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Freedom of Information and Major Procurements: Nova Scotia

Nova Scotia Freedom of Information and Protection of Privacy, F1-07-12, Acadia University, July 27, 2007

Acadia University issued an RFP for management of food services. The RFP allowed proponents to “... clearly mark as confidential all information in their proposals which is of a proprietary or confidential nature.” One proponent clearly marked its entire proposal as a confidential submission, requesting that the proposal not be duplicated, and asking for the proposal to be returned on request. This proponent was not the successful bidder.

Immediately following the closing date for RFP selection, Acadia received a request for access to all proposals. The university decided to release the proposals after severing only a small amount of personal information. The unsuccessful proponent that had qualified its proposal objected to the release of any information.

The N.S. review officer decided that Acadia should not release any portion of the proposal. The officer noted that the proposal consisted solely of proprietary information, that the proposal was submitted in a highly competitive RFP market, that the information was extremely current, and that the proposal was still “firm” and binding upon the proponent.

Join us next week when we look at *Information and Privacy Commissioner (B.C.) David Loukidelis, Order F07-15, Vancouver Coastal Health Authority, July 30, 2007*

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