

Mr John Gilchrist
Freedom of Information Officer

11 June 2018

Ref: FOI/May 2018/ Simon Shepard

By email to simonshepard@hotmail.co.uk

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Dear Mr Shepard

Your request for information received on 20 May 2018 has been dealt with under the provisions of the Freedom of Information Act 2000 (FOIA).

You asked:

I am writing to a number of universities situated around the country in order to evaluate variations in regional capital spends.

In my request below, when I mention 'construction consultancy services' I am referring to Architectural Services, Civil and Structural Engineering, Building Services Engineering, Clerk of Works, Energy and Sustainability Consultancy, Health & Safety Advisory or Principal Designer services, Cost Consultancy, Project Management, Interior Designer and Building Surveying. Please could you provide me with responses to the following:

1. How you currently procure construction consultancy services, if via a framework(s) can you list the names of the framework(s) used.
2. The total value spent on construction consultancy services in the past 2 years, broken down by year.
3. Which suppliers provided these services, with a percentage break down of the value distribution.
4. How you currently procure building contractor services, if via a framework(s) can you list the names of the framework(s) used.
5. The total value spent on maintenance and construction in the past 2 years, broken down by year.
6. Which suppliers provided these services, with a percentage break down of the value distribution.
7. Can you provide a copy of your current estates / property plan / strategy (or similar) and the value of your estates/property budget for the next two years.

University Response

1. We conducted an OJEU tender using the Restricted Process.

2. 2016=£655,000 and 2017=£530,000

3. In terms of costs this is commercially sensitive information because we only have one contractor per type of consultancy and so in this instance we cannot disclose the current or previous annual spend. This information has therefore been withheld on the basis that it is considered to be exempt under s.43(2) of the FOIA.

This is a qualified exemption and we have therefore applied the public interest test. In making this decision we have weighed such factors as the University's desire to be open and transparent in all its dealings against the need to ensure that it is able to contract openly in the market place and protect the commercial interests of those companies and bodies it deals with. The disclosure of information would be likely to assist competitors in gaining an advantage over future bids; to release this information would be likely to prejudice the competitiveness of the incumbent contractor when bidding for future university business; and it would also be likely to prejudice University's commercial interests by not being able to obtain future competitive bids and thereby obtain the best possible value for money for the public purse. Accordingly, insofar as this element of your request is concerned and in accordance with Section 17 of the Freedom of Information Act ("the Act") this letter acts as a refusal notice.

4. We conducted an OJEU tender using the Restricted Process.

5. 15/16 =£14,099,222.69 and 16/17= £6,632,766.42

6. In terms of costs this is commercially sensitive information because we only have one contractor per type of maintenance/construction and so in this instance we cannot disclose the current or previous annual spend. This information has therefore been withheld on the basis that it is considered to be exempt under s.43(2) of the FOIA.

This is a qualified exemption and we have therefore applied the public interest test. In making this decision we have weighed such factors as the University's desire to be open and transparent in all its dealings against the need to ensure that it is able to contract openly in the market place and protect the commercial interests of those companies and bodies it deals with. The disclosure of information would be likely to assist competitors in gaining an advantage over future bids; to release this information would be likely to prejudice the competitiveness of the incumbent contractor when bidding for future university business; and it would also be likely to prejudice University's commercial interests by not being able to obtain future competitive bids and thereby obtain the best possible value for money for the public purse. Accordingly, insofar as this element of your request is concerned and in accordance with Section 17 of the Freedom of Information Act ("the Act") this letter acts as a refusal notice.

7. We have not finalised the budget for the next two years so information is not available. We do not have an Estates Strategy. The University Strategy can be found at <https://www.mdx.ac.uk/about-us/our-strategy>

I trust this satisfies your request sufficiently. Under the Freedom of Information Act 2000, you have the right to complain about the University's response to your request for information. If you have such a complaint, you may contact Mrs Teresa Kelly, Clerk to the Board of Governors, Middlesex University, Hendon campus, London NW4 4BT, tel: 020 8411 6018, t.kelly@mdx.ac.uk within 40 days of the date of this letter for a review of the University's decision. If you remain unsatisfied with the outcome of that complaint, you may seek further recourse by lodging an appeal with the Information Commissioner.

Yours sincerely

John Gilchrist

Freedom of Information Officer