\_\_\_\_This firm is NOT designating any information as proprietary and confidential under Sect 19.36(5) of Wisconsin State Statute or under the Wisconsin Open Records law.

\_\_\_\_This firm IS designating the below information as propriety and confidential under Sect 19.36(5) of Wisconsin State Statute or under the Wisconsin Open Records law. (*If checked, please complete all portions below.)*

The attached material submitted in response to this Proposal includes propriety and confidential information which qualifies as a trade secret, as provided in Sect 19.36(5), Wisconsin State Statutes, or is otherwise material that can be kept confidential under the Wisconsin Open Records law. As such, we ask that certain pages, as indicated below, of this proposal response be treated as confidential material and not be released without our written approval.

Prices always become public information when proposals are opened; therefore, they cannot be designated as confidential.

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*Attach additional sheets, if necessary.*

Other information cannot be kept confidential unless it is a trade secret. Trade secret is defined in Sect. 134(90)(1)(c) Wis. State Statutes as: “information, including formula, pattern, compilation, program, device, method technique or process to which all of the following apply:

1. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

2. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

In the event the Designation of Confidential of this information is challenged, the undersigned hereby agrees to provide legal counsel or other necessary assistance to defend the Designation of Confidentiality.

Failure to include this form in the proposal response may mean that all information provided as part of the proposal response will be open to examination or copying. East Central Wisconsin Regional Planning Commission considers other marking of confidential in the proposal document to be insufficient. The undersigned agrees to hold East Central Wisconsin Regional Planning Commission harmless for any damages arising out of the release of any material unless they are specifically identified above.

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**Signature Date**

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**Name (type or print)**