

OSP Policy 27-04: Data Classification of Contract Bids and Proposals

Version: 1.0

Effective Date: August 3, 2026

Policy Statement and Rationale

Minnesota Statutes, section 13.591, Business Data controls the classification of information in bids and proposals submitted to government entities in Minnesota as nonpublic, private, protected nonpublic, or public. This policy outlines the classification of information during each stage of the procurement process. The classification depends on the stage at which the solicitation is considered complete. The Request for Bid (RFB) selection process is complete once bids are evaluated for responsiveness and ranked. The Request for Proposal (RFP) evaluation process is complete once negotiations are finalized with the selected vendor(s).

Stages

Stage: At Solicitation Opening

- For an RFB: The responders' names and the dollar amounts in the bids become **public**. If the RFB was soliciting multiple items, an item number, such as a model number, part number, or SKU, or product description may also be made public to add meaning to the dollar amounts disclosed.
- For an RFP: The responders' names become **public**.

Stage: Once the Evaluation and Selection Process is Complete

- All data, unless it is properly classified as trade secret data as defined in Minnesota Statutes, section 13.37, is **public**.

Stage: The Solicitation is Terminated Prior to Completion of the Evaluation and Selection Process

- Data other than information made public at the solicitation opening remains **private or nonpublic**.
- If the solicitation is reissued, the data becomes **public** once the selection and evaluation process of the new solicitation is completed.
- If a decision is made to abandon the purchase, the data becomes **public**.
- If the solicitation is not reissued within one year of the initial solicitation opening, the data becomes **public**.
- Trade secret data, as defined in Minnesota Statutes, section 13.37, is **private or nonpublic**.

Trade Secret Data

When a responder indicates that any information in a bid or proposal is a trade secret, the buyer should refer the issue to the Acquisitions or Professional or Technical Services units, as applicable, or the agency’s assigned representative at the Attorney General’s Office. For OSP assistance in the acquisition of goods and services, please contact the [OSP Acquisitions](#) unit. For OSP assistance in the acquisition of professional or technical services, contact the [OSP Professional or Technical Services](#) unit.

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 by agency legal counsel.

Applicability

This policy applies to procurement data by all departments, agencies, offices, councils, boards, commissions, and other entities in the executive branch of the State of Minnesota.

Resources and Related Information

- Minnesota Statutes, Chapter 13, Government Data Practices.

History and Updates

Version	Description	Date
1.0	Supersedes OSP Purchasing Policy 10	August 3, 2026

Policy Owner/Contact

OSP chief procurement officer. For questions concerning this policy, contact the OSP Helpline at 651-296-2600.