



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 20, 2020

Ms. Esther Peña
Administrative Assistant
City of Laredo
P.O. Box 579
Laredo, Texas 78042-0579

OR2020-17930

Dear Ms. Peña:

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# 836468 (COL Ref. No. W015281-031020).

The City of Laredo (the "city") received a request for the bid results pertaining to a specified project. Although the city takes no position as to whether the submitted information is excepted from disclosure under the Act, the city states release of the submitted information may implicate the proprietary interests of ABBA Construction, LLC; AZAR Services, LLC; ERS of MS, Inc.; and Romo Contractors, LLC. Accordingly, the city states, and provides documentation showing, it notified each 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.¹ See Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2020-14007 (2020). In that ruling, we determined the city must (1) withhold some information under section 552.1175 of the Government Code, to the extent this section applied to the individual at issue, (2) withhold some information under section 552.136 of the Government Code, and (3) must release the remaining information. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we

¹ As of the date of this letter, this office has not received comments from any third party explaining why any of the submitted information should not be released.

conclude the city must rely on Open Records Letter No. 2020-14007 as a previous determination and withhold or release the submitted information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,

Gerald Arismendez
Assistant Attorney General
Open Records Division

GAA/rm

Ref: ID# 836468

Enc. Submitted documents

c: Requestor
(w/o enclosures)

4 Third Parties
(w/o enclosures)