

## **Lee County Non-Disclosure Agreement for Exempt Documents**

As part of this solicitation, Lee County intends to provide bidders access to documents and records that are confidential in nature and exempt from public disclosure under Florida Statutes § 119.071(3)(b). Access to these confidential records will be provided on a limited basis to a licensed architect, engineer, or contractor for the limited purpose of responding to this solicitation and/or performing the scope of work thereunder. In order to receive these records, this form must be executed in its entirety by an architect, engineer, or contractor who is licensed to practice in the State of Florida and who has full authority to bind the requesting organization to the terms of this Agreement.

By executing this Agreement, you are agreeing, in both a personal and representative capacity, as follows:

- 1) I fully understand the confidential and exempt nature of the records to be supplied.
- 2) I agree to maintain the confidential and exempt status of all records provided pursuant to this Agreement in accordance with Florida law.
- 3) Access to these confidential and exempt records will be limited to only those persons within my organization, to include sub-contractors, whose access is necessary to respond to this solicitation.
  - 3a. Sub-contractors shall only receive documents applicable to their trade.
- 4) Each person who receives access to these records pursuant to this Agreement will be informed of the duty to maintain the confidential and exempt status of the records in accordance with Florida law.
- 5) The obligations hereunder apply to any and all documents or records provided in regard to this solicitation which are marked as “CONFIDENTIAL” by Lee County.
- 6) The terms of this Agreement may be enforced by Lee County through any legal or equitable action available under law, and, in the event that Lee County prevails in such legal action, Lee County will be entitled to recover its reasonable attorney’s fees and costs incurred in enforcing this Agreement.

Name of Requesting Entity:

\_\_\_\_\_

Address of Requesting Entity:

\_\_\_\_\_

Name and Title of Person Executing this Agreement:

\_\_\_\_\_

Signature: \_\_\_\_\_

Professional License No. of Person Executing this Agreement (if applicable):

\_\_\_\_\_

Check One:     Architect     Professional Engineer     Contractor

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

BEFORE ME, the undersigned authority, personally appeared, \_\_\_\_\_,  
to me known to be the person described in, or has produced identification in the nature of  
\_\_\_\_\_, and who has acknowledged to me that he/she has executed the  
foregoing instrument for the uses and purposes therein expressed.

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 201 \_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida

\_\_\_\_\_  
Print Name

My Commission Expires: \_\_\_\_\_