



September 21, 1999

Mr. Johnny Griffin
Executive Director
Concho Valley Workforce Development Board
122 South Oakes
San Angelo, Texas 76902

OR99-2651

Dear Mr. Griffin:

You ask whether certain information is subject to required public disclosure under the, Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 127952.

The Concho Valley Workforce Development Board (the "board") received a request for all proposals to provide workforce services. Three companies, Resource Consultants, Inc. ("Resource Consultants"), Lockheed Martin IMS ("Lockheed"), and Tom Green County Community Action Council ("TGCCAC"), submitted proposals. You suggest that the release of the requested proposals may implicate the companies' proprietary rights. Pursuant to section 552.305 of the Government Code, this office informed the third parties of the request and of their obligation to claim the exceptions to disclosure they believe apply to the requested information, together with their arguments as to why they believe the claimed exceptions apply.

This office has previously ruled on Lockheed's claims and concluded that the board must release Lockheed's proposal to another requestor. Open Records Letter No. 99-2140 (1999). Therefore, in accordance with the prior ruling, the board must release Lockheed's proposal to the requestor. Gov't Code § 552.007.

Resource Consultants did not respond to our notification. As Resource Consultants raises no exception to the public disclosure of its proposal, the board must release it to the requestor. TGCCAC responded to our notification by asking that the board maintain the confidentiality of its employees' compensation. We find that TGCCAC has not explained the applicability of an exception to disclosure. Consequently, the board must also

release to the requestor TGCCAC's proposal. In conclusion, the board must release the requested information to the requestor. *See* Open Records Decision No. 552 (1990) (governmental body may rely on third party to establish applicability of exceptions to third party's proprietary information).

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Kay H. Hastings
Assistant Attorney General
Open Records Division

KHH/nc

Ref.: ID# 1271952

Encl. Submitted documents

cc: Ms. Rose Santos
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