



October 19, 2016

VIA E-MAIL

Mr. Rick Halvorsen
Senior Revenue Systems Consultant
LTK Engineering Services
Email: RHalvorsen@ltk.com

RE: 16-FOIA-224 Info - RFP #54574

Dear Mr. Halvorsen:

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 September 6, 2016, we received your request for copies of the following documents provided to Metra with regard to its RFP #54574, Metra Fare Structure Study & Recommendations:

- The Technical Proposal provided by WSP / Parsons Brinkerhoff; and
- Any materials provided to Metra at or with respect to their respective interviews regarding their proposals for this project by (1) WSP / Parsons Brinkerhoff, and (2) Four Nines Technologies

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

II. Responsive Document

In response to your Request, Metra’s Procurement Department is providing you with:

- WSP / Parsons Brinkerhoff’s Technical Proposal, dated March 29, 2016;
- WSP / Parsons Brinkerhoff’s Presentation, dated May 11, 2016; and
- Four Nines Presentation Materials, dated May 12, 2016

(“**Responsive Document**”).

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

1. Private information contained within the Responsive Documents is exempt from disclosure under Section 7(1)(b) of FOIA. "Private information" is defined as "unique identifiers,

including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal e-mail addresses," as well as home address, and personal license plates. 5 ILCS 140/2(c-5).

2. Personal information mentioned in the Responsive Documents is being redacted because it is exempt from disclosure under Section 7(1)(c) of FOIA, which exempts "personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy...." Section 7(1)(c) goes on to say that, "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." It has been determined that the aforementioned personal information falls squarely within that definition and its redaction is appropriate under FOIA.

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.

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 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