

## PITTSBURGH PUBLIC SCHOOLS

### REQUEST FOR PROPOSAL LEASED LIT FIBER WIDE AREA NETWORK SERVICES

RFP Release Date: 11/1/2021  
Vendor Questions Due: 11/15/2021 at Noon EST  
Bid Due Date: 12/15/2021 at Noon EST

#### 1.0 INTRODUCTION

##### 1.1 Background

The Pittsburgh School District (District) issues this Request for Proposals (RFP) for Leased Lit Fiber Wide Area Network Services. The initial term will be for 5 years, from July 1, 2022 – June 30, 2027, plus five optional one-year extensions.

Customer intends to apply for discounts on the services listed in this RFP through the federal Universal Service Support Mechanism for Schools and Libraries, commonly known as “E-rate.” Several criteria and restrictions pertinent to the E-rate program are included herein and must be met by the successful vendor and in order for the proposal to be considered a Qualified Proposal.

##### 1.2 Issuing Officer and Technical Contact

The Issuing Officer and Technical Contact for technical questions related to this RFP is:

Dave Moore, Director of Infrastructure and IT Services  
Pittsburgh Public Schools  
8 South 13<sup>th</sup> Street  
Pittsburgh, PA 15203  
[dmoore1@pghschools.org](mailto:dmoore1@pghschools.org)

The E-rate Consultant for this RFP is:  
Julie Tritt Schell  
[jtschell@comcast.net](mailto:jtschell@comcast.net)

Bidders must direct and confine all inquiries and communications concerning this procurement to the Technical Contact, copying the E-rate Consultant.

The District encourages bidders to submit any questions they may have as soon as possible, but no later than 11/15/2021 at Noon EST. Questions should include "E-rate Fiber RFP" in the subject line to ensure that the Issuing Officer identifies the email as relating to this procurement. All communications must be via email in order to ensure there is a record of the communication so that the District is compliant with the E-rate document retention requirements.

### **1.3 Deadline for Proposals**

The deadline for proposals to be submitted via e-mail to the Issuing Officer is 12/8/2021 at Noon EST. Proposals must contain two files – a single PDF file providing the vendor information as required in this RFP, and Appendix A pricing proposal. The District reserves the right to reject any and all late-filed proposals that may be received after the deadline. It is up to the bidder to ensure that the proposal and required attachments are received by the technical contact by the deadline.

### **1.4 RFP Documents and Intent to Participate**

The RFP documents are available by contacting the Issuing Officer via email, and online at the E-rate Website: <https://data.usac.org/publicreports/Forms/Form470Rfp/Index>.

It is very important that interested bidders notify the Issuing Officer of their potential interest in this procurement at their earliest opportunity by sending an e-mail. The vendor's e-mail address will become part of an e-mail distribution list for communications from the Issuing Officer about important RFP-related items, including amendments and addenda.

Bidders are responsible for monitoring the E-rate website at the URL listed above for any updates concerning this procurement. The voluntary email distribution list that the Issuing Officer may use to send updates is not a substitute in place of the prospective bidder's responsibility to monitor the E-rate website for updates.

### **1.5 Procurement Schedule**

The procurement schedule is tentatively scheduled as follows:

- Vendor Questions Due: 11/15/2021 at noon
- District Responses to Vendor Questions Issued: 11/17/2021
- Vendor Bids Due: 12/15/2021 at noon
- Vendor Meetings (online and at district discretion): 12/17/2021
- Vendor BAFO Pricing Due (at district discretion): 12/21/2021
- Tentative Vendor Selection: 12/22/2021

Customer intends to review all proposals immediately following the submission deadline and reserves the right, at their sole discretion, to conduct vendor interviews and implement a best and final phase.

## **1.6 Format of Proposal**

The RFP is very specific about the requirements of this procurement. If a bidder does not agree to any of the terms listed in this RFP, they must provide the specific Item number and the specific, detailed reason they cannot agree to that term in their proposal. The District also specifically requests that all replies to this RFP be succinct and not contain extraneous information that is not requested in this RFP. Bidders should not include the entire copy of this RFP, but rather, only address the sections or terms to which they cannot agree and the detailed reason why. Bidders' compliance with the specifications of this RFP will be taken into account as part of the evaluation process.

## **1.7 Best and Final Offers**

District reserves the right to ask clarifying questions of bidders and to request best and final offers upon review of initial proposals. The price of E-rate eligible services will be the most heavily weighted in the review of all proposals and at each step of the review process.

## **1.8 Rejection or Acceptance of Responses**

District will review the proposals for compliance with the procedural requirements set forth in this RFP and may reject any proposal that materially fails to comply. Any deviation from the performance requirements or other terms of the RFP, informalities or defects, if in substantial compliance with the terms and intent of the RFP, may be accepted or rejected by District at its discretion.

## **1.9 Notification of Successful Bidder(s)**

The successful bidder(s) will be advised of selection by the Issuing Officer through the issuance of a notification of award letter via email. Any notification of the selection of the successful bidder shall have no legal effect unless and until the parties negotiate and sign a mutually acceptable agreement. Unsuccessful bidders also will be notified via email after a contract has been signed with the successful vendor.

## **1.10 Security and Pennsylvania Act 34 Clearance/Act 151 Clearances**

All personnel (contractors and subcontractors) that will be working on this project in the schools must observe all security and safety procedures of each school facility and must secure all record checks required by Pennsylvania law which include: Act 34 Pennsylvania Criminal History Record; Act 151 Pennsylvania Child Abuse History Clearance; Act 114 FBI Federal Criminal History Record and fingerprint card for non-resident workmen. On-site work at the school sites cannot commence until the provider has obtained all relevant certifications, licenses, permits and/or required qualifications for its workers and has presented required documentation for the personnel to work in the District's locations.

## **1.11 Tax Exempt Status**

District is exempt from Pennsylvania Sales and Use Tax and has other federal and state tax exemptions afforded to public school entities and/or similar political subdivisions. This notice

shall serve to satisfy any notification required by the provider as to these tax exemptions. Vendors must ensure that their cost proposals specifically include all applicable taxes, fees and surcharges from which the District is not exempt or that is imposed or assessed by Vendor, as required in Appendix A.

### **1.12 Additional Information for Bidders**

District reserves the right to:

- Amend, modify, cancel this RFP or not award any contract;
- Modify or add to the requirements contained in this RFP at any time after the issuance of this RFP via RFP amendment;
- Award a contract for any or all parts of the RFP to one or more bidders and negotiate terms and conditions to meet requirements consistent with this RFP;
- Utilize any and all ideas submitted in the RFP proposals received;
- Request providers to clarify their RFP proposals;
- Purchase the most cost-effective proposal(s) and not necessarily the lowest-priced proposal(s) in accordance with E-Rate rules where price of E-rate eligible services is the factor given the most points in the evaluation among all of the various factors considered in the evaluation.

### **1.13 Reasons for Disqualification of Proposals**

If any of the following conditions occur, Service Provider's proposal is automatically disqualified from being evaluated.

- 1.13.1 Service Provider's proposal is submitted after the deadline and proposals have been opened by District. District's discretion as noted in Section 1.8 is eliminated once the bids have been opened.
- 1.13.2 Service Provider is on Red Light Status with the FCC.
- 1.13.3 Service Provider is not authorized to do business in Pennsylvania or is not authorized to provide services requested in this proposal to all buildings within the District.
- 1.13.4 Service Provider does not have a Service Provider Identification Number ("SPIN").
- 1.13.5 Services are not all provided under a single E-rate SPIN number.
- 1.13.6 Service provider cannot provide services to all locations listed in Appendix B.
- 1.13.7 Service Provider has not disclosed whether any of the services are being leased or resold from other vendors and if so, has not disclosed exactly what services are being leased or resold.

1.13.8 Service Provider has not been in business for at least 5 years performing services outlined in this RFP.

1.13.9 Service Provider has had an unsatisfactory performance or failure to perform in accordance with the terms of one or more contracts with the District within five (5) years of the issuance date of this RFP.

1.13.10 The proposal does not materially comply with the requirements of this RFP.

1.13.11 Proposal is submitted by a 3<sup>rd</sup> party aggregator or negotiator that is different from the company that will be under contract and/or providing the services.

#### **1.14 Good Faith Negotiation of Contract**

The District will sign a separate, mutually-agreeable vendor contract as long as the terms are acceptable to the District and in accordance with the conditions included in this RFP. Vendor will be expected to negotiate a written agreement with the District as the District is not obligated to accept Vendor's standard terms and conditions. If a contract acceptable to District is not agreed upon by February 1, 2022, the District may award the contracted services to the next highest scoring bidder.

#### **1.15 Lowest Corresponding Price**

Per FCC rules, vendors must offer the Lowest Corresponding Price when submitting proposals. Lowest Corresponding Price (LCP) is defined as the lowest price that a service provider charges to nonresidential customers who are similarly situated to a particular E-rate applicant (school, library, or consortium) for similar services. See 47 CFR, Part 54, Section 54.500(f). Bidders cannot charge E-rate applicants a price above the LCP for E-rate services. See 47 CFR Section 54.511(b).

There is a rebuttable presumption that rates offered within the previous 3 years are still compensatory.

## **2.0 SCOPE OF SERVICES REQUESTED IN THIS REQUEST FOR PROPOSAL**

### **2.1 Network Configuration and Technical Requirements**

The District seeks 10 GB dedicated leased lit fiber connectivity to each District building listed in Appendix B. The 10 GB handoffs must be made at the District Data Center at 8 S. 13<sup>th</sup> Street.

2.1.1 Proposals must be a Layer 3 solution.

- 2.1.2 Vendor handoff at each building should be a 10 GB fiber SFP that will be made into the District's Cisco 3850 or Fortigate switching equipment for all buildings with the exception of the District's Data Center, where the handoff will be made into the District's Cisco 6880 switch or replacement aggregation switch provided by the District.
- 2.1.3 Proposals must identify the manufacturer, make and model of the on-premise, vendor-owned switching equipment that it intends to include in the leased WAN to the Customer in response to this RFP. Further, proposals must provide a description of how the equipment will be protected against power outages. Proposed equipment must be capable of being supported with spare parts and maintenance for the life of the contract. All vendor equipment must be compatible with industry standard technology infrastructure and must be able to pass all District network traffic.
- 2.1.4 Proposals must provide service to all buildings listed in Appendix B.
- 2.1.5 The District intends to sign a contract with a single vendor.
- 2.1.6 Fiber must be lit by the service provider, with all terminating electronics (such as the GBIC, Switch, or other DMARK equipment) owned and maintained by the service provider.
- 2.1.7 District must have viewing and monitoring capabilities of the leased facilities, but does not want and will never maintain, repair or configure the electronics or network in accordance with E-rate rules. Ability to view network simply will allow the District to determine during outage periods if the problem resides with the WAN or a Customer-owned LAN or piece of equipment.
- 2.1.8 Proposals must identify and describe the network monitoring software that will be used to ensure that the network operates as intended.
- 2.1.9 District must have access to a customer portal where it can view bandwidth utilization reports.
- 2.1.10 All proposals must include detailed network diagrams.
- 2.1.11 Vendor is responsible for providing, installing, configuring, testing and troubleshooting all connectivity and equipment to each building's main distribution facility and to the centralized Data Center.
- 2.1.12 If a Vendor needs to physically review a site location, please contact the Technical Contact prior to and a date/time will be made available to all interested bidders to attend the site walkthrough. Such requests should be submitted by no later than 10/30/2021.

## **2.2 Outage and Problem Resolution Procedures**

Vendors shall describe their problem resolution procedures. Vendors shall provide:

- Dedicated point of contact for problem resolution
- A description of Vendor's emergency capability
- The location of the nearest support depot and service personnel
- Guaranteed time to respond to a down condition
- Guaranteed time to respond to a poor line condition
- Escalation procedures
- 24/7/365 support for all circuits and services
- 24-hour Advanced Notification of all planned outages that affect District services
- Informational alerts for all unplanned outages that affect District services

### **2.3 Billing Support**

Monthly consolidated billing that is easy to reconcile is required, along with available live customer support. Proposers shall submit examples of billing documents, and shall describe the available customer support including online billing and administrative access to Customer's account information. Clarity of content, readability and document appearance of the Proposer's billing information will be reviewed. Customer requires online access to all billing information, ordering information and billing statements.

Vendor must ensure that E-rate discounts are provided only to eligible entities for eligible services. For this reason, a separate invoice for ineligible entities must be provided to the District each month, if requested. This will ensure that only eligible entities are receiving discounted bills. District will work with the successful Vendor to identify which entities are E-rate eligible.

Proposals should describe the online portal the District can use to view current services, and current and previous invoices. In addition, proposals should explain how long previous invoices are available online for downloading.

### **2.4 Pricing Format**

Pricing must be included in the format prescribed in Appendix A. Pricing must be inclusive of all taxes, fees and surcharges, including any fees, taxes or surcharges paper statement fees, special taxes, PA gross receipts tax, Universal Service Fees, Universal Service Administrative Fees, regulator recovery fees, property taxes, etc. The District will not pay any such fees or charges over the course of the agreement that are in addition to the single postal-rate price provided in the contract. This is done for budgeting purposes, but also so an apples-to-apples comparison can be done of Vendor proposals. Any proposal that does not meet this requirement will have

points deducted in the bid evaluation and will be required to submit a revised proposal with this information included.

## **2.5 Network Performance Guarantees**

The District will require guarantees of performance for all segments of the WAN at a 99.999% minimum uptime per month. The bidder must provide specific Minimum Performance Levels for each segment. Any performance under this level must be considered a Partial Outage. Complete loss of service on any segment shall be considered a Total Outage. The bidder shall provide details on the District's recourse for loss of service, either partial or total, for each segment. This should include the amount of time of an outage, both partial and total, and the particular recourse available (e.g. 1 week credit for a 60 minute outage).

## **2.6 Option to Add/Move/Remove Service Sites**

Bidder must be willing to sign a contract that anticipates that the District may amend the agreement as a minor contract modification to add new sites to or move existing connections on the existing network. Each new site will be coterminous with the original contract term or contract extension, whichever is in effect at the time. The District is willing to pay a separate installation charge that reflects the actual cost to install service to any new location.

Further, should individual sites be closed through official District action prior to contract signing, prior to July 1, 2022, during the initial contract term, or during any extension terms of the contract, the monthly recurring charge (MRC) will remain the same and the District will not be responsible for any early termination penalties or fees. Vendors should be advised to consider this in their pricing structure.

## **2.7 Outage and Problem Resolution Procedures**

Vendors shall describe their problem resolution procedures, including, points of contact for problem resolution, a description of Vendor's emergency capability, the location of the nearest support depot and service personnel, guaranteed time to respond to a down condition, guaranteed time to respond to a poor line condition, and escalation procedures.

## **2.8 Guaranteed Timeline for Service Start/DSLA Requirement**

Service must be fully operational as of July 1, 2022 and the District will include the ability to achieve this date in the bid evaluation. Should a service provider not guarantee that service can be delivered by July 1, 2022, they must provide a thorough explanation of the specific network build that must occur, by building, the steps needed to begin and implement installation, and the guaranteed date of installation.

For any new network build, the District requires a Delivery Service Level Agreement (DSLA) to be included in the contract that will be executed with the successful bidder. The DSLA is essential to ensure that the parties' agreement reflects that time is of the essence for the performance and provisioning of service on a timely basis as agreed upon by the parties.



In preparing proposals and considering the feasibility of the in-service date of July 1, 2022, bidders should consider all build-out costs, and the associated time frames for obtaining permits and right of way approvals for construction and installation. These tasks are part of the installation process and delays associated with these tasks will not be considered “force majeure” events. All right-of-ways and permits will be the responsibility of the Vendor.

Installation may begin after a contract between the parties has been executed. No invoices for service and/or installation shall be issued or dated prior to July 1, 2022.

Vendor shall provide a project manager to assist with conversion of services and must identify that individual in their proposal.

- 2.9 The worksheet in Appendix A price template must be completed by the bidder. District is seeking an initial 60-month initial term of service with available extension options up to an additional five years. Proposals must identify any network builds as well as any/all special construction or non-recurring costs (NRC) required by the vendor to commence service. Further, all monthly recurring costs (MRC) and taxes/fees must be included in the requisite columns of the pricing sheet. No increased pricing or CPI index inflation adjustment may be included nor will be paid during the initial contract term or any optional contract extensions.
- 2.10 Bidders must provide a detailed listing of all Vendor owned equipment that will be installed on the Customer property that will be needed to provide lit fiber service including the cost to install the equipment. The equipment list must include the equipment manufacturer, make and model, and proposed location of equipment.
- 2.11 Taxes, fees and surcharges must be disclosed, and must be listed separately from the monthly recurring costs. If the specific amount of taxes is uncertain, bidders are required to provide a list of the taxes/fees and their best estimate, noting that the amount is an estimate and subject to vary.

### **3.0 E-RATE REQUIREMENTS**

Vendors submitting proposals under this RFP must agree to meet the following conditions relating to the E-rate program:

#### **3.1 SPIN**

Vendor must obtain a valid E-rate SPIN number (Vendor Identification Number), and must provide that SPIN in the Proposal submitted in response to this bid opportunity. All services included in this RFP must be submitted under a single SPIN.

#### **3.2 Discounted Bills**

If requested by Customer, Vendor must provide discounted bills to Customer which reflect the net charges due to Customer after E-rate discounts have been reflected (also known as the “non-discount” amount). If Customer does not receive E-rate funding approval by July 1 of any year in which the contract is in effect, Customer agrees to pay the full amount of the monthly

charges until Customer receives E-rate funding approval and files Form 486, Receipt of Services Confirmation Form, and Vendor receives the Form 486 Notification Letter. As soon thereafter as practical, Vendor shall provision monthly bills to reflect the E-rate discounts and to credit Customer for the pre-paid E-rate discount amounts for the monthly bills prior to Customer's receipt of E-rate funding approval. Customer shall have the sole discretion to decide whether the credit shall be refunded to Customer or used toward payment of the non-discounted amount of subsequent monthly bills.

### **3.3 Separate Invoices for Ineligible Entities**

Vendor must ensure that E-rate discounts are provided only to eligible entities for eligible services. For this reason, if the District needs service delivered to an ineligible entity, they will require a separate invoice for ineligible entities be provided to the District each month. This will ensure that only eligible entities are receiving discounted bills. Currently, there are no ineligible entities included in this procurement, but if there are such entities identified at a future date, the District will work with the successful Vendor to identify which entities are E-rate eligible.

### **3.4 Document retention**

Vendor must retain copies of all invoices and record of District payments for a period of eleven years and be willing to provide this information to the District upon request. Such retention may be done electronically.

### **3.5 Pennsylvania Right-to-Know Law**

Vendor is required to clearly identify any specific information that they deem as proprietary and request to be withheld from public view. Vendor must provide one copy of its redacted proposal with all proprietary information omitted. District intends to comply with the Pennsylvania Right to Know law concerning requests for release of documents regarding this procurement, including the release of proposals after bid opening. Per E-rate regulations, price of winning bid is not confidential information.

## **4.0 QUALIFIED PROPOSAL DOCUMENT REQUIREMENTS**

In addition to the other information required to be provided, bidder also must include with their proposal the following:

- 4.1 Brief history of company, including any acquisitions and mergers.
- 4.2 Description of any bankruptcy proceedings of the company within the previous 10 years.
- 4.3 Names of all subcontractors and the services that will be provided.

- 4.4 Proof that the Vendor and all subcontractors are authorized to do business in Pennsylvania.
- 4.5 Federal Tax ID Number, E-rate SPIN Number, and FCC Registration Number (FCCRN).
- 4.6 Certification that the Vendor currently is not subject to the Red Light Rule and will notify the District if they are placed on Red Light Status with the FCC. Further, provide a certification that the Vendor's principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation, by any Federal department or agency, from transactions involving the use of Federal funds. Where Vendor is unable to certify to any of the Statements in this certification, Vendor shall attach an explanation to their offer.
- 4.7 Contact name and contact information for person authorized to answer questions about the proposal and negotiate terms and conditions.
- 4.8 Completed Price Template (Appendix A) in Excel format with no password protections.
- 4.9 Network diagrams