

Connecticut Libraries Fiber Consortium

REQUEST FOR PROPOSALS

Leased Lit Fiber (with or without internet access), Internet Access: ISP Service Only (No transport circuit included), or Internet Access and Transport Bundled (Non-Fiber)

Issue Date: November 6, 2019

Response Deadline: December 6, 2019 at Noon EST

1. INTRODUCTION

- 1.1. Connecticut Libraries Fiber Consortium (“Consortium”) issues this Request for Proposals (“RFP”) for Internet service on behalf of the individual member libraries. While intended primarily for the use of member libraries, accepted bids may also serve as the basis for agreements between any other government or municipal entity in the state of Connecticut and the approved bidder(s).

Note: Per USAC's current guidance about applying for Internet access, the consortium is checking Leased Lit Fiber (with or without internet access), Internet Access: ISP Service Only (No transport circuit included), or Internet Access and Transport Bundled (Non-Fiber).

Vendors may provide bids for all or part of the attached list of Consortium member libraries.

The Consortium is seeking bids for Internet service at speeds of 25Mbps, 50Mbps, 100Mbps, 200Mbps, 500Mbps, and 1Gbps. Multi-year contracts may be considered. Specify classification of services (i.e. internet access, internet access and transport bundled, or leased fiber internet) as well as internet delivery method (i.e. wireless, cable modem, DSL, fiber, etc.). Any and all installation charges must be identified in the bid. Bids that indicate installation charges may apply without listing those charges will be considered incomplete and will be disqualified.

The Connecticut State Library seeks proposals comprising competitive bids offering to sell the services and/or goods described in this solicitation to facilitate the acquisition of services by Consortium member libraries. Subsequent contracts will be required. All proposals and responses received shall be treated as offers to contract.

Consortium members may choose to apply for discounts on the services listed in this RFP through the federal E-rate program. Several criteria and restrictions pertinent to the E-rate 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. Notice to Vendors: The Connecticut State Library is soliciting bids on behalf of the Connecticut Libraries Fiber Consortium. Contracts will be awarded by the individual member libraries of the Consortium. The State Library will NOT award on behalf of the Consortium NOR incur any financial obligation to the Vendors or the Consortium. This solicitation is a service in order to aid the Consortium member libraries in securing internet service.

Note that all member libraries will be billed entities. While the Consortium has filed an FCC Form 470 as the consortium lead, each member library and in some cases the member's library system will file the 471 and serve as the billed entity.

1.3. Issuing Officer and Technical Contact

The Issuing Officer for this procurement is:

Kendall Wiggin
State Librarian
Connecticut State Library

The Technical Contact for Questions and Information is:

Christine Gauvreau
E-rate Coordinator
Connecticut State Library
clfc@ct.gov

Prospective Vendors must direct and confine all inquiries and communications concerning this procurement to the Technical Contact via e-mail. **The last date to submit questions is November 25, Noon EST**, and the Consortium encourages prospective Vendors to submit any questions they may have as soon as possible. Questions should include "E-rate Internet RFP" in the subject line to ensure that the Technical Contact identifies the email as relating to this procurement.

All Q&As will be compiled and posted to USAC's E-rate Productivity Center (EPC) at least weekly. Oral answers are not binding.

- 1.4. Bids, including all files comprising the proposal, must be submitted by email to Maria Bernier at clfc@ct.gov. No physical copies are required for delivery.

The deadline for submission is on or before Noon EST on December 6, 2019.

- 1.5. The Consortium 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. The Consortium reserves the right to waive non-material defects. The Consortium evaluation team will review proposals according to the process set forth in Section 6 and make recommendations to member libraries.

- 1.6. Reasons for Disqualification of Proposals: If any of the following conditions occur, Vendor's proposal is automatically disqualified from being evaluated.

1.6.1. Vendor's proposal is submitted after response deadline.

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

1.6.3. Vendor is not authorized to do business in Connecticut.

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

- 1.6.5. Vendor has had an unsatisfactory performance or failure to perform in accordance with the terms of one or more contracts with the member libraries within three (3) years of the issuance date of this RFP.
- 1.6.6. Vendor does not have an E-rate SPIN number.
- 1.6.7. Vendor does not have E-rate experience.
- 1.6.8. Vendor is unable to provide all equipment and services required unless otherwise noted in this RFP that separate contracts may be awarded for subsets of equipment and/or services.
- 1.6.9. Vendor has indicated that installation charges may apply without listing those charges.
- 1.7. All providers will receive notification of their bid status upon completion of the evaluation process, either that the Evaluation Committee recommends their bid to member libraries or that their bid was unsuccessful. Recommendations shall have no legal effect unless and until the bidder and member library negotiate a mutually acceptable agreement that is approved by the library.
- 1.8. The Consortium and member libraries are exempt from Connecticut Sales and Use Tax and have other federal and state tax exemptions afforded to public library 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 Consortium and member libraries are not exempt or that are imposed or assessed by Vendor.

2. SCOPE OF EQUIPMENT/SERVICES REQUESTED

- 2.1. The Consortium is seeking bids for Internet service at speeds of 25Mbps, 50Mbps, 100Mbps, 200Mbps, 500Mbps, and 1Gbps. Multi-year contracts may be considered. Specify classification of services (i.e. internet access, internet access and transport bundled, or leased fiber internet) as well as internet delivery method (i.e. wireless, cable modem, DSL, fiber, etc.). Any and all installation charges must be identified in the bid. Bids that indicate installation charges may apply without listing those charges will be considered incomplete and will be disqualified. **Vendors may provide bids for all or part of the attached list of Consortium member libraries.**

3. E-RATE REQUIREMENTS

Vendors submitting proposals under this RFP must agree to meet the following conditions relating to the E-rate program and be willing to include such requirements in the Vendor's contract:

- 3.1. Vendor must agree to submit to the SLD a completed Form 473 prior to July 1 of each calendar year. This form is available on the SLD's website at www.usac.org/sl in the Forms section.
- 3.2. Discounted Bills: Should the member libraries so choose, Vendor must agree to provide discounted bills to member libraries which reflect the net charges due to the member library after E-rate discounts have been reflected (also known as the "non-discount" amount). The Vendor will then invoice USAC using the Form 474 SPI form for the E-rate discount amount. Vendor

shall be solely responsible for timely filing invoices with USAC. Accordingly, Vendor understands and agrees that Consortium and member libraries will NOT be liable to Vendor and Vendor shall have no recourse against the Consortium and member libraries for any discounted amount that Vendor submits late to USAC for payment, if USAC refuses to pay the invoice due to late filing. Further, Vendor understands and agrees that Consortium and member libraries shall not be liable to Vendor and Vendor shall have no recourse against the Consortium and member libraries for any discounted amount that Vendor submits to USAC for payment if Vendor is at fault for USAC's refusal to pay. If the Consortium's or member libraries' actions or failure to act are responsible for the non-payment of the Vendor's invoice with USAC, the Consortium and member libraries shall not be liable to Vendor and Vendor shall have no recourse against the Consortium and member libraries for the amount at issue until both the Consortium/member libraries and the Vendor have exhausted their administrative remedies of appeal to USAC and/or the FCC.

- 3.3. Reimbursement Option: Should member library choose to pay for any equipment or services in full, Vendor must agree to promptly cooperate and provide any information required in order for the member library's E-rate reimbursement forms submitted to the E-rate administrator to be processed successfully including but not limited to responding timely to questions that the Administrator may ask or submit required documentation that the Administrator may request of the Vendor.
- 3.4. Vendor must separately itemize the cost of E-rate eligible and ineligible products and/or services on all invoices. To determine what items are eligible, Vendor must contact the equipment manufacturer or contact USAC at 888-203-8100.
- 3.5. If Vendor learns of any federal, state or local investigation conducted by any regulatory authority or law enforcement authority that could have an adverse impact on the Consortium's or member libraries' ability to continue to receive the benefit of E-rate funding, Vendor must notify the Consortium and member library within 30 calendar days of learning of such investigation. The Consortium and member library reserve the right to cancel the agreement without penalty if the investigation impedes the Consortium's or member library's ability in any way to receive the benefit of E-rate funding, subject to any investigation of wrongdoing.

4. CONDITIONS, CONTRACT and BILLING

- 4.1. The Consortium and member libraries reserve the right to:
 - 4.1.1. Amend, modify, or cancel this RFP or not make an award and to reissue this RFP as a new procurement.
 - 4.1.2. Modify or add to the requirements contained in this RFP at any time after the issuance of this RFP for compliance by all providers.
 - 4.1.3. Negotiate terms and conditions to meet requirements consistent with this RFP.
 - 4.1.4. Request providers to clarify their RFP proposals.
 - 4.1.5. Waive minor defects or any requirement of this RFP that has not been met by any of the bidders that submitted proposals.
- 4.2. Timeline for Work: The purchase of services may be contingent upon E-rate approval and will not occur unless and until a Notice to Proceed or Purchase Order is issued by the member library.

- 4.3. Lowest Corresponding Price: Per FCC rules, Vendors must offer the Lowest Corresponding Price when submitting proposals. Lowest Corresponding Price (LCP) is defined as the lowest price that a service provider charges to nonresidential customers who are similarly situated to a particular E-rate applicant (library member) for similar services. See 47 CFR, Part 54, Section 54.500(f). Service providers cannot charge E-rate applicants a price above the LCP for E-rate services. See 47 CFR Section 54.511(b). There is a rebuttable presumption that rates offered within the previous 3 years are still compensatory.
- 4.4. The Consortium and member libraries reserve the right to extend or abbreviate the contract period if such extension or abbreviation is necessary to make the Contract term coincide with an E-rate “program year” or an extended service end date for an E-rate program year pursuant to a “service delivery deadline extension,” as those terms are defined by the Federal Communications Commission and/or USAC.
- 4.5. Vendor shall itemize, price, and invoice separately any materials or services that are ineligible for E-rate funding. Vendor must include the following information on all invoices to the member libraries for E-rate eligible equipment and/or services:
 - 4.5.1. Date of invoice
 - 4.5.2. Date(s) of service
 - 4.5.3. Funding Request Number (“FRN”)
 - 4.5.4. Vendor SPIN
 - 4.5.5. Detailed description of services performed and materials supplied that matches member library's contract specifications and Form 471 descriptions of same
 - 4.5.6. Clear, concise breakdown of amount(s) to be billed to USAC (discounted portion of eligible charges) and amount(s) to be billed to the member library (non-discounted amount of eligible charges)
 - 4.5.7. Invoice on Vendor’s letterhead or on a Vendor-generated form
 - 4.5.8. Proper E-rate discount percentage as set forth by the applicable FRN and USAC funding commitment decision letter (“FCDL”)

5. 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:

- 5.1. Provide a description of your firm’s previous and ongoing relationship, if any, with the Consortium.
- 5.2. Provide proof that the Vendor and all subcontractors are authorized to do business in Connecticut.
- 5.3. Provide federal Tax ID Number, E-rate SPIN Number, and FCC Registration Number (FRN).
- 5.4. Provide contact name and contact information for person authorized to negotiate terms and conditions.
- 5.5. 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 January through April 2019 in order to assist with the completion of the Consortium's and member libraries' E-rate applications, as requested.

- 5.6. Provide copy of terms and conditions for proposed contract.
- 5.7. Bidder must indicate their willingness to be bound by the terms of the RFP.

6. EVALUATION PROCESS

6.1. The Connecticut State Library is soliciting bids on behalf of the Connecticut Libraries Fiber Consortium. Contracts will be awarded by the individual member libraries of the Consortium. The State Library will NOT award on behalf of the Consortium NOR incur any financial obligation to the Vendors or the Consortium. This solicitation is a service in order to aid the Consortium member libraries in securing internet service.

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6.2. The award decision is made based on multiple factors, including the evaluated technical merit of the Vendor's proposal; the Vendor's past performance; and the evaluated probability of performing the requirements stated in the solicitation on time, with high quality, and in a manner that accomplishes the stated business objectives and maintains industry standards compliance.

6.3. Other Factors. While the evaluation criteria rank highest the price of eligible goods and services (see table below), the Consortium has strong interest in Vendors that can provide free or low-cost bundled services that address the specific needs of Connecticut libraries, such as the following:

- 6.3.1. Static IP addressing
- 6.3.2. Bandwidth burst capability
- 6.3.3. Connectivity to state library data systems (e.g., researchIT CT)
- 6.3.4. Connectivity to other research networks (e.g., Internet2)
- 6.3.5. Content filtering
- 6.3.6. Direct connectivity to other content providers (e.g., Google, Microsoft)
- 6.3.7. Flexible rates based on usage (e.g., 95th percentile billing)
- 6.3.8. Local Support
- 6.3.9. Security (e.g., DDoS) protections and consulting

6.4. Evaluation Criteria. As per E-rate rules, Vendors will be selected based on the most cost effective solution. The price of E-rate eligible services and equipment will be the most heavily weighted factor in the bid evaluation. The scoring rubric is as follows:

Evaluation Component	Points Available
Price of the Eligible Goods and Services	40
Local or In-State Vendor	30
Other Factors and Costs	15

Customer Service and Past Performance	15
Total Possible Points	100

- 6.5. Vendor may be disqualified from any evaluation or award if Vendor or any key personnel proposed has previously failed to perform satisfactorily during the performance of any contract with the State or library member, or violated rules or statutes applicable to public bidding in the State.
- 6.6. Vendor may be disqualified from any evaluation or award if Vendor fails to adhere to the requirements for responses as stated in this Request for Proposals.
- 6.7. Award of Contract. The Vendor whose proposal is most advantageous to the Consortium members, taking into consideration the evaluation factors herein, will be recommended for contract award. Unless otherwise specified by the Consortium or the Vendor, the Consortium reserves the right to accept any item or group of items on a multi-item proposal.