

KANE AREA SCHOOL DISTRICT

**REQUEST FOR PROPOSAL
Broadband Internet Service Buildout and Service**

Response Deadline: Thursday, August 12, 2021 AT NOON E.S.T.

1.0 INTRODUCTION

1.1 Kane Area School District issues this Request for Proposals (“RFP”) for Broadband Internet Service Buildout. The District intends to apply for Emergency Connectivity Fund (“ECF”) to build out Broadband Internet Service in underserved areas of KASD. Several criteria and restrictions pertinent to the ECF program are included herein and must be met by the successful vendor in order for the proposal to be considered a Qualified Proposal.

1.2 Description & Expectations

This project is to provide internet service to KASD families where there is not currently internet service available through commercial plans already in place. Commercial broadband service is defined as 25Mbps download and 3Mbps upload. Varying speeds will not be considered as part of this project. Capped or throttled data plans will also not be considered as part of this project due to the nature of on-line learning and education needs.

This project must start with a site survey of all addresses provided to determine if service is already available by bidder and noted in Appendix A. If service is available, no additional information is needed other than filling out Appendix A.

A Site Survey of all addresses is one line item in Appendix A. This includes surveying all addresses listed to verify 100% they can be serviced.

The bulk of the project will be a build to put in place fixed or wireless networking to the homes on the list to provide commercial internet service not included in Appendix A. Appendix B will be homes serviced by construction. Vendor’s proposal must include all buildout costs associated with bringing the service to these homes.

- Drawings and other documentation are provided with this RFP (KASD web site) or will be provided on request.
- Vendor must have a kick-off meeting with KASD prior to bidding to ensure the completeness and accuracy of the bid.
- All cables, connectors, terminations, and other parts required for the successful and aesthetic installation will be included in the quote and any miscalculations or omissions by the bidder will be the responsibility of the bidder. All materials or labor not included in the bid, and needed to finish the project, are the responsibility of the vendor.
- This project will need to be completed and providing service by July 1, 2022.
- The Internet Service Plan pricing for minimum 25Mbps down/3Mbps up will be a line item on the bid and should include all service fees, installation fees and equipment needed to provide internet from July 1, 2021 to June 30, 2022.
 - o Internet Service beyond June 30, 2022 will be responsibility of the address internet was installed to as part of this plan.
- Vendor must have experience selling and installing internet service to homes.
- Vendor must provide letter detailing they are willing to bill ECF directly.

1.3 Issuing Officer and Technical Contact for Questions and Information

Chris Niklaus
Asst. Technology Director
Kane Area School District
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814-837-9570 x4219

Prospective Vendors must direct and confine all inquiries and communications concerning this procurement to the Issuing Officer and correspondence should be made via e-mail. Although there is no due date for questions, the District encourages prospective Vendors to submit any questions they may have as soon as possible. Questions should include “**Broadband Internet Service Buildout and Service RFP**” in the subject line to ensure that the issuing officer identifies the email as relating to this procurement.

If the RFP was downloaded from a web site link, Vendors are responsible for periodically monitoring the web site for any updates relating to this RFP.

- 1.4 One complete hard copy must be delivered to the Kane Area School District Technology Office, at 400 West Hemlock Avenue, Kane, PA 16735 on or before the response deadline. In addition, an electronic copy must be e-mailed to the Issuing Officer on or before the response deadline. Both copies must be identical and be labeled, “**Broadband Internet Service Buildout and Service RFP.**” All required Vendor information, certifications and attachments must be included with the proposal.
- 1.5 District intends to select the successful Vendor and have the final agreement presented to the school board at the August 2021 meeting or the September 2021 school board meeting if needed.
- 1.6 The District will review the proposals for compliance with the procedural requirements set forth in Section 5 and may reject any proposal that materially fails to comply.
- 1.7 The District reserves the right to ask clarifying questions of Vendors and to request best and final offers upon review of initial proposals. The price of services will be most heavily weighted in the review of proposals.
- 1.8 The successful bidder(s) will be advised of selection by the Issuing Officer through the issuance of a notification of intention to recommend award via email. Any notification of the selection of the successful bidder shall have no legal effect unless and until the parties negotiate a mutually acceptable agreement that is approved by the school board. Unsuccessful bidders also will be notified via email.
- 1.9 All personnel (contractors and subcontractors) that will be working on this project in the schools must observe all security and safety procedures of each school facility and must secure all record checks required by Pennsylvania law which include 24 P.S. §1-111, 24 P.S. §1-111.1, 24 P.S. §12-1205.6, 22 Pa. Code §8.1, *et. seq.* and 23 Pa.C.S.A. §6301, *et. Seq.*

On-site work at the school sites cannot commence until the provider has obtained all relevant certifications, licenses, permits and/or required qualifications for its workers and has presented required documentation for the personnel to work in the District’s locations.

On-site work at private homes or locations must be made with each individual property owner.

1.10 The District is exempt from Pennsylvania Sales and Use Tax and has other federal and state tax exemptions afforded to public school entities and/or similar political subdivisions. This notice shall serve to satisfy any notification required by the provider as to these tax exemptions. Vendors must ensure that their cost proposals specifically include all applicable taxes, fees and surcharges from which the District is not exempt or that is imposed or assessed by Vendor, as required in Appendix A/Appendix B.

1.11 Reasons for Disqualification of Proposals

If any of the following conditions occur, Vendor's proposal is automatically disqualified from being evaluated.

1.11.1 Vendor's proposal is submitted after the response deadline.

1.11.2 Vendor is on Red Light Status with the FCC or is delinquent on a debt to a state or federal governmental agency or entity if applicable.

1.11.3 Vendor is not authorized to do business in Pennsylvania.

1.11.4 Vendor has not been in business for at least 5 years performing services or furnishing equipment required in the bid.

1.11.5 Vendor does not have an ECF SPIN number if applicable.

1.11.6 Vendor does not agree to bill ECF directly.

1.11.7 Vendor did not make schedule a kick-off meeting prior to bidding.

1.11.8 Vendor cannot provide all equipment and services listed in Appendix A/Appendix B unless otherwise noted in this RFP that separate contracts may be awarded for subsets of equipment and/or services.

1.11.9 Vendor does not have experience installing fixed wired or wireless networks.

2.0 SCOPE OF SERVICES REQUESTED IN THIS REQUEST FOR PROPOSAL

Equipment Purchase and Equipment Warranties

2.1 Proposals must include a description of the manufacturer's equipment warranty for each component listed in Appendix A/Appendix B in the appropriate column. Descriptions should be specific and include the number of years covered by the warranty. ECF rules allow for a 3-year manufacturer's warranty to be included as long as the costs are bundled with the cost of the equipment and not broken out separately.

2.2 Appendix A/Appendix B also may request pricing on separate basic maintenance services which should have a separate cost.

2.3 Proposals are requested that are turn-key, comprehensive solution that addresses all requirements set forth in Appendix A/Appendix B.

- 2.4 Subcontractors must be identified in the proposal. If the successful Vendor would like to use additional subcontractors that were not identified in the proposal/contract, specific approval must be granted in writing by the District.
- 2.5 Prices quoted must include the cost for all normal operating and reference manuals and all connecting cables required for installation of the equipment. Power cords shall be included in the cost of the equipment.

3.0 CONDITIONS, CONTRACT and BILLING

- 3.1 The School District reserves the right to waive any and all defects and informalities in the bid submission process and to reject any and all bid submissions if considered to be in the best interest of the School District to do so. The judgment of the School District on such matters shall be final. By the submission of a bid, the bidder agrees that in the event its bid is rejected by the District for any reason and such rejection is contested by the bidder through the commencement of legal proceedings, whether in law or in equity, the District shall be entitled to an award of reasonable attorney's fees and costs if the District's rejection of the bid is upheld, affirmed or otherwise not set aside.
- 3.2 The District reserves the right to:
- Amend, modify, cancel this RFP or not award any contract.
 - Modify or add to the requirements contained in this RFP at any time after the issuance of this RFP for compliance by all providers.
 - Increase or decrease the quantities of equipment at the same price listed in the successful contract; or entirely omit an item or group of items to be purchased to reflect actual District needs at the time that orders are placed. Such additional quantities will be purchased at the price indicated on the contract. Such modifications are expressly anticipated and included within the scope of this RFP.
 - District intends to award a single contract for all equipment/services in Appendix A/Appendix B; however, the District reserves the right to award a contract for any or all parts of the RFP to one or more service providers.
 - Negotiate terms and conditions to meet requirements consistent with this RFP.
 - Request providers to clarify their RFP proposals.
- 3.3 By submitting a bid, the bidder agrees that, if the bid is accepted by the School District's Board of School Directors, the bidder shall be bound by the terms and conditions of the RFP.
- 3.4 Bidders agree that their bids are valid and subject to acceptance for 60 days after opening of the bids. All prices contained in a bid must hold firm for 60 days from the opening of the bids.
- 3.5 Bidders agree to comply with Pennsylvania Prevailing Wage Laws if applicable.
- 3.6 **Timeline for Purchase of Equipment**
- The purchase of equipment will be contingent upon ECF approval and a Notice to Proceed or Purchase Order by the District after ECF approval has been received.
- 3.7 **Equipment Substitution**

If the model specified in the contract is discontinued by the manufacturer after the award of this contract, the only acceptable substitute will be the manufacturer's standard replacement in a configuration that meets or exceeds the specifications and operating capabilities of the "as specified" unit. Further, the substituted equipment must be able to meet the FCC's Service Substitution Criteria. The Proposer must agree to cooperate with the District to provide the information necessary to obtain SLD's approval of a service substitution request.

4.0 INFORMATION TO BE INCLUDED IN PROPOSAL

In addition to the other information required to be provided, Vendor also will include with their proposal responses to the following questions:

- 4.1 Provide a description of the nature and scope of your firm's business endeavors, including history of company.
- 4.2 Provide a description of your firm's previous and ongoing relationship, if any, with the District.
- 4.3 Provide proof that the Vendor and all subcontractors are authorized to do business in Pennsylvania.
- 4.4 Provide contact name and contact information for person authorized to negotiate terms and conditions.
- 4.5 Provide contact name and contact information where questions related to the proposal can be directed with statement certifying that this person (or his/her authorized representative) will be available in July 2021 – August 2021 in order to assist with the completion of the District's ECF applications, as requested.
- 4.6 Provide copy of terms and conditions for proposed agreement.
- 4.7 Provide a Non-Collusion Affidavit
- 4.8 **Pennsylvania Right-to-Know Law**

Vendor is required to clearly identify any specific information that they deem as proprietary and request to be withheld from public view. Vendor must provide one copy of its redacted proposal with all proprietary information omitted. District intends to comply with the Pennsylvania Right to Know law concerning requests for release of documents regarding this procurement, including the release of proposals after bid opening. Price of winning bid is not confidential information.

5.0 EVALUATION

In accordance with applicable state law, 24 P.S. Section 8-807.1, the District is required to select the proposal of the "lowest responsible bidder" in the event that the District decides to award a contract.

In order for a bidder to be eligible to be considered a "responsible" bidder, the bidder must comply with the following:

- 5.1 Submit a timely proposal and not be disqualified under Section 1.11
- 5.2 The proposal must include all of the required information in Section 4.
- 5.3 Bidder must indicate their willingness to be bound by the terms of the RFP.

