



October 22, 1999

Mr. Johnny Griffin
Executive Director
Concho Valley Workforce Development Board
P.O. Box 2779
San Angelo, Texas 76902

OR99-3007

Dear Mr. Griffin:

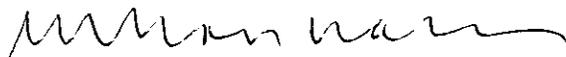
You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 129180.

The Concho Valley Workforce Development Board (the "board ") received a request for requests for proposals, proposals, and the contract in connection with the board's procurement process for a child care service provider. You indicated that the requested information has been released except for the one proposal received by the board. You were concerned that the entity making the proposal, Tom Green County Community Action Council ("TGCCAC"), might consider the proposal proprietary and thus subject to the exception to disclosure in section 552.110 of the Government Code for trade secrets and commercial or financial information.

Since the property and privacy rights of a third party may be implicated by the release of the requested information, this office notified TGCCAC about the request for information. *See* Gov't Code § 552.305 (permitting interested third party to submit to attorney general reasons why requested information should not be released); Open Records Decision No. 542 (1990) (determining that statutory predecessor to Gov't Code § 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in Open Records Act in certain circumstances). To date, TGCCAC has not responded. Since TGCCAC did not respond to our notice, we have no basis to conclude that this company's information is excepted from disclosure. Accordingly, the information at issue must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



William Walker
Assistant Attorney General
Open Records Division

WMW/ljp

Ref: ID# 129180

Encl. Submitted documents

cc: Mr. Dennis A. Blythe
Lockheed Martin IMS
Concho Valley Workforce Center
122 S. Oakes
San Angelo, Texas 76903
(w/o enclosures)