



Planning, Property and Development Department • Service de l'urbanisme, des biens et de l'aménagement

Office of the Director • Bureau du directeur

Fax / Téléc. : (204) 947-2284

March 10, 2014

Colin Craig  
1881 Portage Avenue  
P.O. Box 42123  
Winnipeg, Manitoba  
R8J 8X7

**FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT - Request No. 14 01 77**

This letter is in response to your Application for Access under the Freedom of Information and Protection of Privacy Act submitted on January 29, 2014, in which you requested the following:

"Please provide documentation on the number of firms that responded to the 2008 Real Estate RFQ (472-2008) with bids that included rates consulting work or evaluation work."

As you are likely aware, City of Winnipeg Bid Opportunity. 472-2008 - Request for Qualifications (RFQ) for the Provision of Commercial Real Estate Services - prequalified a list of five commercial real estate firms for the provision of commercial realty services. The RFQ is available online and the names of the successful firms are also posted online at the following link:  
<http://www.winnipeg.ca/finance/findata/matmgt/bidres/Past/2008.asp>.

Under section B10.1 of the RFQ, applicants were directed to provide their proposed fee schedules, including anticipated commissions on commercial property sold for the City. Under the "Scope of Work" section of the RFQ, D2.1 stated that the work would consist of the provision of commercial realty services for the period of the award contract.

Under D2.3, the RFQ stated: "further to D2 .1, the work may include acting as a buyer agent, listing agent, site evaluation, due diligence, and marketing of Commercial properties or any other related type of work as specified by the Contract Administrator or designated representative."

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3rd Floor, 65 Garry Street • 65, rue Garry, troisième étage • Winnipeg • Manitoba R3C 4K4  
<http://www.winnipeg.ca/ppd/>

The response to your application is being provided in full. One firm provided rates that included consulting or evaluation work. Should you require further information, please feel free to contact me directly at (204) 986 4366.

Under Part 5 of the Freedom of Information and Protection of Privacy Act, you have the right to file a complaint with the Provincial Ombudsman within sixty days of the date of this letter. A complaint form is enclosed.

Sincerely,



P. Langstaff  
FIPPA Coordinator  
Office of the Director  
Planning, Property and Development Department

Cc: Mr. R. Kachur, City Clerk  
Ms. J. Baltessen, City Records Manager  
Mr. H. Dick, Legal Services

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Office of the Chief Administrative Officer • Bureau de directeur municipal

March 11, 2014

Mr. Colin Craig  
1881 Portage Avenue, PO Box 42123  
Winnipeg, Manitoba  
R3J 3X7

Dear Mr. Craig:

**Re: Freedom of Information and Protection of Privacy Act –  
City of Winnipeg File No 14 02 133**

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This letter is in response to your *Freedom of Information and Protection of Privacy Act* request received January 14, 2014, in which you request the following:

*“The meeting dates of the steering committee overseeing the new downtown police headquarters project as well as the names of participants for each meeting (or participating by phone, video conference, Skype, etc.).”*

The information pertinent to your request has been carefully considered, and access has been denied under the following *Freedom of Information and Protection of Privacy Act* exceptions to disclosure, specifically:

- S. 23(1) *The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal*
- (a) *advice, opinions, proposals, recommendations, analyses or policy options developed by or for the public body or a minister;*
  - (b) *consultations or deliberations involving officers or employees of the public body or a minister.*

The purpose of Section 23 is to ensure that full and frank discussions take place among officers, employees and others who may be advising a public body and that the confidential relationship between a public body and its advisors is preserved. Clause 23(1)(a) and (b) is an exception to disclosure that protects the free flow of advice and deliberations involved in the decision and policy making process of a public body. The names of participants for each meeting or participating by phone, etc., that you have requested represent advice, opinions, proposals, recommendations, analyses or policy options, noted in the act.

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And;

- S. 29 *The head of a public body may refuse to disclose to an applicant information relating to*  
(b) *details of specific tests to be given or audits to be conducted;*

*If disclosure could reasonably be expected to prejudice the use or results of particular tests or audits.*

The information and records sought in this request are likely to be examined as part of an audit ordered by Winnipeg's City Council on January 29, 2014. Disclosure of the information and records before the audit is complete could prejudice the use and results of the audit.

For the reasons outlined above, access to the records sought by your application has been denied.

Please note that S. 59(1) of *The Freedom of Information and Protection of Privacy Act* provides that you may make a complaint about this decision to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to the Manitoba Ombudsman, 750 – 500 Portage Avenue, Winnipeg, Manitoba, R3C 3X1, telephone 204-982-9130.

Sincerely,



Janet Thomas  
FIPPA Coordinator  
CAO's Office  
986-8281

Cc: Mr. Don Kroeker, Records Manager, City Clerk's Office  
Mr. M. Lemoine, City Clerk's Department  
Mr. H. Dick, Legal Services