RE: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File TW/039/2013)

On August 30, 2013, the Department of Transportation and Works received your request for access to the following records/information:

To obtain the amount of money paid out for removal and trenching of quantities rock from project F9240203.2000 Paradise School. Monies would have been paid out to Marco Services and then further payment would have occurred through Marco Services to Weir’s Construction Ltd. for work completed. The exact information we wish to obtain is - How much was paid out for removal rock and trench quantities and total quantities as per payout.

I am pleased to inform you that your request for access to this information has been granted in part. In particular, we are able to advise that the quantity paid for trench rock removal is 621.57 cubic meters, and the quantity paid for mass rock removal is 45.37 cubic meters.

Access to information pertaining to monies paid out for trench and mass rock removal has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Disclosure Harmful to Business Interests of a Third Party
Section 27(1)(b) The head of a public body shall refuse to disclose to an applicant information that would reveal commercial, financial, labour relations, scientific or technical information of a third party, that is supplied, implicitly or explicitly, in confidence and is treated consistently as confidential information by the third party; or

Section 27.1(c)(i) The head of a public body shall refuse to disclose to an applicant information that would reveal commercial, financial, labour relations, scientific or technical information the disclosure of which could reasonably be expected to harm the competitive position of a third party or interfere with the negotiating position of the third party.
Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Information and Privacy Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
P.O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

If you have any further questions, please feel free to contact the undersigned at 729-3676.

Sincerely,

[Signature]

BRENT MEADE
Deputy Minister