



Brownsville Independent School District

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E-Rate Procurement Procedure

2019-2020

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E-Rate Program Controls

1. Statement of Purpose and Authority

These practices, procedures, and requirements shall govern the Brownsville ISD E-Rate Program.

2. Internet Safety and Protection

The Children's Internet Protection Act (CIPA) requires recipients of federal technology funds for Internet access and/or internal connections to comply with certain Internet filtering and policy requirements. A separate, but related provision of Protecting Children in the 21st Century Act requires the policy to include measures for educating minors about appropriate online behavior.

- The Technology Department is responsible for Internet filtering and utilizes this filtering to block access to visual depictions that might be deemed obscene, child pornography, or harmful to minors.

3. Request for Proposal (RFP)

E-Rate eligible goods and services shall be purchased by Procurement Services using the District's RFP to solicit competitive proposals from the supplier community. Procurement Services and associated departments shall collaborate to compile the scope of each RFP related to the E-Rate Program. Vendors are specifically not allowed to participate in this phase of the E-Rate Program.

The RFP's shall correspond with the District's filing of its FCC Form 470 and must be open for at least 28 days in accordance with USAC rules. (1). The solicitation shall be advertised publicly in accordance with Texas Education Code (TEC) 44.031(g). Any and all prospective suppliers must be allowed to submit proposals; service providers that do not yet have a Service Provider Identification number (SPIN) can still submit bids and be chosen to provide services. However, USAC will not be able to complete the review of a request or make a funding commitment without a SPIN. Therefore, suppliers must be registered with USAC and have obtained a SPIN number.

FCC Form 470 shall describe specific services or functions for support, identify the correct category of services, identify recipients of services, and follow all applicable state and local procurement laws.

The E-Rate RFPs must contain specific language which clearly spells out the responsibilities and requirements incumbent upon an E-Rate Vendor/Service Supplier. An E-Rate Vendor/Service Supplier must be willing to comply with the following: a certification statement that they understand USAC rules and regulations, SPIN registration, Service Provider Annual Certification registration, E-Rate invoicing procedures pertaining to FCC Forms 472 and 474, conflict of interest requirements and other matters pertaining to the Compliance Agreement.

In compliance with E-Rate Program Rules and District Policy, during the period of time the RFP process is open, communications regarding the open RFPs between District personnel, including Board members, and the supplier community is limited to the designated Procurement Representative. Such communications must assure open and fair competition with full disclosure to all RFP participants. The designated representative must be named in the RFP and shall function as the point of contact with the supplier community to handle all communications from vendors or other persons interested in the RFP during the course of the proposal and selection process. Said employee must document all such communications, whether telephonic, e-mail, or otherwise.

Further, the E-Rate RFPs must specify a due date, time, and place for the receipt of proposals. All bids received must be sealed.

In accordance with Procurement Services standard practice and TEC 44.031(g), proposal openings must occur after the (minimum) 28-day waiting period and are open to the public.

4. Evaluation of Proposals

When bids are opened, the proposing company names must be documented on the Procurement Services approved form designated for this purpose.

The committee of representative stakeholders must evaluate the proposals. The committee must include knowledgeable personnel as designated by Procurement Department. The committee must be chaired and facilitated by a Procurement Department representative, who shall be responsible for all communications to and from the supplier community during the evaluation period and all documentation covering the proposal tabulation process. The evaluation committee shall score each of the proposals that are submitted using a comparative, numerical system designed to promote open and fair competition. In accordance with USAC rules, price must be considered the most heavily weighted criterion in the evaluation, but other aspects of a supplier's effectiveness, such as quality of products and services, are also evaluated. A weighted system is used to gage the respective value of the various criteria. The weights may differ slightly from project to project but price will always carry the heaviest weight.

A formal audit trail containing signatures of each evaluation committee member, dates of meetings and those in attendance, tabulation summaries of all bids (both winning and

losing bids), and conclusions reached shall be maintained by a Procurement Department representative and the E-Rate Department in accordance with retention requirements.

Following that approval process, the recommendations will be prepared for the Brownsville ISD School Board and presented to the Board for a vote.

5. Contracting Goods and Services

Following Brownsville ISD School Board approval, contracts are drafted and executed with the Board-awarded suppliers. The E-Rate Compliance Officer shall coordinate with the Legal Department to ensure the District's standard E-Rate contract form contains express language required by the Compliance Agreement for E-Rate matters.

The Procurement Services Executive Director, or designee, notifies the E-Rate Vendor/Service Provider that they have been awarded the winning bid. Approval signatures for the District's E-Rate are completed by the Procurement Department.

Following the execution of contracts, the E-Rate Director shall complete the FCC Form 471, naming the service providers who have been awarded contracts under this process. The E-Rate Director shall also be responsible for the preparation of supporting schedules to calculate the applicable discount level for each service requested using the percentage of students eligible for free and reduced lunches under the National School Lunch Program obtained from the District's Federal and State Compliance Department or through the Community Eligibility Provision (CEP). The E-Rate Compliance Officer will submit the Form 471. Filed copies of Form 471 shall contain the signature of all parties who contributed in preparing the document, supervisory review, quality assurance, compliance oversight, and formal approval parties. All supporting documentation shall be retained with formal audit trails in accordance with the required document retention set forth by USAC.

6. Document Retention

All applicants and service providers are required to retain receipt and delivery records relating to pre-bidding, bidding, contracts, application process, invoices, provision of services, and other matters relating to the administration of universal service for a period of at least 10 years after the latter of the last