

**REQUEST FOR PROPOSALS (“RFP”)**  
**EVALUATOR’S CONFLICT OF INTEREST**  
**AND**  
**CONFIDENTIALITY OF INFORMATION STATEMENT**

Your willingness to participate as an RFP evaluator is an integral part of the procurement process. The Department of General Services, Division of Purchasing truly appreciates your assistance and expertise.

Your designation as an RFP evaluator for the Division of Purchasing and as a public servant thereby, 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 New York State law require the Department of General Services - Purchasing Division 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 bidders that is to be used only during the evaluation process, and for discussion only with fellow evaluators and appropriate department personnel. You shall not discuss the evaluation, scoring, or status of any proposal or any action effecting any proposal with any person, firm, corporation, or other outside 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, the Department of General Services – Purchasing Division 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 with or to bidders 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 Division of Purchasing of any potential conflicts of interest or the appearance thereof. If you become aware of any potential conflict of interest as you review a proposal, you must immediately notify the evaluation committee chair or the Director of the Division of Purchasing. 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 bidder, potential bidder, agent, subcontractor, or other business entity, whether through direct association with

contractor representatives, indirect associations, through recreational activities or

otherwise. Examples of potentially biasing affiliations or relationships 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 the outside the relationship.

I have read this document and understand my obligations as explained herein. I further understand that I must advise the Division of Purchasing 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 Division of Purchasing prior to participating in the evaluation process.

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

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

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