



COR/2019/00080

January 17, 2019

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File #: TW/101/2018)

On December 18, 2018, the Department of Transportation and Works received your request for access to the following records:

Any and all information (including cost to the taxpayer) about the mobile lights used to light the parking lot of confederation building. I believe these lights were installed/rented after a storm a few years back.

Note: Request updated to have the information provided in table format.

I am pleased to inform you that a decision has been made by the Deputy Minister for Transportation and Works to provide access to the requested information in the following tables.

Confederation Building Light Towers – Supply and Service			
April 10 - 30, 2018	\$20,883.55	Supply and service of 3 from Kelloway Construction	Supply and service costs of generators with light towers
May 1 - 31, 2018	\$27,095.60	Supply and service of 3 from Kelloway Construction	Supply and service costs of generators with light towers
June 1 - 30, 2018	\$26,060.26	Supply and service of 3 from Kelloway Construction	Supply and service costs of generators with light towers
July 1 - 19, 2018	\$18,636.16	Supply and service of 3 from Kelloway Construction	Supply and service costs of generators with light towers
TOTAL	\$92,675.57		

Confederation Building Light Towers - Purchase			
19-Jul-18	\$47,889.00	Purchased 3 from Battlefeild Equipment	Purchased Generators with light towers attached

Confederation Building Light Towers - Operating		
July 19 - 31, 2018	\$3,448.48	Operating Costs
August 1 - 31, 2018	\$5,533.84	Operating Costs
September 1 - 30, 2018	\$6,646.97	Operating Costs
October 1 - 31, 2018	\$7,189.30	Operating Costs
November 1 - 30, 2018	\$6,260.31	Operating Costs
December 1 - 15, 2018	\$2,966.68	Operating Costs
TOTAL	\$32,045.58	

Note: A tender was issued on October 2, 2018, and a contract for the replacement of the damaged parking lot lights was awarded to Cutting Edge Construction on October 31, 2018. Once completed, the operating costs will end.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*) (a copy of this section of the *Act* has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

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

Office of the Information and Privacy Commissioner
 2 Canada Drive
 P. O. Box 13004, Stn. A
 St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
 Toll-Free: 1-877-729-6309
 Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response 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 responsive records posted to the Completed Access to

Information Requests 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 contact me by telephone at 709-729-5351 or by email at ATTW@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink that reads "Angela McIntyre".

Angela McIntyre
ATIPP Coordinator

Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).