

## Confidential/Proprietary Information

All materials submitted as part of a response to a solicitation are subject to Arizona public records law and will be disclosed if there is an appropriate public records request at the time of or after the award of the contract. Recognizing there may be materials included in a bid response that are proprietary or a trade secret, a process is outlined in A.A.C. R7-2-1006, which allows qualifying materials to be designated as confidential and excluded from disclosure.

This form must be completed and returned with the bid package, along with any supporting information to assist the District in making its determination as to whether any of the materials submitted as part of the solicitation response should be designated confidential because the material is proprietary or a trade secret and therefore not subject to disclosure.

**\*\*\*Requests to hold the entire offer or price as confidential will result in the Offer being deemed Not Susceptible for Award\*\*\***

**Bidders must select one of the following:**

- My response **does not** contain proprietary or trade secret information. I understand that my entire response will become public record.
- My response **does** contain trade secret information because it contains information that:
  1. Is a formula, pattern, compilation, program, device, method, technique or process, **AND**
  2. Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; **AND**
  3. Is the subject of efforts by myself or my organization that are reasonable under the circumstances to maintain its secrecy.

**Please note that failure to attach an explanation may result in a determination that the information does not meet the statutory confidential and/or trade secret definition.**

If the District agrees with the bidder's designation of trade secret or confidentiality and the determination is challenged, the undersigned hereby agrees to cooperate and support the defense of the determination with all interested parties, including legal counsel or other necessary assistance.

Company Name



**Signature of Person Authorized to Sign**

## Address

Printed Name

City \_\_\_\_\_ State \_\_\_\_\_

Zip

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## Title