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December 15, 2017

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**VIA ELECTRONIC FILING**

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

**Re: *Ex Parte Notice, Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6***

Dear Ms. Dortch:

This letter notifies the Commission that on Thursday, December 14, 2017, Ana Cortes, Superintendent of the Consorcio Colegios Católicos Arquidiócesis de San Juan ("Consortium"), participating by telephone, and the undersigned of Wiley Rein LLP, met with Elizabeth A. Drogula and Bryan Boyle of the Telecommunications Access Policy Division of the Wireline Competition Bureau of the Federal Commission's Commission ("Commission").

At the meeting, the Consortium discussed the attached presentation. The Consortium explained that the thirty-six (36) catholic schools it represents in Puerto Rico are having a difficult time participating in the E-Rate program because the Universal Service Administrative Company: (1) rescinded funding for Funding Years 2013, 2014 and 2016 – which is the subject of a pending *Request for Review and Waiver*<sup>1</sup> filed by the Consortium on August 14, 2017; (2) denied the applications for Funding Year 2016; and (3) issued an "intent to deny" letter with respect to the applications for Funding Year 2017.

With respect to applications for Funding Years 2013, 2014 and 2015, the Consortium discussed the nature of the document titled "Notice to the Vendors Interested in Submitting a Proposal" (hereinafter, the "Draft Notice"), which USAC concluded constituted a "request for proposals" that had not been disclosed in the Consortium's FCC Form 470 in its decision to rescind funding. The Consortium

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<sup>1</sup> See Request for Review and Waiver, Consorcio Colegios Católicos Arquidiócesis de San Juan, CC Docket No. 02-6 (filed Aug. 14, 2017).



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provided a copy of the attached appeal to USAC dated June 29, 2017, with all its attachments, including copy of the Draft Notice.

The Consortium explained that the Draft Notice was a document originally envisioned to help guide conversations with prospective bidders, but that the document was never used in that manner because it was not finalized. The Consortium stated that it did not intend to use, and did not use, the Draft Notice as a request for proposals nor was the document used to evaluate bids. The Consortium emphasized that, to the best of its recollection, it never shared the document with prospective bidders or anyone other than USAC. The Consortium also reiterated the arguments set forth in the *Request for Review and Waiver* in support of a waiver given that the competitive process was not compromised, and there was no waste, fraud or abuse.

During the meeting, Mr. Boyle asked if the *Request for Review and Waiver* filed on August 14, 2017, states whether the Consortium selected the lowest cost bid. The Consortium replied that it could not recall if such information had been included in the *Request for Review and Waiver*, but confirmed that the Consortium selected the lowest cost bid.

The Consortium stressed that the economic crisis in Puerto Rico (described in the *Request for Review and Waiver*) is now worse because of Hurricanes Irma and María. Particularly, the schools have been forced to incur unexpected expenses associated with the maintenance of power generators and numerous repairs to their facilities. The Consortium noted that denying E-Rate funds to the poorest schools in the United States at a time they need it the most – and, particularly, in the absence of any waste, fraud or abuse – would be devastating.

Mrs. Cortes encouraged the Commission to grant the *Request for Review and Waiver* and, due to the continuous problems the Consortium has been experiencing for the past five years, to investigate if USAC has a larger problem with the Consortium to allow the Consortium to address any such issues.

This letter is being filed electronically pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206. Should you have any questions, please contact the undersigned.



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Respectfully submitted,

/s/ Edgar Class

Edgar Class  
*Counsel for Consorcio Colegios Católicos Arquidiócesis de San Juan*

cc: Elizabeth A. Drogula  
Bryan Boyle

Attachments



# Meeting with FCC, Telecommunications Access Policy Division re E-Rate

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**Consortium of Catholic Schools  
Archdiocese of San Juan**

December 14, 2017  
Washington, DC



## Who we are

- Ana Cortés
  - Superintendent of the Consortium of Catholic Schools, Archdiocese of San Juan
- Consortium represents
  - 36 private Catholic schools in Puerto Rico
  - Almost 11,000 students in grades K through 12

# Why we are here

- E-Rate funds are not flowing
  - Funding rescinded for FY 2013, FY 2014, FY 2015
  - Funding denied for FY 2016
  - Seems USAC is about to deny funding for FY 2017 (Intent to Deny issued)
  - This is not sustainable
- FCC can help
  - Grant pending Request for Review or Waiver
  - Investigate if USAC has a larger problem with the Consortium
- FCC should care
  - E-Rate program is intended to help the most economically disadvantaged schools
  - Students represented by Consortium members are among the poorest in the United States
  - If the program cannot succeed in the poorest communities, then the program fails

# Overview of the Problem

- Funding Years 2013, 2014 and 2015
  - For funds disbursed, USAC is asking for money back
  - For funds committed but undisbursed, USAC is rescinding all commitments
  - Allegation is that Consortium released an RFP but the RPF box in Form 470 was unchecked
  - USAC denied appeals
  - Request for Review and Waiver filed August 14, 2017
    - Pending before FCC

# Overview of the Problem

- Funding Years 2013, 2014 and 2015
  - Problem with some Consortium members that did not receive COMADs from USAC but did receive demand payment letters (“Group Two Applications”)
    - Not the subject of our meeting today, but it’s a significant issue
      - Appeals cannot be filed if COMADs are not received



## Overview of the Problem (cont'd)

### ■ Funding Year 2016

- Applications denied by USAC
  - Claims the Consortium released an “RFP” but didn’t check the RPF box
  - Also says that because the “RFP” contains an ineligible service, potential bidders were deterred, which is a competitive bidding violation
- USAC denials have not been received
- Consortium may seek clarification from FCC staff re waiver of 60-day deadline to appeal to USAC pursuant to FCC Order DA 17-984 dated Oct. 6, 2017

## Overview of the Problem (cont'd)

### ■ Funding Year 2017

- Intent to Deny sent on October 17, 2017 in which USAC:
  - Alleges the Consortium did not make bidders aware they needed to have a presence in Puerto Rico
  - Claims Consortium did not consider all bids received
  - Seems to have a problem with the fact that the Consortium disqualified two entities for misrepresentation
- Consortium responded to all questions and, not surprisingly, USAC is now asking more questions

# Request for Review and Waiver

- The “RFP” issue
  - USAC says draft document was an RFP and Consortium did not check the RFP box so USAC rescinded FY2013, 2014 and 2015 applications
- Document intended to serve as handout to facilitate meetings with interested bidders
  - Not intended to be an RFP and not used as an RFP
  - Not used in any capacity in the selection process
  - Do not even know if document was shared with anyone other than USAC

## Request for Review and Waiver (cont'd)

- Even if FCC finds the document is an RFP:
  - Document was not used to favor some potential bidders to the detriment of others
    - Consortium is not “in bed” with any service provider
  - Could not and did not compromise integrity of bidding process because it was not used to evaluate any bids
  - No evidence of scheme to violate the Commission’s rules or defraud the program
  - Waiver would be appropriate (pp 14-18)
    - Consortium has not engaged in fraud, waste or abuse
    - Consortium represents some of the poorest children in the U.S.
    - Precisely the students the FCC should help through the E-Rate Program

## Hurricanes Irma and Maria

- Puerto Rico's financial crisis is much worse than when Request for Review and Waiver was filed due to Hurricanes Irma and Maria
  - Catastrophic damage
  - Schools suffered considerable losses and were shut down for a long time
  - Major power crisis in Puerto Rico (national headlines)
  - Major health crisis developing due to water that's been exposed to toxic waste and human waste
  - FCC Chairman Pai visited Puerto Rico and said damage was "unimaginable"



## Our ask

- Grant the Request for Review and Waiver
- Investigate if USAC has a larger problem with the Consortium so it can be addressed
- Thank you for your time

## Contact

Edgar Class

Wiley Rein LLP

[eclass@wileyrein.com](mailto:eclass@wileyrein.com)

(202) 719-7504

June 29, 2017

Via E-mail: [Appeals@sl.universalservice.org](mailto:Appeals@sl.universalservice.org)

Letter of Appeal  
Schools and Libraries Program - Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

**RE: E-Rate Appeal by Consorcio Colegios Católicos Arquidiócesis de San Juan (BEN 157738) and its Members**

This is an appeal by Consorcio Colegios Católicos Arquidiócesis de San Juan (“Consortium”) and its members listed below (collectively, “the Applicants”) of adverse decisions by the Universal Service Administrative Company (“USAC”) rescinding funding commitments for Funding Years 2013, 2014 and 2015. The Applicants are members of the Consortium, which prepared and filed the underlying Form 470 at issue in this appeal. We believe that USAC erred when it rescinded the funding commitments and we respectfully request that the appeal be granted.

As a preliminary matter, the Applicant in this Appeal **did not** receive Notification of Commitment Adjustment Letters (“COMAD”). Instead, the Applicants learned about the rescission of the funding requests because they received Demand Payment Letters stating the following: *“You were previously sent a Notification of Commitment Adjustment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to the Notification of Commitment Adjustment Letter.”* We do not know the reason why the Applicants did not receive the COMADs. We also do not know if the COMADs were issued, and if they were, whether they were sent to the correct address. The Applicants searched their records and files where they keep correspondence from USAC and were unable to find COMADs for the funding requests referenced in the Demand Payment Letters. The fact that the Applicants did receive the Demand Payment Letters demonstrates that the contact information on file with USAC is correct. If the Applicant had received the COMADS, we would have availed ourselves of our appeal rights. The Consortium is in the process of reaching out to the School and Libraries leadership to investigate this matter. However, we take this opportunity to address USAC’s concerns, as stated in the Demand Payment Letters.

Name and contact information of the person who can most readily discuss this appeal:

Ana Cortés Crespo  
Consorcio Colegios Católicos Arquidiócesis de San Juan  
Calle Jaime Drew #789, Urb. Los Maestros  
San Juan, PR 00923  
Tel: (787) 731-6100  
Email: [acortes@secsj.net](mailto:acortes@secsj.net)



Information concerning the E-Rate applications:

Entity	BEN	Demand Payment Letter Date	FY	471	FRN
Colegio Beato Carlos Manuel Rodrigues	200577	May 30, 2017	2015	1029787	2809375
Colegio Beato Carlos Manuel Rodrigues	200577	May 30, 2017	2015	1029787	2797701
Colegio Beato Carlos Manuel Rodriguez	200577	May 30, 2017	2014	972586	2647987
Colegio de la Inmaculada Concepcion	200293	May 30, 2017	2013	878452	2398688
Colegio de la Inmaculada Concepcion	200293	May 30, 2017	2014	963802	2618800
Colegio de la Inmaculada Concepcion	200293	May 30, 2017	2015	1028902	2795324
Colegio Calasanz	200450	May 30, 2017	2015	1051417	2872261
Colegio Calasanz	200450	May 30, 2017	2014	964749	2622067
Colegio Calasanz	200450	May 30, 2017	2013	878286	2398557
Colegio Nuestra Senora del Rosario	200599	May 31, 2017	2013	878904	2399298
Colegio Nuestra Senora del Rosario	200599	May 31, 2017	2015	1039066	2829801
Colegio Maria Auxiliadora	200291	May 31, 2017	2013	891887	2424328
Colegio Maria Auxiliadora	200291	May 31, 2017	2014	989988	2701196
Colegio Nuestra Senora de Altagracia	200457	May 31, 2017	2015	1029631	2797691
Colegio Nuestra Senora de Altagracia	200457	May 31, 2017	2014	962543	2615147
Colegio San Gabriel para Ninos Sordos	200461	May 31, 2017	2013	892501	2425613
Colegio San Gabriel para Ninos Sordos	200461	May 31, 2017	2013	892501	2425593
Colegio San Gabriel para Ninos Sordos	200461	May 31, 2017	2014	963756	2618609
Colegio San Gabriel para Ninos Sordos	200461	May 31, 2017	2014	963756	2618620
Colegio San Gabriel para Ninos Sordos	200461	May 31, 2017	2015	1028894	2795177
Colegio Santa Clara	159163	June 6, 2017	2013	879195	2399694
Colegio Santa Clara	159163	June 6, 2017	2014	962593	2615579
Colegio Santa Clara	159163	June 6, 2017	2015	1022107	1022107
Colegio San Pedro Martir	200708	June 6, 2017	2013	894101	2430121
Colegio San Pedro Martir	200708	June 6, 2017	2014	964381	2620876
Colegio San Pedro Martir	200708	June 6, 2017	2015	1029245	2796038
Colegio San Juan Bosco	201214	June 6, 2017	2015	1030917	2802710
Colegio San Juan Bosco	201214	June 6, 2017	2015	1029624	2797685
Colegio San Juan Bosco	201214	June 6, 2017	2014	972318	2647257
Colegio San Juan Bosco	201214	June 6, 2017	2013	879162	2399653
Colegio San Jose	200419	June 6, 2017	2013	879171	2399671
Colegio San Jose	200419	June 6, 2017	2014	989483	2699813
Colegio San Jose	200419	June 6, 2017	2015	1043687	2846886
Colegio Santa Cruz	200718	June 7, 2017	2013	879907	2400547
Colegio Santa Cruz	200718	June 7, 2017	2013	879907	2400546
Colegio Santa Cruz	200718	June 7, 2017	2014	968652	2636510
Colegio Santa Cruz	200718	June 7, 2017	2014	968652	2636497
Colegio Santa Cruz	200718	June 7, 2017	2015	1029190	2795895
Colegio Santa Cruz	200718	June 7, 2017	2015	1030731	2801986
Colegio Santiago Apostol	200637	June 7, 2017	2013	894712	2431871
Colegio Santiago Apostol	200637	June 7, 2017	2014	963995	2619603
Colegio Santiago Apostol	200637	June 7, 2017	2015	1044024	2847738
Colegio Santa Maria del Camino	159166	June 7, 2017	2013	879910	2400554
Colegio Santa Maria del Camino	159166	June 7, 2017	2014	964009	2619398

Entity	BEN	Demand Payment Letter Date	FY	471	FRN
Colegio Santa Maria del Camino	159166	June 7, 2017	2015	1022258	2774276
Colegio Maria Auxiliadora	159161	May 31, 2017	2014	963539	2617887
Colegio Maria Auxiliadora	159161	May 31, 2017	2015	1029904	2798743
Colegio Maria Auxiliadora	159161	May 31, 2017	2015	1028897	2795297
Colegio Maria Auxiliadora	159161	May 31, 2017	2013	885110	2409675
Colegio Nuestra Senora de Belen	200411	May 31, 2017	2014	989292	2699276
Colegio Nuestra Senora de Belen	200411	May 31, 2017	2013	878321	2398554
Colegio Nuestra Senora de la Piedad	200330	May 31, 2017	2015	1022965	2776230
Colegio Nuestra Senora de la Piedad	200330	May 31, 2017	2015	1024060	2779772
Colegio Nuestra Senora de la Piedad	200330	May 31, 2017	2014	979827	2669908
Colegio Nuestra Senora de la Piedad	200330	May 31, 2017	2013	892469	2425554

## BACKGROUND

On August 28, 2012, the Consortium filed FCC Form 470 # 648350001042978 for Funding Year 2013 on behalf of eligible members, including the Applicants. The Consortium checked the box indicating that no Request for Proposals (“RFP”) had been released and that it did not intend to do so. The FCC Form 470 # 648350001042978 served as the basis for a multi-year contract, as permitted by the program rules. After following all of the competitive bidding rules, service providers were selected and the relevant FCC Forms 471 were filed. Thereafter, USAC either funded or committed to fund the FRNs at issue.

In early 2017, USAC sent an Information Request to the Consortium in connection with Funding Year 2016. Subsequently, USAC sent an Intent to Deny Letter to the Consortium also **in connection with Funding Year 2016**. Those documents, and the responses from the Consortium, are enclosed as Attachment 1. As the correspondence between USAC and the Consortium indicates, those communications relate to Forms 470 #160029101, 161058971 and 161058750 for **Funding Year 2016**.

Although the Applicants do not have a record of having received COMADs, they did receive Demand Payment Letters which contain the Funding Commitment Adjustment Reports that would have been attached to the COMADs.

The explanation for the rescission related to the FRNs for all Funding Years in the Funding Commitment Adjustment Reports is:

After a thorough investigation, it has been determined that this funding commitment is rescinded in full. On the FY [2013 or 2014 or 2015] FCC Form 470, you did not check the box to indicate that you did or intend to release a Request for Proposal (RFP) for the products and/or services that you sought. It was determined that you did issue a RFP. Specifically, during a Selective Review you indicated an RFP was in fact issued and one was provided. The RFP released describes the project undertaken and contains details to inform potential bidders of the scope, location, and any other requirements for the project and services requested. FCC rules require applicants to submit a complete description of

services they seek so that it may be posted for competing service providers to evaluate and formulate bids. The applicants FCC Form 470 should inform potential bidders if there is, or is likely to be, an RFP containing specific details related to particular services indicated on the form to enable all potential bidders to reasonably determine the needs of the applicant. Since you failed to inform potential service providers that an RFP was available for the products and/or services requested, you did not provide sufficient level of details to allow potential service providers an opportunity to formulate bids. As a result, you violated the competitive bidding process. The commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

## **REASONS FOR APPEAL**

### **1. The Forms 470 # 160029101, 161058971 and 161058750 for Funding Year 2016 are unrelated to the underlying Form 470 that formed the basis for the FRNs for Funding Years 2013, 2014 and 2015.**

It is evident from the face of USAC's questions and the Consortium's responses that USAC's inquiry related to FCC Forms 470 #160029101, 161058971 and 161058750 for Funding Year 2016. The FRNs at issue in this appeal were submitted pursuant to FCC Form 470 # 648350001042978 filed on August 28, 2012. In other words, these are two separate competitive bidding processes. USAC should not impute alleged rule violations in connection with Funding Year 2016 to the Applicants' FRNs for Funding Years 2013, 2014 or 2015 because those were two separate competitive processes. It is a denial of due process for USAC to deny FRNs associated with an FCC Form 470 that is unrelated to the FCC Form 470 that USAC inquired about. For this reason, USAC should rescind the COMADs. Should USAC have questions specific to Funding Years 2013, 2014 and 2015, it should ask those questions and give the Consortium and the Applicants a meaningful opportunity to respond.

### **2. The draft document for Funding Year 2013 titled "Notice to the Vendors Interested in Submitting a Proposal" was not a Request for Proposals.**

The COMADs state that the Consortium issued RFPs for Funding Years 2013, 2014 and 2015. Specifically, the COMADs state that "*you did not check the box to indicate that you did or intend to release a Request for Proposal (RFP) for the products and/or services that you sought*" and that "*It was determined that you did issue a RFP.*" Enclosed at Attachment 2 is a document titled "Notice to the Vendors Interested in Submitting a Proposal" for Funding Year 2013 which we can only assume is the document USAC is categorizing as an "RFP." The Consortium did not use this document as an RFP, or as part of the FCC Form 470, or as establishing additional requirements not included in the Form 470 for Funding Year 2013.

Originally, the document was intended to serve as a handout that would include the same information in the Form 470 for Funding Year 2013 but in a user-friendly format to facilitate conversations with service providers interested in having an in-person meetings with Consortium personnel. The draft document was incomplete in many regards and, for that reason, it was not intended to be used as originally contemplated. In fact, because the document was envisioned to

serve as a handout during in-person meetings, if needed, the Consortium is unable to ascertain if this draft document was shared with any potential bidders for Funding Year 2013. However, the Consortium produced the draft document to USAC during its review process of Funding Year 2016 applications in an effort to be as comprehensive and transparent as possible. Such an effort, particularly in light of the information being provided in this appeal, should not result in the punishment of the Applicants FRNs for three Funding Years.

In sum, the Consortium did not use the draft document as an RFP and for that reason it appropriately checked the box indicating that it did not intend to release an RFP. Prospectively, the Consortium will not put together such handouts to eliminate any possibility that they may cause its members to risk hundreds of thousands of dollars in much needed E-Rate support for the schools in Puerto Rico. Given the economic crisis in Puerto Rico, these E-Rate funds are more critical than ever.<sup>1</sup>

### **3. The draft document did not harm the competitive bidding process.**

The FCC Form 470 # 648350001042978 for Funding Year 2013, which serves as the basis for all the FRNs being rescinded, contained sufficient detail and information to permit potential bidders to evaluate the E-rate eligible services sought to formulate bids. In fact, the Consortium received several bids, which it properly evaluated, and it ultimately selected the bids that were most cost-effective for specified services in compliance with the program's rules. Furthermore, neither the Consortium nor the Applicants have engaged in any type of waste, fraud or abuse.

For the reasons set forth above, we respectfully request that USAC grant this appeal.

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<sup>1</sup> As information, on May 3, 2017, after a painful recession of eleven years, the Commonwealth of Puerto Rico, with approximately \$123 billion in debt and pension obligations that far exceed the \$18 billion bankruptcy filed by Detroit in 2013, sought what is essentially bankruptcy relief under Title III of the Puerto Rico Oversight, Management and Economic Stability Act ("PROMESA"). *In re Commonwealth of Puerto Rico, Debtor*, Title III, Case No. 17-cv-01578 (May 3, 2017). This extraordinary step evidences the fiscal emergency that renders Puerto Rico unable to provide its citizens effective services, while suffering the outmigration of residents and businesses which further impacts the local economy. The Applicants do not receive funding from the Puerto Rico government, as they are private institution, but the existing economic conditions have an impact in all sectors of the economy, including private schools. These E-rate funds are needed now more than ever for the benefit of the students.

Respectfully submitted,

**COLEGIO BEATO CARLOS MANUEL RODRIGUES  
COLEGIO DE LA INMACULADA CONCEPCION  
COLEGIO CALASANZ  
COLEGIO NUESTRA SENORA DEL ROSARIO  
COLEGIO MARIA AUXILIADORA  
COLEGIO NUESTRA SENORA DE ALTAGRACIA  
COLEGIO SAN GABRIEL PARA NINOS SORDOS  
COLEGIO SANTA CLARA  
COLEGIO SAN PEDRO MARTIR  
COLEGIO SAN JUAN BOSCO  
COLEGIO SAN JOSE  
COLEGIO SANTA CRUZ  
COLEGIO SANTIAGO APOSTOL  
COLEGIO SANTA MARIA DEL CAMINO  
COLEGIO MARIA AUXILIADORA  
COLEGIO NUESTRA SENORA DE BELEN  
COLEGIO NUESTRA SENORA DE LA PIEDAD  
CONSORCIO COLEGIOS CATÓLICOS ARQUIDIOCESIS DE SAN JUAN**



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By: Ana Cortés Crespo  
Consortio Colegios Católicos Arquidiócesis de San Juan

## **Attachment 1**

## FY 2016 E-rate Application Information Request

**Applicant Name:** Consorcio Colegios Catolicos Arquidiocesis De San Juan BEN 16020045

**FCC Form 471 Application Number(s):** 161058971, 161058738, 161058750

### **I.**

In your response, you listed NEVESEM as the selected vendor for all of your FY2016 FRNs in the above applications. However, this conflicts with the information you reported on these same applications. Please see the last page of this Word document listing the FRN and service provider information from your Form 471 applications. Please clarify the correct service provider and provide supporting documentation.

**Application Number 161058738 and its related FRN's is an application for INTERNET ACCESS services and was subject to a Bidding Process which resulted in the vendor NEVESEM being selected to provide INTERNET ACCESS service to the schools of the Consortium.**

**Application Number 161058750 and its related FRN's is an application for INTERNAL CONNECTIONS services and was subject to a Bidding Process which resulted in the vendor NEVESEM being selected to provide INTERNAL CONNECTIONS service to the schools of our Consortium.**

**Application Number 161058971 and its related FRN's is an application for TELEPHONE VOICE SERVICE. The schools in our consortium Use individual local service providers which include PUERTO RICO TELEPHONE COMPANY (CLARO), AT&T MOBILITY, WORLDNET COMMUNICATIONS, LIBERTY CABLEVISION OF PUERTO RICO AND PRIMUS TELECOMMUNICATIONS for Telephone Voice Service without a contract and on a Month-To-Month payment plan. Because Telephone Voice Service is handled individually by each school on a Month-To-Month basis, no bidding process was needed by the Consortium for this application and therefore, no single service provider was selected. All reimbursements for Telephone Voice service will be requested with 472 BEAR forms at the end of the fiscal year.**

### **II.**

In response to the statements made that NEVESEM is providing Free Services to participating schools in the Consorcio Colegios Catolicos Arquidiocesis De San Juan consortium, you stated: *"The RFP provided was created years ago before any changes to free services occurred. The RFP was used merely as a guideline for the services required and any questions by prospective bidders were answered by Mr. Malavé. The RFP was not used in any way to evaluate the prospective bidders in choosing the winning bid."* However, the RFP in question had a March 29, 2016 response due date. Please clarify if your response and any assistance was provided by NEVESEM relative to the your FY 2016 competitive bid process and FCC Filings.

**The RFP provided was indeed written years ago. The only change made to the RFP was in the dates stated in the document but due to changes in personnel in the Consortium and lack of time in registering the Consortium and all our schools into the new EPC system in order to file the 470 form before the deadline, no comprehensive revision was made to the RFP before publication.**

**In any case, as stated before, the RFP was simply used as a tool for the service providers but was not used in any capacity in the selection process. The Consortium met with all interested prospective bidders either personally or by phone and any questions they had were answered promptly before the companies submitted any bids. Neither NEVESEM or any of the other prospective bidders provided any assistance in the filling of FCC forms or in the bidding process with the exception of submitting qualified bids on or before the deadline.**

**III.**

The RFP also included the following requirement: *"The service provider must provide a secondary backup Internet line to work concurrently with the primary service so the institutions always have Internet service despite any service outage that might occur with the primary Internet line."* Please note, the E-rate program does not fund backup, redundant or duplicate services. Please provide the FRN(s) that included these secondary backup internet lines. If any, please confirm this FRN(s) should be canceled.

**As stated above, the RFP was written years ago and included services which are no longer covered by erate funding. We no longer require this service as a necesseray component to accept bid requests nor do we require the service provider to provide this service.**

**IV.**

Please explain the following excerpt from the RFP: "The main priority is Internet Access due to the fact that each individual school chooses their own service provider for Telecommunication Services on a MTM basis." As previously noted, the goal of the competitive bidding process is to have as many bidders as possible respond to an FCC Form 470, RFP, or other solicitation method so that the applicant can receive better service and lower prices. One of the benefits of forming a consortium as it relates to the Schools and Libraries Program is to aggregate demand in order to lower prices and promote more efficient use of shared facilities. However, the RFP indicates that each applicant is responsible to chose their own separate Telecommunications Service Provider which defeats the intend of forming a consortium. Please explain and provide supporting documentation.

**Due to the unique requirements of Telephone Voice Service for our schools in diferent parts of the San Juan Metropolitan area and the divergent sizes of the schools, it is impractical to subject our individual schools to a single service provider who might not have the infrastructure to provide service to all our schools. As such, we allow the individual schools to choose which service provider can meet their needs since most local Telephone Voice Service providers don't use yearly contracts and bill their customerts on a Month-To-Month basis.**

**V.**

Lastly, Academia Santa Maria del Camino BEN 200572 is listed as the lone Recipient of Service on all of your FY2016 FRNs thus creating duplicative services to the same entity. Please explain and provide supporting documentation.

**There should be no duplicate services for Academia Santa Maria del Camino BEN 200572. As requested by USAC personnel, the individual applications number 161043379 and 161048074 where cancelled along with the individual applications for all the schools so that a single application for the Consortium could be filed. Academia Santa Maria del Camino BEN 200572 should only appear in application numbers 161058971 and 161058738 as a school that belongs to our Consortium. If**



**applications number 161043379 and 161048074 still appear in the system as active, they should be cancelled immediately.**

We are providing you with an opportunity to submit further documentation and/or any special circumstances that we should consider during the review.

Thank you for your cooperation and continued support of the Universal Service Program.

## Special Compliance Information Request

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471 App #	FRN	Original Service Type	SPIN #	Service Provider Name
161058971	1699137085	Voice	143025240	AT&T Mobility
161058971	1699137114	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137116	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137117	Voice	143004023	Primus Telecommunications, Inc.
161058971	1699137118	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137119	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137120	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137122	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137124	Voice	143004023	Primus Telecommunications, Inc.
161058971	1699137170	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137171	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137172	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137173	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137174	Voice	143029833	Puerto Rico Telephone Company, Inc
161058971	1699137176	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137177	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137180	Voice	143025240	AT&T Mobility
161058971	1699137181	Voice	143015562	Worldnet Telecommunications, Inc.
161058971	1699137182	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137183	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137185	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137186	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137187	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137189	Voice	143015562	Worldnet Telecommunications, Inc.
161058971	1699137191	Voice	143015562	Worldnet Telecommunications, Inc.
161058971	1699137269	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137270	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137271	Voice	143015562	Worldnet Telecommunications, Inc.
161058971	1699137272	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137275	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137277	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137278	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137281	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137283	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137286	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137287	Voice	143029833	Puerto Rico Telephone Company, Inc
161058971	1699137288	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137289	Voice	143036030	Liberty Cablevision of Puerto Rico LLC
161058971	1699137290	Voice	143004023	Primus Telecommunications, Inc.
161058971	1699137291	Voice	143012431	Puerto Rico Telephone Company Inc
161058971	1699137292	Voice	143012431	Puerto Rico Telephone Company Inc
161058738	1699136663	Voice	143022659	A New Vision in Educational Services & Materials (NEVESEM)
		Data Transmission and/or Internet		
161058738	1699136660	Access	143022659	A New Vision in Educational Services & Materials (NEVESEM)
		Internal		
161058750	1699136668	Connections	143022659	A New Vision in Educational Services & Materials (NEVESEM)

## FY 2016 E-rate Application Information Request

**Applicant Name:** Consorcio Colegios Católicos Arquidiócesis De San Juan BEN 16020045  
**FCC Form 471 Application Number(s):** 161058971, 161058738, 161058750

### **I.**

FCC rules require applicants must be ready to accept bids once the FCC Form 470 is posted on the USAC web site. According to documentation provided, the applicant deterred potential bidder(s) by listing an Ineligible service (Secondary back up internet line) as a requirement in their RFP document. Specifically, the RFP stated *"The service provider must provide a secondary backup Internet line to work concurrently with the primary service so the institutions always have Internet service despite any service outage that might occur with the primary Internet line."* In addition, it stated that *"Bids from applicants who cannot provide this service will be rejected."* When asked to clarify this requirement, you responded as follows: *"the RFP was written years ago and included services which are no longer covered by erate funding. We no longer require this service as a necessary component to accept bid requests nor do we require the service provider to provide this service."* Although you indicated this was no longer a requirement to submit a bid, this was not made clear to all prospective bidders reviewing your RFP. As a result, it was determined that your competitive bidding process was not fair and open. Therefore, FRN 1699136660 will be denied.

## **ANSWER #1:**

We have previously stated that **NO** bidder was rejected because of this RFP requirement. Furthermore, if you refer to the RFP's Vendor Proposal explanation, it clearly states ***"The ineligible products or services being quoted of offered should not be a factor in the vendor selection process"***. The request to provide backup line responds to the need to guarantee of a continuous Internet Service, a redundancy in order to avoid service interruption despite an outage that might occur with the primary Internet line. Additionally, vendors that responded to our FCC form 470 & RFP were informed that this was no longer a requirement either when met in person or by phone.

We met with four competing companies that showed interest in submitting bids for Internet Service and Internal Connections Service to the Consortium members. These companies were as follows:

- 1.) **Everyday Data** represented by Glenda Echevarría and she was accompanied by three additional people representing the company who were Sarah Montilla Báez, José Trinidad and Robert Schmidt. This meeting was held on Wednesday, March 16, 2016 at 8:00 a.m. (see attached evidence).



- 2.) **NEVESEM (Dreyfous & Assoc)** represented by Alexander López and Sofía García. This meeting was held on Wednesday, March 16, 2016 at 11:00 a.m. (see attached evidence).



- 3.) **Avent Technologies** represented by the president of the company and accompanied by Lynn Díaz. This meeting was held on Wednesday, March 16, 2016 at 2:00 p.m. (see attached evidence).



**4.) Smart Technologies represented by Roque Pagán. This meeting was held on Wednesday, March 16, 2016 at 9:30 a.m.**

**You state in your letter that “Although you indicated this was no longer a requirement to submit a bid, this was not made clear to all prospective bidders reviewing your RFP. “ This is NOT correct. All four companies were given equal time and attention in answering their questions about the eligible services required and any question pertaining to an individual school was addressed by calling the particular school or giving the contact information necessary for the corresponding school. All four companies were satisfied with the results from the meetings held on Wednesday, March 16, 2016 and all four companies left after answering their questions to prepare their respective bid proposals.**

**All four companies submitted bids to the Consortium on or before March 29, 2016 and all four submitted bids were accepted and considered for evaluation. At NO time was the RFP used to restrict or curtail the interested companies from submitting qualifying bids. All information needed to submit a qualifying bid were presented and discussed during the meetings held on Wednesday, March 16, 2016.**

**Evaluations for all four submitted bids were made by a five person committee composed of members of the Superintendence Office and several schools. One of which represents a school that doesn’t belong to the Consortium. (see attached evidence, document: *Anejo 5all - HOJA DE ASISTENCIA DEL COMITE EVALUADOR BIDDING PROCESS 2016*)**

**All four submitted bids were evaluated by the committee members using the standard criteria recommended by USAC, those being, 1.) Prior Experience, 2.) School Individual Approach, 3.) Technical Capabilities, 4.) K-12 Educational Experience and 5.) Price. The committee members assigned values to each criteria for each submitted bid to arrive at a winning bid. As previously stated in a prior communication, the overriding criteria for the winning bid was PRICE as it should be as stated in the USAC recommendations for competitive bidding. In no way were services of lack of them used in the selection process. (See attached evidence, document: *Anejo 5al - Hojas de Evaluacion*)**

**The fact that all four companies that showed interes in submitting bids did so, and that all four bids were accepted and considered by the evaluation committee is undeniable proof that the RFP had no influence in the bidding process and that all four companies were treated equally and fairly in an open and fair bidding process.**

**II.**

FCC rules require a competitive bidding process where an applicant chooses a service provider only after defining all of the specific services eligible for support at each eligible entity. Only by doing so can applicants ensure that they are receiving the most cost-effective services because bidders have sufficient information to determine exact bid prices. Applicants are required to provide bona fide requests for service, so that potential providers can provide accurate bids. The FCC elaborated on the

meaning of “bona fide” in the Universal Service Order, where it stated that Congress “intended to require accountability on the part of schools and libraries,” which should therefore be required to “(1) conduct internal assessments of the components necessary to use effectively the discounted services they order; (2) submit complete description of services they seek so that it may be posted for competing providers to evaluate. Per the FCC’s Ysleta Order, an applicant’s FCC Form 470 must be based upon its current needs and must detail specific services sought in a manner that would allow bidders to understand the specific technologies that the applicant is seeking. In this instance, you stated that the Request for Proposal (RFP) posted with FY2016 FCC Forms 470 #160029101, 161058971 & 161058750 *“was created years ago before any changes to free services occurred. The RFP was used merely as a guideline for the services required and any questions by prospective bidders were answered by Mr. Malavé. The RFP was not used in any way to evaluate the prospective bidders in choosing the winning bid.”* However, this document included specific instructions to prospective bidders that would be deemed essential for submitting an accurate proposal. As a stand alone solitication, the referenced FCC Form 470 #160029101 failed to provide all pernant information (i.e. contacting the consortium members directly, etc.) for prospective bidders to submit accurate and valid proposals. Because you failed to provide a bona fide request for services of your current needs and failed to make all pernant information available to all potential bidders, service providers could not provide accurate bids and it was determined that you violated the FCC’s requirements for fair and open competitive bidding process, and funding is denied for FY2016 FCC Forms 471 #16158738 & 161058750.

## ANSWER #2:

**FCC Form 470 #160029101, was as detailed as the form itself and the EPC system allowed us to make it. Each school had the responsibility to inform us as per their assessment, which were their needs in order for the form to be submitted. In some cases, an internal assessment was made by Consortium personnel or any IT personnel contracted by the school. The description of services solicited, was as specific as the form itself and the EPC system allowed us to make it. As a Consortium, we solicited similar services and with the purpose of obtaining better prices and services. It has been stated that all of our institutions have different needs because of size, amount of enrolled students, geographic location, etc. However, the Form 470 was completed based on the primary need of Internet Service for each school and the components needed to do so. The RFP clearly stated the current bandwidth for each school in order for service providers to be able to make their best offer as per FCC Form 470 and any lingering questions where answered during the meetings held on Wednesday, March 16, 2016. Additionally, some of these schools are in urgent need of equipment to provide required Internet Service and these needs were stated on the submitted FCC Form 470. Once again, NO bidder was rejected and all of them were welcomed to require additional information if interested in bidding. These additional inquiries where all addressed for all four interested parties during the meetings held on Wednesday, March 16, 2016. (See ANSWER #1 above for details pertaining to the corresponding companies and the bidding process.)**

### III.



FCC rules require a competitive bidding process where an applicant chooses a service provider only after defining all of the specific services eligible for support at each eligible entity. Only by doing so can applicants ensure that they are receiving the most cost-effective services because bidders have sufficient information to determine exact bid prices. The goal of the competitive bidding process is to have as many bidders as possible respond to an FCC Form 470, RFP, or other solicitation method so that the applicant can receive better service and lower prices. One of the benefits of forming a consortium as it relates to the Schools and Libraries Program is to aggregate demand in order to lower prices and promote more efficient use of shared facilities. When asked to provide the competitive bid documentation for all FRNs within FY 2016 FCC Forms 471 161058971 & 16158738 FRN 1699136663, no documentation was provided and you explained that *"Because Telephone Voice Service is handled individually by each school on a Month-To-Month basis, no bidding process was needed by the Consortium for this application and therefore, no single service provider was selected."* Moreover, the RFP specified that Voice services were *"Not subject to Bidding Considerations due to the fact that each individual school chooses their own service provider for Telecommunication Services on a MTM basis."* This is a violation because FCC rules require that in order to be eligible for E-rate support, all services and funding requests must be competitively bid on in accordance with the program's competitive bid rules and regulations. Since you failed to demonstrate you met this requirement, we intend to deny FRNs 1699137085, 1699137114, 1699137116, 1699137117, 1699137118, 1699137119, 1699137120, 1699137122, 1699137124, 1699137170, 1699137171, 1699137172, 1699137173, 1699137174, 1699137176, 1699137177, 1699137180, 1699137181, 1699137182, 1699137183, 1699137185, 1699137186, 1699137187, 1699137189, 1699137191, 1699137269, 1699137270, 1699137271, 1699137272, 1699137275, 1699137277, 1699137278, 1699137281, 1699137283, 1699137286, 1699137287, 1699137288, 1699137289, 1699137290, 1699137291, 1699137292 and 1699136663. For further information, please may reference the USAC website: <http://www.usac.org/sl/applicants/step01/default.aspx>.

## ANSWER #3:

**As stated before, all of our institutions have different needs because of size, amount of enrolled students, geographic location, etc. Each school selected their service provider based on these needs and did not require a bidding process due to the fact that local voice service telephone companies don't require contracted services and bill their customers on a Month-to-Month basis.**

**Originally an FCC Form 471 for Voice Services was submitted for each individual school in order to provide Voice Service funds for the local service providers that provide Month-To-Month service to our individual schools. During the month of June 2016, Mr. Gervacio Malavé, an employee of the Consortium was instructed by Mr. José Díaz from the Schools and Libraries division of USAC that the individual FCC Form 471 for each school had to be canceled and a single FCC Form 471 had to be created and submitted for the Consortium as a whole. Following Mr. José Díaz's instructions, the Consortium canceled the individual FCC Form 471's despite the fact that many on them had already been reviewed and approved and submitted a single FCC Form 471 #161058971 for the Consortium which included Voice Service for all the participating schools.**

Apparently this instruction by Mr. Díaz was in error since you consider this a violation of FCC rules. Since FCC Form 471 #161058971 was only submitted by instructions of Mr. José Díaz of USAC, we then request that the individual FCC Form 471's that were canceled last summer at his instruction be reactivated and submitted for approval and the current FCC Form 471 #161058971 that was created in error by Mr. Díaz's instruction be canceled.

The individual FCC Form 471's for Voice Service for our individual schools that need to be reactivated and submitted for review and approval are as follows:

<b>BEN Number</b>	<b>School Name</b>	<b>FCC Form 471 App. #</b>
<b>200457</b>	<b>Colegio Nuestra Señora de la Altagracia</b>	<b>161047657</b>
<b>200414</b>	<b>Colegio Angeles Custodios</b>	<b>161047659</b>
<b>200411</b>	<b>Colegio Nuestra Señora de Belén</b>	<b>161047663</b>
<b>200450</b>	<b>Colegio Calasanz</b>	<b>161047665</b>
<b>200725</b>	<b>Colegio Nuestra Señora del Carmen</b>	<b>161047670</b>
<b>200472</b>	<b>Colegio Corazón de María</b>	<b>161049717</b>
<b>200516</b>	<b>Academia Espíritu Santo</b>	<b>161047675</b>
<b>200478</b>	<b>Colegio Nuestra Señora de Guadalupe</b>	<b>161047682</b>
<b>200293</b>	<b>Colegio De la Inmaculada</b>	<b>161047689</b>
<b>200610</b>	<b>Colegio De la Salle</b>	<b>161047695</b>
<b>200448</b>	<b>Colegio Nuestra Señora de Lourdes</b>	<b>161047706</b>
<b>159161</b>	<b>Colegio María Auxiliadora – CAR</b>	<b>161052778</b>
<b>200291</b>	<b>Colegio María Auxiliadora – SJ</b>	<b>161047717</b>
<b>200418</b>	<b>Colegio Mater Salvatoris</b>	<b>161047726</b>
<b>200330</b>	<b>Colegio La Piedad</b>	<b>161047735</b>
<b>200426</b>	<b>Academia Nuestra Señora de la Providencia</b>	<b>161047786</b>
<b>200410</b>	<b>Colegio Nuestra Señora de la Providencia</b>	<b>161047797</b>
<b>200599</b>	<b>Colegio Nuestra Señora del Rosario</b>	<b>161047804</b>
<b>200320</b>	<b>Colegio Sagrada Familia</b>	<b>161047806</b>
<b>200316</b>	<b>Academia Sagrado Corazón</b>	<b>161047819</b>
<b>200433</b>	<b>Colegio Sagrado Corazón de Jesús</b>	<b>161048033</b>
<b>200707</b>	<b>Colegio Sagrados Corazones (PK-4)</b>	<b>161048036</b>
<b>200709</b>	<b>Colegio Sagrados Corazones (5-12)</b>	<b>161048040</b>
<b>201220</b>	<b>Colegio San Agustín</b>	<b>161048042</b>
<b>200461</b>	<b>Colegio San Gabriel</b>	<b>161048046</b>
<b>201214</b>	<b>Colegio San Juan Bosco</b>	<b>161048050</b>
<b>200708</b>	<b>Colegio San Pedro Martir</b>	<b>161048055</b>
<b>200313</b>	<b>Colegio San Vicente de Paul</b>	<b>161048057</b>
<b>159163</b>	<b>Colegio Santa Clara</b>	<b>161048058</b>
<b>200718</b>	<b>Colegio Santa Cruz</b>	<b>161048061</b>
<b>200577</b>	<b>Colegio Beato Carlos Manuel Rodríguez</b>	<b>161048064</b>
<b>17005616</b>	<b>Superintendencia de Escuelas Católicas</b>	<b>161049730</b>
<b>159166</b>	<b>Colegio Santa María del Camino</b>	<b>161048066</b>



159146	Academia Del Carmen	161049749
205528	Academia Santa Rosa	161048070
200637	Colegio Santiago Apostol	161049757
200423	Colegio Reina de los Angeles	161048071
200572	Academia Santa María del Camino	161048074

**IV.**

On FRN 1699136663, you are requesting \$5,700.00 for VoIP service to 38 entities. Please clarify the total number of bids received for VoIP service.

**ANSWER #4:**

**As per the Selective Competitive Bidding Request, “services being received from existing vendor can be considered a bid and should be logged as such”, we considered each current service provider’s tariff vs. offers presented by NEVESEM (and other bidders). After evaluation, we selected the one with better prices and services offered in accordance with USAC guidelines to select the best competitive price possible. In conclusion, selection was made according to USAC’s standards when selecting a service provider.**

We are providing you with an opportunity to submit further documentation and/or any special circumstances that we should consider during the review.

Thank you for your cooperation and continued support of the Universal Service Program.

**We are respectfully requesting USAC and this Review Team, to consider the previously stated reasons and responses for the issues presented. We are more than willing to provide any additional response or documentation required in order to obtain a positive response to our request. We have 38 schools that depend and rely on us for these important services to continue excellent education to their students.**

## **Attachment 2**



ARQUIDIOCESIS DE SAN JUAN DE PUERTO RICO  
**SUPERINTENDENCIA DE ESCUELAS CATÓLICAS**  
CONSORCIO DE COLEGIOS CATÓLICOS DE SAN JUAN  
Departamento de Tecnología / Oficina de Fondos E-Rate

789-B Calle Jaime Drew • Urb. Los Maestros • San Juan, PR 00923-2400 • Tel. (787) 731-6100 • Fax: (787) 790-6920  
Email: [erate.sec@gmail.com](mailto:erate.sec@gmail.com) • Web Page: <http://www.secsj.org>



## E-Rate Form 470 2013-2014

### Information needed for Quote

#### NOTICE TO THE VENDORS INTERESTED IN SUBMITTING A PROPOSAL

The **CONSORCIO de COLEGIOS CATOLICOS, ARQUIDIOCESIS de SAN JUAN (C.C.C.A.S.J.)** entity **#6105100005150** is requesting proposals to provide Internet Access and Internal Connections services for the period of July 1, 2013 to June 30, 2014, F-Rate Funding Year 16.

**Form 470 posted on the SLD website on August 28, 2012.**

Vendors should present their proposals on or before **September 28, 2012** at the administrative office of the **CONSORCIO de COLEGIOS CATOLICOS, ARQUIDIOCESIS de SAN JUAN** located at the Superintendence of Catholic Schools at the address on our letterhead or by e-mail at [erate.sec@gmail.com](mailto:erate.sec@gmail.com).

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#### • GENERAL STATEMENT

The **C.C.C.A.S.J.** is a Catholic School System comprised of forty (40) affiliated schools. In coordination with the administration of the C.C.C.A.S.J., vendors should contact each school to familiarize themselves with the specific needs and requirements of each institution. The E-Rate project for FY 2013 is a continuation of the projects already in motion and the participating schools have the basic infrastructure connectivity needed. The main priority is Internet Access due to the fact that each individual school chooses their own service provider for Telecommunication Services on a MTM basis. It should be pointed out that different broadband widths are needed by each institution depending on their particular needs.

#### • TELECOMMUNICATION SERVICES

**(Not subject to Bidding Considerations due to the fact that each individual school chooses their own service provider for Telecommunication Services on a MTM basis.)**

#### • INTERNAL CONNECTIONS

Some schools have pilot projects that may need additional internal connections while others may need replacements for non-functioning equipment. In general all the schools have received funding for internal connections in previous years but due to the individual discount levels of each school, not all schools are eligible for Internal Connections for every funding year.

## • INTERNET ACCESS

Internet Access is required for the projected number of computers ending in the Funding Year 2013. In determining the required bandwidth, the vendor should consider the school's current bandwidth and its technological resource distribution. The service provider must be capable of providing Internet Access using broadband technology with a minimum bandwidth of 6 Mbps as well as providing Content Filtering in accordance with the Children's Internet Protection Act (CIPA), Web Hosting and E-Mail services.

## • VENDOR PROPOSAL

The intent of this document is to provide information needed to submit a proposal to contract with one or more vendors to provide the materials and services specified in this document.

The major source of funding for this proposal is the Universal Service Fund (E-Rate). This document is being issued under the requirements of the federal E-Rate Program, and it is expected that the successful bidder will abide by the requirements of the E Rate Program, including extending the discounts as appropriate.

The signed contract may depend upon the individual schools receiving funding from the Universal Service Fund. All schools have basic infrastructure in place and will not need more unless a particular institution is substituting equipment or is beginning a pilot project in which case the vendor should contact the institution in order to find out what may be needed.

It should be pointed out that as educational institutions, we cannot be without Internet service. For that reason, the selected vendor **must** provide Internet Access services from July 1, 2013 onward even though E-Rate funding for that year may not have been received yet. If a vendor cannot meet this specification, it will be grounds for immediate disqualification from the Bidding Process.

Proposals will be reviewed by the Consortium Technology Group. While cost will weigh heavily, it will not be the sole deciding factor. Vendors can use any internal proposal format but all proposals should include quotes for Internet Access and Internal Connections on an individual service and school basis. This means that there should be 40 quotes for Internet Access and 40 quotes for Internal Connections. Two quotes for each school.

Quotes for Internal Connections should include Firewall servers with filtering software, DNS servers with Windows 2008 or newer version, routers, managed network switches, wireless access points and "drops". All Internal Connection quotes must include installation and training costs included in the equipment price and all equipment must include 3 years of warranty from the manufacturer.

All proposals should include or provide clearly the information listed below as some of this information will be used to evaluate their proposals. In the event that a vendor proposal includes E-Rate ineligible products or services, such products and/or services should be clearly identified including the cost associated with the ineligible products and/or services. The ineligible products or services being quoted or offered should not be a factor in the vendor selection process.

1. Costs of service and equipment
2. Company experience with Educational Institutions
3. Understanding of a school's technological needs and approaches

4. Soundness of the proposal
5. Technological infrastructure to support the project
6. Vendor qualifications
7. Project time line and finish schedule
8. Management capability
9. Guaranteed maintenance and support services
10. Contracts and agreements examples
11. Payment Schedule

The basic requirements for submitting a bid to our consortium in addition to those requested above and on our Form 470 are as follows:

- 1) The service provider **must** have a local office and a physical presence in the Commonwealth of Puerto Rico with trained personnel to deal with installations of new equipment and service claims.

***BIDS FROM APPLICANTS WITHOUT LOCAL OFFICES IN PUERTO RICO WILL BE REJECTED.***

- 2) The service provider **must** be willing and able to contact each school in our consortium individually in order to determine each school's requirements in bandwidth and acquisition of new equipment through Internal Connection funds.
- 3) The service provider **must** provide a secondary backup Internet line to work concurrently with the primary service so the institutions always have Internet service despite any service outage that might occur with the primary Internet line.

***BIDS FROM APPLICANTS WHO CANNOT PROVIDE THIS SERVICE WILL BE REJECTED.***

- 4) The service provider **must** provide Internet Access services from July 1, 2013 onward even though E-Rate funding for that year may not have been received yet.

***BIDS FROM APPLICANTS WHO CANNOT PROVIDE THIS SERVICE WILL BE REJECTED.***

The participating schools in our consortium are as follows:

BEN	SCHOOL NAME	Current Bandwidth
1. 157738	Superintendencia de Escuelas Católicas	1.5 Mbps
2. 159146	Academia Del Carmen	3 Mbps
3. 159161	Colegio Maria Auxiliadora – Car	6 Mbps
4. 159163	Colegio Santa Clara	3 Mbps
5. 159166	Colegio Santa María del Camino	3 Mbps
6. 159181	Colegio Lourdes	3 Mbps
7. 200291	Colegio Maria Auxiliadora – SJ	3 Mbps
8. 200293	Colegio de la Inmaculada	3 Mbps

9. 200313	Colegio San Vicente de Paúl	3 Mbps
10. 200318	Academia San Jorge	6 Mbps
11. 200320	Colegio Sagrada Familia – SJ	3 Mbps
12. 200330	Colegio Nuestra Señora de la Piedad	3 Mbps
13. 200340	Colegio Padre Berrios	3 Mbps
14. 200410	Colegio Nuestra Señora de la Providencia	6 Mbps
15. 200411	Colegio Nuestra Señora de Belén	6 Mbps
16. 200414	Colegio Ángeles Custodios	3 Mbps
17. 200418	Colegio Mater Salvatoris	3 Mbps
18. 200419	Colegio San José	6 Mbps
19. 200423	Colegio Reina de los Ángeles	3 Mbps
20. 200426	Academia Nuestra Señora de la Providencia	6 Mbps
21. 200433	Colegio Sagrado Corazón de Jesús	3 Mbps
22. 200448	Colegio Nuestra Señora de Lourdes	6 Mbps
23. 200450	Colegio Calasanz	3 Mbps
24. 200457	Colegios Nuestra Señora de la Altagracia	3 Mbps
25. 200461	Colegio San Gabriel para Niños Sordos	3 Mbps
26. 200472	Colegio Corazón de María	3 Mbps
27. 200478	Colegio Nuestra Señora de Guadalupe	3 Mbps
28. 200516	Academia Espíritu Santo	3 Mbps
29. 200572	Academia Santa María del Camino	3 Mbps
30. 200577	Colegio Beato Carlos Manuel Rodríguez	9 Mbps
31. 200599	Colegio Nuestra Señora del Rosario	3 Mbps
32. 200610	Colegio de la Salle	3 Mbps
33. 200637	Colegio Santiago Apóstol	3 Mbps
34. 200708	Colegio San Pedro Mártir	3 Mbps
35. 200718	Colegio Santa Cruz	3 Mbps
36. 200725	Colegio NS del Carmen	3 Mbps
37. 201214	Colegio San Juan Bosco	3 Mbps
38. 201220	Colegio San Agustín	3 Mbps
39. 205385	Academia San José – Elemental	3 Mbps
40. 205528	Academia Santa Rosa	3 Mbps

A full directory of the schools with addresses and phone numbers is available on our web page at <http://www.secsj.org>.

Should you need more specific information you may contact Mr. Julio E. Rodríguez the Administrative Assistance for E-Rate Funds via email at [erate.sec@gmail.com](mailto:erate.sec@gmail.com).