



February 26, 2015

Ms. Cara Leahy White
Counsel for Texas Workforce Solutions of Tarrant County
Taylor Olson Adkins Sralla Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107

OR2015-03895

Dear Ms. White:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 554808.

Texas Workforce Solutions of Tarrant County ("Workforce Solutions"), which you represent, received a request for four categories of information pertaining to a specified request for proposals, including a copy of the winning proposal. Although you take no position as to whether the submitted information is excepted from public disclosure under the Act, you state the release of the submitted information may implicate the proprietary interests of C2 Global Professional Services, L.L.C. ("C2"). Accordingly, you state, and provide documentation showing, you notified this third party of the request for information and of its right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d) (permitting interested third party to submit to attorney general reasons why requested information should not be released); *see also* Open Records Decision No. 542 (1990) (determining statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exceptions to disclosure under the Act in certain circumstances). We have reviewed the submitted information.

Initially, we note the requestor seeks four categories of information pertaining to a specified request for proposals. However, Workforce Solutions has only submitted information responsive to the fourth category of the request for our review. To the extent any additional

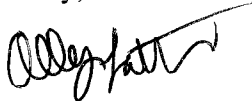
information responsive to the request existed on the date Workforce Solutions received the request, we assume Workforce Solutions has released it. If Workforce Solutions has not released any such information, it must do so at this time. See Gov't Codes §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

Next, we note an interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. See Gov't Code § 552.305(d)(2)(B). As of the date of this letter, we have not received comments from C2 explaining why its information should not be released. Therefore, we have no basis to conclude C2 has a protected proprietary interest in the submitted information. See *id.* § 552.110; Open Records Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, that release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish *prima facie* case that information is trade secret), 542 at 3. Accordingly, Workforce Solutions may not withhold any of the submitted information on the basis of any proprietary interest C2 may have in the information. As we have not received any arguments against disclosure, Workforce Solutions must release the submitted information.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Alley Latham
Assistant Attorney General
Open Records Division

AKL/dls

Ref: ID# 554808

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Mr. Chakib Chehadi
C2 Global Professional Services, L.L.C.
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(w/o enclosures)