Proceedings – Schools and Libraries Docket # 02-6

Filer: Hingham Public Schools Billed Entity Number: 120490 FCC Registration Number: 0021541206

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FCC Form 470: 160029194

Funding Request Number (FRN): 1699130677

Funding FCC Form 471 Number Year: 161056323

Original Commitment Amount: $2,960.40

Post Commitment Decision: Denied

**USAC’s Rationale for Denial:**

It was determined that this funding commitment must be rescinded in full and USAC is seeking recovery of disbursed funds. FCC Form 470 did not include the service(s) for which funding was sought in the FCC Form 471 application, which is a violation of the FCCs competitive bidding rules. The applicant does not have a 470 that posts for Basic Maintenance of Internal Connections. FCC rules require that, except under limited circumstances, all eligible schools and libraries shall seek competitive bids for all services eligible for support by submitting a complete FCC Form 470 to USAC web site for potential service providers to evaluate. Since the services for which you sought funding were not properly posted to the website for competitive bidding, the commitment has been rescinded in full and USAC will seek recovery of $11,844.35 in disbursed funds from the applicant.

**Hingham Public Schools would like to Appeal the decision taken by USAC and believe that the following should be considered**

It is our belief that a complete Form 470 was prepared and properly posted to the website for competitive bidding and it described the services for which funding was sought. This form was available to all potential providers and we did receive responses from the Form 470. This Form 470 was 470 number 160029194 and not number 160003040 which was linked to the 471 for this item and the 470 which was included in the response from USAC.

Form 470 160029194 included a full description of the items being purchased and also included an RFP document providing complete details of the items requested. See attached document for details of the RFP included with the Form 470. This Form 470 followed all the requirements for proper competitive bidding procedures.

The Form 470 160029194 provided a full description of items requested but did not post for Basic Maintenance of Internal Connections but rather for Internal Connections because of a clerical error. It is the belief of Hingham Public Schools that this error did not in any way impact the bidding process or make the bidding process less competitive because all of the items requested were described in full detail in many places within the Form 470. In fact one of the vendors were the first to bring the error to our attention because the vendor saw the details of the Form 470 and was interested in bidding on the product and informed us that the category should have been Internal Connections rather than Basic Maintenance of Internal Connections. In addition to using the USAC website to post the Form 470 the details of the request were also advertised in the local newspaper. Attached you will see proof of the bid information being advertised in the local newspaper and the Massachusetts Central Register. This was done to ensure that FCC rules were followed as well as Massachusetts procurement rules and also to ensure that the bid was widely advertised.

Based on the information provided above we believe that the error identified did not in any way restrict the competitiveness of the bids. In fact more was done to ensure that the bid documents were more widely distributed and the responses and prices obtained from the process proved to be more competitive than our initial estimates. We hope that based on the above information you will rethink the decision to rescind funding as the funding was used for eligible services by an eligible school district and the process followed was competitive to ensure that Hingham Public Schools received the best price possible for the goods which were put out to bid.