

BID# 036-PP04	BUYER Harry Eschbach	PAGE SC 1
TITLE District Software Licensing and Special Purchasing Agreement		

SPECIAL CONDITIONS

- 1. PURPOSE:** The purpose of this bid is to establish a contract, at firm unit prices, for the purchase of various software titles for schools and administrative offices. The term of the bid shall be from October 1, 2014, through September 30, 2015 and may, by mutual agreement between Miami-Dade County Public Schools (M-DCPS) and the awardee(s), be extended for one (1) additional one year periods, and if needed, 90 days beyond the expiration date of the current contract period. Procurement Management Services may, if considering extending request a letter of intent to extend from the awardee, prior to the end of the current contract period. The awardee(s) will be notified when the recommendation has been acted upon. The successful vendor(s) agrees to this condition by signing its bid.
- 2. AWARD:** The School Board of Miami-Dade County may award the bid to the five (5) lowest responsive, responsible bidders meeting specifications, offering the lowest total bid for software licenses on the items listed per Group. Lowest bidder will be identified as Primary vendor and up to Four (4) alternate vendors. If the primary awardee is unable to perform under the terms and conditions of the contract, the secondary (alternate) awardee may be contacted. The bidders are required to respond to all items in a Group to be considered for award in that Group. Submissions will be evaluated and ranked from low to high per Group using a weighted factor based on the districts previous usage. The top five offering the lowest total discounted prices, meeting all requirements per Group, will be awarded. Groups are identified as follows:

 - Group I** – Adobe
 - Group II** – Microsoft
 - Group III** – Educational Software
 - Group IV** – Crystal Reports (Business Objects)
 - Group V** – Balance of catalog offering

Vendor to be awarded the contract must be capable of providing software as a **Microsoft Select Certified**, for Group II awards, **Adobe CLP Certified** for Group I award, authorized dealer of the **Educational Software**, for Group III award; authorized dealer for **Crystal Reports**, Group IV award and **VMWare** software authorized dealer for Group V award. Vendor is required to provide documentation from the manufacturer of the group with this bid indicating they are a certified dealer for each Group submitted.
- 3. NON-EXCLUSIVITY:** MDCPS reserves the right to procure the items herein described in any manner it sees fit, including, but not limited to, awarding of other contracts, and use of contracts awarded by GSA, the State of Florida, any other county or municipality, or authorized contract, whichever is considered to be in the best interest of the Board.
- 4. PRICES:** Prices shall be firm and fixed for 180 days after award of the contract. At the end of the initial 180 days in the contract period and every period established thereafter, M-DCPS, will issue request for quotations. The board reserves the right to request lower pricing if the vendor manufacturer prices have been reduced.
- 5. REQUEST FOR QUOTATION PURCHASE:** The awarded bidder(s) shall be approved to participate in Request for Quotations as required of similar product. The awarded bidder(s) shall be invited to offer a fixed price for item(s), as specified. These prices must remain fixed and firm as per the Request for Quote (RFQ). Awarded vendor(s) will be placed in a database and shall be contacted via fax, letter, E-mail or other electronic methods for quotes. All awarded vendors(s) will be invited to offer quotes. Results may be

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posted to the Internet and District Shopping Cart. Schools and District Offices will utilize these prices to make selections based on the specifications required at their site.

6. **ACQUISITION/POSTING AUTHORIZED PRODUCT:** Awarded product may be posted on the Districts web and/or Shopping Cart. Awardees will be requested, upon notification, to:

- Supply electronically, in a format to be determined by M-DCPS, information that may include: Thumbnail or full size pictures in .jpg format, and descriptive text in a downloadable file.
- Develop a unique section, at the vendor's web site, an on-line catalog, from which the district will create requisitions and upon approval generate purchase orders or P-Card transactions.
- Provide a billing arrangement that may allow for electronic submission of invoices

The requested information will be used to populate the shopping cart, for items awarded, with sufficient information and descriptive detail to allow for easy use and item selection, for the District's end users. It is the intent of the District to utilize the Shopping Cart (or other E-Procurement systems, as Districts' technology allows) as the procurement method, and schools and offices will be required to utilize the items as specified and posted at this site. The Universal Resource Locator (URL) for the Internet Home Page is requested to be listed in the space provided on the Bid Proposal Form.

7. **DELIVERY** Prices shall include all charges for packing, handling, freight, distribution, and inside delivery. Transportation of goods shall be FOB destination. Vendors must notify the Buyer of any potential delivery delays or delays in availability of product. Evidence of inability to deliver or intentional delays may cause termination of contract. It shall be the responsibility of the successful bidders to include inside delivery with every unit.

8. **UNAUTHORIZED SHIPMENT/SUBSTITUTION:** Unauthorized substitutions and shipments shall be grounds for termination. Vendors shall be considered in default of the contract and shall lose eligibility to transact new business with the Board for a period of fourteen (14) months from the date of termination by the Board.

9. **PRODUCT APPROVAL:** Prior to award of new versions or new titles, vendors may be required to be submit samples for testing and approval by Information Technology Services or Materials Testing and Evaluation. If requested, two copies, for each unit submitted for consideration, shall be delivered to ITS for testing. Samples will be supplied to the District at no charge.

10. **SAMPLES:** Samples, if required, shall be delivered within **(10) ten days** after request to the address listed in the Notice for Sample received by the vendor. Samples not received within the ten (10) days may be considered non-responsive, and bidder and/or item may not be recommended for award. Samples will be submitted at no charge to the District and will be made available for sixty- (60) days.

11. **AREA REPRESENTATIVE:** Bidder(s) is requested to indicate in the space provided, the name, address, and phone number of the vendor representative who may make periodic scheduled visits to the schools and departments and who will be available, upon request, to resolve billing and delivery problems.

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- 13. VENDOR INFORMATION SHEET:** All bidders are requested to complete the attached Vendor Information Sheet. In order to conduct new business under this bid, M-DCPS requires that the vendor(s) have a current vendor application on file. The information on both documents must be consistent. Failure to comply with this condition may cause the Bidder(s) not to be awarded any new business. Vendor applications can be downloaded at, <http://procurement.dadeschools.net/>
- 14. OCCUPATIONAL LICENSE:** Any person, firm, corporation or joint venture, with a business location in Miami-Dade County, Florida, which is submitting a bid, shall meet the County's Occupational License Tax requirements in accordance with Chapter 8A, Article IX of the Code of Miami-Dade County, Florida. Bidders with a location outside Miami-Dade County shall meet their local Occupational Tax requirements. A copy of the license is requested to be submitted with the Bid Proposal. If the Bidder has already complied with this requirement, a new copy is not required while the license is valid and in effect. It is the Bidder's responsibility to resubmit a copy of a new license after expiration or termination of the current license. Non-compliance with this condition may cause the bid not to be considered for award.
- 15. INVOICING AND PAYMENT:** Invoices shall contain the purchase order number, the Contract number and the price. Any deviation from this requirement may be grounds for termination of the contract. Vendor may be requested to provide electronic submission of invoices in a format to be determined by the District.
- 16. CREDIT CARDS:** Some orders may be placed utilizing a district issued credit card as the form of payment. These orders will be made via phone or fax for direct delivery and billing to the requesting work location. Please note that credit card purchases will benefit all vendors by providing immediate payment (i.e., within 48-72 hours) and eliminating the need to submit an invoice to the District's Accounts Payable Department or reconcile receivable balances. For credit card purchases, all vendors must have the capability to accept fax orders, which must be confirmed by calling back the requesting work location to verify prices and obtain a credit card number or as per any future district requirements as promulgated. Only actual items shipped/delivered can be charged to the credit card account (i.e., no back-orders). All purchase deliveries must include a packing slip or receipt/invoice listing the items and prices of goods delivered. For security reasons, the credit card charge receipt showing the work location's credit card number cannot be attached to the packing slip or receipt/invoice submitted as part of the purchase delivery.

Vendor must be able to provide level three (III) reporting on transactions to the credit card company utilized by the district and/or provide a monthly transaction file (in a format to be determined by MDCPS) and to include, at a minimum, the following information:

- Site/School
- Mfg
- Product Name
- Product Number
- Quantity Purchased
- Price Paid
- Transaction Information including date

- 17. BID ADDENDUMS OR QUESTIONS AND ANSWERS:** All bidders should monitor continuously, the M-DCPS Procurement website, for any addendums or questions and answers that may be posted, prior to the

MIAMI-DADE COUNTY PUBLIC SCHOOLS
TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY

BID PROPOSAL FORM (FORMAT A)
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opening of this solicitation. The procurement website, which lists all bids, addendums, questions and answers and award information, is as follows: <http://procurement.dadeschools.net> (then click on) Current Bids/RFP's Under the Cone of Silence.

- 18. CONE OF SILENCE BID ADDENDUMS OR QUESTIONS AND ANSWERS:** A Cone of Silence is applicable to this competitive solicitation. Any inquiry, clarification, or information regarding this bid must be requested, in writing, by FAX or E-mail to:

A COPY OF THIS WRITTEN REQUEST MUST BE SENT SIMULTANEOUSLY TO:

HARRY ESCHBACH, BUYER
Procurement Management Services
Miami-Dade County Public Schools
1450 N.E. 2ND Avenue, Room 650
Miami, Florida 33132
Fax #305-523-3361
E-Mail: eschbachh@dadeschools.net

Ileana Martinez, School Board Clerk
Miami-Dade County Public Schools
1450 N.E. 2ND Avenue, Room 268B
Miami, Florida 33132
Fax #305-995-1448
E-Mail: martinez@dadeschools.net

It is the bidder's responsibility to monitor continuously, the M-DCPS Procurement website, for any addendums or response to questions that may be posted, prior to the opening of this solicitation. The procurement website, which lists all bids, addendums, questions and answers and award information, is as follows: <http://procurement.dadeschools.net> (then click on) Current Bids/RFP's Under the Cone of Silence.

- 19. BID SUBMISSIONS:** Vendor is requested to provide one (1) original bid proposal, five (5) hard copies and six (6) electronic copies USB jump drives attached to each of the hard copies. Failure to provide documentation with the bid may result in the bid not being considered for award. Requested information includes, but is not limited to:

- Bidders Qualification Form.
- Bid Proposal Form.
- Vendor Information Sheet.
- Manufacturers Certification, if applicable, that bidder is a Microsoft Select Certified ; Adobe CLP Certified, and or an Authorized dealer for the Educational Titles, Crystal Reports (Business Objects) and or VMWare
- Copy of Price Lists and link to URL
- In order to facilitate the evaluation, vendors are required to submit the excel file on jump drive in addition to the hard copy of the Bid Proposal Form.

- 20. ERASURES AND CORRECTIONS:** When filling out the Bid Proposal Form, bidders are requested to complete the proposal in ink.
1. Use of pencil is prohibited.
 2. Do not erase or use correction fluid to correct error.
 3. All changes must be crossed out and initialed in ink.

MIAMI-DADE COUNTY PUBLIC SCHOOLS
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Those bids for individual items that do not comply with items 1, 2, and 3 above will be considered non-responsive for that item(s) and ineligible for award.