

April 22, 2016

VIA E-MAIL

Mr. Noah Carson-Nelson

UNITE HERE Local 1

Email: ncarsonnelson@unitehere1.org

RE: 16-FOIA-082 RFP and Responses for 1/2005 Randolph St. Lease & Mgmt.

Dear Mr. Carson-Nelson:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“**FOIA**”).

I. Background

On March 29, 2016, we received your request for the following pertaining to the Millennium Station Concourse:

- Request for Proposals published in January 2005 for the leasing and management of Randolph Street station leasable space as referenced in Minutes of the Metra Board of Directors Briefing from September 16, 2005, page 4; including any and all amendments, attachments, exhibits, or other modifications to this RFP; and
- Any and all proposals received in response to this January 2005 RFP, including but not limited to responses from the Beitler Company with Friedman & Bass and Randolph Station Concourse Ventures, as referenced in Minutes of the Metra Board of Directors Briefing from September 16, 2005, page 4; including any and all amendments, attachments, exhibits, or other modifications to these proposals (“**Request**”).

I contacted you by telephone on April 12 explaining that we were still searching for documents that may be responsive to your Request and asked if you would grant us an extension to April 19. You granted our request for this extension. I contacted you again by phone and email on April 19, to advise that our Procurement Department was still working to locate any documents that may be responsive to your Request, and that we would strive to provide our response to you within the next few days. You responded by email that same day stating that you would look for the documents later this week or early next week.

II. Responsive Document

In response to your Request, Metra is providing you with a copy of Addendum No. 1 to Metra RFP No. 05809, which includes an unsigned version of RFP No. 05809. We are unable to locate the signed version and must caution that this version may vary from the aforementioned.

After performing a diligent search of Metra’s Procurement, Real Estate & Contract Department records, we have been unable to locate any further records which would be responsive to your Request. Further, we reached out to Beitler Millennium LLC by phone to inquire if they still had a copy of their RFP

submittal; however, we were told that Beitler's office relocated approximately 6 years ago, at which time they purged their old documents.

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, Section 7(1)(s) of FOIA authorizes units of government to withhold "[a]ny and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications." 5 ILCS 140/7(1)(s). Accordingly, per Attorney Thomas Stuebner, all information regarding insurance within the Responsive Document has been redacted.

IV. Right of Review

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor ("PAC") of the Illinois Attorney General's Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,



Kathleen E. Haton
Freedom of Information Officer
foia@metrarr.com
FOIA Hotline #312-663-3642

Attachment