

DIOCESE OF ORANGE

DEPARTMENT OF CATHOLIC SCHOOLS
13280 Chapman Ave., Garden Grove, CA, 92840

Request for Proposal # 2020.01

Wireless Network Upgrades

Issue Date: October 1, 2020

Bid Submittal Deadline: December 4, 2020 5:00 PM Pacific Standard Time
(as reported by <https://www.time.gov/>)

For Information Contact: Dr. Brad Snyder
Director of Educational Programs
ocedtech@gmail.com
(714) 282-6004

Table of Contents

DIOCESE OF ORANGE1
Issue Date: October 1, 20201
Notice Calling for Requests for Proposals.....3
 A. Overview4
 B. Equipment Specifications.....5
 C. Pricing and Payment5
 D. Use of Department of Catholic Schools Documents.....5
 E. Contingencies.....6
 1. References.....6
 2. Corporate Profile.....6
 3. Mandatory Forms (Certificates and Certification Documents).....6
 F. E-Rate Requirements7
 G. Rejection of Proposal and Waiver of Irregularities.....7
 H. Erasures or Corrections to Entries7
 I. Withdrawal or Amendment of Submitted Proposal.....8
 J. Obtaining Information8
 K. Proposal Costs.....8
 L. Proposal Disclosure.....8
 M. Data9
 N. Failure to Bid9
 O. Patents9
 P. Signatures.....9
 Q. Cancellation for Insufficient, Non-Appropriated Funds or site closures9
 R. Technology Clause.....9
 S. General Requirements10
 T. Evaluation Criteria.....10
 U. Written Inquiries Deadline – Addenda10
Appendix I11
PROPOSAL FORM.....11
Appendix II14
E-RATE SUPPLEMENTAL TERMS AND CONDITIONS.....14

Notice Calling for Requests for Proposals

NOTICE IS HEREBY GIVEN that Diocese of Orange, Department of Catholic Schools, hereinafter referred to as "Department of Catholic Schools" will receive up to, but not later than the above stated date and time, sealed Proposals for **RFP # 2020.01 Wireless Network Upgrade**.

No Withdrawal of Proposals. No Bidder shall withdraw its Proposal for a period of **one hundred eighty (180) days** after the award of the bid by the Department of Catholic Schools. During this time, all Bidders shall guarantee prices quoted in their respective Proposals, and as it relates to E-Rate parameters.

Waiver of Irregularities. The Department of Catholic Schools reserves the right to reject any or all Proposals or to waive any irregularities or informalities in any Proposal or in the bidding.

Award of Bid. The bid, if awarded, will be by action of the Department of Catholic Schools to the Bidder that meets the qualifications established by the RFP documents.

E-rate Requirements. The project is 100% contingent upon the approval of funding from the Universal Service Fund's Schools and Libraries Program, otherwise known as E-rate. The Department of Catholic Schools may or may not proceed with the project, in whole or in part, even in the event E-rate funding is approved. Execution of the project, in part or in whole, is solely at the discretion of the Department of Catholic Schools. Bidders wishing to bid may do so solely at their own risk. The Department of Catholic Schools is not liable or responsible for any costs, loss, fees, or expenses, of any kind, associated with bid and/or a decision not to proceed with the project, even after award of the bid. By submitting a proposal, each bidder agrees to bear all of its own costs, fees, expenses, and losses, of any and all kind, should the Department of Catholic Schools cancel the project.

Inquiries and Clarifications. This document is for informational purposes and shall not relieve the Bidder of the requirements to fully become familiarized with all the factors affecting the Project and Proposal. The Bidder is advised that all inquiries and clarifications about the RFP documents, specifications, etc., shall be submitted to the Department of Catholic Schools by email no later than **October 16, 2020, 7:00 AM**. The Department of Catholic Schools will respond at its earliest possible opportunity. Verbal communication by either party with regard to this matter is invalid. Inquiries shall be made in writing to: **Dr. Brad Snyder, Director of Educational Programs, Diocese of Orange, Department of Catholic Schools. 13280 Chapman Ave., Garden Grove, CA 92840** or email: ocedtech@gmail.com.

ORGANIZATION	Diocese of Orange, Department of Catholic Schools
PROJECT IDENTIFICATION	Wireless Network Upgrade
PROJECT NUMBER	RFP Number 2020.01
RFP ADVERTISEMENT	October 1, 2020
E-RATE FORM 470	October 1, 2020
LAST DAY TO SUBMIT QUESTIONS	October 16, 2020; 7:00 AM
PROPOSALS DUE BY	December 4, 2020, 5:00 PM PST (as reported by https://www.time.gov/)
SUBMIT PROPOSALS TO	Department of Catholic Schools 13280 Chapman Ave., Garden Grove, CA 92840
COMMITTEE APPROVAL	December 16, 2020
NOTIFICATION TO SELECTED FIRM(S)	December 17, 2020

A. Overview

The DIOCESE OF ORANGE DEPARTMENT OF CATHOLIC SCHOOLS is seeking proposals for:

- 17 Cisco Meraki MX100 firewalls with 5-year licensing
- 273 Cisco Meraki MR42 Access Points with 5-year licensing
- 35 Cisco Meraki MS120 48-port POE switches with 5-year licensing
- 19 Cisco Meraki MS120 24-port POE switches with 5-year licensing
- 19 Cisco Meraki MS120 8-port POE switches with 5-year licensing

In addition to issuing this Request For Proposals (RFP) and in conformity with the FCC Schools and Library Division (SLD), Universal Service Provision (FCC 97-157), (also known as E-Rate funding); therefore, the winning Bidder must understand and comply with all FCC rules and regulations relative to E-Rate. The winning Bidder must be E-Rate eligible and have a valid Service Provider Identification Number (SPIN) as part of this RFP. The Department of Catholic Schools will post a Form 470 to seek E-Rate discounts for the services sought by this RFP. The Form 470 will be posted on October 1, 2020 and can be found at: <https://data.usac.org/publicreports/Forms/Form470Detail/Index>.

See Appendix I for further information on part numbers and quantities requested. All proposals which are highly equivalent to or exceed specifications of the equipment specified above will be considered. Installation and implementation is not part of this RFP. Equipment will be drop shipped to the locations specified in Appendix I.

The Diocese of Orange, located in Orange County, in the state of California, serves a student population numbering approximately **17,490** in grades kindergarten through twelfth grade. Currently the Diocese has 36 school sites: 31 kindergarden through eighth grade schools and five high schools.

Vendors will have 24 hours after vendor selection is announced to raise any questions. The Department of Catholic Schools will have the final authority to the resolution of all questions.

It is anticipated that some or all of the costs associated with this proposal shall be eligible for the E-Rate discount under the Federal Communications Commission (FCC)

Proposals are due in electronic form (PDF format) on or before December 4, 2020 5:00 PM PST emailed to **ocedtech@gmail.com**. E-mailed documents will be time-stamped from the receiving computer.

Questions should be emailed, no later than October 16, 2020; 7:00 AM, to: ocedtech@gmail.com

B. Equipment Specifications

The Service Provider will include in their proposal, all costs necessary to provide the equipment and licensing (or equivalent) requested below. The Department of Catholic Schools prefers the equipment specified but will review other options. Bidder must include documentation which establishes technical equivalency. The successful bidder will include in their bid price, at a minimum, the following:

Qty.	Description
17	Cisco Meraki MX100-HW firewalls with LIC-MX100-SEC-5YR
273	Cisco Meraki MR42-HW Access Points with LIC-ENT-5YR
35	Cisco Meraki MS120-48FP-HW switches with LIC-MS120-48FP-5YR
19	Cisco Meraki MS120-24P-HW switches with LIC-MS120-24P-5YR
19	Cisco Meraki MS120 8LP-HW switches with LIC-MS120-8LP-5YR

C. Pricing and Payment

Vendors are required to complete Appendixes I, II, and III, as part of their proposal.

Final authorization by The Department of Catholic Schools for the purchase of any or all goods or services, MAY be contingent upon the award of funding (a funding commitment decision letter) from the Schools and Libraries Division of USAC for the 2020 E-Rate Funding Year. This RFP will automatically become part of any contract or agreement awarded to a vendor. The total dollar amount shown on responses should be the amount of responsibility to the Department of Catholic Schools (non-discounted portion), denoting the subtracted e-Rate discounts the vendor is responsible for collecting. The Department of Catholic Schools will only accept discounts on invoices; therefore, the winning Bidder will file an FCC Form 474 (SPI Form) to request payment of the discount amount for eligible services after billing the applicant for the non-discount share of the cost of those services. The Bidder shall itemize the cost of e-Rate eligible and ineligible items and will forward copies of all invoices to the Department of Catholic Schools for reconciliation purposes.

Bidders are advised to thoroughly familiarize themselves with the payment provisions of the E-Rate program.

Payment will be made 30-days after the following:

- Receipt of an invoice for the correct and agreed upon amount
- Confirmation of delivery of equipment and licenses

No bid will be accepted from a bidder:

- Who is not licensed in accordance with the law
- Who does not hold a valid Service Provider Identification Number (SPIN) and is in good standing with the FCC/USAC
- Who has not successfully performed on projects of similar character and scope to the proposed work

D. Use of Department of Catholic Schools Documents

Proposals must be submitted on the forms and in the format provided by the Department of Catholic Schools. No alteration to the Department of Catholic Schools forms will be permitted, including

substitutions, additions, deletions or interlineations without the written consent of the Department of Catholic Schools, which may be given or withheld in its sole and absolute discretion. Reproduction of Department of Catholic Schools documents is permitted, so long as reproduced copies are exactly identical in size, format and content as the forms prepared by the Department of Catholic Schools. Any proposal submitted in altered form may result in rejection of such proposal at the discretion of the Department of Catholic Schools.

E. Contingencies

This RFP should not be considered as a Contract to purchase goods or services, but is a Request for Proposal in accordance with the Terms and Conditions herein and will not necessarily give rise to a contract. However, RFP responses should be as detailed and complete as possible to facilitate the formation of a contract based on the RFP response(s) that are pursued should the Department of Catholic Schools decide to do so. Proposals stating that pricing is valid dependent upon availability and/or subject to prior sale will be considered as non-responsive. Completion of this RFP form and its associated Appendices are a requirement. Failure to do so will disqualify your RFP response submittal. Vendors must submit electronic RFP responses by the due date and time as specified herein. Electronic submissions must be in PDF format and emailed to ocedtech@gmail.com by the due date and time as specified herein. Vendors will be considered nonresponsive if the above requirements are not submitted as requested. The Department of Catholic Schools has the right to reject all submitted proposals and resubmit for new proposals through a revised RFP. The Department of Catholic Schools also reserves the right to adjust, add or terminate purchases during the course of this contract. The Department of Catholic Schools may, at its discretion, choose to cancel its offer for the purchase of any and all goods or services requested in this bid if E-Rate funding is not approved by USAC, there is a reduction in funding, there are changes in the physical structure of a school (i.e., renovations, demolitions), or for any reason. In the event there are Department of Catholic Schools budget restraints, the E-Rate program is cancelled, or any other reasons, the Department of Catholic Schools reserves the right to re-negotiate costs with the selected vendor. The total quantities of items purchased may change. The Department of Catholic Schools has provided quantities to best describe the scope of this RFP.

1. References

Bidder shall also include a minimum of three (3) references, preferably from K-12 schools, that demonstrate their ability to provide the equipment requested in this RFP.

2. Corporate Profile

This section should include an overview of the company's history and current financial status and related documents such as brochures, financial statements, SEC 10Q/Ks, and other standard information. Financial documents will be kept secured and not subject to public information.

3. Mandatory Forms (Certificates and Certification Documents)

In addition to the items outlined above (Section F, 1 through 6), this section should include the following required forms contained in this RFP document.

- E-Rate Supplemental Terms and Conditions

F. E-Rate Requirements

1. The Department of Catholic Schools requires the Service Provider to have a valid and current SPIN (Service Provider Identification Number) as issued by USAC (Universal Service Administration Company). The SPIN must be established at the time of the proposal submittal, and the Service Provider must include a copy of the completed SPAC (Service Provider Annual Certification) Form with the proposal. Additionally, the Service Provider must complete and return the certificate of understanding as found in this RFP. For further information regarding the Erate Program please reference USAC's Schools and Library Division (SLD) website:

<http://www.universalservice.org/sl/>

All contracts entered into as a result of this Request for Proposal and the associated Form 470 will be contingent upon:

- 1.1. Funding approval by the SLD.
- 1.2. Approved funded amount equal to the funding amount as requested on the Form 471. A valid Service Provider Identification Number (SPIN) consistent with the type of service requested in this RFP.
- 1.3. Certified Form 486 and a written "Notice to Proceed" from the Owner to initiate service.
- 1.4. Approval from the Diocese of Orange, Department of Catholic Schools.

G. Rejection of Proposal and Waiver of Irregularities

The Department of Catholic Schools reserves the right to reject any or all proposals and to waive any immaterial irregularities in the proposal process or any proposal. The Department of Catholic Schools also reserves the right to select any proposal, which the Department of Catholic Schools believes is in the best interest of the Department of Catholic Schools that may not provide the lowest price(s) submitted.

The right is reserved, as the interests of the Department of Catholic Schools may require, to revise or amend the proposal documents prior to the date set for opening proposals. Such revisions and amendments, if any, will be announced by an addendum or addenda to this Request for Proposals. If the revisions and amendments are of a nature which require material changes in quantities or prices proposed or both, the date set for the opening of the proposals may be postponed by such number of days as in the opinion of the Department of Catholic Schools will enable Service Providers to revise their proposals to account for such changes. In such cases, the addendum will include an announcement of the new date for opening proposals.

H. Erasures or Corrections to Entries

The proposal documents submitted must not contain any erasures, strikeouts or other corrections of entries that impair accurate interpretation of the entry and/or understanding of the proposal.

If correction of an unintended entry is desired such correction must be clear and legible and clearly authenticated by initials of the person signing the proposal. Unclear or unauthenticated corrections

may result in rejection of the proposal at the option of the Department of Catholic Schools.

I. Withdrawal or Amendment of Submitted Proposal

1. Any proposal that has been submitted may be withdrawn prior to December 4, 2020, 5:00 PM PST. A request to withdraw a proposal must be received by the Department of Catholic Schools via email prior to December 4, 2020, 5:00 PM PST.
2. No amendment, addendum or modification will be accepted after the proposal has been submitted to the Department of Catholic Schools. If a change to a proposal that has been submitted is desired, the submitted proposal must be withdrawn and the replacement proposal submitted to the Department of Catholic Schools prior to the time for opening of proposals.
3. No Service Provider may submit more than one proposal.

J. Obtaining Information

The Department of Catholic Schools reserves the right to obtain from any and all sources, information concerning a bidder which the Department of Catholic Schools deems to be pertinent to this Request for Proposal and to consider such information in evaluating the bidder's proposal.

K. Proposal Costs

The Department of Catholic Schools shall not be liable for any cost incurred by a bidder in the preparation or delivery of its response to the Request for Proposal or for any other costs incurred because of this Request for Proposal.

L. Proposal Disclosure

1. All proposals received shall remain confidential until a contract resulting from this Request for Proposal is signed by the Department of Catholic Schools and the apparent successful Service Provider; thereafter the proposals shall be deemed public records. In the event that a Service Provider desires to have portions of its proposal remain confidential, it is incumbent upon the Service Provider to identify those portions in its transmittal letter deposited with the proposal package. The transmittal letter must identify the page, the particular exemption(s) from disclosure and the contended justification for exemption upon which it is making its claim. Each page, or part thereof, claimed to be confidential must be clearly identified by the word "confidential" printed on the lower right hand corner of the page.
2. The Department of Catholic Schools will consider a bidder's request for confidentiality; however, the Department of Catholic Schools will not be bound by the assertion that a page contains confidential material. An assertion by a Service Provider that an entire volume of its proposal is confidential will not be honored. The Department of Catholic Schools reserves the right to disclose all information in the proposal, even if the Service Provider requests that it remain confidential, if the Department of Catholic Schools determines that disclosure is not prohibited by law or court order.
3. Until a contract resulting from this Request for Proposal is executed, no employee, agent or representative of any bidder shall make available or discuss its proposal with the press, any elected

or appointed official or officer of the Department of Catholic Schools, or any employee, agent, or other representative of the Department of Catholic Schools, unless specifically allowed to do so in the Request for Proposal or in writing by the Department of Catholic Schools for the purposes of clarification and evaluation.

4. Bidders shall not issue any news release(s) or make any statement to the news media pertaining to this Request for Proposal or any proposal and/or contract or work resulting therefrom without the prior written approval of the Department of Catholic Schools which may be given or withheld in its sole and absolute discretion and then only in cooperation with the Department of Catholic Schools.

M. Data

The Department of Catholic Schools provides information herein to assist Service Providers in formulating their proposals. Although the Department of Catholic Schools is providing this information in good faith, the Department of Catholic Schools makes no warranty or representation about its accuracy, and the Department of Catholic Schools does not intend any Service Provider to rely solely on the accuracy of the information in submitting his/her proposal.

N. Failure to Bid

If you do not bid on any line item, please mark “no bid” in the space provided and sign it and return the bid, otherwise your name may be removed from the proposal list.

O. Patents

The bidder shall hold the Department of Catholic Schools, its officers, agents, servants, and employees harmless and free from liability of any nature or kind on account of use (by publisher, manufacturer, or author) of any copyrighted or non-copyrighted composition, secret process, patented invention, article or appliance furnished or used under this proposal.

P. Signatures

All proposals must show the firm name and must be signed by a responsible officer or employee fully authorized to bind the organization to the terms and conditions herein. Obligations assumed by such signature must be fulfilled.

Q. Cancellation for Insufficient, Non-Appropriated Funds or site closures

The bidder hereby agrees and acknowledges that monies utilized by the Department of Catholic Schools to purchase the services listed in this proposal are funds from tuition and contributions, the Federal Government under the E-Rate program, or acquired by the Department of Catholic Schools from similar public sources and is subject to variation. The Department of Catholic Schools fully reserves the right to cancel this proposal at any time and/or to limit quantities of items due to non-availability or non-appropriation of sufficient funds.

R. Technology Clause

As technology advances, it is understood that improved or enhanced products may supersede existing

products in both price and performance and yet be essentially similar. This request for proposal seeks to address the rapid advances in technology by allowing functionally similar or identical products that may be introduced in the future, during the term of the proposal, to be included under the general umbrella of compatible product lines and are thus specifically included in this proposal.

S. General Requirements

1. All Service Providers are required to comply with Labor Code Section 3700. This section mandates that employers in the State must have Worker’s Compensation Insurance that covers every employee. The Worker’s Compensation Certificate included in this proposal must be completed and returned with the submittal.
2. All Service Providers must comply with California Education Code sections 45122 through 45125.5. Every employee who will work at any site within Diocese of Orange must be fingerprinted by a law enforcement agency and pass a criminal background check conducted by the DOJ. The Department of Catholic Schools has provided a certificate of understanding that must be returned with this RFP submittal.
3. Antidiscrimination: It is the policy of the Department of Catholic Schools that in connection with all work performed under contacts, there be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, age, sexual orientation, or marital status. The Service Provider agrees to comply with applicable Federal and California laws including, but not limited to, the California Fair Employment and Housing Act, beginning with Government Code Section 12900, and Labor Code Section 1735. In addition, the Service Provider agrees to require like compliance by any of their subcontractors.

T. Evaluation Criteria

Selection of qualified firm(s) will be based on the criteria listed below as well as quality and completeness of submitted proposal, understanding of objectives, project approach, and experience and expertise with similar types of efforts. Additional questions may be asked of firms and interviews may be conducted. The selection committee will make its decision and will notify the successful firm of the intention to enter into an agreement.

Percentage Weight	Criteria
40%	E-rate Eligible Cost
20%	E-rate Ineligible cost
15%	E-Rate Experience
15%	Experience with Department of Catholic Schools
10%	References

Each category will be rated on a scale of 1 to 10 and weighted accordingly.

Written Inquiries Deadline – Addenda

Questions or suggestions about this Invitation shall be submitted by email to ocedtech@gmail.com no later than **October 16, 2020, by 7:00 AM.**

END OF SECTION

**Appendix I
PROPOSAL FORM**

Request For Proposal –# 2020.01 - Wireless Network Upgrades

TO: Diocese of Orange
Department of Catholic Schools
13280 Chapman Ave.,
Garden Grove, CA 92840
Attention: Dr. Brad Snyder, Director of Educational Programs

Date _____

Submitted By: _____

Bidder's Name

Bidder's Address

Telephone

Fax

Having examined the proposal documents for the **Wireless Network Upgrades** for the Diocese of Orange schools, the undersigned Bidder hereby proposes to furnish the equipment required to provide the **Wireless Network Upgrades** for the sum of: \$ _____

School	MX100- HW & LIC- MX100- SEC-5YR	MR42-HW & LIC- ENT-5YR	MS120- 48FP-HW & LIC-MS120- 48FP-5YR	MS120- 24P-HW & LIC-MS120- 24P-5YR	MS120 8LP-HW & LIC-MS120- 8LP-5YR
Blessed Sacrament School 14146 Olive Street Westminster, CA 92683	1	12	1	1	1
Christ Cathedral Academy 13280 Chapman Ave Garden Grove, CA 92840	1	16	3	2	1
Holy Family Cathedral School 530 S Glassell St. Orange, CA 92866	1	18	3	4	3
Mission Basilica School 31641 El Camino Real San Juan Capistrano, CA 92675	1	21	2	2	2
Our Lady of Guadalupe School 920 W. La Habra Blvd La Habra, CA 90631	1	12	1	1	
Our Lady Queen of Angels School 750 Domingo Dr Newport Beach, CA 92660	1	29	4	2	1
St. Angela Merici School 575 S. Walnut Brea, CA 92821	1	16	2	1	1
St. Columban School 10855 Stanford Ave Garden Grove, CA 92840	1	12	1	1	1
St. Edward the Confessor School 33866 Calle La Primavera Dana Point, CA 92629	1	20	4	1	1
St. Francis of Assisi School 5330 Eastside Cir Yorba Linda, CA 92887	1	17	3	5	1
St. Hedwig School 3591 Orangewood Ave Los Alamitos, CA 90720	1	24	4		1

School	MX100- HW & LIC- MX100- SEC-5YR	MR42-HW & LIC- ENT-5YR	MS120- 48FP-HW & LIC-MS120- 48FP-5YR	MS120- 24P-HW & LIC-MS120- 24P-5YR	MS120 8LP-HW & LIC-MS120- 8LP-5YR
St. Joachim School 1964 Orange Ave Costa Mesa, CA 92627	1	12	1	1	1
St. Joseph School PL 801 N. Bradford Placentia, CA 92870	1	16	2	1	1
St. Justin Martyr School 2030 W. Ball Rd. Anaheim, CA 92804	1	12	1	1	1
St. Norbert School 300 E. Taft St. Orange, CA 92865	1	12	1	1	1
St. Pius V School 7681 Orangethorpe Ave. Buena Park, CA 90621	1	12	1	1	1
Sts. Simon & Jude School 20400 Magnolia St. Huntington Beach, CA 92646	1	12	1	1	1
Total	17	273	35	19	19

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

Initial only one of the following:

_____ Addenda Numbers _____; _____; _____; _____; _____; _____ were received, acknowledged (initial if applicable) and incorporated into this Proposal.

OR

_____ No Addenda Issued
(initial if applicable)

Additional Information:

Notices. All notices or other correspondence shall be sent electronically to the Diocese of Orange, Department of Catholic Schools and the Bidder at their respective email 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 Bidder confirms that it has checked all of the above figures and understands that neither the Department of Catholic Schools nor any of its agents, employees or representatives shall be responsible for any errors or omissions on the part of the undersigned Bidder in preparing and submitting this Proposal.

Acknowledgment and Confirmation. The undersigned Bidder acknowledges its receipt, review and understanding of the Specifications and other Contract Documents pertaining to the proposed Work. The undersigned Bidder certifies that the 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 Documents. The undersigned Bidder certifies that it has, or has available, all necessary equipment, personnel, materials, facilities and technical and financial ability to deliver the equipment and licenses for the amount bid herein within the Contract Time and in accordance with the Contract Documents. The undersigned Bidder certifies that its bid amount includes funds sufficient to allow the Bidder 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 Contract and shall indemnify, defend and hold the Department of

Catholic Schools harmless from and against any and all claims, demands, losses, liabilities and damages arising out of or relating to Bidder's failure to comply with applicable law in this regard.

The undersigned hereby proposes and agrees to furnish and deliver the goods and services as quoted in accordance with the terms, conditions, specifications, and prices herein quoted. This proposal is subject to a cash discount of _____% _____ days.

FIRM NAME: _____

SIGNED BY: _____
(Typed or Printed Name of Bidder's Authorized Representative)

TITLE: _____

ADDRESS: _____

PHONE NO.: _____ **FAX NO.** _____

EMAIL ADDRESS: _____

Appendix II
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 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 eligible for 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 Department of Catholic Schools 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 Department of Catholic Schools.

2) SERVICE PROVIDER REQUIREMENTS

The Department of Catholic Schools 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. 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 quoted 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. Within one (1) week of award, the awarded Service Provider must provide the Department of Catholic Schools a bill of materials using a completed USAC "Item 21 Template" for construction of the various Funding Requests. Subsequent schedules of values and invoices for each site must match Item 21 Attachment or subsequent service substitutions. A summary sheet must also be provided to provide the cumulative amount for all sites.**

- h. 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 by email within 3 days to questions associated with its proposal.

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 Department of Catholic Schools 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 Department of Catholic Schools 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 October 29, 2019 Report and Order, Notice of Proposed Rulemaking, and Order ([FCC-CIRC1911-01](#)) addressing issues of "National Security Threats to the Communications Supply Chain Through FCC Programs" which "prohibits the use of USF funds to purchase or obtain any equipment or services produced or provided by a company posing a national security threat to the integrity of communications networks or the communications supply chain."**
- f. 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) 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 Department of Catholic Schools 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 Department of Catholic Schools 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 Department of Catholic Schools shall pay only the discounted amount beginning with the billing cycle immediately following said approval. Alternatively, should the Department of Catholic Schools decide that it is in the best interest of the Department of Catholic Schools to file a Form 472, the Department of Catholic Schools 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 Department of Catholic Schools will only be responsible for paying its non-discounted share.

5) 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 Department of Catholic Schools, 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.

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

During the term of any Agreement resulting from this RFP, the Department of Catholic Schools 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 Department of Catholic Schools' 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 Department of Catholic Schools 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: _____