



EXCELSIOR SPRINGS

SCHOOL DISTRICT

— *Together, Achieving Excellence* —

Request for Proposal

Internal Connections: UPS

The Excelsior Springs School District is accepting proposals for the following network UPS's for internal connections.

The Excelsior Springs School District #40 is: 1- Early Childhood Center, 3- Elementary Schools, 1- Middle School, 1- High School, 1- Career Center and 1-new elementary (under construction, scheduled to open August 2021) including a total district enrollment of approximately 2,900 students.

For convenience in designation on the plans or in the specifications, certain articles or materials to be incorporated in the work may be designated under a trade-name or in the name of a manufacturer. Whenever in specifications any materials, process, or article is indicated or specified by grade, patent, or proprietary name or by name of manufacturer, such specification shall be deemed to be used for the purpose of facilitating description of material, process or article desired and shall be deemed to be followed by the words "or equal," and service provider may unless otherwise stated, offer any material, process or article which shall be substantially equal or better in every respect to that so indicated or specified. The burden of proof as to equality of any material, process or article shall rest with the service provider. Service Provider shall submit requests together with substantiating data for substitution of any "or equal" item within the sealed bid packet at the closing of bids. A provision authorizing submission of "or equal" justification data shall not in any way authorize an extension of time of bid response.

Please note: All "or equal" components must not void and must be supported by the corresponding manufacturer warranty.

The District retains the right to be the sole judge as to whether equivalency has been proven and whether alternates will be accepted.

Request for information

Must be submitted in writing to the attention of Lynnette Procopio, Director of Technology via email at lprocopio@ga.essd40.com within the time-frame indicated in the response timeline. Questions received after the deadline will not be responded to. Questions and responses will be posted on the district's website and EPC portal site. In the event that there is a discrepancy between in documentation posted in multiple locations, the controlling (master) document will always be located at ESSD.com.

Request for proposal (RFP) Response

The bid submission deadline is 8:00 a.m., February 17, 2021. Due to Covid, sealed bids should be emailed to the following address:

ESSD-SealedBids@ga.essd40.com

Subject line must read **Sealed Bid 2021-T003e-UPS**

The Excelsior Springs School District #40 reserves the right to reject any and all bids and award the contract that would be in the best interest of the Excelsior Springs School District #40.

Specifications

Lewis Elementary School	
Qty	Part Number or Equivalent
3	PSI5-1100RT120
2	IS-UNITY-SNMP
3	Minimum 2 Year OEM Warranty
3	Installation

Elkhorn Elementary School	
Qty	Part Number or Equivalent
2	PSI5-1100RT120
2	IS-UNITY-SNMP
2	PSI5-24VBATT
2	Minimum 2 Year OEM Warranty
2	Installation

Westview Early Childhood Center	
Qty	Part Number or Equivalent
2	IS-UNITY-SNMP
2	Minimum 2 Year OEM Warranty
2	Installation

High School	
Qty	Part Number or Equivalent
4	PSI5-1100RT120
4	Minimum 2 Year OEM Warranty
4	Installation

Middle School	
Qty	Part Number or Equivalent
4	PSI5-1100RT120
1	IS-UNITY-SNMP
4	Minimum 2 Year OEM Warranty
4	Installation

Cornerstone Elementary	Please note the new construction facility, Cornerstone Elementary, needs equipment prior to July 1st, but no earlier than April 1st to comply with Erate rules. School opens August 2021.
Qty	Part Number or Equivalent
4	PSI5-1100RT120
2	PSI5-24VBATT
1	IS-UNITY-SNMP
4	Minimum 2 Year OEM Warranty
4	Installation

Contract Terms

The district reserves the right to order quantities in any size lot or lots of quantities. Pricing must remain firm for the period of April 1, 2021 thru September 30, 2022. The District reserves the right to extend the intent to purchase for an additional annual term through September 30, 2023.

Please submit Quotations by the school, as well as a summary page, and include the following pricing sheet by the site.

PRICING SHEET

Excelsior Springs School District Internal Connections: UPSes						Due Date: 02/17/2021 8am			
District Contact: Lynnette Procopio						Email: lprocopio@ga.essd40.com			
Please provide pricing in the following format									
Qty	Unit	Description	Model	Manufacturer	Unit Cost	Extended Cost	E-Rate Eligibility %	Total ERate Eligible Cost	Total E-Rate Ineligible Cost

Describe Standard Manufacturer Warranty
Description and any associated costs:

					SUB-TOTAL			
					INSTALLATION			
					SHIP/HANDLING			

					TOTAL COST			
--	--	--	--	--	------------	--	--	--

DELIVERY TIME: _____ PAYMENT TERMS: _____ DATE: _____

COMPANY NAME: _____ E-RATE SPIN #: _____

REPRESENTATIVE NAME: _____

ADDRESS: _____

PHONE NO.: _____ EMAIL: _____

Basic Selection

No commitment will be made to select a proponent's system(s) solely on the basis of cost. Selection will be made on a combination of factors including technical bid submittal, proponent experience and references, implementation price and the ability to deliver service.

Therefore, the District may consider factors other than price alone in the consideration of bids; price for E-rate eligible goods and services will be the primary factor considered.

The process that will be used by the district in selecting the firm to perform services outlined in the Request for Proposal will be as follows:

- A. Screening & Selection – The screening and selection will be performed by District Staff. All proposals submitted by firms will be reviewed. The committee will then formulate a recommendation to the Board of Education. The criterion to be used by the committee in the evaluation process is as follows:
Responses will be evaluated according to the following weighting:

	Factor	Total Points Available
	Cost of eligible products and/or services	30
	Cost of ineligible products and/or services	10
	Design and Technical Bid Submittal	15
	Implementation Cost	10
	Vendor References	5
	Experience with district	15
	Ability to deliver service at start of funding yea	5
	Ability to deliver service throughout district geographic region	5
	Financial stability	5

	Total Points	100
--	--------------	-----

Timeline:

Activity	Date
RFP issued	01/20/21
Question Due Date	02/02/21
Respond to written questions	02/04/21
Bids due and opened	02/17/21
RFP Review & Selection	02/17/21
Contractor Notification	03/08/21

- The Excelsior Springs School District reserves the right to reject any or all RFP's for irregularities, informalities, or technicalities which is in the best interest of the District. The Excelsior Springs School District also reserves the right to waive any or all RFP's for irregularities, informalities or technicalities which is in the best interest of the District.
- Vendors may withdraw their RFP prior to the stated time of opening, but may not be withdrawn for a period of thirty days thereafter, unless required by law.
- The Excelsior Springs School District reserves the right to accept any offer in part or in whole, to request a new RFP, or to award any of the items specified herein as it deems to be in its best interest of the school district. By quoting, the vendor specifically agrees that the decision of the Excelsior Springs School District is final and binding.
- The Excelsior Springs School District reserves the right to be the sole determining party as to which vendor is awarded this project. The selection process will be made on a combination of factors with price being the heaviest weighted factor.
- Should the vendor take exception to any terms, conditions, or specifications stated herein, such exception must be so stated in writing on company letterhead and submitted prior to the RFP opening.
- Written exceptions may or may not be honored by the Excelsior Springs School District. By quoting this proposal, the vendor agrees to all contents of this RFP.
- Failure to deliver as guaranteed, or any other material breach or default by the awarded vendor, may result in the disqualification of the vendor from future RFP's. In the case of default by the awarded vendor, the Excelsior Springs School District will procure from the second ranked vendor, and hold the first vendor responsible for any excess cost associated therein.
- Vendors are expected to utilize Lynnette Procopio as the sole representative for ALL information regarding this RFP. Vendor's who contact any other District employee or

representative without the approval of Lynnette Procopio are subject to disqualification from this RFP.

E-Rate FY2021 (2021/2022) E-Rate Requirements

E-Rate Requirements

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/may be] 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 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:
<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://fjallfoss.fcc.gov/coresWeb/publicHome.do>
- 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

- E. Products and services must be delivered before billing can commence. At no time may the Service Provider invoice before July 1, 2021.
- 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 eligible costs per SLD guidelines.
- H. Within one (1) week of award, the awarded Service Provider must provide the District a bill of materials using a completed USAC "Item 21 Template". Subsequent schedules of values and invoices for each site must match Item 21 Attachment 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 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/lowestcorresponding-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 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. BIDDERS are required to comply with the FCC's Lowest Corresponding Price ("LCP") Requirement for all equipment and Services. BIDDER acknowledges that BIDDER is solely responsible to comply with LCP requirements. To the extent that USAC finds an LCP violation and reduces the E-Rate Funding, BIDDER agrees that it will not hold the DISTRICT liable for any shortfall in E-Rate funding and will be responsible for any ensuing appeals, COMADS and/or RIDFS.
 - e. The Service Provider attests that its offer does not violate the FCC's REPORT AND ORDER, FURTHER NOTICE OF PROPOSED RULEMAKING, AND ORDER in the matter of "Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs" (FCC 19-121, adopted November 22, 2019, released November 26, 2019) and provisions contained in the Order and any subsequent Orders related to the FNPRM referenced in FCC 19-121. FCC 19-121 can be viewed at <https://docs.fcc.gov/public/attachments/FCC-19-121A1.pdf>
 - f. This offer is in full compliance with USAC's 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.
- L. <https://www.usac.org/E-Rate/applicant-process/competitive-bidding/free-services-advisory/>

4) STARTING SERVICES/ADVANCE INSTALLATION

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 for Category 1 Services and April 1, 2021 for Category 2). 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.

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).

http://www.usac.org/_res/documents/about/pdf/fcc-orders/2002-fcc-orders/DA-02-3365.pdf

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.

- We also amend our rules for category two non-recurring services to permit applicants to seek support for category two eligible services purchased on or after April 1, three months prior to the start of funding year on July 1. This will provide schools with the flexibility to purchase equipment in preparation for the summer recess and provide the maximum amount of time during the summer to install these critical networks.
- 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 services (Internal Connections).
https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-99A1.pdf

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 and certification 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.