

UNIVERSITY OF HAWAI'I	AMENDMENT OF SOLICITATION	PAGE 1 of 2
1. AMENDMENT NO. 3	3. REQUEST FOR PROPOSALS (RFP) NO. <u>24-7184 Dated OCTOBER 2023</u> Provide a Cloud-Based Learning Management System for University of Hawai'i System, Honolulu, Hawai'i	
2. EFFECTIVE DATE November 6, 2023		
4. ISSUED BY Director, Office of Procurement Management 1400 Lower Campus Road, Room 15 Honolulu Hawai'i 96822 BUYER: <u>T. Shibuya</u>	5. CONTRACTOR (NAME AND ADDRESS) N/A	

6. The RFP referenced above is amended as set forth in block 7. The hour and date for receipt of offers is extended is not extended. This amendment is attached to HlePRO solicitation P24000646 for distribution and acknowledgement purposes.

7. DESCRIPTION OF AMENDMENT

Page AMENDMENT NO. 2, REVISED SECTION 2 – 19 shall be replaced with AMENDMENT NO. 3, REVISED SECTION 2 – 19, which modifies Scope of Work Section 2.7, DATA SHARING PROTECTIONS AND REQUIREMENTS, Sub-Item L to require notification to the University within TWO (2) business days instead of within SEVENTY-TWO (72) hours, of confirmation of the unauthorized release of PII or DATA, or other event requiring notification.

EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE DOCUMENT REFERENCED IN BLOCK 3 UNLESS HERETOFORE AMENDED, REMAIN UNCHANGED.

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provide written certification that these actions to erase, destroy, and render unreadable all DATA have been complied with.

J. Compliance with Applicable Laws

VENDOR shall observe and comply with all applicable laws, statutes, ordinances, orders, directives, rules, and regulations, now or hereafter made by any governmental authority (“Applicable Laws”) regarding DATA security and protection.

K. Compliance with Applicable UNIVERSITY Policies

VENDOR shall observe and comply with all applicable UNIVERSITY policies, including, without limitation,

1. Executive Policy EP 2.214, Institutional Data Classification Categories and Information Security Guidelines:
<https://www.hawaii.edu/policy/index.php?action=viewPolicy&policySection=ep&policyChapter=2&policyNumber=214&menuView=closed>.
2. Executive Policy EP 2.215, Institutional Data Governance:
<https://www.hawaii.edu/policy/index.php?action=viewPolicy&policySection=ep&policyChapter=2&policyNumber=215&menuView=closed>.
3. Executive Policy EP 2.219, Student Online Data Protection Requirements for Third Party Vendors:
<https://www.hawaii.edu/policy/index.php?action=viewPolicy&policySection=ep&policyChapter=2&policyNumber=219&menuView=closed>.
4. Administrative Procedure AP 7.022, Procedures Relating to Protection of the Educational Rights and Privacy of Students:
<https://www.hawaii.edu/policy/index.php?action=viewPolicy&policySection=ap&policyChapter=7&policyNumber=022&menuView=closed>.

L. DATA Breach

VENDOR shall comply with all Applicable Laws, including without limitation, Hawai'i Revised Statutes 487N, requiring notification in the event of the unauthorized release of PII or DATA, or other event requiring notification. Upon the confirmation of such event, VENDOR shall (a) notify the UNIVERSITY by telephone and email within TWO (2) business days of confirmation, (b) assume financial responsibility and liability for the unauthorized disclosure, release, exposure, and/or breach, and (c) fully indemnify, defend, and hold harmless the UNIVERSITY, as further set forth herein. VENDOR shall pay all such associated