



February 22, 2019

VIA E-MAIL

Ms. Olivia Reynhout
Technical Assistant II
Weaver Consultants Group
Email: oreynhout@wcgrp.com

RE: 19-FOIA-033 RFP No. 23282

Dear Ms. Reynhout:

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 1, 2019, we received your request for:

1. The company name and address of the vendor who was awarded the contract to provide the services requested in Metra RFP No. 23282, Emergency Environmental Consulting Services;
2. A copy of the full, final proposal submitted by that vendor; and
3. A copy of the bid tabulation / evaluations done by Metra

(“**Request**”). Your Request is granted in part and denied in part.

II. Responsive Documents

In response to your Request, Metra’s Procurement Department is providing you with the following information / records:

1. GSG Consultants, Inc., 2942 W. Van Buren St., Chicago, IL 60612;
2. Final proposal submitted by vendor and incorporated into the Professional Services Agreement #23282, between Metra and GSG Consultants, Inc., and
3. A Summary of Metra Procurement for Emergency Environmental Consulting Services

(“**Responsive Documents**”).

Per the Procurement Department, as this was an RFP, no bid tabulations exist.

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Keith Pardonnet has

determined that the following portions of the Responsive Documents are exempt from disclosure under certain provisions of FOIA:

1. The unique identifier (professional license number) of the parties mentioned in the Responsive Documents are redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Unique identifiers” are specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA.
2. Insurance information referenced in the Responsive Documents is redacted under Section 7(1)(s) of FOIA, which 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 Keith Pardonnet, all information regarding insurance within the Responsive Document has been redacted.

IV. Denial

The evaluation documents contain certain recommendations and opinions and are withheld in their entirety under Section 7(1)(f), which states records that are, “[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated . . . [.]” are exempt from disclosure. 5 ILCS 140/7(1)(f). As the requested evaluation documents contain certain recommendations and opinions, Attorney Keith Pardonnet has determined that the above-referenced evaluations are properly withheld under Section 7(1)(f) of the FOIA.

V. 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.

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 partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

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

Ms. Olivia Reynhout / Weaver Consultants Group

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If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. E. Haton".

Kathleen E. Haton

Freedom of Information Officer

foia@metrarr.com

FOIA Hotline #312-663-3642

Attachments