

REQUEST 2020-131

Laura Dennis, Esq.
Luzerne County
Luzerne

Dear Laura Dennis, Esq.,

I am writing to submit a request under the Pennsylvania Right to Know Law. If you are not the open records officer for Luzerne County, please forward this request to the appropriate person. I request the following:

1. Any contracts or other agreements, whether with a private contractor or another public agency, to provide or support Passenger Transportation, defined as the transportation of passengers by bus, motor coach, van, sedan, other motor vehicle, rail, water ferry or other vehicle, including yellow school bus and all other forms of student transportation. Passenger Transportation-related contracts or agreements include but are not limited to:
 - a) Direct Passenger Transportation (including student transportation);
 - b) Maintenance and/or repair of vehicles, equipment and facilities in furtherance of, or related to, Passenger Transportation;
 - c) Administrative or consulting services in furtherance of, or related to, Passenger Transportation;
 - d) Paratransit, including ADA-complementary paratransit, service;
 - e) Non-emergency medical transportation service;
 - f) Passenger Transportation related to adult day care and senior centers, and similar transportation services;
 - g) Passenger Transportation related to therapeutic recreation services;
 - h) Passenger Transportation related to foster care and head start;
 - i) Seasonal Passenger Transportation services, such as for summer camps, summer school, or summer meal programs; and
 - j) Any other Passenger Transportation services or Passenger Transportation-related services provided by your agency or any contractor/subcontractor.
2. Any subcontracts for any such contracts or other agreements, or if the subcontracts are not in possession of the agency, records documenting the identities of the subcontractors.
3. The Request for Proposals or other request for bids related to such contract or other agreement (and subcontract to the extent your agency has those records).
4. Records documenting whether any employees of such contractors or subcontractors are represented by any labor union.
5. Records documenting the number of employees of the contractor or subcontractor performing contracted-for services.

Please provide all responsive records and responses to this request by email, and please provide all documents in electronic, searchable form to the extent they are maintained in that form. **Please advise**

if there will be any costs associated with this request before those costs are incurred, so that I can approve or deny the cost. Please let me know if you have any questions or require any clarification.

Best,

Christopher Bangs
Amalgamated Transit Union
10000 New Hampshire Avenue
Silver Spring, MD 20903
Cell: (202) 262-2630



Right-To-Know Response Form

August 24, 2020

Christopher Bangs
Via email only to cbangs@atu.org

RTK REQUEST #2020-131

Dear Mr. Bangs:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right- To-Know law ("RTKL").

Recently, the Luzerne County Office of Law received a request for documents from you described in the attached Right To Know request. Your request is denied because Luzerne County does not maintain these documents. §705 of the RTKL states that "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record".

To further assist you, we suggest you direct your request directly to the Luzerne County Transportation Authority. I thank you for your email clarifying your request. I was able to reach our operations department for additional information, however, they confirmed my initial email that the Transportation authority has taken over all of the transportation requirements for Luzerne County Government.

You have a right to appeal this denial of information in writing to Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact Laura C. Dennis. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Laura C. Dennis, Esq.
Luzerne County
Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711