



General Services Administration
Government of Puerto Rico

Regulation for Processing Requests for Expedited Access to Public Information

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Chapter I. General Dispositions

Section I: Title

This Regulation shall be known as the “Regulation for Processing Requests for Expedited Access to Public Information.”

Section II: Legal Basis

In Puerto Rico, individuals have a fundamental right to access public information. *Kilómetro 0 v. Pesquera López*, 207 DPR 200, 207 (2021). It’s “a corollary of the rights to freedom of speech, press, and association, expressly enshrined in our Constitution.” *Trans Ad de P.R. v. Junta de Subastas*, 174 DPR 56, 67 (2008). As a result, “without access to public information, citizens would not be able to judge government actions or demand redress for grievances caused by them.” *Id.* For these reasons, our Legislative Assembly enacted Act No. 141-2019, Transparency and Expedited Procedure for Access to Public Information Act, 3 P.R. Laws Ann. sec. 9111 et seq, to establish a uniform procedure for persons to inspect or obtain public information generated or maintained by government entities.

This Regulation is approved under the provisions of Article 11 of Act No. 141-2019, 3 P.R. Laws Ann. sec. 992, which states that all government entities must approve a regulation that complies with the public policy set forth therein. Also, per the regulatory power delegated in Article 11(j) of Act 73-2019, General Services Administration Act for the Centralization of Purchases of the Government of Puerto Rico of 2019, 3 P.R. Laws Ann. sec. 9832f.

Section III: Applicability

The right of access to information, and therefore the procedure established in this Regulation, applies to all public documents held or generated by the General Services Administration (hereinafter GSA) as defined in Section 1(b) of Act No. 5 of December 8, 1995, the Puerto Rico Public Records Administration Act, 3 P.R. Laws Ann. sec. 1001.

Chapter II: Rules Governing Requests for Public Documents

Section 2.1: Information Officers

The Administrator will appoint three employees as Information Officers. Their names and contact information shall be publicly available on the GSA’s website.

The information officers will be duly trained and responsible for receiving public information requests and processing them according to the process established by law and this regulation.

Additionally, they are responsible for providing monthly reports containing information such as the number of requests received, the type of information requested, and the status of each request. The reports must be available for review on the GSA's website.

Section 2.2: Request for Public Information

Any person interested in requesting or inspecting public documents must submit a written petition to an Information Officer at the electronic or physical contact address listed on the GSA's website. The petition must include the petitioner's address or email address, a description of the information the person wishes to obtain, and the means he wishes to receive it.

Section 2.3: Processing of Requests for Public Documents

Once the information request is received, the Information Officer will assign it an identification number. Subsequently, the Information Officer will notify the petitioner that his request was received and provide the identification number assigned to the request.

The requested documents must be delivered within ten business days from the request is submission date, regardless of if it was sent by email or postal service. If necessary, this period can be extended by ten business days. Still, the Information Officer must notify the requester of the extension before the original deadline and provide a reason for the extra time required.

The Information Officer must evaluate the request for information within three business days and send it to the Director of GSA's Legal Offices. Additionally, he must identify and contact the person in charge of the area with custody of the requested public information.

Section 2.4: Means of Compliance

The requested public information shall be delivered through the means the petitioner selects unless doing otherwise would entail a greater cost or risk to the document's integrity.

The means to comply with the information request are the following: (1) make the information available at GSA's office so the petitioner can inspect it or reproduce it at his own expense, or (2) send the information by email free of charge; or (3) send it thru postal service, as long as the requestor pays for the postage and mailing expenses; or (4) provide a URL address for a website containing instructions on how to access the requested information.

If the delivery of the requested information entails an extraordinary expense, the information shall be disclosed in the available or least costly format.

Section 2.5: Information Available on the GSA's Website

The Administrator is required to post on the GSA's website all documents related to the process of posting, holding, and awarding bids for all public works and purchasing through bids for assets and services of all government entities, as well as the municipalities that voluntarily participate in the procedures and services established in law. The Unique Bid Registry of the Government of Puerto Rico contains, among other things, the announcement of bidding processes, its descriptions, the participating bidders, the award dates or cancellation of the bidding process, the successful bidders, the price for which the bid was awarded.

According to Article 2.4 of this Regulation, if the information is available on the GSA website, the Information Officer will provide the requesting party with instructions for accessing it.

Section 2.6: Inspection of Files for All Bidding Methods

Subject to the limitations established by law and in these Regulations, inspection of a file for any procurement method at GSA facilities will be available once awarded. Before such inspection, the only public information that may be disclosed is otherwise published under Article 2.5 of these Regulations.

Once the Information Officer notifies the Director of GSA's Legal Division of the request for information, the petitioner will be informed of the days and times available to inspect the files, either at the Bid Board or the Auxiliary Procurement Administration.

Section 2.7: Collection of Public Documents

When the petitioner requests a physical delivery of the information, he must pay the reproduction costs. Once proof of payment has been corroborated, the Information Officer will coordinate the immediate delivery of the reproduction of the requested document to the requestor.

Section 2.8: Charges Applicable to Information Requests

If a petitioner requests public documents in paper form, he is responsible for covering the costs of reproduction and any other fees provided by law. In addition, if he chooses to receive the documents through the postal service, the requestor must pay the postage and mailing expenses.

Pursuant to Article 8 of Act No. 141-2019, 3 P.R. Laws Ann. sec. 9918, GSA establishes the following costs for physical copies:

Single copy \$.25 per page
Certified copy \$.50 per page

When the petitioner is indigent, after fulfilling the form that the GSA will create through an Administrative Order, he will be exempt from paying the cost for the copies and the delivery of the requested information.

Section 2.9: Denial of Public Information Requests`

If the Information Officer evaluates the information request and denies the disclosure of the documents, he shall send his decision to the requestor in writing and shall include a summary of the legal grounds on which the denial is based. Also, the petitioner shall be advised about the judicial review available per Section 9 of Act No. 141-2019, P.R. Laws Ann. sec. 9919. The decision must be notified within the established timeframe for processing the information request.

If a petition is not answered within ten business days of its submission, it should be deemed rejected unless this period is extended.

Section 2.10: Documents unavailable for inspection or reproduction

Public documents shall not be accessible when the law provides them.

Documents protected by an evidentiary privilege or whose disclosure may harm the fundamental rights of third parties, as defined in the 2009 Rules of Evidence, cannot be disclosed or inspected. Such as official information, which is any information acquired in confidence by a person who is a public official in the performance of his duty and that has not been officially relieved or is not accessible to the public.

Neither will the information public officials use during the deliberative processes to develop certain public policies be available. This includes, but is not limited to, internal discussions of administrative staff, the Bid Board, or the Bid Review Board. It also includes opinions or memoranda from officials, employees, or internal consultants that contain interpretations or valuations of legal matters or purchasing determinations.

Personnel records or any such information shouldn't be considered public documents. This includes, among other things, the following information: appointments, personnel transactions, remuneration, performance evaluation, licenses, medical information, or training.

Documents associated with criminal or civil cases that are pending in the courts on the date of the request, as well as any information in the process of investigation that could end in a judicial process, are not subject to inspection. Nor will information on physical address, telephone number, emergency contact information, social number, credit card number, financial information, banking activity, confidential information of private third parties, business secrets, or tax forms. This is unless this information is otherwise public through its inclusion in the records of a bidding process or that it is contained in the Sole Registry of Professional Service Providers and Sole Registry of Bidders.

No information related to the security of the GSA computer network, its design, operation, or defense will be disclosed.

Chapter 3: Final Provisions

Section 1.1: Severability clause

If a competent court declares any section of this Regulation unconstitutional, invalid, or null and void, it won't affect the remaining provisions.

Section 1.2: Validity of this Regulation

This Regulation shall become effective thirty days after it is filed at the Department of State per Section 2.8(a) of Act No. 38-2017, Uniform Administrative Procedure Act of the Government of Puerto Rico, 3 P.R. Laws Ann. sec. 9618.

Approved in San Juan, Puerto Rico, on April __, 2025.

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