



THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
 SCHOOL BOARD ADMINISTRATION BUILDING
 Procurement Management Services
 1450 N.E. 2nd Avenue, Room 650
 Miami, FL 33132

| |
|--|
| Direct All Inquiries To Procurement Management Services Buyer's Name: _____ PHONE: (305) 995-_____ Email: _____ TDD PHONE: (305) 995-2400 |
|--|

BID/RFP ADDENDUM

Date: _____

Addendum No. _____

BID/RFP No. _____ BID/RFP TITLE: _____

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

All information, specifications terms, and conditions for the above-referenced BID/RFP, are included on the document posted on the Procurement Management website at <http://procurement.dadeschools.net>

The attached pages containing clarifications, additional information and requirements constitute an integral part of the referenced bid. If your bid/proposal has not been submitted, substitute the pages marked REVISED and mail your entire bid/proposal package.

I acknowledge receipt of Addendum Number _____

PLEASE NOTE: If your firm has forwarded a copy of this bid/proposal to another vendor, it is your responsibility to forward him/her 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

ITB-18-032-CM Travel Agency Services

Questions

1. **Question:** Will the district be exercising the option to renew contracts awarded under ITB-15-011-MT Student Travel Services?

Answer: The current ITB for Student Travel Services is extended until November 17, 2019.

2. **Question:** Is this new ITB-18-032-CM Travel Agency Services replacing ITB-15-011-MT Student Travel Services?

Answer: Yes

3. **Question:** If Flamingo Educational Tours wants to remain on the Dade vendor's list for student travel, do we have to submit bid ITB-18-032-CM? If so, is the extension we received in September 2018 until November 2019 cancelled? (Sorry for all the questions)

Answer: The current ITB is extended until November 17, 2019. This ITB is estimated to run for a three year period with two, one year options to renew.

4. **Question:** On the Invitation to Bid there are exhibits at the end of this document. Would these be the pages I would fill out and submit them to the committee? If so could these forms be emailed to me in PDF?

Answer: Yes, all exhibits should be completed and filled out. The ITB is uploaded in all platforms in a PDF format.

5. **Question:** What prices and agencies are being used now for these services?

Answer: Pricing per services various based on need, timing, and availability.

6. **Question:** Is there a previous Bid for these services?

Answer: Yes, the previous applicable bid for Travel Agency Services is RFP-14-021-MT.

7. **Question:** The ITB states that emailed questions and all communication should also be addressed to the "Clerk of the School Board" and references section 1.4 to obtain that information. Section 1.4 does not list a "Clerk of the School Board"? Can you clarify?

Answer: Please refer to Section 1.24 for contact information for the Clerk of the School Board.

8. **Question** – The past ITB's have been under the title of Student Travel Services. This one is under Travel Agency Services. Is this correct? Why are we being listed under travel Agency services? Most of MDCPS approved student tour operators are NOT travel

agencies. We do not serve the public and do individual airline tickets, hotels, car rentals, etc., nor are the tour operators affiliated with IATAN (International Airlines Travel Agent Network). Travel Agents do not focus on the education aspect of a trip and they do not arrange for educational programs at venues.

Answer: The purpose of this Invitation to Bid (ITB) is to select qualified and experienced travel agency services for District staff and student travel events.

9. Question: We just completed the ITB-15-011-MT in September 2018, 3 months ago, for Student Travel Services. Why do we now have to complete another ITB under Travel Agency Services?

Answer: Please refer to the answer to Question 3.

10. Question: There are typos on the ITB listing it in some places as ITB-18-031-CM and some places say ITB-18-032-CH

Answer: The title of the ITB is ITB-18-032-CM, as noted on page 1.

11. Question: When will we receive the answers to the questions submitted?

Answer: The District will upload answers as soon as the applicable departments review and respond.

12. Question: Regarding Section 1.4 – Insurance Requirements

D. Professional Liability – The current coverage for Each Claim/Annual Aggregate is 2,000,000. This ITB is now asking for 3,000,000 coverage. It appears to be already one of the highest or the highest in the state at 2 million. Why did the coverage jump from 2 Million to 3 million?

Answer: Please refer to Attachment A for specific insurance requirements for this ITB.

13. Question: Employee Dishonesty (Fidelity)

Does this apply to Student travel companies? This doesn't seem like it pertains to us as it speaks to the Board and we've never had to complete a Commercial Crime Coverage Form. This is very confusing and not included in any other districts requirements.

Answer: Please refer to Question 12.

14. Question: Regarding section 1.47 Invoicing and Payments and 1.48 Financial Closeout It states The Contractor shall submit invoices for payment reimbursement based on actual expenditures, no later than the 10th of the month following the month of services provided and/or items delivered.

Question – Does this relate to Title I funds or non-district money (parent funds for field trip/tours)?

Answer: The above referenced sections refers to payments submitted after receipt of a Purchase Order.

15. Question: Section 2.1 – General Information

“For firm fixed pricing, catalog discounts, and/or preapproved vendor bids, it is expected that the prices submitted shall remain firm for the entire contract and extension period (if any), as stated previously. However, fluctuating market conditions may affect the ability of the awarded bidder(s) to maintain the original bid prices.”

Statement – The student travel industry does not offer catalog discounts or in many cases “fixed” pricing due to the nature of the business. Travel components are estimated and not guaranteed until the proposal is signed and reservations are made. For example, airfares are based on availability and in order to confirm, airlines require non-refundable deposits. Many schools cannot collect deposits until district approval so airfares have to be estimated. Question – could this beginning paragraph be related to another industry?

Answer: This ITB will result in a preapproved vendor list. Of those preapproved, awardees will provide firm fixed pricing for specific trips requested via the quoting process noted in Section 3. Firm fixed prices are necessary to offer students the best price possible. International Travel requests cannot be submitted to the School Board for approval with an estimated cost and/or tentative travel dates.

16. Question: Section 2.2.2 – Student Travel Services

O. “For international travel, provide a scholarship program for out-of-country travel for forty (40) students to travel annually at no cost to the District or the students with an appropriate number of chaperones.” Initially this statement was in ITB-15-011-MT in September and then taken out after questions from student tour operators.

Question – Shouldn’t this be removed as it was in September?

Answer: Awardees selected to provide out-of-country student travel must provide the Superintendent’s scholarship trip.

17. Question: P. “Provide a qualified and experienced travel agency services for District student travel events, specifically to Washington DC area only throughout the year”.

Question – Please provide clarity on this statement. It’s unclear what is being asked or requested. All the student tour operators provide quality, educational tours to Washington DC with competitive pricing. All the student tour operators should be able to “bid” on Washington DC field trips.

Answer: The District is looking for a specific, Washington DC tour program. Bidder(s) are encouraged to bid on the services they are able to provide.

18. Question: Section 2.3 – Required Information to be Submitted by the Bidders

Statement – The State of Florida’s Department of Education has a list of approved Student Tour Operators with much of the same information MDCPS is requiring. We believe it would save MDCPS a great deal of time and money by utilizing this list in the future.

Answer: Not applicable.

19. Question: Section 3.1 – Price Proposal for ITB-18-032-CH (TYPO- should be CM)

Do these statements belong in this ITB? It seems to be coming from another industry's ITB. If so, please clarify what you want from student tour operators in more detail.
Statement – For your schools to compare apples to apples regarding trips we recommend, out of state trips that require airfare, that proposals be “land only prices” and airfares to be add-ons to the proposals.

Answer: Please submit bid according to the items listed in Sections 2 and 3 of the ITB.

20. Question: 2.2.2 STUDENT TRAVEL SERVICES – pg. 22

Paragraph one, final sentence – “This Section also excludes student travel which takes place over the course of only one day.”

Q: Is there separate ITB or will there be a separate section within this ITB for one-day student travel?

Answer: For one day field trips, schools may use charter buses from the approved vendor list.

21. Question: Section C. Most of this section can be and is supplied for student groups. Not all airlines assign seats, i.e. Southwest Airlines.

1. Since a total record locator supplies the group seats, can the airline seat assignment requirement be omitted?
2. Hotel room numbers are only offered day of trip for security purposes.

Answer: Please ensure that the total number of seats purchased are reflected (not necessarily specific seat assignments).

22. Question: 2.3 REQUIRED INFORMATION TO BE SUBMITTED BY THE BIDDER(S)

Q: Along with the other requirements, a. – f., can there be an additional requirement to use the statewide list of approved student tour operators via the FLDOE:

<http://www.fldoe.org/schools/healthy-schools/transportation/>

Using this link, scroll down to:

“To Find an Approved Student Tour Operator”

The link will show all the Florida statewide-approved student tour operators. Approved by Florida Department of Agriculture and Consumer Services, as well as Florida Department of Education.

Answer: Not applicable

23. Question: 3.1 PRICE PROPOSAL FOR ITB-18-032-CH

Please expand the meaning of 3rd bullet point regarding awards to rotating basis. – “Events under the current quotation threshold...”

Fourth bullet point can only pertain to the schools that obtain their own arrangements with the vendors for their trips. Florida law requires the form of payment match the tax-exempt certificate. Tour operators are not able to wait for each form of payment for each aspect of a school's trip. Time is of the essence. I.E. airlines are paid over the phone with a credit card to immediately secure the needed seats.

Answer: For events under \$1,000, bidder(s) will be awarded on a rotating basis.

24. Question: 4.1 CONTENTS OF PROPOSAL - Please define key personnel.

Answer: All personnel that will assist in providing travel agency services.

25. Question: 5.2 EVALUATION CRITERIA - Are bidders evaluated on price “offer”?

Answer: Please refer to Question 15.

26. Question: 5.3 PRICE PROPOSAL

Being able to supply a signed page for each submitted proposal is not realistic, it will change per date. As in other counties, the signed official document like this ITB, covers the need for the bidders need to sign any further documents regarding a show of commitment when a proposal is submitted upon request. It shows commitment on their part towards the interested school by being part of the awarded list of tour operators. The commitment, a signed document, should be necessary from the interested school towards the bidder.

Answer: Per Section 5.3, please sign on page 27 of this ITB.

27. Will the district be exercising the option to renew contracts awarded under ITB-15-011-MT Student Travel Services?

Answer: Please refer to Question 1.

28. Question: 1.40 page 17 D. Professional Liability Is \$3,000,000 limit accurate? Again, this seems high for the student Tour operator-educational group travel industry. The industry standard is \$1,000,000. That is what both Broward and Palm Beach Counties required.

Answer: Please refer to Question 12.

29. Question: Page 18, E. Is the \$10,000,000 per occurrence a typographical error? This is not a standard request for Student tour operation services and seems more suited for another industry. We never handle that much money and would never have an exposure that large. It may even be impossible to obtain such a bond for our industry and if it would be excessively expensive if it were even available. The State of Florida only requires a \$10,000- \$25,000 bond.

Answer: Please refer to Question 12.

30. Question: 2.2.2 student travel services. Page 22. Please explain “Exclude all Student travel for interscholastic competitions”. Will Scholastic Journeys be able to provide travel arrangements for such travel? We are often asked to provide out of county, and out of state accommodations and services for many types of interscholastic competitions.

Answer: This ITB refers to student events, excluding interscholastic competitions.

- 31. Question:** Also, please explain the definition of “course of only one day”. Scholastic journeys has been instrumental in providing day trips to MDCP Schools. These trips include but are not limited to: Gradventure, trips to Orlando Animal Kingdom, Epcot Center, Universal Studios, and the like. We also include day trips to Tampa, and St. Augustine.
- Answer:** For one day field trips, schools may use charter buses from the approved vendor list.
- 32. Question:** 2.2.2 P. Page 23 please clarify what you mean by “provide a qualified and experienced travel agency service for district student travel event, specifically to Washington DC Area only throughout the year.” Is this for student trips or individual travel?
- Answer:** Please refer to Question 17.
- 33. Question:** 2.3 page 25 What exactly does the no more than 15 pages refer to?
- Answer:** Please submit your responses to Section 2 – Scope of Work along with the required documents in no more than 15 pages.
- 34. Question:** 3.0 Page 26. Please clarify what type of additional pages you would like us to provide the district. Scholastic Journeys provides a wide variety of trips with a full range of costs. Do you want full itineraries detailing each type of trip or summary sheets of the cost for each type of trip?
- Answer:** Yes.
- 35. Question:** I noticed that you did not require our seller of travel number or certification to be submitted. Where do we submit that? I hope my question is not too late but I felt this was important. Most counties ITB require this so they can make we are compliant with the State regulations. I just want to make sure I didn’t miss something important. We would like estimated numbers for this contract, or numbers of expenses for last year’s travels. How many air tickets are estimated to be needed? How much is estimated dollar amount to be spent in air tickets and hotel stays? How many hotel nights are estimated?
- Answer:** Not applicable.
- 36. Question:** On Page 17: We understood that we won’t need to present by December 20, 2018, all the insurances listed on Page 17. We do have some that we can include at the presentation of this ITB, but should we have them all in order to be selected as an Official Travel Agency for the Dade County and be part of the official list?
- Answer:** Per Section 2.3.d please provide Certificate of Liability Insurance, naming Miami-Dade County Public Schools as ADDITIONAL INSURED, upon notification of award. Insurance requirements are noted on Attachment A.
- 37. Question:** Can you further explain the following paragraph listed on Page 21? What does this mean? The agreement between the successful bidder(s)(s) and the Board will be non-

exclusive. Furthermore, this ITB has an SBE/MBE participation goal of 5% with a 5% local preference goal”.

Answer: There is a 5% set aside for SBE/MBE certified vendors and local vendors.

38. Question: Could you please detail again where we can find and download the list of addendums requested by this ITB on Page 34.

Answer: Addendums are located on DemandStar at www.demandstar.com as well as procurement.dadeschools.net.

39. Question: Can you guide us on where to find the list of vendors approved that we can/should work as a travel agency (for example transportation for in county programs)?

Answer: Information related to currently approved transportation vendors can be found at http://procurement.dadeschools.net/a_school_support_ft.asp.

40. Question: 1.28 BACKGROUND SCREENING REQUIREMENTS: If our tour company’s employees have a level 2 clearance badge from the Broward County School System (Field Print), is there a process for the badge to be converted over to the Dade county badges as well?

Answer: Vendors must comply and be cleared through Miami-Dade Public School background screening process.

41. Question: 1.37 Davis-Bacon Act Labor Standards Is 1.37 written for construction and contractors? Does this pertain to student travel? If this does not pertain to student travel, can this be taken out?

Answer: Please answer to applicable sections.

42. Question: 1.40 Insurance Requirements Part (D) Professional Liability - Does each claim/Annual Aggregate have to carry \$ 3,000,000 for student travel, or does this limit pertain to contractors? Part (E) Employee Dishonesty (Fidelity) Is the \$10,000,000-dollar coverage for each occurrence for contractors and construction? Ten million dollars is extremely excessive for our industry.

Answer: Please refer to Question 12.

43. Question: 2.2.2 – STUDENT TRAVEL SERVICES First Paragraph states – this section also excludes student travel which takes place over the course of a day. - Schools, staff, teachers, and administrators hire tour companies to plan their one-day trips (locally) and throughout the state for many trips. For example – Gradventure, all Orlando park trips, Tampa, Busch Gardens, the zoo, Lion Country Safari, Aquariums, Billie Swamp, day college tours, Flagler Museum, and more customized trips have been planned by tour companies for many years. Why is this being excluded now? 2.2.2 Letter (C) – Advanced seat assignments do not apply to all airlines. Record locators are provided once seats are held. However, seat assignments are not given in advanced for all airlines.

Answer: For one day field trips, schools may use charter buses from the approved vendor list.

- 44. Question:** 1. 1.40 Insurance Requirements / letter D and letter E - Does the \$3,000,000 in Professional Liability apply to the student travel industry? We already have \$1,000,000. What is the employee dishonesty policy? I believe this applies to travel agencies not student travel industry.
Answer: Please refer to Question 12.
- 45. Question:** 2.2.2 Student Travel Services / letter C - Is M-DCPS requiring a detailed itinerary when it is just a proposal to the school? A detailed itinerary is always sent to the teacher prior to their departure. For the safety of the students / chaperones seat assignments are given when it gets closer to travel. The hotel won't issue room numbers until the day the group arrives and again for the safety of the students' chaperones.
Answer: Please refer to Question 21.
- 46. Question:** 2.2.2 Student Travel Services / letter O - Providing a scholarship program for out of country travel for 40 students is not possible because it is not legal.
Answer: Please refer to Question 16.
- 47. Question:** 3.1 Price Proposal for the ITB-18-032-CM / bullet 2 If the price is comparable, why does it have to be the lowest price? There are limited airline space and depending on the destination there are maximum number of participants allowed.
Answer: The District will select the lowest price for the services requested.
- 48. Question:** What forms need to be filled out for the quotes? Usually the proposal / quotes are submitted to the school directly.
Answer: Unless otherwise requested, quotations should be submitted on the M-DCPS RFQ form (see Section 3).
- 49. Question:** 5. 3.1 Price Proposal for the ITB-18-032-CM / bullet 3 I don't think this relates to the student travel industry. Can you explain?
Answer: Please refer to Question 23.
- 50. Question:** 3.1 Price Proposal for the ITB-18-032-CM / bullet 4 The student travel industry provides a service and there is no tax.
Answer: Please respond to applicable questions.
- 51. Question:** 4.1 Contents of Proposal / number 5 page 29 What do you mean by resumes for Key personnel?
Answer: Please refer to Question 24.
- 52. Question:** I am review your RFP for Student Travel Services and have three questions. I am looking for clarification on 2.2.2 Student Travel Services (page 23) for items O and P. For "O" it indicates the following: "For international travel, provide a scholarship program for out-of-country travel for forty (40) students to travel annually at no cost to the District or the students with an appropriate number of chaperones." Is the city of Miami asking for a free trip in order to award the bid? I'm a little confused by this requirement.

Answer: Please refer to Question 16. Also, please note this ITB is for the School Board of Miami-Dade County, not the City of Miami.

53. Question: FOR “P” it indicates the following: “Provide a qualified and experienced travel agency services for District student travel events, specifically to Washington, DC area only throughout the year.” Can you clarify what you’re looking for? We are a tour operator that offers all of our programs year round to every destination.

Answer: Please refer to Question 17.

54. Question: In section 2.2.3 DISTRICT STAFF TRAVEL, are we required to offer these services as well? Our company specializes in group travel and although it is possible for us to provide these things I was not sure if it was required. Can you please clarify?

Answer: Please provide a response to the services your company provides.

55. Question: Page 1 the ITB number listed is ITB-18-032-CM. On page 26 the ITB # listed is ITB-18-032-CH. Please clarify which is the correct ITB #

Answer: The correct ITB is ITB-18-032-CM.

56. Question: Page 1 – Lists Travel Agency Services, we are Student Travel Operators. Please clarify if this is correct.

Answer: The title of this ITB is Travel Agency Services.

57. Question: 2 – Section 1.11 – A copy of written communication or email must be sent to the “Clerk of the School Board” as fully described in Section 1.4. If you review section 1.4 there is NO listing for a “Clerk of the School Board”

Answer: Please refer to Question 7.

58. Question: Section 1.40 – Insurance Requirements: E - Employee dishonesty (fidelity) 10,000,000 each occurrence. As a small student tour company our annual gross sales is around 1.5 million per year therefore, have a 10,000,000 insurance coverage per occurrence seems excessive. Is it possible to base this amount on your company’s gross sales?

Answer: Please refer to Question 12.

59. Question: C - We don’t own or operator any vehicles therefore do we need to provide a statement regarding this insurance requirement?

Answer: Please refer to Question 12.

60. Question: Section 1.43 - Since we are a service based company does this section apply to us?

Answer: Please answer applicable sections.

61. Question: We are Student Tour Operators not a travel agency. We do not offer travel agency services for district staff/individuals. Our company solely organizes educational travel for student groups consisting of 10 or more travelers. Please clarify how this would pertain to us.

Answer: Please refer to Section 2 of the ITB, which notes student travel.

62. Question: Section 2.1 – Our company does not offer firm fixed pricing or catalog discounts. Please clarify this paragraph.

Answer: Please refer to Question 15.

63. Question: Section 2.2.2. – “Within this section, student travel will exclude all student travel for interscholastic competitions at the district, state and national level i.e. athletic competitions, and academic competitions.” **THIS SECTION ALSO EXCLUDES STUDENT TRAVEL WHICH TAKES PLACE OVER THE COURSE OF ONLY ONE DAY.** Please clarify are you referring to all 1 day trips or just 1 day trips that are for “Athletic competitions and academic competitions?”

Answer: Please refer to Question 20 and Question 30.

64. Question: We do not provide quotations or bookings for individual travel. We are a student tour operator and work solely with groups of 10 or more. Please clarify

Answer: For student travel, the District may request quotations or bookings for 10 or more and/or 10 or less.

65. Question: We do not book individual travel services. Our staff is available Monday – Friday 8:00am to 6:00pm to book student group travel. We do not offer reservation services. Please clarify

Answer: For every trip that is provided before and after the noted hours, services must be provided.

66. Question: We do not book individual travel. Group services are done differently than individual travel. Airlines do not offer advanced seat assignments for groups until time of ticketing which is approximately 30 days prior to departure. Our groups receive a final travel package 2 weeks prior to departure which includes detailed itinerary, airline documents, hotel information, activities, and any important documents pertaining to their tour.

Answer: Please refer to Question 15.

67. Question: F – We do not book individual travel therefore we do not offer car rentals. Please clarify.

Answer: Car rentals are booked via Enterprise and/or National and are not required as part of this bid.

68. Question: O – Originally there was an ITB for Domestic Travel and one for International travel. Does this ITB now cover domestic and international? If so we received an international RFQ-18K-018 in August of 2018. Is that no longer valid? We clarified on that RFQ that a small business like ours cannot offer 40 students to travel annually at no cost to the district as a scholarship. This was removed from the International RFQ after we explained the above. Please clarify.

Answer: Please refer to Section 2 – Scope of Work for ITB specific questions. Terms of previous ITB's are not applicable.

69. Question: 8 – Section 2.2.3 – We do not offer District Travel Services. We are a student tour operator that works with groups of 10 or more on Educational Travel. Please clarify how this pertains to us.

Answer: Per Section 3, please respond to applicable sections of this ITB.

70. Question: 10- Section 3.1 – This section seems to pertain to District staff travel. Please clarify

Answer: Please refer to Question 69.

71. Question: We would not be able to provide a lump sum quote unless we were advised the exact number of participants attending a tour.

Answer: Schools requesting quotes should provide an exact number of participants. Firm fixed prices are necessary to offer students the best price possible. International Travel requests cannot be submitted to the School Board for approval with an estimated cost and/or tentative travel dates.

72. Question: Quotes submitted on forms provided by MDCPS? please clarify

Answer: Please refer to Question 48.

73. Question: I hope you have patience cause most school districts I deal with do not require such thing so I have never submitted anything like this before. On the Invitation to Bid there are exhibits at the end of this document. Would these be the pages I would fill out and submit them to the committee? If so could these forms be emailed to me in PDF?

Answer: Please refer to Question 4.

74. Question: I have a question regarding ITB-18-03-CM. Per Section 2.3 (below) it requires bidders located outside Miami-Dade to provide a copy of the license to meet our local Occupational Tax requirements. We are located in Matawan, NJ. I am not aware that such a license exists. Can you clarify the requirement here?

Answer: Please submit applicable state specific tax requirements.

Attachment A

CONSIDERED
M1-1/00

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 **ITB-18-032-CM**

INDEMNIFICATION

To the fullest extent permitted by law, the Vendor shall indemnify and hold harmless the Board, and its employees ("Indemnitees") from and against all claims, liabilities, damages, losses, and costs including, but not limited to, reasonable costs and attorneys' fees at the pre-trial, trial and appellate levels, arising out of, resulting from or incidental to Vendor's performance under this Agreement or to the extent caused by negligence, recklessness, or intentional wrongful conduct of the Vendor or other persons employed or utilized by the Vendor in the performance under this Agreement or to the extent caused by negligence, recklessness, or intentional wrongful conduct or other persons employed or utilized by the Vendor in the performance of this Agreement. The remedy provided to the Indemnitees by this indemnification shall be in addition to and not in lieu of any other remedy available under the AGREEMENT or otherwise. This indemnification obligation shall not be diminished or limited in any way to any insurance maintained pursuant to the AGREEMENT otherwise available to the Vendor. The remedy provided to the Indemnitees by this indemnification shall survive this AGREEMENT. The provisions of this Section shall specifically survive the termination of this Agreement. The provisions of this Section are intended to require the Vendor to furnish the greatest amount of indemnification allowed under Florida Law. To the extent any indemnification requirement contained in this Agreement is deemed to be in violation of any law, that provision shall be deemed modified so that the Vendor shall be required to furnish the greatest level of indemnification to the Indemnitees as was intended by the parties hereto.

DUTY TO DEFEND

The Vendor agrees, at its own expense, and upon written request by the Board, to defend any suit, action or demand brought against the Board on any claim or demand arising out of, resulting from or incidental to Vendor's performance under this Agreement.

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, original 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 \$1,000,000 combined single limit per occurrence for bodily injury and property damage.
2. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the operations of the Vendor, in an amount not less than \$1,000,000 combined single limit per occurrence for bodily injury and property damage.
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 coverages 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 the 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 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 of 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 (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 shall be delivered to:

Miami-Dade County Public Schools
Office of Risk and Benefits Management
1501 N.E. 2nd Avenue, Suite 335

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 Maria G. Hernandez at 305-995-7133.