



Freedom of Information Request FOI 23 158

Multi-Functional Devices Information

Query and Response:

Details in respect to the contract below.

Multi-Functional Devices Invitation to Tender: Further Competition Framework Agreement Reference: RM3781 Multifunctional Devices and Print Management Services (Lot 2):

<https://www.contractsfinder.service.gov.uk/Notice/e2557f5a-e450-4eba-8a85-9935f7861bb9>

The details we require are:

1. What are the contractual performance KPI's for this contract?

The contract is not written with KPIs. Under the Lease Agreement, there is Clause 14 Critical Service Level Failures.

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

Under the terms of the Freedom of Information Act, a request for information can be refused where one or more exemptions listed in the Act apply. In this case we are claiming the following exemption: Section 21 – Information accessible by other means. This information can be found using the following link:

<https://assets.crowncommercial.gov.uk/wp-content/uploads/RM3781-Why-Lot-2-v11-02.01.19.pdf>

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

£134,672.45

4. Start date & duration of framework/contract?

The contract commenced August 2019 for five years.

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

DWFRS can confirm we hold this information.

Under the terms of the Freedom of Information Act, a request for information can be refused where one or more exemptions listed in the Act apply. In this case we are claiming the following exemption: Section 43 (2) – Commercial Interest.

Section 43 (2) states that information can be withheld if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it). It is a qualified exemption, which means that it is subject to a public interest test.



We acknowledge the public interest in openness and transparency, but we consider that there is also a public interest in us protecting our commercial interests and those of companies who may wish to work with us. By disclosing the service / product specification a bidder would already know what DWFRS requirements are, giving an advantage over other bidders, which is prohibited under the Public Contracts Regulations 2015, Section 18 (1). DWFRS will require the same or similar level of service at our next procurement (within the next 6 months), so this would cause some companies an unfair advantage. There is a public interest in ensuring that companies are able to compete fairly, in an open market along with being able to trade competitively, which release of the requested documentation would hinder.

We have therefore concluded that this exemption applies and that non-disclosure serves the public interest better than release in this instance.

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

There is no extension to the contract.

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

The contract will be reprocedured within the next 6 months ready for the service to commence from August 2024.

8. Who is the senior officer (outside of procurement) responsible for this contract?

Fiona Kiernan – Tatem is the senior manager responsible for this contract outside of procurement.

These details are not to be used for the purposes of direct marketing, as per the UK GDPR Article 21, which affords individuals the right to object to such marketing.

Information/Detail accurate on the date provided: 13, December 2023