

Purchasing Policy 10: Status of Information in Bids and Proposals Submitted to the State of Minnesota

[Minn. Stat. § 13.591](#) controls the classification of information in bids and proposals submitted to government entities in Minnesota. This policy outlines the status of information during the various stages of the procurement process. The Request for Bid (RFB) selection process is complete when the bids have been evaluated for responsiveness and ranked. The Request for Proposal (RFP) evaluation process is complete when negotiations are finalized with the selected vendor(s).

At Opening

- For an RFB: The names of the responders and the dollar amounts in the bids become **public**. If the RFB was for multiple items, an item number or description of the items may also be made public to give meaning to the dollar amounts disclosed.
- For an RFP: The names of the responders become **public**.

After Selection/Evaluation Process is Complete

- All data, unless it is properly classified as trade secret data as defined in [Minn. Stat. § 13.37](#) or protected under other sections of [Minn. Stat., Chapter 13](#), is **public**.

What Happens if the Solicitation is Terminated Prior to Completion of the Selection/Evaluation Process?

- Data beyond what was made public at the opening remains **non-public**.
- If the solicitation is reissued, the data becomes **public** upon completion of the selection/evaluation process of the new solicitation.
- If a determination to abandon the purchase is made, the data becomes **public**.
- If the solicitation is not reissued within one year of the opening, the data becomes **public**.
- Trade secret data, as defined in [Minn. Stat. § 13.37](#), is always **non-public**.

Trade Secret Data

If a responder indicates that any information in a bid or proposal is trade secret information, the buyer should refer the issue to their entity's assigned representative at the Attorney General's Office or OSP. For OSP assistance in the acquisition of goods and services, please contact the Acquisitions Manager at 651-201-2446. For OSP assistance in the acquisition of professional/technical services, contact the Professional/Technical Manager at 651-201-3115.

The Department of Administration has determined that the price paid for goods or services will never be classified as trade secret data. Pricing formulas may need to undergo a trade secret evaluation.