



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 24, 1994

Ms. Tracy R. Briggs  
Assistant City Attorney  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

OR94-494

Dear Ms. Briggs:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, Government Code chapter 552. We assigned your request ID# 26423.

The City of Houston (the "city") has received a request for information relating to the city's competitive bidding process. Specifically, the requestor seeks "a formal written discussion or definition of the criteria used by the City of Houston in evaluating whether or not a particular bid is 'responsive.'" You have submitted the requested information to us for review (Exhibit 3) and claim that section 552.107 of the Government Code exempts it from required public disclosure.

Section 552.107 exempts information if:

(1) it is information that . . . an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Rules of the State Bar of Texas.

Section 552.107(1) protects information that reveals client confidences to an attorney, including facts and requests for legal advice, or that reveals the attorney's legal advice. See Open Records Decision No. 574 (1990). We have examined the information submitted to us for review. We conclude that it reveals an attorney's legal advice to his client and may be withheld in its entirety under section 552.107(1) of the Government Code.

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 contact this office.

Yours very truly,



Kay H. Guajardo  
Assistant Attorney General  
Open Government Section

KHG/GCK/rho

Enclosures: Submitted documents

Ref.: ID# 26423

cc: Mr. Bruce K. Watkins  
Watkins & Watkins  
815 Walker, Suite 1040  
Houston, Texas 77002  
(w/o enclosures)