

369 Fulham Road
London SW10 9NH

14th November 2014

Our Ref: FOI 2014/450

Following your request for information under the Environmental Information Regulations 2004/Freedom of Information Act 2000 which we received on 15th September 2014, we are providing you information as held by Chelsea and Westminster Hospital NHS Foundation Trust.

In your query, you requested the information for each construction contract over £200k that has been completed since January 2013 by

1. The contract's description including the building where the work is being undertaken
2. Name of the Contractor
3. Contract form i.e. NEC 3, GC works, PFI etc.
4. The sub form – i.e. Design Build, Option A, Minor Works
5. Contract version – i.e. 2011 / 2005/3 etc.
6. Works specification – i.e. traditional (client designs), Design and build (contractor designs)
7. How price is agreed –i.e. lump sum/target price/ cost reimbursable
8. If BIM or ECI has been used
9. Framework Name if applicable
10. Procurement process –i.e. tendered/ framework, negotiated (i.e. for a PFI)
11. Type of work - i.e. refurbishment/ new build/ fit out/
12. Gross internal area or length of work undertaken if known/ number of units
13. Contract price for construction
14. Final price for construction
15. Contract start date
16. Initial construction completion date- i.e. at contract signature (or Construction period)
17. Actual construction completion date

Unfortunately the Trust is unable to provide the information you requested.

The Trust has estimated that it will cost more than the appropriate limit to consider your request. The appropriate limit is specified in regulations and for the Trust this is set at £450. This represents the estimated cost of spending 2½ working days (18hours). The Trust is not obliged under Section 12 of the Freedom of Information Act 2000 to respond to your request. Section 12 (1) states that “Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

Also under EIR 2004 Regulation 12(4) (b), the request for information is manifestly unreasonable due to the cost of compliance with the request is too great by the amount of data.

**EIR Regulation 12 (4) is stated that “for the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that –
(b) the request for information is manifestly unreasonable”.**

However the Trust has a duty to assist you. Section 16(1) states that “it shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.”

If you narrow the scope of your request the Trust may be able to provide the information because it would cost less than the appropriate limit to do so, although the Trust cannot guarantee that this will be the case as the Trust does not hold the information in a way that could be retrieved easily. Any reformulated request received will be treated as a fresh request.

We trust the above information is satisfactory to you.

If you are not happy with the way in which your request has been dealt with or are dissatisfied with this response and wish to appeal, please write to Information Governance Manager at information.governance@chelwest.nhs.uk. Your complaint will be dealt with through our internal review process.

If you are still not satisfied following the Internal Review, you have a right to complain to the Information Commissioner’s Office. You can contact them at casework@ico.org.uk.

Re-use of Public Sector Information

All information supplied by the Trust in answering a request for information under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No.1515 which came into force on 1st July 2005.

Under the terms of the Regulations, the Trust will license the re-use of any or all information supplied if being used in a form and for a purpose other than which it was originally supplied. However, The Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Yours sincerely

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Information Governance Analyst