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

Attached is an Appeal for Pope John Paul II Catholic School (BEN: 70648). On June 20, 2013 we received a Commitment Adjustment Letter for FRN 2238784 in the amount of \$46,000. Furthermore, on January 29, 2015, we received Public Notice [DA 15-127] stating that our appeal was denied.

The reason the CAL was issued is because Form 470 # 617890000869057 indicated that we did not release an RFP, and on subsequent USAC Review Correspondence we inadvertently categorized a document with descriptions of example projects as an RFP. The funding for Pope John Paul II School was changed to Not Funded because of this miscommunication. Pope John Paul II School's project had already been completed because the project was originally funded. The project would not have moved forward had the school expected to pay the full amount. We subsequently appealed to USAC on August 18th 2013, and we were unsuccessful for the same reasons.

In seven prior FCC decisions the issuance of a document that may have been inadvertently perceived as an RFP, contrary to the indication on the Form 470 an RFP would not be released, has not been found harmful to the competitive bidding process:

- Hillsboro Independent School District [DA 08-2366] (10/30/2008)
- Approach Learning and Assessment [DA 08-2380] (10/30/2008)
- Green Bay School District [DA 10-2305] (12/6/2010)
- Ramirez Common School District, Realitos TX [DA 11-1039] (6/9/2011)
- Riverdale Unified & Cherokee County School Districts [DA 11-1370] (8/8/2011)
- Northwest Arctic Borough [part of DA 11-1974] (12/5/2011)
- Northeast Arizona Technological Institute of Vocational Education [DA 12-334] (3/6/2012)

In these decisions the FCC decided the information within the Form 470 was sufficient to allow service providers to bid on the services requested. Furthermore, there was no indication of fraud, waste, or abuse, therefore no violation of the competitive bidding process occurred.

The reason that the Public Notice [DA 15-127] was issued is to notify us that our appeal was denied on the grounds of. "FCC Form 470 with Inadequate Specificity and No Indication of Request for Proposal (RFP) on Services being Sought."

Each of the service providers selected by Pope John Paul II Catholic School to provide proposals for the project were fully informed of the scope and requirements of the project and provided specific proposals for its completion.

The FCC's Bishop Perry Order [FCC 06-54] and the Wireline Competition Bureau's Academy for Academic Excellence Order [DA 07-1180] found reason to allow for Ministerial and Clerical Errors in Funding Requests, and made a particular reference of examples where denial of funding inflicts undue hardship on the applicants. The Aberdeen School District Order [FCC 07-63] in May 2007, and the Grand Rapids Public Schools Decision [DA 08-2364] in October 2008 applied the Bishop Perry Order and granted appeals pertaining to Ministerial and Clerical Errors within the competitive bidding process.

Electronic Code of Federal Regulations C.F.R. 47 §1.3 states that The Commission may waive any provision of its rules for good cause shown. We will demonstrate (i) special circumstances that warrant a deviation from the general rule, and (ii) such deviation will serve the public interest.

Please let me know if you have any questions, or if there is any additional information I can provide. We greatly appreciate your consideration of our appeal. Thank you for your time, effort, patience, and continued support of Pope John Paul II Catholic School.



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ON BEHALF
OF POPE
JOHN
PAUL II
CATHOLIC
SCHOOL

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**Before the
FEDERAL COMMUNICATIONS COMMISSION**

In the Matter of)	
Appeal by Pope John Paul II Catholic School)	
Of Decision Of)	
Universal Service Administrator)	
)	
Pope John Paul II Catholic School)	
Chicago, Illinois)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	CC Docket No. 96-45

(1) A Statement setting forth Pope John Paul II School’s interest in the matter presented for review.

In this matter presented for review, Pope John Paul II Catholic School is the sole appellant organization. Pope John Paul II Catholic School is seeking an Appeal to the Federal Communications Commission. Pope John Paul II Catholic School wishes to appeal the USAC Administrator’s Decision on Appeal for Form 471 Application Number 822024 FRN 2238784 released December 12th, 2013. Pope John Paul II also wishes to appeal FCC Decision DA 15-127 released January 29th, 2015.

(2) A full statement of relevant, material facts with supporting affidavits and documentation.

Appellant / Organization Name: Pope John Paul II Catholic School
Consultant Name: Coleman Group Consulting
Consultant Registration Number: 16062788
Contact Person Name: Stephen Weiss
Contact Mailing Address: 233 South Wacker Drive Suite 3430
Contact Phone Number: 312-850-4134
Contact Fax Number: 312-893-2038
Contact Email Address: sweiss@colemangroupconsulting.com

Funding Year: 2011
Date of FCDL Decision: 6/20/2013
Billed Entity Name: Pope John Paul II Catholic School
Billed Entity Number: 70648
Form 471 Application Number: 822024

Funding Request

Funding Request Number: 2238784

SPIN Code: 143010218

Commitment Amount: \$45,999.90

On June 20, 2013 Pope John Paul II Catholic School received a Commitment Adjustment Letter¹ for FRN 2238784 in the amount of \$45,999.90. The reason the CAL was issued is because Form 470 # 617890000869057 indicated that we did not release an RFP, and on a subsequent USAC Review Checklist we inadvertently categorized a document with descriptions of example projects³ as an RFP. We attempted to correct the issue in a subsequent USAC Review Correspondence. The funding for Pope John Paul II School was changed to Not Funded because of this miscommunication. Pope John Paul II School's project had already been completed because the project was originally funded. The project would not have moved forward had the school expected to pay the full amount.

We subsequently appealed to USAC on August 18th, 2013. On December 12th, 2013 we received the Administrator's Decision on Appeal¹¹, denying our request and stating in part as follows:

- On the cited establishing FY 2011 FCC Form 470, you indicated that you did not intend to release a Request for Proposal (RFP) for the products and/or services that you sought within the above funding requests. During a review, it was determined that you issued an "Erate Project Narrative Description" which contained significantly more detail than the "services requested" listing on the Form 470.

On January 29, 2015, we received a Public Notice [DA 15-127]¹² stating that our appeal was denied on the grounds of, "FCC Form 470 with Inadequate Specificity and No Indication of Request for Proposal (RFP) on Services being Sought."

Each of the service providers selected by Pope John Paul II Catholic School to provide proposals for the project were fully informed of the scope and requirements of the project and provided specific proposals for its completion¹⁴.

¹ EXHIBIT 1 - Pope John Paul II School Commitment Adjustment Letter

³ EXHIBIT 2 - Project Narrative Description Document

¹¹ EXHIBIT 3 - USAC Administrator's Decision on Appeal 12/12/2013

¹² EXHIBIT 4 - FCC Public Notice, January 29, 2015 [DA 15-127]

(i) Special circumstances that warrant a deviation from the general rule

On 11/23/2011 USAC Review Checklists were submitted for 8 schools including roughly one thousand pages of documentation. None of the 8 schools were Pope John Paul II Catholic School. Each checklist contained one section regarding RFP release and timing, where a document was inadvertently referred to as an RFP. The sole purpose was to inform potential service providers about the types of Internal Connections projects that schools were interested in and find out their recommendations on how to complete the projects. The document was not tied to the Vendor Selection Criteria, and in fact none of the Service Providers chose to complete the document. The service providers instead were more interested in talking about projects over the telephone, and responding to the Form 470 with documentation of their own design.

Although an RFP was not released, each of the service providers selected by Pope John Paul II Catholic School to provide proposals for the project (J&D Consultants, Xclutel Communications, & Diamond Technologies) were fully informed of the scope and requirements of the project and provided specific proposals for its completion. The service providers were onsite at Pope John Paul II Catholic School and had the access and information to develop their proposals for the project.

(ii) Deviation from the general rule will serve the public interest.

Pope John Paul II Catholic School opened its doors on August 25, 1999 in the Brighton Park neighborhood on the Southwest side of Chicago. They provide hands-on and student-centered teaching to help children reach their full academic potential. Pope John Paul II School is proud to report that 100% of their graduates move onto high school. Their teachers are eager to assist students in the completion of scholarship applications and provide detailed references whenever possible.

Their class sizes are between 20 and 26 students per class, allowing their experienced teaching staff to work closely to help each individual student succeed. The staff provides differentiated instruction designed to meet the needs of individual students.

¹⁴ EXHIBIT 5 – J & D Consultants Proposal
EXHIBIT 6 – Xclutel Communications Proposal
EXHIBIT 7 – Diamond Technologies Contract

Teachers explore the latest instructional strategies proven effective in teaching, in accordance with state standards, and in raising standardized test skills. All teachers continually seek and participate in professional development programs based on their individual teaching areas of concentration. Our teaching staff has created a number of hands-on learning opportunities for students to enhance their knowledge and learning particularly in science. The academic program includes not only the base subjects of reading, math, science and social studies, but also a full range of special instruction in music, computer, & physical education etc. To meet student needs, Pope John Paul II School offers a number of tutoring opportunities.

Students have extensive opportunities to use computers, both the classroom as well as in a refurbished computer lab. Students also receive computer instruction directly from a talented teacher, who works with classroom teachers to integrate computer instruction into the general curriculum. For example, students use computers extensively in the science program to aid in conducting and documenting experiments. Special software is available to assist teachers in meeting the individual learning needs of students in both math and science. The school has recently acquired new laptops for each classroom and additional computers for the lab to update the technology-based learning.

Pope John Paul II Catholic School attends to the needs of all of our families by providing care for children before and after school from 6:45AM to 6:00PM including breakfast and a snack after school. The program offers nurturing and safe care at a very reasonable cost. Students have the option of participating in teacher-led Enrichment Classes after school, including: Math Games, Dance Class, Cooking & Nutrition Class, Arts & Crafts, Chess Club, Puzzle Mania, Science/Computer Club, Choir, Newspaper, Scrapbooking and Homework Assistance. Students can also join Soccer, Basketball and Volleyball.

Here are some examples of activities Pope John Paul II Catholic School have been involved with to lead their community:

- Before Thanksgiving Holidays for the last 13 years, the students collect cans of food to donate to a neighborhood Food Depository
- Before Christmas Holidays Pope John Paul II Catholic School temporarily adopts a few families in great need and the students collect food, money, and clothing for them.
- Delivered a traditional Mexican meal of tamales to the neighborhood firehouse on Christmas morning.

- The students wrote and hand-delivered letters of gratitude to local police officers and fireman to honor the many heroes who lost their lives on September 11th
- On Veteran's Day the students invited Veterans from the neighborhood to attend a celebration where they shared poems and stories, created artwork and sang patriotic songs.
- The students collect money for a program called Operation Rice Bowl which provides food to hungry and impoverished people around the world.
- Celebrated Earth Day with a local garbage pick-up and made small planters out of recycled milk cartons to introduce a new neighborhood recycling program.
- The students participated in a Stop The Violence Youth Art Show where they express their creativity through paintings, drawings, songs, poetry, and dance with a message that they want to grow up in a safe and peaceful neighborhood.
- After participating in a poster contest to illustrate the health benefits of their favorite fruit and vegetable, as well as several other nutrition education activities...Pope John Paul II Catholic School was awarded a Fresh Fruit & Vegetable Grant by the Illinois State Board of Education

Pope John Paul II Catholic School provides a full and half day preschool program for 3 and 4 year old children. The Preschool program provides many unique features to enhance children's early learning and development and prepare them for the grades ahead at Pope John Paul II School. The program participates in the Illinois State Preschool for All Program and is part of Early Reading First, sponsored by the University of Illinois, Chicago. The program is recognized by the Archdiocese of Chicago and Illinois State Board of Education. There are extra-curricular activities available for the pre-school students as well including sports! The Pre-Kindergarten each have a full-time teaching assistant to provide additional individualized attention to the younger students.

Pope John Paul II Catholic School provides a safe, family-oriented school for children to succeed in education and in life. Our students and families want to come to school because they know that it's safe to focus on learning and growing up. Our loving school families participate in the parent patrol through the Brighton Park Neighborhood Council to ensure that the students are safe from outside influences during their school day. They have also created a unique Parent Organization that allows for fun events, special meals, and resources to be available to the children. The faculty and staff know the students by name, and form a strong family-oriented bond to protect and help the students succeed. Families also participate in fun activities with their children at events such as WinterFest, Halloween dance, family reading, game, and science nights.

(3) The question presented for review, with reference, where appropriate, to the relevant Federal Communications Commission rule, Commission order, or statutory provision.

In seven prior FCC decisions⁵ the issuance of a document that may have been inadvertently perceived as an RFP, contrary to the indication on the Form 470 an RFP would not be released, has not been found harmful to the competitive bidding process:

- Hillsboro Independent School District [DA 08-2366] (10/30/2008)
- Approach Learning and Assessment [DA 08-2380] (10/30/2008)
- Green Bay School District [DA 10-2305] (12/6/2010)
- Ramirez Common School District, Realitos TX [DA 11-1039] (6/9/2011)
- Riverdale Unified & Cherokee County School Districts [DA 11-1370] (8/8/2011)
- Northwest Arctic Borough [part of DA 11-1974] (12/5/2011)
- Northeast Arizona Technological Institute of Vocational Education [DA 12-334] (3/6/2012)

In these decisions the FCC decided the information within the Form 470 was sufficient to allow service providers to bid on the services requested. Furthermore, there was no indication of fraud, waste, or abuse, therefore no violation of the competitive bidding process occurred.

⁵Application for Review of the Decision of the Universal Service Administrator by Approach Learning and Assessment Centers, Santa Ana, CA, et al., File No. SLD-506121, et al., CC Docket No. 02-6
Application for Review of the Decisions of the Universal Service Administrator by Green Bay Area Public School District, Green Bay, WI, File Nos. SLD-681595, 692800, 681544, CC Docket No. 02-6
Application for Review of the Decision of the Universal Service Administrator by Hillsboro Independent School District, Richmond, TX, et al., File No. SLD-529671, et al., CC Docket No. 02-6
Review of the Decisions of the Universal Service Administrator by Northeast Arizona Technological Institute of Vocational Education, Kayenta, AZ, File No. SLD-532327, 536056, CC Docket No. 02-6
Application for Waiver of the Decision of the Universal Service Administrator by Al-Ihsan Academy, South Ozone Park, New York, et al., File Nos. SLD-575979, 582051, 582081 et al., CC Docket No. 02-6
Application for Review of the Decision of the Universal Service Administrator by Ramirez Common School District, Realitos, TX, File No. SLD-605575, CC Docket No. 02-6
Application for Review of the Decision of the Universal Service Administrator by Riverdale Unified & Cherokee County School Districts, File Nos. SLD-595033 & SLD-624508, et al., CC Docket No. 02-6

Public Notice [DA 15-127] lists four prior FCC decisions¹³ as the basis for Inadequate Specificity:

- Ysleta Independent School District [FCC 03-313] (12/8/2003)
- Ramirez Common School District [DA 11-1039] (6/9/2011)
- Riverdale Unified School District [DA 11-1370] (8/8/2011)
- Washington Unified School District [DA 13-1946] (9/20/2013)

In two of these cases, the Decision resulted in the Appeal being Granted. Both the Riverdale Unified School District and the Ramirez Common School District stated the inadequate specificity was due to unintentional technical clerical error. The Decisions stated that since adequate detail was provided to the service providers interested in the project, there was no interference with the competitive bidding process.

The FCC's Bishop Perry Order [FCC 06-54] and the Wireline Competition Bureau's Academy for Academic Excellence Order [DA 07-1180] found reason to allow for Ministerial and Clerical Errors in Funding Requests⁶.

⁶ Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316 (2006) (Bishop Perry Order) [FCC 06-54]; Request for Review of the Decision of the Universal Service Administrator by Academy for Academic Excellence, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-539076, 539722, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 4747 (Wireline Comp. Bur. 2007) (Academy for Academic Excellence Order) (granting similar waivers to those granted in the Commission's Bishop Perry Order); see 47 C.F.R. § 54.507(c). [DA 07-1180]

¹³ Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District et al.; CC Docket Nos. 96-45, 97-21, Order 18 FCC Rcd 26407, 26410 para. 7 (2003) Request for Review of the Decision of the Universal Service Administrator by Riverdale Unified School District and Cherokee County School District; Docket No. 02-6, Order 26 FCC Rcd 11207 (Wireline Comp. Bur. 2011) Request for Review of the Decision of the Universal Service Administrator by Ramirez Common School District; CC Docket No. 02-6, Order, 26 FCC Rcd 8430 (Wireline Comp. Bur. 2011) Request for Review of the Decision of the Universal Service Administrator by Washington Unified School District; Docket No. 02-6, Order 28 FCC Rcd 13746, 13748, paras 3-5 (Wireline Comp. Bur. 2013)

The Aberdeen School District Order [FCC 07-63] in May 2007, and the Grand Rapids Public Schools Decision [DA 08-2364] in October 2008 applied the Bishop Perry Order and granted appeals pertaining to Ministerial and Clerical Errors within the competitive bidding process⁷.

The FCC noted in the Aberdeen School District Order:

- Applicants committed minor errors in filling out their application forms, and they did not believe that such minor mistakes warrant the complete rejection of each of these applicants' E-rate applications. Importantly, like those appeals granted in the Bishop Perry Order, applicants' errors here could not have resulted in an advantage for them in the processing of their application. As such, the applicants' mistakes, if not caught by USAC, could not have resulted in the applicants receiving more funding than they were entitled to. Moreover, the Commission found in the Bishop Perry Order that, under certain circumstances, rigid adherence to certain E-rate rules and requirements that are "procedural" in nature does not promote the goals of section 254 of the Act – ensuring access to discounted telecommunications and information services to schools and libraries – and therefore does not serve the public interest. A waiver is warranted based on the circumstances presented and based on the facts that there is no evidence of waste, fraud or abuse.
- The goal of the competitive bidding process is to ensure that funding is not wasted because an applicant agrees to pay a higher price than is otherwise commercially available. There is no indication in the record that, as a result of these errors, applicants benefited from their mistakes or that any service provider was harmed. Specifically, there is no evidence in the record that other bids were not considered because these applicants did not fully comply with our competitive bidding rules. We find that the policy underlying these rules, therefore, was not compromised due to Petitioners' errors. We find that denying these Petitioners requests for funding would create undue hardship and prevent these potentially otherwise eligible schools and libraries from receiving E-rate funding.

⁷ Application for Review of the Decision of the Universal Service Administrator by Aberdeen School District, Aberdeen, WA, et al., File No. SLD-297249, et al., CC Docket No. 02-6
Request for Review of a Decision of the Universal Service Administrator by Grand Rapids Public Schools, Grand Rapids, MI, File No. SLD-524297, CC Docket No. 02-6

The Ministerial and Clerical Errors on the Funding Request and Review Process for Pope John Paul II School did not result in an unfair advantage for them in the processing of their application. There is no waste, fraud or abuse. Denying the request for funding does create hardship and prevent Pope John Paul II School from receiving E-rate funding.

The FCC's Grand Rapids Public Schools Decision:

- Grand Rapids committed unintentional, clerical errors when it initially inserted the incorrect FCC Form 470 number on its Funding Year 2006 application, and again when responding to PIA requests for additional information. The mistakes at issue here are sufficiently similar to those in the Bishop Perry Order. We do not believe, however, that these mistakes warrant the complete rejection of Grand Rapids' application for E-rate funding. Rather, based on the record before us, we find that Grand Rapids complied with core program requirements. Importantly, Grand Rapids' appeal does not involve a misuse of funds and there is no evidence in the record that Grand Rapids engaged in activity to defraud or abuse the E-rate program. Thus, we find that denying Grand Rapids' request for funding would create undue hardship and prevent these otherwise eligible schools from receiving E-rate funding.
- As the Commission recently noted, the E-rate program is fraught with complexity from the perspective of beneficiaries, resulting in a significant number of applications for E-rate support being denied for ministerial or clerical errors. We find that the action we take here promotes the statutory requirements of section 254(h) of the Communications Act of 1934, as amended (the Act), by helping to ensure that Grand Rapids obtains access to discounted telecommunications and information services. Rigid adherence to such application procedures in this case would result in an outcome conflicting with the statutory goal mandated by Congress of preserving and advancing universal service among schools and libraries most in need of support.

Electronic Code of Federal Regulations C.F.R. 47 §1.3 states that The Commission may waive any provision of its rules for good cause shown. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest⁸.

⁸ *Northeast Cellular Telephone Co. v FCC, 897 F.2d 1164, 11687*

In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis⁹. Consistent with precedent¹⁰, we have demonstrated (i) special circumstances that warrant a deviation from the general rule, and (ii) such deviation will serve the public interest.

(4) A statement of the relief sought and the relevant statutory or regulatory provision pursuant to which such relief is sought.

Pope John Paul II Catholic School seeks relief from the Universal Service Administrative Company's Commitment Adjustment Letter released June 20th, 2013. In this letter, the Universal Service Administrative Company (USAC) rescinded Pope John Paul II Catholic School's funding for a project already completed in the amount of \$45,999.90. Pope John Paul II Catholic School is currently in a Red Light Status due to the Commitment Adjustment Letter in the amount of \$45,999.90. We would like to ask that Pope John Paul II Catholic School's Red Light Status be removed so that they can file for ERate going forward.

Pope John Paul II School seeks relief from the Universal Service Administrative Company's Decision to deny funding for their Internal Connection project in FRN 2238784. Pope John Paul II School seeks relief from this decision pursuant to:

- The Seven Prior FCC Decisions that have set precedent on this issue: 1) Hillsboro DA 08-2366, 2) Approach Learning DA 08-2380, 3) Green Bay DA 10-2305, 4) Ramirez DA 11-1039, 5) Riverdale & Cherokee DA 11-1370, 6) Northwest Arctic DA 11-1974, & 7) NATIVE DA 12-334

Pope John Paul II School seeks relief from the Federal Communications Commission's Decision to deny the Appeal in FCC Public Notice, January 29, 2015 [DA 15-127]. Pope John Paul II School seeks relief from this decision pursuant to:

⁹ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159

¹⁰ *NetworkIP, LLC v. FCC*, 548 F.3d 116, 125-128

- Although an RFP was not released, each of the service providers selected by Pope John Paul II Catholic School to provide proposals for the project (J&D Consultants, Xclutel Communications, & Diamond Technologies) were fully informed of the scope and requirements of the project and provided specific proposals for its completion. The service providers were onsite at Pope John Paul II Catholic School and had the access and information to develop their proposals for the project.
- The FCC's Bishop Perry Order [FCC 06-54] and the Wireline Competition Bureau's Academy for Academic Excellence Order [DA 07-1180] found reason to allow for Ministerial and Clerical Errors in Funding Requests. Furthermore, The Aberdeen School District Order [FCC 07-63] in May 2007, and the Grand Rapids Public Schools Decision [DA 08-2364] in October 2008 applied the Bishop Perry Order and granted appeals pertaining to Ministerial and Clerical Errors within the competitive bidding process.
- Electronic Code of Federal Regulations C.F.R. 47 §1.3 states that The Commission may waive any provision of its rules for good cause shown. We have demonstrated (i) special circumstances that warrant a deviation from the general rule, and (ii) such deviation will serve the public interest.

Thank you once again for taking the time to consider this appeal for Pope John Paul II Catholic School. Please let me know if you have any questions. Thank you very much for all of your help. We greatly appreciate your time, effort, patience and continued support.



Pope John Paul II School ERate Project Description

The project Pope John Paul II School sought funding for was to build a new internal telecommunications network for the school, including the following:

- ◆ Main Distribution Frame [MDF]
- ◆ Intermediate Distribution Frame [IDF]
- ◆ Wireless Access Points
- ◆ Conduit & Raceway for 20 Classrooms, the Main Administrative Office and The Library
- ◆ Administration & Technical Support
- ◆ Project Management, Installation, Configuration, & Implementation of all of the above

Pope John Paul II Catholic School consists of 2 main buildings: 1) The Richmond building on the West side of the block, and 2) The Francisco building to the East.

Main Distribution Frame

(MDF) - A room within the Francisco Building was re-designed to become a dedicated space for the Main Distribution Frame of Pope John Paul II School. A data rack was installed along with horizontal and vertical wire management panels. Patch panels were included for Data, VOIP, Power over Ethernet, and Optical Connectivity. Additional equipment was installed including: Gigabit Smart Switches, Optical Transceivers, and Un-interruptible Power Supplies, and all of the patch cords between the different pieces of equipment. From the MDF, cable





Runs lead directly to 6 classrooms within the Francisco Building. Classrooms receive the wire through white wire-mold wherever the cable would be visible within the rooms themselves, and 1 inch conduit in the closets, coat rooms, and hallways. The cable plugs into strategically located jacks in each classroom.



Intermediate Distribution Frame (IDF) - The MDF connects to the IDF in the Richmond building in a 3/4" rigid thick walled conduit run underneath the canopy between the 2 buildings. The IDF contains wire managers and switches that serve as a distribution point for cables within the Richmond Building. The connections between the MDF and the IDF's are 6-strand optical fiber, and then cross-connects link each of the 14 individual classrooms in the Richmond Building to the overall



Local Area Network. Thin wall conduit sleeves with fire stop are installed throughout both buildings where needed.

Wireless Access Points - Cable runs from the MDF and IDF also lead to Newly installed Proxim AP700 Access Points in the hallways of each building. The access points are strategically located throughout the building to provide maximum access to the internet.

The Main Office & Library - In addition to the individual classrooms, the Network extends directly into Pope John Paul II School's Main Administrative Office and their Library. The administrative staff and their computers and other peripheral equipment are seamlessly integrated with each classroom, allowing them to lead the school from a central focal point



of communication. Teachers and students can bring their laptops to the library and connect to the internet anywhere in the room. The infrastructure leads directly from the MDF to the inside the Library and creates an environment where entire classes can simultaneously access the internet.

Pope John Paul II School's entire technological infrastructure has been completely transformed into a cohesive unit through this E-Rate project, and the work itself is so clean that when someone enters the school they barely notice the infrastructure itself. This is a testament to the high quality of service Diamond Technologies put into this project.



Notification of Commitment Adjustment Letter

Funding Year 2011: July 1, 2011 - June 30, 2012

June 20, 2013

STEPHEN WEISS
POPE JOHN PAUL II CATHOLIC SCHOOL
134 NORTH LASALLE STREET SUITE 1400
CHICAGO, IL 60602 1181

Re: Form 471 Application Number: 822024
Funding Year: 2011
Applicant's Form Identifier: PJPICSCHI2011I
Billed Entity Number: 70648
FCC Registration Number: 0006116685
SPIN: 143010218
Service Provider Name: Diamond Technologies, Inc
Service Provider Contact Person: Gustav Anderson

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at http://www.fcc.gov/debt_collection/faq.html.

TO APPEAL THIS DECISION:

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the
 - Billed Entity Name,
 - Form 471 Application Number,
 - Billed Entity Number, and
 - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 S. Jefferson Rd.
P. O. Box 902
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letter Reports" posted at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: Gustav Anderson
Diamond Technologies, Inc

Funding Commitment Adjustment Report for
Form 471 Application Number: 822024

Funding Request Number: 2238784
Services Ordered: INTERNAL CONNECTIONS
SPIN: 143010218
Service Provider Name: Diamond Technologies, Inc
Contract Number: N/A
Billing Account Number: N/A
Site Identifier: 70648
Original Funding Commitment: \$45,999.90
Commitment Adjustment Amount: \$45,999.90
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date \$45,999.90
Funds to be Recovered from Applicant: \$45,999.90
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2011 FCC Form 470, you indicated that you did not intend to release a Request for Proposal (RFP) for the products and/or services that you sought. During a review, it was determined that you did issue an RFP during the competitive bidding review copies of the RFP along with the date issued and due date were provided. 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 relating to particular services indicated on the form to enable potential bidders to reasonably determine the needs of the applicant. Since you failed to inform potential bidding service providers that an RFP was available for the products and/or services requested, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

STEPHEN WEISS
POPE JOHN PAUL II CATHOLIC SCHOOL
233 SOUTH WACKER DRIVE SUITE 3430
CHICAGO, IL 60606

ERATE PROJECT NARRATIVE DESCRIPTIONS 2010-12-08

Project # 1 -> Create The Infrastructure

Additional phones need to be installed in the building with new phone lines, there is no way to communicate within the building, phones in rooms with intercom capability would be ideal. We need to bring wired telephone service to the classrooms, the gym, and several offices. We would also be interested in a new security camera facing the parking lot.

- The school has three buildings which are physically connected, yet different in their structural composition. The buildings have a basement and a first floor. The Gym is one of the three buildings.
- The walls are made of 26" cinder blocks.
- Currently the only wired phones are going to 2 offices on the first floor, with one additional line in the basement.
- There is no wireless phone service that works in the buildings, with the exception of perhaps a small peripheral area right next to one or more of the large windows that seem to have intermittent service.
- There is Wireless Internet Access that works in the vast majority of the classrooms and offices
- The Electrical service was recently re-done in the buildings. Therefore some of the work threading new conduit through the walls to the various rooms may already be complete. However, there is no parallel conduit in place for the telecommunications infrastructure.

Project # 2 -> Equipment-Only Request

We need pricing for:

- 100 Feet of Coax Cable...suitable for the extension of cable modem internet
- 1 Router
- Conduit for the cable
- Please include the available shipping methods. We would like to use our own shipping account numbers for inbound shipping.

Project # 3 -> Comprehensive Fiber-Optic Project

We are interested in a complete evaluation of the process of installing fiber-optic internet service to the school, including the following:

- The cost to prepare the IT / Server Room so that it fulfills all of the prerequisite requirements to bring the optical service into the building.
- The cost to provide the actual service on a monthly basis once the building is prepared.
- The cost to provide leased optical service (dark or lit) if available.
- Recommendations on whether subsequent components of the infrastructure need to be upgraded in order to carry the bandwidth to the classrooms properly, and the cost for these recommendations.

Project # 4 -> Cabling & Extension Project

We need to extend the current telecommunications infrastructure within an existing building, then cable across to and extend the infrastructure through a brand new building being built on the same property.

- The DMarc is on the lower level of one end of the building. The first floor (directly) above the DMarc already has phones and internet.
- We need to extend the existing telecommunications infrastructure (mainly phone) up to the second floor of the same building. The extension will be conveniently straight upward, into the room where the servers, routers, and networking equipment are currently kept.
- The next step is to cable across (aerially...probably internet only) to a new building that is being built on the same property.
- Once across to the new building, we need to extend the internet to each of the new classrooms, including wireless access points.

Project # 5 -> Handsets

We need to obtain the price for 32 handsets for an existing Toshiba CIX 670 phone system.

- The handsets can be display or non-display
- The handsets can be brand new or refurbished.
- Please include the available shipping methods. We would like to use our own shipping account numbers for inbound shipping.



Administrator's Decision on Appeal – Funding Year 2011-2012

December 12, 2013

Stephen Weiss
Coleman Group
233 South Wacker Drive
Suite 3430
Chicago, IL 60606

Re: Applicant Name: POPE JOHN PAUL II CATHOLIC
SCHOOL
Billed Entity Number: 70648
Form 471 Application Number: 822024
Funding Request Number(s): 2238784
Your Correspondence Received: August 18, 2013

After thorough review and investigation of all relevant facts, 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 Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2238784
Decision on Appeal: **Denied**
Explanation:

- According to our records, on the cited establishing FY 2011 FCC Form 470, you indicated that you did not intend to release a Request for Proposal (RFP) for the products and/or services that you sought within the above funding requests. During a review, it was determined that you issued an "Erate Project Narrative Description" which contained significantly more detail than the "services requested" listing on the FCC Form 470. 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 applicant's FCC Form 470 should inform potential bidders if there is, or is likely to be, a Request for Proposal (RFP) issued for services requested. It was determined that

the Erate Project Narrative Description issued is a de facto RFP in that it contains service descriptions that go beyond that listed on the FCC Form 470. Since you failed to inform potential service providers that an RFP was available for the products and/or services requested, you have violated the competitive bidding process of this support mechanism. On appeal, you state that in your response to a USAC information request, you inadvertently categorized the Project Narrative Description as an RFP and that the Erate Project Narrative Description is not an RFP. During the appeal review process, it was determined that since the Project Narrative Description contains descriptions of specific services sought and gives an indication that pricing/bids were sought from those service providers who were recipients of this document. In your appeal, you did not demonstrate that USAC's decision was incorrect. Consequently, the appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

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

Schools and Libraries Division
Universal Service Administrative Company

Stephen Weiss
Coleman Group
233 South Wacker Drive
Suite 3430
Chicago, IL 60606

Billed Entity Number: 70648
Form 471 Application Number: 822024
Form 486 Application Number:



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 15-127

Released: January 29, 2015

STREAMLINED RESOLUTION OF REQUESTS RELATED TO ACTIONS BY THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY

CC Docket No. 96-45
CC Docket No. 97-21
CC Docket No. 02-6
WC Docket No. 02-60
WC Docket No. 06-122
WC Docket No. 08-71

Pursuant to our revised procedure for resolving requests for review, requests for waiver, and petitions for reconsideration of decisions related to actions taken by the Universal Service Administrative Company (USAC) that are consistent with precedent (collectively, Requests), the Wireline Competition Bureau grants and denies the following Requests.¹ The deadline for filing petitions for reconsideration or applications for review concerning the disposition of any of these Requests is 30 days from release of this Public Notice.²

¹ See *Streamlined Process for Resolving Requests for Review of Decisions by the Universal Service Administrative Company*, CC Docket Nos. 96-45, 02-6, WC Docket Nos. 02-60, 06-122, 08-71, 10-90, 11-42, 14-58, Public Notice, 29 FCC Rcd 11094 (Wireline Comp. Bur. 2014). Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of USAC may seek review from the Commission. 47 C.F.R. § 54.719(c).

² See 47 C.F.R. §§ 1.106, 1.115; see also 47 C.F.R. § 1.4(b)(2) (setting forth the method for computing the amount of time within which persons or entities must act in response to deadlines established by the Commission).

Schools and Libraries (E-rate)
CC Docket No. 02-6

Granted³

*Failure to Timely Respond to USAC with Information*⁴

Ramaz School Administration, Application No. 960680, Request for Waiver, CC Docket No. 02-6 (filed Nov. 13, 2014)

Surry County School District, Application No. 937676, Request for Waiver, CC Docket No. 02-6 (filed Dec. 16, 2014)

*Late-Filed FCC Form 471 Applications*⁵

Kingsville Public Library, Application No. 973917, Request for Waiver, CC Docket No. 02-6 (filed Oct. 30, 2014)

Taylor County School District, Application Nos. 992824, 993689, 993549, 993488, Request for Waiver, CC Docket No. 02-6 (filed Nov. 3, 2014)

*Signed Contract Requirement*⁶

Lowndes County School District, Application No. 976642, Request for Waiver, CC Docket No. 02-6 (filed Dec. 10, 2014)

³ We remand the underlying applications to USAC. In remanding these applications to USAC, we make no other findings as to the ultimate eligibility of the underlying services or the petitioners' applications.

⁴ *Requests for Review of the Decision of the Universal Service Administrator by Alpaugh Unified School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 6035 (2007); *Requests for Review of Decisions of the Universal Service Administrator by Ben Gamla Palm Beach et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 1876 (Wireline Comp. Bur. 2014) (granting requests for review for applicants that had been denied funding because they failed to respond to USAC's request for information within the USAC-specified time frame).

⁵ *See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9259-60, paras. 8-9 (2010) (granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days after the FCC Form 471 filing window deadline, or filed within 30 days despite medical issues).

⁶ *See, e.g., Request for Waiver of the Decision of the Universal Service Administrator by Barberton City School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 23 FCC Rcd 15526 (Wireline Comp. Bur. 2008) (granting appeals on the merits in instances where applicants demonstrated they were in compliance with the Commission's rule to have a signed contract in place prior to filing their applications). We waive sections 54.507(d) and 54.514(a) of the Commission's rules and direct USAC to waive any procedural deadline that might be necessary to effectuate our ruling. *See* 47 C.F.R. § 54.507(d) (requiring non-recurring services to be implemented by September 30 following the close of the funding year); 47 C.F.R. § 54.514(a) (codifying the invoice filing deadline).

*Considering Price of Eligible and Ineligible Items as Primary Factor in Vendor Selection*⁷

Puerto Rico Department of Education, Application No. 990161, Request for Waiver, CC Docket No. 02-6 (filed Dec. 12, 2014)

*Service Implementation Delay*⁸

Pinon High School, Application No. 457585, Request for Waiver, CC Docket No. 02-6 (filed Jan. 19, 2010)

*Violation of the Competitive Bidding 28-Day Rule*⁹

Educational Service Unit #4, Application Nos. 848002, 851835, 907581, 915960, 867389, 847086, 851850, 909931, 914947, 847971, 851890, 916696, 847690, 860356, 909943, 914952, 847162, 851899, 909968, 914964, 859135, 859159, 847940, 851855, 914593, 916050, 847230, 851857, 909960, 914968, 847145, 851862, 909989, 914976, 847967, 851868, 909279, 916089, 909285, 916104, 916528, 916640, 909743, 914779, 909807, 914875, 916692, 915819, 907645, 916021, Request for Waiver, CC Docket No. 02-6 (filed Jan. 10, 2014)

Denied

*Late-Filed FCC Form 471 Application – Petition for Reconsideration*¹⁰

Galena Public Library, Application No. 993588, Petition for Reconsideration, CC Docket No. 02-6 (filed Nov. 26, 2014)

⁷ See *Petition for Reconsideration by Spokane School District 81; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order on Reconsideration, 29 FCC Rcd 9695 (Wireline Comp. Bur. 2014) (granting waiver of requirement that price of E-rate supported services be the primary factor in bid evaluation where the petitioner demonstrated that the winning bid offered the lowest price on E-rate eligible services).

⁸ See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Expanets of North America; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5507 (Wireline Comp. Bur. 2010) (granting a waiver of the service implementation deadline because the service provider was, at most, only a month late in installing its services and such a short delay in service implementation does not warrant the complete rejection of funding).

⁹ See, e.g., *Application for Review of the Decision of the Universal Service Administrator by Aberdeen School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 22 FCC Rcd 8757 (2007) (granting waivers of violations of the 28-day rule because the applicants only missed the deadline by one to three days, thereby allowing their requests for services to be competitively bid for a meaningful period of time).

¹⁰ See, e.g., *Requests for Waiver and Review of Decisions of the Universal Service Administrator by Allan Shivers Library et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 10356 (Wireline Comp. Bur. 2014) (denying petitions for reconsideration that fail to identify any material error, omission, or reason warranting reconsideration, and rely on arguments that have been fully considered and rejected by the Bureau within the same proceeding).

*Untimely Filed Request for Review*¹¹

Blessed Sacrament School, Application No. 891980, Request for Waiver, CC Docket No. 02-6 (filed Nov. 25, 2014)

Escambia County School District, Application No. 765519, Request for Review, CC Docket No. 02-6 (filed July 3, 2014)

Henry Senachwine School District Unit 5, Application No. 980665, Request for Waiver, CC Docket No. 02-6 (filed Nov. 13, 2014)

New Horizon Regional Education Centers, Application No. 993151, Request for Waiver, CC Docket No. 02-6 (filed Nov. 12, 2014)

Virden Public Library, Application No. 240211, Request for Waiver, CC Docket No. 02-6 (filed Oct. 28, 2014)

*FCC Form 470 with Inadequate Specificity and No Indication of Request for Proposal (RFP) on Services Being Sought*¹²

Our Lady of Charity School, Application No. 821782, Request for Review, CC Docket No. 02-6 (filed Feb. 20, 2014)

Our Lady of Tepeyac School, Application No. 821925, Request for Review, CC Docket No. 02-6 (filed Feb. 20, 2014)

Pope John Paul II Catholic School, Application No. 822024, Request for Review, CC Docket No. 02-6 (filed Feb. 20, 2014)

¹¹ See, e.g., *Requests for Review of Decisions of the Universal Service Administrator by Agra Public Schools I-134 et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 25 FCC Rcd 5684 (Wireline Comp. Bur. 2010); *Requests for Waiver or Review of Decisions of the Universal Service Administrator by Bound Brook School District et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 5823 (Wireline Comp. Bur. 2014) (denying appeals on the grounds that the petitioners failed to submit their appeals either to the Commission or to USAC within 60 days, as required by the Commission's rules, and did not show special circumstances necessary for the Commission to waive the deadline).

¹² See, e.g., *Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District et al.; Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45, 97-21, Order, 18 FCC Rcd 26407, 26410, para. 7 (2003); *Requests for Review of a Decision of the Universal Service Administrator by Riverdale Unified School District and Cherokee County School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 11207 (Wireline Comp. Bur. 2011); *Request for Review of a Decision of the Universal Service Administrator by Ramirez Common School District; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 26 FCC Rcd 8430 (Wireline Comp. Bur. 2011); *Request for Review of the Decision of the Universal Service Administrator by Washington Unified School District, Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 28 FCC Rcd 13746, 13748, paras. 3-5 (Wireline Comp. Bur. 2013) (all explaining that failure by an applicant to describe with specificity the services it is seeking to purchase on its FCC Form 470 or to indicate on the FCC Form 470 or to indicate on the FCC Form 470 that it has a RFP available providing detail about the requested services violates the E-rate program's competitive bidding rules).

St. Agnes School, Application No. 821850, Request for Review, CC Docket No. 02-6 (filed Feb. 6, 2014)

St. Philip Neri School, Application No. 821885, Request for Review, CC Docket No. 02-6 (filed Feb. 6, 2014)

St. Procopius School, Application No. 821849, Request for Review, CC Docket No. 02-6 (filed Feb. 20, 2014)

St. Turibius School, Application No. 821886, Request for Review, CC Docket No. 02-6 (filed Feb. 20, 2014)

*Relying on FCC Form 470 That Did Not Seek Bids on Types of E-rate Services Later Requested*¹³

Boston Public Schools, Application No. 851420, Request for Waiver, CC Docket No. 02-6 (filed Aug. 9, 2013)

Paxton Consolidated Schools, Application No. 931871, Request for Waiver, CC Docket No. 02-6 (filed Jan. 9, 2014)

South Kingstown School District, Application Nos. 984884, 982686, 982997, 984614, Request for Waiver, CC Docket No. 02-6 (filed Oct. 22, 2014)

St. Mary's School, Application No. 915912, Request for Waiver, CC Docket No. 02-6 (filed Feb. 14, 2014)

¹³ See, e.g., *Request for Review of a Decision of the Universal Service Administrator by Albert Lea Schools, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 24 FCC Rcd 4533 (Wireline Comp. Bur. 2009); *Petition for Reconsideration by Chicago Public Schools; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Order, 29 FCC Rcd 9289 (Wireline Comp. Bur. 2014) (denying appeals of applicants that filed FCC Forms 470 that did not include the types of services for which the applicants later requested E-rate funding).

Rural Health Care (RHC)

WC Docket No. 02-60, CC Docket Nos. 96-45, 97-21

Denials

Failure to Comply with Commission's Competitive Bidding Requirements¹⁴

Amery Regional Medical Center, HCP No. 13041, WC Docket No. 02-60 (filed Sept. 24, 2013)
(concerning funding request numbers 62296, 62297, 62298, 62299, 62300, and 63573)

For additional information concerning this Public Notice, please contact Erica Myers at (202) 418-7400, in the Telecommunications Access Policy Division, Wireline Competition Bureau.

- FCC -

¹⁴ See 47 C.F.R. § 54.603(b)(3) (providing that the health care provider shall wait at least 28 days from the date on which its FCC Form 465 is posted on the Universal Service Administrative Company's website before making commitments with the selected telecommunications carrier(s)); *Request for Review of the Decision of the Universal Service Administrator by Northern Arizona Regional Behavioral Health Authority; Federal-State Joint Board on Universal Services, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45, 97-21, 15 FCC Rcd 10029 (Com. Car. Bur. 2000) (finding that the applicant violated the Commission's competitive bidding rules by signing a service contract before the expiration of the 28-day waiting period); *Request for Review of the Decision of the Universal Service Administrator by Presbyterian Healthcare Services; Federal-State Joint Board on Universal Services, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45, 97-21, 15 FCC Rcd 18658 (Com. Car. Bur. 2000) (finding that the applicant violated the Commission's competitive bidding rules by signing a service contract before the expiration of the 28-day waiting period).



Federal Communications Commission
Washington, D.C. 20554

Memo

To: Stephen Weiss
(Pope John Paul II Catholic School)

From: Ryan B. Palmer, Chief
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission

Date: February 3, 2015

Re: DA No. 15-127, released January 29, 2015

Please find accompanying this memo the Bureau's decision on your appeal. The accompanying decision may be referenced in the future by its proceeding number and release date: DA No. 15-127, Released January 29, 2015.

If the Bureau has granted your appeal, please contact the Universal Service Administrative Company (USAC) at 1-888-203-8100 for more information regarding your application. Please submit any information to USAC that the order may require. Once USAC has reviewed your application related to the issues resolved in the attached letter, you will receive a revised funding commitment decision letter.

If the Bureau has denied your appeal and you choose to seek consideration of the Bureau's decision, you must file either a petition for reconsideration by the Bureau or an application for review by the full Commission with the Commission within 30 days from the released date of this decision. You may file your petition for reconsideration or application for review using the Internet by accessing the Commission's electronic comment filing system (ECFS) at <http://fjallfoss.fcc.gov/ecfs2/>. Please be sure to reference CC Docket No. 02-6 on your filing.

J & D NETWORK CONSULTANTS

464 WEST BURVILLE RD.
CRETE, ILLINOIS 60417
PHONE (708) 257-7723 FAX (708) 672-0395
SPIN# 143025704 FCC# 0012090189
J_D_CONSULTANTS@YAHOO.COM

Wireless and Data Wiring System Agreement for Pope John Paul II Catholic School E-Rate Funding Year 2011-2012

Proposed Equipment:

- Cat 6 network data wire and related materials for installation.
- Six Cisco Aironet 1131AGn wireless access points.
- Two Cisco SRW208MP 8-port 10/100 Ethernet Managed Switch to provide power to access points.
- Three HP E2510-24 Port network Switches to provide network access for new network wiring.
- Three 24 port patch panels and two 12 port patch panels to be used to terminate data cables into the MDF cabinet in each building.
- Eighty 2 ft Cat 6 patch cords for connecting all new data cable runs to new network switches.
- PVC raceway for securing new network data cable runs.

Installation of Equipment:

- Install Cat-6 data wire to twenty seven locations totaling seventy six data drops.
- Six Cat-6 data wires to be secured with in ceilings using steel bridal rings and to walls using 1 ½ in wide PVC raceway.
- Terminate the all Cat-6 data wires in patch panel in MDF cabinet in both buildings.
- Provide all necessary cable, termination jacks, patch panels, raceway, wall boxes, face plates and all fasteners to complete installation.
- Mount the six Cisco Aironet 1131AGn wireless access points and configure them to the existing LAN.
- Mount two Cisco SRW208MP 8-port 10/100 Ethernet Managed Switches in both MDF cabinet and configure to existing LAN.
- All wall and floor penetrations will be sealed with fire rated caulking.
- Final locations of data drops will be determined and approved prior to starting of project.
- Provide eighty 2 ft Cat 6 network patch cords to complete LAN connectivity in MDF cabinets.
- All work will be done in a manner as to limit the disruption of the normal instructional day.
- Configure LAN to ensure network connectivity between both school buildings.

Purpose of proposed equipment:

- To provide access to the LAN and Internet for all computers in the computer lab and classrooms with the capacity to add additional computers when available.

Project Cost:

- Total equipment and installation cost: \$17,786.00

Warranty:

- All equipment has a one-year standard manufacturer hardware replacement warranty.
- In case of hardware failure, no charges will be incurred for re-installation of hardware, which is covered under the manufacturer warranty.

Services and Equipment not covered:

- Any services or equipment that is listed as **ineligible** in the Eligible Services List, posted on the Universal Services Web site, are **NOT** supported under this agreement.

- ❖ If at the time of approval, the specified equipment is either no longer available or newer model is available, than a substitution of equal or better model of the same manufacturer (whenever possible) will be used.

This agreement is between: J & D Network Consultants and Pope John Paul II School, 4235 S Richmond St, Chicago, Illinois 60632. This agreement is contingent on the approval of USAC, if application is denied by USAC, than this agreement shall be deemed void.

Witnessed By:

Client: _____ (Authorized by)
(Printed Name)

Client Signature

By: J & D Network Consultants

Consultant

NOTICE

Due to the variances of many local, city, county and state laws, we recommend that you seek professional legal counseling **before entering into any contract or agreement.**



SYSTEM INSTALLATION CONTRACT

This Agreement is made, by and between XCLUTEL, LLC. (XCLUTEL) and Pope John Paul II Catholic School (hereinafter referred to as "CUSTOMER"). XCLUTEL and CUSTOMER for and in consideration of the covenants, conditions, and agreements herein contained do hereby agree

1. SCOPE: XCLUTEL shall provide the necessary installation materials, supplies and labor necessary to install, test, and place into service the Hardware, Cable, Features and Services, (collectively sometimes referred to as the "SYSTEM"), as set forth in Equipment Itemization Schedule, attached hereto and incorporated by this reference, in accordance with standard installation practices. The services described above shall hereinafter be referred to as the WORK. Said WORK will be performed at: 4325 S Richmond StChicago, IL 60632-2504

2. PRICE: XCLUTEL shall be paid the sum of \$32,308.90, for performance under this Agreement in accordance with Equipment Itemization Schedule, attached hereto and incorporated by this reference. XCLUTEL shall be responsible for providing all Hardware, Cable, Features and Services specifically set forth in the Equipment Itemization Schedule, as well as all materials and labor required to perform the WORK. CUSTOMER shall pay all sales, consumer, use, and other similar taxes imposed by law in connection with this Agreement.

3. TERMS OF PAYMENT: 50% Due Upon Acceptance - \$16,154.45 50% Due Upon Completion - \$16,154.45 or Lease. All sums not paid to XCLUTEL when due shall bear simple interest at the highest rate allowed by law, or 1.5% per month, whichever is lower, from the date such sum was due until the date of actual payment. When applicable XCLUTEL will charge CUSTOMER's credit card for overdue invoice totals.

4. CUSTOMER'S RESPONSIBILITIES: The CUSTOMER shall, at its expense, on the date of delivery of the SYSTEM to CUSTOMER'S premises, and at all times thereafter during the period of installation services hereunder.

- (a) Allow employees or agents of XCLUTEL free access to the premises and facilities where the Hardware is to be installed at all hours;
- (b) Assure that the premises will meet all temperature, humidity and other environmental conditions consistent with normal living conditions;
- (c) Provide necessary openings, ducts and/or conduits for cable and conduits for cable and conductors in floors and walls;
- (d) Provide electric current for any necessary purpose with suitable terminals in rooms where it is required; and
- (e) Provide installed metallic ground or grounds, as required; and
- (g) Provide suitable and easily accessible floor space to permit secure storage, adjacent to where the Hardware will be used.

5. ASSIGNMENT: Neither party shall assign, sublet, transfer any interest in this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld; provided however, that XCLUTEL may assign and transfer this Agreement to any parent, subsidiary, successor or affiliated company without the prior written consent of CUSTOMER. It is specifically agreed that XCLUTEL may subcontract all or any portion of the WORK without the prior written consent of CUSTOMER. XCLUTEL will remain responsible for the WORK of any subcontractor it

6. DEFAULT BY XCLUTEL: In the event XCLUTEL fails to perform the WORK in accordance with the provisions hereof, or so fails to make progress to endanger performance of this Agreement in accordance with its terms, and in either or both of these circumstances does not cure and does not correct such failure within a period of thirty (30) days of CUSTOMER'S notice thereof, the CUSTOMER may, by written notice of default to XCLUTEL, terminate the whole or any part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers or representatives.

Pope John Paul II Catholic School

XCLUTEL, LLC.

(Signature) (Date)

(Signature) (Date)

(Printed Name) (Title)

(Printed Name) (Title)

2215 Enterprise Drive | Suite 1512 | Westchester, IL 60154
1.877.XCLUTE7
WWW.XCLUTEL.COM



SYSTEM INSTALLATION CONTRACT

<u>Qty</u>	<u>Item Code</u>	<u>Description</u>		<u>Total</u>
8	SC-SIMPLEXLOC	Simplex Location Shell (No Cable)	\$	1,067.68
23	SC-TRIPLEXLOC	Triplex Location Shell (No Cable)	\$	3,082.92
77	C5E05PC	CATEGORY 5E 5FT PATCH CORD	\$	462.00
77	SC-C5EDROPCMR	Category 5 Enhanced Cable Drop(s) (PVC)	\$	8,932.77
2	SC-C5E48PPP	Category 5 Enhanced 48 Port Patch Panel & Installation	\$	1,680.00
600	FO6STRMMARMOR	6 STRAND MM ARMOR FIBER CABLE	\$	1,452.00
18	V718	Wiremold 700 External 90 Elbow Ivory	\$	63.90
62	V717	Wiremold 700 Internal 90 Elbow Ivory	\$	252.96
56	V711	Wiremold 700 Flat 90 Elbow Ivory	\$	168.56
100	V706	Wiremold 700 Coupler Cover Ivory	\$	82.00
240	V704	Wiremold 700 5/8" Strap Ivory	\$	184.80
1,100	V700	Wiremold 700 Series Ivory	\$	2,442.00
70	V3000B	Wiremold 3000 Base Ivory	\$	287.00
70	V3000CE	Wiremold 3000 Cover Ivory	\$	149.10
5	V3018AE	Wiremold 3000 External 90 Corner	\$	116.60
4	V3017TCE	Wiremold 3000 Internal 90 Corner	\$	61.20
1	V3015E	Wiremold 3000 "T"	\$	41.75
3	V3011E	Wiremold 3000 Flat 90 Elbow	\$	81.90
6	V3010B	Wiremold 3000 Blank End Ivory	\$	22.38
20	V3006E	Wiremold 3000 Cover Coupler Ivory	\$	26.60
18	V3003	Wiremold 3000 Support Clips Ivory	\$	75.06
34	SGBBWIREMOLD	WIREMOLD SINGLE GANG	\$	343.40
12	FOSCCOUP	FIBER OPTIC SC COUPLERS	\$	236.64
12	FOSTCONN	FIBER OPTIC SC CONNECTORS	\$	310.92
2	FO-RMNTLIU-COR	CORNING RACK MOUNT LIU - 1U	\$	660.00
2	FO-6PRTSCMM-COR	CORNING 6-PORT PANEL SC MM (USE WITH CCH ENCLOSURE)	\$	180.00
4	FO3MSCPC	FIBER OPTIC 3 METER SC PATCH CORD	\$	118.96
2	FOMEDIACONVERT	FIBER OPTIC MEDIA CONVERTERS	\$	800.00
2	WM2UHorizontal	2U Horizontal Wire manager	\$	120.00
1	PLYWOOD	PLYWOOD 4X4 SHEET	\$	38.57
1	R19WMO3620	19"X36"X20" WALL MOUNT	\$	300.00
4	ADN-1200500E1	NetVanta 1224	\$	2,580.00
120.00	LABORITEM	Labor	\$	15,000.00

Total List Price on Equipment \$ 41,421.67
Discount off of List Price (\$ 9,112.77)

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SYSTEM INSTALLATION CONTRACT

<u>Qty</u>	<u>Item Code</u>	<u>Description</u>	<u>Total</u>
		Installation & Training	\$ 0.00
<hr/>			
		Total Purchase (Tax not included)	\$ 32,308.90

2215 Enterprise Drive | Suite 1512 | Westchester, IL 60154
1.877.XCLUTE7
WWW.XCLUTEL.COM



8770 W. Bryn Mawr Ave.
Triangle Plaza, Suite 1300
Chicago, IL 60631

NETWORK INFRASTRUCTURE WIRING CONTRACT

This agreement between Diamond Technologies, Inc. of 8770 W. Bryn Mawr Ave. Triangle Plaza, Suite 1300 Chicago, IL 60631 and Pope John Paul II School of 4325 S. Richmond, Chicago, IL 60632 could begin as early as 7/1/2011, however no work or billing can be rendered before 7/1/2011.

This agreement supersedes all previous communications, agreements and commitments, whether written or oral.

Pope John Paul II School will not assign or otherwise transfer this agreement or any interest herein or any right hereunder without the prior written consent of both parties.

No change or modification of this agreement shall be valid unless the same shall be agreed to in writing signed by both parties who are bound by the terms hereof. This agreement constitutes the entire agreement between the parties with respect to the subject matter hereof. Change from the original scope of work will require a change order authorization approval from the client's single point of contact responsible for the successful completion of the project. Diamond Technologies, Inc. will also separately document and invoice these changes for easy identification. Small changes will be done on an out of scope T&M basis. More complex changes will be quoted and require further authorization etc.

Diamond Technologies, Inc. will be represented at all job meetings by the Project Engineer. We understand a project of this size usually produces turmoil and stress within the organization. Diamond Technologies, Inc. will use its best efforts to make this a smooth operation and install. The key to this is good communication between all parties. Diamond Technologies, Inc. will provide project leadership and initiative to meet your deadlines and will help Pope John Paul II School develop a project management plan.

All pricing for change orders will be calculated in the spirit of the original proposal as long as we are still working on the original project.

Pope John Paul II School will provide free and clear access to all work areas as well as an on-site secure staging area for materials and tools.

Pope John Paul II Catholic School desires that Services commence on or about 7/1/2011. However, Diamond Technologies Inc., will not begin work [including: construction, installation, activation] until after Diamond Technologies receives notification that Pope John Paul II School has received confirmation that ERate funding has been approved for this project for 2011, and Pope John Paul II Catholic School has filed the Form 486 for this project. ERate approval may arrive at anytime between 7/1/2011 and 6/30/2012.

Diamond Technologies, Inc. warrants that any Services or Technical Support shall be performed in accordance with applicable professional standards and that all employees and or subcontractors are licensed and insured in the State of Illinois. Background checks have been performed for all Diamond Technologies, Inc.'s employees. Results can be provided upon request.

Diamond Technologies, Inc. agrees to provide the following services:

1. MDF Installation (Francisco Building)

\$7,394.00

- (1) seven (7) foot data rack.
- (8) nineteen (19) inch horizontal wire management panels.
- (2) seventy-two (72) inch vertical wire management panels.
- (1) ladder rack kit for support and wire management.
- (1) two (2) inch EMT conduit feeder pipe to allow a cable pathway from the MDF room out to the ceiling space above or below the classrooms

- (1) two (2) inch EMT conduit feeder pipe to allow a cable pathway from original MDF location to New MDF in closet approximately 25' this will allow us to run new cat 6 cable in the lab while reusing the existing molding.
- (2) forty-eight (48) port category 6 patch panels designated for data drops and
- (1) twenty-four (24) port category 6 patch panel designated for voice (VOIP).
- (1) 6 port Fiber Optic Patch Panel with coupler
- (2) Fiber Optic 3' Patch cables
- (1) Twelve (12) port category 6 patch panel designated for Power over Ethernet for APs.
- (2) Netgear GS748T 48 port Gigabit Smart switches
- (1) Fiber Optic transceiver
- (1) APC Smart-ups 750VA LCD RM 2UUninterruptible Power Supply (UPS).
- (1) Proxim 12-Port Active Ethernet 802.3af DC Power Injector.
- Diamond Technologies, Inc. will install one Category 6 patch cord from each port of the installed switches to each patch panel port that corresponds to the station locations /devices, and will install one 7' or 10' Cat 6 station cord from the wall jack to the NIC on each device.

2. Classroom Installation from MDF (Francisco Building) \$11,747.00

- (4) Category 6 cable runs to each of six (6) classrooms 301, 302, 303, 304, 306, 402. (3) of these cable runs will be used for data and terminate onto category 6 jacks in the classrooms and onto data designated patch panels in the MDF room. The fourth (4th) cable will also be terminated onto a clearly identified category 6 jack in the classroom and onto a designated voice patch panel (VOIP) in the MDF.
- (18) Category 6 cable runs to the Library 305. (5) of these cable runs will be used for data and terminate onto category 6 jacks in the Library and onto data designated patch panels in the MDF room. A sixth (6th) cable will also be terminated onto a clearly identified category 6 jack in the Library and onto a designated voice patch panel (VOIP) in the MDF. (12) Category 6 cable runs will be used for data and left as spares in the Library ceiling for future expansion and terminated onto data designated patch panels in the MDF room.
- (1) double gang electrical box in each of the six classrooms twelve to twenty-four inches from floor level. All cat6 wire will be run in white 700 wiremold where ever visible within the classrooms and 1 inch EMT conduit in the closets/coat rooms and halls.
- (36) Category 6 cables will be installed between the new MDF location and the old MDF location using (2) new 2" EMT conduit pipes and utilize the existing conduit in the lab.

3. Non Classroom Drops from MDF (Francisco Building) \$3,137.00

- (9) Category 6 cable runs to two locations in the main office. (7) of these cable runs will be used for data and terminate onto category 6 jacks in the Office and onto data designated patch panels in the MDF room. Two (2) cables will also be terminated onto a clearly identified category 6 jack in the office and onto a designated voice patch panel (VOIP) in the MDF.
- (1) double gang electrical box in each of the locations twenty-four inches from floor level. All cat6 wire will be run in white 700 wiremold conduit where ever visible within the classrooms and 1 inch EMT conduit in the closets/coats rooms and halls.
- (5) Category 6 cables will be installed between the MDF and Wireless Access Points located in the hall outside of 304, 306, 401, and the assembly Hall.

4. IDF Installation (Richmond Building) \$4,758.00

- (1) seven (7) foot data rack.
- (6) nineteen (19) inch horizontal wire management panels.
- (2) seventy-two (72) inch vertical wire management panels.
- (1) ladder rack kit for support and wire management.
- (1) forty-eight (48) port category 6 patch panels designated for data drops and
- (1) twenty-four (24) port category 6 patch panel designated for voice (VOIP).
- (1) 6 port Fiber Optic Patch Panel with couplers
- (2) Fiber Optic 3' Patch cables
- (1) Twelve (12) port category 6 patch panel designated for Power over Ethernet for APs.
- (1) Netgear GS748T 48 port Gigabit Smart switches
- (1) APC Smart-ups 750VA LCD RM 2UUninterruptible Power Supply (UPS).
- (1) Proxim 12-Port Active Ethernet 802.3af DC Power Injector.

- Diamond Technologies, Inc. will install one Category 6 patch cord from each port of the installed switches to each patch panel port that corresponds to the station locations /devices, and will install one 7' or 10' Cat 6 station cord from the wall jack to the NIC on each device.

5. Classroom Installation from IDF (Richmond Building) \$13,964.00

- (4) Category 6 cable runs to each of fourteen (14) classrooms 001, 002, 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205, 206. Three (3) of these cable runs will be used for data and terminate onto category 6 jacks in the classrooms and onto data designated patch panels in the MDF room. The fourth (4th) cable will also be terminated onto a clearly identified category 6 jack in the classroom and onto a designated voice patch panel (VOIP) in the MDF.(1) double gang electrical box in each of the fourteen (14) classrooms twelve to twenty-four inches from floor level. All cat6 wire will be run in 1 inch EMT wire conduit within the classrooms and anywhere in the building where it is visible.
- (4) Category 6 cables will be installed between the IDF and Wireless Access Points located in the hall outside of 102, 106, 202, and 206.

6. Non Classroom Drops from IDF (Richmond Bldg) \$388.00

- (4) Category 6 cables will be installed between the IDF and Wireless Access Points located in the hall outside of 102, 106, 202, and 206.

7. Backbone from MDF (Francisco Bldg) to IDF (Richmond Bldg) \$1843.00

- (1) Category 6 cable run and (1) 6 Strand Fiber cable run from the Francisco bldg to the Richmond building in a ¾" rigid thick walled conduit will be installed originating from the Francisco building and ending at the Richmond building. This conduit will be run underneath the canopy between the two buildings. Thin wall conduit sleeves (1 ft. to 2 ft.) with fire stop will be installed throughout facility when needed.

8. Wireless Access Points and Labor \$3,881.00

- (5) Proxim AP700 Wireless Access Points installed in the Francisco Bldg
- (4) Proxim AP700 Wireless Access Points installed in the Richmond Bldg

9. Coaxial Cable run to MDF from ATT service \$2,199.00

- Install RG11 direct burial coaxial cable from the New MDF in the Francisco Building and running to the building D-Marc and then underground to ATT service pole. There will be 150 ft of extra cable at the pole so the cable company can string it back to their box. In the building D-Marc, RCI will transition to indoor cable from there to the New MDF. Some conduit will be installed between MDF and D-Marc to keep cable completely concealed. (Doesn't include Lightning Protection and is contingent on condition of underground conduit system).

10. Project management \$1,800.00

- Information Management Including: Requests and Changes Log, Weekly Project Execution Progress Report.
- Safety including: Safety Planning, Safe Work Permit.
- Quality Management Including: Quality Audit.
- Project Documentation Including: Equipment Specification sheets and user manuals, drawings, diagrams, network documentation and warranty information.

11. Project Summary

- (132) Category 6 Cable runs designated for data.
- (24) Category 6 Cable runs designated for VOIP (Can be used for data also).
- (1) Coaxial run from ATT Service pole to MDF
- (1) Category 6 Backbone runs from Francisco to Richmond Building
- (1) 6 Strand Fibre Optic Backbone runs from Francisco to Richmond Building
- (2) Distribution Frame buildouts including 19" racks and ancillary Hardware
- (3) Netgear GS748T 48 port Gigabit Smart switches.
- (2) APC Smart-ups 750VA LCD RM 2UUninterruptible Power Supply (UPS)

- (9) Proxim AP700 Wireless Access Points.
- (2) Proxim 12-Port Active Ethernet 802.3af DC Power Injector
- (144) Category 6 Patch Cords
- (50) Category 6 Station Cords

TOTAL INFRASTRUCTURE WIRING COST

\$51,111.00

Warranty: Includes fifteen year warranty on all wiring. Failures in the wiring due to Diamond Technologies will be the responsibility of Diamond Technologies including labor costs associated with the repairs. Further Diamond Technologies will be responsible for the appropriate set up of all equipment associated with this proposal. Diamond Technology is responsible for the warranty and maintenance of the set up of this equipment for a period not to exceed 18 months. During the first 18 months after installation, Diamond will be responsible to work directly with the manufactures to resolving any Original Equipment Manufacturer Issues.

All labor is based on Standard labor rates. (7:30am to 5:00pm M-F) however all attempts will be made to accommodate Pope John Paul School and to facilitate completion of the project. Upon completion all cable drops will be tested and labeled and printed test results as well as wiring diagrams will be provided to St. Pope John Paul.

The terms of payment are:

- Net Thirty (30 days from receipt of invoice), Diamond Technologies, Inc. will invoice Pope John Paul School upon completion of work. Completion of Project, is defined as the completion of the above scope of work except for minor punch list items and any work that cannot be readily completed due to circumstances beyond Diamond Technologies, Inc.'s control. Payment can be made via procurement card (mastercard) if desired by location
- Pope John Paul II School as a tax exempt entity does not agree to pay any sales, use, or excise taxes unless specifically required by law. Pope John Paul II School will provide Diamond Technologies, Inc. with a copy of its certificate of exemption from these taxes as an attachment to this agreement.
- This agreement shall be governed by the laws of the State of Illinois..

The undersigned authorized representative of Pope John Paul II School authorizes Diamond Technologies, Inc. to begin the work described in this agreement.

(This Proposal is Contingent on E-RATE Funds)

Maia G. Banta

Pope John Paul II School
(Authorized Representative)

Principal

Title

Diamond Technologies, Inc.
(Authorized Representative)

Title