



QUESTIONS & ANSWERS FOR RFP CRISIS AND BEHAVIOR MANAGEMENT NOVEMBER 9, 2023

Please be advised all questions are keyed as submitted:

November 9, 2023

Question: We are currently working on the proposal but wanted to get clarification on a few sections of the contract. We would be unable to agree to this contract as it is written (explanations listed below).

Paragraph (F) on page 9: Mandt indemnifies Coalition against any claims arising out of Mandt's "intentional acts or omissions." That provision on its face does not require Mandt to have done anything wrong ... it's enough that you intentionally did or did not do something, and that a claim arguably resulted from what you did or did not do. It's easy to imagine situations where there is a third party claim where this language would make Mandt responsible to indemnify, Mandt's insurance would not cover the claim, and the fact that Mandt did not do anything wrong will not get you out of responsibility for it.

Paragraph (H)(4) on page 11: If Mandt creates anything in writing (including electronically) in the course of performing this contract, the copyright is assigned to Coalition, which can then reproduce it and create derivative works of it. This provision puts Mandt's main asset -- its IP -- at risk.

Paragraph (H)(1): Nothing in this contract protects any of Mandt's information as confidential.

Of the listed items, our attorney advises that (H)(4) is a top due to its existential risk to The Mandt System company.

How should we proceed? May be submit a redlined version of the contract with our proposal?



Answer: All bidders must agree to our standard contract terms. Unfortunately, we cannot accept different contract terms from different bidders; it would not be a fair process.

November 8, 2023

Question: As the entity applying for this RFP are there existing certifications we need to have in order to provide training that results in the three different certifications?

1. Crisis Management Instructor Certification
2. Behavior Management Instructors Certification
3. Basic Crisis Management Certification

Answer: Yes. You are required to have all of the certifications and a train the trainer instruction certification.