

ATTACHMENT 6

CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT

I certify that I shall hold in confidence all discussions, bids, proposals, correspondence, memoranda, working papers, procurement of goods and services, or any other information on any media, which has any bearing on or discloses any aspect of projects within the California Department of Corrections and Rehabilitation's (CDCR) Business Information System (BIS) Project. Based on my involvement with BIS, where applicable, I certify that I have no personal or financial interest and no present employment or activity, which would be incompatible with my participation in the discussions, review and or participation in the procurement process for this procurement and any related procurement thereof.

For the duration of my involvement in this Project, I agree not to accept any gift, benefit, gratuity or consideration, or begin a personal or financial interest in a party who is offering, or associated with a business, on the Project.

At all times during and after the process by which the CDCR procures Contractor's services, CDCR's employees, CDCR's prospective bidders, and/or CDCR's Vendors shall keep confidential, and shall not disclose to any third party or use, such confidential information, except in the course of their employment by or contractual relationship with the Department, and for the benefit of CDCR. The parties shall protect CDCR's confidential information using the same degree of care, but no less than a reasonable degree of care, as such party uses to protect his/her/its own confidential information. The parties shall carefully restrict access to CDCR's confidential information, and they may disclose it only to their employees, contractors, and/or other State agencies that have a need to know it and are bound by obligations of confidentiality.

I understand that consultants can be categorized as a public official for purposes of adherence to Conflict of Interest laws and the filing of a Statement of Economic Interests (Form 700). I certify that I have read and understand Conflict of Interest provisions identified in the online document "Ethics Orientation for State Officials" sponsored by the State of California Department of Justice, [Office of the Attorney General and the Fair Political Practices Commission](#).

I certify that I will keep confidential and secure and will not copy, give or otherwise disclose to any other party who has not signed a copy of this confidentiality agreement, all information concerning the planning, processes, development or procedures of the Project and all bids, proposals, correspondence, etc. which I learn in the course of my duties on the Project. I understand that the information to be kept confidential includes, but is not limited to, specifications, administrative requirements, terms and conditions, any aspect of any supplier's response or potential response to the solicitation, and includes concepts and discussions as well as written or electronic materials. I understand that if I leave this Project before it ends, I must still keep all Project information

confidential. I understand that following completion of this project that I must still maintain confidentiality should the Project and/or my organization be subject to follow-on contracting criteria per Public Contract Code §10365.5. I agree to follow any instructions provided related to the Project regarding the confidentiality of Project information.

I fully understand that any unauthorized disclosure I make may be a basis for civil or criminal penalties and/or contract termination. I agree to advise the CDCR IT Acquisitions Unit, immediately in the event that I either learn or have reason to believe that any person who has access to Project confidential information has or intends to disclose that information in violation of this agreement. I also agree that any questions or inquiries from bidders, potential bidders or third parties shall not be answered by me and that I will direct them to the CDCR's IT Acquisitions Unit.

Date: _____

Signature: _____

Printed Name: _____

Title _____

Organization: _____

Telephone #: _____ Fax #: _____

Email : _____