

May 13, 2016

**VIA E-MAIL**

Ms. Dana Ramey  
[REDACTED]

RE: 16-FOIA-094 Contract – IFB #Q34509; 12 Months’ Billing

Dear Ms. Ramey:

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 April 12, 2016, we received your request for copies of the awarded contract for IFB #Q34509 for the rental of dump trucks and the last 12 months’ of billing for the awarded contract (“**Request**”). Your Request is granted in part and denied in part.

**II. Responsive Documents**

In response to your Request, Metra’s Procurement and Accounts Payable Departments are providing you with the awarded contract for IFB #Q34509 and invoices for Y2015 towards the contract (“**Responsive Documents**”).

After performing a diligent search of Metra’s records, we have been unable to locate any records responsive to your Request for the last 12 months’ of billing for the awarded contract. Metra’s Accounts Payable Department advises that the invoices received to date from the vendor are for Y2015 only.

**III. Partial Denial**

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Thomas Stuebner has determined that the following portions of the Responsive Document are exempt from disclosure under certain provisions of FOIA:

1. The username and password mentioned in the Responsive Document is being redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Private information” is defined as unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home addresses and personal license plates which are specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA. (5 ILCS 140/2(c-5)).
2. Insurance information contained within the Responsive Document is being redacted because it is exempt from disclosure under Section 7(1)(s) of FOIA, which exempts “[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**

A person whose request to inspect or copy a public record was treated by the public body as a request for a commercial purpose under Section 3.1 of FOIA may file a request for review with the Public Access Counselor (“**PAC**”) of the Illinois Attorney General’s Office for the limited purpose of reviewing whether the public body properly determined that the request was made for a commercial purpose. 5 ILCS 140/9.5(b)). 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](mailto: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](mailto:foia@metrarr.com)  
FOIA Hotline #312-663-3642

Attachments