

EXHIBIT "A"

POLICY AND RULES GOVERNING THE RECEIPT OF ELECTRONIC SUBMISSION OF BIDS AND PROPOSALS

I. POLICY STATEMENT FOR ELECTRONIC BIDS OR PROPOSALS

These rules are established by the City of New Braunfels (the "City") for electronic solicitations procedures in accordance with Section 252.415, Texas Local Government Code, to ensure the identification, security and confidentiality of electronic bids or proposals, and to ensure they remain effectively unopened until the proper time (the "Rules"). The Rules will apply to both bids and proposals that are submitted to the City and/or its third party vendor registration/bidding service "Bidnet Direct" pursuant to the requirements of Chapter 252, Texas Local Government Code, as well as those contracts and procurements for which the City has voluntarily elected to follow the competitive processes outline in Chapter 252, Texas Local Government Code.

II. ADMINISTRATION OF RULES FOR ELECTRONIC BIDS OR PROPOSALS

The City Manager shall have the authority to adopt procedures as necessary to further implement and comply with these Rules. The Purchasing Manager will be responsible for the administration of the City's electronic solicitation processes in accordance with the City's procurement procedures, local, and state law. City staff responsible for assisting with electronic solicitation shall be trained to ensure compliance with these rules. Additionally, the Purchasing Manager shall provide adequate notice of any modifications or amendments of these rules to all participants of the City's electronic solicitation process. The Purchasing Manager shall report any violation of these rules by staff to the City Manager and the Chief Finance Officer.

- A. All users of the electronic system shall be assigned a unique username and password.
- B. Access to the system by authorized users shall be logged and tracked in order to record when any user has accessed the system, and what data the user accessed.
- C. Transmittal of data through the internet shall be encrypted and all sensitive data within the system shall be encrypted using advanced Encryption Standard algorithm (AES), or better.
- D. All data shall be encrypted using a time-sensitive mechanism that allows the data to be decrypted only after the Bid Opening specified for each solicitation.
- E. The system shall be synchronized to two or more atomic clocks to ensure exact recording of the bid due date and time, and the receipt of data and time, for each submission.
- F. The contents of submissions are not available during the bidding process. Bidder identities are likewise not available during the bidding process except to the City's Purchasing Manager, or his/her designee.

- G. The City's Purchasing Manager, or his/her designee(s), with an authorized password, and only after the Bid Opening date and time, can request that the bid/proposal be opened and obtain the data in the bid/proposal.
- H. The City will determine when and what information is released to the public pursuant to Texas Law. The City's Purchasing Manager is responsible for ensuring that any system utilized by the City for electronic submissions of bids and proposals must comply with all rules set forth, city procurement rules, and State law.