


# The Hideout Comment: a local publication in Hideout, UT

## The Hideout Comment

 Search



# Ross Creek: 10 Acres Property in Hideout - “Town Center”



# Hideout “RFI”:

## 2. Purpose of the RFI

The purpose of this RFI is to explore options available to the Town to develop the Property and to learn from the prior experience of others in developing community or town centers within a growing community. This RFI is intended solely to assist in informing the Town’s approach to developing the Property and does not constitute a solicitation for purchase or a commitment to issue an RFQ/RFP. It is a request for information only, not a solicitation.

(Hideout RFI, item 8, page 82, 9/14/2023 council meeting)

# Hideout claims the RFI is a protected record under the Utah Procurement Code:

Pursuant to Utah State Code [63G-6a-409\(5\)](#), a record containing information submitted to or by a governmental entity in response to a request for information is a protected record under Section [63G-2-305](#).

(Hideout GRAMA Response)

# The Hideout RFI is not an RFI under Utah Procurement code

## **63G-6a-409. Request for information.**

(5) A record containing information submitted to or by a governmental entity in response to a request for information is a protected record under Section 63G-2-305.

## **63G-6a-103. Definitions.**

(70) "Request for information" means a nonbinding process through which a procurement unit requests information relating to a procurement item.

(56) "Procurement item" means an item of personal property, a technology, a service, or a construction project.

(12) "Construction project": (a)

means a project for the construction, renovation, alteration, improvement, or repair of a public facility on real property, including all services, labor, supplies, and materials for the project; and

(64) "Public facility" means a building, structure, infrastructure, improvement, or other facility of a public entity.

# McCosh in Admin Appeal defined the RFI as a “SERVICE”

After reviewing your appeal, I am upholding the denial. The denial is allowed under Utah Code Ann. 63G-2-305(7). Under that statute, requests for information are classified as protected records until the government entity awards a contract and the contract is signed by all parties, or

the RFI is a service to Hideout

(Hideout Admin Appeal Denial)

# An RFI is a process RELATED to the service - not THE service

## 63G-6a-409. Request for information.

(5) A record containing information submitted to or by a governmental entity in response to a request for information is a protected record under Section 63G-2-305.

## 63G-6a-103. Definitions.

"Request for information" means a nonbinding **process** through which a procurement unit requests  
**information relating to** an item of personal property, a technology, **a service**, ...

Hideout Administrator: the RFI is a service to Hideout

# An RFI is information could be a PUBLIC CONSTRUCTION PROJECT

## 63G-6a-409. Request for information.

(5) A record containing information submitted to or by a governmental entity in response to a request for information is a protected record under Section 63G-2-305.

## 63G-6a-103. Definitions.

"Request for information" means a nonbinding process through which a procurement unit requests

**information relating to** an item of personal property, a technology, a service, or a construction project for the construction, renovation, alteration, improvement, or repair of a **building, structure, infrastructure, improvement**, or other facility of a public entity.



# The RFI is intended SOLELY in informing an “approach”

## 2. Purpose of the RFI

The purpose of this RFI is to explore options available to the Town to develop the Property and to learn from the prior experience of others in developing community or town centers within a growing community. This RFI is intended solely to assist in informing the Town’s approach to developing the Property and does not constitute a solicitation for purchase or a commitment to issue an RFQ/RFP. It is a request for information only, not a solicitation.

# Hideout considered its RFI a public record

## 9. RFI Process

Respondent consents to the contents of their submission being made available to the public. Respondents may request that proprietary information be held confidential as further described

## 10. Public Records; Claims of Confidentiality

The burden of claiming an exemption from disclosure shall rest solely with Respondent. Any materials for which Respondent claims a privilege from disclosure shall be submitted marked as “Business Confidential” and accompanied by a concise statement of reasons supporting Respondent’s claim of business confidentiality. Blanket claims of confidentiality will be denied. By responding to the RFI,

(Hideout RFI)