LENNOX SCHOOL DISTRICT

10319 Firmona Avenue Lennox, CA 90304 – Telephone: 310-695-4000

Released:	**Wednesday November 4, 2020**
Questions due:	**Thursday, November 19, 2020 2PM PST**
Due date:	**Monday January 11, 2021 at 10AM PST**

RFP No. 20-21.01

TECHNICAL SPECIFICATIONS FOR HIGH SPEED WIDE AREA NETWORK AND INTERNET ACCESS SERVICE DATA INFRASTRUCTURE PROJECT

INTRODUCTION

The Lennox School District is requesting proposals for services to provide a high-speed Wide Area Network (WAN) and Internet Service Provider (ISP) Lennox School District is looking for a managed fiber optic network service that connects all school sites within the district back to the Lennox School District office. This service will use fiber optic cables and provide bandwidth of 10Gbps to each school site and a minimum of 10 Gbps ISP connection to the Lennox District Office. The service provider will hand-off a 10G circuit and supply the district with optic modules that will connect directly into the district-provided Cisco Catalyst switch.

District intends to award two separate contracts for the ISP and WAN but may award to a single vendor. Bidders should indicate which section they are bidding on, ISP, WAN or both.

This RFP is available from Lennox School District's website located at: http://www.lennox.k12.ca.us/ as well as the EPC portal for E-rate https://data.usac.org/publicreports/Forms/Form470Detail/Index

This project is entirely contingent upon available funding from the federal E-Rate program (Schools and Libraries Division) and the Lennox District and may or may not be undertaken at its sole discretion. In addition, Lennox School District will require that the awarded service provider ensure that all eligible components of service are filed with the California Public Utilities Commission (CPUC) and are eligible for the California Teleconnect Fund (CTF) discount.

This project encompasses the following:

1. The installation of secure and dedicated fiber optic connectivity between the Hub site: Lennox School District Office (10319 Firmona Avenue Lennox, CA 90304) and 7 school sites.

2. The fiber shall connect the district office with each of the Lennox School District school sites.

3. The district office shall have a minimum data connection to each of the 7 school sites of 10 Gigabits per second (10,000Mbps) and a maximum of 20 Gigabits per second (20,000Mbps). Please provide bids on the following speeds: 10 Gbps and 20 Gbps. This contract will be in 2 parts – a 6 month bridge contract from 1/1/2022 to 6/30/2022 and a 5 year contract from 7/1/2022 to 6/30/2027.

4. The ISP connection to the hub site will be a 10 Gbps circuit, with the option to add additional 10 Gbps immediately without the need for additional construction or additional circuits as District bandwidth needs increase over the term of the contract. This contract will be a 3 year contract starting 7/1/2021 through 6/30/2024 with the option of 2 voluntary extensions which will bring the full term to 6/30/2026.

5. The vendor is responsible to obtain all right of ways, permits, and construction necessary to complete this project.

6. During the term of this contract, any changes in the routing of the fiber cable due to city infrastructure changes and/or requirements (street widening, new underground cabling requirements, etc.) will be the responsibility of the vendor at no expense to the District.

7. In the event of loss of communication to any site, the repair shall start within 4 hours of the service call from the district. The maximum time of repair will be 24 hours.

SCOPE OF PROJECT

Please provide the installation (one time) and monthly (ongoing) cost bids for each site for this project as follows:

Ten Gigabit per second (10,000Mbps) expandable to 20 Gbps single mode connectivity from the Lennox School District office to the following sites:

Elementary Schools	Middle Schools	High Schools
Felton Elementary School 10417 Felton Avenue Lennox, CA 90304	**Lennox Middle School** 11033 Buford Avenue Lennox, CA 90304	**Lennox Math, Science and Technology Academy** 11036 Hawthorne Boulevard Inglewood, CA 90304
Dolores Huerta Elementary School 4125 W. 105th Street Lennox, CA 90304		
Moffett Elementary School 11050 Larch Avenue Lennox, CA 90304		
Buford Elementary School 4919 W. 109th Street Lennox, CA 90304		
Jefferson Elementary School 10322 Condon Avenue Lennox, CA 90304		

The Lennox School District office is to serve as the central point for the network.
Lennox School District 10319 Firmona Avenue , Lennox, CA 90304 (310) 695-4000

- Please include the one-time installation costs and ongoing monthly costs for all sites.
- The service provider will hand-off a 10 Gbps circuit with required optic modules compatible with district-provided Cisco Catalyst switch.
- An uptime guarantee of 99.99% shall be provided on a 24x7 basis average over each seven-day period.
- The circuits shall be capable of carrying time sensitive traffic like voice over IP, digital video, etc
- Mean time to repair for outages <4 hours
- All Lit Service circuits must support Quality of Service (QoS) and have the ability to apply rate limiting guarantees to specific packet types to ensure Quality of Service at each WAN link.

- The network must have the ability to support multiple QoS policies and prioritization queues across each link in the WAN to reduce latency and packet loss and guarantee throughput for data, voice, and video
- No right of provider to limit or throttle the capacity of the circuit at any time for any reason
- All vendor equipment installed shall be under repair maintenance at no cost to Lennox School District for the life of the contract agreement.
- The project will commence before July 1, 2021 for the ISP and 1/1/2022 for the WAN
- The vendor shall provide three references consisting of similar scope and work.
- The bid closing date/time will be Monday **January 11, 2021** at 10AM **Pacific Time.**

General Terms and Conditions

This bid is made without any previous understanding or agreement with any other person, firm or corporation making a bid for the same purpose, and is in all respect fair and without collusion or fraud.

1) The Applicant reserves the right to reject any or all quotation submittals and to waive any informalities or regularities. The Service Provider's quotation submission is recognition of this right.

Vendor Qualifications

1. In order to submit a proposal, the vendor
   a. Must have a minimum of three years of experience in the area of expertise of this RFP.
   b. Must have highly-qualified network engineers and technicians on staff, capable of diagnosing problems quickly and providing/recommending solutions.

2. Proposals submitted by the vendor must comply with the competitive bidding requirement of the SLD for Universal Service Fund services and support, along with state and local bid laws**.**

3. The vendor must provide information regarding availability of technical support (on- site)

4. Vendors must have a maximum travel time of 120 minutes to Lennox School District and must be available upon request.

5. The Service provider agrees to bill USAC using the Form 474 (SPI) form within 120 days of last date of service. Failure of the service provider to invoice USAC in a timely manner does not obligate the district to pay more than the applicant share.

Specific Bid Requirements

1. Vendor must clearly identify capabilities and associated charges for ISP and/or WAN for Lennox School District
2. Vendor must clearly identify all taxes and surcharges.
3. TRANSITION PLAN - As the cut-over date for any new carrier for the ISP service is required to be on July 1, 2021 and the WAN service on January 1, 2022, the DISTRICT requires a transition plan to be provided with

any proposal response from responsible suppliers that are not the current carrier or for any new services or locations NOT provided at the present time by the existing carrier. The plan is to include the resources to be dedicated to the transition, all costs associated with the transition, a timeline of actions with a completion target date for the supplier and for the DISTRICT transition team. The transition plan is to outline the expectations the supplier team would have of the DISTRICT and the information or task the DISTRICT is to provide the supplier and the date any information or task would be required.

4. Vendor must provide one primary contract number with which all bills may be associated.

5. Vendors must be able to provide at least three references from customers with environments similar to Lennox School District. Reference information must include company name/project, contact name, address and telephone number.

6. The vendor must provide a history of the company, strengths and stability, including years in business, licensing information, years in providing the type of proposed service, existing customer satisfaction, number of customers in California and areas covered in California.

7. Vendor must provide one primary contact number for all billing inquiries.

8. The response shall include the process for obtaining CTF discounts for the services proposed.

Selection Criteria

Lennox School District reserves the right to reject any or all proposals and select the bid that offers the best overall benefit to the school system.

E-rate Eligible Price	40%
E-rate Experience	15%
District Experience	15%
Transition Plan	15%
References	15%

Response Submission

All responses to this RFP should be submitted via email no later than Monday, January 11, 2021 at 10:00 AM Pacific Time and clearly marked "WAN RFP," in the subject line. Submit to Susana Garcia (erate@lennoxk12.org). It is the respondent's responsibility to verify the receipt of the proposal before the due date and time.

Submission of Questions

All inquiries must be submitted via e-mail to Susana Garcia (erate@lennoxk12.org) The last day for all inquiries is Thursday, November 19, 2020 **at 2:00:00 pm Pacific Time**. The District will not respond to phone inquiries. Answers to questions will be posted to: http://www.lennox.k12.ca.us/ by Friday, November 20, 2020, 5:00 pm.

Other

Oral or telephone bids will not be considered, nor will modifications of proposals by such communication be considered. The customer will not be liable for any cost incurred by the respondents in preparing responses to this RFP or negotiations associated with award of a contract.

Lennox School District is required to also post this RFP on the USAC EPC portal (http://www.usac.org/sl/tools/e-rate-productivity-center/default.aspx). The District website version is the controlling document. All other versions are copies.
Products and services must be delivered before billing can commence. At no time may the Service Provider invoice before July 1, 2021.

Goods and services provided shall be clearly designated as "E-rate Eligible". Non-eligible goods and services shall be clearly called out as 100% non-eligible or shall be "cost allocated" to show the percentage of eligible costs per SLD guidelines.

The E-rate program requires that all records be retained for at least ten (10) years from the last date of service provided on a particular funding request. Respondent hereby agrees to retain all books, records, and other documents relative to any Agreement resulting from this RFP for ten (10) years after final payment. The District, its authorized agents, and/or auditors reserves the right to perform or have performed an audit of the records of the Respondent and therefore shall have full access to and the right to examine any of said materials within a reasonable period of time during said period.

Request For Proposal – RFP 20-21.01

TO: LENNOX SCHOOL DISTRICT
10319 Firmona Avenue
Lennox, CA 90304
(310) 695 - 4000

Attention: Susana Garcia, Director of Technology

Date _____

Submitted By: _____
Service Provider Name

_____
Service Provider Address

_____
Telephone Email Address

Acknowledgment of Addenda. In submitting this Proposal, the undersigned Bidder acknowledges receipt of all Addenda issued by or on behalf of the District, as set forth below. The Bidder confirms that this Proposal incorporates and is inclusive of, all items or other matters contained in Addenda.

BIDDER ACKNOWLEDGES THE FOLLOWING ADDENDUM:

No.___, Dated _____ No.___, Dated _____
_____

No.___, Dated _____ No.___, Dated _____
_____

□ **Or** check here if **no** addenda were issued.

Additional Information:

Notices. All notices or other correspondence shall be addressed to the District and the Service Provider at their respective addresses set forth herein. Notices shall be effective only if in writing and in conformity with the requirements for service of notices set forth in the Contract Documents.

Confirmation of Figures. By submitting this Proposal, the Service Provider confirms that it has checked all of the above figures and understands that neither the District nor any of its agents, employees or representatives shall be responsible for any errors or omissions on the part of the

undersigned Service Provider in preparing and submitting this Proposal.

Acknowledgment and Confirmation. The undersigned Service Provider acknowledges its receipt, review and understanding of the Specifications and other Contract Documents pertaining to the proposed Work. The undersigned Service Provider certifies that the Contract Documents are, in its opinion, adequate, feasible and complete for providing and performing the Work in a sound and suitable manner for the use specified and intended by the Contract Documents. The undersigned Service Provider certifies that it has, or has available, all necessary equipment, personnel, materials, facilities and technical and financial ability to complete the Work for the amount bid herein within the Contract Time and in accordance with the Contract Documents. The undersigned Service Provider certifies that its bid amount includes funds sufficient to allow the Service Provider to comply with all applicable local, state and federal laws and regulations governing the labor and services to be provided for the performance of the Work of the Contract and shall indemnify, defend and hold District harmless from and against any and all claims, demands, losses, liabilities and damages arising out of or relating to Service Provider's failure to comply with applicable law in this regard.

BID PROPOSAL FORM

CATEGORY A: INTERNET ACCESS SERVICE

Having examined the proposal documents for the Internet Access Service for the LENNOX SCHOOL DISTRICT and having inspected the sites of/and the conditions affecting and governing the services of said services, the undersigned Service Provider hereby proposes to furnish all labor and materials, supervision, coordination, transportation, services and equipment required to provide the **Internet Access Service** for the sum of:

Base Proposal: Monthly cost for a three year plus 2 voluntary extensions year service agreement for Internet Access Services. The price below shall be the TOTAL DISTRICT COST.

Base Proposal Description Recurring Price	**Monthly Cost**	**Months**	**Annual Total**
Internet Circuit 10 Gbps	$	36 + 12 +12	$
Monthly Total	$		
GRAND TOTAL	$		

Additional 10 Gbps	**Monthly Cost**	**Months**	**Annual Total**
Internet Circuit 10 Gbps	$	36 + 12 +12	$
Monthly Total	$		
GRAND TOTAL	$		

CATEGORY B: WIDE AREA NETWORK (WAN) Service

Having examined the proposal documents for the Wide Area Network (WAN) for the LENNOX SCHOOL DISTRICT and having inspected the sites of/and the conditions affecting and governing the services of said services, the undersigned Service Provider hereby proposes to furnish all labor and materials, supervision, coordination, transportation, services and equipment required to provide the **Wide Area Network** for the sum of:

Base Proposal: Monthly cost for a three year plus 2 voluntary extensions year service agreement for Wide Area Network Services. The price below shall be the TOTAL DISTRICT COST.

Base Proposal Description Recurring Price	**Monthly Cost Per Site**	**# of sites**	**Monthly total**	**Term**
WAN – 10 Gbps	$			60 months

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

(Corporate Seal)

NOTE: *If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers or agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth above, together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his signature shall be placed above.* **All signatures must be made in permanent blue ink and scanned in color.**

All of the pages of the Proposal Form must be completed and submitted with your proposal.

NON-COLLUSION STATEMENT

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I,_____being first duly sworn, deposes and says that I
(Typed or Printed Name)
am the _____ of _____, the party
(Title) (Bidder Name)
submitting the foregoing Proposal (the "Bidder"). In connection with the foregoing Proposal, the undersigned declares, states and certifies that:

1.01 The Proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization or corporation.

1.02 The Proposal is genuine and not collusive or sham.

1.03 The Bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any other bidder or anyone else to put in sham bid, or to refrain from bidding.

1.04 The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price, or that of any other bidder, or to fix any overhead, profit or cost element of the bid price or that of any other bidder, or to secure any advantage against the public body awarding the contract or of anyone interested in the proposed contract.

1.05 All statements contained in the Bid Proposal and related documents are true.

1.06 The Bidder has not, directly or indirectly, submitted the bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any person, corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Executed this _____ day of _____, 20_____ at _____
(City, County and State)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

This form must be completed and submitted with your proposal

CERTIFICATE REGARDING WORKERS' COMPENSATION

Labor Code Section 3700:

Every employer except the State shall secure the payment of compensation in one or more of the following ways:

(a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this State.

(b) By securing from the Director of Industrial Relations a certificate of consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his employees.

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of this contract.

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

(In accordance with Article 5 {commencing at Section 1860}, Chapter 1, Part 7, Division 2 of the Labor Code, the above certificate must be signed and filed with the awarding body prior to performing any work under this contract.)

This form must be completed and submitted with your proposal

ACKNOWLEDGMENT OF BIDDING PRACTICES REGARDING INDEMNITY

TO: LENNOX SCHOOL DISTRICT

RE:

Please be advised that with respect to the above-referenced PROJECT the undersigned contracting party on behalf of itself and all subcontractors hereby waives the benefits and protection of Labor Code Section 3864, which provides:

> "If an action as provided in this chapter is prosecuted by the employee, the employer, or both jointly against the third person results in judgment against such third person, the employer shall have no liability to reimburse or hold such third person harmless on such judgment or settlement in the absence of a written agreement to do so executed prior to the injury."

This Agreement has been signed by an authorized representative of the contracting party and shall be binding upon its successors and assignees. The undersigned further agrees to promptly notify the DISTRICT of any changes of ownership of the contracting party or any subcontractor while this Agreement is in force.

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

This form must be completed and submitted with your proposal.

CERTIFICATE OF A DRUG-FREE WORKPLACE

Pursuant to the requirements mandated by California Government Code Section 8350 et seq, or the "Drug Free Workplace Act of 1990", this certification form is required of all successful bidders for contracts or grants awarded by a State Agency. By signing this certification, the Contracting firm agrees that a Drug-Free Workplace will be established by performing the actions described below:

1. Publishing a statement, notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or the organization's workplace. The statement must specify what actions will be taken against the employee for violations of the prohibition;

2. Establishment of a Drug-Free Awareness Program to inform employees of:

a) The dangers of drug abuse in the workplace;
b) The organization's policy of a Drug-Free Workplace;
c) The availability of drug abuse counseling, rehabilitation, and employee assistance programs; and
d) The penalties that may be imposed on employees for drug abuse violations

3. Requirement that each employee engaged in the performance of the contract of grant be given a copy of the statement outlined above in section 1, and that as a condition of employment on the contract or grant, the employee agrees to abide by the conditions of the aforesaid statement.

I, the undersigned, as an authorized representative agree that all the requirements of the "Drug-Free Workplace Act of 1990" will be adhered to and that a Drug-Free Workplace will be established. I also understand that if it is determined that I have made a false certification, or violated this certification by failing to meet any requirements of the Act, the contract established by RFP# 20-01 is subject to termination, suspension of payments, or both. Furthermore, I understand that a violation of the terms of the "Drug-Free Workplace Act of 1990" can result in disbarment in accordance to the provisions of California Government Code Section 8350 et. seq.

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

This form must be completed and submitted with your proposal

CERTIFICATION REGARDING ALCOHOL AND TOBACCO FREE CAMPUS

I, _____, an authorized officer agree to comply with the Alcohol and Tobacco Free Campus Policy as established by LENNOX SCHOOL DISTRICT. I certify that no employee of our firm, nor any subcontracting firm, will use alcohol or tobacco products at any time, on or within any District owned or leased buildings, property, or vehicles. Furthermore, I certify that signs stating "Alcohol and Tobacco Use is Prohibited" will be purchased and prominently displayed at all entrances to school property in accordance with the policy of LENNOX SCHOOL DISTRICT.

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

This form must be completed and submitted with your proposal

E-RATE CERTIFICATION – SUPPLEMENTAL TERMS AND CONDITIONS

The Telecommunications Act of 1996 established a fund by which Schools and Libraries across the Country could access discounts on eligible telecommunications products and services. The program is commonly known as the E-rate Program. The eligibility for discounts on internet access, telecommunications products and services, internal connection products, services and maintenance is determined by the Federal Communications Commission (FCC). Funding is made available upon application approval by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC), which was established by the Act. The amount of discount is based on the numbers of students receiving free and reduced price meals.

1) **E-RATE CONTINGENCY**

The project herein is contingent upon the approval of funding from the Universal Service Fund's Schools and Libraries Program, otherwise known as E-rate. Even after award of contract(s) and/or E-rate funding approval is obtained, the District may or may not proceed with the project, in whole or in part. Execution of the project, in whole or in part, is solely at the discretion of the District.

2) **SERVICE PROVIDER REQUIREMENTS**

The District expects Service Providers to make themselves thoroughly familiar with any rules or regulations regarding the E-rate program.
District is required to post both this RFP and Form 470 on the USAC EPC Portal site http://www.usac.org/sl/tools/e-rate-productivity-center/default.aspx. Questions and responses will be posted in all locations. In the event that there is a discrepancy between in documentation posted in multiple locations, the controlling (master) document will always be located on the District website.

a. Service Providers are required to be in full compliance with all current requirements and future requirements issued by the SLD throughout the contractual period of any contract entered into as a result of this RFP.

b. Service Providers are responsible for providing a valid SPIN (Service Provider Identification Number). More information about obtaining a SPIN may be found at this website: http://www.usac.org/sl/service-providers/step01/default.aspx

c. Service Providers are responsible for providing a valid Federal Communications Commission (FCC) Registration Number (FRN) at the time the bid is submitted. More information about obtaining an FRN may be found at this website: https://fjallfoss.fcc.gov/coresWeb/publicHome.do

d. Products and services must be delivered before billing can commence. At no time may the Service Provider invoice before July 1, 2021.

e. Prices must be held firm for the duration of the associated E-rate Funding Year(s) or until all work associated with the project is complete (including any contract and USAC approved extensions).

f. Goods and services provided shall be clearly designated as “E-rate Eligible”. Non-eligible goods and services shall be clearly called out as 100% non-eligible or shall be “cost allocated” to show the percentage of eligible costs per SLD guidelines.

g. In the event of questions during an E-rate pre-commitment review, post-commitment review and/or audit inquiry, the awarded Service Provider is expected to reply within 3 days to questions associated with its proposal.

h. The awarded Service Provider is required to send copies of all forms and invoices to the District prior to invoicing USAC for pre-approval. Failure to comply with this requirement may result in the District placing the vendor on an “Invoice Check” with the USAC http://www.usac.org/sl/applicants/step07/invoice-check.aspx

i. Services providers must comply with the FCC rules for Lowest Corresponding Price ("LCP"). Further details on LCP may be obtained at USAC's website: http://www.usac.org/sl/service-providers/step02/lowest-corresponding-price.aspx

3) SERVICE PROVIDER ACKNOWLEDGEMENTS

a. The Service Provider acknowledges that no change in the products and/or services specified in this document will be allowed without prior written approval from the district and a USAC service substitution approval with the exception of a Global Service Substitutions.

b. The Service Provider acknowledges that all pricing and technology infrastructure information in its bid shall be considered as public and non-confidential pursuant to §54.504 (2)(i)(ii).

c. The Service Provider acknowledges that its offer is considered to be the lowest corresponding price pursuant to § 54.511(b). Should it not be the lowest corresponding price, the service provider must disclose the conditions leading to the applicant being charged in excess of lowest corresponding price.

d. This offer is in full compliance with USAC’s Free Services Advisory http://www.usac.org/sl/applicants/step02/free-services-advisory.aspx. There are no free services offered that would predicate an artificial discount and preclude the applicant from paying its proportionate non-discounted share of costs. The service provider agrees to provide substantiating documentation to support this assertion should the applicant, USAC, or the FCC request it.

4) STARTING SERVICES/ADVANCE INSTALLATION – Category 1 Services

The annual E-rate Funding Year begins on July 1 and expires on June 30 of each calendar year. Regardless of the contract "effective date", E-rate eligible goods and/or services requested in this RFP shall be delivered no earlier than the start of the 2021 funding year (July 1, 2021). If Category 1 services (Telecommunication Services and Internet access) will begin on or shortly after July 1 of a funding year, the service provider, in some cases, may need to undertake some construction and installation work prior to the beginning of that funding year. Within the limitations indicated below, the infrastructure costs of a service provider can be deemed to be delivered at the same time that the associated Category 1 services begin. That is, if services begin on July 1, then the delivery of service provider infrastructure necessary for those services can be considered as also delivered on July 1. However, NO INVOICING can take place prior to July 1 of the associated Funding Year.

EARLY FUNDING CONDITIONS

Category 1
There are four conditions that must be met in order for USAC to provide support in a funding year for Category 1 infrastructure costs incurred prior to that funding year.

- *Initiation of installation cannot take place before selection of the service provider pursuant to a posted Form 470 and in any event no earlier than six months prior to July 1 of the funding year.*
- *The Category 1 service must depend on the installation of the infrastructure.*
- *The underlying Category 1 service cannot have a service start date prior to July 1 of the funding year.*
- *No invoices can be submitted to USAC for reimbursement prior to July 1 of the funding year.*

For more information, please refer to the FCC Order involving the Nassau County Board of Cooperative Educational Services (DA 02-3365, released December 6, 2002). This FCC decision only applies to Priority 1 services (telecommunications services and Internet access).

The complete text can be found at the following URL:
http://www.usac.org/sl/applicants/step05/installation.aspx

5) INVOICING

a. The Service Provider agrees to bill and receive a portion of the payment for the provisions of goods and services described herein directly from USAC via the Form 474 Service Provider Invoice (SPI). The District will only be responsible for paying its non-discounted share of costs and does not intend to use the BEAR process (Form 472). The maximum percentage the District will be liable for is the pre-discount amount minus the funded amount as shown on the FCC Form 471 Block 5 and any identified ineligible costs. Upon the successful receipt or posting of a Funding Commitment Decision Letter

from the SLD and submission, certification and USAC approval of Form 486, the District shall pay only the discounted amount beginning with the billing cycle immediately following said approval. Alternatively, should the District decide that it is in the best interest of the District to file a Form 472, the District will inform the Service Provider of its intent.

b. All Service Provider invoicing to USAC must be completed within 120 days from the last day of service. Should the Service Provider fail to invoice USAC in a timely manner, the District will only be responsible for paying its non-discounted share.

6) FCC/SLD AUDITABILITY

The E-rate program requires that all records be retained for at least ten (10) years from the last date of service provided on a particular funding request. Respondent hereby agrees to retain all books, records, and other documents relative to any Agreement resulting from this RFP for ten (10) years after final payment. The District, its authorized agents, and/or auditors reserves the right to perform or have performed an audit of the records of the Respondent and therefore shall have full access to and the right to examine any of said materials within a reasonable period of time during said period.

7) PROCUREMENT OF ADDITIONAL GOODS AND/OR SERVICES/COTERMINOUS EXPIRATION

During the term of any Agreement resulting from this RFP, the District may elect to procure additional or like goods and/or services offered by the Respondent. Such services shall be negotiated and obtained via an official amendment to this Agreement and approval by the District's Governing Board. All terms, conditions, warranties, obligations, maintenance and support of said goods or services shall have a coterminous expiration date with the original date of this Agreement. The District shall not enter into a separate Agreement for said goods or services. Respondents must state in their proposal that they acknowledge, accept and are in agreement with coterminous expiration conditions.

I, the undersigned, as an authorized agent of _____ (Service Provider Name), hereby certify that I have read the E-rate Supplemental Terms and Conditions, am fully compliant and intend to cooperate with the E-rate process as outlined above.

Name of Company: _____

By: _____

Name of Authorized Officer or Agent: _____

Title: _____

Date: _____

This form must be completed and submitted with your proposal

CONTRACTOR REFERENCES AND RESPONSIBILITY INFORMATION

1. The District expressly reserves the right to reject the bid of any bidder who, upon investigation, has been determined to fail to complete similar contracts in a timely fashion or in a satisfactory manner. Such rejection would, if applicable, be based upon the principle that the bidder is "non-responsible" and poses a substantial risk of being unable to complete the work in a cost-effective, professional and timely manner.

2. In performing the above-described responsibility determination, the District reserves the right to utilize all possible sources of information in making its determination, including but not limited to, inquiries to regulatory state Boards and agencies; Dun and Bradstreet credit reports; inquiries to companies and public entities for which the Contractor has previously performed work; reference checks and examination of all public records; including, without limitation, qualifications and financial ability of proposed subcontractors, suppliers, and other persons and organizations to perform and furnish the Work in accordance with the Contract Documents to District's satisfaction.

3. The bidder must also demonstrate knowledge of school district industry services and should possess a working ability to perform similarly sized services for a public agency. This knowledge and ability shall be shown by furnishing the names, current phone numbers, address, points of contact and scope of work of at least five (5) customers served within the past three (3) years with requirements similar to the needs of the Lennox School District.

   FAILURE TO FURNISH THE REFERENCES *(IN THE COMPLETE FORMAT REQUIRED)* MAY CAUSE YOUR PROPOSAL TO BE REJECTED AS NON-RESPONSIVE.

   EXAMPLE: Your references should be listed in the following format (facts are example only)

   (a) Work for L.A. Unified School District
   (b) Phone # (213) 123-4567
   (c) 100 Hollywood Drive, L.A., CA 92000
   (d) Contact: John Smith
   (e) Services for TUVXY High School consisted of….
   (f) July 1, 2014, through June 30, 2015
   (g) $ 50,000

   Reference #1

Organization's Name	
Telephone Number	
Address	
Point of Contact	
Type of Contract	
Contract Term (From – To)	

Contract Amount	$

Reference #2

Organization's Name	
Telephone Number	
Address	
Point of Contact	
Type of Contract	
Contract Term (From – To)	
Contract Amount	$

Reference #3

Organization's Name	
Telephone Number	
Address	
Point of Contact	
Type of Contract	
Contract Term (From – To)	
Contract Amount	$

4. Contractor Questionnaire: The Contractor shall furnish all the following information accurately and completely. Failure to comply with this requirement will render the proposal informal and may cause its rejection. Additional sheets may be attached if necessary. "You" or "Your" as used herein refers to the Contractor's firm and any of its owner, officers, directors, shareholders, parties or principals. District has discretion to request additional information. Omission of any material information is grounds for disqualification, or deeming a proposal to be non-responsive.

   a. Name of firm's license holder_____

   b. Have you or any of your principals ever been licensed under a different license number? _____ Response must include information pertaining to principals' association outside of the firm. If yes, give name and license number._____
   _____

   c. Names and titles of all principals of the firm:

_____

_____

_____

_____

d. Number of years as a Contractor in this type of work:

If Yes, how many years' experience?_____

e. Has your firm or any of its principals defaulted so as to cause a loss to a surety? Response must include information pertaining to principals' associated outside of the firm submitting a proposal. _____ If the answer is "Yes," give dates, names and address of surety and details.

_____

_____

_____

_____

f. Have you or any of your principals been assessed damages for any project in the past five years? Response must include information pertaining to principals' association outside of the firm submitting a proposal. _____ If yes, explain:

_____

_____

_____

_____

g. Have you or any of your principals been in litigation or arbitration or dispute of any kind on a question or questions relating to project(s) during the past five years? Response must include information pertaining to principals' association outside of the firm submitting a proposal.
_____If yes, provide name of public agency/organization and details of the dispute:

_____

_____

_____

_____

h. Have you or any of your principals ever failed to complete a project in the last five years? Response must include information pertaining to principals' association outside of the firm submitting a proposal. _____ If so, give owner's name and details:

_____

_____

_____

_____

i. Do you now or have you ever had any direct or indirect business, financial or other connection with any official, employee or consultant of the District? If so, please elaborate.

_____

_____

_____

_____

j. This project requires thorough knowledge of the financial and legal requirements of E-Rate.

i. Are you willing to invoice the District at the E-Rate approved discount percentage, with the remainder directly to the SLD, pending District certification for services performed?

☐ Yes ☐ No

ii. Has your firm been involved in any State or Federal investigation related to direct or indirect participation in instances of funds being misapplied, mismanaged or violations of law, rules, or regulations by support mechanism participants or Contractors?

☐ Yes ☐ No

iii. Does your firm possess a valid FCC regulation number and Contractor Identification Number (SPIN)?

☐ Yes ☐ No

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing Contractor References and Responsibility Information is true and correct.

Executed this _____ day of _____, 20___, at _____, State of California

Contractor Name _____ Date: _____

Signed _____ Phone _____

Printed Name _____ Title _____

Street Address _____

City, State, Zip Code _____

Fax Number _____ Email: _____

Note: If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers or agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership, if bidder is an individual, his signature shall be placed above.

All pages of this form must be completed and submitted with your proposal package.