



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 22, 2010

Mr. Gregory Ramel
FOIA Officer
Illinois Department of Employment Security
33 S. State Street
Chicago, Illinois 60603

RE: FOIA Pre-Authorization Request – 2010 PAC 8473

Dear Mr. Ramel:

We have received and reviewed the written notice from the Illinois Department of Employment Security (IDES) of its intention to withhold certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et. seq.*, as amended.

Specifically, on July 2, 2010, [REDACTED] submitted a FOIA request to IDES seeking copies of the following documents relating to the "Benefit Information System Redesign and Implementation Project": (1) the Deloitte technical proposal; and (2) contractor scoring sheets and evaluations.

On July 12, 2010, IDES sent a pre-authorization letter to this Office together with 270 pages of documents that contain the contractor scoring sheets and evaluations. In the letter, IDES explains that the contractor scoring sheets and evaluations are exempt from disclosure pursuant to Section 7(1)(f) of FOIA, which exempts from inspection and copying "preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." 5 ILCS 140 7(1)(f).

Determinations

IDES's request for approval of its decision to withhold the contractor scoring sheets and evaluation pursuant to Section 7(1)(f) is approved. Our Office has reviewed the documents supplied to us by IDES and we have determined that that the scoring sheets are pre-decisional in nature and fall within the scope of Section 7(1)(f). Specifically, the scoring sheets were used by IDES to analyze the strength and weaknesses of the various bidders and assist IDES in forming a decision as to an award.

Additionally, there is no evidence that this information has been publicly cited and identified by the head of the public body. 5 ILCS 140/7(1)(f).

Based on this analysis, the IDES has met its burden under Section 7(1)(f) and may withhold the contractor scoring sheet and evaluations.

If you have any questions or concerns, please contact me at (312) 814-5383. This correspondence shall serve to close this matter.

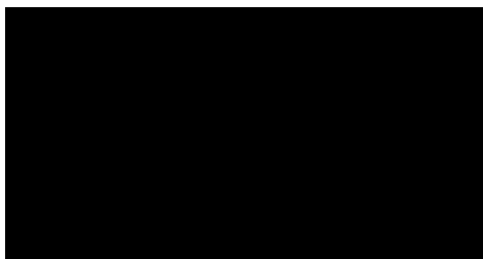
Sincerely,

Cara Smith
Public Access Counselor

A large black rectangular redaction box covering the signature of Matthew C. Rogina.

Matthew C. Rogina /
Assistant Public Access Counselor

cc:

A large black rectangular redaction box covering the list of recipients in the cc field.