

Form 22 – Request for Confidentiality

CONTRACTOR NOTE: SUBMISSION OF THIS FORM 22 IS REQUIRED

THIS FORM 22 (FORM) MUST BE COMPLETED AND INCLUDED WITH YOUR RESPONSE (BID) TO THE REQUEST FOR BIDS (RFB). THE FORM IS REQUIRED WHETHER THE BID DOES OR DOES NOT CONTAIN INFORMATION FOR WHICH CONFIDENTIAL TREATMENT WILL BE REQUESTED.

FAILURE TO SUBMIT A COMPLETED FORM WILL RESULT IN THE BID CONSIDERED NON-RESPONSIVE AND ELIMINATED FROM EVALUATION.

I. Confidential Treatment Is Not Requested

A request for confidential treatment of information contained in our Bid is not submitted.

_____ Company	_____ RFB Number	_____ RFB Title
_____ Signature	_____ Title	_____ Date

II. Confidential Treatment Is Requested

The below information is to be completed and signed ONLY if Contractor is requesting confidential treatment of any information submitted in its Bid.

Per the paragraph labeled as Public Records and Requests for Confidential Treatment in section 2 of the Request for Bids (RFB), a Contractor requesting portions of its Bid be maintained in confidence must complete this form and submit it with its Bid. Contractors should read and familiarize themselves with chapter 22 of the Iowa Code regarding release of public records before completing this Form. Contractor shall refer to the paragraph labeled as Public Records and Requests for Confidential Treatment in section 2 of the RFB for instructions regarding how to request confidential treatment of portions of its bid.

NOTE:

- 1 Completion of this Form is the sole means of requesting confidential treatment.**
- 2 A CONTRACTOR MAY NOT REQUEST PRICING BIDS BE HELD IN CONFIDENCE.**

Completion of the Form and Agency's acceptance of Contractor's submission does not guarantee the agency will grant Contractor's request for confidentiality. The Agency may reject Contractor's Bid entirely in the event Contractor requests confidentiality and does submit a fully completed Form or requests confidentiality for portions of its Bid that are improper under the RFB.

To request confidentiality, Contractor must provide the following information:

- 1** ☐ Contractor must conspicuously mark confidential material in its Bid in accordance with the section titled Public Records and Requests for Confidential Treatment. ***Check box when completed.***
- 2** Contractor must specifically identify and list the bid section(s) for which it seeks confidentiality and answer the following questions for each section listed:

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- Explain the specific grounds in *Iowa Code Chapter 22* or other applicable law which support treatment of the material as confidential.
- Justify why the material should be kept in confidence.
- Explain why disclosure of the material would not be in the best interest of the public.
- Provide the name, address, telephone, and email for the Contractor's person authorized to respond to inquiries by the Agency concerning the status of confidential materials.

Please provide the information in the table below. Contractor may add additional lines if necessary or add additional pages using the same format as the table below.

RFB Section:	Contractor must cite the specific grounds in <i>Iowa Code Chapter 22</i> or other applicable law which supports treatment of the material as confidential.	Contractor must justify why the material should be kept in confidence.	Contractor must explain why disclosure of the material would not be in the best interest of the public.	Contractor must provide the name, address, telephone, and email for the person at Contractor's organization authorized to respond to inquiries by the Agency concerning the status of confidential materials.

- 3** ☐ Contractor must submit a Public Copy of its Bid from which the confidential information has been excised. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Bid as possible.
Check box when completed.

This Form must be signed by the individual who signed the Contractor's Bid. The Contractor shall place this Form completed and signed in its Bid immediately following the transmittal letter. A copy of this document shall be placed in all Bids submitted including the Public Copy.

****Failure to provide the information required on this Form may result in rejection of Contractor's submittal to request confidentiality or rejection of the Bid as being non-responsive.***

****Please note that this Form is to be completed and signed only if you are submitting a request for confidential treatment of any information submitted in your Bid.***

Company

RFB Number

RFB Title

Signature

Title

Date

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Department of Administrative Services – Central Procurement Bureau Review (For Agency use only)

- ☐ Contractor's Bid is rejected as non-compliant because of one or more of the following reasons:
- ☐ Contractor's Bid is rejected due to not submitting a fully completed Form 22 to either request or not request confidential treatment of information.
 - ☐ Contractor's Bid is rejected due to the request to treat the entire response as confidential.
 - ☐ Contractor's Bid is rejected due to the request to treat Bid pricing as confidential.
 - ☐ Contractor requested confidentiality without submitting a **fully completed** Form 22.
 - ☐ Contractor requested confidentiality and failed to conspicuously mark such material as confidential within its Bid in accordance with the RFB.
 - ☐ Contractor requested confidentiality without submitting a public copy of its Bid with the confidential information redacted.
 - ☐ Contractor requested confidentiality on material in contravention of the RFB.
 - ☐ Other: _____.
- ☐ Contractor's submission is accepted.¹

Purchasing Agent Signature

Date

RFB Number

RFB Title

NOTE: Agency's acceptance of Contractor's submission should not be construed as Agency's approval of Contractor's request for confidentiality. Instead, acceptance of Contractor's submission simply means that Agency believes Contractor's Form 22 appears fully completed in accordance with the RFB.