## Gideon K. Davis

**From:** Joe Wilson <joe.wilson@arisant.com>
**Sent:** Thursday, November 02, 2017 10:41 AM
**To:** Gideon K. Davis
**Subject:** RE: RFP 3490 Oracle IAM Upgrade | Arisant Proposal Clarification

Good Morning Gideon,
Sorry if that statement caused any confusion. Accordingly, please disregard the statement as it pertains to the entire proposal. Arisant understands that the proposal and its content can be made public.
Best Regards,
Joe

Joe Wilson
Vice President

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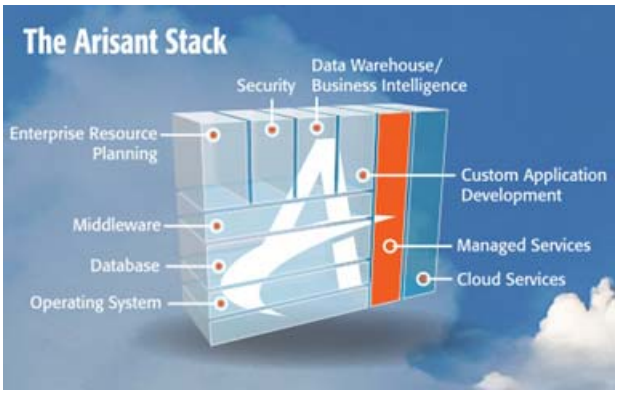
mobile: 720.839.1656 ~ direct: 303.974.7582 ~ fax: 888.889.0155

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**From:** Gideon K. Davis [mailto:gkdavis@admin.nv.gov]
**Sent:** Thursday, November 2, 2017 11:18 AM
**To:** Joe.wilson@arisant.com
**Subject:** RFP 3490 Oracle IAM Upgrade | Arisant Proposal Clarification

Joe,

I need clarification something in the proposal submitted by Arisant. On the bottom of the first page of the proposal, Arisant states:

"*Technical data, trade secrets, commercial and/or financial information contained in this proposal shall not be disclosed or used other than for proposal evaluation purposes by the State, except that such restricted data may be used in accordance with the provision of any contract awarded as a result of, or in conjunction with,*

*this proposal. The restriction does not limit the State's rights to disclose or use such data or information if obtained from another source without such restrictions."*

Can you please provide an explanation of how this statement conforms with *Section 10.6, Confidentiality of Proposals* and *Section 12.1.5* of the RFP?

## 1. PROPOSAL SUBMISSION REQUIREMENTS, FORMAT AND CONTENT

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### 1.6 CONFIDENTIALITY OF PROPOSALS

1.6.1 As a potential contractor of a public entity, vendors are advised that full disclosure is required by law.

1.6.2 Vendors are required to submit written documentation in accordance with ***Attachment A, Confidentiality and Certification of Indemnification*** demonstrating the material within the proposal marked "confidential" conforms to NRS §333.333, which states "Only specific parts of the proposal may be labeled a "trade secret" as defined in NRS §600A.030(5)". Not conforming to these requirements shall cause your proposal to be deemed non-compliant and shall not be accepted by the State.

1.6.3 Vendors acknowledge that material not marked as "confidential" shall become public record and shall be posted to the Purchasing website upon contract award.

1.6.4 It is the vendor's responsibility to act in protection of the labeled information and agree to defend and indemnify the State of Nevada for honoring such designation.

1.6.5 Failure to label any information that is released by the State shall constitute a complete waiver of any and all claims for damages caused by release of said information.

## 12. TERMS AND CONDITIONS

### 12.1 PROCUREMENT AND PROPOSAL TERMS AND CONDITIONS

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12.1.5 The failure to provide clearly marked, separate PDF file(s) for ***Part IB*** and ***Part III***, which contain confidential information, trade secrets and/or proprietary information, shall constitute a complete waiver of any and all claims for damages caused by release of the information by the State.

Please provide your response no later than 5:00 PM PST today, November 2, 2017.

Best,

**Gideon Davis | Purchasing Officer**
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