From:	Mullan,Susan (HHSC)
Cc:	Mullan,Susan (HHSC)
Bcc:	gregory_gonedes@shi.com; mohans@abacustx.com; vanessa.ozuna@ptg.com; wes.kruse@spirion.com
Subject:	Informal Solicitation 0000224994 for Spirion Sensitive Data Manager (Per Employee) - Subscription
Date:	Wednesday, June 7, 2023 12:49:00 PM
Attachments:	UTC_Affirmation_Under_DIR_CC_with_DUA_V.1_(03-22-23).pdf

The Health and Human Services Commission (HHSC) is soliciting responses from qualified vendors to provide a twelve (12) month Spirion Sensitive Data Manager (Per Employee) - Subscription for HHSC. Please provide a bid response to susan.mullan@hhs.texas.gov no later than 10:30 AM CT Friday, June 9, 2023. Late responses will be disqualified.

NIGP: 204–29 *Data/File Security Hardware/Software, to Include Encryption

Please provide a quote for the following:

Line Item No.	Class and Item	Description	Qty	UOM	Unit Price	Extension
1.	**204-29**	**Sensitive Data Manager Per Employee - Subscription Spirion, LLC - Part#: NPN-SPIRI-SENSI-A**	**250**	**EA**		
					Total	

Confidential or Proprietary Information

Bidder Requirements Regarding Disclosure

Proposals and contracts are subject to the Texas Public Information Act (PIA), Texas Government Code Chapter 552, and may be disclosed to the public upon request. Other legal authority also requires HHSC to post certain contracts and Solicitation responses on its public website and to provide such information to the Legislative Budget Board for posting on its website.

Under the PIA, certain information is protected from public release. If Bidder asserts that information provided in its Solicitation Response is exempt from disclosure under the PIA, Bidder must:

a. Mark Original Proposal

1. Mark the Original Proposal, on the top of the front page, with the words "**CONTAINS CONFIDENTIAL INFORMATION**" in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font or larger); and

2. Identify, adjacent to each portion of the Solicitation Response, that Bidder claims is exempt from public disclosure, the claimed exemption from disclosure (NOTE: no redactions are to be made in the Original Solicitation Response).

b. Submit Public Information Act Copy of Proposal

i. Submit a separate "Public Information Act Copy" of the Original Proposal (in addition to the original and all copies otherwise required under the provisions of this Solicitation). The Public Information Act Copy must meet the following requirements:

ii. The copy must be clearly marked as "**PUBLIC INFORMATION ACT COPY**" on the front page in large, bold, capitalized letters (the size of, or equivalent to, 12-point Times New Roman font or larger);

iii. Each portion Bidder claims is exempt from public disclosure must be redacted (blacked out); and

iv. Bidder must identify, adjacent to each redaction, the claimed exemption from disclosure. Each identification provided as required in Subsection (c) of this section must be identical to those set forth in the Original Proposal as required in Subsection (a)(2), above. The only difference in required markings and information between the Original Proposal and the "Public Information Act Copy" of the proposal will be redactions - which can only be included in the "Public Information Act Copy." There must be no redactions in the Original Proposal.

By submitting a response to this Solicitation, Bidder agrees that, if Bidder does not mark the Original Solicitation Response and submit the Public Information Act Copy, Bidder's Solicitation Response will be considered to be public information that may be released to the public in any manner including, but not limited to, in accordance with the Public Information Act, posted on the HHS public website, and posted on the Legislative Budget Board's public website.

If any or all Bidders submit partial, but not complete, information suggesting inclusion of confidential information and failure to comply with the requirements set forth in this section, HHSC, in its sole discretion and in any solicitation, reserves the right to (1) disqualify all Bidders that fail to fully comply with the requirements set forth in this section, or (2) to offer all Bidders that fail to fully comply with the requirements set forth in this section additional time to comply.

Bidder should not submit a Public Information Act Copy indicating that the entire proposal is exempt from disclosure. Merely making a blanket claim that the entire proposal is protected from disclosure because it contains any amount of confidential, proprietary, trade secret, or privileged information is not acceptable, and may make the entire Solicitation Response subject to release under the PIA.

Solicitation Responses should not be marked or asserted as copyrighted material. If Bidder asserts a copyright to any portion of its proposal, by submitting a proposal, Bidder agrees to reproduction and posting on public websites by the State of Texas, including HHSC and all other state agencies, without cost or liability.

HHSC will strictly adhere to the requirements of the PIA regarding the disclosure of public information. As a result, by participating in this solicitation process, Bidder acknowledges that all information, documentation, and other materials submitted in the Solicitation Response in response to this Solicitation may be subject to public disclosure under the PIA. HHSC does not have authority to agree that any information submitted will not be subject to disclosure. Disclosure is governed by the PIA and by rulings of the Office of the Texas Attorney General. Bidders are advised to consult with their legal counsel concerning disclosure issues resulting from this process and to take precautions to safeguard trade secrets and proprietary or otherwise confidential information. HHSC assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by Bidders.

For more information concerning the types of information that may be withheld under the PIA or questions about the PIA, refer to the Public Information Act Handbook published by the Office of the Texas Attorney General or contact the attorney general's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To access the Public Information Act Handbook, visit the attorney general's website at http://www.texasattorneygeneral.gov.

Susan Mullan, CTCD, CTCM
Purchaser VI, IT Services Team
Procurement & Contracting Services
Phone: 512- 406-2575
Susan.mullan@hhs.texas.gov
1100 W. 49th Street | Mail Code 2020
Austin, TX 78756

FY23 Procurement Deadlines. For more information, visit the EOY Resource Center.

3/1/2023	**FY 2024 HHSC & DSHS Budgets loaded in CAPPS Fin.**
5/1/2023	Requisitions for goods and services, including IT purchases, required during FY23, or FY24 with a critical 9/1 start date.
7/7/2023	FY23 requisitions for office supplies are due for items that are to be used/consumed during FY23. Please see the list of items that PCS accepts as office supplies. If an office supply item is not on this list, the May 1 deadline applies to the requisition.
8/15/2023	End of FY23 and FY24 requisitions for professional development trainings or individual conference registration fees. This deadline does not apply for conferences planned by program. **Requisitions for conference planning are subject to the May 1 deadline.**