July 17, 2014

Mr. Paul Joseph Harcz, Jr.

E-mail: joeharcz@comcast.net

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

Re: FOIA Response to Request for Information on Michigan Restaurant Association (and/or Other Private Restaurants) Contracts and RFP for BEP Data System

Dear Mr. Harcz, Jr.:

This email is in response to your June 26, 2014, email request for information, received by this office on June 27, 2014, of which an extension was taken through July 17, 2014. Please be advised that the Bureau of Services for Blind Persons (BSBP) is processing this request under the state’s Freedom of Information Act (FOIA), MCL 15.231 *et seq*.

You have requested information as described in your email (which is also below) as:

“I am asking you today for the contract between BSBP (a federally created and funded Vocational Rehabilitation Agency) and the Michigan Restaurant Association and any private restaurants contracted with and referenced in the above.

I am also requesting the referenced RFP related to the BEP data System which by the way you’ve been talking about ever since you assumed the directorship of the BSBP in October of 2012 and which was a part of the findings and rrecomendations of the Michigan Auditor General’s report in November, 2012.”

FOIA Response – P.J. Harcz, Jr.

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In regards to your request for the contract or contracts between BSBP and the Michigan Restaurant Association and any private restaurants, your request is denied. To the best of my knowledge, information or belief, no such contract or contracts exist.

In regards to your request pertaining to the RFP related to the BEP data system, this information is denied under MCL 15.243, Section 13(m) of the FOIA as the information is preliminary to a final agency decision.

Under the provisions of MCL 15.240, Section 10(1) of the state’s FOIA, you may (1) submit a written appeal regarding the disclosure denial of any portion of your FOIA request to Steve Arwood, Director, Michigan Department of Licensing and Regulatory Affairs, Attention: Michael Zimmer, Chief Deputy Director, P.O. Box 30004, Lansing, MI 48909. Your appeal must include the word “appeal” and identify the reason(s) for reversal of any disclosure denials; or (2) you may file an action in an appropriate court within 180 days after this notice. If you prevail in court action, the court may award you reasonable attorney fees, costs, and disbursements. If the court finds the Department’s actions to be arbitrary and capricious, the court shall award you, in addition to any actual or compensatory damages, punitive damages in the amount of $500.00.

Sincerely,

Carla Miller Haynes, FOIA Coordinator

Bureau of Services for Blind Persons

Attachments - Email Request for Information

cc: Edward F. Rodgers II

Sue Luzenski

 Mike Pemble

Katie Belknap

 Rob Essenberg

 Constance Zanger

 James Hull

From: joe harcz Comcast [mailto:joeharcz@comcast.net]

Sent: Thursday, June 26, 2014 10:43 AM

To: Rodgers, Edward (LARA)

Cc: Luzenski, Sue (LARA); Mike Pemble BSBP Dep. Dir.; Christyne.Cavataio@ed.gov; Lamb, Elden (OAG);

Marlene Malloy MCRS Dir.; BRIAN SABOURIN; trina edmondson mcrs dac; Michael Poyma VA MCRS;

nfbmi-talk@nfbnet.org; Gary Gaynor; commissioner-hudson@outlook.com; Joe Sibley MCBVI Pres.;

BSBPcommissioners

Subject: request perported rfp contracts

June 26 2014 RFP and MRA Contract

Paul Joseph Harcz, Jr.

1365 E. Mt. Morris Rd.

Mt. Morris, MI 48458

810-516-5262

joeharcz@comcast.net

To:

Edward Rodgers, Director

Mich. Bureau of Services to Blind Persons (BSBP)

Dear Mr. Rodgers,

I point you to the following:

(From: Draft MCRS Minutes May 2 2014)

“Business Enterprise Program (BEP)

A brief overview was provided of the BEP, which is a federal and state program that gives preference to blind entrepreneurs in either federal or state operated buildings, including Michigan highway rest stops, to run either snack and/or vending machines.

Update: BEP Operator in Anderson House Office Building, Downtown Lansing

BSBP has been working hard to get BEP operators back into the Anderson building after a recent absence. A goal for the end of May has been set for this to take place.

Division of Business Assistance and Development

Under the leadership of its new Director, Rob Essenberg, this division has been

combined with the BEP. Both divisions will be housed in the Anderson building.

Partnership with Michigan Restaurant Association

Some of the Association’s members will be giving BSBP products that will be sold at various facilities. Contracts are in the process of being finalized.

BSBP Data System

BSBP is currently in the process of updating its data system for information management. A RFP (request for proposals) is being finalized for bids for a new data collection system, which will be working with the BEP and vending routes for more computerized monitoring of stock levels in operator machines.”

I am asking you today for the contract between BSBP (a federally created and funded Vocational Rehabilitation Agency) and the Michigan Restaurant Association and any private restaurants contracted with and referenced in the above.

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As always I thank you for your prompt and accessible response to this inquiry of a public official dealing with public funds.

I know by your comments recently at the MCRS meeting that you will be forthcoming in supplying such information and the documentation of such claims to the MCRS too.

Sincerely,

Paul Joseph Harcz, Jr.

Cc: NFB MI

Cc: ED, MCRS

Cc: MCRS Members

Cc: RSA

Cc: BSBP Commission

Cc: several