

01 NCAC 05B .0103 CONFIDENTIALITY

(a) All information and documentation whether Electronic, Written, or verbal relative to the development of a Solicitation for a proposed or pending Procurement shall be confidential, except as deemed necessary by the Purchaser to develop a complete contractual document. Such material shall remain confidential until the award of contract or action has been taken by the Purchasing Agency to cancel the Procurement.

(b) All information and documentation relative to the development of a Specification shall be confidential until a contract is entered into by the Purchasing Agency and the Vendor in accordance with G.S. 143-52(a).

(c) Trade secrets, test data and similar proprietary information that the Vendor does not wish disclosed shall be identified as follows:

- (1) each page shall be identified in boldface at the top and bottom as "CONFIDENTIAL"; and
- (2) if only a portion of a page marked "CONFIDENTIAL" contains trade secret information, the trade secret information shall be designated with a contrasting color or by a box around such information.

(d) Cost information shall not be confidential.

*History Note: Authority G.S. 132-1.1; 133-33; 143-52; 143-53; 143-60;
Eff. February 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016;
Amended Eff. October 1, 2019.*