Dear Sir,

Subject: Your application for access to documents – Ref MR-2016-IN-1360

We refer to your e-mail dated 24/04/2016 in which you make a request for access to documents, registered on 25/04/2016 under the above mentioned reference number.

Your application concerns the following documents:

“The report for the opening session and the evaluation report of the public procurement procedure IT consultancy for advice, studies, software development and software maintenance 2014/S 128-227739. That is, the consortia that participated in this procedure and the details about the technical and financial merits of each of the winning consortia.”

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have come to the conclusion that they may be partially disclosed. Some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

The expunged parts of the documents are the names of the staff members involved in the evaluation, according to the exception foreseen by art. 4(1) b of Regulation 1049/2001. Disclosure of these parts would undermine the protection of the privacy of the people involved. In addition, and in accordance with the exception foreseen by art. 4(2) of Regulation 1049/2001, we are not be able to disclose the name of the tenderers and certain other information in the evaluation report, as it may constitute commercially sensitive business information.

The exceptions laid down in Article 4(1) and 4(2) of Regulation (EC) 1049/2001 apply unless there is an overriding public interest in disclosure of the document/documents, which we did not find in this case.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting ECDC to review this position.
Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following address:

Procurement Back Office
ECDC
Granits väg 8
17165 Solna
or by e-mail to: procurement@ecdc.europa.eu

Yours faithfully,

Jean-Claude Brival
Acting Head of Unit Resource Management and Coordination

Enclosed: evaluation report and record of opening