



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 23, 2020

Ms. Sandy Slade
Public Information Coordinator
Leander Independent School District
P.O. Box 218
Leander, Texas 78646

OR2020-08934

Dear Ms. Slade:

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# 817277 (Ref. No. 2800).

The Leander Independent School District (the "district") received a request for the tabulation and pricing for a specified contract. 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). The district represents the submitted information relates to custodial supplies and services. In addition, the district states release of the information at issue would harm the district in future negotiations for this type of service by allowing competitors to use this information to their advantage. After review of the submitted information and consideration of the arguments, we find the district has established the release of the submitted information would give advantage to a competitor or bidder. Therefore, we conclude the district may withhold the submitted information under section 552.104(a) of the Government Code.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Michelle Garza
Assistant Attorney General
Open Records Division

MG/eb

Ref: ID# 817277

c: Requestor