E-rate Category 2 Eligibility and Form 470/Bidding Guide - Non-Public Schools and Libraries

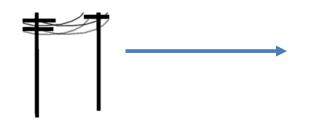
Funding Year 2024



Presented by Julie Tritt Schell
PA E-rate Coordinator
for the Pennsylvania Department of Education
October 2023

Categories of Service Recap

- Category 1 Services that go <u>TO</u> the school
 - Subcategories:
 - Data Transmission Services (fiber, coaxial cable, etc.)
 - Internet Access
 - Maximum discount is 90%
 - No E-rate funding caps





- Category 2 Services/equipment that go <u>INSIDE</u> the school
 - Subcategories:
 - Internal Connections
 - Basic Maintenance of Internal Connections
 - Managed Internal Broadband Services (MIBS)
 - Maximum discount is 85%
 - Subject to 5-year E-rate funding caps



Internal Connections

- Wireless Access Points/Controllers
- Network Routers & Switches
- In-Building Structured Cabling
- Caching Servers
 - Only eligible servers
- Firewalls (appliances only)
 - No ancillary modules/functions are eligible, like anti-spam, anti-virus, etc.
 - No 'redundant' or high availability firewalls
- Racks and UPSs
 - That support eligible equipment only
 - Network cards aren't eligible
- Equipment licenses
 - Multi-year licenses can be requested in first year
- Cloud-based functionality of this equipment

- Operating system software to support eligible equipment
- Installation and configuration
 - If wanted, be sure to specify this in your 470/RFP
- Taxes and fees
- Basic training on use of equipment



- Not eligible:
 - Storage Devices
 - Voice/Video Components
 - End User Devices

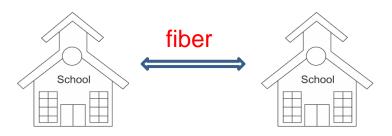
Internal Connections Purchase Timeline

- Equipment can be purchased <u>as early as</u> April 1, prior to funding year start
 - For example, applicants can purchase equipment on April 1, 2024 for FY 2024,
 even though funding year doesn't begin until July 1, 2024
 - However... vendors/applicants cannot be reimbursed from USAC until July 1
 - Applicants that purchase equipment prior to receiving funding commitment letter are risking paying full price
- Equipment can be purchased <u>as late as</u> September 30, following the end of funding year
- Allows applicants two full summers to install equipment

FY 2024 - Non-Recurring Services/Equipment Purchases - April 1, 2024 - Sept 30, 2025																	
FY 2024 - Recurring Services - July 1, 2024 - June 30, 2025																	
Apr	May	June	July	Aug	Sept	Oct	Νον	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
2024	2024	2024	2024	2024	2024	2024	2024	2024	2025	2025	2025	2025	2025	2025	2025	2025	2025

School-to-School Fiber Eligibility

- For schools that are in close proximity, applicants often want to use C2 funds to install fiber between them
- FCC has well intentioned, but restrictive, rules related to these connections, as follows:
 - 1 school but located in 2 buildings (rare)
 - Fiber between those buildings = Category 2
 - Does PDE recognize it as single school?
 - 2 schools but located in same building (rare)
 - Fiber between those schools = Category 2
 - 2 schools but located in different buildings (common)
 - Fiber between these buildings = Category 1
 - Considered "Self Provisioned Fiber" and must bid accordingly on Form 470
 - Cannot use C2 funding, unfortunately



Basic Maintenance (BMIC)

Eligible:

- Repair and upkeep of eligible hardware
- Wire and cable maintenance
- Configuration changes
- Basic technical support including online and telephone-based technical support
- Software upgrades and patches including bug fixes and security patches

Eligibility limitations:

- Contract must specifically identify the equipment being covered, including product name, model number and location.
- Support will only be paid for actual work performed under contract.
- Support for bug fixes, security patches, and technical support is 100% eligible

BMIC does not include:

- Services that maintain ineligible equipment
- Upfront estimates that cover the full cost of every piece of eligible equipment
- Services that enhance the utility of equipment beyond the transport of information or diagnostic services in excess of those necessary to maintain the equipment's ability to transport information
- Network management services, including 24-hour network monitoring
- On-site technical support (i.e., contractor duty station at the applicant site)
- Unbundled warranties

Basic Maintenance (BMIC) Recommendation

I do not recommend that applicants use their C2 budgets for BMIC. Why?

- Can only be for services/work performed from during 12 month funding year (7/1/2024 6/30/2025)
 - Does not follow the 4/1/2024 9/30/2025 schedule
 - Does <u>not</u> follow the first 12 months of ownership schedule
- Multi-year contracts must be amortized
 - Cannot apply for full cost of multi-year BMIC contract in Year 1
 - Must amortize and request discounts for each year, annually
- 3. Next day replacement contracts not eligible
 - Only basic tech support, configuration changes are 100% eligible
- 4. Conditionally eligible = repair of equipment, cable maintenance
 - E-rate will commit based on amount of contract
 - BUT.... will only reimburse for time/parts used
 - C2 budget takes "hit" based on full commitment, not funds "used"

Use your Category 2 budgets for equipment and installation ~

Managed Internal Broadband Services (MIBS)

Definition:

 Services provided by a 3rd party for the operation, management and monitoring of eligible internal connections (managed wi-fi)

Eligible:

 Management and operation of the LAN/WLAN, including installation, activation, and initial configuration of eligible components and on-site training on the use of eligible equipment

Eligibility limitations:

- Only eligible equipment may be managed
- Must have listed specific equipment to be maintained in RFP
- Has traditionally not been popular among applicants
- 2 Options:
 - Paying an outside vendor to own/maintain the equipment
 - Paying an outside vendor to maintain school-owned equipment
- Subject to the C2 budget caps

Equipment Transfer/Disposal Rules

- Transfers: As of July 1, 2021, E-rate funded equipment from any year may be transferred between eligible buildings
 - If equipment is transferred between buildings within 5 years from date of purchase, must record reason and date of transfer and update asset inventory
 - No notice to USAC is required
 - Asset inventory must be retained for 10 years from date of purchase
- Disposal: Equipment may be disposed of, sold, transferred, etc. from 5
 years from the date of installation
 - No notice to USAC required but asset inventory must be updated

NIFs Not Eligible for C2 Funding

- Non-instructional facilities (NIFs) are ineligible for C2 funding
 - Must deduct proportional share of NIFs use of any shared equipment
- Equipment may be housed at a NIF, however
 - For example, a Wireless Controller may be housed at data center
 - Wireless Access Points in NIFs may not be purchased with E-rate funds

After 5 years, transfer equipment to NIF



Category 2 Budget Calculations



Category 2, 5-Year Funding Caps

- Current C2 budget cycle Funding Years 2021 2025
 - All C2 budgets will reset in FY 2026 and no funding will be carried over
 - C2 budgets are pre-discount
 - Applicants' E-rate discounts then apply

C2 Budget Multipliers:

Single Schools:

\$167 x total enrollment OR \$25,000, whichever total budget is greater

School Districts:

\$167 x total district enrollment, OR

\$25,000 x total number of schools in the district

Whichever total budget is greater

Independent Libraries:

\$4.50 x total square footage OR \$25,000, whichever total budget is greater

Library Systems:

\$4.50 x total square feet of all library branches OR \$25,000, whichever total budget is greater

Category 2 Pre-Discount Budget Example

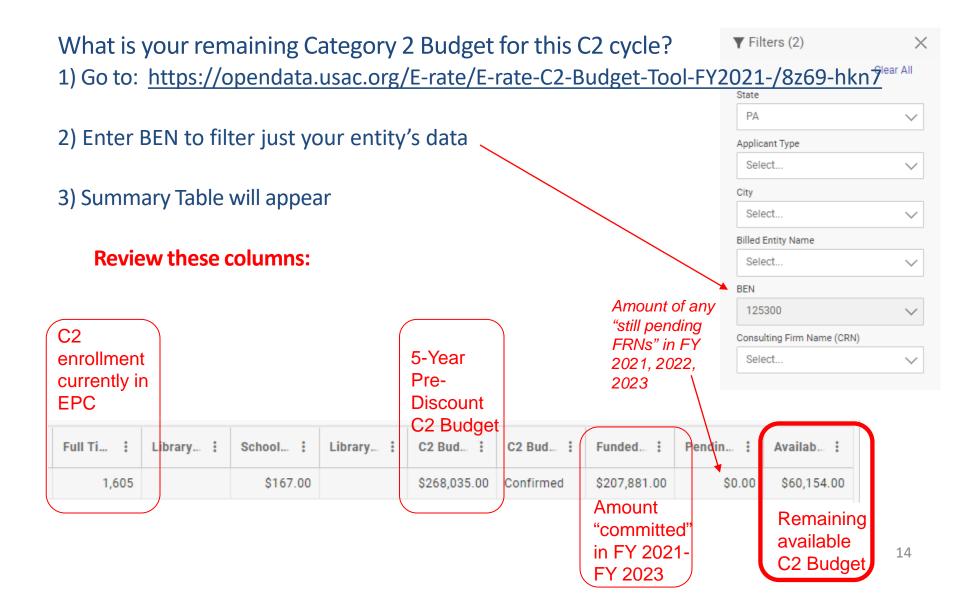
5-Year C2 Budget Cap*	E-rate Discount	E-rate Will Pay:	District's Share %	District Must Pay:		
\$204,475	60%	\$122,685	40%	\$81,790		

• Future funding years: To determine what "remains" in a C2 budget for future years in the C2 "cycle", take the 5-Year Budget Cap and subtract the pre-discount amounts of what has been "committed" in the previous year(s) of the C2 cycle

What is YOUR Remaining Category 2 Pre-Discount Budget for Current 2 Budget Cycle?

^{*} The C2 Budget Cap is the pre-discount price. E-rate discounts will then apply on top of the budget cap. In this example, district would still owe their 40% non-discounted share

Calculating Remaining C2 Budgets



Data Used for Category 2 Budgets

- Enrollment data entered in separate location in EPC (different from discount calculations)
- Why? Enrollments are set at first year you apply for C2 during that Category 2 Budget Cycle
- Not required to update annually
- CAN update if it will increase your C2 budget
 - Must then ask for C2 Budget Recalculation from USAC

Where to update C2 enrollment data?

>>> EPC Landing Page > District Name > Manage Organization > Scroll to bottom of page

Requesting More Funding Than Remains in C2 Budget

Don't Do It.

Ever.

Ever.

- What happens if you do?
 - Your E-rate application will go into manual processing and funding will be delayed
 - You will be required to identify exactly what FRN line items should be reduced or eliminated to come into budget – USAC will not do this for you



CATEGORY 2 BIDDING REQUIREMENTS FOR PA NON-PUBLIC SCHOOLS & LIBRARIES



C2 Bidding Requirements (applies to all applicants)

- ✓ Equipment list MUST allow for equivalent manufacturer's products to be bid.
 - "Cisco 48-port PoE Switch or equipment that is equivalent in functionality and quality"
 - May include a requirement that equivalent equipment must be fully interoperable and compatible with District's existing "XYZ" equipment
 - Be sure to list your existing equipment
- ✓ Binary bid disqualification reasons be stated in the State and Local Procurement Requirements of the Form 470 or in the RFP
 - DQ reasons must be yes/no (either they complied or they did not)
- ✓ Absent a bid due date, applicants are now required to consider all bids received up until the date you conduct your bid evaluation. Therefore, I suggest including the following language:

"Deadline for vendor proposals is [January 8, 2024] at 9:00 am Eastern. We reserve the right to reject late-submitted proposals. Proposals must be emailed to the Form 470 contact unless otherwise noted."

C2 Bidding Requirements (applies to all applicants)

- ✓ Companies deemed national security risks
 - FCC prohibits the use of Universal Service funding, including E-rate funds, to purchase equipment
 and services from companies deemed a national security risk. Be certain that you do not consider
 any proposals that include any of the companies listed here:
 https://www.fcc.gov/supplychain/coveredlist
- ✓ All RFP amendments/Q & A/additional information given to bidders besides what is in the original Form 470 or RFP must be uploaded into EPC with original Form 470
 - Includes relevant information given to vendors that would impact bid (FAQs)
 - Locate 470 in EPC > Related Actions > Add an RFP Document
 - Restart 28-day clock for service or entity changes
 - Restart 28-day clock if "cardinal change" made to RFP (adding equip/services, modifying project scope)
- ✓ Cannot contact vendors ahead of bidding to seek equipment list.
- ✓ All C2 services/equipment must have a signed contract before Form 471 is filed

Category 2 Form 470

- If you have additional information than what is listed in your RFP (in RFP or other document), that document must be uploaded when 470 is posted
- All addenda and additional information provided to vendors also must be uploaded into EPC at the time of issuance – Locate 470 in EPC > Related Actions > Add an RFP Document – Restart 28-day clock for service or entity changes

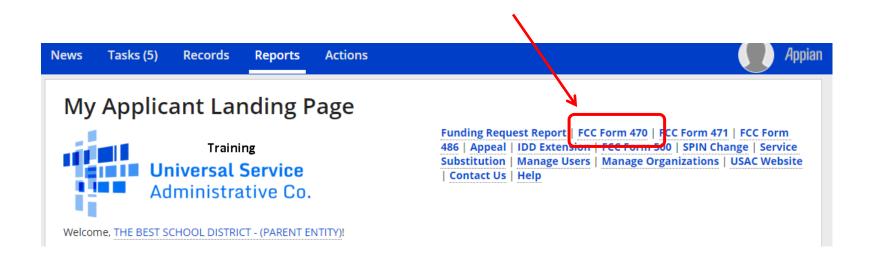
Best Practice Timeline: Post 470/File RFP by first week of December, conduct your bid evaluation in January and file the Form 471 in February or early March.

Helpful Guide: http://e-ratepa.org/wp-content/uploads/2014/03/8-5-RFP-Form-470-Narrative-Guide-FY-2023-PA-NEW.pdf

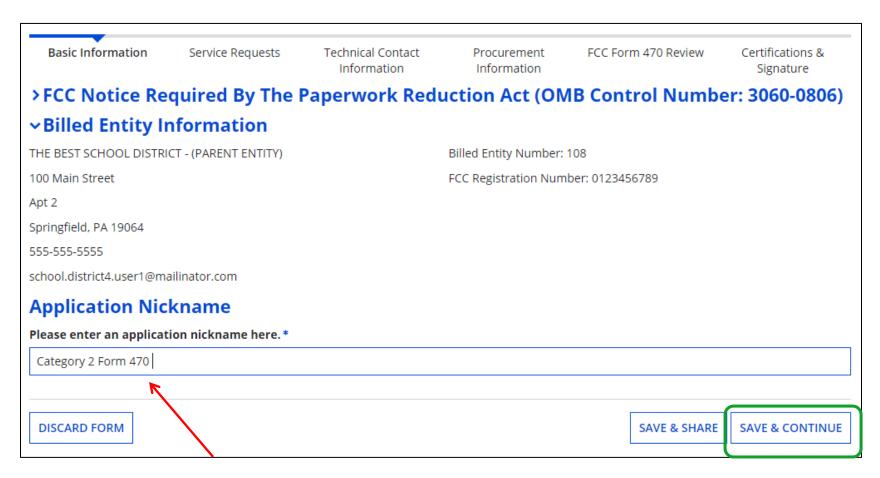
Hints When Constructing Form 470

- Always list bid due date/time
 - "Bids are due on X date/time to Y person. We reserve the right to accept late-submitted proposals."
- List all possible disqualification factors (Y/N format)
- List interoperability and compatibility requirements
 - "Must be interoperable with the school's existing XYZ equipment"
- Consider pre-bid walk through for cabling projects
- It's ok to forward your posted 470 to potential vendors to encourage bidding
- Although RFPs aren't required, even a 1-page document describing your project and disqualification criteria is a good idea
 - That way the system permits future amendments/documents to be uploaded with the existing 470

470 – File Inside Your EPC Portal

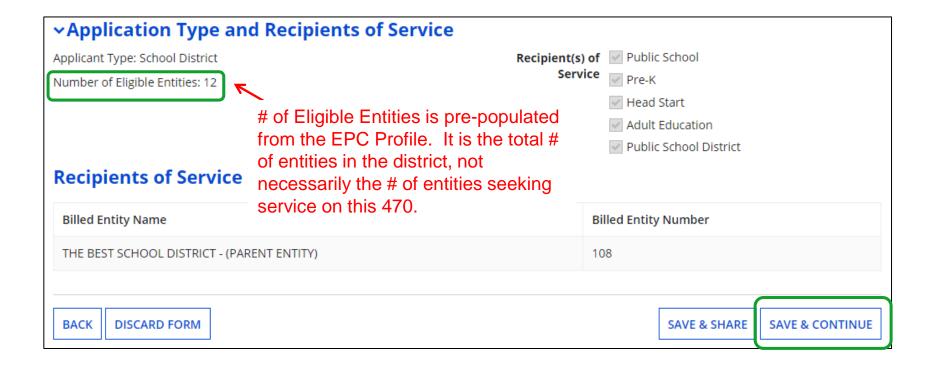


Give it a Nickname



Use a well-described nickname for easier identification in EPC.

Basic Information – Can't Change in Form



Who is the Main Contact?

Contact Information

Are you the main contact person? *



If you select 'No' then you must select another User in your EPC profile. The system will not let you type-in someone's contact information. To add a User, have the EPC Account Administrator go to > Related Actions > Add User

BACK DISCARD FORM

SAVE & SHARE SAVE & CONTINUE

Select Category(ies) of Service

Basic Information Service Requests Technical Contact Procurement FCC Form 470 Review Certifications & Information Information

Next, you will identify the category(s) of service requested.

Visit our website for more information on how to file the FCC Form 470.

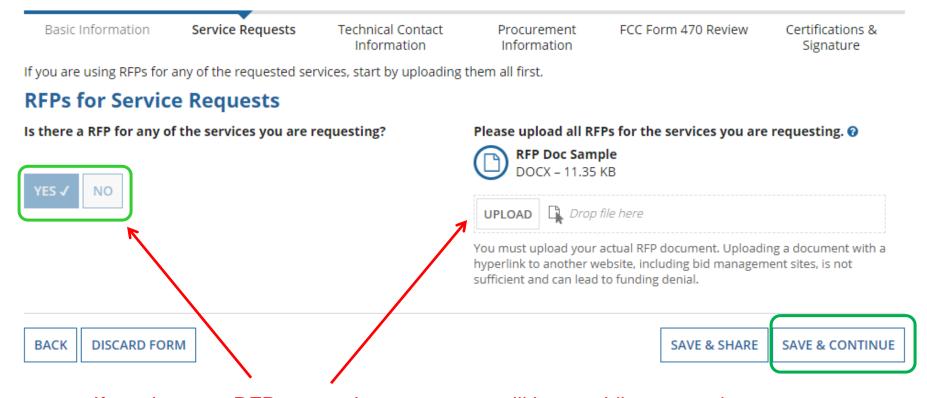
Category(s) of Service

What are the category(s) of service that you are requesting?*



You can include both C1 and C2 requests on the same Form 470, but it's not required.

Do You Have an RFP?



If you have an RFP or any documents you will be providing to vendors, you **must** upload them with the Form 470. The system will allow you to upload multiple documents and then you can decide which requests belong with which RFP documents.

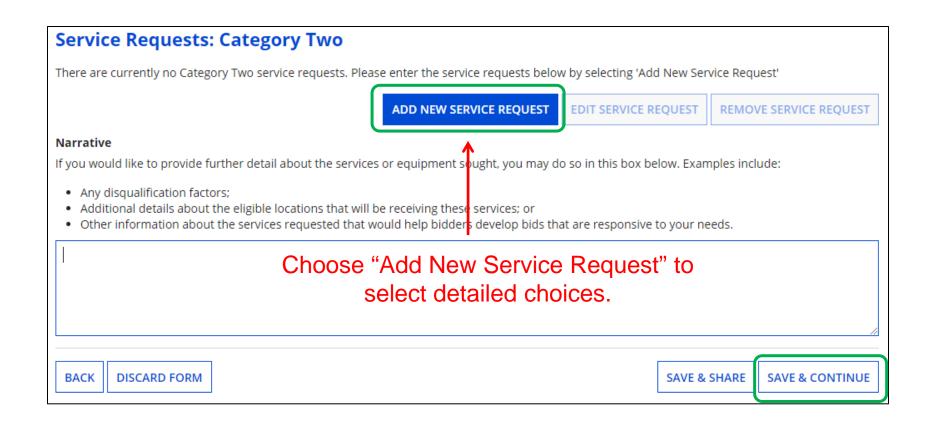
Building Category 2 Service Requests



Category 2 Form 470 for FY 2024

- Beginning in FY 2022, the FCC revamped the Form 470 to be descriptionbased
- Basic maintenance is now a check-off box on an internal connections request, but can also be a stand-alone request
- Using the following "Category 2 Cheat Sheet" to select the option that best reflects the service you're seeking
 - $-\,$ A green star indicates the most common choice \bigstar

Begin Building the Category 2 470



Form 470 Service Requests

Use for equipment/license **Add New Service Request** requests (most common) 🔭 I seek bids for the equipment needed for broadband connectivity within schools and libraries and/or the relate software and right-to-use licenses necessary for the equipment to function. I seek bids for basic maintenance service on eligible equipment and/or support services (e.g., bug fixes, software Use if bidding maintenance upgrades, and security patches) appropriate to maintain reliable operation. ONLY (uncommon) I seek bids for the operation, management, and monitoring of eligible broadband internal connections. Use if bidding managed Manufacturer Service Type internal broadband services Internal Connections No Preference (MIBS) (uncommon) Function • Are you also seeking Installation, Activation and Routers and Necessary Software and Licenses Initial Configuration for this service?* Yes Quantity* O No Unit If you want vendors to include Please select this option if you would like to create an pricing for support with their accompanying Category Two BMIC request for this IC request. quotes, check this box

Internal Connections Drop Down Menu Options

Add New Service Request

• I seek bids for the equipment needed for broadband connectivity within schools and libraries and/or the related software and right-to-use licenses necessary for the equipment to function.

Service Type

Internal Connections

Function *

Please select a value

Antennas, Connectors, and Related Components

Cabling

Caching and Necessary Software and Licenses

Firewall Service, Components, and Necessary Software and Licenses

Racks

Routers and Necessary Software and Licenses

Switches and Necessary Software and Licenses

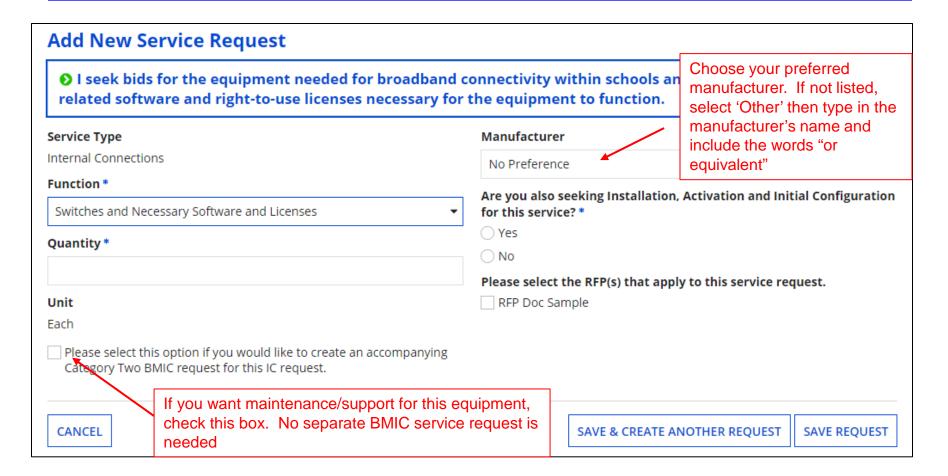
Uninterruptable Power Supply/Battery Backup and Necessary Software and Licenses

Wireless Access Points and Necessary Software and Licenses

Wireless Controllers and Necessary Software and Licenses

Select the equipment type you're seeking. If more than one, create a separate service request

Service Request Details



Provide additional details about your service/equipment requests in the narrative.

Narrative in Text Box for C2 Requests

 Use the narrative text box to describe the equipment you're seeking, or direct bidders to the attached RFP

Narrative If you would like to provide further detail about the services or equipment sought, you may do so in this box below. Examples include: • Any disqualification factors; • Additional details about the eligible locations that will be receiving these services; or • Other information about the services requested that would help bidders develop bids that are responsive to your needs. Seeking bids on 2 Ubiquiti XXX Model Switches, or equivalent. Must be compatible with District's existing YYY equipment/protocols. Bid requirements and disqualification reasons are contained in the RFP. Proposals due by XXXX date to the Form 470 contact. All questions must be submitted via e-mail. BACK DISCARD FORM SAVE & SHARE SAVE & CONTINUE

Want to Add Technical Contact?

Technical Contact Person

Is there a person who can provide additional technical details or answer specific questions from service providers about the services you are seeking?



How would you like to enter the technical contact details? *

SEARCH EPC SYSTEM

ENTER DETAILS MANUALLY

- You may add a technical contact that vendors can contact to ask additional questions about the procurement
 - Not a requirement to add a separate technical contact
- If you do, you may select a current EPC User OR you can manually enter the name/contact information of the contact

State or Local Procurement Rules?

State or Local Procurement Requirements

Are there state or local procurement/competitive bidding requirements that apply to the procurement of services sought?



If applicable, provide a description of state or local procurement rules and/or restrictions on how or when service providers may contact you or on other bidding procedures.

- Always select YES!
- Then use the narrative box to provide additional requirements/instructions to vendors or direct bidders to your RFP
- For example:
 - All bids must be submitted to X person by X date in X format
 - Vendor must provide discounted bills
 - Vendor must submit 3 references of district officials where identical services were provided within last 2 years
 - Vendors must attend pre-bid meeting on X date

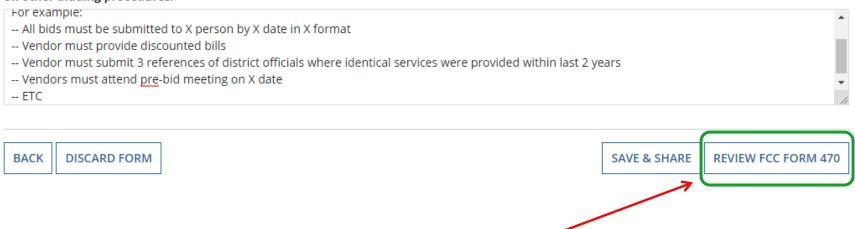
Generate PDF to Review

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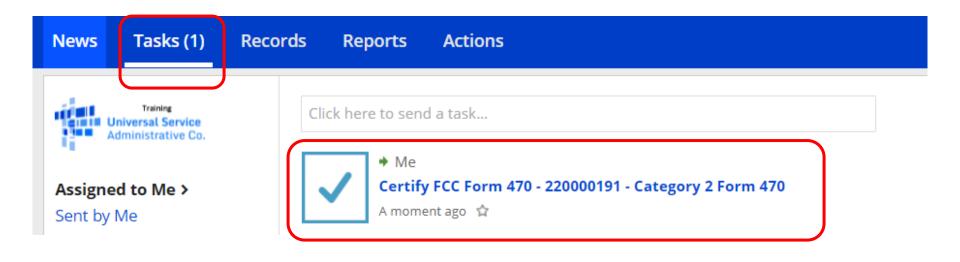


Click "Review FCC Form 470" to have the system generate a PDF copy of your draft Form 470 to review

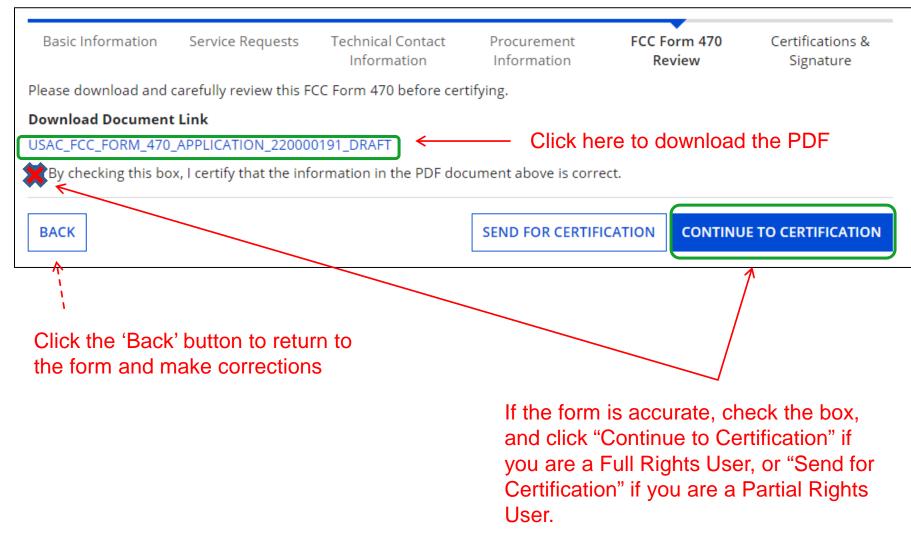
Generate PDF to Review

In about 15 seconds, the draft Form 470 PDF will be available as a "Task" in the top blue toolbar of your EPC Portal. Click on Tasks, then click on "Certify FCC Form 470 to review the draft or to certify the form.

(The system will also send you an e-mail giving you a direct link to the draft page.)



Review PDF and Make Changes



Required Certifications

Applicant Certifications

✓ I certify that the applicant includes schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.

Other Certifications

- ✓ I certify that this FCC Form 470 and any applicable RFP will be available for review by potential bidders for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.
- I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- ✓ I certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §\$ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.
- ✓ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.
- ✓ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.
- ✓ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

You must check all of the certification boxes before you can finish the certification and officially submit the form.

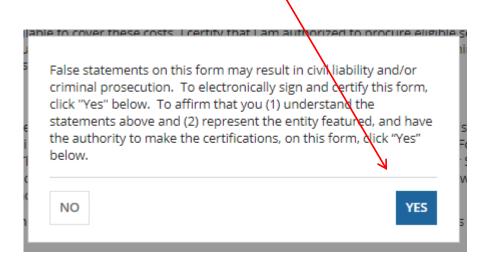
Required Certifications

Public reporting burden for this collection of information is estimated to average 3.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.



After all of the Certification boxes are checked, click the live Certify button!

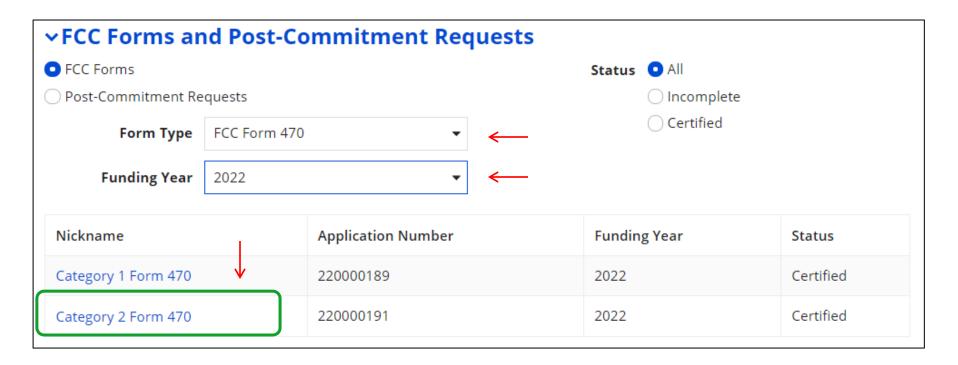
Then click "yes" in the final pop-up box:



Where to Find a Copy of Your 470

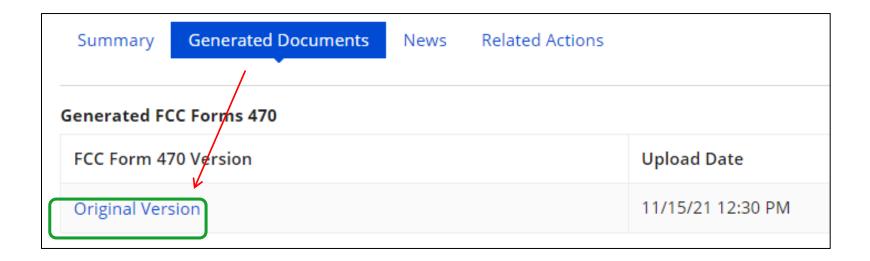
- On EPC Landing Page, scroll to the bottom
- Select Form 470
- Select appropriate Funding Year





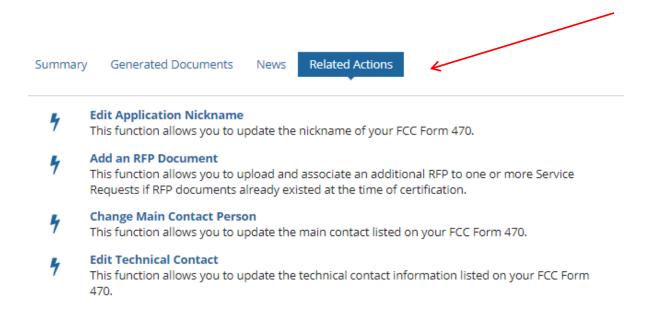
Where to Find a Copy of Your 470

- The next screen will be a Summary Page of the submitted Form 470, with a link to the RFP Documents
 - RFP documents must be downloaded separately
- To obtain PDF of submitted Form 470, select 'Generated Documents'
- Click on 'Original Version'



To Make Changes to Submitted 470

- Note: very few changes can be made to a Form 470 after it's submitted
- Additional changes can be made to an RFP document, but only if an RFP was uploaded with the original Form 470
 - "RFP document" refers to <u>any</u> bidding document that describes your project and requested services in more detail than in the fields provided on the Form 470
- To make changes, or upload an additional RFP document, click 'Related Actions'



Caution When Modifying RFP

- Applicants must wait at least 28 days from the date the Form
 470 is certified before closing the competitive bidding process
- Warning!

Changes to the Form 470 beyond the allowable changes require applicants to wait **an additional** 28 days from the date of the change before closing the competitive bidding process.

The EPC system will not automatically recalculate the new Allowable Contract Date; applicants must do this manually.

Next Steps – All C2 Procurements

- Vendors will submit proposals directly back to the contact indicated on the 470/RFP or PEPPM mini-bid
- After bid due date, ensure bids are compliant with minimum qualifications and then conduct bid evaluation
 - Be sure that price of eligible equipment and services is the most heavily weighted factor
 - If a bid is disqualified, note bid and reason for DQ
 - Reminder: All DQ factors must be listed in 470/RFP or PEPPM mini-bid
- Contact winning vendor to seek contract
- Seek board approval (if required)
- Sign contract
 - All C2 requests must have signed contracts
 - Contract can be as simple as a vendor quote that is signed by the school or library. Be sure to include:
 - Contract signing date (must be before 471 filing date)
 - Contract term: 4/1/2024 through 9/30/2025
 - Purchase is contingent upon E-rate funding and local funding approval
- Create Contract Record in EPC and upload contract
- Submit Form 471 by March 2024 deadline

C2 Purchasing Reminders

- ✓ Create and Maintain Asset Inventory
 - All audits require this to be submitted
 - Sample available

http://e-ratepa.org/wp-content/uploads/2014/03/Asset-Register-Sample.xlsx

- ✓ Only purchase exact equipment that was approved on 471
 - If equipment is different, seek a Service Substitution from USAC
- ✓ Keep everything
 - E-rate rules now require you to keep all documents related to procurement, purchasing, discount calculations, invoicing for 10 years from the last date to receive service or service delivery deadline, whichever is later
- ✓ After USAC has issued your C2 FCDL, refer to this C2 purchasing guide for next steps:

http://e-ratepa.org/wp-content/uploads/2014/03/Equipment-Purchasing-Guide-FY-2023.pdf



General Category 2 Bidding Timeline

- Post 470 before December 1
- ➤ Bids due 29 days after 470 is posted
- Evaluate bids early January
- Seek board approval at January or February meeting (if required)
- Sign contracts immediately following board meeting
- Create Contract Record in EPC
- Complete 471 by March 1, if possible. No later than March 10



Questions?

E-mail Julie at jtschell@comcast.net

