



February 23, 2017

VIA E-MAIL

Mr. Curtis A. James, Esq.
Baum, Ruffolo & Marzal, Ltd.
Email: curtjames@brmlaw.org

RE: 17-FOIA-037 Parking Contracts; Revenue Statements

Dear Mr. James:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

I. Background

On February 9, 2017, we received your request for:

- 1) Any contracts that exist between Total Parking Solutions, Inc. and Metra;
- 2) Any contracts that exist between Total Parking Solutions, Inc. and CPS Chicago Parking, LLC;
- 3) Any contracts that exist between Cale America, Inc. and Metra;
- 4) Any and all contracts by and between the following entities: Metra, CPS Chicago Parking, LLC, Total Parking Solutions, Inc., and Cale America, Inc. that pertain to parking machine distribution, operation, maintenance and revenue collection;
- 5) The 2016 contracts for Total Parking Solutions, Inc. and CPS Chicago Parking, LLC's that provide for complete refurbishment of parking terminals owned by Metra and operated by CPS Chicago Parking, LLC; and
- 6) Revenue statements from the Brainerd, Great Lakes, and Schaumburg Metra stations that reflect a) the total number of "daily fee" parking permits purchased by consumers per month for the year 2015 and b) the amount of money collected for "daily fee" parking permits per month for the year 2015

(“Request”).

We contacted you on February 16 to ask if you would consider narrowing the scope of your Request for “Any contracts” and “Any and all contracts” to a specific time frame because, as written, your Request would be disruptive to the day-to-day operations of the various departments tasked with gathering these documents. Additionally, we added that you could submit future requests for additional records. To date, we have not received a response from you. Accordingly, your Request is denied.

II. Denial

We are denying your Request as unduly burdensome under 5 ILCS 140/3(g), which states that a public body may deny a request where “compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.” Your Request as written is overly broad and would be disruptive to the day-to-day operations of the departments at Metra tasked with pulling and reviewing the requested documents. Further, your Request would severely interfere with the day-to-day operations of our department and our ability to fulfill other FOIA requests if required to take on this process; making your Request for these documents unduly burdensome. Since you did not reply to our February 16 email requesting that you narrow the scope of your Request, it has been determined by Attorney Jamie Harrmann that your Request falls squarely within the parameters of 5 ILCS 140/3(g).

Please note that you may resubmit your Request by narrowing the scope of your Request.

III. Right of Review

You have the right to have the denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). 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.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

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

Sincerely,



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