

UNIVERSITY OF ILLINOIS

URBANA-CHAMPAIGN • CHICAGO • SPRINGFIELD

August 18, 2014

Grace Gagliano
CAE Halthcare
grace.gagliano@cae.com

Re: FOIA Request 14-500

Dear Ms. Gagliano:

I write to respond to your Freedom of Information request dated and received in my office on July 18, 2014, in which you requested:

“CAE Healthcare submitted a response to Bid No. LDG021 Ultrasound Mannequin. We understand from purchasing that our bid was received but we were directed to contact the FOIA office for any further information. We understand also that this bid is still under evaluation, we simply just want to confirm that our bid response was actively included in the evaluation process.”

As you may know, the Illinois Freedom of Information Act is a document producing act. Your FOIA request is not seeking a public document; instead, you are asking the University to provide information. However, even if you were seeking documents regarding this bid, your request would be denied. The requested contract information has not been finalized and therefore is exempt from disclosure. Section 7(1)(h) of the Illinois Freedom of Information Act exempts from disclosure “proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of the bid solicitation shall be exempt until an award or final selection is made.” Since a final award has not been granted for this contract, release of the bid information could frustrate the selection process or give a person proposing to contract with the University an unfair advantage.

While the records relating to the bid are currently exempt, in this limited instance, we can provide you with feedback about your bid from the Purchasing Department. According to that Department, it was determined that your company was deemed non-responsive because they did not have a Board of Elections certificate as OE under the name CAE Healthcare, nor did they have a SOS.

Office for University Relations

Urbana • 108 Henry Administration Building • MC 370 • 506 South Wright Street • Urbana, IL 61801 • (217) 333-6400 • Fax (217) 333-5733
Chicago • 414 Administrative Office Building • MC 971 • 1737 West Polk Street • Chicago, IL 60612-7228 • (312) 996-3772 • Fax (312) 996-1836

You have a right, under the law, to seek a review of your status as a commercial requestor by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 217-782-1396, by email to publicaccess@atg.state.il.us, or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

If you have questions for our office, please contact 217-333-6400.

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer