



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 18, 2017

Ms. Denise Nance Pierce
Counsel to the San Antonio School for Inquiry and Creativity
The Law Office of Denise Nance Pierce, P.C.
901 East 12th Street
Austin, Texas 78702

OR2017-10743

Dear Ms. Pierce:

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# 658508.

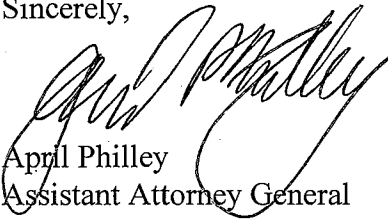
The San Antonio School for Inquiry and Creativity (the "school"), which you represent, received a request for a specified inspection report. You claim the submitted information is excepted from disclosure under section 552.104 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.104(a) of the Government Code excepts from disclosure "information that, if released, would give advantage to a competitor or bidder." Gov't Code § 552.104(a). The "test under section 552.104 is whether knowing another bidder's [or competitor's information] would be an advantage, not whether it would be a decisive advantage." *Boeing Co. v. Paxton*, 466 S.W.3d 831 (Tex. 2015). You represent the information pertains to a competitive bidding situation. In addition, you state release of the submitted information would give an advantage to other contractors by revealing the cost estimate contained in the report. After review of the information at issue and consideration of the arguments, we find the school has established the release of the information at issue would give advantage to a competitor or bidder. Thus, we conclude the school may withhold the submitted information under section 552.104(a).

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,



April Philley
Assistant Attorney General
Open Records Division

AP/sb

Ref: ID# 658508

Enc. Submitted documents

c: Requestor
(w/o enclosures)