



CITY OF CHICAGO



DEPARTMENT OF PROCUREMENT SERVICES

August 26, 2021

Michael Morisy
MuckRock News
DEPT MR 117885
411A Highland Ave
Somerville, MA 02144-2516

Sent via email: 117885-20265809@requests.muckrock.com

Dear Mr. Morisy:

On behalf of the Department of Procurement Services (DPS), I am responding to your Freedom of Information Act (FOIA) request received August 19, 2021 wherein you stated:

"1. All contracts for business and professional services signed by the city – including, but not limited to, information technology, finance, consulting and engineering contracts – with third party vendors.

2. I request contracts with business and professional services vendors that bill the city on an hourly or project basis for work performed by non-public employees, who are sometimes referred to as "subcontractor employees," "contract employees," or "consultants."

I also request:

3. Any lists of contracts the city has with providers of business and professional services.

4. Any contract riders and additional documentation that details or defines the scope of contract,

5. Any records containing the number of subcontractor employees, occupations, total number of hours worked, and total amount payable to each contractor. data purchase, licensing, or exchange agreements.

6. Any policy documents that detail aspects of the sub-contractor relationship, including worker protections, non-competes, language and provisions regarding collective bargaining agreements, and employment policy documents for contractors.

7. Any vendor distribution lists for related requests for proposals.

8. this request is not limited to, but specifically includes, all contracts with the following companies: Deloitte, Accenture, IBM, PricewaterhouseCoopers, H&R Block, Booz Allen Hamilton Inc., SAIC Inc., KPMG, Ernst & Young, Automatic Data Processing Inc., CACI International Inc, Leidos, AECOM Technology, Jacobs Engineering Group Inc., Mantech International Corp., Computer Sciences Corporation, URS Corporation, Parsons Brinckerhoff, Envision, Covance Incorporated, XPO Logistics, CGI Group, NTT Data, Capgemini, Infosys, Schlumberger, HDR Inc, Sirius Computer, Paychex, Serco, Quintiles, SRA International Inc, Ciber Inc, Wipro, Wolters Kluwer, First Data, Grant Thornton, Bechtel, PAE Inc, Viva USA, Black & Veatch, Tetra Tech, Alorica, McKinsey & Company, Tata Consultancy Services, Sapient, First Data, Unisys, Gartner Incorporated, Public Consulting Group I request any responsive documents generated between January 1, 2016 and the date this request is processed. If there are ways to modify or change the scope of my request to reduce the burden on agency resources, please let me know.”

Regarding your requests for numbers 3, 4, and 8, the information that you seek is available online on the City of Chicago Vendor, Contract and Payment Search website. Please visit us at: <https://webapps1.cityofchicago.org/vcsearch/contracts>. You can search by entering the company name in the “Vendor name” box, located under Contracts and click “Search.” You can also click “Details” for additional information. If you need assistance navigating this website, you can contact me at 312-744-1371 or carmen.rodriguez@cityofchicago.org.

For your request for number 6, this information is also available online at: https://www.chicago.gov/city/en/depts/dps/provdrs/contract/svcs/forms_and_standard_agreements.html and go to MBE/WBE Special Conditions Information. Please note that DPS is not required under FOIA to produce records it maintains online. Under Section 8.5(a) of FOIA “a public body is not required to copy a public record that is published on the public body’s website.”

To the extent your request seeks additional records, your request does not sufficiently identify the records you are seeking, and is therefore burdensome. Section 3(g) of FOIA provides that “[r]equests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.” 5 ILCS 140/3(g). As the Illinois Attorney General’s Public Access Counselor has noted (see 2017 PAC 47756, issued June 20, 2017), Illinois courts have held, “[a] request to inspect or copy must reasonably identify a public record[.]” Chicago Tribune Co. v. Dept. of Financial and Professional Regulation, 2014 IL App (4th) 130427, ¶ 33. A FOIA request “reasonably describes records if ‘the agency is able to determine precisely what records are being requested.’” Kowalczyk v. Dept. of Justice, 73 F.3d 386, 388 (D.C. Cir. 1996) (quoting Yeager v. Drug Enforcement Admin., 678 F.2d 315, 326 (D.C. Cir. 1982)).

Here, it is not clear which documents in the custody of DPS you are seeking. To the extent that you need assistance with determining appropriate parameters for clarifying your request, please contact me, and I will assist you.

While DPS is unaware of responsive records as explained above, to the extent you seek email communications or an email search, parameters that would assist the DPS in conducting an email search include: (1) the e-mail address of the account you wish searched; (2) key words you wish to search for; (3) the e-mail address of each individual's mailbox, if you seek e-mail correspondence to and from two individuals; and (4) the timeframe to be searched. In addition, you have not identified a specific record that you are seeking. Without further clarification from you, a search is onerous and unduly burdensome on the Department pursuant to Section 3(g) of FOIA.

If you agree to narrow and clarify your request, please submit a revised written request to my attention. In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you have a right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706 or by telephone at (877) 299-FOIA. You may also seek judicial review of a denial under 5 ILCS 140/11 of FOIA.

Sincerely,



Carmen Rodriguez
DPS FOIA Officer