



Corporate Support Services Department • Services de soutien généraux

February 10, 2014

Mr. Colin Craig  
1881 Portage Avenue  
P.O. Box 42123  
Winnipeg, MB R3J 3X7

Dear Mr. Craig:

**Re: Freedom of Information and Protection of Privacy Act –  
City of Winnipeg File No. 14 01 30**

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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:

"...all documentation related to the Surety Association of Canada urging the City of Winnipeg to reduce the bonding requirement for the new police headquarters."

We have estimated that acquiring this information will take approximately 20 hours of time. As noted below, we are entitled under the *Act* to charge fees when a search requires more than 2 hours.

Fees for processing this request are permitted under section 82(1) of the *Freedom of Information and Protection of Privacy Act* which states:

#### Fees

82(1) The head of a public body may require an applicant to pay to the public body fees for making an application, and for search, preparation, copying and delivery services as provided for in the regulations.

#### Estimate of fees

82(2) If an applicant is required to pay fees under subsection (1) other than an application fee, the head of a public body shall give the applicant an estimate of the total fee before providing the services.

An Estimate of Costs Form is attached. Please indicate your desire to proceed with the request by signing the attached Form and returning it to the City of Winnipeg with a certified cheque or money order (no personal cheques please) for the total amount of the fees, payable to the **City of Winnipeg**, within 30 days of receipt of this letter. If you have any additional questions about the costs of processing your application, please call me at 204-479-5423.

You have up to 30 days from the date this Estimate of Costs is given to indicate if the estimate is acceptable or to modify your request for access in order to change the amount of the fees payable. If you do not respond within this time, subsection 82(3) of *The Act* permits us to assume that you have decided to abandon your request:

*Embrace the Spirit • Vivez l'esprit*

5th Floor, 510 Main Street • 510, rue Main, Rez-de-chaussée • Winnipeg • Manitoba R3B 1B9  
tel/tél. 204-479-5423 • fax/télé. 204-986-5966 • gberkowski@winnipeg.ca

**Acceptance of estimate within 30 days**

82(3) The applicant has up to 30 days from the day the estimate is given to indicate if it is accepted or to modify the request in order to change the amount of the fees, after which the application is considered abandoned.

Please note that subsection 82(5) of *The Act* and section 9 of the *Access and Privacy Regulation* gives us the discretion to waive all or part of the required fees in some limited situations.

**Waiver of fees**

82(5) The head of a public body may waive the payment of all or part of a fee in accordance with the regulations.

Subsection 9(1) of the *Access and Privacy Regulation* states:

9(1) At the applicant's request, the head of a public body may waive all or part of the fees payable under this regulation if the head is satisfied that

- (a) payment would impose an unreasonable financial hardship on the applicant;
- (b) the request for access relates to the applicant's own personal information and waiving the fees would be reasonable and fair in the circumstances; or
- (c) the record relates to a matter of public interest concerning public health or safety or the environment.

If you want us to consider waiving all or part of the fees payable, please write to me setting out detailed reasons, based on clause 9(1)(a), (b) or (c) of the *Regulation*, why we should consider a waiver of fees.

Please note that Subsection 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.

Please do not hesitate to call me at 204-479-5423 if you have any questions.

Sincerely,



Gerry Berkowski  
Freedom of Information and Protection of Privacy Act Departmental Information Officer

cc R. Kachur, City Clerk  
J. Baltessen, City Archivist

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## ESTIMATE OF COSTS

In accordance with subsection 82(2), you are being advised by this estimate that there is a fee payable for responding to your application for access to records. The estimate is as follows, based on charges authorized under sections 4 and 6 of the *Access and Privacy Regulation*:

APPLICATION NUMBER: 14 01 30

**Search and Preparation Fee:**

Time in excess of two hours .....20 hours  
Estimated cost (at \$15.00 each half hour) ..... \$600

**Photocopying Fee:**

\_\_\_\_\_ pages x \$0.20... \$ or

**Compact Disc:** .....

\$

**Computer Programming and Data Processing Fee:**

- Internal work  
Time estimate ..... minutes  
Estimated cost (at \$10.00 each 15 minutes) ..... \$
- External work  
Estimate cost (at actual cost) ..... \$600

Total Estimated Cost (with photocopies): ..... \$ \_\_\_\_\_ or  
Total Estimated Cost (with compact disc): ..... \$ \_\_\_\_\_

**Please note:** A refund will be made if access to every record requested is refused, or if the actual cost is less than this estimate.

Signed:



(Gerry Berkowski, FIPPA Coordinator)

Name of Public Body: City of Winnipeg

Address: 5th Floor, 510 Main Street • • Winnipeg • Manitoba R3B 1B9

Date: February 13, 2014

Please indicate your willingness to proceed by signing below and returning a copy of this form with a cheque payable to City of Winnipeg. Applicants have up to 30 days from the date the estimate is given to indicate if it is accepted or to modify the request in order to change the amount of the fees. After this period, the application would be considered to be abandoned. We shall notify you when the records are ready.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_