

## Freedom of Information Act (FoIA) Information Guide – Tendering and Contracts

This document is only a guide to the Council's likely approach to disclosure – each request for information will be considered on its merits.

Stages in the Process	Questions to consider	Likely Answer	Fol Act Ref.
<b>Market Testing</b>	Do we reveal details of our discussions with suppliers to anyone else?	No	S.41 & S.43
<b>Initial application Documentation</b>	Are the documents available to anyone who asks? Do we charge?  Documents involved: <ul style="list-style-type: none"> <li>• Information to applicants</li> <li>• Specification</li> <li>• Draft contract</li> <li>• Pre-qualification questionnaire (PQQ)</li> </ul>	Yes Yes	
<b>Enquiries</b>	Do we reveal: <ul style="list-style-type: none"> <li>- how many expressions of interest have been received?</li> </ul>	No	S.43
	<ul style="list-style-type: none"> <li>- who has expressed an interest?</li> </ul>	No	S.43
<b>Evaluation of Pre Qualification Questionnaire (PQQ) <u>OR</u> Supplier Assessment</b>	Do we reveal: <ul style="list-style-type: none"> <li>- evaluation criteria and weighting scheme?</li> </ul>	Yes	
	Can tenderers see: <ul style="list-style-type: none"> <li>- their own score, ranking and evaluation comments?</li> <li>- the score, ranking or evaluation comments about another tenderer?</li> <li>- 3<sup>rd</sup> party references</li> </ul>	Yes No No	S.43
	Can non tenderers see: <ul style="list-style-type: none"> <li>- the score or ranking of any tenderer?</li> </ul>	No	S.43
	Do we reveal: <ul style="list-style-type: none"> <li>- if anyone has been rejected?</li> <li>- who was rejected?</li> <li>- why they were rejected?</li> <li>- who is short-listed?</li> </ul>	Yes No No Yes	S.43 S.43 S.22
<b>Bidder's Conference</b>	Do we reveal detail of discussions to any other party?	No	S.43

Stages in the Process	Questions to consider	Likely Answer	Fol Act Ref.
<b>Invitation for Outlined Proposals</b> <i>(negotiated procedures only)</i>	Do we reveal outlined proposals to any other party?	No	S.43
<b>Invitation to Tender</b>	Draft contract ) Draft outcome ) specification	Do we reveal these to any party outside the tendering process? Yes	
<b>Successful Bid</b>	Do we release details in: - the pre contract award period - during the life of the contract -limited - post contract - limited	No Yes Yes	S.43
<b>Unsuccessful Bids</b>	Do we release details in: - the pre contract award period - during the life of the contract - post contract	No No No	S.43 S.43 S.43
<b>Bidders presentations</b>	Can we release details to any other party?	No	S.43
<b>Evaluation of bids</b>	Do we reveal the evaluation criteria and weighting scheme? Can bidders see details of the evaluation of their own bid? Can bidders see the evaluation of a bid other than their own? Can a non bidder see the evaluation of any of the bids?	Yes Yes No No	S.43 S.43 S.43 S.43
<b>Reports to committee</b>	Is the original option appraisal report in the public domain? Is the short-listing report in the public domain? Is the final tender report and recommendation in the public domain?	Yes Yes Yes	S.43 S.43 S.43
<b>Contract management</b>	Do we reveal: - how many complaints have been received about a contractor? - how many complaints upheld? - details of complaints upheld  - how many contractual penalties have been given	No Yes Yes  Yes	S.43  S.40