



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

May 13, 2019

Mr. Darin Darby  
Counsel for the San Antonio Independent School District  
Escamilla & Poneck, L.L.P.  
700 North St Mary's Street, Suite 850  
San Antonio, Texas 78205

OR2019-12744

Dear Mr. Darby:

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# 764955.

The San Antonio Independent School District (the "district"), which you represent, received a request for the SGS Implementation Roadmap and Readiness Assessment, specified contracts with named third parties, specified grant applications, and e-mails between a named individual and two other named individuals during a specified time period. The district states it is releasing some of the requested information. The district claims the submitted information is excepted from disclosure under sections 552.104 and 552.111 of the Government Code. We have considered the exceptions the district claims and reviewed the submitted information.

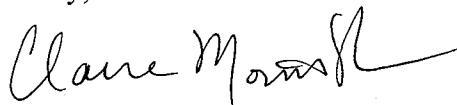
Section 552.104(a) of the Government Code excepts from disclosure "information that, if released, would give advantage to a competitor or bidder." Gov't Code § 552.104(a). The "test under section 552.104 is whether knowing another bidder's [or competitor's information] would be an advantage, not whether it would be a decisive advantage." *Boeing Co. v. Paxton*, 466 S.W.3d 831 (Tex. 2015). The district represents the submitted information pertains to a competitive bidding situation. In addition, the district states release of the information would impair the district's ability to competitively bid and negotiate for similar services in the future. After review of the information at issue and consideration of the arguments, we find the district has established the release of the information would give

advantage to a competitor or bidder. Thus, we conclude the district may withhold the submitted information under section 552.104(a) of the Government Code.<sup>1</sup>

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](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,



Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/mo

Ref: ID# 764955

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup>As our ruling is dispositive, we need not address the remaining arguments against disclosure of the submitted information.