From: Hodges, Lawsikia
To: Miller, Carla
Cc: RHosay@foley.com
Subject: Re: additional question for 11 meeting
Date: Thursday, December 19, 2019 9:07:51 AM

Robert,

See below. Let's also discuss this question.

Lawsikia

Sent from my iPhone

On Dec 19, 2019, at 9:03 AM, Miller, Carla <CarlaM@coj.net> wrote:

Lawsikia,

On several occasions I have asked for the authority of JEA to keep the names of the bidders in the ITN confidential.
(Confidentiality is in the ITN, p.44 question 11.)
I do not see that authority in FS 119.071. That statute exempts the actual proposal. FS 286.0113 (2) exempts out any records presented at exempt meetings.

Under FS 337.168 (Dept of Transportation; contracting for public transportation) it states:
337.168 Confidentiality of official estimates, identities of potential bidders, and bid analysis and monitoring system.—
(1) A document or electronic file revealing the official cost estimate of the department of a project is confidential and exempt from the provisions of s. 119.07(1) until the contract for the project has been executed or until the project is no longer under active consideration.
(2) A document that reveals the identity of a person who has requested or obtained a bid package, plan, or specifications pertaining to any project to be let by the department is confidential and exempt from the provisions of s. 119.07(1) for the period that begins 2 working days before the deadline for obtaining bid packages, plans, or specifications and ends with the letting of the bid. A document that reveals the identity of a person who has requested or obtained a bid package, plan, or specifications pertaining to any project to be let by the department before the 2 working days before the deadline for obtaining bid packages, plans, or specifications remains a public record subject to s. 119.07(1).
(3) The bid analysis and monitoring system of the department is confidential and exempt from the provisions of s. 119.07(1). This exemption applies to all system documentation, input, computer processes and programs, electronic data files, and

output, but does not apply to the actual source documents, unless otherwise exempted under other provisions of law.

I do not see an exemption like this that would cover the JEA ITN process.
Under what authority are the names of the bidders being kept confidential? Can Robert cover that in our 11am phone call? Thanks.

Carla