## *ATTACHMENT A - PUBLIC RECORDS ACKNOWLEDGEMENT*

The undersigned hereby represents, acknowledges, and agrees as follows:

(i) SWIB is a public agency subject to Wisconsin's public record law (Wis. Stat. §§ 19.31-19.39, the "Public Records Law"), which provides generally that all records relating to a public agency's business are open to public inspection and copying unless exempted under the Public Records Law.

(ii) Materials we submit to SWIB in connection with this packet are open to public inspection under the Public Records Law unless such materials fall within an exemption under the Public Records Law.

(iii) **ATTENTION: VENDOR MUST INDICATE CHOICE IN THIS PARAGRAPH.** Our submission packet ***INCLUDES / DOES NOT INCLUDE*** **(CIRCLE ONE)** materials that we believe are exempt from disclosure under the Public Records Law. If neither option is circled, SWIB will assume the submission does not include materials vendor believes are exempt from disclosure under the Public Records Law.

(iv) To the extent our submission packet includes materials that we believe are exempt from disclosure under the Public Records Law, we understand that we must: (1) circle "INCLUDES" in Section (iii), above; (2) provide a letter identifying the materials that we believe are exempt from disclosure and explaining the basis for exemption; and (3) submit, in addition to the regular version of our submission packet, one copy of a redacted version that excludes the potentially exempt materials.

(v) Regardless of whether the vendor circles "INCLUDES" above, SWIB will presume that any materials that are not identified and redacted pursuant to paragraph (iv), above, are open to public inspection, and we waive any right to subsequently claim exemption from disclosure for any such materials.

(vi) If we make an unreasonable claim for exemption under the Public Records Law, such claim may reduce the score for our proposal.

(vii) SWIB at all times retains the right to make the final determination regarding what, if any, portion of a submission is subject to disclosure under the Public Records Law. We understand that SWIB may make disclosures under the Public Records Law and that SWIB may disclose our redacted information that SWIB determines is subject to disclosure under the Public Records Law, in each case without notice to us. We also understand that SWIB's disclosures under the Public Records Law could include communications and other materials prepared by SWIB regarding our submission and SWIB's evaluation of the vendor.

(viii) For the avoidance of doubt, SWIB will treat the terms of any agreement entered into as a result of the submission packet (including any Contract) as open to public inspection under the Public Records Law.

**[Signature page follows]**

*ACKNOWLEDGED AND AGREED*

**By signing below, the undersigned acknowledges and agrees that (a) he/she has read and understands this Public Records Acknowledgement, (b) he/she understands that SWIB may disclose the entire submission packet under the Public Records Law if the undersigned has not satisfied the requirements of items (iv) and (v) above. This Public Records Acknowledgement may not be modified, and any changes shall be of no force and effect unless agreed to by SWIB in writing prior to the undersigned's submission of materials.**

Date: _____

Company Name: _____

Signature: _____

Printed Name and Title: _____