



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

April 11, 1991

Honorable Gary F. Chatham  
City Attorney  
City of Plano  
P. O. Box 860358  
Plano, Texas 75086-0358

OR91-177

Dear Mr. Chatham:

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# 11507.

The City of Plano received an open records request for certain bid records and sought the opinion of this office as to whether the requested information should be withheld. You brought to our attention the fact that one company had requested that certain information it submitted with its bid be kept confidential. Your letter suggests that the information may be withheld because it constitutes trade secrets.

This office subsequently invited representatives of that company to submit additional legal arguments regarding the proprietary nature of the requested information. *See* V.T.C.S. art. 6252-17a, § 7(c). The company did not respond to our letter. Thus, this office has no basis for determining that the items in question are in fact trade secrets. Open Records Decision No. 552 (1990).

You have also requested general information about section 3(a)(4) of the Open Records Act, which provides an exception for certain bidding information. Therefore, we have enclosed relevant portions of our open records handbook.

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 OR91-177.

Yours very truly,

A handwritten signature in cursive script that reads "Sarah Woelk". The signature is written in black ink and includes a small flourish at the end.

Sarah Woelk  
Assistant Attorney General  
Opinion Committee

SW/lb

Ref.: ID# 11507

Enclosure: Open Records Decision No. 552, 541, Copy of Handbook pages 41-43.

cc: Ms. Rebecca L. Brandl  
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