

Osceola Public Schools

76 SE Highway WW
Osceola, Missouri 64776

Dr. Danny DeWitt
Superintendent
Phone 417-646-8143
Fax 417-646-8075

Dustin Schubert
High School Principal
Phone 417-646-8144
Fax 417-646-8549

Dr. Chris McClimans
Elementary Principal
Phone 417-646-8333
Fax 417-646-8333

August 30, 2018

RE: Appeal

Osceola Public Schools

FCC Form 471 App. number- 1019976

FRN 2767803

FY 2015

BEN 137279

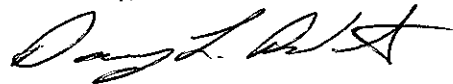
Submitter: Dr. Danny L. DeWitt
Title: Superintendent of Schools
Phone: 417-646-8143
Email: ddewitt@osceola.k12.mo.us

This letter is to serve as a formal appeal to the USAC Adjustment Letter dated 7/27/2018. This letter was received by the school district in an attempt by USAC to recover previously disbursed funds from FY2015. I appealed the decision in April, 2018 and it was subsequently denied by USAC based on the lack of the district's ability to produce 3 bids for the 2015 project. Our inability to produce the documents is outlined in a previous letter attached in this file.

Initially we were unable to locate these documents. After further discussions with my current IT company, they indicated they might be able to recover old deleted accounts and files. It took a great deal of time but they have located the two missing bids in question. I have attached them in this email as well. These two bids from 2015 are the last remaining pieces requested during the audit and should satisfy all requirements.

Therefore, I formally request the FCC take the provided documentation into account and reverse the USAC appeal denial.

Sincerely,



Dr. Danny L DeWitt, Ed. D
Superintendent
Osceola Public Schools



Proposal for:
Osceola Schools

Date: 2/20/2015
Expires: 30 Days

Introduction

Thank you for the opportunity to provide the following proposal for the Equipment Installation and setup opportunity. We appreciate your considering CBS as part of your solution. Our goal is to deliver a successful project and build a lasting partnership with your firm. Please feel free to visit our website at www.cbs-solutions.com for a more complete overview of our company.

Summary of bid To cover entire district with wifi using 51 Cisco Meraki access points 802.11n . 102 cat 6 plenum cables installed and certified. Quantity 3 of the 48 port Cisco Meraki MS320 switches. All software licenses for 5 years for all access points and switches. Includes installation and configuration of all equipment and cabling.

CBS Bid Price: \$100,060

Project Scope

Osceola Schools will be assigned an individual to function as their single point of contact (SPOC) for managing ticket queues, monitoring and updating ticket status, and ensuring that all client service delivery protocols are being followed. The SPOC is also an available resource to Osceola Schools any questions, concerns or escalations Osceola Schools have concerning their service.

CBS will provide the following service to Osceola Schools for the aforementioned proposed cost.

- CBS will install and setup equipment for Osceola Schools

Project Timeline

CBS assumes a minimum 2-business week notice to establish project practices and complete documentation, and perform pilots as needed.

Communications

The CBS account manager will be the single point of contact to Osceola Schools project team, for all communications, reporting, issue management, and escalations.

Terms & Conditions

This proposal is subject to the following terms and conditions unless superseded by a current Master Services Agreement between CBS and Osceola Schools.

- 5 year Software/Hardware Warranty of the equipment.
- CBS will invoice Osceola Schools upon completion of the phase or site or every 30 days, whichever comes first.
- Taxes are not included in price and will be added to invoice(s).

- Pricing is for services provided in the continental United States only. Locations outside the continental US will be subject to additional travel and/or labor charges.
- Delays in the work caused by others (access restriction, state of construction, equipment delays) will be billed at the appropriate Time and Materials rate.
- Pricing is based on the Scope of Work and Assumptions as defined within this proposal. Changes to the Scope of Work or Assumptions will be subject to the change order process.
- CBS will use non-union labor only.
- This proposal assumes that prevailing wage is not a requirement.
- Services will be performed Monday through Friday during normal business hours, exclusive of national holidays.
- CBS shall not be held liable for errors or omissions in designs by others, nor inadequacies of materials and equipment specified or supplied by others.

Use of Customer Information

CBS frequently uses our projects to develop case studies or modify best practices. Case studies are shared internally and externally as part of our ongoing sales and marketing. Members of our staff or our marketing firm may contact key customer personnel to gather their insights on the project's outcome.

Authorization / Signature

By signing and returning this page, Osceola Schools authorizes CBS, Inc. to order, schedule, and commit the labor and management resources necessary to perform the Statement of Work for Equipment Installation and setup as stated in CBS proposal Number dated 2/20/2015.

Osceola Schools

Signature

Date

Printed Name

Title

CBS, Inc.

Signature

Date

Printed Name

Title

Phone: 1.888.912.3151
 Fax: 1.601.399.5077
 Online: www.howardcomputers.com



Howard Computers
 P.O. Box 1588
 Laurel, MS 39441

Online Quotation

Quote No: MP 651059.00
Customer Name: Tracy Lynch
Company Name: Osceola Public Schools
Quote Name: XIRRUS 5YR QUOTE

Quote Date: February 11, 2015
Phone Number: 4176468143
Fax Number:

Item 1

Category	Description	Qty.	Unit Price	Ext. Price
System Type:	Parts Only			
1:	XR 2x2 (867Mbps) 802.11ac capable AP software licensed for 802.11n MPN: XR-620	53	\$269.00	\$14,257.00
2:	ArrayOS 802.11ac license for 1 radio on XR products MPN: AOS-11AC	114	\$20.00	\$2,280.00
3:	Power Cord, North American power cord. Must be associated with order of powered XN, XS, XP, XE, or XM product. MPN: XS-PWR-NA	1	\$0.00	\$0.00
4:	Next Gen XMS Cloud 5 year license for 1 radio, Education customers only MPN: XMS-9500-CL-EDU-5	114	\$68.00	\$7,752.00
5:	Hardened XR Access Point with integrated controller, 2 300Mbps 802.11n radios, and ArrayOS MPN: xr-520h	2	\$878.00	\$1,756.00
6:	Hardened XR Wireless Array consisting of 4 slot chassis with integrated controller, 4 300Mbps 802.11n modular APs, and ArrayOS operating system MPN: XR-2425H	1	\$1,574.00	\$1,574.00
7:	10' antenna cable for XR-520H antennas. Order 2 cables per antenna. MPN: ANT-CAB-195-10-MM	16	\$52.00	\$832.00
8:	ArrayOS Application Control license for 1 modular Access Point. Available on XR Arrays only. MPN: AOS-APPCON	114	\$13.00	\$1,482.00
9:	1 Port 75W Power over Gigabit Ethernet Midspan Injector MPN: XP1-MSI-75	1	\$55.00	\$55.00
10:	2.4GHz/5GHz, 8dBi, 65 degree, 2x2 panel antenna. Order antenna cables separately. MPN: ANT-DIR60-2X2-01	4	\$205.00	\$820.00
11:	Configuration of Xirrus MPN: Configuration	1	\$3,792.00	\$3,792.00
12:	Training MPN: Training	1	\$1,896.00	\$1,896.00

Sub-Total: \$36,496.00

Parts & Accessories Shipping: Included

Taxes: Tax Exempt

Total for Item 1: \$36,496.00

This quote will expire March 13, 2015.
 To expedite your order, please include your quote number with your Purchase Order.

Item 2

Category	Description	Qty.	Unit Price	Ext. Price
System Type:	Accessories			
1:	• 113 New CAT 6 Plenum Data Drops (two drops for each new AP and one drop for backbone feed to point to point wireless connection) • Install 53 internal AP's and four external AP's supplied by Howard • Supply and install three 24-port patch panels and one 48-port patch panel • Supply and install horizontal management • Utilize existing racks and shelves in MDF's and IDF's • Install 113 New Patch Cords • Install point to point wireless provided by Howard • Utilize Existing Grounding and Bonding at MDF's and IDF's • Install J-hooks for cable pathways as Required per Installation Standards • Labeling and Testing per Requirements MPN: Installation	1	\$35,178.00	\$35,178.00
2:	Deduct if Install of AP's, Switches, and Wireless Bridge not required MPN: Option for Install	1	\$5,957.00	\$5,957.00

Sub-Total: \$41,135.00

Parts & Accessories Shipping: Included

Taxes: Tax Exempt

Total for Item 2: \$41,135.00

This quote will expire March 13, 2015.

To expedite your order, please include your quote number with your Purchase Order.

Item 3

Category	Description	Qty.	Unit Price	Ext. Price
System Type:	Accessories			
1:	Configure 3 Switches in Osceola MO MPN: Configure Switches	1	\$2,015.00	\$2,015.00
2:	HP 2530-48G-PoE+ Switch - Switch - managed - 48 x 10/100/1000 (PoE+) + 4 x Gigabit SFP - desktop, rack-mountable, wall-mountable - PoE+ MPN: J9772A#ABA	3	\$2,002.00	\$6,006.00

Sub-Total: \$8,021.00

Parts & Accessories Shipping: Included

Taxes: Tax Exempt

Total for Item 3: \$8,021.00

This quote will expire March 13, 2015.

To expedite your order, please include your quote number with your Purchase Order.

Total for all pre-configured items

Sub-Total: \$85,652.00

Parts & Accessories Shipping: Included

Taxes: Tax Exempt

Total: \$85,652.00

Notes:

Erate will not cover 5 years (XMS-9500-CL-EDU-5)... They will cover they 1 year.

Pricing and availability subject to change without notice.

Packaging, Shipping, and Handling fees are not included unless specifically stated.

Prices and lease payments do not include applicable taxes.

Ship dates are approximations and are not guarantees.

Quick ship items not available in Alaska, Hawaii, or outside the United States.

Specific state laws may affect shipment of products.

If Purchaser fails to pay any invoice in full within the time quoted herein, Seller may, without notice, accelerate the due date of all outstanding invoices and require that all outstanding invoices, including any interest thereon, be immediately due and payable in full.

For product return policies and information please visit:

http://www.howardcomputers.com/pdf/warranties/HTS_ReturnPolicy.pdf

Quote



130 SOUTH TOWN CENTRE BLVD.
MARKHAM, ONTARIO L6G 1B8

ALEXANDER PAGENHARDT

APagenhardt@cdicomputers.com

888-226-5727 x3720

1-800-449-5920

Customer: OSCEOLA SCHOOL DISTRICT

Contact: Tracy Lynch

Quote: 624242

Date: 19-Feb-2015

Expiry Date: 28-Feb-2015

Invoice To:

OSCEOLA SCHOOL DISTRICT

Tracy Lynch
76 SE HWY WW
ATTN: CHARLES SMITH
OSCEOLA
MO, USA 64776
Phone: (417) 646-8143

Ship To:

OSCEOLA SCHOOL DISTRICT

Tracy Lynch
76 SE HWY WW
ATTN: CHARLES SMITH
OSCEOLA
MO, USA 64776
Phone: 417 646-8143

No.	SKU#	Item Description	Unit Price	Qty	Ext Price
1	0	Project Management Engineer/Technician Assignment & Co-ordination Project Updates & reports Customer Sign-Off	\$9,500.00	1	\$9,500.00
2	0	Installation and configuration · Controller and Switches Configuration & Testing · Network Testing & Sign-Off · Documentation	\$8,500.00	1	\$8,500.00
3	0	Wiring Equipment & Materials Leviton Category 5EEE RJ45 Communication Insert(s)	\$7.83	50	\$391.50
4	0	Leviton Single Port Biscuit Jack	\$6.33	50	\$316.50
5	0	Category 5 1000 Foot 350 Mhz UTP Plenum Cable (Box)	\$247.25	15	\$3,708.75
6	0	Leviton 48 Port Patch Panel with Bracket	\$280.00	4	\$1,120.00
7	0	Miscellaneous Materials	\$250.00	1	\$250.00
8	0	Wiring Professional Fee's Basic Labor (8:00a.m-5:00p.m) Level 1 Technician	\$55.00	42	\$2,310.00
9	0	Wiring Professional Fee's Basic Labor (8:00a.m-5:00p.m) Level 2 Technician	\$85.00	40	\$3,400.00
10	0	Wiring Professional Fee's Basic Labor (8:00a.m-5:00p.m) BISC I RCDD	\$85.00	20	\$1,700.00
11	0	901-1205-UN00 ZoneDirector 1200, licensed for up to 5 ZoneFlex Access Points	\$656.90	1	\$656.90
12	0	909-0001-ZD12 ZD 1200 license upgrade up to 70 Aps	\$90.00	39	\$3,510.00
13	0	841-1205-5000 WD Support for ZD 1205, 5 Year	\$558.96	1	\$558.96
14	0	841-1201-5L00 Support ZD 1 License Upgrade, 5 Year	\$76.50	39	\$2,983.50
15	0	901-R500-US00 R500 US dual band 11ac indoor AP 2x2:2	\$387.00	44	\$17,028.00

Quote



130 SOUTH TOWN CENTRE BLVD.
MARKHAM, ONTARIO L6G 1B8

ALEXANDER PAGENHARDT
APagenhardt@cdicomputers.com
 888-226-6727 x3720
 1-800-449-5920

Customer: OSCEOLA SCHOOL DISTRICT
Contact: Tracy Lynch
Quote: 624242
Date: 19-Feb-2015
Expiry Date: 28-Feb-2015

Invoice To:

OSCEOLA SCHOOL DISTRICT
Tracy Lynch
76 SE HWY WW
ATTN: CHARLES SMITH
OSCEOLA
MO, USA 64776
Phone: (417) 646-8143

Ship To:

OSCEOLA SCHOOL DISTRICT
Tracy Lynch
76 SE HWY WW
ATTN: CHARLES SMITH
OSCEOLA
MO, USA 64776
Phone: 417 646-8143

No	SKU#	Item Description	Notes	Unit Price	Qty	Ext Price
16	0	901-7731-US02 ZoneFlex 802.11n (5 GHz) Outdoor Wireless Bridge, pre-provisioned pair, IP-65 Outdoor enclosure, -40 to 65C Operating Temperature, dual polarization antennas and two external N-Type connectors, including PoE injector with its power adapter (unless specified otherwise for certain countries), and flexible mounting kit. Does not include Limited Lifetime Warranty		\$1,438.80	1	\$1,438.80
17	0	803-7731-5100 WatchDog Advanced Hardware Replacement for ZoneFlex 7731 (pair). Incl. bundles with antennas, 5 year		\$440.27	1	\$440.27
18	0	Catalyst 2960-X 48 GigE PoE 370W, 2 x 10G SFP+ LAN Base - WS-C2960X-48LPD-L		\$3,399.30	3	\$10,197.90

Terms: Notes:

NET 30 DAYS

Subtotal:	\$68,011.08
Shipping:	\$550.00
Tax:	\$0.00
Total:	\$68,561.08

Shipping Method: CDI SELECTS CARRIER:

Currency: US

Leasing for 3-yrs, paid annually, in advance	\$24,416.00
Leasing for 4-yrs, paid annually, in advance	\$18,917.00

at approval and rental pricing is dependent on a credit review conducted by a CDI preferred leasing partner. Lease structure includes a \$1 purchase option at term of lease.



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2015-2016

July 27, 2018

Danny L. DeWitt
Osceola Public Schools
76 SE Highway WW
Osceola, MO 64776

Re: Applicant Name: OSCEOLA SCHOOL DISTRICT
Billed Entity Number: 137279
Form 471 Application Number: 1019976
Funding Request Number(s): 2767803
Your Correspondence Dated: April 30, 2018

After review of the information and documentation provided, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's decision to adjust the funding commitment amount for the FCC Form 471 Application and funding request number(s) (FRN(s)) referenced above. This letter provides an explanation for USAC's decision. The date of this letter also begins the sixty (60) day time period for appealing this decision. If your Letter of Appeal included more than one FCC Form 471 Application Number, please note that you will receive a separate decision for each funding application.

Funding Request Number(s): 2767803
Decision on Appeal: **Denied**
Explanation:

- The record shows that during a Payment Quality Assurance (PQA) review, the applicant failed to provide the following requested documentation: Service Provider selection documentation that relates to the FRN under review. Program rules require that applicants select the most cost-effective product and/or service offering with price being the primary factor in the vendor selection process. Since USAC could not determine that the price of eligible products and services was the primary factor in the vendor selection process, the commitment is rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

In addition, FCC rules require schools and libraries, as well as service providers, to retain all documents related to the application for, receipt of, and delivery of discounted telecommunications and other supported services for at least five years after the last day of service delivered in a particular Funding Year and to produce such records upon a request of an auditor or other authorized representative. FCC rules further provide that a non-compliance with the FCC's recordkeeping and auditing rules by failure to retain records or to make available required documentation is a rule violation that warrants recovery of any disbursed funds for the time period for which the information/documentation is being sought. Since applicant did not provide all of the requested documentation, applicant has violated FCC rules. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant. On appeal you were not able to provide any of the competitive bidding documentation. Consequently, your appeal has been denied.

If you wish to appeal this decision, you may file an appeal pursuant to 47 C.F.R. Part 54, Subpart I. Detailed instructions for filing appeals are available at:
<http://www.usac.org/sl/about/program-integrity/appeals.aspx>.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Danny L. DeWitt
Osceola Public Schools
76 SE Highway WW
Osceola, MO 64776

Billed Entity Number: 137279
Form 471 Application Number: 1019976
Form 486 Application Number:

Osceola Public Schools

76 SE Highway WW
Osceola, Missouri 64776

Dr. Danny DeWitt
Superintendent
Phone 417-646-8143
Fax 417-646-8075

Dustin Schubert
High School Principal
Phone 417-646-8144
Fax 417-646-8549

Dr. Chris McClimans
Elementary Principal
Phone 417-646-8333
Fax 417-646-8333

April 30, 2018

RE: Appeal

Osceola Public Schools

FCC Form 471 App. number- 1019976

FRN 2767803

FY 2015

BEN 137279

Submitter: Dr. Danny L. DeWitt
Title: Superintendent of Schools
Phone: 417-646-8143
Email: ddewitt@osceola.k12.mo.us

This letter is to serve as a formal appeal to the USAC Adjustment Letter dated 4/6/2018. This letter was received by the school district in an attempt by USAC to recover previously disbursed funds from FY2015. The following paragraphs will describe the reason for the appeal.

I accepted the position of superintendent of schools in Osceola in 2014-2015. The IT director at that time, Mr. Tracy Lynch, was hired by the board of education the same time I was. His responsibilities included overseeing the administration of e-rate duties as well as all aspects of technology in the building. He approached me with the idea of installing a seamless wireless network system in the building since we were lacking at the time in technology with several routers here and there but nothing that would allow for a transition throughout the building. I agreed and he used our allocation through e-rate to fund the majority of the project with the district picking up the rest of the cost. The project was completed in the summer of 2015.

The following year, due to conduct, Mr. Lynch's employment was terminated by the district. A company was then hired for our IT needs. In 2017 we received notification that we would be audited to verify the expenditures. I was personally sent a list of requests that I, along with the IT company, followed up on and provided documentation for. We also complied with the on-site meeting that was mandated. During this time I did my best to explain to the new company we contracted with what was happening and what the project entailed. They put in a

tremendous amount of work to bring themselves up to speed, as they were not here when the project occurred nor did they have any documentation as to what had taken place due to the former IT director not providing the documentation. This cost the district hundreds of dollars for the new company to come in, lead the walk-through, and provide inventory.

Soon after, I received notice that additional documentation was needed. The documentation in question was the provider bids from 2015, which was almost 2.5 years prior by the time they were requested. These bids were not on file anywhere with the school. The documentation that was provided was the bid totals from the board meeting minutes in which the board approved to spend the funds. The actual bids from the company were not found in Mr. Lynch's documentation and his previous email account had been deleted. I told the person requesting this documentation that nothing was found but that I could provide the totals, the check that was written and provider information. I was then told to call the companies that had bid on the project. The companies in question told me that if they did not win the business, they did not keep bids on file, only invoices and transactions from those projects they completed. I told this to my contact person. They never said anything further was needed. Then, a year later, I receive this commitment adjustment letter.

So as a result, I have complied with everything USAC has requested in this case with the exception of being able to provide the other two bids for this project in 2015. We have been diligent in making sure we accepted the lowest bid and complying with all rules and regulations every step of the way. In no way would we ever jeopardize our relationship with USAC as we rely heavily on this funding to address our technology needs.

I feel this case needs to be reviewed and an alternative solution needs to be considered. For USAC to request that the school district return over \$54,000 due to not being able to find a bid total from a project that took place three years ago seems unfair at best. I would hope that logic prevails and am available to talk with anyone who may need more information.

Sincerely,

Danny L DeWitt, Ed. D
Superintendent
Osceola Public Schools