



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

November 16, 2010

Kimberly Dewis
Freedom of Information Officer
Village of Mount Prospect
50 South Emerson Street
Mount Prospect, IL 60056

RE: Pre-Authorization Request – 2010 PAC 10422

Dear Ms. Dewis:

We have received and reviewed the written notice from the Village of Mount Prospect (Village) of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA).

Specifically, on October 19, 2010, Ms. Rose Santos submitted a FOIA request to the Village, seeking a copy of the following documents, relating to the Enterprise Resource Planning System – RFP August 31, 2009:

- Contract & Winning Proposal;
- Evaluation Matrix, Evaluation criteria, evaluation tallies, scoring systems and results.

In its written notice, the Village asserts that certain documents, contained within the requested records, have been withheld from disclosure under Section 7(1)(f) of FOIA (5 ILCS 140/7(1)(f)).

Determination

Section 7(1)(f) of FOIA exempts from inspection and copying “[p]reliminary” drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions 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.”

The Village’s use of the Section 7(1)(f) exemption with regards to the withheld documents is **approved**. We have determined that the withheld documents comprise of drafts, recommendations and staff notes in which opinions were expressed. Furthermore, the Village has indicated that none of these documents were presented to the Village’s Board of Trustees for consideration or otherwise made public.

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Accordingly, the Village has met its initial burden of demonstrating that the withheld documents are exempt from disclosure under Section 7(1)(f) of FOIA.

Should you have any questions or concerns, please feel free to contact me directly at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Tola Sobitan
Assistant Public Access Counselor

cc: Rose Santos
FOIA Group, Inc
P.O. Box 368
Depew, New York 14043

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