

**E-RATE (2023-2024)  
Request for Proposal**

**Multi-year Contract for  
E-Rate Eligible  
Scalable Wide Area Network (WAN) Services**



**Ripon Unified School District  
Technology Department  
304 N. Acacia Ave.  
Ripon, CA95366**

## **E-Rate Funding Year (2023-2024)**

### **NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN The Ripon Unified School District wishes to receive proposals for Scalable Wide Area Network services for the following bandwidth 1 Gbps, 2 Gbps, 5 Gbps and 10 Gbps for E-Rate Funding Year (2023-2024). The District has 7 schools and operational facilities including the District Office that are currently connected by a fully managed private WAN connected via 1 Gbps service to seven sites and 1 Gbps connections to San Joaquin County Office of Education provided by Charter Fiberlink.

**Deadline for Submission of Questions – February 23, 2023**

**Response due — March 2, 2023 at 2:00 P.M. PDT**

#### **General:**

WAN Services are needed for seven billing sites at a minimum bandwidth of 1Gbps. Vendor must provide all service and support for maintenance of access point established.

Terms of service for contract: The District desires pricing for the following:

- A. A one year contract beginning July 1, 2023 with the ability to extend up to an additional four years with Board approval.
- B. A 3 year contract beginning July 1, 2023 with the ability to extend up to an additional two years with Board approval
- C. A 5 year contract beginning July 1, 2023

#### **Submission of Questions**

All inquiries must be submitted via e-mail to Michelle Harmon at [mharmon@riponusd.net](mailto:mharmon@riponusd.net). The last day for all inquiries is 2/23/2023. The District will not respond to phone inquiries. Ripon USD 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 on the EPC portal site.

#### **Response Submission**

All responses to this RFP should be submitted via email no later than March 2, 2023 and clearly marked "Scalable WAN Services RFP," in the subject line. Submit to Michelle Harmon at [mharmon@riponusd.net](mailto:mharmon@riponusd.net). It is the respondent's responsibility to verify the receipt of the proposal before the due date and time.

#### **General Terms and Conditions**

- 1) 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.
- 2) 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)

### **Specific Bid Requirements:**

1. Vendor must clearly identify capabilities and associated charges for WAN Services for RUSD.
2. Vendor must clearly identify all Installation, taxes and surcharges.
3. TRANSITION PLAN - As the cut-over date for any new carrier is required to be on July 1, 2023, 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 six references from customers with environments similar to RUSD. 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:**

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

<b>E-Rate Eligible Products &amp; Services</b>	35%
<b>District Experience</b>	10%
<b>Ability to deliver service in desired timeframe</b>	10%
<b>Ineligible E-Rate Products &amp; Services (not including implementation)</b>	15%
<b>Implementation Costs</b>	15%
<b>Transition Plan</b>	10%
<b>Customer Service</b>	5%

**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.

**Site Location and CIRCUIT**

Ripon USD will be seeking a contract length/s of 12 months, three (3) years with the option of extending the contract with two (2) - optional one (1) year term extensions and 60 months.

<b>Site Name</b>	<b>Street Address</b>	<b>Required CIR</b>	<b>GROWTH</b>	<b>GROWTH</b>	<b>GROWTH</b>
Ripon USD Main Office (HUB)	304 N. Acacia Ave. Ripon, CA 95366	10 GBPS	N/A	N/A	N/A
Colony Oak Elementary	22241 S. Murphy Rd., Ripon CA 95366	1 GBPS	2 GBPS	5 GBPS	10 GBPS
Park View Elementary	751 Cindy Dr. Ripon, CA 95366	1 GBPS	2 GBPS	5 GBPS	10 GBPS
Ripona Elementary	415 E. Oregon St. Ripon, CA 95366	1 GBPS	2 GBPS	5 GBPS	10 GBPS
Ripon Elementary	509 W. Main St. Ripon, CA 95366	1 GBPS	2 GBPS	5 GBPS	10 GBPS
Weston Elementary	1660 Stanley Dr. Ripon, CA 95366	1 GBPS	2 GBPS	5 GBPS	10 GBPS
Harvest High School	729 West Main St. Ripon, CA 95366	1 GBPS	2 GBPS	5 GBPS	10 GBPS
San Joaquin County of Education	2901 Arch Airport Rd, Stockton, CA, 95206	10 GBPS	N/A	N/A	N/A

## **E-RATE SUPPLEMENTAL TERMS AND CONDITIONS**

Signed copy to be returned with bid response.

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 connections 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 of the Universal Service Administrative Company (USAC), which was established by the Act. The amount of discount is based on the numbers of students eligible to receive 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.

- a. Service Providers are required to be in full compliance with all current requirements and future requirements issued by the FCC and USAC 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: <https://www.usac.org/e-rate/service-providers/step-1-obtain-a-spin/>
- 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://www.fcc.gov/licensing-databases/commission-registration-system-fcc>
- d. Service Providers are responsible for providing evidence of FCC Green Light Status at the time the bid is submitted. Any potential bidder found to be in Red Light Status must provide an explanation of the steps it is undertaking to be removed to Red Light Status and the expected timeframe for resolution. A Service Provider's sustained Red Light Status may be grounds for contract termination as it could prohibit the Service Provider from providing E-rate discounts in a timely manner which would cause harm to the Applicant. More information about FCC Red and Green Light Status may be found at this website: [http://www.fcc.gov/debt\\_collection/welcome.html](http://www.fcc.gov/debt_collection/welcome.html)

- e. Products and services must be delivered before billing can commence. At no time may the Service Provider invoice before July 1, 2023.
- f. 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).
- g. 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 E-rate eligible costs per USAC guidelines.
- h. Within one (1) week of award, the awarded Service Provider must provide the District a bill of materials using the most currently available “Bulk Upload Template” located at <https://www.usac.org/e-rate/applicant-process/applying-for-discounts/fcc-form-471-filing/>. Subsequent schedules of values and invoices for must match the Bulk Upload Template or subsequent service substitutions.**
- i. 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.
- j. 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 <https://www.usac.org/e-rate/applicant-process/invoicing/invoice-check/>
- k. Services providers must comply with the FCC rules for Lowest Corresponding Price ("LCP"). Further details on LCP may be obtained at USAC's website: <https://www.usac.org/e-rate/service-providers/step-2-responding-to-bids/lowest-corresponding-price/>

### **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 (“LCP”) pursuant to § 54.511(b). Further details on LCP may be obtained at USAC's website: <https://www.usac.org/e-rate/service-providers/step-2-responding-to-bids/lowest-corresponding-price/>. 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. Service Providers are required to comply with the FCC’s Lowest Corresponding Price (“LCP”) Requirement for all equipment and services. The Service Provider acknowledges that the Service Provider is solely responsible to complying with LCP requirements. To the extent that the FCC and/or USAC finds an LCP violation and reduces the E-rate Funding, the Service Provider agrees that it will not hold the District liable for any shortfall in E-rate funding and will be responsible for any ensuing appeals, Commitment Adjustments (“COMADS”) and/or Recovery of Improperly Disbursed Funds (“RIDFS”).
- e. The Service Provider attests that its offer does not violate the FCC’s Supply Chain certifications included in the FCC Form 473. Supply Chain requirements and certifications can be viewed at USAC’s Website: <https://www.usac.org/about/reports-orders/supply-chain/>. The current list of prohibited equipment and services is listed here: <https://www.fcc.gov/supplychain/coveredlist>.
- f. The Service Provider acknowledges that the Service Provider is solely responsible to complying with the FCC’s ban on prohibited equipment and services posing a threat to National Security. To the extent that the FCC and/or USAC finds a violation of these requirements and reduces the E-rate Funding, the Service Provider agrees that it will not hold the District liable for any shortfall in E-rate funding and will be responsible for any ensuing appeals, Commitment Adjustments (“COMADS”) and/or Recovery of Improperly Disbursed Funds (“RIDFS”).
- g. This offer is in full compliance with USAC’s Free Services Advisory <https://www.usac.org/e-rate/applicant-process/competitive-bidding/free-services-advisory/>. 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 2023 funding year (July 1, 2023). 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.

- *Construction begins after selection of a service provider pursuant to a valid competitive bidding process;*
- *A Category One recurring service depends on the installation of the infrastructure;*
- *The service start date is on or after the start of the funding year; and*
- *No invoices (FCC Form 472 or FCC Form 474) can be dated prior to July 1 of the funding year.*


The complete text can be found at the following URL:

<https://www.usac.org/e-rate/applicant-process/starting-services/advance-installation/>

#### **Category 2**

There is one condition that allows USAC to provide support in a funding year for Category 2 installation costs incurred prior to that funding year.

- *Installation of Category Two non-recurring services may begin on the April 1 prior to the July 1 start of the funding year. No invoices (FCC Form 472 or FCC Form 474) can be certified prior to July 1 of the funding year.*

For more information, please refer to the FCC Report and Order and Further Notice of Proposed Rulemaking ([FCC 14-99](#) , released July 23, 2014). This FCC decision only applies to Category 2 Internal Connections services.

It is important to note NO FCC FORM 474 INVOICING can take place before the Funding Commitment Decision Letter is issued, the FCC Form 486 is approved, and/or prior to July 1 of the funding year.



**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 Funding Request Number and any identified ineligible costs. Upon the successful receipt or posting of a Funding Commitment Decision Letter from USAC and submission, certification and USAC approval of FCC 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 FCC 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. The Service Provider hereby agrees to retain all books, records, and other documents relative to any E-rate funding request 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 Service Provider 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 Service Provider. 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.

**Signature:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Service Provider Name:** \_\_\_\_\_