



RFP FOR DATA SERVICES

SAN MATEO FOSTER CITY SCHOOL DISTRICT

RFP NO.: 390-20A.4
DUE DATE: January 17, 2020
BY TIME: 01:00 pm PST

In conformity with the FCC Schools and Library Division (SLD), "Universal Service Fund" (a.k.a. "E-Rate funding) application process, San Mateo Foster City School District, here after referred to as "Owner", is seeking responses from qualified providers of **Data Services**.

Any and all updated project information, forms, including addenda, will be distributed thru the project website, located at www.infinitycomm.com/projects & <https://portal.usac.org/suite/>. All of these documents shall be made part of and material to the contract for services.

Scope of Work

The Owner is seeking proposals for high speed Data Services at 2GB (Or Higher).

The successful bidder will include in their bid price, at a minimum, the following:

1. The cost to provide the same quantity, speed, function and services as the Owner's existing Service or Equivalent.
2. The cost to retain and/or port all of the Owner's existing telephone numbers and data circuits or equivalent.
3. The cost of all one-time connection and/or installation fees as necessary by the bidder to provide their proposed service. In E-Rate terminology, special construction refers to the upfront, non-recurring costs associated with the installation of new fiber to or between eligible entities. If no new fiber is being installed, then any installation costs are considered standard non-recurring costs (NRC). Applicants may seek funding for special construction charges relating to leased lit fiber, leased dark fiber, and self-provisioning. Special construction charges eligible for Category One support consist of three components:
 - a. Construction of network facilities
 - b. Design and engineering
 - c. Project management

Note: The term "special construction" does not include network equipment necessary to light fiber, nor the services necessary to maintain the fiber. Charges for network equipment and fiber maintenance are eligible for Category One support as separate services, but not as special construction.

All options can include special construction or one-time E-Rate eligible non-recurring costs as well as E-Rate eligible recurring circuit costs. All bid responses for solutions requiring special construction must only include capacity and special construction necessary to deliver service to Owner. To the extent that the winning bidder installs additional strands of fiber for future business ventures, the winning bidder assumes full responsibility to ensure those costs are allocated out of the special construction charges to the Owner in accordance with FCC rules and orders. If, after the issuance of the FCDL, USAC or the FCC determines that the winning bidder did not cost allocate those charges associated with the additional strands, the Owner will not be responsible for reimbursing the winning bidder and the winning bidder will assume all responsibilities deemed ineligible by USAC.

Based on the bids and both a short term and long-term cost effectiveness analysis, the Owner will determine which of the solutions is acceptable.

The Owner will accept a Calnet contract and Calnet terms and conditions if offered.

The Service provider shall supply an industry standard Service Level Agreement (SLA), to ensure the following Objectives are maintained:

- a. No other bidder's customers will have any physical or logical access to the Owner's traffic/VLAN.
- b. Network Availability – 99.99%
- c. Packet Delivery Rate – 99.99%
- d. Network Latency: 30ms, one way.
- e. Mean Time to Repair 4 Hours, end-to-end, including local loop.
- f. The service provider shall provide 24/7 monitoring of the circuits

- g. There is no right of provider to limit or throttle the capacity of the circuit at any time for any reason.

RFP response **will** include any/all costs associated with switching services from our present supplier. Bidder's presentation of a bid response is an acknowledgment of this requirement.

Additional Information

- PTP Info w/ Bandwidth: 2GB circuit (Or Higher) From San Mateo Foster City School District: located @ 1170 Chess Drive, Foster City, CA 94404 to San Mateo County Office of Education: located @ 101 Twin Dolphin Drive, Redwood City CA 94065

All solutions must terminate service or infrastructure in the demarcation point at the site addresses and MDF location specified in this RFP. Solutions bringing service to the property line but not to the demarcation point are not acceptable. Respondent must specify specific demarcation setup included in base fees, e.g. wall mounted CPE and CAT6a handoff.

E-rate Requirements

The services requested in this RFP are dependent on funding from the E-Rate program. The Owner expects each prospective bidder to make themselves thoroughly familiar with all applicable rules and regulations regarding the E-Rate program. For further information regarding the E-Rate Program please reference the Universal Service Administrative Company's (USAC) Schools and Library Division (SLD) website:

<http://www.universalservice.org/sld/>

All contracts entered as a result of this Request for Proposal and the associated Form 470 will be contingent upon:

1. Funding approval by the SLD.
2. Approved funded amount equal to the funding amount as requested on the Form 471.
3. The Bidder providing, at the time of bid, and maintaining a valid Service Provider Identification Number (SPIN) consistent with the type of service requested in this RFP.
4. A certified Form 486 filed by the Owner and/or a written "Notice to Proceed" from the Owner to the winning bidder to initiate service.
*Service Provider must contact Owner prior to any work proceeding.

Per the requirement of the E-Rate Program no billing and/or service may begin for this contract until July 1, 2020 and may not extend past June 30, 2021. Per E-Rate rules, applications will be submitted each year of multi-year contracts for funding consideration.

The Owner's percentage rate, as determined on the Form 471, will be the maximum that the Owner is liable for. The bidder will be responsible to invoice USAC for the balance, using the Service Provider Invoicing method (SPI Form 474). Prior to invoicing USAC for services rendered on this project, bidder agrees to provide the Owner a copy of their USAC invoice to verify that the material has been delivered and accepted by the Owner before Contractor bills USAC.

The Owner reserves the right to terminate any contract and/or agreement even with the successful bidder, regardless of USAC's approval or denial; of any funding that is requested as a result of this RFP, prior to any work starting. The Owner reserves the right to accept the pricing proposal solely dependent upon SLD approval.

All E-Rate applications including special construction are subject to detailed questioning during PIA (Program Integrity Assurance) review where the cost of proposed special construction will be reviewed based on the cost of historical fiber builds in the region. Additionally, certain information on necessary special construction is needed to accurately fill out the Form 471. Respondents are required to fill out the table in Appendix A. Additionally, respondents are encouraged (but not required) to submit the additional information described in Appendix A that will likely be requested during PIA review. If respondents do not submit this additional information with their bid, and their solution is chosen, they must be prepared to promptly provide that information and any additional information not described in this RFP when requested. Please note that vendors may assist applicants with preparing funding requests or responding to PIA questions and may speak directly with PIA reviewers.

Appendix A: Special Construction Pricing

Required with all bid submissions that include special construction

Location	Strand Count	Segment Mileage	Total Segment Cost	Eligible Cost	Ineligible Cost
Total project mileage and costs					

Information that can be included now, but will be requested at a later date for chosen solution:

- Special construction cost breakout worksheet
- Route map of all build segments in kmz format
- Explanation of alternative routes that were explored and why the chosen route is the most cost-effective
- Explanation of special materials and procedures required that may have increased construction costs, such as:
 - Historical preservation or environmental issues
 - Bridge, waterway, railway, or highway crossings
 - Galvanized conduit
 - Directional boring through hard rock or under a paved surface
 - An excessive number of handholes, marker posts, or other OSP materials
 - Expensive pole attachment fees or make ready costs

Bid Package Requirements

No bid will be accepted from or contract awarded to a bidder:

- 1) Who is not licensed in accordance with the law
- 2) Who does not hold a license qualifying them to perform work under this contract in the state of California
- 3) Who does not hold a valid Service Provider Identification Number (SPIN) and is in good standing with the FCC/USAC
- 4) Who has not successfully performed on projects of similar character and scope to the proposed work

It is mandatory that all prospective bidders wishing to provide a proposal for this project must submit (hand deliver, mail, fax or email) their bid to: **Infinity Communications and Consulting Inc., 4909 Calloway Drive, Suite 102, Bakersfield, Ca. 93312, Fax: (661) 716-1841, email: p1bids@infinitycomm.com**, to be received no later than **January 17, 2020 at 01:00 pm PST**.

All bid packages, hard or electronic copy, will bear the name of the bidder and the Owner name and RFP number on the cover or "subject" line.

All inquiries regarding this RFP will be directed to **Corinna Herring** at p1bids@infinitycomm.com. The deadline for all questions regarding this RFP will be **03:00 p.m. PST, on January 3, 2020**.

To receive consideration by the Owner, it is mandatory that each bidder will provide, at a minimum, the following information in their RFP response:

- 1) **Itemized Bid Price Sheet** – All bid prices provided by the bidder will be itemized, per the requirement of the E-Rate Program. Bidder will provide itemized cost for a minimum of the following; eligible services/equipment, ineligible services/equipment, one-time costs breakdown, installation costs, any fixed costs, E-Rate eligible itemized tax and surcharges descriptions breakdown with cost, and utilization costs (such as cost per call and cost per minute/increment). Bidder will include in their bid response all monthly unit pricing for each component of this system and an annual estimate of the California Teleconnect Fund discount.
- 2) **Service Agreement** – Along with the bidder's bid, it is **required** that the bidder include a copy of their multi-year Service Agreement. Once all proposals have been received, and evaluated, the Owner will sign, date, and return the successful bidder's agreement.
- 3) **Bidder Information** – Bidder will provide in their bid package documentation that details; firm name, business address and phone/fax numbers of the office and corporation facilities, a brief overview of the bidder's organization, a brief history of your firm, the primary contact person to support this contract(s), and the bidder's Service Provider Identification Number (SPIN).
- 4) **General Acknowledgement** – Bidders will provide an executed copy of the provided form acknowledging the RFP requirements.

To receive the highest consideration by the Owner, it is desired that each bidder provides the following information in their RFP response:

- 1) **List of References** – Bidder will include a minimum of 3 client references. References will include Contact Name, Organization Name, Telephone and email information for Contact. References must be from projects within the last three calendar years.
- 2) **Bidder Qualifications** – Bidder will provide in their bid package sufficient documentation that demonstrates the bidder's ability to provide the services as requested in this RFP.
- 3) **Implementation Plan** – Bidder will provide an implementation plan, if applicable, that details; the process for bidder, system cut over (including a schedule), and contact Information for the Service and/or Installation Managers that will be responsible for this project. Provide any specific or required dialing codes that would be necessary with your solution.

*If the incumbent vendor does not respond with a quote, we will use the incumbent vendors current pricing. *

Contract Requirements

The Owner intends to use the bidder's supplied Service Agreement to formalize any contractual relationship that results from this Request for Proposal. However, the following provisions **must** be specifically included in the bidder supplied agreement in order for the bidder's proposal to be considered responsive. Failure to include any one or all of these provisions shall result in a Non-Responsive determination and no further evaluation of the bidder's proposal will be considered.

Terms and Conditions

The Owner would like to receive proposals that are based upon a three-year contract term with two possible one-year extensions. The initial three (3) year contract term shall start: July 1, 2020, and end: June 30, 2023. The Owner reserves the option to extend this contract for a period of two (2) additional years at a time through June 30, 2025, not to exceed a total of five (5) contract years. An extension option must be mutually acceptable to both parties. Any request for and acceptance of an extension shall be in written form and shall include any requests and justifications for adjustment in compensation. If bidders can provide lower rates by extending the length of contract, please provide this option as part of your RFP.

Service "Growth Clause"

Growth Services may or may not be requested by the Owner during the contract term. The "growth clause" shall not require a change in contract terms. The "growth clause" shall include a price for all existing service types plus any additional services of the same type/speeds/bandwidths of 3GB, 5GB and 10GB.

Bid Evaluation Criteria

The Owner will evaluate and select the winning bid based on the following criteria and weighted in the order listed in its relative importance:

- 1) **Price** – The price of eligible goods and services will be the highest weighted factor. The Owner will be evaluating price based ONLY on the eligible monthly and eligible "one-time" costs. E-Rate ineligible items must be provided on a separate rate sheet that will not be a part of the evaluation. The responding service provider is required to provide the lowest corresponding price for equipment and/or services as has been provided to other customers in the area. In the event of an audit and a rule violation pertaining to Lowest Corresponding Price in regard to a service provider not providing the lowest corresponding price, any funds that are requested to be returned to compensate the difference or any rule violation will be the responsibility of the service provider that has failed to provide LCP.
- 2) **Experience** – The Owner will evaluate prospective bidder's experience based on, but not limited to, the bidder's ability to successfully provide the requested service, prior history with the Owner. This may generate a positive or negative result. A neutral finding will provide all bidders the same score.
- 3) **Accuracy of Bid Response** – The Owner will evaluate the prospective bidder's bid response for, but not limited to, completeness of bid package, Service Agreement, amendments and/or exceptions to the requested Service.
- 4) **Qualifications** – The Owner will evaluate the prospective bidder's qualifications based on, but not limited to, technical expertise and service coverage and the number of projects successfully completed by the bidder providing the same type and scope of the requested services. This will also be based on whether or not the Service Provider provides CTF.
- 5) **Service Level Agreement**- The bidder will include a signed and dated copy of their multi-year Service Agreement (contract and service level agreement) with their bid proposal. Once all proposals have been received, and evaluated, the Owner will sign, date, and return the successful bidder's agreement(s).

Protests

In order to be considered, written protests containing the proposal number must be submitted within five (5) days of either the board approval or the filing of the Form 471, whichever is sooner. Protests must be on the following grounds to be considered:

- Owner failed to follow the selection procedures and adhere to the requirements specified in this RFP or any amendments hereto; or

- A conflict of interest as provided in Cal. Government Code section 87100, et seq. exists; or
- State or federal law has been violated.

Owner will provide a written response to the protesting bidder within six (6) calendar days.

Bidder Selection/Contract Award

The Owner reserves the right to make the award to the bidder who submits the proposal, which meets the requirements, set forth herein and best meets the needs of the Owner after taking into consideration all of the aforementioned factors. The Owner also reserves the right to select portions of a proposal, or to reject any and all proposals. Failure to provide service, the selected vendor will agree to financial compensation to the Owner to move to the next qualified bidder.

Right to Reject Any and All Quotes

The governing board of the Owner reserves the right to accept or reject any or all RFP's in whole or in part/or waive any irregularity in any proposal received. The Owner shall be the sole judge of the competency and responsibility of the bidder. The submission of a bid by the bidder is an acknowledgement of this right.

GENERAL ACKNOWLEDGEMENT FORM

PROJECT: 390-20A.4
OWNER: SAN MATEO FOSTER CITY SCHOOL DISTRICT

THE FOLLOWING DOCUMENTS SHALL BE SUBMITTED WITH BID:

1. ITEMIZED BID PRICE SHEET
2. SERVICE AGREEMENT
3. BIDDER INFORMATION
4. GENERAL ACKNOWLEDGEMENT

Pursuant to and in compliance with the published RFP and related documents, **the undersigned bidder**, having familiarized himself/herself with the terms of the RFP, the conditions affecting the performance of the RFP, the cost of the work at the place where the work is to be done, and other Documents, **proposes and agrees to perform**, within the time stipulated, including all of its required services, and everything required to be performed, and to provide and furnish any and all of the professional services, applicable taxes, utility, and transportation services necessary to perform the requested contract and complete in a workmanlike manner all of the work required in connection with the RFP Documents, including Addendum No.'s _____, _____, _____, _____, _____, _____, _____. Copies of Addenda are obtainable at the office of the owners' representative (Infinity Communications).

The BIDDER agrees that at the time of request, he/she will provide a signed copy of the bidder's **Service Agreement** within (48) forty-eight hours.

The BIDDER agrees that pricing provided within proposal and/or contract are true and correct. The responding service provider is required to provide the lowest corresponding price for equipment and/or services as has been provided to other customers in the area. In the event of an audit and a rule violation pertaining to Lowest Corresponding Price in regard to a service provider not providing the lowest corresponding price, any funds that are requested to be returned to compensate the difference or any rule violation will be the responsibility of the service provider that has failed to provide LCP.

The BIDDER understands that the withdrawal period for this RFP is (30) thirty days from the day of bid/proposal due date.

The BIDDER has carefully examined the RFP and related documents to the fullest that were prepared and furnished by the OWNER and acknowledges their sufficiency.

It is understood and agreed that the work under the contract shall be commenced by the bidder, if awarded the contract, on the date to be stated in the OWNER'S notification and that the scope of work for this bid as stated above shall be completed as noted in the RFP.

NAME OF BIDDER:
FULL NAME OF ALL
PARTNERS OR LEGAL
NAME OF CORPORATION

(TYPE OR PRINT)

AUTHORIZED CONTACT / BID PREPARER / SALES REPRESENTATIVE: _____

BUSINESS ADDRESS:

(TYPE OR PRINT)

TELEPHONE: _____

EMAIL: _____

BY: _____

(SIGNATURE IN INK)

(TYPE OR PRINT NAME OF TITLE AND SIGNATURE)

E-RATE SERVICE PROVIDER

IDENTIFICATION NUMBER

(SPIN) # _____ **DATE** _____

END OF RFP