March 28, 2019

Freedom of Information and Protection of Privacy Act (FIPPA) Application
Our File No.: 19 02 155

The City of Winnipeg Planning, Property and Development Department is in receipt of your revised application for access under The Freedom of Information and Protection of Privacy Act (FIPPA) requesting:

“Repair costs for WPS HQ and the office tower from June 1, 2018 to February 26, 2019”

Section 10(1)(a)(b) of FIPPA permits the public body to produce a record if the information is electronically recorded, if the work can be done with regular hardware, software and expertise within the public body, and if the work would not interfere unreasonably with the operations of the public body:
Access to records in electronic form

10(1) If information requested is in an electronic form in the custody or under the control of a public body, the head of the public body shall produce a record for the applicant if

(a) it can be produced using the normal computer hardware and software and technical expertise of the public body; and

(b) producing it would not interfere unreasonably with the operations of the public body.

Exploration of how we might be able to provide the information requested by your application generated four electronic reports for the two locations listing all operational invoices for the WPS HQ and the office tower for the requested time period. Operational costs for City properties are not detailed in a way that discriminate between “repair” and other costs.

A total of 9594 invoices were returned as follows:

<table>
<thead>
<tr>
<th>Report</th>
<th>Source</th>
<th>Pgs</th>
<th># of Invoices</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LO11 location labor details</td>
<td>146</td>
<td>1914</td>
</tr>
<tr>
<td>2</td>
<td>PS41 location labor details</td>
<td>664</td>
<td>6565</td>
</tr>
<tr>
<td>3</td>
<td>LO11 location material details</td>
<td>16</td>
<td>267</td>
</tr>
<tr>
<td>4</td>
<td>PS41 location material details</td>
<td>43</td>
<td>848</td>
</tr>
<tr>
<td><strong>Total Invoices:</strong></td>
<td></td>
<td><strong>9594</strong></td>
<td></td>
</tr>
</tbody>
</table>

Because the system does not discriminate between cost “types”, the only way to determine which operational invoices fall under a definition of a “repair cost” is to examine each of the 9594 invoices individually, and export the responsive information to an electronic “list”. At an average time required of two to four minutes to process each invoice, the estimated **total time required** to examine all of the invoices and produce a list of the repair costs would be 320 hours. We have determined that 320 hours would interfere unreasonably with the division’s operations and consequently, we are not able to produce the responsive record.

If an estimate were to be provided as allowed under the FIPPA Regulations, data processing time at $10 for each 15 minutes of work for a total of 320 hours would result in an estimate of $12,800.00. Issuing a fee estimate of this size for work that is not practicable is not reasonable; and accordingly, we must refuse your request for access to this information in full.

I understand that when you discussed narrowing the original request with Denise Jones from the City’s Access and Privacy Office, it was on the basis of work done for FIPPA 18 05 488. In this case, the responsive information was already captured within a defined “capital project” in the financial software, thus individual review and selection of responsive information from a wider population of invoices for general “operational” costs was not required, in comparison to the case for your current application.
March 28, 2019

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 60 days of receipt of this letter on the prescribed form to:

Manitoba Ombudsman
750 – 500 Portage Avenue
Winnipeg, MB R3C 3X1

You may contact Ombudsman Manitoba directly at (204) 982-9130. Should you require further information or clarification with respect to your application, please feel free to contact me directly at (204) 986 4366 at your convenience.

Thank you,

[Signature]

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

Cc: Mr. K. Krahm, Corporate FIPPA Coordinator, Access and Privacy Office