

Reference: 567735

Jerin John
Information Rights Adviser
Information.requests@ofcom.org.uk

31 August 2018

Freedom of Information: Right to know request

Thank you for your request for information where you asked about provision of total facilities management service to Ofcom.

This was received by Ofcom on 2 August and it has been considered under the Freedom of Information Act 2000 ("the Act").

You asked:

I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect of the following framework agreement(s)/contract(s):

Provision of total facilities management service to Ofcom

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

The information you requested is being withheld as it falls under the exemption in section 43 of the Act. This section deals with exempt information that would prejudice the commercial interests of a person or company. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. The attached Annex to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

However, we can advise that 18 suppliers submitted complete prequalification questionnaires, and out of those 8 were invited to tender. One contract was awarded, to Mitie Technical Facilities Management Limited.

2. *Contract values of the framework/contract (& any sub lots), year to date*

The contract value is approximately £1,000,000 (excluding VAT) per annum.

3. *Start date & duration of framework*

The contract commenced on 1 January 2016 and is for an initial period of three years.

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

There is provision for two extension periods of twelve months each.

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

Ofcom intends to exercise the first twelve-month extension option and is as yet undecided about the second period at this stage.

If you have any queries, then please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Jerin John

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Jacqui Gregory
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex

Section 43 – where information, if disclosed, would, or would be likely to, prejudice the commercial interests of a company	
Factors for disclosure	Factors for withholding
<ul style="list-style-type: none">• Open policy making and public confidence in regulated activities	<ul style="list-style-type: none">• Specific suppliers are identifiable and as such their ability to conduct their business activities would be diminished if this data were publicly available at this time. Therefore, commercial interest would be prejudiced.
Reasons why public interest favours withholding information	
<ul style="list-style-type: none">• Ofcom enjoys a positive relationship with its suppliers, and is entrusted with commercially sensitive information about those companies. The release of this information into the public domain would impair both this relationship and Ofcom’s ability to regulate in a fair and proportionate manner.	