# Attachment 8 - FORM 22 — REQUEST FOR CONFIDENTIALITY

**SUBMISSION OF THIS FORM 22 IS REQUIRED**

This Form 22 (Form) must be completed and included with the Proposal. This Form 22 is required whether the Proposal does or does not contain information for which confidential treatment should be requested. Failure to submit a completed Form 22 shall result in the Proposal to be considered non-responsive and eliminated from evaluation. Complete Part 1 of this Form 22 if Proposal does not contain confidential information. Complete Part 2 of this Form 22 if Proposal does contain confidential information.

1. Confidential Treatment Is Not Requested

A Respondent not requesting confidential treatment of information contained in its Proposal shall complete Part 1 of Form 22 and submit a signed Form 22 Part 1 with the Proposal.

1. Confidential Treatment of Information is Requested

A Respondent requesting confidential treatment of specific information shall:

* 1. Fully complete and sign Part 2 of Form 22;
  2. Conspicuously mark the outside of its Proposal as containing confidential information;
  3. Mark each page upon which Respondent believes confidential information appears and clearly identify each item for which confidential treatment is requested; Marking a page in the page margin is not sufficient identification; and
  4. Submit a “Public Copy” from which the confidential information has been excised.

Form 22 is not be considered fully complete unless, for each confidentiality request, Respondent:

* 1. enumerates the specific grounds in Iowa Code Chapter 22 or other applicable law that supports treatment of the information as confidential;
  2. justifies why the information should be maintained in confidence;
  3. explains why disclosure of the information would not be in the best interest of the public; and
  4. sets forth the name, address, telephone, and email for the person authorized by Respondent to respond to inquiries by the Agency concerning the confidential status of such information.

The Public Copy, from which confidential information has been excised, is in addition to the number of copies requested in RFP Section 3 (Form and Contents of Proposals). The confidential information must be excised in such a way as to retain as much of the Proposal as possible and to allow the public to determine the general nature of the information removed.

Failure to request information be treated as confidential as specified herein shall relieve Agency and State personnel from any responsibility for maintaining the information in confidence. Respondents may not request confidential treatment with respect to pricing information and transmittal letters. A Respondent’s request for confidentiality that does not comply with this form or a Respondent’s request for confidentiality on information or material that cannot be held in confidence as set forth herein are grounds for rejecting Respondent’s Proposal as non-responsive. Requests to maintain an entire Proposal as confidential should be rejected as non-responsive.

If Agency receives a request for information that Respondent has marked as confidential and if a judicial or administrative proceeding is initiated to compel the release of such information, Respondent shall, at its sole expense, appear in such action and defend its request for confidentiality. If Respondent fails to do so, Agency may release the information or material with or without providing advance notice to Respondent and with or without affording Respondent the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction. Additionally, if Respondent fails to comply with the request process set forth herein, if Respondent’s request for confidentiality is unreasonable, or if Respondent rescinds its request for confidential treatment, Agency may release such information or material with or without providing advance notice to Respondent and with or without affording Respondent the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction.

**Part 1 — No Confidential Information Provided**

**Confidential Treatment Is Not Requested**

Respondent acknowledges that proposal response contains no confidential, secret, privileged, or proprietary information. There is no request for confidential treatment of information contained in this proposal response.

This Form must be signed by the individual who signed Respondent’s Proposal. Respondent shall place this Form completed and signed in its Proposal.

* Fill in and sign the following if you have provided no confidential information. If signing this Part 1, do not complete Part 2.

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Company RFP Number RFP Title

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Signature (required) Title Date

(Proceed to the next page only if Confidential Treatment is requested.)

**Part 2 — Confidential Treatment is Requested**

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

NOTE:

* Completion of this Form is the sole means of requesting confidential treatment.
* Respondent may not request pricing information in the Proposal be held in confidence.

Completion of the Form and Agency’s acceptance of Respondent’s submission does not guarantee the Agency should grant Respondent’s request for confidentiality. The Agency may reject Respondent’s Proposal entirely in the event Respondent requests confidentiality and does not submit a fully completed Form or requests confidentiality for portions of its Proposal that are improper under the RFP.

Provide the information in the table below. Respondent may add additional lines if necessary or add additional pages using the same format as the table below.

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| **RFP Section:** | **Respondent must cite the specific grounds in Iowa Code Chapter 22 or other applicable law, which supports treatment of the information as confidential.** | **Respondent must justify why the information should be kept in confidence.** | **Respondent must explain why disclosure of the information would not be in the best interest of the public.** | **Respondent must provide the name, address, telephone, and email for the person at Respondent’s organization authorized to respond to inquiries by the Agency concerning the status of confidential information.** |
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This Form must be signed by the individual who signed Respondent’s Proposal. Respondent shall place this Form completed and signed in its Proposal. A copy of this document shall be placed in all Proposals submitted including the Public Copy.

* If confidentiality is requested, failure to provide the information required on this Form may result in rejection of Respondent’s submittal to request confidentiality or rejection of the Proposal as being non-responsive.
* 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 Proposal. If signing this Part 2, do not complete Part 1.

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Company RFP Number RFP Title

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Signature (required) Title Date