

REQUEST	16271
<p>I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract Creative Industries Asset Strategy contract:-</p> <p>https://clicktime.symantec.com/15t5ZurmfkjKjHJmBQwfr?h=uzDfcc87il9kWhVhJQPhbkJNniSg3GUrzLQ4Ftk2pkg=&u=https://procontract.due-north.com/Advert?advertId%3Dd0f3d5e7-10af-ee11-8127-005056b64545%26p%3De0cc5631-4690-e511-80fb-000c29c9ba21</p> <p>The details we require are:</p> <ol style="list-style-type: none"> 1. Complete tender responses from suppliers who applied for this contract and were both successful and not successful 2. The scoring of each tender response 3. The value of the winning tender 4. Who is the senior officer (outside of procurement) responsible for this contract? 	
<p>RESPONSE</p> <ol style="list-style-type: none"> 1. Under the Public Contract Regulations 2015, the Authority is required to publish the name of the winning bidder(s). Bids are submitted in confidence to the Council with no expectation that any details would be put into the public domain which is the effect of disclosure under the Freedom of Information Act 2000 (the Act). The names of the unsuccessful bidders are therefore exempt under section 41 of the Act. 2. The Council is withholding each supplier's evaluation score from this public procurement exercise from disclosure under the Freedom of Information Act 2000 - S43(2). As disclosure of the information would prejudice the commercial interest of any person or business, including those of Wigan Council. This is because disclosure of scores for an organisation bidding for a public sector contract into the public domain would be likely to put that bidder at a disadvantage in future public procurement exercises as the information relates to that organisation's performance in a commercially competitive process. The authority must apply the 'public interest test', which is: "<i>in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</i>". <p>The Council recognises the inherent public interest in transparency and accountability in its dealings and its obligations under the Freedom of Information Act; it publishes a range of information on its website - Open data (wigan.gov.uk). The Council needs to balance that with the likelihood that the Council would not get Best Value if Companies feel their commercial interests would be harmed through disclosure and are therefore less likely to participate in such exercises. Having considered all the circumstances of this case, the Council believes the public interests favours non-disclosure and therefore is withholding the scoring of each tender response in line with section 43(2) of the FoI Act 2000.</p> <ol style="list-style-type: none"> 3. Tender submissions for this contract were scored based on quality alone as the budget was set at £50,000 for this project. This was made clear within the published tender documentation. 4. Neil Harris – Business Manager: Culture, Arts and Heritage – neil.harris@wigan.gov.uk 	