

Request for Proposal

Internet Access

[Your Library System Name]

**Erate Funding Year
July 1, 2018 through
June 30, 2019**

REQUEST FOR PROPOSAL **Internet Access** **Library System**

The **Library System** invites vendors to submit proposals in accordance with the terms and conditions of this Request for Proposal (RFP). This RFP provides the requirements and evaluative criteria for Internet services and requests a detailed response from all prospective vendors, including pricing and service descriptions, in a specified format.

Our goal is selecting an Internet Service Provider that can provide Internet Access with sufficient speed and bandwidth needed at **XXX** branch locations for the **Library System**.

The work proposed in these specifications are dependent upon receipt of E-rate Funding for Internet Access for the E-rate Funding Year July 1, 2018 through June 30, 2019

It is anticipated that the contract resulting from this RFP will be for a period of 1 year from July 1, **2018** through June 30, **2019** with the possibility of **3** one-year extensions solely in the discretion of **Library System**. The **XXX** services shall commence at 12:00:01 a.m. on July 1, 2017.

OR (pick between the above or below contract terms of service)

It is anticipated that the contract resulting from this RFP will be for a period of three years from July 1, **2018** through June 30, **2021**. The **XXX** services shall commence at 12:00:01 a.m. on July 1, 2017.

Background Information

The headquarters of the **Library System** is located in **Headquarter City**. We are seeking Internet service and **content filtering (if you want the ISP to provide filtering for you)** for the following locations:

List the physical location of each branch in your system, the current internet service being received at this location and the number of computers in each branch.

Services required for this RFP

Services sought in a contract resulting from this RFP are as follows:

- Standard Internet service (cable or fiber)
- Static IP address allocation for continued access to IP-based library resources
- ***You are going to want to list any additional CAT 1 services below such as:***

Invoicing

Services may be requested under this RFP for both E-rate eligible and non-E-rate eligible locations and/or services. Separate invoices are required for E-rate eligible locations and services from those that are not eligible. XXX will provide a summary of the services ordered and the corresponding locations, together with all costs. It is the burden of the Service Provider to reconcile, to XXX's satisfaction, its invoices to that summary.

All invoices must be based on a first-of-the-month through end-of-the-month cycle.

Errors on invoices cannot be remedied by credits on invoices. All errors must be repaid by a check cut by the Service Provider within 30 days of notification such error.

Service Provider Requirements

SPIN and FCCRN Required

It is the intention of XXX to apply for discounts under the Schools and Libraries ("E-rate") program for some or all of the services that are the subject of this RFP. Services may be requested under this RFP for both E-rate eligible and non-E-rate eligible locations and/or services. Therefore, all Service Providers responding to this RFP must participate in the E-rate Program and must comply with all applicable FCC rules.

The Service Provider is required to submit its SPIN and FCCRN as part of the Proposal. If you do not have a SPIN and FCCRN, you MUST obtain them before you respond to this RFP.

*You can obtain a SPIN by following the directions on the Schools and Libraries Division ("SLD") web site which is found at the following URL:

<http://www.usac.org/sl/service-providers/step01/default.aspx>

*You can obtain an FCCRN from the FCC web site which is found at the following URL:

<https://fjallfoss.fcc.gov/coresWeb/publicHome.do>

Document Retention, Production of Records, and Audits

Pursuant to 47 C.F.R. § 54.516, the Service Providers have the following obligations with respect to document retention, production of records and audits:

The Service Providers shall retain documents related to the delivery of discounted telecommunications and other supported services for at least 10 years after the last day of the delivery of discounted services. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. Comprehensive information about document retention requirements is found in the FCC's Fifth Report and Order (FCC 04-190).

The Service Providers shall produce such records at the request of any representative (including any auditor) appointed by a state education department, the Administrator, the FCC or any local, state or federal agency with jurisdiction over the entity.

The Service Providers shall be subject to audits and other investigations to evaluate their compliance with the statutory and regulatory requirements for the schools and libraries universal service support program including those requirements pertaining to what services and products are purchased, what services and products are delivered, and how services and products are being used. XXX must provide written consent before a Service Provider releases information to the auditor, reviewer, or other representative.

The Service Provider shall assume responsibility for its subcontractors' compliance with the FCC requirements on document retention, production of records, and auditing.

Lowest Corresponding Price

Pursuant to 47 C.F.R. § 54.511, Service Providers shall not submit bids for or charge **libraries** a price above the lowest corresponding price for supported services, unless the FCC, with respect to interstate services or the state commission with respect to intrastate services, finds that the lowest corresponding price is not compensatory. Promotional rates offered by a Service Provider for a period of more than 90 days must be included among the comparable rates upon which the lowest corresponding price is determined.

Pricing Transparency

Pursuant to the FCC's E-rate Modernization Order (FCC14-99) released July 23, 2014, the Commission provided notice to all Service Providers that the receipt of E-rate support will be conditioned on disclosure of pricing information beginning in Funding Year 2015. The Commission states in the Order that contracts executed after the effective date of the Report and Order may not contain restrictions barring publication of purchasing price data, and that any such restrictions shall have no effect.

Contract Terms & Conditions

The following Terms & Conditions are to be included in contract resulting from this RFP:

- **Library System** will not sign a vendor contract (We are not asking you to develop your own contract but we recommend that you negotiate your own terms and conditions with the winning bidder. Call Sue if you have questions.)
- Services added during the course of the contract must be coterminous with the proposed contract. (Need to add or delete services at the same costs throughout the contract period.)
- **Library System** reserves the right to change a Service Provider if there is a legitimate reason to do so.

- Time is of the essence in the Proposed Contract.
- Should the Service Provider, its principals, agents or employees act in violation of the FCC's policy regarding gifts, and should **Library System** be denied funding on a funding request or be subject to a commitment adjustment as a result of the aforementioned action, the Service Provider shall be liable for liquidated damages in the amount of **Library Systems's** discounted portion on each of the funding requests so denied.
- The Service Provider shall comply with all applicable FCC rules, Orders, and guidance which govern the E-rate program. Notwithstanding any other remedies at law or equity, in the event the Service Provider acts or fails to act in such a way that causes **Library System** to lose E-rate funding, the Service Provider shall be liable to **Library System** for the amount of denied, reduced or adjusted funding. Additionally, the Service Provider shall be liable to **Library System** for legal or consulting fees **Library System** incurs to: ensure compliance with the E-rate program; to respond to the FCC or USAC directives; and/or to pursue an appeal.

For a full list of Contract Terms & Conditions, see the Procurement Best Practices Document on our galibtech.org page.

Right of Rejection

Library system reserves the right to accept or reject any or all responses to this RFP and to enter into discussion and/or negotiations with one or more qualified vendors at the same time, if such actions are in the best interest of the **Library system**. **The Library System** reserves the right to reject any or all bids or parts thereof, as deemed to be in the best interest of the Library.

Failure to answer any questions in this RFP may subject the proposal to disqualification. Failure to meet qualifications and requirements will not necessarily subject a proposal to disqualification.

Cost of Proposals

Expenses incurred in the preparation of proposals to this RFP are the sole responsibility of the vendor.

PROPOSAL DELIVERY

RFP Submission

RFPs should be submitted in a sealed envelope addressed to the following by mail, delivery service, or hand delivery no later than **set a deadline that gives you enough time to thoroughly evaluate bids and execute a contract prior to the E-Rate application window closing**. Bids must be received at the **Library System** by this date and time. No faxed copies will be accepted. **Mail RFPs to:**
Your Library's Mailing address

QUESTIONS

All questions pertaining to this bid must be submitted by completing the form on the Library Systems webpage (make a space on your website so all bidders can submit questions and see your responses to your RFP. Remember, everyone has to have the same information to have the process remain fair and open. Call Sue to discuss an alternative method of communication if necessary)

Questions submitted will be answered on our FAQ which will be posted to (link to your RFP web page.)

Vendors are responsible for checking updated information, changes, additions, etc., on the library's webpage.

Evaluation Criteria

You are going to want to include all of the criteria you listed in your RFP: Invoicing requirements, Contract Terms & Conditions, Bidder requirements, etc. List them in this table. BUT REMEMBER: COST MUST ALWAYS BE THE MOST HEAVILY WEIGHTED FACTOR. Here is an example below based on the template:

Evaluation Criteria	Weight
Cost effectiveness	30%
Administrative <ul style="list-style-type: none">• Ability to provide full implementation of Internet service by July 1, 2018.• Ability and Willingness to adhere to Contract Terms & Conditions• Ability and Willingness to meet invoicing requirements	25%

<ul style="list-style-type: none"> • Ability and Willingness to comply with Service Provider Requirements 	
Ability to meet technical requirements <ul style="list-style-type: none"> • Sufficient bandwidth for library needs • Reliable bandwidth • Static IP address allocation • CIPA compliant filter option included 	20%
Past Performance (experience) <ul style="list-style-type: none"> • Experience with libraries and schools preferred 	15%
Support and Maintenance <ul style="list-style-type: none"> • Prompt phone response • Prompt on-site assistance when appropriate • Proactive monitoring 	10%
Total	100%

INSTRUCTIONS TO BIDDERS

This RFP document may be downloaded from the internet at [\(link to your RFP web page\)](#). We recommend that you do this if you are able but it is not necessary. Your RFP will be joined with your Form 470)

Vendors should frequently, during the bid process, check [\(link to your RFP web page.\)](#) for updated information and clarifications.

QUALIFICATIONS OF BIDDERS

The **Library system** may make such investigation as they deem necessary to determine the ability of bidder to perform the work. **Library system** reserves the right to reject any bid if investigation of such bidder fails to satisfy the **Library system** that such bidder is properly qualified to carry out the obligations of the contract, and to complete the work contemplated therein.

Bidders may be required to submit the names and addresses of the officers or principals of the Corporation, firm or partnership submitting a bid. Failure to comply could result in the rejection of such bid as non-responsive.

All bidders must be prepared to present suitable evidence of their financial standing.

Library system has the right to reject any and all bids from any bidder that is in or contemplates bankruptcy of any chapter or nature. Said bidder must notify the **Library system** in writing of any existing condition or knowledge of same.

No verbal instructions or information to bidders will be binding. The specifications will be considered clear and complete unless written attention is called to any apparent discrepancies or incompleteness thereof, before the opening of bids. Should any written inquires be received by **Library system**, these inquiries will be answered in the question and answer portion of our webpage and posted for access by all providers.

The submission of a bid will be considered as conclusive evidence of complete examination of all instructions and specifications.

A Bid Form - Signature Page is provided in these specifications. This form must be used in submitting a bid, and all pages of the form must be completely filled out, and the whole signed by the bidder.

No bid may be withdrawn later than 3:00 PM on the day of the opening of bids. No modifications of any bid will be allowed after the same is sealed and delivered to **Library**

system, however, a bidder may withdraw a bid before 3:00 PM on the day of the opening of bids and submit another bid before the closing date and time.

FORM OF CONTRACT

The successful bidder will be required to execute a written contract with **Library system** within fifteen (15) business days after acceptance of bid. It is expressly understood and agreed by the bidders that the contractual obligations of **Library system** to the bidders are effective only after the execution of a contract signed by all parties and E-Rate funding is secured from the School and Libraries Division of the Universal Service Fund.

SPECIFICATIONS

These specifications are intended to cover the furnishing of all materials and the performance of all work that may be required or necessary for the complete performance of the contract, and the bidder will be required to do all things that may be necessary to fully complete the work within the purview of these specifications.

Equipment and/or material to be furnished shall meet with the approval of the IT Manager or designated representative.

All equipment and/or material shall conform to the requirements of these specifications, and any equipment and/or material condemned by the IT Manager as not meeting these specifications shall at once be removed and replaced with acceptable equipment.

ADDITIONS OR DEDUCTIONS

Library system shall have the right, without invalidating the contract, to make additions to or make deductions from the work covered by these specifications, and in case such deductions or additions are made, an equitable adjustment of the addition to or deduction in cost shall be made between **Library system** and the bidder, as shown in a written amendment to the contract.

PROTECTION BY BIDDER

The bidder agrees to indemnify and hold harmless **Library system** and their representatives from all suits or actions of every nature and description brought against them or any of them, on account of the use of patented or copyrighted appliances,

materials, products or processes, and from all legal expenses and costs of suits regarding the same.

The bidder shall obey all Federal, State, County, and City laws or ordinances in any way pertaining to the work, and shall obtain all permits that may be necessary for its performance if required. (a) That in the hiring of employees for the performance of such contract, no bidder, sub-contractor, nor any person acting on behalf of such bidder or sub-contractor shall by reason of race, creed or color discriminate against any citizen of the United States who is qualified and able to perform the work to which the employment relates; (b) Nor shall they in any manner discriminate against or intimidate any employees hired for the performance of the work on account of race, creed or color. House Bill 87, Section 3, E-verify Form.

The bidder shall not assign, transfer, convey, sublet or otherwise dispose of the contract or any part thereof to anyone without the written consent of the **Library system**

RESERVATIONS

Library system reserves the right to reject any or all bids and also reserves the right to waive any informality in the bids received.

Any bidder who has demonstrated poor performance during either a current or previous agreement with **Library system** may be considered as an unqualified source and their bid may be rejected. **Library system** reserves the right to exercise this option as is deemed proper and/or necessary.

BID FORM

Attached to these specifications is the "Bid Form-Signature Page" which must be completely filled out and signed by each bidder and included in their RFP submission.

All bids must be sealed, marked, and delivered in accordance with instructions on pages 4 - 7 of this RFP. Bids will be opened and read by **Library system** administrative staff, IT Manager, and the Business Manager within 3 weeks of receipt of bids. Recommendations will be made and the Library Director will award the contract.

EXEMPTION FROM GEORGIA SALES TAXES

Library system is exempt from Georgia State Sales Tax. Net prices as shown in the proposal shall exclude said State tax amounts. Bidders shall inform all prospective subcontractors and suppliers from whom they expect to obtain services or supplies of the tax exempt status of the **Library system**. Following the contract award, an exemption certificate will be furnished by **Library system**.

FORM FOR PROPOSAL SUBMITTAL

STATEMENT OF VENDOR'S QUALIFICATION

To accompany proposals submitted for Internet Access for the **Library system**.

Name of Vendor's Firm: _____

Name of Company Representative: _____

Business Address: _____

Phone Number: _____

When / Where Organized? _____

Partnership _____ Corporation _____

Vendor must provide a Service Provider Information Number assigned by the Schools and Libraries Division (SLD):

SPIN Number: _____

How many years have you been engaged in this business under the present firm name?

Please attach to this statement at least three references, including: (name, address, title, phone number and brief description of work performed, including dates of work).

Date: _____

Firm Name: _____

By: _____

Title: _____

Date _____

TO: **Library system**

This bid is submitted in accordance with your RFP inviting bids to be received for the project identified as "Internet Access." Having carefully examined the RFP, all Instructions, Specifications, all addenda, and being familiar with the various conditions affecting the work, the undersigned, hereby agrees to furnish all material, perform all labor, and do all else necessary to complete the work in strict accordance with the specifications for price as contained herein.

In the event this bid is accepted the undersigned is hereby bound to commence and complete all of the work included under this contract in such time and such manner as designated for the various items he has contracted to supply or perform.

In submitting this bid, it is understood that the unrestricted right is reserved by the **Library system** in making the award to reject any and all bids or parts thereof, or to waive any informalities or technicalities in said bids.

The undersigned hereby certifies that this bid is genuine and made in the interest or in behalf of any person, firm or corporation not herein named; that the undersigned has not directly or indirectly induced or solicited any bidder to refrain from bidding, and that the undersigned has not, in any manner, sought by collusion to secure for himself an advantage over any other bidder.

TOTAL AMOUNT BID OPTION:

Evidence of a Performance Bond is required if your company is selected:

____ I will provide a Performance Bond from

Bonding Company _____

Name of Agent _____

Address _____

Bidder **MUST** provide Federal EIN _____

and E-Rate SPIN _____

(Print Name)

Bid must be signed for Consideration:

(Signature)