



## CONFLICTS OF INTEREST AND CONFIDENTIALITY

Your willingness to participate as an RFP evaluator is an integral part of the procurement process. Procurement and Contracts Services truly appreciates your assistance and expertise.

Your designation as an RFP evaluator requires that you fully understand the policies regarding potential conflicts of interest and the confidential nature of the proposals and all that is contained therein.

**Confidentiality.** The competitive procurement process and the obligations imposed by Tennessee state law require the Procurement and Contracts Services Office to ensure that the competitive process operates in a fair and equitable manner. As an RFP evaluator, you have access to information not generally available to the public and are charged with special professional and ethical responsibilities. You may have access to information about proposers that is to be used only during the evaluation process, and for discussion only with fellow evaluators. You shall not discuss the evaluation, scoring, or status of any proposal or business entity at any time prior to, during, or after the procurement process. You shall not use such information obtained as an RFP evaluator for any personal benefit, pecuniary or otherwise, nor copy and/or disseminate any portion of any proposal at any time prior to, during, or after the procurement process.

**Confidentiality of Evaluators.** During the evaluation process, Procurement and Contracts Services makes every effort to keep the identity of evaluators confidential and will maintain that confidentiality to the fullest extent provided by law. As an evaluator, you shall not discuss or reveal the names of evaluators to proposers or other individuals.

**Conflict of Interest and Ethical Considerations.** A conflict of interest or the appearance of a conflict of interest may occur if you are directly or indirectly involved with an organization that has submitted a proposal for evaluation. Prior to reviewing any proposals, you must inform the RFP Coordinator of any potential conflicts of interest. If you become aware of any potential conflict of interest as you review a proposal, you must immediately notify the RFP Coordinator. You may be disqualified as an RFP evaluator if you conduct yourself in a way that could create the appearance of bias or unfair advantage with or on behalf of any competitive proposer, potential proposer, agent, subcontractor, or other business entity, whether through direct association with contract representatives, indirect associations, through recreational activities or otherwise. Examples of potential biasing affiliations or relations are listed below:

1. Your solicitation, acceptance, or agreement to accept from anyone any benefit, pecuniary or otherwise, as consideration for your decision or recommendation as it pertains to your evaluation of any proposal.
2. Your affiliation with a bidding company or institution. For example, a conflict may exist when you:
  - (a) are employed by or are being considered for employment with the company or institution submitting any bid or hold a consulting, advisory, or other similar position with said company or institution;

- (b) hold any current membership on a committee, board, or similar position with the company or institution;
  - (c) hold ownership of the company or institution, securities, or other evidences of debt;
  - (d) are currently a student or employee in the department or school submitting a proposal, such as the case.
3. Your relationship with someone who has a personal interest in the proposal. This includes any affiliation or relationship by marriage or through family membership, any business or professional partnership, close personal friendship, or any other relationship that you think might tend to affect your objectivity or judgment or may give an appearance of impropriety to someone viewing it from outside the relationship.

To assure the integrity of the RFP process, all evaluators are required to complete the RFP Conflict of Interest/Confidentiality Statement.

## RFP EVALUATOR CONFLICT OF INTEREST/CONFIDENTIALITY STATEMENT

I, the undersigned, a member of the Evaluation Committee for Request for Proposal No. \_\_\_\_\_ for \_\_\_\_\_ will perform the evaluation under the guidelines, procedures and requirements provided by the RFP Coordinator.

Further, whether I am an employee of Austin Peay State University or a consultant assisting in the valuation of the proposal, I represent as follows:

1. I have a professional interest in seeing that the scoring and evaluation of the proposer responses to this RFP can be supported and defended, and that the recommendation of the Evaluation Committee will lead to the selection of the proposal most advantageous to APSU, taking into consideration the price and evaluation factors set forth in the RFP.
2. Except as I have disclosed in detail, I neither have nor shall I during the evaluation acquire any financial interest, direct or indirect, in any proposer that would conflict in any manner or degree with my evaluation responsibilities. Members of my immediate family (spouse or children) and other family members who are in my household are subject to the same restriction and disclosure requirements. For purposes of this provision, publicly traded shares in stock of any offeror that are selected and administered by a third person, e.g. a mutual fund or retirement plan, are not subject to this restriction. Otherwise, the nature and extent of such financial interests must be disclosed by me to the RFP Coordinator for their evaluation of the significance of the financial interest on participation in this evaluation.
3. Notwithstanding my termination of employment or other later disassociation from this evaluation committee, I may not participate in the development of proposals in response to this solicitation.
4. I am aware that this evaluation will involve my knowledge of official information and possible proposer commercial information not publicly known. I agree not to disclose any information gained during the course of my service on this evaluation committee to any person, except to other APSU employees who may in the normal course of business have a need for such information.

I have read this document and understand my obligations as explained herein. I further understand that I must advise the RFP Coordinator if a conflict currently exists or arises during my term of service as an RFP evaluator. I further understand that I must sign and deliver this statement to the RFP Coordinator prior to participating in the evaluation process.

Date: \_\_\_\_\_ RFP #: \_\_\_\_\_

Evaluator Signature: \_\_\_\_\_

Evaluator Name (Printed): \_\_\_\_\_

Title: \_\_\_\_\_