



The School Board of Miami-Dade County, Florida  
 SCHOOL BOARD ADMINISTRATION BUILDING  
 Bureau of Procurement and Materials Management  
 1450 N.E. 2nd Avenue, Room 352  
 Miami, Fl. 33132

Direct All Inquiries To  
 Procurement Management Services  
 R. Johnson  
 PHONE: (305) 995-2361  
 TDD PHONE: (305) 995-2400

BID ADDENDUM

BID No. 093-JJ03

BID TITLE: FROZEN ICE CREAM AND  
 DESERT VENDING PROGRAM

Date: 06/15/2009

Addendum No. 1

This addendum modifies the conditions of the above referenced BID as follows:

- 1) **Modify Special Conditions 8.C., deleting the last sentence at the end of this special condition.**
- 2) **Modify Special Conditions 13., correcting the last sentence regarding non-compliance.**
- 3) **Modify Special Conditions 17.H., adding a phrase at the end of this special condition.**
- 4) **Bid Opening Date and Time is still on Thursday, June 18, 2009 at 2:00 PM EDT.**
- 5) **It is the bidder's responsibility to monitor the Miami-Dade County Public Schools (M-DCPS) Procurement Management Services website for additional postings regarding this bid solicitation, including responses to questions submitted. Information for this bid as of the date listed on this addendum is at the website below:**

<http://procurement.dadeschools.net/bidsol/asp/undercone.asp>

The attached pages containing clarifications, additional information and requirements constitutes an integral part of the referenced bid.

1. If your bid/proposal has not been mailed, substitute the pages marked REVISED and mail your entire bid/proposal package. **REMEMBER TO SIGN THE BIDDER QUALIFICATION FORM.**

OR

2. If your bid/proposal has been mailed, sign and return this addendum form with the revised pages by the time and date indicated on the Bidder Qualification Form. **BY SIGNING THIS ADDENDUM, THE VENDOR AGREES TO THE TERMS AND CONDITIONS CONTAINED IN THE BIDDER QUALIFICATION FORM AND ALL RELATED BID DOCUMENTS.**

I acknowledge receipt of Addendum Number

PLEASE NOTE: If your firm has mailed a copy of this bid/proposal to another vendor, it is your responsibility to forward them a copy of this addendum.

(PLEASE TYPE OR PRINT BELOW)

LEGAL NAME OF BIDDER: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY, STATE ZIP CODE: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ E-MAIL I.D. \_\_\_\_\_ FAX # \_\_\_\_\_

BY: SIGNATURE (Manual): \_\_\_\_\_  
 OF AUTHORIZED REPRESENTATIVE

NAME (Typed)- \_\_\_\_\_ TITLE: \_\_\_\_\_  
 OF AUTHORIZED REPRESENTATIVE

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 1
<b>FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)</b>		

1. **PURPOSE:** The purpose of this bid is to establish a contract to provide frozen ice cream and desert vending machines for Miami-Dade County Public Schools at school sites for the Department of Food and Nutrition. The bid term shall be from **October 1, 2009 through June 30, 2012**, and by mutual agreement between Miami-Dade County Public Schools (M-DCPS) and the awardee, upon final approval, be extended for an additional two-year period and, if needed, ninety (90) days beyond the expiration date of the current contract period. After the initial Bid period, all subsequent extension periods shall conclude at the end of the business week. M-DCPS, through Procurement Management Services, may, if considering extending this contract, request a letter of intent to extend from the awardee, prior to the end of the current contract period. The awardee will be notified when the recommendation has been acted upon. The successful bidder(s) agree(s) to this condition by signing its bid.
2. **BID INFORMATION:** It is each bidder(s) responsibility to monitor continuously the M-DCPS Procurement Management Services website: <http://procurement.dadeschools.net/bidsol/asp/ENACT.asp> for any information that may be posted, prior to the opening of this solicitation. If addendums, notices and other information is posted, a link will be provided in the bid line to click on to access this information.
  - A. **PRE-BID CONFERENCE:** A **pre-bid conference** will be held at **9:00 a.m. on June 11, 2009**, in the Department of Food and Nutrition Training Center at 7042 West Flagler Street, Miami, FL 33144. For directions to the pre-bid conference site, please call (786) 275-0400.
  - B. **CONE OF SILENCE:** A "Cone of Silence" is applicable to this competitive solicitation. This information can be accessed at the M-DCPS Website listed below for bidder(s) reference:

<http://www.dadeschools.net/board/rules/Chapt8/8C-1.212.pdf>

**Any inquiry, clarification, or information regarding this bid must be requested in writing sent by courier, e-mail, fax or mail and received no later than 2 p.m. EST on June 9th, 2009 to M-DCPS to allow sufficient time to address submissions. The information must be sent simultaneously to:**

Robert Johnson, Buyer  
Procurement Management Services  
Miami-Dade County Public Schools  
1450 N.E. 2<sup>ND</sup> Avenue, Room 352  
Miami, Florida 33132  
Fax #: 305-523-3362  
E-Mail: [rjohnson@dadeschools.net](mailto:rjohnson@dadeschools.net)

Ileana Martinez, School Board Clerk  
Miami-Dade County Public Schools  
1450 N.E. 2<sup>ND</sup> Avenue, Room 268B  
Miami, Florida 33132  
Fax #: 305-995-1448  
E-Mail: [martinez@dadeschools.net](mailto:martinez@dadeschools.net)

- C. **POSTING OF BID ADDENDUMS, INFORMATION AND UPDATES:** The additional website links below list all bids, addendums, information, questions and answers, updates and award notices.

**Additional information can be posted on any of these M-DCPS websites without notice:**  
<http://procurement.dadeschools.net>      <http://procurement.dadeschools.net/bidders.asp>  
<http://procurement.dadeschools.net/bidsol/asp/ENACT.asp>

Information regarding the "Notice of Intended Action" to award this bid can be found approximately 7-10 days before presentation at the School Board Meeting during the month the bid is intended to be awarded. This information is posted on the Procurement Management Website listed below:

<http://procurement.dadeschools.net/bidsol/asp/ACTION.asp>

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY,  
FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 2
<b>FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)</b>		

**SPECIAL CONDITIONS: CONTINUED**

- 3. AWARD:** Contract will be awarded to a Primary and Alternate vendor offering the greatest amount of monthly revenue of frozen ice cream and desert vending machines for each bid item as listed on the Format B Excel Spreadsheet (Items on Bid.) The primary vendor shall initially assume all responsibilities of this bid. If, however, during the term of the contract the primary vendor cannot fulfill their contract, the alternate vendor shall assume all responsibilities. The alternate vendor's prices must remain the same as originally bid and must remain firm for the duration of the contract. **All vendors must comply with INSTRUCTIONS TO BIDDERS, SECTION VII. PERFORMANCE SECURITY in being able to provide a performance bond (if applicable) to guarantee performance.** All vendors agree to these conditions by signing their bid.
- 4. NON-EXCLUSIVITY:** M-DCPS reserves the right to procure items herein described in any manner it sees fit, including, but not limited to: awarding of other contracts, the use of contracts awarded by the State of Florida, any county or municipality, or any authorized contract, whichever is considered in the best interest of M-DCPS, Procurement Management Services, and Department of Food and Nutrition. **An advance notice of 30 days shall be given should the district decide to invoke the non-exclusivity clause above.** The vendors awarded on this bid shall be the frozen ice cream and desert vending machine vendor for the items listed in the Specifications listed herein and for the designated sites as listed on the Format B (Items on Bid) Excel Spreadsheet.
- 5. 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.
- 6. DEFAULT:** The awarded vendor(s) shall inform the purchaser of any problems or delays in providing the awarded item(s) as required. All sites must be in compliance according to bid specifications. The School Board shall consider repetitive non-deliveries, late deliveries, and/or deliveries of products not meeting specifications, to be a default of contract, and may result in a termination of the contract with the pertinent default penalty imposed, as defined in Instructions To Bidders, Section VI. E.
- 7. INSURANCE REQUIREMENTS:** Successful bidder(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 bidder(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 bidder(s) not being recommended for the bid award.
- 8. MINIMUM DOLLAR CONTRIBUTION PER MONTH:** The following conditions apply regarding the fixed fee per machine per month that is bid on the Format B (Items on Bid) Excel Spreadsheet:

  - A. The first monthly payment shall begin on November 1, 2009 and thereafter on the first of each month per each year of the contract. If the first of the month falls on a holiday, Saturday, Sunday, or any other day where there are no M-DCPS employees working, then the awarded vendor **MUST** deliver the payment on the last working day before the first of the month.
  - B. Failure to deliver payment by 4:00 p.m. by the first day of the month will result in an additional 10% of the payment being charged as a late fee (Separately billed by **the Department of Food and Nutrition** and due the following month.)

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY,  
FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 3
FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)		

**SPECIAL CONDITIONS: CONTINUED**

- C. The District will not adjust the monthly amount due to any installation delay on the part of the awarded Vendor(s). ~~M-DCPS may decide at its discretion to adjust the monthly amount due from awarded vendor(s) due to circumstances which the district deems as appropriate.~~
- D. The payments should be mailed or delivered directly to the address listed below in Section 8, Part E. If the monthly amount is not received after the tenth (10<sup>th</sup>) of the month, the awarded vendor may be considered in default of the contract.
- E. The payments shall be made with the supporting detail of the following information:
1. The monthly amount, the time period covered and the breakdown of the balance paid by machine site.
  2. Full payments must be received by the directed timeline of this bid or will be considered in default, unless otherwise arranged with Procurement Management and the Department of Food and Nutrition.
  3. Payments must be sent to the following address listed below:  
Department of Food and Nutrition,  
Miami-Dade County Public Schools  
Attention: Food Service Budget Analyst  
7042 West Flagler Street  
Miami, Florida 33144

**9. START-UP & MONTHLY AMOUNT ADJUSTMENTS:** After the School Board award of this bid, the awarded vendor(s) will initiate the frozen ice cream and desert vending program using the following guidelines below and may result in default if not followed accordingly.

**A. START UP GUIDELINES:**

1. Meet with each school site Principal or administrative designee and determine number of machines and location of each machine for each site listed. School Site Principal will determine at that time if their site wants to participate in the Frozen Ice Cream and Desert Vending Program.
2. M-DCPS reserves the right to discontinue the frozen ice cream and desert vending program at any school site during the term of the bid, thus revenue payment(s) would be adjusted and machines removed at the end of the fiscal month.
3. Install Machines in agreed upon location(s) and fill machines with Product.
4. Set up refund bank with the front office.

**B. ADJUSTMENTS:** An adjustment in the revenue amount will apply If the Site Administrator and/or the designee from the Department of Food and Nutrition and/or Procurement Management Services request to add or delete the number of machines at any given site and the vendor agrees to the request, then the Monthly Minimum Dollar Contribution amount will be the amount that is stipulated for other machines within the category that is awarded. There will NOT BE ANY MONETARY ADJUSTMENTS FOR MONTHLY AMOUNT AFTER THE IMPLEMENTATION OF THE CONTRACT PERIODS. Requests for increases in the number of machines will be accepted throughout the year during the term of the bid. Requests for decreases in the number of machines at each site will only be accepted and considered during the month of October of each year of the contract period.

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY,  
FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 4
<b>FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)</b>		

**SPECIAL CONDITIONS: CONTINUED**

The increase or decrease requests are not considered guaranteed. When requests are submitted to the designee they must include all pertinent information i.e.; school name, location, reasons for increase and decrease and any financial information regarding the reason for change.

C. The change in the current Minimum Monthly Dollar Contribution amount for a particular school site shall be calculated based upon the amount offered per machine where the school site is located times the number of machines in place. i.e.: At the time of award, an awarded vendor bid \$200.00 per machine for a region where a school site is located and that school site has five (5) machines in place that month. The vendor owes a minimum of \$1000.00 per month for the five (5) machines at that specific school site. Then, the awarded vendor receives approval to place a sixth (6<sup>th</sup>) machine at that specific school site for the new month. Therefore, any additional machines would be added at a minimum of \$ 200.00 per machine per monthly payment. The vendor would owe a minimum of \$1200.00 for that particular school site now having six machines, as applicable.

- 10. NEW SITES:** If a new M-DCPS site opens during the bid period, the awarded vendor in the category where the new site would be placed in would be awarded with the current rates provided in their bid submission with the approval of the school site Administrator, the designee from the Department of Food and Nutrition and Procurement Management Services.
- 11. OPERATING TIMES:** The following applies regarding the operation of the frozen ice cream and desert vending machines at Vocational/Senior High Schools and other designated school sites: Operation of frozen ice cream and desert vending machines may be continuous through out the day.
- 12. REFUND POLICY:** It shall be the responsibility of the successful vendor to establish a procedure to refund students, employees or other vending customers who do not receive satisfactory products or their money back from the vending machine. This refund policy shall be arranged with each site administrator and Food Service Manager and the procedure shall be posted at each vending machine location. The refund procedure must be in place at each vending machine location before or on the same day that that the vending machines are in place and operational at site.
- 13. SCHOOL SITE MANAGEMENT OF THE FROZEN ICE CREAM AND DESERT VENDING PROGRAM:** The Department of Food and Nutrition, along with the Administration at each M-DCPS location serviced under this bid will manage the program throughout each location being serviced by this bid. Random inspections will be performed throughout the term of the contract and/or extension period(s), if any, to monitor contractor's performance and compliance with the contract. These random inspections can include but are not limited to the following for compliance: safety of vending area, sanitation, minimum fill rate of 75% at all times, machines operating correctly, only APPROVED items in the machines, proper audits of vending machines, appropriate location, and vandalism prevention and/or correction. **Failure to correct non-compliance items with the random inspections within 3 business days of notification may be grounds for damages assessed as stated in Special Conditions #21 below and/or default in accordance with Special Conditions #6 above.**
- 14. DAMAGE TO CONTRACTOR OWNED EQUIPMENT, PRODUCT OR LOSS OF CASH:** The District does not guarantee the prevention of any loss to the Contractor due to vandalism or forcible entry and will not be responsible for the loss of cash, products, and cost of repairs or replacement of products.
- 15. PROMOTIONAL MATERIALS:** Vendors may provide schools sites with promotional materials related to items/products being sold in vending machines. All promotional materials must be pre-approved by the Department of Food and Nutrition and each school site administrator prior to placement in school sites.

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY,  
FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 5
<b>FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)</b>		

**SPECIAL CONDITIONS: CONTINUED**

- 16. SERVICE:** The following conditions apply regarding the servicing of all machines awarded on this bid:
- A. The awarded vendor must furnish school site representatives, the name and telephone number of a contact person for equipment repair and/or product quality.
  - B. All servicing of vending machines shall take place during normal school operating hours unless otherwise authorized by the site administrator, with each service call being logged in the main office of each school site location. It shall not be the responsibility of the Department of Food and Nutrition, nor any school site food service employee, to provide service to any vending machines.
  - C. Service shall be provided to insure adequate stock of merchandise.
  - D. Minimum of 75% fill rate is expected on a daily basis.
  - E. All service staff must be appropriately identified and dressed, with clothing that does not contain any offensive or tasteless language or graphics/pictures.
  - F. The frozen ice cream and desert vending machines must be in good overall external and internal condition in regards to appearance and operating mechanisms.
  - G. The awarded vendor must maintain vending machines in good condition through out the term of the bid and either replace or repair machines that are not presentable and standards of sanitation and maintenance must maintain. Any type of graffiti must be immediately removed.
- 17. INSTALLATION AND REMOVAL OF VENDING EQUIPMENT:** The number of vending machines to be installed at each school site at the start of the bid award is detailed on the Format B Excel Spreadsheet (Items on Bid.) Any changes to the number of machines during the bid period (including extensions, if any) must be approved by the M-DCPS Site Administrator,
- A. The vendor must coordinate with the school site administrator location of vending machines, in accordance with M-DCPS procedures.
  - B. Vending machines for this contract are not permitted to be placed in the cafeteria or food service area of any site or directly outside within twenty feet (20) from the doors leading of the cafeteria or food service area, unless approved by the Food Service Director of the site.
  - C. To facilitate housekeeping, all vending machines shall be located so that space around the machines can be easily cleaned and maintained.
  - D. All machines shall be kept clean and sanitary with a regular schedule for cleaning the inside and outside of each machine, as needed.
  - E. Additional requests for cleaning shall be directed to the vendor.
  - F. The vendor shall be responsible for removal of supply cartons, crates, wrappings, etc.
  - G. Any additional electrical wiring/outlets needed for machine operation shall be coordinated with the school site administrator.
  - H. Vending machines that are located out of doors or in open hallways may be inside of security cages furnished by the vending machine contractor, **as applicable and upon approval by the site administrator.**
  - I. All signage and front or side panels of vending machines must be of a non-branded type, with final approval of signage by the designated administrator at the Department of Food and Nutrition.
  - J. All vending machines must be in new or like new condition, and have an appropriate tamper proof money counting system.
  - K. Awarded vendor must correct any situation in regards to placement, maintenance, stocked items, graffiti or any other related situation within forty-eight hours after initial notification by district personnel.

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 6
<b>FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)</b>		

**SPECIAL CONDITIONS: CONTINUED**

- L. Successful vendors, at the time of expiration and or termination of their contract, at their own expense and without damage to the building or property, within **thirty (30) days** upon request, shall remove all vending machines and equipment installed by their company.
- M. The awarded vendor shall furnish and restore in good order under any condition, those areas utilized for the operation of their vending machines.

- 18. VENDED ITEMS INSIDE AWARDED MACHINES:** The following items below apply regarding the frozen ice cream and desert items that are being sold from the vending machines awarded on this bid:
- A. It will be the responsibility of the vendor to maintain and rotate all stock utilized in each vending machine. The vendors will monitor food items and brand preference and remove/replace any food item and/or brand, which appears to be unacceptable at each location. The Department of Food and Nutrition shall approve all items being placed into machines and reserve the right to remove or replace any and all items that do not meet nutritional qualifications, factors, and/or guidelines. For reference **Specifications: Listing of Frozen Ice Cream And Desert Vending Items for M-DCPS** is attached.
  - B. Any item which is not on the approved list listed in **Specifications: Listing of Frozen Ice Cream And Desert Vending Items for M-DCPS** must be approved by the designated administrator at the Department of Food and Nutrition prior to stocking them in the student access vending machines. The vendor must submit a minimum of two samples and specifications including nutritional information to the designated administrator at the Department of Food and Nutrition and then will receive an approved or not approved documentation of the item.
  - C. All products dispensed from vending machines must be of first quality and in manufacturer's packaging. Products must be dated for freshness, with all outdated product removed from the machines prior to expiration of the "freshness" or "sell by" dates. The Department of Food and Nutrition and/or Procurement Management Services shall conduct periodic audits and collect random samples of products to ensure that products contained in machines contains appropriate date stamps. Three instances of failure by a vendor to stock fresh items shall constitute default of contract by that vendor.
- 19. NEW ITEMS:** Awarded vendors must follow the same procedures stated above when wanting to place NEW ITEMS in awarded frozen ice cream and desert vending machines. Vendors are not allowed to place NEW ITEMS in any item awarded under this contract until receiving approval by the Department of Food and Nutrition and Procurement Management Services. Please see the Specifications of this bid regarding submitting samples of new items for approval. Failure to comply with these conditions may be grounds for default as stated in Special Conditions #6 above.
- 20. SUBSTITUTIONS:** The successful awarded vendor(s) shall deliver only those brands and items awarded on this bid. In the event of an emergency or a new item that a vendor wants to place in the frozen ice cream and desert vending machines, the awarded vendor(s) must contact the Department of Food and Nutrition for authorization BEFORE placing the substitution into any awarded frozen ice cream and desert vending machine.
- 21. DAMAGES FOR INCORRECT ITEM(S) IN VENDING MACHINE(S):** Vendor shall only stock the vending machines with approved items and if any unapproved item is found in the vending machine at any location the vendor will be notified in writing to remove the item(s) at all sites within 48 hours. For the first offense the vendor will be charged \$300.00 paid to each site that has the item. Each offense will escalate in multiples of \$300.00 (i.e. second offense will be \$600.00, third offense will be \$900.00 etc.)

MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY,  
FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 7
<b>FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)</b>		

**SPECIAL CONDITIONS: CONTINUED**

The damages applied will be cumulative for the entire term of the bid including renewals. These damages will be billed on a separate invoice for the vendor per site and must be paid within 30 days of receipt. Failure to pay the damages will be grounds for default.

- 22. 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 bidder(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 be awarded any new business.

Vendor Information is located in the M-DCPS main website under the tabs on the left side. Click on the "Discover M-DCPS" link, then go to "Doing Business with M-DCPS" tab, continue to the "General Information" tab, then click on the "For Vendors" tab. The direct links for Vendor application process can be downloaded at the following website addresses:

<http://procurement.dadeschools.net/PDF/3921.pdf>

<http://procurement.dadeschools.net/pdf/vendorlist.pdf>

[http://procurement.dadeschools.net/pdf/SwornStatement\\_NewContract.pdf](http://procurement.dadeschools.net/pdf/SwornStatement_NewContract.pdf)

- 23. 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(s) is/are 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.

- 24. OTHER LICENSES, PERMITS AND FEES:** The successful vendor(s) shall obtain and pay for all licenses, permits and fees required for this service and shall comply with all laws, ordinances, and regulations. The successful vendor(s) shall pay all federal, state, and local taxes chargeable to the operation. The Board will not collect or pay any sales tax for the awarded vendor(s). Damages, penalties and/or fines imposed on the Board or the awarded vendor(s) for failure to obtain required licenses, permits or fines shall be borne by the vendor.

- 25. TAXES:** Sales tax, rental tax, machine tax and any and all other applicable taxes are the responsibility of the vendor and shall be paid by the successful bidder.

- 26. SUBCONTRACTING/ASSIGNMENT OF CONTRACT:** Subcontracting is permitted under this contract; however, the awarded vendor will maintain responsibility for the management of the sub-contractor, for communication with the District, and for compliance with all the terms and conditions of the contract. **The provisions of the Jessica Lunsford Act apply to all subcontractors.**

- 27. INSPECTION:** M-DCPS reserves the right to inspect the vendor's operations facility and/or trucks. Failure to maintain all required licenses and satisfactory inspection reports by Miami-Dade County, State of Florida, and U.S. Government agencies during the term of this agreement and subsequent renewal(s) may result in the awardee being defaulted.

- 28. U.S.D.A. CERTIFICATION DOCUMENT:** Each and every awarded vendor is/are required to complete, if applicable, and to submit the U.S. Department of Agriculture Certification Form contained herein. Failure to do so may result in the bid not being considered for award. Awards exceeding \$25,000 will not be made to Awarded Bidder(s) who has/have not submitted this form.



MIAMI-DADE COUNTY PUBLIC SCHOOLS (M-DCPS)  
**BID PROPOSAL FORM (FORMAT A) TO: THE SCHOOL BOARD OF MIAMI-DADE COUNTY,  
FLORIDA**

BID 093-JJ03	BUYER R. JOHNSON	PAGE SC 8
FROZEN ICE CREAM AND DESERT VENDING PROGRAM (Addendum 1-Posted 06-15-2009: 8.C., 13, and 17.H.)		

**SPECIAL CONDITIONS: CONTINUED**

**29. PURCHASES BY OTHER M-DCPS FACILITIES:** Miami-Dade County Public Schools reserves the right to purchase items for other facilities or programs from this bid.

**30. BID SUBMISSIONS:** In order to facilitate the evaluation, vendor(s) is/are requested to submit in electronic format the Excel file, Format B (Bid Proposal Form) on a CD-ROM, 3½" Floppy Disk, or Jump Drive with the **COMPLETE Bid Package**. In addition, one printed copy of the **COMPLETE Bid Package** shall be submitted as the bid, for evaluation.

In the event of a discrepancy in manufacturer code(s) and/or packaging on the electronic format, the bidder(s) shall so indicate on the blank text boxes on the electronic format. Should the bidder(s) not be able to enter the discrepancy on the electronic format, the bidder shall so indicate the discrepancy on the printed copy. **The printed copy of the bid shall be used as the document for the evaluation process.** The complete bid file, including the Format B (Items on Bid) Excel Spreadsheet may be downloaded at <http://procurement.dadeschools.net/bidsol/asp/ENACT.asp> Click on "Current Bids/RFP's Under the Cone of Silence". Bids will be accepted until the time and date indicated on the Bidder Qualification Form, in Room351, 1450 NE 2<sup>nd</sup> Ave, Miami, FL 33132. Bids and or files will **not** be accepted by E-Mail. Bidders are requested to submit, with their bid package, all information requested in the attached specifications. Requested information for this bid includes:

- Signed Bidders Qualification Form.
- Bid Proposal Form.
- Vendor Information Sheet.
- USDA Certification documents, if applicable.
- Drug-Free Workplace Form.
- Occupational License
- The Bid Proposal Form (Format B) Excel file on CD-ROM, 3½" Floppy Disk, or Jump Drive **in addition to the hard copy of the Bid Package.**
- Performance Bond, if applicable.

**31. ERASURES OR CORRECTIONS:** Bidders are requested to use permanent ink when completing the Bid Proposal Form.

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.
4. Bid proposal form original hard copy must be signed in ink.

Those bids for individual items that do not comply with items 1, 2, 3 and 4 above will be considered non-responsive for that/those item(s).