



May 7, 2019

VIA EMAIL

Mr. Rick Ramos
Paul Borg Construction
Email: ramos@paulborgconstruction.com

RE: 19-FOIA-114 Request for Info re IFB No. 17696

Dear Mr. Ramos:

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 April 18, 2019, we received your request for a billing statement for Project No. PA0000482 and the relative certified payroll for the time period during which work was performed (“**Request**”).

On May 3, 2019, I reached out to you via telephone and email to explain that, as written, your Request was a bit unclear. I asked if we could focus on a *specific* time frame and narrow your Request to billing statements and certified payroll reports submitted for IFB No. 17696 for the period of July 19, 2018 (start of the contract) through December 31, 2018. You agreed.

Your Request is granted in part and denied in part.

II. Responsive Documents

In response to your Request, Metra is providing you with billing statements and Certified Payroll reports submitted for IFB No. 17696 for the period of July 19, 2018 through December 31, 2018 (“**Responsive Documents**”).

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 Pardonnnet has determined that unique identifier (contractor’s license number), the social security number, and home address 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,” “social security number,” and “home address” are specifically mentioned in the definition of “private information” found in Section 2(c-5) of FOIA.

Additionally, Section 2.10 of FOIA states:

“Certified payroll records submitted to a public body under Section 5(a)(2) of the Prevailing Wage Act are public records subject to inspection and copying in accordance

with the provisions of this Act; except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted by the public body prior to disclosure.” 5 ILCS 140/2.10.

IV. Right to 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:

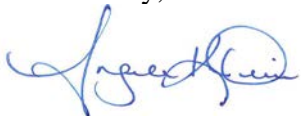
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

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.

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

Sincerely,



Angela K. Ollie
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642

Attachments