

TEXAS DEPARTMENT OF AGRICULTURE

COMMISSIONER TODD STAPLES



CONFLICT OF INTEREST STATEMENT AND NON-DISCLOSURE AGREEMENT FOR BTOP REVIEW PROCESS

Non-Disclosure Agreement

_____ (“Reviewer”) has agreed to volunteer and donate time, experience, and expertise to the Texas Department of Agriculture (TDA) and the State of Texas to assist TDA in the Broadband Technology Opportunities Program (BTOP) review process. Reviewer will read, evaluate, and analyze grant applications in connection with the BTOP review process, which may contain Confidential Information of the individual Applicants. Confidential Information includes, but is not limited to, trade secrets, proprietary information, confidential techniques, methods, processes, practices, instruments, designs, specifications, and customer information of the Applicants.

Reviewer will NOT DISCLOSE any Confidential Information to any person or organization, unless required to do so under applicable law. Specifically, but not by way of limitation, Reviewer shall not copy, transmit, reproduce, summarize, quote, publish or make any commercial or other use whatsoever of any Confidential Information. For the purpose of this agreement, Confidential Information is any information in any format, whether physical or electronic, that is identified by some form of conspicuous labeling as confidential, proprietary, or trade secret information. If Reviewer prepares summaries or notes of Confidential Information, Reviewer shall include on the summaries or notes a conspicuous label identifying the information as Confidential Information.

Upon completion of Reviewer’s duties under the BTOP review process, or upon written request by TDA at any time, Reviewer shall return to TDA all grant applications, information or documentation regarding or pertaining to grant applications, and Confidential Information, then in Reviewer’s possession, whether prepared by Reviewer or others.

By signature below, I agree, attest and certify as follows:

I agree that I WILL NOT disclose Confidential Agreement of BTOP grant applicants, and I consent to the Non-Disclosure Agreement set forth above;

Neither I nor anyone related to me within the second degree of consanguinity or affinity has any interest or ownership in any BTOP grant applicant, or a competitor of a BTOP applicant, whose proposal I have been asked to analyze, consider, evaluate, or review;

Neither I nor anyone related to me within the second degree of consanguinity or affinity has prepared or assisted in the preparation of a BTOP grant application whose proposal I have been asked to analyze, consider, evaluate, or review;

Neither I nor anyone related to me within the second degree of consanguinity or affinity has any interest or ownership in any business, entity, or organization that may benefit or incur a detriment, financially or otherwise,

in any way based on whether any particular proposal does or does not receive BTOP funding;

Neither I nor anyone related to me within the second degree of consanguinity or affinity is an agent, contractor, or employee of a BTOP grant applicant, or a competitor of a BTOP grant applicant, whose proposal I have been asked to analyze, consider, evaluate, or review; and

I will immediately notify TDA and recuse myself if: (i) I, or anyone related to me within the second degree of consanguinity or affinity, has any interest or ownership in any BTOP grant applicant whose proposal I have been asked to analyze, consider, evaluate, or review; (ii) I, or anyone related to me within the second degree of consanguinity or affinity, has any interest or ownership in any business, entity, or organization that may benefit, financially or otherwise, in any way based on whether any particular proposal does or does not receive BTOP funding; or (iii) I, or anyone related to me within the second degree of consanguinity or affinity, is an agent, contractor, or employee of a BTOP grant applicant, or a competitor of a BTOP grant applicant, whose proposal I have been asked to analyze, consider, evaluate, or review.

Signature:

Date:

Printed Name: _____

A person is related to you within the second degree of consanguinity if that person is your grandparent, parent, child, grandchild, brother, or sister.

A person is related to you within the second degree of affinity if that person is your spouse or your spouse's grandparent, parent, child, grandchild, brother, or sister.