



[REDACTED]

28 August 2024

Dear [REDACTED]

**Freedom of Information request: FOI2024/00691**

Thank you for your Freedom of Information request received on the 6 August in which you requested the following:

**Your request:**

*UKRI-2938 Security Access Control Maintenance, Reactive and Remedial Works at Daresbury Laboratory:*

*The details we require are:*

- 1. Previous Suppliers who applied for inclusion on each contract and were successful & not successful at the PQQ & ITT stages.*
- 2. Awarded contract value at time of award, as well as Actual spend on this contract (and any sub lots), from the start of the contract to the current date*
- 3. Start date & duration of contract?*
- 4. Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?*
- 5. Is there an extension clause in the contract and, if so, the duration of the extension?*
- 6. Has a decision been made yet on whether the contract are being either extended or renewed?*
- 7. Please provide the names, Email addresses and works contact phone numbers of the following: Estates Director/Manager, Capital Manager, Sustainability Manager, Energy Manager, Procurement lead, Head of Security and Senior officer (responsible for this contract).*

**Our response:**

I can confirm that UK Research and Innovation (UKRI) hold some information relevant to your request. Please see the information below and attached.

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

The contract was awarded to Gough & Kelly Ltd.

The company names of suppliers who applied for inclusion on this contract and were unsuccessful fall under the exemptions at Section 41 and Section 43(2) of the FOI Act. Further details of these exemptions are provided below.

- 2. Awarded contract value at time of award, as well as Actual spend on this contract (and any sub lots), from the start of the contract to the current date.**

Contract Value: £210,000.00  
Spend to date: £89,911.57.00

### **3. Start date & duration of contract?**

Start Date: 30/06/2023, duration 2 years.

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

See attached "UKRI-2938 Appendix A- Specification".

### **5. Is there an extension clause in the contract and, if so, the duration of the extension?**

The contract is for 2 years with two +1 year contract extension options (additional £105k per year).

### **6. Has a decision been made yet on whether the contract are being either extended or renewed?**

No.

### **7. Please provide the names, Email addresses and works contact phone numbers of the following: Estates Director/Manager, Capital Manager, Sustainability Manager, Energy Manager, Procurement lead, Head of Security and Senior officer (responsible for this contract).**

We are exempting the names and contact details of individual employees under section 40(2) of the FOIA. Disclosing this information would contravene the first Data Protection Principle as defined under Section 86 of the Data Protection Act 2018 and Article 5 of UK General Data Protection Regulation (UK GDPR).

Section 40(2) is an absolute exemption and does not require a public interest test.

## **Section 41 – Information provided in confidence**

We have determined that the company names of suppliers who applied for inclusion on this contract and were unsuccessful fall under the exemption at Section 41 of the FOIA, information provided in confidence. To explain further, companies submit tender proposals in confidence with the understanding that details of their application will remain confidential when unsuccessful. Information related to confidentiality can be found in the Invitation to Tender (ITT) documents issued to potential bidders. If released, we believe it would result in an actionable breach of confidence.

Section 41 is an absolute exemption and does not require a public interest test.

## **Section 43 – Commercial Interests**

We also believe that the company names of unsuccessful suppliers fall under the exemption at Section 43(2) of the FOIA. This exemption is used where disclosure would likely result in a person's (an individual, a company, the public authority itself or any other legal entities) commercial interests being prejudiced.

This is a qualified exemption, and a test was carried out to determine whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

### **Public interest in favour of disclosure**

- There is a general public interest in the disclosure of this information to ensure transparency and openness of a public organisation.
- There is also a public interest in transparency in order to ensure the accountability of public organisations and how they spend public funding.

### **Public interest in favour of withholding the information**

- There is a public interest in protecting commercially sensitive information including the names of unsuccessful bidders for UKRI contracts and procurement processes.

- This is confidential information and release could prejudice UKRI's capacity to successfully attract companies to participate in any future contract tenders and procurement processes.
- Releasing information provided in confidence to UKRI is likely to damage the possibility of ongoing relationships with other organisations. Relationships may become untenable if third parties cannot be certain that their commercial information will remain confidential when held by UKRI.
- Breaching the commercial interest may also adversely affect future negotiation opportunities for UKRI. UKRI may be seen as a 'confidentiality risk' if it routinely releases information relating to business arrangements into the public domain, particularly where this is third party information.

Taking the above arguments into consideration, we reached the decision that the need for commercial confidentiality outweighs the public interest in disclosure; therefore, the information is exempt from disclosure.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact within the next 40 working days:

Head of Information Governance

Email: [foi@ukri.org](mailto:foi@ukri.org)

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: [www.ico.org.uk](http://www.ico.org.uk).

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see [UKRI's complaints policy](#)<sup>1</sup>.

Yours sincerely,

  
Information Governance  
Information Rights Team  
UK Research and Innovation  
[foi@ukri.org](mailto:foi@ukri.org) | [dataprotection@ukri.org](mailto:dataprotection@ukri.org)

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<sup>1</sup> <https://www.ukri.org/who-we-are/contact-us/make-a-complaint/#skipnav-target>