

RFP #19-003, RESCORING AUDIT - GRADES 3-8 ENGLISH LANGUAGE ARTS (ELA)
AND MATHEMATICS TESTS QUESTIONS AND ANSWERS PART 2

Questions and Answers Summary – Round 2

Please note: below are answers to all remaining questions not responded to as part of the initial Questions and Answers Summary. Responses to questions 1-29 were previously posted.

Please also note that NYSED is extending the proposal due date. Proposals are now due on Friday, October 26, 2018. Proposals must be received by NYSED no later than 3:00pm on that date.

Q30. State of New York Agreement, Section III.B, “Termination” Can Contractor assume that prior to the State terminating the contract pursuant to this provision, Contractor will have an opportunity and period of time to cure any failures?

Answer: The contract Termination provision does not include a right to cure.

Q31. State of New York Agreement, Section IV.A, “Indemnification” We presume, that the obligation to indemnify in Section IV.A of the State of New York Agreement applies only to the extent that the Indemnitor is the cause of damage. Is this correct?

Answer: The contract Indemnification provision provides that the Contractor is solely responsible for damages arising out of or related to services provided by the Contractor or its subcontractors.

Q32. State of New York Agreement, Section V, “Property” Can Contractor assume that this provision does not apply to any Contractor-owned IP that may be used to deliver services under this Contract?

Answer: The contract Property provision pertains to property purchased pursuant to the Agreement.