



10 April 2025

Our Ref: EIR 716**Request**

All information in relation to the tender, which companies returned tenders and the rates/prices.

Response

The information requested in relation to a cavity wall insulation scheme is considered to be environmental information under regulation 2(1)(c) of the EIR.

The following companies returned tenders and the scheme was awarded from a Framework Agreement.

Company	Scoring
Bell Decorating Group Ltd	3
CTS Connect Transform Sustain	2
PK Murphy Construction Ltd.	1
Ventro Ltd t/a LivGreen	4

It was a Direct Award Call Off with PK Murphy Construction Ltd who were Ranked 1st and therefore provided the most economic advantageous tender on the Framework.

The rates/prices have not been provided in this response as the following EIR exception is engaged:

Regulation 12(5)(e) states that a public authority can refuse to disclose information if disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

The Housing Executive considers that the information being requested is commercial. It was provided during the tendering process, with a clear expectation that it would be treated as confidential and therefore is subject to confidentiality provided by law. Disclosing this information would disadvantage the Housing Executive and the contractors in future similar projects.

In all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information. The factors which have been considered in reaching the conclusion that the public interest balance weighs in favour of maintaining the Regulation 12(5)(e) exception are set out below:

Public interest factors in favour of disclosure

- There is always a general public interest in disclosing environmental information.

- The disclosure of environmental information promotes openness, transparency, accountability, particularly in terms of ensuring that the Housing Executive as a public authority is accountable on how it spends public money, and that the money is invested wisely.

Public interest factors in favour of maintaining the exception

- There is a strong public interest in ensuring that those who contract with the Housing Executive can do so in a competitive and fair environment. Disclosure of this information would jeopardise this important facet of the tender process.
- There is a strong public interest in ensuring that the Housing Executive can obtain the best possible value from the tender process. Revealing the cost information would be detrimental to the Housing Executive's negotiations on future projects in a way that would be likely to hinder its ability to obtain value for money which would not be in the public interest.
- Disclosure would prejudice the ability of the contractors to compete on price in future tender opportunities, by enabling its competitors to gain a valuable insight into how they have priced this project.
- The information is likely to be used by competitors to alter their pricing structures to the detriment of the contractor, when future tender opportunities become available.

In conclusion, NIHE considers that the balance of the public interest lies in favour of withholding the information.