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Request for Confidential/Proprietary Determination

11.1. If an Offeror believes that a specific portion of its bid, proposal, offer, specification, or protest contains information that should be withheld from public inspection due to confidentiality, the Offeror shall submit to the Procurement officer a list of distinct portions, including exact page numbers, of their document is requested to be kept confidential, along with a detailed legal analysis, prepared by legal counsel, which sets forth the bases for the requested non-disclosure and the specific harm or prejudice which may arise if disclosed. The analysis shall be presented to the Procurement Officer at the same time as the bid, proposal, offer, specification or protest.

Confirmed.

11.2. An entire bid, proposal, offer, specification, or protest shall not be identified as confidential; only those very limited and distinct portions which are considered by the Offeror as confidential may be identified as such.

Confirmed.

11.3. In the event that AHCCCS receives a request for disclosure of the information, AHCCCS will disclose the information in accordance with law. Prior to disclosure, AHCCCS will inform the Offeror of such request and provide the Offeror a period of time to take action it deems appropriate to support non- disclosure. The Offeror shall be responsible for any and all costs associated with the nondisclosure of the information.

Confirmed.

11.4. If any pieces of your proposal are being requested to be kept confidential, and withheld from public viewing, please submit an additional redacted copy of the proposal, clearly listed as REDACTED in the file name. This will ensure that our office is crystal clear on which version of your proposal is acceptable for public viewing.

Confirmed.

All of the materials in this proposal and any materials subsequently disclosed in any media form that relate to this proposal ("Proposal Materials") are confidential and the sole and exclusive proprietary property of Accredo Health Group, and all rights, titles and interests are vested in Accredo. The Proposal Materials are provided to AHCCCS for your exclusive use, and for the sole purpose, to evaluate Express Scripts prescription drug program. The Proposal Materials may not be distributed, copied or made available for review or use to any other party. If you use any consultant or other party to review the Proposal Materials, you may divulge the Proposal Materials to them on the condition that each recipient agrees to be bound by the restrictions Accredo has placed on the use and disclosure of the Proposal Materials. This disclaimer is applicable to any recipient assisting or participating in the evaluation of these Proposal Materials on behalf of AHCCCS.

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11.5. Regardless of a determination issued by the procurement officer, all portions of the Offeror's proposal, even pages that are proprietary, may be provided to CMS or other state or federal oversight agencies.

As per the Special Instructions to Offerors, Accredo is formally identifying the components of our proposal submission that we consider to be proprietary and confidential. Please see below for the portions of the Proposal containing confidential and proprietary information.

- All Financial components that contain Cost Proposal Elements, including completed pricing tables (Attachment 1 – Price Sheet). The information about the manner in which Accredo underwrites the services which they perform is proprietary information of Accredo. If this information were publicly available, Accredo's competitors would be advantaged in the marketplace in that they would know exactly how Accredo structures its business and as a result could more effectively and efficiently compete in Arizona and across the country.
- Prior and Current Contracts and Client References (listing of prior and current contracts and references of the firm): Information about Accredo's contracts and client references contains non-public information and should not be disclosed. Further, Accredo's contracts with the listed clients require this information be kept confidential, except as specifically authorized by the client. Some clients named in this section have given permission to release this information to the government upon request, but do not expect the information to become publicly available. Any public disclosure of such information would be an unnecessary invasion of Accredo's clients' privacy and would hinder its ability to have or get clients to serve as references in the future.
- Subcontracted Vendor Listing. The Subcontracted Vendor Listing includes the names and services provided by our proposed subcontractors. We consider these details to be trade secret and proprietary information.
- Certificates of Insurance. The Certificates of Insurance (COI) include details on insurance carriers and limits in place for our client base. We consider these details to be trade secret and proprietary information.
- Sample Reports. Reporting samples include details and formats of Accredo-specific reporting provided only to current clients. We consider these details to be trade secret and proprietary information.

Accredo Health Group, Inc.

Company Name

DocuSigned by:

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Signature of Person Authorized to Sign

Victor Perini, Vice President, Account Management

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