



24 April 2025

Our Ref: EIR 733

Request

We received your request on 28 March 2025 for the following information:

Double glazing scheme ref 11781004

I request the following a copy of the tendering process. A copy of criteria used to appoint contractor and supplier. How many companies tendered and their prices. I also ask for information concerning any recycling schemes or grants that the executive is availing of for this scheme. I also wish information on who will be overseeing the works and the responsible on sight person should there be any issues.

Your request has been handled under the Environmental Information Regulations 2004 (EIR).

Our response

The Double Glazing scheme will be delivered under CT0121 Lot 8 following the tendering of a multi lot procurement exercise. The supplied Invitation to Tender outlines the tendering process and the criteria used to appoint Contractors and Suppliers.

Following the award process, there were two eligible contractors for this Lot. Lowry Build & Civil Engineering were then considered to be the most economically advantageous tenderer and were awarded the contract. Their commercial submission provided a Percentage Adjustment against an Industry Standard Schedule of Rates.

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 taken into account 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.

Financial provision has been solely made for this project from the 2024/2025 revenue budget and therefore no recycling schemes or grants were availed of for this scheme.

For any issues regarding these scheme works, or any queries you may have in general, please contact your local office/Patch Manager who will be happy to address these.

This concludes our response.