



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 11, 2016

Ms. Heather Silver
Assistant City Attorney
City of Dallas
1500 Marilla Street, Room 7DN
Dallas, Texas 75201

OR2016-03390

Dear Ms. Silver:

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# 599510.

The City of Dallas (the "city") received a request for information pertaining to solicitation number BVZ1506, namely, the current contract documents, evaluation documents, bid tabulation, wage and bill rates, and winning proposal. You state the city will release some responsive information. Although you take no position as to whether the submitted information is excepted under the Act, you state release of this information may implicate the proprietary interests of Norred & Associates, Inc. and Ruiz Protective Service, Inc. Accordingly, you state, and provide documentation showing, you notified these third parties of the request for information and of their right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2015-21883 (2015). In that ruling, we determined the city (1) may withhold the information we marked under section 552.104(a) of the Government Code; (2) must withhold the insurance policy numbers in the remaining information under section 552.136 of the Government Code; and (3) must release the remaining information. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Accordingly, the city must continue to

rely on Open Records Letter No. 2015-21883 as a previous determination and withhold or release the submitted information in accordance with that ruling. *See* Open Records Decision No. 673 at 6-7 (2001) (discussing criteria for first type of previous determination).

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Brian E. Berger
Assistant Attorney General
Open Records Division

BB/akg

Ref: ID# 599510

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Mr. Jeff Bohling
Norred & Associates
600 South Central Avenue
Atlanta, Georgia 30354
(w/o enclosures)

Mr. Rob Minnis
Ruiz Protective Service, Inc.
2646 Andjon Drive
Dallas, Texas 75220
(w/o enclosures)