

Robert D. Rice, President
Triple R Consultants
P.O. Box 302
South Lyon, MI 48178
Phone: 810.923.9290
Fax: 248.446.8125
Email: bob@triple-r.us

February 16, 2019

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC Docket No. 96-45

CC Docket No. 02-6

“WAIVER REQUEST”

“FY2018 APPEAL”

“Administrator’s Decision on Appeal – Funding Year 2018-2019”

APPLICANT: Hamtramck Public Schools

BEN: 130951

FY2017 FORM 471: 181011687 **FRN:** 1899018764

Contact: Stefan Pitcof, Federal Grant Manager

Phone: 313-892-9270

Email: spitcoff@hamtramck.k12.mi.us

This “Waiver Request” to the FCC, is written and submitted on behalf of Hamtramck Public Schools (BEN: 130851), 3200 Roosevelt Street., Hamtrmack, MI 48212. This “Waiver Request” is an important matter concerning the enclosed Universal Service Administrative Company (USAC) Form 471 dated March 15, 2018 **(Exhibit A)**; Wherein, “When the original Form 471 was filed and later denied by USAC. **(Exhibit B)**. The reason stated for the denial is: “DR1: Applicants are required to conduct a fair and open competitive bid process and to provide the same information to all bidders. Applicants are also required to carefully consider all bids received and select the most cost-effective service offering using price of the eligible goods and services as the primary factor. During the review, it was determined that applicant did not use its vendor selection criteria and process as provided in the FCC Form 470 or other bid documentation. **(Exhibit C)** Specifically, the applicant awarded more points for eligible costs to the bidder who was more expensive with

the explanation that the applicant manually adjusted the lower bid to add in the make-ready”.

The reasoning for the award was that once the make ready fees which would be the same for either vendor awarded the project were adjusted to be the same amount. The selected vendor was the lower bidder. **(Exhibit D)**.

Thereafter, Hamtramck Public Schools request a wavier of the rules and the for Form 471 181011687 and FRN 1899018764 and have the funding request for \$81,670.50 approved.

Failure to grant this Waiver Request for Form 471 application number 181011687 and FRN 1899018764, in conjunction with a depressed economy in Michigan, will create undue financial hardship for Hamtramck Public Schools and community.

Thank you for your consideration regarding this matter and supporting Hamtramck Public Schools of Michigan.

Cordially,

A handwritten signature in black ink, appearing to read "Robert D. Rice". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Rice".

Robert D. Rice
Triple R Consultants

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LIST OF EXHIBITS

- Exhibit A** FY17 471 181011687
- Exhibit B** Hamtramck Public Schools FCDL
- Exhibit C** Bid Evaluation Worksheet
- Exhibit D** Bid Evaluation USAC Response



Description of Services Ordered and Certification Form 471

FCC Form 471

Application Information

Nickname FY18-471-F Hamtramck
Funding Year 2018

Application Number 181011687
Category of Service Category 1

Billed Entity

HAMTRAMCK PUBLIC SCHOOL DIST
3201 ROOSEVELT ST HAMTRAMCK MI 48212 - 3
753
313-872-9270

Contact Information

Robert Rice
810-923-9290
bob@triple-r.us

Billed Entity Number 130951
FCC Registration Number 0011861747
Applicant Type School District

Consulting Firms

Name	Consultant Registration Number	City	State	Zip Code	Phone Number	Email
Triple R Consultants	16055924	South Lyon	MI	48178	248-446-8125	bob@triple-r.us

Entity Information

School District Entity - Details

BEN	Name	Urban/ Rural	State LEA ID	State School ID	NCES Code	School District Attributes	Endowment
130951	HAMTRAMCK PUBLIC SCHOOL DIST	Urban				Public School District	None

Related Entity Information

Related Child School Entity - Details

BEN	Name	Urban/ Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
54993	KOSCIUSZKO MIDDLE SCHOOL	Urban	82060	02055	26 - 17520- 5423	None	Public School	None
54994	HAMTRAMCK HIGH SCHOOL	Urban	82060	01554	26 - 17520- 5421		Public School	None
54995	DICKINSON WEST ELEM SCHOOL	Urban	82060	00916	26 - 17520- 5420		Public School	None
54999	DICKINSON EAST ELEM SCHOOL	Urban	82060	07474	26 - 17520- 7713		Public School	None

BEN	Name	Urban/ Rural	State LEA ID	State School ID	NCES Code	Alternative Discount	School Attributes	Endowment
55000	HOLBROOK ELEMENTARY SCHOOL	Urban	82060	01689	26 - 17520- 5422		Public School	None
230436	HORIZON ALTERNATIVE HIGH	Urban	82060	09948	26 - 17520- 1429		Public School	None
230437	EARLY CHILDHOOD ELEMENTARY SCHOOL	Urban	82060	08897	26 - 17520- 1430		Pre-K; Public School	None
17016666	Tau Beta School	Urban				None	ESA School; Public School	None

Related Child School Entity - Discount Rate Calculation Details

BEN	Name	Urban/ Rural	Number of Students	Students Count Based on Estimate	CEP Percentage
54993	KOSCIUSZKO MIDDLE SCHOOL	Urban	380	N/A	
54994	HAMTRAMCK HIGH SCHOOL	Urban	992	N/A	70.00%
54995	DICKINSON WEST ELEM SCHOOL	Urban	475	N/A	73.00%
54999	DICKINSON EAST ELEM SCHOOL	Urban	842	N/A	72.00%
55000	HOLBROOK ELEMENTARY SCHOOL	Urban	270	N/A	77.00%
230436	HORIZON ALTERNATIVE HIGH	Urban	189	N/A	77.00%
230437	EARLY CHILDHOOD ELEMENTARY SCHOOL	Urban	178	N/A	80.00%
17016666	Tau Beta School	Urban	300	N/A	

Related School District NIFs

School District BEN	School District Name	NIF BEN	NIF Name
130951	HAMTRAMCK PUBLIC SCHOOL DIST	16024212	ADMINISTRATION BUILDING
130951	HAMTRAMCK PUBLIC SCHOOL DIST	16024213	MAINTENANCE BUILDING

Discount Rate

School District Enrollment	School District NSLP Count	School District NSLP Percentage	School District Urban/ Rural Status	Category One Discount Rate	Category Two Discount Rate	Voice Discount Rate
3626	3561	98.0%	Urban	90%	85%	10%

Funding Request for FRN #1899018764

Funding Request Nickname: Fiber Link-SPF

Service Type: Data Transmission and/or Internet Access

Fiber Request Key Information

Special Construction, Maintenance and Operations, or Network Equipment? Yes

Is this FRN supporting leased lit fiber, dark fiber or self-provisioned new or existing fiber? Self Provisioned

Is this FRN for Special Construction, Network Equipment, Maintenance & Operation or both Network Equipment and Maintenance & Operation? Special Construction

FRN Key Information for Special Construction

Total Project Plant Route Feet 5571

Total Strands 36

Average Cost per foot of outside plant \$14.66

Number of E-rate Eligible Strands 6

Is state or tribal match available for this FRN? No

Does the FRN include an installment payment agreement for special construction charges? No

Does this installment agreement include a balloon payment? No

Agreement Information - Contract

Contract Number	NA	Account Number	NA
Establishing FCC Form 470	180012946	Service Provider	Fiber link Inc (SPN: 143049070)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	No
Award Date	March 15, 2018	Based on a multiple award schedule?	No
How many bids were received for this contract?	2	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2019

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative Self Provisioned Fiber Network build to three locations.

Line Item # 1899018764.001

Product and Service Details

Purpose Applicant owned fiber network or eligible fiber electronics

Function Fiber

Type of Connection Self-provisioned Fiber (with Special Construction)

Bandwidth Speed

Upload Speed 10.0 Gbps Download Speed 10.0 Gbps

Connection Information

Does this include firewall services? No Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)? No

Is this a direct connection to a single school, library or a NIF for Internet access? No

Cost Calculation for FRN Line Item # 1899018764.001

Monthly Cost	
Monthly Recurring Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$0.00
Monthly Quantity	x 1
Total Monthly Eligible Recurring Costs	= \$0.00
Months of Service	x 12
Total Eligible Recurring Costs	= \$0.00

One-Time Cost	
One-time Unit Cost	\$81,670.50
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$81,670.50
One-time Quantity	x 1
Total Eligible One-time Costs	= \$81,670.50
Summary	
Total Eligible Recurring Costs	\$0.00
Total Eligible One-time Costs	+ \$81,670.50
Pre-Discout Extended Eligible Line Item Cost	= \$81,670.50

Recipients of Services

BEN	Name
54994	HAMTRAMCK HIGH SCHOOL
230437	EARLY CHILDHOOD ELEMENTARY SCHOOL
16024213	MAINTENANCE BUILDING
17016666	Tau Beta School

FRN Calculation for FRN #1899018764

One-Time Charges	
Total One-Time Charges	\$81,670.50
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$81,670.50

Total Requested Amount	
Total Pre-Discount Charges	\$81,670.50
Special Construction State/Tribal Match Percentage	
Special Construction State/Tribal Match Discount Rate*	90%
Funding Commitment Request	= \$73,503.45

Funding Request for FRN #1899018768

Funding Request Nickname: Turnkey-FM

Service Type: Data Transmission and/or Internet Access

What is the FRN number from the previous year ? 1799046484

Fiber Request Key Information

Special Construction, Maintenance and Operations, or Network Equipment?	Yes	Is this FRN supporting leased lit fiber, dark fiber or self-provisioned new or existing fiber?	Self Provisioned
Is this FRN for Special Construction, Network Equipment, Maintenance & Operation or both Network Equipment and Maintenance & Operation?			Maintenance And Operation

Agreement Information - Contract

Contract Number	NA	Account Number	NA
Establishing FCC Form 470	170051317	Service Provider	Fiber Optic Management, LLC (SPN: 143026352)
Was an FCC Form 470 posted for the product and/or services you are requesting?	Yes	Based on State Master Contract?	No
Award Date	April 24, 2017	Based on a multiple award schedule?	No
How many bids were received for this contract?	2	Includes Voluntary Extensions?	No
What is the service start date?	July 01, 2018	Remaining Voluntary Extensions	
		Total Remaining Contract Length	
		What is the date your contract expires for the current term of the contract?	June 30, 2020

Pricing Confidentiality

Is there a statute, rule, or other restriction which prohibits publication of the specific pricing information for this contract? No

Narrative Maintenance and Operation District Owned Fiber Network

Line Item # 1899018768.001

Product and Service Details

Purpose Applicant owned fiber network or eligible fiber electronics

Function Fiber Maintenance & Operations

Type of Connection

Bandwidth Speed

Upload Speed N.A. Download Speed N.A.

Connection Information

Does this include firewall services? No Is this a connection between eligible schools, libraries and NIFs (i.e., a connection that provides a “Wide area network”)? No

Is this a direct connection to a single school, library or a NIF for Internet access? No

Cost Calculation for FRN Line Item # 1899018768.001

Monthly Cost	
Monthly Recurring Unit Cost	\$0.00
Monthly Recurring Unit Ineligible Costs	- \$0.00
Monthly Recurring Unit Eligible Costs	= \$0.00
Monthly Quantity	x 1
Total Monthly Eligible Recurring Costs	= \$0.00
Months of Service	x 12
Total Eligible Recurring Costs	= \$0.00

One-Time Cost	
One-time Unit Cost	\$12,398.62
One-time Ineligible Unit Costs	- \$0.00
One-time Eligible Unit Cost	= \$12,398.62
One-time Quantity	x 1
Total Eligible One-time Costs	= \$12,398.62
Summary	
Total Eligible Recurring Costs	\$0.00
Total Eligible One-time Costs	+ \$12,398.62
Pre-Discout Extended Eligible Line Item Cost	= \$12,398.62

Recipients of Services

BEN	Name
54993	KOSCIUSZKO MIDDLE SCHOOL
54994	HAMTRAMCK HIGH SCHOOL
54995	DICKINSON WEST ELEM SCHOOL
54999	DICKINSON EAST ELEM SCHOOL
55000	HOLBROOK ELEMENTARY SCHOOL
230436	HORIZON ALTERNATIVE HIGH
230437	EARLY CHILDHOOD ELEMENTARY SCHOOL
16024212	ADMINISTRATION BUILDING
16024213	MAINTENANCE BUILDING
17016666	Tau Beta School

FRN Calculation for FRN #1899018768

Monthly Charges	
Total Monthly Recurring Charges	\$0.00
Total Monthly Ineligible Charges	- \$0.00
Total Monthly Eligible Charges	= \$0.00
Total Number of Months of Service	x 12
Total Eligible Pre-Discount Recurring Charges	= \$0.00

One-Time Charges	
Total One-Time Charges	\$12,398.62
Total Ineligible One-Time Charges	- \$0.00
Total Eligible Pre-Discount One-Time Charges	= \$12,398.62

Total Requested Amount	
Total Eligible Pre-Discount Recurring Charges	\$0.00
Total Eligible Pre-Discount One-Time Charges	+ \$12,398.62
Total Pre-Discount Charges	= \$12,398.62
Discount Rate	90%
Funding Commitment Request	= \$11,158.76

Connectivity Questions

District/System-wide Internet Access Questions

Does your school district currently aggregate Internet access for the entire district(as opposed to buying Internet access on a building-by-building basis)? Yes

Download Speed	1.00	Download Speed Units	Gbps
Upload Speed	1.00	Upload Speed Units	Gbps

Per Entity Basis Questions

Entity Name HAMTRAMCK PUBLIC SCHOOL DIST Entity Number 130951

BEN	Entity Name	Download	Units	Upload	Units	Connection	Wifi Sufficient	Barriers to Robust Network
54993	KOSCIUSZKO MIDDLE SCHOOL	10.00	Gbps	10.00	Gbps	Fiber	Mostly	No barriers
54994	HAMTRAMCK HIGH SCHOOL	10.00	Gbps	10.00	Gbps	Fiber	Mostly	No barriers
54995	DICKINSON WEST ELEM SCHOOL	10.00	Gbps	10.00	Gbps	Fiber	Mostly	No barriers
54999	DICKINSON EAST ELEM SCHOOL	10.00	Gbps	10.00	Gbps	Fiber	Mostly	No barriers
55000	HOLBROOK ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Mostly	Broadband connection speed to building is too slow
230436	HORIZON ALTERNATIVE HIGH	1.00	Gbps	1.00	Gbps	Fiber	Mostly	No barriers
230437	EARLY CHILDHOOD ELEMENTARY SCHOOL	1.00	Gbps	1.00	Gbps	Fiber	Mostly	No barriers
17016666	Tau Beta School	1.00	Gbps	1.00	Gbps	Cable Modem	Sometimes	No barriers

Certifications

I certify that the entities listed in this application are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.

I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

Total Funding Summary

Below is a summary of the total line item costs on this FCC Form 471:

Summary	
Total funding year pre-discount eligible amount on this FCC Form 471	\$94,069.12
Total funding commitment request amount on this FCC Form 471	\$84,662.21
Total applicant non-discount share of the eligible amount	\$9,406.91
Total budgeted amount allocated to resources not eligible for E-rate support	\$0.00
Total amount necessary for the applicant to pay the non-discount share of eligible and any ineligible amounts	\$9,406.91
Are you receiving any of the funds directly from a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year?	No
Has a service provider listed on any of the FCC Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds needed to pay your non-discounted share?	No

I certify an FCC Form 470 was posted and that any related RFP was made available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology goals.

I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500 and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, as prohibited by the Commission's rules at 47 C.F.R. § 54.503(d), other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts or other legally binding agreements covering all of the services listed on this FCC Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to USAC.

I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

I certify that if any of the Funding Requests on this FCC Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504.

Notice

Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to submit an application for such discounts by filing this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the application requirements for universal service discounts contained in 47 C.F.R. § 54.504. Schools and libraries must file this form themselves or as part of a consortium. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving your application for universal service discounts is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application for universal service discounts may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public. If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized. If you do not provide the information we request on the form, the FCC or the Universal Service Administrator may delay processing of your application for universal service discounts or may return your application without action. The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq. Public reporting burden for this collection of information is estimated to average 4.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

Authorized Person

Title:	Data Specialist	Name:	Stefan Pitcoff
Phone:	313-892-2024	Email:	spitcoff@hamtramck.k12.mi.us
Address:	3201 ROOSEVELT ST HAMTRAMCK MI 48212 - 3753	Employer:	Stefan Pitcoff

Certified Timestamp

15-Mar-2018 09:29:01 EDT

Funding Commitment Decision Letter

Funding Year 2018

Contact Information:

Stefan Pitcoff
HAMTRAMCK PUBLIC SCHOOL DIST
3201 ROOSEVELT ST
HAMTRAMCK, MI 48212
spitcoff@hamtramck.k12.mi.us

FCC Form 471: 181011687**BEN:** 130951**Wave:** 40**Application Nickname:** FY18-471-F Hamtramck

Totals

Total Committed	\$30,795.50
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What is in this letter?

Thank you for submitting your application for Funding Year 2018 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the funding statuses for the FCC Form(s) 471, Services Ordered and Certification Form, that you submitted and referenced above.

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

Next Steps

1. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying the full cost for the services you receive.
2. Review the [Children's Internet Protection Act \(CIPA\)](#) requirements and file the [FCC Form 486](#) (Service Confirmation and CIPA Certification Form). **The deadline to submit this form is 120 days from the date of this letter or from the service start date (whichever is later).**



3. Invoice USAC

- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
- **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
- **To receive an invoice deadline extension, the applicant or service provider must request an extension on or before the last date to invoice. If you anticipate, for any reason, that invoices cannot be filed on time,** USAC will grant a one-time, 120-day invoice deadline extension if timely requested.

How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

Note: The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC,** visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules,** please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System](#) (ECFS). Include your contact information, a statement that your filing is a waiver request, identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).



Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake to assure that committed funds are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction of USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.



BEN Name: HAMTRAMCK PUBLIC SCHOOL DIST
BEN: 130951

FCC Form 471: 181011687
Wave: 40

Funding Commitment Decision Overview

Funding Year 2018

Application Comments for FCC Form 471: #181011687

FRN(s) modified in accordance with a RAL request.

Funding Commitment Decision Overview

Funding Request Number (FRN)	Service Provider Name	Amount Requested	Amount Committed	Status
1899018764	Fiber link Inc	\$73,503.45	\$0.00	Denied
1899018768	Fiber Optic Management, LLC	\$11,158.76	\$11,158.76	Funded
1899084660	Inacomptechnical Services Group, LLC	\$0.00	\$19,636.74	Funded



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BEN: 130951

FCC Form 471: 181011687
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FRN 1899018764	Service Type Data Transmission and/or Internet Access	Status Denied
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$81,670.50
Total Pre-discount Charges		\$81,670.50	
Discount Rate		90.00%	
Committed Amount		\$0.00	

Dates		Service Provider and Contract Information	
Service Start Date	7/1/2018	Service Provider	Fiber link Inc
Contract Expiration Date	6/30/2019	SPIN (498ID)	143049070
Contract Award Date	3/15/2018	Contract Number	NA
Service Delivery Deadline		Account Number	NA
Expiration Date (All Extensions)		Establishing FCC Form 470	180012946

Consultant Information	
Consultant Name	Robert Rice
Consultant's Employer	Triple R Consultants
CRN	16055924

Funding Commitment Decision Comments

DR1: Applicants are required to conduct a fair and open competitive bid process and to provide the same information to all bidders. Applicants are also required to carefully consider all bids received and select the most cost-effective service offering using price of the eligible goods and services as the primary factor. During the review, it was determined that applicant did not use its vendor selection criteria and process as provided in the FCC Form 470 or other bid documentation. Specifically, the applicant awarded more points for eligible costs to the bidder who was more expensive with the explanation that the applicant manually adjusted the lower bid to add in the make-ready



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and permitting fees when the bid specifically said these fees would be paid for by the vendor. Therefore, this FRN is denied.



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FRN 1899018768	Service Type Data Transmission and/or Internet Access	Status Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$12,398.62
Total Pre-discount Charges		\$12,398.62	
Discount Rate		90.00%	
Committed Amount		\$11,158.76	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2020
Contract Award Date	4/24/2017
Service Delivery Deadline	9/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Fiber Optic Management, LLC
SPIN (498ID)	143026352
Contract Number	NA
Account Number	NA
Establishing FCC Form 470	170051317

Consultant Information	
Consultant Name	Robert Rice
Consultant's Employer	Triple R Consultants
CRN	16055924

Funding Commitment Decision Comments

MR1: Approved as submitted.



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FRN 1899084660	Service Type Data Transmission and/or Internet Access	Status Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$0.00	Total Eligible One Time Charges	\$21,818.60
Total Pre-discount Charges		\$21,818.60	
Discount Rate		90.00%	
Committed Amount		\$19,636.74	

Dates	
Service Start Date	7/1/2018
Contract Expiration Date	6/30/2019
Contract Award Date	3/7/2018
Service Delivery Deadline	9/30/2019
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	Inacomptechnical Services Group, LLC
SPIN (498ID)	143032908
Contract Number	NA
Account Number	NA
Establishing FCC Form 470	180012946

Consultant Information	
Consultant Name	Robert Rice
Consultant's Employer	Triple R Consultants
CRN	16055924

Funding Commitment Decision Comments

MR1: FRN 1899084660 in the total annual amount of \$21,818.60 with the service provider 143032908 - Inacomptechnical Services Group, LLC has been added to your FCC Form 471 Application in accordance with your RAL request.

E-RATE BID EVALUATION WORKSHEET
FY18: 2018-2019

District Name: Hamtramck Public Schools

Bid Opening Date: 2/21/2018

Service Type: Internal Connections

Service Description: Fiber

Evaluation Factors	Factor %Weight*	Service Provider Amcomm		Service Provider Fiber Link		Service Provider [Insert Name]		Service Provider [Insert Name]		Service Provider [Insert Name]	
		Rating**	Weight***	Rating**	Weight***	Rating**	Weight***	Rating**	Weight***	Rating**	Weight***
E-rate Eligible Costs*	30	4	24.00	5	30.00		0.00		0.00		0.00
Service Transition Factors	20	5	20.00	5	20.00		0.00		0.00		0.00
Adherence to Specifications	10	5	10.00	5	10.00		0.00		0.00		0.00
Prior Experience	5	4	4.00	5	5.00		0.00		0.00		0.00
Past Performance	5	5	5.00	5	5.00		0.00		0.00		0.00
Understands Needs	10	5	10.00	5	10.00		0.00		0.00		0.00
Personnel Qualifications	5	5	5.00	5	5.00		0.00		0.00		0.00
Management Capabilities	5	4	4.00	5	5.00		0.00		0.00		0.00
Financial Stability	10	5	10.00	5	10.00		0.00		0.00		0.00
Other (specify)	0		0.00		0.00		0.00		0.00		0.00
Other (specify)	0		0.00		0.00		0.00		0.00		0.00

Total Ratings: 100**** 92 100 0 0 0

Selected Service Provider: Fiber Link

Approved by: Stefan Pitcoff

Title: Federal Programs / Data Specialist

Date: 2/22/2018

Comments: Fiber Link make ready and permit fees were \$20,000 higher than AmComms bid. Once those fees were adjusted to be the same amount as the charges would be the same for either service provider, Fiber Link had the low cost. Fiber Link is the selected service provider.

*Factor %Weight=Weight of each factor where Price is the heaviest weight
 **Service Provider Rating: 1=Poor 2=Fair 3=Good 4=Better 5=Best
 ***Service Provider Weight=(Factor %Weight) x (Service Provider Rating) x (.2)
 ****Total Factor %Weight must=100%

Issue

It was determined that FRN(s) 1899018764 will be denied for failure to consider all bids received and select the most cost-effective service offering using price of the eligible goods and services as the primary factor. During the review, it was determined that applicant did not use its vendor selection criteria and process as provided in the FCC Form 470 or other bid documentation. Specifically, the applicant awarded more points for eligible costs to the bidder who was more expensive with the explanation that the applicant manually adjusted the lower bid to add in the make-ready and permitting fees when the bid specifically said these fees would be paid for by the vendor. Therefore, this FRN is denied.

If you disagree with our determination and you have alternative information, please provide the supporting documentation. If you would like to provide any additional explanation to support your position, type your explanation and attach the explanation and/or documentation into your response by using the Add Document button. If you agree with the proposed action, click the "Submit" button to clear this item from your Pending Inquiries.

RESPONSE: The make ready fee would be the same for either service provider, therefore, to modify the responding bids to set the make ready fee cost the same for each bid is a proper adjustment since the fiber routes are the same. The make ready fees are at an estimate and cannot be determined until the fiber building is started and the pricing is received from the utility company. This variable should be treated the same for both service providers which is what was done on the bid evaluation. Once make ready fees are adjusted to be the same, the Fiber Link bid response is the lowest price.

Fiber Link \$81,670.50 (\$22,000 for make ready fees)
AmComm \$81,900.00 (\$22,000 for make ready fees)

Fiber Link \$66,670.50 (\$7,000 for make ready fees)
AmComm \$66,900.00 (\$7,000 for make ready fees)

Whereby in either case, Fiber Link is the lowest bidder.