



Dear Attorney General

Thank you for notifying us of the request for information relating to our contract(s) with TRWD and any related information. We have reviewed the request in respect of any information we may have or that we are aware of that is responsive.

Our review has identified the contract and any documents related to the negotiation of the contract. While we are aware of and understand a preference for transparency, we are writing because we believe making any of this information public would cause us substantial competitive harm. Sec. 552.104 of the Texas Government Code allows an exception for information that, if released, would give a competitive advantage to our competitors.

The responsive materials include provisions or discussions of provisions outlining scope, setting fees, terms of payment, and the standard of performance among others. Each of these are integral to the nature of the services and the value proposition inherent in our bid. Each of these is an element of a competitive bid and each, if made public would give our competitors a competitive advantage. The information is in fact so sensitive that if we were to share much of the included information with our competitors voluntarily, the sharing would itself likely be unlawful on the very same basis. Furthermore, redacting the document would not be a sufficient solution because without wholesale redaction of the bulk of the document, it would be easy for a person skilled in competitive bidding to infer or extract information that would be advantageous to a competitor.

As such, we would like to assert our right to protect this competitively sensitive information as permitted by the exception and acknowledged in *Boing Co. v. Paxton*, 58 Tex. Sup Ct. J. 1246, which allows that (1) we have a right to assert this exception, and (2) because the information is competitively sensitive and would give advantage to our competitors if released, the contract should be withheld. We ask that you please take all lawful actions consistent with assisting us in making this assertion and advise us if any further information is required.

With Kind Regards,



Rodrigo Vallejo