5. Transparency of Financial Interests

a. Post Contract Award Requirements

The Contractor must agree to be open and forthright in all matters related to the clinical management and cost management of the Programs. The State has strict standard audit provisions, subject to confidentiality requirements. Disclosure obligations include, but are not limited to:

(1) Providing full access to all subcontractor, manufacturer and Network Pharmacy agreements related to the Programs under strict confidentiality provisions including rebate and other Pharma Revenue on a per unit NDC basis;

Confirmed.

(2) Agreeing to the standard audit provisions set forth in Contract Provisions, Section VII of this RFP (see Article XVIII entitled "Audit Authority"), and Appendices A and B; and

Confirmed.

(3) Agreement that the Offeror will disclose all agreements related to the provision, servicing and administration of Programs' Services in effect during the term of the Agreements resulting from this RFP to the Procuring Agencies and OSC upon request. This includes all relationships between or among the Offeror, and relevant third parties including but not limited to, pharmaceutical manufacturers, chain and independent pharmacies, and any other entity from which the Offeror receives any form of compensation or any other consideration as a consequence of Prescription drugs purchased and reimbursed under the Programs.

Confirmed.

b. During the Procurement Process

Offerors must provide all information the Procuring Agencies deem necessary to support the Proposal. This includes but is not limited to adequate information on the Proposal relative to Pharma Revenue; access to the MAC lists; AWP calculations; the Preferred Drug List and Flexible Formulary financial models, or to ensure alignment with the financial interests of the Programs and other information as the Department/NYSIF determines is necessary to address any perceived or actual conflicts between the Offeror's business model and the financial interests of the Programs.

Notwithstanding the full transparency required in Appendices A and B of the Agreement resulting from this RFP, if the Offeror cannot or will not agree to complete transparency <u>during this procurement process</u>, please detail any limitations on disclosure of the above requested information. Please include in the Offeror's answer whether it is the Offeror's standard policy applicable to all clients or if the Offeror provides different levels of access depending on the client. Is the Offeror proposing the Programs receive access to relevant business agreements related to Pharma Revenue streams and Retail Pharmacy Network pricing agreements that is equal to or exceeds the level of disclosure provided to any existing client of the Offeror?

Confirmed.