



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 5, 2012

Ms. Tiffany N. Evans
Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

OR2012-08596

Dear Ms. Evans:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 455840 (GC 19482).

The City of Houston (the "city") received a request for the bid tabulation results for the janitorial airport cleaning bid (L24176). You claim the requested information is excepted from disclosure under section 552.104 of the Government Code. You also believe the information may implicate the interests of third parties. You inform us the third parties were notified of the present request for information and of their right to submit arguments to this office as to why the requested information should not be released.¹ We received correspondence from PPG People Source, Inc. and UBM Enterprise, Inc. We have considered all the submitted arguments and reviewed the submitted information.

We note the submitted information was the subject of a previous request by the city for a decision, in response to which this office issued Open Records Letter No. 2012-06606 (2012). In the previous ruling, we concluded the city may withhold the submitted information under section 552.104 of the Government Code. You do not indicate there has

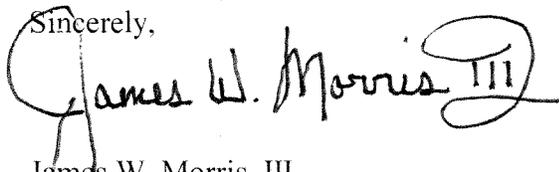
¹See Gov't Code § 552.305(d); Open Records Decision No. 542 (1990) (statutory predecessor to Gov't Code § 552.305 permitted governmental body to rely on interested third party to raise and explain applicability of exception to disclosure under certain circumstances).

We therefore conclude the city may rely on Open Records Letter No. 2012-06606 as a previous determination and withhold the submitted information on the basis of the previous ruling.² See Open Records Decision No. 673 at 6-7 (2001) (listing elements of first type of previous determination under Gov't Code § 552.301(a)).

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink that reads "James W. Morris III". The signature is written in a cursive style with a large initial "J" and a stylized "III" at the end.

James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/bs

²As we are able to make this determination, we need not address the city's arguments or those of the third parties.

Ref: ID# 455840

Enc: Submitted documents

c: Requestor
(w/o enclosures)

Mr. Francis Foyeku
Advacs, Inc.
6201 Bonhomme Suite, 266N
Houston, Texas 77036
(w/o enclosures)

Mr. Sam Son
Unicare Building Maintenance, Inc.
11148 Morrison Lane
Dallas, Texas 75229
(w/o enclosures)

Mr. Curtis McLemore
McLemore Building Maintenance
110 Fargo Street
Houston, Texas 77006
(w/o enclosures)

Ms. Veronica Rosen
United Maintenance Company, Inc.
1550 South Indiana, Suite 300
Chicago, Illinois 60605
(w/o enclosures)

Mr. Darryl L. King
PPG People Source, Inc.
1235 North Loop West, Suite 1000
Houston, Texas 77008
(w/o enclosures)

Mr. Bill Hutson
UBM Enterprise, Inc.
4901 Milwee Street, Suite 103
Houston, Texas 77092
(w/o enclosures)

Mr. Johnny Harris
Deluxe Cleaning Concepts
855 Uvalde, Suite D1
Houston, Texas 77015
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Mr. Jason Yoo
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