



## Freedom of Information Request FOI 21 98

### Award of Contract for the Purchase of Large 4x4 Pumping Appliances

#### Query and response:

I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to the contract below.

Award of Contract for the Purchase of Large 4x4 Pumping Appliances using the UK Fire and Rescue Emergency Response Vehicle Framework under Lot 3 - Super Rescue Pumping Appliance, Over 15 Tonnes GVW:

<https://www.contractsfinder.service.gov.uk/Notice/0ab14913-4711-430c-a591-74e8dfc6ba76>

The details we require are:

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

**Devon & Somerset Fire and Rescue Service procured the national framework for this contract:**

<https://www.contractsfinder.service.gov.uk/notice/2f4b5954-cde0-4720-b19c-bbaec9101239?origin=SearchResults&p=1>

All of the suppliers on the framework at the time of the procurement exercise were invited to bid for the tender of the contract.

Unfortunately, we are unable to provide you with the names of the suppliers who submitted a bid, or where unsuccessful at any stage of the process. This is because it is covered by exemption section 43(2) of the Freedom of Information Act. This exempts information 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).

Section 43(2) is a qualified exemption and as such we are required to conduct a public interest test. This means that after it has been decided that the exemption is engaged, the public interest in releasing the information must be considered. If the public interest in disclosing the information outweighs the public interest in withholding it then the exemption does not apply and must be released.

Considerations in favour of the release of the information include our commitment to openness and transparency in our commercial activities, to allow public scrutiny and to demonstrate that public funds are being used in an efficient and effective way. Furthermore, private sector companies engaging in commercial activities with the public sector must expect some information about those activities to be disclosed.



Considerations against disclosure include the recognition that disclosure may cause damage to an unsuccessful supplier's reputation, affecting the supplier's competitive position in their respective market and confidence that its customers, suppliers or investors may have in its commercial operations. Disclosure would be likely to deter potential bidders for future contracts from competing and sharing commercially sensitive information with us, which would negatively impact upon the quality and quantity of Governments' supplier base. We must retain commercial confidence of third-party bidders when they choose to engage in commercial activities with us. The release of this information may jeopardise this commercial confidence.

In conclusion, we have determined that it is not in the public interest to prejudice the commercial interests of the unsuccessful suppliers. As such this information has been deemed exempt from disclosure under section 43(2) of the Act.

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

**The link below is to the procurement opportunity advertised by Devon & Somerset Fire and Rescue Service for the procurement of the National Framework:**

**<https://uk.eu-supply.com/ctm/Supplier/PublicPurchase/39197/0/0?returnUrl=&b=BLUELIGHT>**

- Has a decision been made yet on whether the contract are being either extended or renewed?

**We will not be extending or renewing this contract.**

- Who is the senior officer (outside of procurement) responsible for this contract?  
**Ian Thomas, Head of Assets**

**Information/Detail accurate on the date provided: 19, January 2022**