



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTOX  
ATTORNEY GENERAL**

April 12, 1989

Mr. Edward H. Perry  
Assistant City Attorney  
Office of the City Attorney  
City Hall  
Dallas, Texas 75201

Dear Mr. Perry:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 5696; this decision is OR89-121.

Under the Open Records Act, all the information held by governmental bodies is open unless the information falls within one of the act's specific exceptions to disclosure. If a governmental body fails to claim an exception, the exception is ordinarily waived unless the information is deemed confidential under the act. See Attorney General Opinion JM-672 (1987). The act does not require this office to raise and consider exceptions that you have not raised.

The City of Dallas received a request for a copy of a proposal for parking management services at the Dallas Convention Center. You indicate that the contract for parking management services has not yet been awarded. For this reason, the proposal may be withheld under section 3(a)(4) until the contract is awarded.

This office has also reviewed your argument regarding section 3(a)(10). Information in a parking management contract that has details such as "standardized uniforms" and "improved lighting" does not constitute a trade secret or the type of commercial information that may be withheld under section 3(a)(10). After the contract is awarded, the proposal cannot be withheld under section 3(a)(10).

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Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR89-121.

Yours very truly,

*Open Government Section*  
*of the Opinion Committee*

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of the Opinion Committee  
Prepared by: Jennifer S. Riggs  
Chief, Open Government Section

JSR/bc

Ref.: ID# 5696