

Supplier RFP Attestation Form

As part of the Request for Proposal ("RFP") response, The University of Texas M. D. Anderson Cancer Center ("MD Anderson") requires that the Prospective Supplier affirm acceptance (or rejection) of the MD Anderson Standard Terms and Conditions located within MD Anderson's Summary Agreement ("Terms and Conditions") and applicable Contract Riders ("Rider" or "Riders"), which are provided with this RFP and listed below. The Prospective Supplier must acknowledge having read and understood all Terms and Conditions and all Riders within this RFP. Additionally, the Prospective Supplier must indicate acceptance or rejection of each Terms and Conditions section and each applicable Rider individually by completing and returning a signed copy of this RFP Attestation Form ("Attestation"). MD Anderson will use the Prospective Supplier's responses on this Attestation as part of the criteria for the Prospective Supplier's evaluation and contract award. Please note for Prospective Suppliers that have an existing contract with MD Anderson, any previously negotiated terms and conditions **will not** be considered for this RFP response. Any exceptions taken must be renegotiated between MD Anderson and the Prospective Supplier, and points will be deducted accordingly.

Proposed exceptions to MD Anderson's Terms and Conditions and applicable Riders should be delineated within the applicable section of the Terms and Conditions and the applicable Riders, along with the applicable sections within the Attestation below. **Any inconsistency in exceptions between the Terms and Conditions and applicable Riders with the completed Attestation WILL result in a rejection of the Attestation, and the Attestation WILL be scored as zero points.**

The Attestation MUST be signed by an authorized representative of the Prospective Supplier's firm. Failure to submit a signed Attestation WILL result in rejection of the Attestation and the Attestation WILL be scored as zero points. If the Rider or section of the Terms and Conditions is not included within this RFP, mark the Rider or the section of the Terms and Conditions as N/A - Not Applicable.

Section and Rider Numbers and Descriptions	Total Points Available	Reject	N/A	Section(s) and Rider(s) Rejected
Standard Terms and Conditions Section:				
5.1 Contractor's Duties and Representations (other than 5.1.C)	2			
5.1.C Accuracy and Material Defects Rep	1			
5.2 Compliance with Laws, Regulations and Policies	7			
5.3 Access by Individuals with Disabilities	5			
6.1 Confidential Information and Data	3			
6.2 Public Information	2			
6.3 Publicity	2			
6.4 Insurance	6			
6.5 Ownership of Created Works and Data Use	6			
6.6 Data Security	2			
6.7 Right to Audit	3			
6.8 Quality Assurance	2			
6.9 Payment Card Industry Standards	1			
6.10 Drug Testing Requirements	5			
6.11 Responsibility for Individuals Performing Work; Criminal Background Checks	5			
6.12 Direct Patient Care/Contact	2			
6.13 HUB Subcontracting Plan	2			
6.14 Contractor Certification Regarding Boycotting Israel	0			
6.15 Contractor Certification Regarding Business with Certain Countries and Organizations	0			
6.16 Contractor Verification Regarding Discrimination Against Firearm Entities or Trade Associations	1			
6.17 Contractor Verification Regarding Boycotting Energy Companies	1			
6.18 Contractor Certification Regarding COVID-19 Vaccination	0			
6.19 Certification Required by Texas Governor Executive Order GA-48	0			
6.20 Contractor Compliance and Certification Relating to Cloud Computing Services	3			
6.21 Data Security Controls	0			
6.22 Disclosure of Interested Parties Statute	0			
6.23 Cybersecurity Training Program	0			
6.24 Contractor Certification Relating to Critical Infrastructure	0			
6.25 Consulting Reports	0			
7. Infringement Indemnity	4			
8.1 Entire Agreement	0			
8.2 Amendment	0			
8.3 Independent Contractor	0			
8.4 Assignment	1			
8.5 Severability	0			
8.6 Non-Waiver of Defaults	0			
8.7 Force Majeure	0			
8.8 Notices	0			
8.9 Taxes	1			
8.10 Termination	5			
8.11 Dispute Resolution	2			
8.12 Subcontracting	0			
8.13 Counterparts; Facsimile Signature	0			
8.14 Survival	0			
8.15 Governing Law and Venue	2			
8.16 Franchise Tax Certification	1			
8.17 Loss of Funding	2			
8.18 Construction	0			
8.19 Headings	0			
8.20 Payment of Debt or Delinquency to the State	0			
8.21 Texas Family Code Child Support Certification	0			
8.22 Group Purchasing	0			
8.23 Texas State Agency	3			
Riders:				
Rider 107 Travel	1			
Rider 111 Business Associate Agreement	5			
Rider 114 Network Connections	5			
Exhibit B Information Resources Rights Acknowledgement	2			
Rider 115 Tissue Requirements	1			
Rider 116 Invoice Payment Requirements	2			
Rider 118 Information Security	0			
Rider 121 TX-RAMP Information Form	0			
Rider 200 Key Performance Indicators	2			
Total = 100 points	100			

By executing this form, the Prospective Supplier acknowledges that he/she has read and understands each of the Riders above. Additionally the Prospective Supplier confirms that the information provided above is complete and accurate, and represents to MD Anderson that no additional rejection of Rider provisions will be offered during the contract negotiation process.

Company Name:
Signature:
Title:
Date:

Example Document

* This section is worth 15% of the RFP score. Vendors that accept the terms and riders without any exceptions would receive the full 15%. Vendors that take exceptions will not receive the full 15%.

*For each Rider, vendors will receive either "All" (full points) if they take no exceptions or "None" (no points) if they take exceptions.

* After an award has been made, vendors that took no exceptions **will not be** allowed to propose change/redlines.

Supplier RFP Exception Scoring Template			
Section and Rider Numbers and Descriptions	Total Points Available	Vendor A Exceptions Taken	Vendor B Exceptions Taken
Standard Terms and Conditions Section:			
5.1 Contractor's Duties and Representations (other than 5.1.C)	2	2	2
5.1.C Accuracy and Material Defects Representations	1	1	1
5.2 Compliance with Laws, Regulations and Policies	7	7	7
5.3 Access by Individuals with Disabilities	5	5	0
6.1 Confidential Information and Data	3	3	3
6.2 Public Information	2	2	2
6.3 Publicity	2	2	2
6.4 Insurance	6	6	6
6.5 Ownership of Works Created and Data Use	6	6	6
6.6 Data Security	2	2	2
6.7 Right to Audit	3	3	3
6.8 Quality Assurance	2	2	2
6.9 Payment Card Industry Standards	1	1	1
6.10 Drug Testing Requirements	5	5	0
6.11 Responsibility for Individuals Performing Work; Criminal Background Checks	5	5	0
6.12 Direct Patient Care/Contact	2	2	0
6.13 HUB Subcontracting Plan	2	2	2
6.14 Contractor Certification Regarding Boycotting Israel	0	0	0
6.15 Contractor Certification Regarding Business with Certain Countries and Organizations	0	0	0
6.16 Contractor Verification Regarding Discrimination Against Firearm Entities or Trade Associations	1	1	1
6.17 Contractor Verification Regarding Boycotting Energy Companies	1	1	1
6.18 Contractor Certification Regarding COVID-19 Vaccination	0	0	0
6.19 Certification Required by Texas Governor Executive Order GA-48	0	0	0
6.20 Contractor Compliance and Certification Relating to Cloud Computing Services	3	3	3
6.21 Data Security Controls	0	0	0
6.22 Disclosure of Interested Parties Statute	0	0	0
6.23 Cybersecurity Training Program	0	0	0
6.24 Contractor Certification Relating to Critical Infrastructure	0	0	0
6.25 Consulting Reports	0	0	0
7. Infringement Indemnity	4	4	4
8.1 Entire Agreement	0	0	0
8.2 Amendment	0	0	0
8.3 Independent Contractor	0	0	0
8.4 Assignment	1	1	0
8.5 Severability	0	0	0
8.6 Non-Waiver of Defaults	0	0	0
8.7 Force Majeure	0	0	0
8.8 Notices	0	0	0
8.9 Taxes	1	1	1
8.10 Termination	5	5	0
8.11 Dispute Resolution	2	2	2
8.12 Subcontracting	0	0	0
8.13 Counterparts; Facsimile Signature	0	0	0
8.14 Survival	0	0	0
8.15 Governing Law and Venue	2	2	0
8.16 Franchise Tax Certification	1	1	1
8.17 Loss of Funding	2	2	2
8.18 Construction	0	0	0
8.19 Headings	0	0	0
8.20 Payment of Debt or Delinquency to the State	0	0	0
8.21 Texas Family Code Child Support Certification	0	0	0
8.22 Group Purchasing	0	0	0
8.23 Texas State Agency	3	3	3
Riders:			
Rider 107 Travel	1	1	0
Rider 111 Business Associate Agreement	5	5	5
Rider 114 Network Connections	5	5	0
Exhibit B Information Resources Rights Acknowledgement	2	2	2
Rider 115 Tissue Requirements	1	1	1
Rider 116 Invoice Payment Requirements	2	2	2
Rider 118 Information Security	0	0	0
Rider 121 TX-RAMP Information Form	0	0	0
Rider 200 Key Performance Indicators	2	2	2
Yellow = Points are "All" or "None"			
Vendor Max Total Points	100%	100	73

1

Supplier A made **no** exceptions and received the full points available for Section 6.10. Supplier B made exceptions and thus received **no points** for section 6.10.

2

Supplier A's total points Supplier A made no exceptions and received the **full points** available - 100.

Supplier B's total points Supplier B has a **reduced number of points** as the vendor took exceptions to various riders.

3

Points are converted to reflect the **15% value** of the Rider section of the RFP.

Scoring	Sample Scoring	
Weight	= 0.15*100	= 0.15*73
	15	11

4

Supplier A receives **15 points** and Supplier B receives only **9 points**.

By executing this form, the Prospective Supplier acknowledges that he/she has read and understands each of the provisions above. Additionally the information provided above is complete and accurate, and represent to MDACC that no additional rejection of Rider provisions will be offered during the contract negotiation process.

Company Name:
Signature:
Title:
Date:

5

Ensure you sign the attestation and upload to the event.