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School Board Administration Building
1450 Northeast Second Avenue
Miami, Florida 33132

Direct all inquiries to the
Bureau of Procurement and
Materials Management.

BUYER NAMED:
BARBARA JONES
PHONE: (305) 995-2348
TDD PHONE (305) 995-2400

BIDDER QUALIFICATION FORM

BID NO. 072-BB10 BID TITLE Physical Examinations -Bus Drivers North of Flagler Street
BIDS WILL BE ACCEPTED UNTIL 2:00 P.M. ON February 19, 2002 IN ROOM 351,
SCHOOL BOARD ADMINISTRATION BUILDING, 1450 NE 2ND AVENUE, MIAMI, FL. 33132, AT WHICH TIME THEY WILL BE
PUBLICLY OPENED. BIDS MAY NOT BE WITHDRAWN FOR 90 DAYS AFTER OPENING. (REFER TO INSTRUCTIONS TO
BIDDERS, para.IV.B.)

THE SUBMISSION OF THE BID BY THE VENDOR, ACCEPTANCE AND AWARD OF THE BID BY THE SCHOOL BOARD OF
MIAMI-DADE COUNTY, FLORIDA, AND SUBSEQUENT PURCHASE ORDERS ISSUED AGAINST SAID AWARD SHALL
CONSTITUTE A BINDING, ENFORCEABLE CONTRACT. UNLESS OTHERWISE STIPULATED IN THE BID DOCUMENTS, NO
OTHER CONTRACT DOCUMENTS SHALL BE ISSUED.

I. A. BIDDER CERTIFICATION AND IDENTIFICATION. (SEE INSTRUCTIONS TO BIDDERS, para. I. A.2.)

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person
submitting a bid for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud. I
agree to abide by all conditions of this bid; and I certify that I am authorized to sign this bid for the bidder.

B. Vendor certifies that it satisfies all necessary legal requirements as an entity to do business with the School Board of
Miami-Dade County, Florida.

II. INDEMNIFICATION

The Bidder shall hold harmless, indemnify and defend the indemnities (as hereinafter defined) against any claim, action,
loss, damage, injury, liability, cost or expense of whatsoever kind or nature including, but not by way of limitation,
attorney's fees and court costs arising out of bodily injury to persons including death, or damage to tangible property
arising out of or incidental to the performance of this Contract including goods and services provided thereto) by or on
behalf of the Bidder, whether or not due to or caused in part by the negligence or other culpability of the indemnity,
excluding only the sole negligence or culpability of the indemnity. The following shall be deemed to be indemnities: The
School Board of Miami-Dade County, Florida and its members, officers and employees.

III. PERFORMANCE SECURITY. Refer to INSTRUCTIONS TO BIDDERS, para I.A.1., and VI., and check (x) below:

WHEN PERFORMANCE SECURITY IS REQUIRED I WILL FURNISH A:

Performance Bond _____ Check (Cashier's, Certified, or Equal) _____

PLEASE TYPE OR PRINT BELOW

LEGAL NAME OF VENDOR : _____

MAILING ADDRESS : _____

CITY, STATE, ZIP CODE : _____

TELEPHONE NUMBER : _____ FAX # _____

BY: SIGNATURE (ORIGINAL) : _____ DATE _____
OF AUTHORIZED REPRESENTATIVE

NAME (TYPED) : _____ TITLE _____
OF AUTHORIZED REPRESENTATIVE

INSTRUCTIONS TO BIDDERS

I. PREPARING OF BIDS

A. BIDDER QUALIFICATION FORM qualifies the bidder and the bid and must be completed and submitted as page 1 of the bid.

1. PERFORMANCE SECURITY. The form of performance security the bidder will submit, when required to do so, must be furnished. Performance security shall not be submitted with the bid.

2. BIDDER CERTIFICATION AND IDENTIFICATION. Bid must contain an original manual signature from an authorized representative. An unsigned bid will be considered non-responsive.

B. INSTRUCTIONS TO BIDDERS define conditions of the bid.

1. ORDER OF PRECEDENCE. Any inconsistency in this bid shall be resolved by giving precedence in the following order:

- A. Specifications
- B. Special Conditions
- C. Instructions To Bidders

2. FOR MWBE designated bids. The **SPECIAL CONDITIONS-Minority/Women owned and controlled Business Participation Statement** and the **MWBE Certification Application** **MUST** be completed and **SUBMITTED** with the bid if the bidder is not certified by Miami-Dade County Public Schools. Failure to submit the completed application with the bid will be considered non-responsive.

C. BID PROPOSAL FORM defines requirement of items to be purchased, and must be completed and submitted as page 2 and subsequent pages, if any, of the bid. The bidder should indicate its name in the appropriate space on each page.

1. ITEM SPECIFICATION. Specifying a certain brand, make or manufacturer is to denote the quality, type, and standard of the article desired. Articles offered must be new merchandise only, of equal or superior grade. On blank lines provided, the bidder is requested to insert the brand name, manufacturer's number and other information necessary to sufficiently identify article offered. Failure to do so may prevent consideration of the item. Also, *see* paragraph IX: Packaging.

2. PROTEST OF SPECIFICATIONS. Any notice of protest of the specifications contained in an invitation to bid shall be filed in writing with the Associate Superintendent, Bureau of Procurement and Materials Management no later than 48 hours prior to the date and hour specified in the Bidder Qualification Form for receipt of bids. Failure to file a timely notice of protest shall constitute a waiver of proceedings.

3. PRICES. Prices are requested in units of quantity specified in the bid specifications. In case of a discrepancy in computing the total amount of bid, **UNIT PRICE** quoted will govern. All prices bid shall include delivery F.O.B. destination, freight prepaid (bidder pays and bears freight charges. Bidder owns goods in transit and files any claims) and shall include all cartage, drayage, packing, etc., delivered to and unloaded at the receiving station at the site designated in **BID PROPOSAL FORMS** and there received by the designated agent of the Board.

4. TAXES. The Board does not pay Federal Excise and State taxes on direct purchases of tangible personal property. The applicable tax exemption number is shown on the purchase order. This exemption does not apply to purchases of tangible personal property made by contractors who use the tangible personal property in the performance of contracts for the improvement of Board owned real property as defined in Chapter 192 of the Florida Statutes.

II. SUBMITTING OF BIDS

A. BID FORMS AND ENVELOPES. Bids must be submitted on forms furnished by the Board and in sealed envelopes. Envelopes must be clearly marked with bid number, bid title and bid opening.

B. ERASURES OR CORRECTIONS. When filling out the bid proposal form, bidders are required to use a typewriter or complete bid proposal in ink.

1. Use of pencil is prohibited.
2. Do not erase or use correction fluid to correct an error.
3. All changes must be crossed out and initialed in ink.

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).

C. PLACE, DATE AND HOUR. Bids shall be submitted by U.S. Mail, Courier/Express Service, or deposited in the **BID BOX** located in Room 351, 8:00 A.M. to 4:30 P.M., Monday through Friday, **SCHOOL BOARD ADMINISTRATION BUILDING, 1450 N.E. Second Avenue, Miami, Florida 33132.** Bids received after the date and hour specified in the **BIDDER QUALIFICATION FORM** will not be considered.

D. PUBLIC ENTITY CRIMES. Section 287.133(2)(a) Florida Statute. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for **CATEGORY TWO** for a period of 36 months from the date of being placed on the convicted vendor list.

E. SUBMITTING A "NO BID." If not submitting a bid at this time, return the form entitled "NOTICE TO PROSPECTIVE BIDDERS." Failure to respond, either by submitting a bid or the "NOTICE TO PROSPECTIVE BIDDERS" form for three consecutive times may result in your company being removed from the School Board's bid list.

F. AVAILABILITY OF BID INFORMATION. Immediately following the public opening, bids will be read, upon request, and then compiled in a tabular form, a copy of which will be available for examination in Procurement Management.

III. CANCELLATION OF BIDS OR REQUEST FOR PROPOSALS

An invitation for bids or request for proposals, or other solicitations may be canceled, in whole or in part, as may be specified in the solicitation, when it is in the best interest of the Board. The reasons shall be made a part of the master bid file.

A. Prior to opening, a solicitation may be canceled in whole or in part, prior to the date and hour specified in the Bidder Qualification Form for receipt of bids, when the Associate Superintendent, Bureau of Procurement and Materials Management, determines in writing that such action is in the best interest of the Board for reasons including, but not limited to:

1. The Board no longer requires the supplies, services, or construction;
2. The Board no longer can reasonably expect to fund the procurement;
3. A review of a valid protest filed by a bidder as may be determined by the administrative staff;
4. Proposed amendments to the solicitation would be of such magnitude that a new solicitation is desirable.

B. When a solicitation is canceled prior to opening, notice of cancellation shall be sent to all businesses solicited, via facsimile or mail and bids or proposals returned to the vendor unopened.

C. The notice of cancellation shall:

1. Identify the solicitation;
2. Briefly explain the reason for cancellation; and

3. Where appropriate, explain that an opportunity will be given to compete on any re-solicitation on any future procurements of similar supplies, services, or construction.

IV. CHANGE OR WITHDRAWAL OF BIDS

A. **PRIOR TO BID OPENING.** Should the bidder desire to change or withdraw their bid they shall do so in writing. This communication is to be received by the Executive Director, Division of Procurement Management, Room 364, School Board Administration Building, prior to date and hour of bid opening. The bidder's name, the bid number, the bid title and the date the bid is due must appear on the envelope.

B. **AFTER BID OPENING.** After bids are opened, they may not be changed, nor withdrawn for 90 days after the determined opening date unless otherwise specified on the "BIDDER QUALIFICATION FORM."

C. **FAILURE TO ACCEPT BID AWARD.** Bidders who, prior to the Bid Award by the School Board of Miami-Dade County, Florida, indicate that they are unable to accept the bid award shall either:

1. Pay to the Board, as liquidated damages an amount equal to 5% of the unit price bid times the quantity, or \$10, whichever amount is larger, or
2. Lose eligibility to transact new business with the Board for a period of 14 months from the date the Board acts on the withdrawn bid.

V. AWARDS

A. **RESERVATION FOR REJECTION OR AWARD.** The Board reserves the right to reject any or all bids, to waive irregularities or technicalities, and to request re-bids. The Board reserves the right to award on an individual item basis, any combination of items, total low bid or, if an alternate bid is accepted, on such terms as are specified for the alternate bid, whichever manner is in the best interest of the Board.

B. **AWARD RECOMMENDATION.** Bidder/Proposer information phone lines have been established in Procurement Management. Bidders/proposers may call 995-1375 each Friday to be advised of the recommended bidders or proposers and the time it is contemplated that the recommendation will be made. This information will be provided by school system staff as available. In no case will information as to a recommended bidder/proposer be available later than the Friday preceding the week when the award is scheduled to be made by the School Board or the Superintendent.

Bidders and proposers may file letters of protest no later than 48 hours prior to the Board Meeting for which the award is scheduled to be made. These letters of protest will be reviewed by Staff. Staff will offer the protesting bidder the opportunity for a meeting to discuss the protest. If the bidder is not satisfied with the response to the protest, he/she may request to address the School Board. Alternatively, bidders may invoke the provisions of §120.569, Fla. Stat. Petitions for hearings on protests pursuant to §120.569, Fla. Stat., must be filed in accordance with School Board Rule 6Gx13-8C-1.064. Protests filed later than the date specified herein are deemed waived. This provision supersedes and governs over any conflicting provision in this document.

C. **OFFICIAL AWARD DATE.** Awards become official when made unless otherwise specified in the award recommendation.

D. **PURCHASE ORDERS.** Purchase orders mailed to successful bidders are the official notification to deliver materials described therein; and the time allowed for delivery begins with the date of the purchase order. In the event that the successful bidder fails to deliver the materials in accordance with the terms and conditions of the bid and purchase order, the bidder shall be considered in default of the contract and subject to the default provisions stated in Instructions to Bidders, Section V. E.

E. **DEFAULT.** In the event of default, which may include, but is not limited to non-performance and/or poor performance, the awardee shall pay to the Board as liquidated damages an amount equal to 10% of the unit price of the item(s) awarded times the quantity when no purchase order has been issued, 10 percent of the purchase order when a purchase order has been issued or \$100, whichever is greater. Where no performance bond or check has been required, each awardee who fails to pay the liquidated damages within 15 days after it is invoked shall lose eligibility to transact new business with the Board for a period of 14 months from date of termination of award by the Board. Bidders that are

determined ineligible may request a hearing pursuant to §120.569, Fla. Stat., and School Board Rule 6Gx13-8C-1.064

The Board reserves the right to waive liquidated damages/loss of eligibility.

F. The intent of the bid documents is to include only the written requirements for materials, equipment, systems, standards and workmanship necessary for the proper execution and completion of the work by the Bidder. The bid documents shall not be construed to create an entitlement to any other scope of work except as specified herein

VI. PERFORMANCE SECURITY (FOR SUCCESSFUL BIDDERS ONLY)

A. **PURPOSE.** A performance bond or check may be required to guarantee performance.

B. **BONDING COMPANY.** Performance Bonds shall be written through a reputable and responsible surety bond agency licensed to do business in the State of Florida and with a surety company or corporation meeting both of the following specifications:

1. Awards Greater than \$500,000

A minimum rating in the latest revision of Best's Insurance Reports of:

<u>Contract Amount</u>	<u>Minimum Rating by A.M. Best</u>
\$ 500,000.01 to \$ 2,500,000	None
\$ 2,500,000.01 to \$ 5,000,000	B + or NA-3
	No Minimum Class
\$ 5,000,000.01 to \$10,000,000	A- Class IV
\$10,000,000.01 or more	A- Class V

Current certificate of authority as acceptable surety on Federal Bonds in accordance with the latest edition of the United States Treasury Department Circular 570 entitled "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" shall be accepted for an amount not exceeding the underwriting limitation thereon.

2. Awards of \$500,000 or Less

Bonds shall be written with a surety company or corporation meeting the qualifications as set forth in Paragraph VI.B. above or the qualifications set forth in section 287.0935, Florida Statutes.

C. **AMOUNT.** When required as defined therein, the firm or individual(s) to whom an award has been made shall execute and deliver to The School Board of Miami-Dade County, Florida a Performance Bond, Cashier's/Certified Check, or equal.

1. Awards less than \$200,000 shall be exempt from performance security.

2. Performance security shall not be required unless otherwise defined in the bid specifications. If Performance security is required, it shall equal 100% of the award amount.

D. **RELEASE OF PERFORMANCE SECURITY.** Return to the Awardee of their cash security, or notification to the Awardee and the bonding company to cancel the performance bond, will be made when all goods/services have been accepted and invoices have been approved for payment.

VII. **SAMPLES.** When bid samples are required, the buyer will notify bidder to submit samples of the items bid in accordance with the following procedures.

A. All samples must be identified with the bidder's name, bid number, item number, and product name and number. Where non-compliance with this requirement is noted, said item may be considered as being unidentifiable and may not be eligible for consideration in the award recommendation.

B. All samples are to be delivered within 7 calendar days after receipt of notification from buyer, unless otherwise stated in the Special Conditions of the bid. If the bidder does not submit samples by the date and time indicated by the buyer, the bid submitted for that item may not be considered for award.

Revised April 1999

C. Bidder must obtain, from Materials Control Testing and Evaluation, a signed receipt acknowledging delivery of samples. Bidder shall include a self-addressed, stamped envelope for return of sample receipt when submitting samples by mail or delivery service. The bidder will receive the original copy of the receipt and the duplicate copy will remain with the Miami-Dade County Public Schools receiving department as the file copy. Bidder shall be solely responsible for delivery of samples and for retaining sample delivery receipts, which must be presented in any dispute regarding receipt of bid samples.

D. Samples should be delivered to the following address:

MIAMI-DADE COUNTY PUBLIC SCHOOLS
MATERIALS CONTROL TESTING AND EVALUATION
7040 West Flagler Street
Miami, Florida 33144
Telephone Number: (305) 995-3290

Miami-Dade County Public Schools will not be responsible for samples sent to a location other than the location mentioned in the Bid.

E. PAYMENT FOR SAMPLES. The Board will buy no samples and will assume no cost incidental thereto.

F. RETURN OF SAMPLES. Samples not destroyed in testing may be claimed by unsuccessful bidders 14 days after bid award date and by successful bidders 14 days after final payment; but the Board will assume no responsibility for samples not claimed within the time specified, and it will pay for no samples damaged in testing.

G. EVALUATION AND TEST RESULTS. Interested bidders should contact the buyer, prior to the recommendation for award, to determine whether the item(s) submitted complies with the specifications requirements. If the item(s) does not comply, the buyer will advise the bidder to contact the Materials Control Testing and Evaluation for further details.

VIII. SUBSTITUTIONS. Should the bidder find it necessary to use a material, equipment, product or system other than specified, the bidder shall secure from the Board, through the Bureau of Procurement and Materials Management, written approval for the use of the alternate materials, equipment, product or system. The Board is not obligated to approve requests for substitutions and has the discretion to require the bidder to provide the materials as specified in the bid documents. In no case shall the bidder be entitled to additional time and/or money arising out of the Board's failure to approve requests for substitutions.

IX. PACKAGING

A. TYPE. If packaging is different from that specified, the bidder must note the manner and amounts in which packaging is to be made; otherwise the successful bidder shall furnish packaging as specified. All packaging, wrapping and bundling shall be adequate to insure that materials will be received in undamaged condition. The Board assumes no responsibility for damages of any kind incurred in transit.

B. CONTAINER IDENTIFICATION. The following identification shall be printed, stenciled or legibly written in a conspicuous location on each shipping container:

1. BID NUMBER AND/OR PURCHASE ORDER NUMBER
2. VENDOR'S NAME AND/OR TRADEMARK
3. NAME(S) OF ITEM(S) CONTAINED
4. ITEM NUMBER(S) WITH QUANTITY(IES)

X. PURCHASES BY OTHER PUBLIC AGENCIES. With the consent and agreement of the successful bidder(s), purchases may be made under this bid by Metropolitan Dade County, Florida, and other governmental agencies or political subdivisions within the State of Florida. Such purchases shall be governed by the same terms and conditions stated herein. This agreement in no way restricts or interferes with the right of any State of Florida Agency or political subdivision to re-bid any or all of these items.

XI. RECYCLING REQUIREMENTS. Miami-Dade County Public Schools supports recycling and recommends the use of recycled products where possible. Vendors are requested to submit a letter, along with their bid, indicating whether each item bid and/or its packaging contain pre-consumer or post-consumer waste, and if the product and/or packaging may be recycled.

XII. ENVIRONMENTAL PRODUCTS. Miami-Dade County Public Schools encourages the use of environmentally safe products.

XIII. DELIVERY AND BILLING

A. DELIVERY. Saturdays, Sundays, and holidays excepted, deliveries shall be made as follows: Schools and Departments - 8:00 A.M. to 3:00 P.M. Merchandise shall be unloaded at the receiving station of the designated delivery point and received there by a designated agent of the Board. A delivery ticket, or one copy of the invoice, prepared as indicated below, shall accompany each delivery.

B. RECEIVING INSPECTION AND TESTING. Delivered items which do not fulfill all requirements will be rejected. Rejected items shall be removed and replaced promptly by the vendor at no cost to the purchaser.

C. INVOICES. Each invoice shall be issued by the successful bidder and shall be submitted in DUPLICATE to the Accounts Payable Section, P.O. Box 01-2570, Miami, Florida 33101. To be considered for payment each invoice must show the following information which appears on the Purchase Order:

- | | |
|--|----------------------|
| 1. Purchase Order Number | 2. Item Descriptions |
| 3. Quantities and Units | 4. Price Extensions |
| 5. Total Price of all items on the invoice | |

D. PAYMENT. Unless otherwise specified by Miami-Dade County Public Schools, payment will be made only after delivery, authorized inspection, and acceptance. Payment will be made only to the successful bidder unless otherwise requested in writing by the successful bidder and accepted by Miami-Dade County Public Schools Administration. When bidders are directed to send invoices to a school, the school will make direct payment to the bidder.

XIV. NO GRATUITY POLICY. It is the policy of the Bureau of Procurement and Materials Management not to accept gifts, gratuities, or favors of any kind, or of any value whatsoever, from vendors, members of their staffs, or families.

XV. COMPLIANCE WITH FEDERAL REGULATIONS.

A. All contracts involving Federal funds will contain certain provisions required by applicable sections of Title 34, Section 80.36(1) and Section 85.510 Code of Federal Regulations and are included by reference herein. The vendor certifies by signing the bid that the vendor and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in Federally funded transactions and may, in certain instances, be required to provide a separate written certification to this effect.

During the term of any contract with the Board, in the event of debarment, suspension, proposed debarment, declared ineligible or voluntarily excluded from participation in Federally funded transactions, the vendor shall immediately notify the Associate Superintendent, Bureau of Procurement and Materials Management, in writing.

Vendors will also be required to provide access to records which are directly pertinent to the contract and retain all required records for three years after the grantee (The Board), or subgrantee makes final payment.

B. For all contracts involving Federal funds in excess of \$10,000, the Board reserves the right to terminate the contract for cause as well as for convenience by issuing a certified notice to the vendor.

THE BOARD MAY REJECT ANY BID FOR FAILURE BY THE BIDDER TO COMPLY WITH ANY REQUIREMENT STATED ABOVE, IN THE BID PROPOSAL FORM, OR IN ATTACHMENTS THERETO WHICH BECOME PART OF THE BID.

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA


SUPERINTENDENT OF SCHOOLS

INDEMNIFICATION AND INSURANCE

In consideration of this Contract, if awarded, the Vendor agrees without reservation to the indemnification and insurance clauses contained herein. These clauses are attached to and form a part of Bid #072-BB10

INDEMNIFICATION

The Vendor shall hold harmless, indemnify and defend the indemnitees (as hereinafter defined) against any claim, action, loss, damage, injury, liability, cost or expense of whatsoever kind or nature including, but not by way of limitation, attorneys' fees and court costs arising out of bodily injury to persons including death, or damage to tangible property arising out of or incidental to the performance of this Contract (including goods and services provided thereto) by or on behalf of the Vendor, whether or not due to or caused in part by the negligence or other culpability of the indemnitee, excluding only the sole negligence or culpability of the indemnitee. The following shall be deemed to be indemnitees: The School Board of Miami-Dade County, Florida and its members, officers and employees.

INSURANCE

Prior to being recommended for award, the Vendor has five business days after notification to submit proof of insurance as required herein. Failure to submit a fully completed certificate of insurance signed by an authorized representative of the insurer providing such insurance coverages may cause the Vendor to be considered non-responsive and not eligible for award of the Contract. The insurance coverages and limits shall meet, at a minimum, the following requirements:

1. Commercial General Liability Insurance in an amount not less than \$300,000 combined single limit per occurrence for bodily injury and property damage.
2. Professional Liability Insurance in the amount of \$1,000,000 per occurrence.
3. Workers' Compensation Insurance for all employees of the Vendor as required by Florida Statutes.

"The School Board of Miami-Dade County, Florida and its members, officers and employees" shall be an additional insured on all liability coverages except Workers' Compensation Insurance.

The insurance coverage required shall include those classifications, as listed in standard liability insurance manuals, which most nearly reflect the operations of the Vendor.

All insurance policies shall be issued by companies with either of the following qualifications:

- (a) The company must be (1) authorized by subsisting certificates of authority by the Department of Insurance of the State of Florida or (2) an eligible surplus lines insurer under Florida Statutes. In addition, the insurer must have a Best's Rating of "B+" or better and a Financial Size Category of "IV" or better according to the latest edition of Best's Key Rating Guide, published by A.M. Best Company.

or

- (b) with respect only to the Workers' Compensation insurance, the company must be (1) authorized as a group self-insurer pursuant to Florida Statutes or (2) authorized as a commercial self-insurance fund pursuant to Florida Statutes.

Neither approval nor failure to disapprove the insurance furnished by the Vendor to the School Board shall relieve the Vendor of the Vendor's full responsibility to provide insurance as required by this Contract.

The Vendor shall be responsible for assuring that the insurance remains in force for the duration of the contractual period; including any and all option years that may be granted to the Vendor. The certificate of insurance shall contain the provision that the School Board be given no less than thirty (30) days written notice of cancellation. If the insurance is scheduled to expire during the contractual period, the Vendor shall be responsible for submitting new or renewed certificates of insurance to the School Board at a minimum of fifteen (15) calendar days in advance of such expiration.

Unless otherwise notified, the certificate of insurance shall be delivered to:

**Miami-Dade County Public Schools
Office of Risk and Benefits Management
1500 Biscayne Boulevard, Suite 127
Miami, Florida 33132**

The name and address of Miami-Dade County Public Schools, as shown directly above, must be the *Certificate Holder on the certificate of insurance.*

The Vendor may be in default of this Contract for failure to maintain the insurance as required by this Contract. Any questions regarding these requirements should be directed to Ms. La-Chane Clark at 305-995-7133.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

BID PROPOSAL FORM (FORMAT A)

TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

BID	072-BB10	BUYER	B. JONES	PAGE	SC
TITLE	Physical Examinations-Bus Drivers North of Flagler Street				

SPECIAL CONDITIONS

1. **PURPOSE:** The purpose of this bid is to establish a contract, at firm unit prices, for physical examinations of school bus drivers. The term of the bid shall be for eighteen months from the date of award, and may, by mutual agreement between The School Board of Miami-Dade County, Florida and the awardee, upon final School Board approval, be renewable for an additional eighteen month period and, if needed, 90 days beyond the expiration date of the current contract period. The Board, through the Bureau of Procurement and Materials Management, may if considering to renew, request a letter of intent to renew from the awardee, prior to the end of the current contract period. The awardee will be notified when the recommendation has been acted upon by the Board. All prices shall be firm for the term of the contract. The successful vendor(s) agrees to this condition by signing its bid.

2. **ESTIMATED QUANTITIES:** The estimated quantities provided in the bid proposal are for bidder's guidance only. No guarantee is expressed or implied, as to quantities that will be used during the contract period. The School Board of Miami-Dade County, Florida is not obligated to place an order for any given amount, subsequent to the award of this bid. Estimates are based upon M-DCPS's actual needs and usage during a previous contractual period, and include an additional ten percent to cover unanticipated increases in requirements.

3. **INSURANCE REQUIREMENTS:** Successful vendor(s) are required to have insurance coverage, as specified in the indemnity and insurance form(s), attached hereto and made a part of this bid. The successful vendor(s) must submit completed certificate of insurance form(s), prior to being recommended for award. Failure to submit this form(s), as noted, will result in the vendor(s) not being recommended for award.

4. **LOCATION:** The physical examination sites must be located North of Flagler Street, within Miami-Dade County, Florida and should be able to safely and comfortably support a waiting area for a minimum of six (6) to ten (10) people. Mobile vans, if used, must be self-contained, air conditioned, and long enough to perform the vision test, with a bathroom large enough to accommodate all employee physical types. Health facilities must meet criteria established by the State of Florida Agency for Health Care Administration (AHCA), Division of Health Quality Assurance. The School Board of Miami-Dade County Florida, reserves the right to inspect agencies submitting a bid to insure health facility compliance.

5. **HOURS OF OPERATION:** Hours of operation shall conform to a regular workday, between 8:00 a.m., providing continuous service, until 5:00 p.m., Monday through Friday.

6. **PAYMENT:** All invoices shall be submitted on a monthly basis, with the drivers listed in alphabetical order, last name first, including the social security number and employee number. Invoices shall be submitted as follows:

Ms. Manette Carisma
 Department of Transportation
 15401 S. W. 117th Avenue
 Miami, Florida 33177

MIAMI-DADE COUNTY PUBLIC SCHOOLS

BID PROPOSAL FORM (FORMAT A)

TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

BID 072-BB10	BUYER B. JONES	PAGE SC
TITLE Physical Examinations-Bus Drivers North of Flagler Street		

SPECIAL CONDITIONS CONTINUED

7. **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 www.dade.k12.fl.us (click District Offices, then click Procurement Management).

8. **AWARD:** The award of this contract shall be made to the lowest responsive and responsible bidder. In the event the awarded vendor is unable to perform the services under this contract, The School Board of Miami-Dade County, Florida, reserves the right, at its sole discretion, to assign services, at the price bid, to the awarded vendor on the contract for services South of Flagler Street.

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

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).

10. **PENALTY/DEFAULT CRITERIA:** The contractor shall be responsible for accurately completing all required sections of the ESE 479 Physical Examination for School Bus Driver and Medical Examiner's Certificate. Three occurrences of incomplete or improperly performed physical examinations and/or failure to comply with any of the requirements of the bid may cause the vendor to be in default of this contract.

The School Board of Miami-Dade County, Florida
 Bid #022-ZZ02M/WBE
 Caulking

BID PROPOSAL FORM (FORMAT B)

Type or print in this box the complete name of the bidder:

Bid #072-BB10

Title: Physical Examinations-Bus Drivers North of Flagler Street

Buyer: B. Jones

PLEASE COMPLETE ALL SHADED AREAS

NAME OF BIDDER:

ITEM	DESCRIPTION OF ITEM	ESTIMATED QUANTITY	UNIT	PRICE PER UNIT	MANUFACTURER & MODEL NUMBER
	VENDOR SHALL INDICATE MANUFACTURER'S WARRANTY, IF GREATER THAN ONE YEAR				
	Physical examinations for school bus drivers in accordance with the attached specifications, physical examination for school bus drivers medical examiner's certificate, school bus driver physical standards, medical regulatory criteria for physical examination and insurance requirements.				
1	Physical examinations: site to be located North of Flagler Street or contractor must have a mobile van.	1,600	Each		

Distribution:
 1. Retain top in Medical Examiner's File
 2. Send bottom copy to School Board Transportation Department

FLORIDA DEPARTMENT OF EDUCATION
 DIVISION OF SUPPORT SERVICES
**PHYSICAL EXAMINATION FOR SCHOOL BUS DRIVER
 AND MEDICAL EXAMINER'S CERTIFICATE**
 To be Filled in by Examining Medical Examiner (Please Print)

Date of Examination:

Driver's Name: _____

Address: _____

Social Security Number: _____ **City:** _____ **State:** _____ **Zip Code:** _____

Date of Birth: _____ **Age:** _____

Health History:

Yes	No	Yes	No	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If answer to any of the above questions is yes, explain: _____

General appearance and development: ☐ Good ☐ Fair ☐ Poor

Vision: For Distance: Right 20/ _____ Left 20/ _____ ☐ Without corrective lenses ☐ With corrective lenses, if worn

Evidence of disease or injury: Right _____ Left _____

Color Test: _____

Horizontal field of vision: Right _____ Left _____

Autometric Test: Decibel loss at 500 Hz _____ 1,000 Hz _____ 2,000 Hz _____

Disease or injury: _____

Throat: _____

Heart: _____

If organic disease is present, is it fully compensated? _____

Blood pressure: Systolic _____ Diastolic _____

Pulse: Before exercise _____ Immediately after exercise _____

Lungs: _____

Abdomen: _____

Scars: _____

Abnormal masses: _____

Tenderness: _____

Gastrointestinal: Ulceration or other diseases ☐ Yes ☐ No **Is truss worn?** _____

Genito-Urinary: _____

Scars: _____

Urethral discharge: _____

Reflexes: _____

Rhomberg: _____

Pupillary: _____

Accommodation: Right _____ Left _____

Knee jerks: Right _____ Normal _____ Increased _____ Absent _____

Left: _____ Normal _____ Increased _____ Absent _____

Remarks: _____

Extremities: Upper _____ Lower _____

Spine: _____

Laboratory and Other Special Findings: _____

Urine: Spec. Gr. _____ Alb. _____ Sugar _____

Other Laboratory Data (Serology, etc.): _____

Radiological Data: _____

Electrocardiograph: _____

General Comments: _____

☐ MARK HERE IF NOT QUALIFIED

Name of Examining Medical Examiner (Print): _____ **Signature:** _____

Address of Examining Medical Examiner: _____

DEXTERITY TESTING FOR SCHOOL BUS DRIVER (For each item mark (X) "Yes" or "No")

	YES	NO
1. Applicant did climb and descend the front steps of a 65 passenger bus without pausing.	<input type="checkbox"/>	<input type="checkbox"/>
2. Applicant did open and close a manually operated 65 passenger bus entrance door without difficulty while seated in the driver's seat.	<input type="checkbox"/>	<input type="checkbox"/>
3. Applicant did activate the brake pedal with the right foot in 3/4 of a second or less after removing the right foot from the throttle pedal.	<input type="checkbox"/>	<input type="checkbox"/>
4. Applicant did move from a seated position in the driver's seat of a 65 passenger bus to the rear of the bus, open the emergency door and exit the bus all within 20 seconds.	<input type="checkbox"/>	<input type="checkbox"/>
5. Applicant did operate the driving controls using both arms simultaneously and quickly. For example, activate master panel switches or shift gears while keeping one hand on the steering wheel of a 65-passenger bus traveling 25 miles per hour. (Activity #5 is to be done last only if all prior activities are successfully completed)	<input type="checkbox"/>	<input type="checkbox"/>

Signature of School District Examiner: _____ **Date Examined:** _____

MEDICAL EXAMINER'S CERTIFICATE
 (I certify that I have examined)

Driver's Name (Print): _____

The following will be completed only when the visual test is conducted by a licensed ophthalmologist or optometrist.

(Date of examination) _____

(Name of Ophthalmologist or Optometrist (Print)) _____

(Address of Ophthalmologist or Optometrist) _____

(Signature of Ophthalmologist or Optometrist) _____

Physical Qualifications and Instructions to Physicians are Printed on Reverse Side.

Distribution: Top copy - Medical Examiner; Bottom copy - return to School Board

PHYSICAL EXAMINATION FOR SCHOOL BUS DRIVER

A person is physically qualified to drive a school bus if that person -

- 1 Has no loss of a foot, a leg, a hand or an arm, or has been granted a waiver pursuant to § 361.49.
- 2 Has no impairment of (a) a hand or finger which interferes with prehension or power grasping, or (b) an arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a motor vehicle, or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a motor vehicle, or has been granted a waiver pursuant to § 361.49.
- 3 Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.
- 4 Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure.
- 5 Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a motor vehicle safely.
- 6 Has no current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a motor vehicle safely.
- 7 Has no established medical history or clinical diagnosis of rheumatic, arthritic, osteoporotic, muscular, neuromuscular, or vascular disease which interferes with his ability to control and operate a motor vehicle safely.
- 8 Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle.
- 9 Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a motor vehicle safely.
- 10 Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity adequately corrected to 20/40 (Snellen) or better with corrective lenses; distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses; field of vision of at least 70° in the horizontal meridian in each eye; and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.
- 11 Does not have an average hearing loss in the better ear greater than 40 decibels at 500Hz, 1000Hz, and 2000Hz with or without a hearing aid when the audiometric device is calibrated to American National Standards (formerly ASA Standard) Z24.5 - 1955.
- 12 Has no current clinical diagnosis of alcoholism.

INSTRUCTIONS FOR PERFORMING AND RECORDING PHYSICAL EXAMINATIONS

The examining medical examiner should review these instructions before performing the physical examination. Answer each question yes or no where appropriate.

The examining medical examiner should be aware of the rigorous physical demands and mental and emotional responsibilities placed on the driver of a commercial motor vehicle. In the interest of public safety the examining medical examiner is required to certify that the driver does not have any physical, mental, or organic defect of such a nature as to affect the driver's ability to operate safely a commercial vehicle.

General Information. The purpose of this history and physical examination is to detect the presence of physical, mental, or organic defects of such a character and extent as to affect the applicant's ability to operate a commercial vehicle safely. The examination should be made carefully and at least as complete as indicated by the attached form. History of certain defects may be cause for rejection or indicate the need for making certain laboratory tests or a further and more stringent examination. Defects may be recorded which do not, because of their character or degree, indicate the certification of physical fitness should be denied. However, these defects should be discussed with the applicant and he should be advised to take the necessary steps to insure correction, particularly of those which, if neglected, might lead to a condition likely to affect his ability to drive safely.

General appearance and development. Note marked overweight. Note any posture defect, perceptible limp, tremor, or other defects that might be caused by alcoholism, thyroid intoxication or other illnesses. The Federal Motor Carrier Safety Regulations provide that no driver shall use a narcotic or other habit-forming drugs.

Head-eyes. When other than the Snellen chart is used the results of such test must be expressed in values comparable to the standard Snellen test. If the applicant wears corrective lenses these should be worn while applicant's visual acuity is being tested. If appropriate, indicate on the Medical Examiner's Certificate by marking the box, "Qualified only when wearing corrective lenses." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos or strabismus, uncorrected by corrective lenses. Monocular drivers are not qualified to operate commercial motor vehicles under existing Federal Motor Carrier Safety Regulations or Florida Department of Education Rules. If the driver habitually wears contact lenses, or intends to do so while driving, there should be sufficient evidence to indicate that he has good tolerance and is well adapted to their use. The use of contact lenses should be noted on the record.

Ears. Note evidence of mastoid or middle ear disease, discharge, symptoms of acute vertigo or Meniere's Syndrome. To test hearing, measure decibel loss at 500Hz, 1000Hz, and 2000Hz.

Throat. Note evidence of disease, immediate deformities of the throat likely to interfere with eating or breathing, or any laryngeal condition which could interfere with the safe operation of a motor vehicle.

Throat-heart. Stethoscopic examination is required. Note murmurs and arrhythmias and any past or present history of cardiovascular disease, of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failure. Electrocardiogram is required when findings so indicate.

Blood pressure. Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg, further tests may be necessary to determine whether the driver is qualified to operate a motor vehicle.

Lungs. If any lung disease is detected state whether active or arrested, if arrested your opinion as to how long it has been quiescent.

Gastrointestinal system. Note any diseases of the gastrointestinal system.

Abdomen. Note wounds, injuries, scars, or weakness of muscles of abdominal walls sufficient to interfere with normal function. Any hernia should be noted if present. State how long and if adequately contained by truss.

Abnormal masses. If present, note location, if tender, and whether or not applicant knows how long they have been present. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Tenderness. When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Genito-urinary. Urinalysis is required. Acute infections of the genito-urinary tract, as defined by local and state public health laws, indications from urinalysis of uncontrolled diabetes, symptomatic albumin-urine in the urine, or other findings indicative of health conditions likely to interfere with the control and safe operation of a motor vehicle will disqualify an applicant from operating a motor vehicle.

Neurological. If positive Romberg is reported, indicate degree of impairment. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella, sensory vibratory and positional abnormalities should be noted.

Extremities. Carefully examine upper and lower extremities. Record the loss or impairment of a leg, foot, toe, arm, hand, or finger. Note any and all deformities, the presence of atrophy, semiparalysis or paralysis, or varicose veins. If a hand or finger deformity exists, determine whether sufficient grasp is present to enable the driver to secure and maintain a grip on the steering wheel. If leg deformity exists, determine whether sufficient mobility and strength exist to enable the driver to operate pedals properly. Particular attention should be given to, and a record should be made of, any impairment or structural defect which may interfere with the driver's ability to operate a motor vehicle safely.

Spine. Note deformities, limitation of motion, or any history of pain, injuries, or disease, past or presently experienced in the cervical or lumbar spine region. If findings so dictate, radiological and other examinations should be used to diagnose congenital or acquired defects, or spondylolisthesis and scoliosis.

Radiological studies. Diseases or conditions causing discomfort should be evaluated carefully to determine the extent to which the conditions might be handicapping while lifting, putting, or during periods of prolonged driving that might be necessary as part of the driver's duties.

Laboratory and other special findings. Urinalysis is required, as well as, such other tests as the medical history or findings upon physical examination may indicate are necessary. A serological test is required if the applicant has a history of luteal infection or present physical findings indicate the possibility of latent syphilis. Other studies deemed advisable may be ordered by the examining medical examiner.

Diabetes. If insulin is necessary to control a diabetic condition, the driver is not qualified to operate a motor vehicle. If mild diabetes is noted at the time of examination and it is stabilized by use of a hypoglycemic drug and a diet that can be obtained while the driver is on duty, it should not be considered disqualifying. However, the driver must remain under adequate medical supervision.

The medical examiner must sign and provide signature date of his findings upon completion of the examination.

The medical examination shall be performed by a licensed doctor of medicine, or osteopathic physician, chiropractic physician, physician assistant, or advanced registered nurse practitioner. A licensed ophthalmologist or optometrist may perform examinations pertaining to visual acuity, field vision, and ability to recognize colors.

If the medical examiner finds that the person he examined is physically qualified to drive a motor vehicle, he shall complete the Medical Examiner's Certificate and furnish the original to the School Board Transportation Department and retain a copy in the medical examiner's office.

BID #072-BB10

**SCHOOL BUS DRIVER
PHYSICAL STANDARDS:
MEDICAL REGULATORY
CRITERIA FOR
PHYSICAL EXAMINATIONS**



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(1)

A person is physically qualified to drive a motor vehicle if s/he:

- *** Has no loss of a foot, leg, hand, or arm, or has been granted a waiver pursuant to Section § 391.49.

For any loss of a foot, leg, hand, or arm, a person who is otherwise qualified under the Federal Motor Carrier Safety Regulations, must apply for a waiver. The Regional Federal Highway Administrator (RFHWA) will make the final determination whether the defect will interfere with the driver's ability to control and safely drive a motor vehicle.

With the advancement of technology, medical aids and equipment modifications have been developed to compensate for certain disabilities. The waiver program was designed to allow persons with the loss of a hand, foot or limb to qualify under the Federal Motor Carrier Safety Regulations (FMCSRs) by use of prosthetic devices or equipment modifications which enable them to safely operate a commercial motor vehicle. Since there are no medical aids equivalent to the original body limb, certain risks are still present, and thus restrictions may be included on individual waivers when the RFHWA determines they are necessary to be consistent with safety and public interest.

If the driver is found otherwise medically qualified (§ 391.41(b)(3) through (13)), the examining physician must include the statement "medically unqualified unless accompanied by a waiver" on the medical certificate issued pursuant to § 391.43(e). The driver and the employing motor carrier are subject to appropriate penalty if the driver operates a motor vehicle in interstate or foreign commerce without a current waiver for his/her physical disability.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(2)

Whether an individual has an impairment of:

- (i) A hand or finger which interferes with prehension or power grasping;

OR

- (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a motor vehicle;

OR

- (iii) Any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a motor vehicle;

OR

- (iv) Has been granted a waiver pursuant to Section § 391.49.

If the examining physician determines that an impairment (e.g., partial hand or finger amputation, or paralysis) in any way, interferes with the driver's ability to perform normal tasks associated with operating a commercial vehicle, then the driver becomes subject to the waiver program pursuant to Section § 391.49. If the driver is found otherwise medically qualified (§ 391.41(b)(3) thru (13)), the examining physician must include the statement "medically unqualified unless accompanied by a waiver" on the medical certificate issued pursuant to § 391.43(e).

The driver and the employing motor carrier are subject to appropriate penalty if the driver operates a motor vehicle in interstate or foreign commerce without a current waiver for his/her physical impairment.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
ORDER SECTION 391.41(b)(3)

A person is physically qualified to drive a motor vehicle if s/he:

- *** Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

There is no provision for a waiver of the minimum physical requirement with respect to the insulin-dependent diabetic in the Federal Motor Carrier Safety Regulations (FMCSRs). Diabetic mellitus is a disease which, on occasion, can result in a loss of consciousness or orientation in time and space. Individuals who require insulin for control have conditions which can get out of control by the use of too much or too little insulin, or food intake not consistent with the insulin dosage. Incapacitation may occur from symptoms of hyperglycemic or hypoglycemic reactions (drowsiness, semi-consciousness, diabetic coma, or insulin shock). The administration of insulin is, within itself, a complicated process requiring insulin, syringe, needle, alcohol sponge and a sterile technique. Other factors related to the over-the-road commercial motor vehicle in interstate commerce, such as fatigue, lack of sleep, poor diet, emotional conditions, stress, and in addition concomitant illness, compound the diabetic problem. Thus, because of the inherent dangers generally outlined, the Office of Motor Carriers has consistently held that a diabetic who depends upon insulin for control does not meet the minimum physical requirements of the FMCSRs.

Insulin cannot be taken in pill (oral) form because it is destroyed in the digestive tract. Certain drugs, known as hypoglycemic agents, are sometimes prescribed for diabetic individuals to help stimulate natural body production of insulin. These individuals are suffering from a less severe form of diabetes mellitus than those requiring shots of insulin for control. If the condition can be controlled by the use of oral medication and diet, then an individual may be qualified under the present rule.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(4)

- *** Whether an individual has a "current clinical diagnosis of" myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or cardiovascular disease;
- *** Whether the "current clinical diagnosis of" is "known to be accompanied by" syncope, dyspnea, collapse, or congestive cardiac failure.

The term "has no current clinical diagnosis of" is specifically designed to encompass: a "clinical diagnosis of" (1) a current cardiovascular condition; and (2) a cardiovascular condition which has not fully stabilized regardless of the time limit. The term: "known to be accompanied by" is defined to include: a "clinical diagnosis of" a cardiovascular disease (1) which is accompanied by symptoms of syncope, dyspnea, collapse, or congestive cardiac failure; and/or (2) which is likely to cause syncope, dyspnea, collapse, or congestive cardiac failure.

It is the intent of the Federal Motor Carrier Safety Regulation to disqualify a driver who has a current cardiovascular disease which is accompanied by and/or likely to cause symptoms of syncope, dyspnea, collapse, or congestive cardiac failure, but the subjective decision of whether the nature and severity of an individual's condition will likely cause symptoms of cardiovascular insufficiency is on an individual basis and qualification rests with the medical examiner and the motor carrier. In those cases where there is an occurrence of cardiovascular insufficiency (myocardial infarction, thrombosis, etc.) it is suggested before a driver is certified that s/he have a normal resting and stress EKG, no residual complications, no physical limitations, and is taking no medication likely to interfere with safe driving.

Coronary artery bypass surgery is a remedial procedure and not a cardiovascular condition. Thus, while the operation itself does not disqualify the driver, the underlying condition which necessitated the operation may be disqualifying, but the final determination, as stated above, remains on an individual basis.

Pacemaker implantation is also a remedial procedure and not a cardiovascular condition. Thus, while the operation itself does not disqualify the driver, the underlying condition which necessitated the operation may be disqualifying, but the final determination, as stated above, remains on an individual basis.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(5)

*** Whether an individual has an established medical history or clinical diagnosis of a respiratory dysfunction,

and

*** Whether that dysfunction is likely to interfere with an individual's ability to safely control and drive a motor vehicle.

To function adequately the cells of the body require a continuous supply of oxygen and removal of carbon dioxide. Proper functioning of the respiratory system ensures this adequate gaseous exchange. Any interruption in respiration (from tumor, infection, chronic disease or drugs) for more than a few minutes will result in irreversible brain damage and, ultimately, death.

Brain cells are the most vulnerable to any lack of adequate oxygen supply (hypoxia). The earliest effect of hypoxia is decreased night vision. Prolonged or chronic hypoxia, which may accompany certain respiratory dysfunctions, will produce drowsiness, lassitude, depressed mental activity, euphoria, dyspnea, cyanosis, and may eventually lead to convulsions and coma. Since a driver must be alert at all times, any change in his or her mental state is in direct conflict with highway safety. Even the slightest impairment in respiratory function under emergency conditions (when greater oxygen supply is necessary for performance) may be detrimental to safe driving.

There are many conditions that interfere with gaseous exchange and may result in incapacitation, including emphysema, chronic asthma, carcinoma, tuberculosis, chronic bronchitis and fibrotic pleurisy. If the examining physician determines that a respiratory condition is, in any way, likely to interfere with the driver's ability to safely control and drive a motor vehicle, then he must not certify that the driver meets the minimum physical requirements of the Federal Motor Carrier Safety Regulations.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(6)

*** Whether an individual has a current clinical diagnosis of high blood pressure likely to interfere with a driver's ability to operate a motor vehicle.

Hypertension alone is unlikely to cause sudden collapse; however, the likelihood increases when target organ damage, particularly cerebral vascular disease, is present. Most commercial drivers with hypertension are not immediately unqualified to operate a commercial motor vehicle in interstate commerce. This regulatory criteria is based on the OMC's Cardiac Conference recommendations, which used the report of the 1984 Joint National Committee on Detection, Evaluation, and Treatment of High Blood Pressure as its starting point.

Mild Hypertension:

Initial blood pressure of 161-180 systolic and/or 91-104 diastolic is considered mild hypertension, and the driver need not be found unqualified during evaluation and institution of treatment.

1. The driver is given one 3-month period to reduce his or her blood pressure to less than or equal to 160/90; the certifying physician should state on the medical certificate that it is only valid for that one 3-month period.
2. If at any time during or by the end of this 3-month period the driver is found qualified with a blood pressure less than or equal to 160/90, the certifying physician may issue a medical certificate for a 1-year period but must confirm blood pressure control in the third month of this 1-year period.
3. The individual should be certified annually thereafter. The expiration date must be stated on the medical certificate.

Moderate to Severe Hypertension:

Initial blood pressure of greater than 180 systolic and/or greater than 104 diastolic is considered moderate to severe. The driver may not be qualified, even temporarily, until his or her blood pressure has been reduced to less than 181/105. Once the individual's blood pressure is below 181 and/or 105, the examining physician may temporarily certify the individual for one 3-month period as for mild hypertension:

1. The driver is given one 3-month period to reduce his or her blood pressure to less than or equal to 160/90; the certifying physician should state on the medical certificate that it is only valid for that 3-month period.
2. If at any time during or by the end of this 3-month period the driver is found qualified with a blood pressure less than or equal to 160/90, the certifying physician may issue a medical certificate for a 6-month period but must confirm blood pressure control in the third month.
3. For initial blood pressure greater than 180 and/or 104, documentation of continued control and recertification should be made every 6 months. The expiration date must be stated on the medical certificate.

The initial blood pressure finding should be confirmed by at least two subsequent measurements on different days. Blood pressure measurement should be made with the subject seated comfortably and relaxed. Systolic and diastolic pressures should be recorded, with the diastolic pressure reported as the disappearance of sound (phase V). Upper arm constriction by a rolled sleeve should be avoided. Large-sized arm cuffs should be available for use in subjects whose arm girth is larger than normal.

Evaluation of the hypertensive commercial driver should consist of a search for additional risk factors and evidence of target organ damage. Inquiry should be made regarding smoking, cardiovascular disease in relatives, and immoderate use of alcohol. An electrocardiogram (ECG) and blood profile, including glucose, cholesterol, HDL cholesterol, creatinine and potassium, should be made. An echocardiogram and chest x-ray are desirable in subjects with moderate or severe hypertension.

Since the presence of target organ damage increases the risk of sudden collapse, group 3 or 4 hypertensive retinopathy, left ventricular hypertrophy not otherwise explained (echocardiography or ECG by Estes criteria), evidence of severely reduced left ventricular function, or serum creatinine of greater than 2.5 warrants the driver being found unqualified to operate a commercial motor vehicle in interstate commerce.

Treatment includes nonpharmacologic and pharmacologic modalities as outlined by the Joint National Committee, as well as counseling to reduce other risk factors. Most antihypertensive medications also have side effects, the importance of which must be judged on an individual basis. Side effects of somnolence or syncope are particularly undesirable in commercial drivers. Commercial drivers should be informed of the side effects of drug therapy and the interaction of their drugs with other prescription drugs, nonprescription drugs, and alcohol.

Surgically Corrected Hypertension:

A commercial driver who has normal blood pressure 3 or more months after a successful operation for pheochromocytoma, primary aldosteronism (unless bilateral adrenalectomy has been performed); renovascular disease, or unilateral renal parenchymal disease and who shows no evidence of target organ damage could be qualified. Hypertension that persists despite surgical intervention with no target organ disease should be evaluated and treated on the same basis as essential hypertension for determining qualification. Follow guidelines as set forth above.

Revised September 1988

HYPERTENSION

DRIVER

History and Physical Examination
with Sitting Blood Pressure (1x) of:

Confirmed
2x

Confirmed
2x

161-180/91-104
MILD
Temporarily Qualified
for 3 months only

$\leq 160/90$
QUALIFIED

$> 180/104$
MODERATE TO SEVERE
Unqualified at this time

Evaluate

Evaluate

START TREATMENT

Within 3 months

Within 3 months

161-180/91-104
Unqualified

$> 180/104$
Unqualified

Within 3 months

Within 3 months

$\leq 160/90$ Qualified
Document Rx & Control
if Initial BP was 161-180/91-104
the 3rd month of the 1-year period

$\leq 160/90$ Qualified
Document Rx & Control
if Initial BP was $> 180/104$
certify biannually



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b) (7)

*** Whether an individual has an established medical history or clinical diagnosis of a rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease.

and

*** Whether that condition interferes with his/her ability to safely control and operate a motor vehicle.

Certain diseases are known to have acute episodes of transient muscle weakness, poor muscular coordination (ataxia), abnormal sensations (paresthesia), decreased muscular tone (hypotonia), visual disturbances and pain which may be suddenly incapacitating. With each recurring episode, these symptoms may become more pronounced and remain for longer periods of time. Other diseases have more insidious onsets and display symptoms of muscle wasting (atrophy), swelling and paresthesia which may not suddenly incapacitate a person but may restrict his/her movements and eventually interfere with the ability to safely operate a motor vehicle. In many instances these diseases are degenerative in nature or may result in degeneration of the involved area.

Once the individual has been diagnosed as having a rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease, then s/he has an established history of that disease. The physician, when examining an individual, should consider the following:

- (1) the nature and severity of the individual's condition,
- (2) the degree of limitation present,
- (3) the likelihood of progressive limitation, and
- (4) the likelihood of sudden incapacitation.

If the examining physician determines that the disease is likely to interfere with a driver's ability to safely operate a motor vehicle, then s/he must not certify that the driver meets the minimum physical requirements of the Federal Motor Carrier Safety Regulations.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(8)

*** Whether an individual has an established medical history or clinical diagnosis of epilepsy;

or

*** Whether an individual has any condition which is likely to cause the loss of consciousness;

or

*** Whether an individual has any condition which would cause the loss of ability to control a motor vehicle.

Epilepsy is a chronic functional disease characterized by sudden fits or attacks that occur without warning, resulting in loss of voluntary control which may lead to loss of consciousness and convulsions. Therefore, it is the intent of this Section to permanently disqualify a driver who has a medical history or clinical diagnosis of epilepsy.

If an individual has had a sudden episode of a nonepileptic seizure or loss of consciousness of unknown cause, the subjective decision of whether an individual's condition will likely cause loss of consciousness or loss of voluntary control of a motor vehicle is on an individual basis and qualification rests with the medical examiner and the motor carrier. Before certification is considered, it is suggested that a 6 month waiting period elapse from the time of the last episode. Following the waiting period, it is suggested that the individual have a complete neurological examination. If the results of the examination are negative and anticonvulsant medication is not required, then the driver may be qualified.

In those individual cases where a driver has a seizure or an episode of loss of consciousness that resulted from a known medical condition (e.g., drug reaction, high temperature, acute infectious disease, dehydration, or acute metabolic disturbance), certification should be deferred until the driver has fully recovered from that condition and has no existing residual complications.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(9)

*** Whether an individual has a mental, nervous, organic, or functional disease or psychiatric disorder.

and

*** Whether the disease or disorder is likely to interfere with the driver's ability to drive a motor vehicle safely.

Emotional or adjustment problems contribute directly to an individual's level of memory, reasoning, attention, and judgment. These problems often underlie physical disorders. A variety of functional disorders can cause drowsiness, dizziness, confusion, weakness, or paralysis that may lead to incoordination, inattention, loss of functional control and susceptibility to accidents while driving. Physical fatigue, headache, impaired coordination, recurring physical ailments, and chronic "nagging" pain may be present to such a degree that certification for commercial driving is inadvisable. Somatic and psychosomatic complaints should be thoroughly examined when determining an individual's overall fitness to drive. Disorders of a periodically incapacitating nature, even in the early stages of development, warrant disqualification.

Many bus and truck drivers have documented that "nervous trouble" related to neurotic, personality, emotional or adjustment problems is responsible for a significant fraction of their preventable accidents. The degree to which an individual is able to appraise, evaluate and adequately respond to environmental strain and emotional stress is critical when assessing an individual's mental alertness and flexibility to cope with the stresses of commercial vehicle driving.

When examining the driver, it should be kept in mind that individuals who live under chronic emotional upsets have deeply ingrained maladaptive or erratic behavior patterns. Excessively antagonistic, instinctive, impulsive, openly-aggressive, paranoid or severely-depressed behavior greatly interfere with the driver's ability to drive safely. Those individuals who are highly susceptible to frequent states of emotional instability (schizophrenia, affective psychoses, paranoia, anxiety or depressive neuroses) may warrant disqualification.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b) (10)

*** Whether an individual has a distant visual acuity of at least 20/40 (Snellen) in each eye with or without corrective lenses;

and

*** Whether an individual has distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses;

and

*** Whether an individual has a field of vision of at least 70 degrees in the horizontal meridian in each eye;

and

*** Whether an individual has the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.

The term "ability to recognize the colors of" is interpreted to mean if a person can recognize, and distinguish among traffic control signals and devices showing standard red, green, and amber, s/he meets the minimum standard, even though s/he may have some type of color perception deficiency. If certain color perception tests are administered, (such as Ishihara, Pseudoisochromatic, etc.), and doubtful findings are discovered, a controlled test using signal red, green, and amber, may be employed to determine the driver's ability to recognize these colors.

Contact lenses are permissible if there is sufficient evidence to indicate that the driver has good tolerance and is well adapted to their use.

Published in Federal Register, Nov. 23, 1977



MEDICAL REGULATION CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(11)

*** Whether an individual can first perceive a forced whispered voice in the better ear at not less than five feet with or without the use of a hearing aid,

OR

*** If tested by use of an audiometric device calibrated by the American Standards Association (Z24.5-1951), whether an individual has an average hearing loss in the better ear not greater than 40 decibels at 500 Hz, 1,000 Hz and 2,000 Hz with or without the use of a hearing aid.

There are two organizations that set forth frequently used audiometric calibration standards, the American National Standards Institute (ANSI, S3, 6-1969) and the International Standards Organization (ISO, 1964). Since the prescribed standard under the Federal Motor Carrier Safety Regulations is the American Standards Association, it may be necessary to convert the audiometric results from the ISO standards to the ANSI standard:

- (1) at 500 Hz subtract 14 dB from the ISO reading to get the ANSI reading,
- (2) at 1,000 Hz subtract 10 dB from the ISO reading, and
- (3) at 2,000 Hz subtract 8.5 dB from the ISO reading.

The final figure is derived by averaging the readings of the three frequencies (i.e., If the loss reading at 500 Hz is 30 dB, at 1,000 Hz is 30 dB, and at 2,000 Hz is 52 dB, the average of the three readings is 37 dB). The driver should be qualified.

If an individual meets the criteria by using a hearing aid, the driver must wear that hearing aid and have it in operation at all times while s/he is driving. Also, the driver must have in his/her possession a spare power source for use in the hearing aid.



MEDICAL REGULATORY CRITERIA FOR EVALUATION
UNDER SECTION 391.41(b)(13)

*** Whether an individual has a "current clinical diagnosis of alcoholism."

The term "current clinical diagnosis of" is specifically designed to encompass a current alcoholic illness or those instances where the individual's physical condition has not fully stabilized, regardless of time element. If an individual has stopped drinking for such a period of time to recover good judgment, is beyond having any withdrawal effects (alcoholic tremulousness, alcoholic hallucinations, alcoholic convulsive seizures, or delirium tremers), and is no longer physically or mentally impaired to operate a vehicle safely, s/he may be considered for certification.

Published in Federal Register, Nov. 23, 1977

