FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by James McCarthy, Complainant	Report of Hearing Officer
against	Docket #FIC78-10
State of Connecticut; and Department of Environmental Protection of the State of Connecticut, Respondents	March 13, 1978

The above captioned matter was heard as a contested case on February 22, 1978, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondent department is a public agency as defined by §1-18a(a), G.S.

2. By letter received by the Commission on January 10, 1978, the complainant alleged that he did not receive all of the materials relating to the Waterfront Park Project which were requested by him on December 21, 1977.

3. At hearing, the respondent department showed the complainant, to his full satisfaction, where 7 of the 8 documents so requested were within the 277 pages of documents already provided to him In the Matter of a Complaint by James McCarthy against State of Connecticut; Department of Environmental Protection of the State of Connecticut; and the Commissioner of the Department of Environmental Protection, FIC Docket #77-21.

4. An eighth document, which inadvertently was not included in the 277 pages of documents already given, was handed to the complainant at the hearing herein, to his full satisfaction.

5. The complainant is also seeking a certain engineering evaluation prepared for the City of Bridgeport connected with the Waterfront Park Project.

6. The aforesaid evaluation contains specifications, cost estimates and an assessment of what appropriate bids would be for proposed new construction connected with the Waterfront Park Project.

7. Such proposed construction has not yet been put out to bid by the City.

8. All proceedings or transactions relating to the Waterfront Park Project, and the proposed construction connected therwith, have not been terminated or abandoned by the City at this time.

9. The requested evaluation is found to constitute an engineering or feasibility estimate and evaluation relative to prospective public supply and construction contracts within the meaning of §1-19(b)(7), G.S.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is hereby dismissed.

2. The respondent department has promised to provide the complainant with the entire requested evaluation, or any part thereof, which relates to construction proposals subsequently abandoned or terminated by the City. It is hoped that such a resolution between the parties will avoid the necessity of an additional hearing on this same matter.

Donald W. Friedman

Commissioner Donald W. Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on March 22, 1978.

Charlene G. Arnold

Charlene G. Arnold
Clerk of the Commission