

E-rate RFP & Form 470 Narrative Guide

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www.e-ratepa.org

A Request for Proposal (RFP) is a bidding document that describes the project and requested services/equipment in sufficient detail so that potential bidders understand the scope, location, and any other requirements. USAC uses the term 'RFP' or 'RFP document' generically to refer to any bidding document that describes a project and requested services/equipment in more detail than in the fields provided on the Form 470. Applicants should consider *any* supplemental document, including Q & As, to be an RFP document, and therefore must follow the E-rate rules applicable to RFPs.

When are RFPs Required?

In general, RFPs are generally *recommended* for E-rate eligible services and equipment because there is typically too much information that vendors may need in order to prepare a responsive bid than can fit in the "narrative" box of the Form 470. Because E-rate rules require a fair and open competitive bidding process, the issuance of an RFP and establishment of a systematic way to field and respond to all vendor inquiries -- so that vendors have access to the same information -- can greatly assist applicants in documenting compliance with E-rate bidding rules.

E-rate rules *require* an applicant to release an RFP in these circumstances:

- 1) Category 1: Leased Dark Fiber or Self-Provisioned Fiber projects, Category 1 Network Equipment, and/or Operations & Maintenance Services for Leased Dark Fiber or Self-Provisioned Fiber Services.
- 2) Category 2: State or local bidding requirements require an RFP. In PA, an RFP is required for public school entities where the project cost will exceed \$21,300 (amount increases slightly each year). In addition, public schools are required to advertise such equipment procurements in two newspapers of general circulation, once a week, for three consecutive weeks. In addition, prevailing wage requirements will apply for structured cabling projects where the total cost is more than \$25,000. PA libraries and non-public schools are not subject to the same state law and therefore an RFP is not mandatory for Category 2.

If an RFP is issued, it must be uploaded at the time of the Form 470 filing. Further, all supplemental information provided to vendors or modifications to the information provided in the RFP must be uploaded as an RFP amendment to the original Form 470 filing, and the applicant's bid due date must be extended to allow for all bidders to have access to all RFP information for at least 28 days. To upload an RFP amendment: EPC Landing Page > Locate, select Form 470 using search feature bottom of page > Related Actions > Add an RFP Document > Upload document.

What Should be Included in the RFP?

The actual content of the RFP can be broken down into two sections – information provided to bidders and information requested from bidders. The more detailed the information you provide, the better the quality of proposals should be. This document contains suggested RFP outlines for both Category 1 and Category 2 requests.

What Should be Included in the Form 470 Narrative if No RFP is Issued?

Suggested wording for the Form 470 narrative section is below for applicants not issuing an RFP. Note: If you don't upload an RFP when the Form 470 is initially released, due to EPC system limitations, it is not possible to upload any additional documents such as Q & A, changes to scope of work, etc.

What Are the Biggest Mistakes Applicants Make in their RFPs or Form 470s?

Category 1: Applicants select the wrong category of service for Internet access, don't include the service addresses, don't bid a range of bandwidths, don't mention a preferred technology, or don't seek bids for the range of services as required by their specific fiber request (see page 3). Applicants also forget to upload the additional vendor RFP information/addendum to their original Form 470 and then restart their 28-day clock.

Category 2: Applicants forget to bid "equivalent" services, don't create a 'basic maintenance' service request in addition to the internal connections equipment request on the Form 470, or don't include a description of their existing equipment so vendors bidding equivalent product lines know whether their proposed equipment will be interoperable. Applicants also forget to upload the additional vendor RFP information/addendum to their original Form 470 and then restart their 28-day clock.

Category 1



Category 1 consists of Internet access and data transmission services, including Leased Lit, Leased Dark and Self-Provisioned Fiber services, and special construction build-out charges (see below for special bidding requirements for fiber services).

Category 1 RFP Outline

A. Information to Provide to Vendors

- 1) Project Summary
- 2) Proposal deadline (date and time)
- 3) Proposal submission requirements including where and in what format to submit bids
- 4) Vendor pre-bid meeting date/time (if any), and if it is a mandatory or optional meeting
- 5) E-mail address where vendor questions must be sent and deadline for questions
- 6) Detailed scope of services/project (see below for special fiber requirements)
- 7) Bandwidth increases
- 8) Whether partial bids for some but not all of the service locations will be accepted
- 9) Service addresses
- 10) Term of contract, including specific number of voluntary extension years
- 11) Technical service/network configuration requirements
- 12) Disqualification factors
- 13) Requirements for service turn-up date
- 14) Administrative and legal requirements (background checks, etc.)
- 15) Detailed list of information vendors must submit with proposals (see next section)
- 16) A specific response template, such as an excel worksheet, for vendors to use when submitting their proposal (see examples below). This will limit irrelevant information and reduce the likelihood of receiving “boilerplate” responses.

B. Information to Request from Vendors

- 17) Detailed service proposal
- 18) Cost by service address and any special construction fee, and itemized taxes/fees
- 19) Service delivery date commitment and when installation, if any, will begin
- 20) Network map/diagram
- 21) Service level agreements and penalties
- 22) Example of invoice and description of online customer service portal, if any
- 23) Company history and financial information
- 24) References of in-state clients of similar size/nature providing these services
- 25) Cost of specific mid-contract bandwidth increases
- 26) E-rate experience and expertise

- 27) Whether the vendor will provide discounted bills
- 28) Identification of all RFP sections that are objectionable and alternative provisions in place of any objectionable requirement

Fiber RFP Requirements:

- ✓ **Leased Dark Fiber RFP Requirements:** If you are seeking a Leased Dark Fiber network, E-rate requires you to also seek bids for Leased Lit Fiber in the same RFP and then compare all bids received. Applicants are not permitted to indicate a preference in their RFP. The modulating electronics/equipment necessary to make the Dark Fiber service functional and the ongoing operations/maintenance of the Dark Fiber service are eligible to be purchased with Category 1 funds and RFPs should seek quotes for these items, if needed. Typically, such RFPs will request proposals for a specific Leased Lit Fiber bandwidth, while Dark Fiber networks will seek pricing to lease a certain number of strands to each building (2 or 12 strands to each location, typically). Applicants also must seek pricing for an extended period of service for both services to be able to do an apples to apples comparison.
- ✓ **Self-Provisioned Fiber RFP Requirements:** If you are seeking to contract with a vendor to install fiber between buildings where you will then own that fiber, E-rate requires you to seek bids for “all 3rd party services” in the same RFP and then compare all bids received. The term ‘3rd party services’ basically means all other possible data transmission technologies. The modulating electronics/equipment necessary to make the self-provisioned fiber circuit(s) functional and the ongoing operations/maintenance of the fiber are eligible to be purchased with Category 1 funds and RFPs should seek quotes for these items, if needed.
- ✓ **Leased Lit Fiber Bidding Requirements:** E-rate rules do not require an RFP, nor the comparison with any other data transmission service, when seeking just Leased Lit Fiber services. However, an RFP is strongly recommended due to the amount of information that vendors will need in order to submit a responsive proposal.

Reminder: If a vendor submits questions about the RFP and your answer provides additional information not found in the RFP, that information must be publicly posted in EPC as an addendum to your RFP. This addendum also restarts the 28-day ‘clock.’ Failure to post questions and answers that contain new information or failure to wait 28 days after posting of the questions and answers to evaluate bids is a violation of E-rate’s fair and competitive bidding rules which can result in the denial of a funding request.

C. Sample Vendor Response Templates for Category 1

Leased Lit Fiber

| APPENDIX A | | To be completed by bidder: | | | |
|--|------------|--|-----------------------|--|--|
| DESCRIPTION OF SERVICE - Leased Lit Fiber to each building as identified in RFP. Bandwidth: | # CIRCUITS | UNIT MONTHLY RECURRING COST/CIRCUIT Years 1 - 5 | MONTHLY TAXES/FEES | ONE-TIME NON- RECURRING COST/SPECIAL CONSTRUCTION COST | WILL SERVICE BE AVAILABLE ON JULY 1, 2021? Y/N |
| 1 Gbps | 6 | \$ | \$ | \$ | |
| 10 Gbps | 6 | \$ | \$ | \$ | |

Leased Lit Fiber & Leased Dark Fiber

| APPENDIX A | | To be completed by bidder: | | | | | | |
|--|------------|--|-----------------------|--|---|---|--|--|
| DESCRIPTION OF SERVICE - Leased Lit Fiber to each building as identified in RFP. Bandwidth: | # CIRCUITS | UNIT MONTHLY RECURRING COST/CIRCUIT Years 1 - 5 | MONTHLY TAXES/FEES | ONE-TIME NON- RECURRING COST/SPECIAL CONSTRUCTION COST | UNIT MONTHLY RECURRING COST/CIRCUIT Years 6 - 20 | WILL SERVICE BE AVAILABLE ON JULY 1, 2021? Y/N | | |
| 1 Gbps | 6 | \$ | \$ | \$ | \$ | | | |
| 10 Gbps | 6 | \$ | \$ | \$ | \$ | | | |

| To be completed by bidder: | | | | | | | | |
|--|----------------------------------|--|-----------------------|--|---|------------------------------------|---|--|
| DESCRIPTION OF SERVICE | # STRANDS TO EACH BUILDING | UNIT MONTHLY RECURRING COST/BUILDING | MONTHLY TAXES/FEES | ONE-TIME NON- RECURRING COST/SPECIAL CONSTRUCTION COST | UNIT MONTHLY RECURRING COST/CIRCUIT Years 6 - 20 | COST OF C1 NETWORK EQUIPMENT | COST OF MAINTENANCE /OPERATION OF DARK FIBER | WILL SERVICE BE AVAILABLE ON JULY 1, 2021? Y/N |
| Leased Dark Fiber to each building as identified in RFP | 2 | \$ | \$ | \$ | \$ | \$ | \$ | |

Internet Access

| APPENDIX A | To be completed by bidder: | | | | |
|--|----------------------------|----------------------------|----------------------------|--|---|
| DESCRIPTION OF SERVICE - Internet Access delivered via fiber to district head-end as identified in RFP. Bandwidth: | MRC for 2 Year Contract | MRC for 3 Year Contract | MRC for 5 Year Contract | ONE-TIME NON- RECURRING COST/SPECIAL CONSTRUCTION COST | WILL SERVICE BE AVAILABLE ON JULY 1, 2021? Y/N |
| 1 Gbps | \$ | \$ | \$ | \$ | |
| 2 Gbps | \$ | \$ | \$ | \$ | |
| 3 Gbps | \$ | \$ | \$ | \$ | |

No RFP? Sample Category 1 Form 470 Narrative Language

It is strongly recommended that you include the following basic information in your Form 470 narrative text box if you choose not to issue an RFP (maximum of 5000 characters):

- Description of service, minimum and maximum bandwidth speeds, and number of lines.
- Minimum length of term, and any voluntary extension options
- Request for specific expanded or increased bandwidth prices during the life of the contract
- Building name and addresses where service is needed. Include the network hub building if the service needs to go back to the hub site.
- Any minimum bid (disqualification) factors that must be met in order for the vendor's bid to be qualified for review and scoring. These factors must be answerable as yes/no and cannot be subjective.

A. Internet Access w/Fiber Transport

New FY 2022 Form 470 Required Selections:

Level A: I seek bids for internet access and/or data transmission service (1st bullet)

> **Level B:** I seek bids for internet access and data transmission service... (1st bullet)

> **Level C:** I seek bids for internet access and data transmission service... (1st bullet)

Form 470 Narrative: We are requesting symmetrical Internet access delivered over leased lit fiber. Service should be terminated at [name and address of district hub]. Pricing should be included for [xxx bandwidth increments]. We are seeking [2, 3, or 5] year contract options, with [2] one-year renewal options. Contracts must allow for upgrades to quoted bandwidth throughout the terms of the contract without additional bidding. Proposals must include description of service outage reports and method for customer to report service outages, in addition to what technical support is included without additional service fees, and a proposed service level agreement.

All costs must be included and proposals that say "additional charges may apply" will be disqualified. All special construction charges must be outlined in the bid response. The non-discounted portion of any special construction charges will be required to be amortized over four years. Proposals must disclose whether any services/circuits are being leased from a 3rd party and if so, name that 3rd party. Additional reasons that a proposal may be disqualified are [list disqualification reasons here].

Proposals due by [date/time – be sure it is at least 29 days after 470 posting date] to [e-mail address]. All questions must be submitted via e-mail to [e-mail address].

B. Internet Access w/Cable Transport (if doesn't qualify for CABIO bidding exemption*)

New FY 2022 Form 470 Required Selections:

Level A: I seek bids for internet access and/or data transmission service (1st bullet)

> Level B: I seek bids for internet access and data transmission service... (1st bullet)

> Level C: I seek bids for internet access and data transmission service... (1st bullet)

Form 470 Narrative: We are requesting bundled Internet access delivered over coaxial cable or equivalent transport. Service should be terminated at [name and address of district hub]. Pricing should be included for [xxx bandwidth increments]. We are seeking contract and MTM pricing proposals.

All costs must be included and proposals that say “additional charges may apply” will be disqualified. All special construction, installation or “turn-on” charges must be outlined in the bid response. The non-discounted portion of any special construction charges will be required to be amortized over four years. Additional reasons that a proposal may be disqualified are [list disqualification reasons here].

Proposals due by [date/time – be sure it is at least 29 days after 470 posting date] to [e-mail address]. All questions must be submitted via e-mail to [e-mail address].

* CABIO Bidding Exemption

Schools and libraries are exempted from the E-rate competitive bidding process if they purchase a commercially-available Internet package that meets the following conditions:

- Package costs less than \$300 per month, per building (pre-discount)
- Minimum speed must be 100 mbps downstream and 10 mbps upstream
- Cost must be based per building and cannot be averaged across multiple buildings
- “Commercially available” typically means you can look on a vendor’s website and see the bundled Internet package that is generally available to the public
- If CABIO applies, applicants can proceed directly to the Form 471 filing if filing for MTM services, or to the Contract Record creation if signing a multi-year contract (then to the Form 471).

C. Leased Lit Fiber Circuits (WAN) – No Internet

New FY 2022 Form 470 Required Selections:

Level A: I seek bids for internet access and/or data transmission service (1st bullet)

> Level B: I seek bids to purchase data transmission service only... (3rd bullet)

> Level C: I seek bids for data transmission service without internet access... (1st bullet)

Form 470 Narrative: We are requesting Leased Lit Fiber transport from the district hub location to each of the following locations for the purposes of a wide area network:

District hub site: [name of location, address]

[name of school #1, address]

[name of school #2, address]

[name of school #3, address]

[name of school #4, address]

[name of school #5, address]

Pricing should be included for [1 Gbps, 10 Gbps or both]. We are seeking [3, 5, 10] year contract options with [2, one-year renewal options]. Contracts must allow for upgrades to quoted bandwidth throughout the terms of the contract without additional bidding.

Proposals must include description of service outage reports and method for customer to report service outages, in addition to what technical support is included without additional service fees, and a proposed service level agreement.

All costs must be included and proposals that say “additional charges may apply” will be disqualified. Proposals must provide service to all buildings listed above. All special construction charges must be outlined in the bid response. The non-discounted portion of any special construction charges will be required to be amortized over four years. Proposals must disclose whether any services/circuits are being leased from a 3rd party and if so, name that 3rd party. Vendors must provide references from at least 3 PA school clients of the same approximate size. All taxes, fees, surcharges must be itemized separately and disclosed in the vendor proposal. Additional reasons that a proposal may be disqualified are [list disqualification reasons here].

Proposals due by [date/time – be sure it is at least 29 days after 470 posting date] to [e-mail address]. All questions must be submitted via e-mail to [e-mail address].

Category 2



Category 2 consists of three subcategories -- internal connections, basic maintenance of internal connections, and managed internal broadband services. The most widely used subcategory is internal connections which consists of switches, routers, wireless access points and controllers, cabling, firewall appliances, caching servers, UPSs, racks, including related installation/configuration, licenses and cloud-based functionality.

CATEGORY 2 RFP Outline

A. Information to Provide to Vendors

- 1) Project Summary
- 2) Proposal submission guidelines including deadline for vendor questions
- 3) Vendor pre-bid meeting date/time (if any), and if it is a mandatory or optional meeting
- 4) E-mail address where vendor questions must be sent
- 5) Detailed scope of services/project
- 6) Whether installation and/or configuration is required
- 7) Whether partial bids for some but not all of the equipment/services will be accepted
- 8) Statement that district retains the option to increase or decrease quantities based on current budget conditions
- 9) Floorplans of each building with data closets labeled (for C2 that involves structured cabling, installation services, or managed internal broadband services)
- 10) Disqualification factors
- 11) Compatibility/interoperability requirements with school's existing network equipment *
- 12) Requirements for installation timeline
- 13) Administrative and Legal Requirements (prevailing wage **, background checks, etc.)
- 14) Detailed list of information vendors must submit with proposals (see next section)
- 15) A specific response template for vendors to use when submitting their proposal (see example below). This will limit irrelevant information and reduce the likelihood of receiving "boilerplate" responses.

*** Important:** Applicants may indicate a preferred manufacturer but must also use the phrase "or equivalent" and then evaluate all bids that meet the minimum bid requirements outlined in the RFP. Applicants are permitted – and encouraged - to include the requirement that the proposals must be compatible with a specific manufacturer's equipment or service that is installed in your network, and then include a list of the existing equipment. Also, applicants may require that proposals for "equivalent bids" are required to provide in their bid response documentation to substantiate that the equipment does have comparable specifications and is compatible with existing network equipment.

**** Prevailing Wage Act:** PA public school entities are required to comply with the Prevailing Wage Act for structured cabling projects where the total cost is more than \$25,000. If your RFP includes structured cabling, first obtain a Prevailing Wage Determination from the PA Department of Labor and Industry (<https://www.dli.pa.gov/Individuals/Labor-Management-Relations/lrc/prevailing-wage/Pages/Prevailing-Wage-App.aspx>). The agency will e-mail the PW Determination that must then be attached to your structured cabling RFP/procurement.

B. Information to Request from Vendors

- 16) Detailed service proposal if installation and/or configuration are required, and for all cabling projects
- 17) Unit cost of equipment or network drop
- 18) Ongoing licensing and maintenance costs
- 19) Percentage of E-rate eligibility (firewalls, licenses, and maintenance)
- 20) Service delivery date commitment and when installation, if any, will begin
- 21) Network map/diagram (for structured cabling, equipment installation)
- 22) Example of invoice and description of online portal if any
- 23) Company history and financial information
- 24) References of in-state clients of similar size/nature providing these services
- 25) Documentation to substantiate any “equivalent bid” is comparable to preferred make/model and is compatible with the district’s existing network equipment
- 26) Whether the vendor will offer discounted bills

Reminder: If a vendor submits any questions about the RFP and you answer them, all questions and answers must be publicly posted as an addendum to your RFP. This addendum also restarts the 28-day Form 470 clock. Failure to post questions and answers publicly or failure to wait 28 days after posting is a violation of fair and competitive bidding. This can result in the denial of a funding request.

C. Sample Vendor Response Template – Internal Connections

| APPENDIX A | | | To be completed by bidder: | | | Only required for vendors bidding product line different than preferred manufacturer | | |
|---|----------------------|--------------------|----------------------------|--|-------------------|--|------------------|---|
| Preferred Manufacturer Name or Equivalent | Model Number (SKU) | Estimated Quantity | Price/Unit | Extended Price (quantity * unit price) | % E-rate Eligible | Equivalent Make | Equivalent Model | Has the equivalent equipment met the compatibility requirements listed below, if any, and have you attached the required proof of quality and functionality equivalency? Yes/No |
| Cisco or equivalent | C9115AXI-B-EDU | 211 | \$ | \$ | % | | | |
| Cisco or equivalent | AIR-AP-BRACKET-1 | 211 | \$ | \$ | % | | | |
| | Installation per WAP | 211 | \$ | \$ | % | | | |
| TOTAL BID | | | | | \$0.00 | | | |

If vendors are bidding an "equivalent" product line that is different than what is listed in Column A, the products must be equivalent in quality and functionality, and must be fully interoperable and compatible with the District's existing equipment/systems which are as follows: District's existing EIGRP protocol and cisco wireless and switching equipment infrastructure.

No RFP? Sample Category 2 Form 470 Narrative Language

A. Category 2 Internal Connections (PA nonpublic schools and libraries only)

Form 470 Narrative: We are requesting vendor proposals for the following equipment [list equipment description, model numbers, and quantities, if known. If not known, describe what functionality you need such as wireless internal network for 12 classrooms.] District is [or is not] seeking installation of equipment. Equipment will be located in the following buildings [list name of buildings and addresses]. District retains the option to increase or decrease quantities based on current budget conditions.

Our preferred manufacturer is [manufacturer name] or equivalent. Equivalent proposals must be comparable in quality and functionality and must be fully interoperable with our existing [name of school/library's existing equipment]. Bids for an alternative manufacturer must also explain, in detail, that the equipment included in the proposal is equivalent to the preferred manufacturer equipment. The bid specification sheets for the alternative manufacturer equipment must be included in the bid. Alternative manufacturer equipment proposals that do not include this information will be rejected due to failure to comply with the minimum bid requirements.

Bids must include all charges, including equipment costs itemized by component, shipping and any surcharges. Labor/installation, if requested as part of the service request, shall be itemized separately.

Vendor must indicate whether licenses and or operating system software of internal connections equipment are classified as maintenance or internal connections.

Additional reasons that a proposal may be disqualified are [list disqualification reasons here].

Proposals due by [date/time – be sure it is at least 29 days after 470 posting date] to [e-mail address]. All questions must be submitted via e-mail to [e-mail address].