailto:foi@tfl.gov.uk)

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

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

Please direct your request to TfL's FOI team on [foi@tfl.gov.uk](mailto:foi@tfl.gov.uk)

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

Current framework agreement in Barnet is until September 2023. No final decision has been made beyond that date yet.

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

Executive Director for Customer and Place and  
Director of Highways and Transportation - Ian Edser

**Refusal Notice  
S43 - Commercial Interests**

We have considered the public interest the disclosure of this information. These factors include the importance of transparency in the decision-making process relating to the spending of public money to ensure that procurement processes are conducted in an open and honest way. It is also important for the public to see taxpayers' money being used effectively and public authorities getting value for money.

We have also considered the public interest in withholding this information. If disclosed, there is a strong risk that the Council's bargaining position for the future will be prejudiced and commercial organisations may become reluctant to enter into further free and frank negotiations. This would undermine the Council's ability to fulfil its role effectively and prevent it from achieving the value for money that is so important.

For these reasons we consider that the public interest in withholding the information outweighs the public interest in disclosure.

**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](http://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](mailto:foi@barnet.gov.uk). Or by post to Records & Information Management Service, Assurance Group, 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](http://www.ico.org.uk)). There is no charge for making an appeal.