

September 30, 2015

VIA E-MAIL

Ms. Dana Ramey

Brackebox

Email: dana@brackebox.com

RE: 15-FOIA-171 Info – Previous Bid Heavy Equipment

Dear Ms. Ramey:

We are in receipt of your request under the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*

I. Background

On August 24, 2015, we received your request for a copy of the bid for the previous rental of heavy equipment, the identity of the awarded company, and the amount of the contract (“**Request**”).

In a subsequent email you sent on August 25th, you also requested a copy of the billing for 2014. On August 27, you modified your request regarding the 2014 billings to the actual invoices for 2014, with each line item listed and not just a summary of the 2014 billing. We contacted you on September 15 requesting a narrowed scope. You agreed, by requesting the invoices for October – December 2014.

II. Responsive Documents

In response to your Request, Metra’s Procurement and Accounts Payable Departments are providing you with:

- A copy of IFB #Q09241023 for the previous rental of heavy equipment;
- The award winner of this IFB was Century Contractors Inc.;
- The amount of the contract was \$500,000; and
- Copies of invoices received with each line item listed for October – December 2014

(“**Responsive Documents**”).

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, Section 7(1)(s) of FOIA authorizes units of government to withhold “[a]ny and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications.” 5 ILCS 140/7(1)(s). Accordingly, per Attorney Thomas Stuebner, this has been redacted.

IV. Right of Review

A person whose request to inspect or copy a public record was treated by the public body as a request for a commercial purpose under Section 3.1 of FOIA may file a request for review with the Public Access Counselor (“**PAC**”) of the Illinois Attorney General’s Office for the limited purpose of reviewing whether the public body properly determined that the request was made for a commercial purpose. 5 ILCS 140/9.5(b)). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

You also have the right to seek judicial review of the partial denial of your Request by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton
Freedom of Information Officer
foia@metrarr.com
FOIA Hotline #312-663-3642

Attachments