RE: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File TW/016/2014)

On June 30, 2014, the Department of Transportation and Works received your request for access to the following records/information:

- A copy of the Form 160A – Contractor Performance Evaluation Report for tender #072-13PHM dated on March 7, 2014 by the Regional Director.
- A copy of a letter written to the contractor for Tender #072-13PHM on March 18, 2014 regarding the performance evaluation.
- A copy of a letter written to government by the contractor, regarding tender #072-13PHM, dated Jan 24, 2014.

We are unable to provide you access to the responsive records at this time as they are currently referred to appropriate policing authorities for investigation and subsequently have been refused in accordance with the following exception to disclosure, as specified in the Act.

*Disclosure Harmful to Law Enforcement*

Section 22(1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected (a) to interfere with or harm a law enforcement matter;

(n) adversely affect the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention;

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review the 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:

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Mr. Ed Ring, Commissioner  
Office of the Information and Privacy Commissioner  
2nd Floor, 34 Pippy Place  
P.O. Box 13004, Stn. A  
St. John’s, NL A1B 3V8

Tel. (709) 729-6309  
Fax. (709) 729-6500  
Email: oipc@gov.nl.ca

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Office of Public Engagement’s website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

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

Sincerely,

[Signature]
BRENT MEADE  
Deputy Minister