

Whenever the district enters into a contract for the purchase, development, procurement, maintenance, or use of any electronic or information technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations. This requirement shall apply to software applications, operating systems, web-based intranet and internet information and applications, telecommunications products, video or multimedia products, self-contained closed products, such as copiers, and desktop and portable computers.

Each contract with such a vendor shall contain the following provision:

“Vendor hereby warrants that products or services to be provided under this agreement comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. Vendor agrees to promptly respond to and resolve any complaint regarding accessibility of its products or services that is brought to its attention. Vendor further agrees to indemnify and hold harmless the MiraCosta Community College District, the Chancellor’s Office of the California Community Colleges, and any California community college using the vendor’s products or services from any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement.”