

Certification Regarding the Public Nature of Responses

TRS must adhere to the requirements of the Texas Public Information Act (“TPIA”), chapter 552 of the Texas Government Code, as it concerns disclosure of public information. By participating in the solicitation process, Respondent acknowledges that information, documentation, and other materials submitted in response to the solicitation may be subject to public disclosure under the TPIA. The requirements of Subchapter J of the TPIA may apply to a Response submitted by Respondent or the Contract, as applicable, and Respondent agrees that the Contract may be terminated if Respondent knowingly or intentionally fails to comply with a requirement of that subchapter.

TRS cannot agree that any information submitted by a Respondent will not be subject to disclosure, as disclosure is governed by the TPIA. Respondent is advised to consult with legal counsel concerning disclosure issues resulting from this process and take precautions to safeguard trade secrets and proprietary or otherwise confidential information. TRS assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Respondent.

If Respondent includes trade secrets, proprietary, or otherwise confidential information in its Response, it must clearly mark information it believes to be such in bold red letters as **CONFIDENTIAL**, using at least 14-point font on the applicable part of the page or page of the Response. A Response or part of a Response that is not so marked will be considered by TRS to be public information. If TRS receives a request under the TPIA seeking information marked by Respondent as confidential, Respondent will receive notice of the request as required by the TPIA. If TRS receives a request under the TPIA for Responses or parts of Responses that are not marked confidential, the information will be disclosed as required by the TPIA. Respondent is hereby advised not to not mark its entire Response as confidential. Respondent shall also identify copyrighted information in its Response by marking applicable pages in bold red letters as **COPYRIGHTED**.

By signing below, Respondent acknowledges and agrees to the terms of this Certification Regarding the Public Nature of Responses.

Signature of Authorized Representative

Date Signed