



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 26, 2010

Mr. Tom Tracy
Assistant General Counsel
Office of the General Counsel
University of Houston System
311 East Cullen Building
Houston, Texas 77204-2028

OR2010-05902

Dear Mr. Tracy:

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# 376998.

The University of Houston System (the "system") received four requests for a copy of the bid tabulation for the dorm furniture bid. One requestor also seeks additional information related to the award of the bid. You take no position on the public availability of the requested information. You believe, however, that this request for information may implicate the proprietary interests of third parties.¹ You inform us that the interested parties were notified of this request for information and of their right to submit arguments to this office as to why the requested information should not be released. *See* Gov't Code § 552.305(d); Open Records Decision No. 542 (1990) (statutory predecessor to Gov't Code § 552.305 permitted governmental body to rely on interested third party to raise and explain applicability of exception to disclosure under certain circumstances). We have reviewed the information you submitted.

An interested third party is allowed ten business days from the date of its receipt of the governmental body's notice under section 552.305 of the Government Code to submit its reasons, if any, as to why information relating to the third party should not be released. *See id.* § 552.305(d)(2)(B). As of the date of this decision, this office has received no correspondence from any of the third parties that were notified. Therefore, because none of the third parties has demonstrated that any of the information at issue is proprietary for the purposes of the Act, the system may not withhold any of the submitted information on that basis. *See id.* § 552.110(a)-(b); Open Records Decision Nos. 552 at 5 (1990), 661 at 5-6

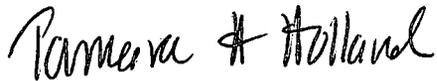
¹You inform us that the interested third parties are Dickson Furniture; Dubois Wood Products; KLN Steel Products Co.; Office Design Concepts, L.L.C.; Southwest Contract; and University Loft Co.

(1999). Thus, as the system does not claim an exception to disclosure, the submitted information must be released.

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 http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free at (888) 672-6787.

Sincerely,



Tamara H. Holland
Assistant Attorney General
Open Records Division

THH/jb

Ref: ID# 376998

Enc. Submitted documents

c: 4 Requestors
(w/o enclosures)

Mr. Jim Dickson
Dickson Furniture
7015 Grand Boulevard
Houston, Texas 77054
(w/o enclosures)

Mr. Kris Benson
KLN Steel Products Co.
4200 North West Pan Am Expressway
San Antonio, Texas 78218
(w/o enclosures)

Mr. Andrew Lapp
Dubois Wood Products
707 East 6th Street
Huntingburg, Indiana 47542
(w/o enclosures)

Mr. Joseph Sylvan
Office Design Concepts, L.L.C.
6750 Brittmoore Road
Houston, Texas 77041
(w/o enclosures)

Mr. Lee Thompson
Southwest Contract
17 Professional Drive
Temple, Texas 76504
(w/o enclosures)

Mr. Jeffrey J. Carlson
University Loft Co.
2588 Jannetides Boulevard
Greenfield, Indiana 46140
(w/o enclosures)