



January 11, 2017

**VIA EMAIL**

Mr. Tim Zeel

Tiles in Style

Email: [timz@tilesinstyle.com](mailto:timz@tilesinstyle.com)

RE: 16-FOIA-313 Information on re: bid # 65744

Dear Mr. Zeel:

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

**I. Background**

On December 14, 2016, we received your request for a copy of Griggs Mitchell bid for IFB#65744 (“Request”). Metra’s Procurement Department has informed us that the IFB #65744 has been cancelled and is being re-bid. Your request is denied.

**II. 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 Thomas Stuebner has determined that the documents responsive to this request are exempt from disclosure based upon the following section of FOIA:

- The documents responsive to this request are being withheld in their entirety under section 7(1)(h) of FOIA. Section 7(1)(h) exempts “[p]roposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made.” Accordingly, it has been determined that the aforementioned documents are exempt from disclosure under Section 7(1)(h).

Additionally, Metra’s Procurement Department has determined that the new publishing date is January 12, 2017 and opening bid date is January 25, 2017. The re-bid number is #65744A. You may re-submit your Request once the contract has been awarded.

**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:

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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](mailto: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.

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

Sincerely,



Sonserese Hatch  
Freedom of Information Officer  
[FOIA@metrarr.com](mailto:FOIA@metrarr.com)  
FOIA Hotline #312-663-3642