



County of Burlington

Office of the County Administrator

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Via Email: opra+request-36863-8d731694@requests.opramachine.com

December 7, 2022

Ava Valesi

Re: OPRA Request 2255-22

Dear Ms. Valesi:

I am in receipt of your recent OPRA request, whereby you requested the following:

Bid Tabulation Results for Rebid-Arney's Mount Phase 1.

Please be advised that while there are documents responsive to your request on file with the County of Burlington, they are exempt from disclosure under the "inter-agency or intra-agency advisory, consultative or deliberative material" exemption pursuant to N.J.S.A. 47:1A-1.1. This deliberative process privilege "permits the government to withhold documents that reflect advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated." In Re Liquidation of Integrity Ins. Co., 165 N.J. 75, 83 (2000). The underlying rationale for the deliberative exemption is two-fold: "first, the exemption protects free and open comments within government agencies, and second, it prevents the release of proposed policies before they have been fully scrutinized and implemented by the governmental agency." Tractenberg v. Twp. of West Orange, 416 N.J. Super. 354, 366 (App. Div. 2010). Please also see Educ. Law Ctr. v. N.J. Dep't of Educ., 198 N.J. 274, 285 (2009). N.J.S.A. 47:1A1.1; Verry v. Franklin Fire Dist. No. 1 (Somerset), GRC Complaint No. 2013-287 (Interim Order dated June 30, 2015).

I am also obligated to inform you that if you believe I have erred in withholding documents, you have the right to bring an action in the Superior Court of New Jersey, or to appeal to the Government Records Council. The Council can be reached at (609) 633-6337, or by mail at PO Box 819, Trenton, New Jersey 08625.

We now consider our response complete. Thank you for the opportunity to be of assistance.

Sincerely,

DINA ROCCO
Custodian of Public Records
Burlington County