



**New York State  
Office of  
Children & Family  
Services**

George E. Pataki  
*Governor*

John A. Johnson  
*Commissioner*

**Capital View Office Park**

52 Washington Street  
Rensselaer, NY 12144-2796

August 12, 2003

VIA E-MAIL

Letter of Appeal  
Schools and Libraries Division  
Box 125 – Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

Re: Applicant Name: New York State Office of Children and Family  
Date of Funding Commitment Decision Letter: June 23, 2003  
Form 471 Application Number: 376340  
Billed Entity Number: 210254  
Form 470 Application Number: 30063000042662  
Funding Request Number: 1043280  
Funding Amount: \$ 220,585.50

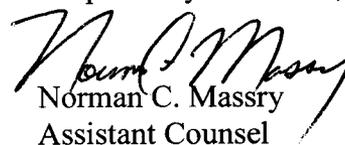
Dear Sir or Madam:

Transmitted herewith, on behalf of the New York State Office of Children and Family Services (“OCFS”) is a letter of appeal requesting a review of a decision of the Schools and Libraries Division (“SLD”) in the above captioned proceeding. For the reasons set forth in the letter of appeal, OCFS is requesting that the SLD accept OCFS’ Form 470 as having been properly filed with the requisite certifications and permit OCFS’ request for funding, Form 471, to be granted.

Please send an electronic acknowledgement confirming receipt of this letter of appeal to me at [norm.massry@dfa.state.ny.us](mailto:norm.massry@dfa.state.ny.us).

Should you have any questions concerning the matter, please contact the undersigned at (518) 473-8418.

Respectfully submitted,

  
Norman C. Massry  
Assistant Counsel

Enclosure





New York State  
Office of  
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Re: Applicant Name: New York State Office of Children and Family  
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Form 470 Application Number: 30063000042662  
Funding Request Number: 1043280  
Funding Amount: \$220,585.50  
Applicant's Form Identifier: YR 6 471 Video Management

Dear Sir or Madam:

**REQUEST FOR REVIEW**

The New York State Office of Children and Family Services (OCFS) hereby appeals the decision of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC). Specifically, OCFS requests a review of a determination that it failed to file a completed Form 470 application for universal service support within the filing window for Funding Year 2003.<sup>1</sup>

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<sup>1</sup> This funding period previously would have been referred to as Funding Year 6. Funding periods are now described by the year in which the funding period starts. Thus the funding period which begins on July 1, 2003 and ends on June 30, 2004, previously described as Funding Year 6, is now called Funding Year 2003.



## STATEMENT OF FACTS

Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, may apply for discounts for eligible telecommunications services, Internet access, and internal connections.<sup>2</sup>

In order to receive discounts on eligible services, the Federal Communication Commission's (FCC) rules require that applicants submit a completed FCC Form 470 to the SLD, entitled "Description of Services Requested and Certification Form", in which the applicant sets forth its technological needs and the services for which it seeks discounts.<sup>3</sup>

The SLD procedures allow for Form 470 to be submitted to the SLD, either electronically or on paper, utilizing traditional parcel methods.<sup>4</sup> Regardless of the method chosen, in Block 5 of the FCC Form 470, applicants are required to make certain certifications. Applicants are given the option of completing an electronic certification or manually filing the required certification with the SLD. Applicants that filed their FCC Forms 470 electronically are instructed by SLD to print out a Block 5 certification page at the end of the on-line application filing process and then, after signing and dating the certification page, to separately submit the original signed Certification page to the SLD by mail.<sup>5</sup>

OCFS filed the electronic portion of its FCC Form 470 on the SLD

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<sup>2</sup> 47 C.F.R. §§ 54.501-54.503.

<sup>3</sup> 47 C.F.R. § 54.504(b).

<sup>4</sup> These instructions are set forth on the SLD website. A copy of the pertinent section is attached as Exhibit 1 hereto.

<sup>5</sup> Furthermore, there appears to be some evidence that the Administrative Procedure Act (5 U.S.C. § 552(a)(1)(C)) requires a description of FCC Form 470 and instructions as to the scope and content, to be published in the Federal Register in order to be effective. The Form 470 instructions published in the Federal Register only seem to require the Form 470 to be *signed* by the person authorized to order services (see 63 Fed. Reg. 2130). OCFS questions the validity of SLD's requirement that applicants print, sign, and mail the original ink signature on Form 470, in addition to filing that Form electronically.

website on November 6, 2002, for funding year 2003. As part of its Form 470, Mr. Zachary Zambri,<sup>6</sup> the OCFS Deputy Commissioner for Information Technology, completed the Form 470 and typed his name in the “Certification and Signature” section.<sup>7</sup>

OCFS received a Receipt Notification Letter (RNL) on November 20, 2002 acknowledging receipt of its November 6, 2002 electronic filing, and advising that the required Block 5 Certification page, containing an original signature, was missing and required.<sup>8</sup> In addition to the electronic filing, Mr. Zambri signed a paper copy of the Form 470 on November 14, 2002. OCFS mailed the original signed copy of the Form 470, including Block 5 Certifications and Signature pages, containing an original inked signature on January 16, 2003. The Form 470 was sent to the SLD via certified U.S. Mail.<sup>9</sup>

OCFS submitted a signed and certified Form 471, Services Ordered and Certification Form to the SLD, requesting funding for Year 6 Video Management Services.<sup>10</sup>

OCFS was notified on June 23, 2003, through a funding commitment decision letter, that its request for funding had been denied. The reason for this denial was that although the electronically signed version was received, the paper copy containing an original ink signature certification for Form 470 was never received by the SLD.

## **I. THE E-SIGN ACT PREVENTS SLD FROM REQUIRING A PAPER SIGNATURE PAGE**

OCFS submits that the SLD is statutorily precluded from rejecting OCFS’

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<sup>6</sup> Zachary Zambri retired from State service on December 31, 2002. William E. Travis, Jr. was appointed as Mr. Zambri’s replacement.

<sup>7</sup> See Exhibit 2 attached hereto.

<sup>8</sup> See Exhibit 3 attached hereto.

<sup>9</sup> See Exhibit 4 attached hereto.

<sup>10</sup> See Exhibit 5 attached hereto.

Form 470 for failure to submit an original signature. The basis for this assertion is the Electronic Signature in Global and Electronic Commerce Act (“E-Sign Act”).<sup>11</sup>

The E-Sign Act states, in its pertinent part, that “a signature, contract, or other record relating to such transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form”; and that “a contract relating to such transaction may not be denied legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation.”<sup>12</sup>

Thus, the E-Sign Act specifically provides that applications can be filed electronically in lieu of being filed in a paper form, and that electronic signatures cannot be denied legal effect simply because they were not filed in the traditional paper format. Section 104(c) of the E-Sign Act further prohibits state and federal agencies from imposing or reimposing “any requirement that a record be in a tangible printed or paper form.”<sup>13</sup> The only exception to this rule is if there is a “compelling government interest related to law enforcement or national security” and imposing a paper requirement is essential to that interest.<sup>14</sup>

Clearly the E-Rate program and the FCC forms supporting the program are unrelated to any government purpose related to law enforcement or national security. The stated purpose of the Form 470 is for applicants to describe the eligible telecommunications-related services it seeks and to allow this information to be posted on the Fund Administrator website so that interested service providers can identify the applicant as a potential customer and compete for the service. More significantly, the transmittal of a paper certification and signature page is exactly the type of process Congress intended to eliminate through the

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<sup>11</sup> See Public Law 106-229 (15 USC §7001 et seq.).

<sup>12</sup> See 15 USC §7001(a)(1).

<sup>13</sup> See 15 USC §7004(c)(1).

<sup>14</sup> See 15 USC §7004(b)(3)(B).

authorization for automation provided by the E-Sign Act.

The SLD instructions<sup>15</sup> are also vague relating to an applicant's ability to utilize electronic signatures. It should be noted that although the Form 470 instructions refer to the ability of an applicant to complete the required certification electronically using a User ID and PIN, the interactive electronic form that is available on the SLD website does not allow for an entry of this information in the signature block<sup>16</sup> and the instructions regarding use of a PIN are vague. In this instance, the printed name of Zachary E. Zambri in the "Certification and Signature" block of the Form 470 should suffice as a legally-binding electronic signature. According to the definition contained in the E-Sign Act, the term "electronic signature" means an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.<sup>17</sup> The act of typing one's name on the certification section of the Form 470 meets the minimal requirements of an electronic signature.

The Form 470 was electronically posted on November 13, 2002, containing the required certifications and the typed name of Zachary Zambri, an authorized OCFS requestor.<sup>18</sup> OCFS submits that the SLD is prohibited under the E-Sign Act from requiring OCFS to subsequently submit a signature page in paper form. Accordingly, OCFS should not be penalized for failing to have a traditional paper certification on file with the SLD. OCFS respectfully requests the SLD to accept OCFS' electronic filing of Form 470 as containing the requisite certification and signature.

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<sup>15</sup> Id.

<sup>16</sup> Section 254(h)(1)(B) of the Telecommunications Act of 1996 only requires that applicants make a bona fide request for services by filing a Form 470 with the FCC. There does not appear to be a requirement in the statute or the enabling regulations requiring an ink signature or an applicant's use of a User ID and PIN as an electronic signature.

<sup>17</sup> See 15 USC §7006(5).

<sup>18</sup> The act of typing and submitting Mr. Zambri's name on the Form 470 was made with the requisite intent to sign the document.

## **II. THE NYS OFFICE OF GENERAL SERVICES' CERTIFIED FORM 470 SHOULD BE ACCEPTED AS THE BASIS FOR ALLOWING OCFS FUNDING REQUEST TO BE APPROVED**

The applicant submits that an independent basis exists for the SLD to approve OCFS' funding request based on the certified Form 470 filed by the New York State Office of General Services (OGS) on September 18, 2002. The OGS form was posted on the SLD website on September 24, 2002. The OGS' certified Form 470 provides the requisite consortium certification and is applicable to all NYS libraries and schools, which includes eligible OCFS programs. The OGS Form 470 Application Number is 152850000416601.<sup>19</sup> OGS utilizes a competitive procurement process designed to: (a) guard against favoritism, improvidence, extravagance, fraud and corruption; (b) ensure that the results meet agency needs; and (c) protect the interests of the State and its taxpayers.<sup>20</sup>

Vendors selected by OCFS to provide the requested services were selected from an approved list of vendors from the OGS centralized contracts. As described above, this contract list was developed as the result of a competitive procurement process. The certified Form 470 [Application Number 152850000416601] filed by the NYS Office of General Services on behalf of the NYS schools and library consortium, of which OCFS is a member, and which was posted on the SLD website, should be accepted by the SLD as the basis for approving OCFS' Form 471 funding request.

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<sup>19</sup> See Exhibit 6 attached hereto.

<sup>20</sup> This competitive procurement process is more fully described on OGS' website. See <http://www.ogs.state.ny.us/procurecounc/pdfdoc/guidelines.pdf>.

### **III. OCFS SHOULD BE PERMITTED TO RESUBMIT THE SIGNED CERTIFICATION PAGE FOR FORM 470**

OCFS submits that the inadvertent loss or misdirected mailing of its Form 470 here should not be the sole basis for depriving a school or library of the funds Congress intended it to obtain through the E-Rate program. The Form 470 submitted electronically by OCFS on November 6, 2002, which contained all of the correct data fields, is substantively the correct form in every respect. The benefits of the E-Rate program should not be withheld due to a *de minimus* error that was outside the ability of the applicant to control. OCFS respectfully requests that it be permitted to amend its filing by resubmitting the missing certified Form 470, herein submitted, that was mailed on January 16, 2003.

OCFS further requests that it be allowed to submit a true and correct copy of the original Form 470 that was mailed on January 16, 2003. This copy, retained by OCFS, contains a photocopy of the original certification and signature, signed by Zachary A. Zambri on November 14, 2002. It is OCFS' understanding that, under the FCC rules, precedent exists for a photocopied signature to constitute a valid signature for purposes of certifying an FCC Form.<sup>21</sup>

The information contained in the instant appeal provides the SLD with sufficient documentation to correct the erroneous assumption that OCFS had not filed the required Form 470 certification with the SLD. As a result of the lost or misdirected mailing, the SLD denied OCFS' request for funding on the assumption that OCFS failed to submit a properly certified Form 470. OCFS submits that it has provided adequate documentation to resolve the issue, consistent with information originally provided. This documentation resolves the ambiguity regarding the lack of a properly certified Form 470 in its original file.

The denial of OCFS' application is not based on a failure of OCFS to

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<sup>21</sup> Request for Review by New Hartford Central School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-007628, CC Docket Nos. 96-45 and 97-21, Order, DA 01-2536 (Com. Car. Bur. November 2, 2001) (New Hartford).

comply with the certification requirements. OCFS submits that its electronic filing of Form 470 in November 2002 was sufficient to serve the public interest through the effective operation of the schools and libraries universal support service mechanism, which requires competitive bidding for all services eligible for support. In the instant appeal, the public interest weighs in favor of allowing OCFS to resubmit its paper Form 470 certification, *nunc pro tunc*.

**V. CONCLUSION**

In sum, OCFS respectfully requests an expedited review of its appeal and that the SLD should deem OCFS' Form 470 as having been properly filed with the requisite certifications and signatures or alternatively deem the absence of a supplemental paper filing as *de minimus*, for all of the reasons cited, and permit OCFS' Form 471 Application for Funding to be granted.

Submitted August 12, 2003



William E. Travis, Jr.  
Deputy Commissioner for IT  
NYS OCFS

cc: Norman C. Massry, Esq.

**EXHIBIT 1**

Graphics Off



The Universal Service Administrative Company

- Home
- High Cost
- Low Income
- Rural Health Care
- Schools & Libraries

**Overview**

About the SLD

**Applicants**

- Process Flowchart
- Timetable/Deadlines

**Service Providers**

- Conference Calls
- Provider Manual
- Invoicing
- Disbursements

**Tools**

- Commitments Search
- Data Requests
- Form 471 Application Status
- Billed Entity Search
- SPIN Search
- FRN Extensions

**Forms**

- Applicants PIN Request System
- Apply Online
- Applicant Forms
- Provider Forms

SL Main > Reference Area > Tips for Completing Your Form 470

**Tips for Completing Your Form 470**



**Tip 1. File Form 470 Online**

**Tip 2. File Form 470 Any Time During the Program Year**

**Tip 3. Only File ONCE for Each New Contract, and File Annually for Tariffed and Month-to-Month Services**

**Tip 4. Review the Minimum Processing Standards for the Form 470**

**Tip 5. Remember the Technology Plan Requirement**

**Tip 6. When an Request for Proposal (RFP) is Available**

**Tip 7. Online Filers: How to Successfully Submit your Form 470 Online**

**Tip 1. File Your Form 470 Online** – Using the online Form 470 for filing your E-rate application saves time and minimizes data entry errors. The SLD system validates the answers you data enter for each item, which means your application is less likely to need extensive problem resolution clean up. Form 470 applications that are successfully filed online also post faster to the SLD web site. You may access the online Form 470 by clicking the "Apply Online" button on the [SLD web site](#).

**Tip 2. File Your Form 470 at Any Time During the Program Year** –You may file the Form 470 at any time during the program year. In other words, there is not a limited timeframe (or "Window Filing Period") for submitting your Form 470 to the SLD. This allows you greater flexibility in initiating procurement processes while still allowing you to comply with E-rate competitive bidding requirements.

For Year 4, your Form(s) 470 must be posted early enough to achieve the 28-day posting period before filing and signing the Form 471, Block 6, Certifications and Signature which must be postmarked no later than January 18, 2001 in order to be inside the Year 4 window.

**QUICK LINKS**

- [Reference Area](#)
- [Appeals](#)
- [Eligible Services List](#)
- [Discount Matrix](#)
- [Changes & Corrections](#)
- [Waste, Fraud, & Abuse Task Force](#)

**SITE SEARCH**

Search Tips

**CONTACT INFO**

- [Contact Us](#)
- [Whistleblower Hotline - Report Waste, Fraud, & Abuse](#)

**SITE HELP**

- [Get Help!](#)
- [Site Map](#)
- [Site Tour](#)
- [Website Policy](#)

**Tip 3. Only File Form 470 ONCE for Each New Contract, and File Form 470 Annually for Tariffed and Month-to-Month Services** – Multi-year contracts require only one Form 470 to be filed when procurement begins. Each Form 470 has a unique number, to which you will refer in your annual Form 471 applications. PLEASE NOTE that you must file a Form 470 each year for discounts on tariffed services, such as telecommunications services, and for discounts on services billed on a month-to-month basis, such as some internet services and cell phone service.

**Tip 4. Review the Minimum Processing Standards for the Form 470** – The Minimum Processing Standards (or MPS) are the procedures that the SLD uses to review your application when w it is first received. Your application must pass the Minimum Processing Standards in order for data entry of your application to begin. Be sure to review the Form 470 Minimum Processing Standards and Filing Requirement posted in the Reference Area of this web site.

**Tip 5. Technology Plan Requirement** – Don't forget that you must have an approved technology plan (or be seeking approval on a technology plan) when you file the Form 470. The only exception to this rule is if you are applying for discounts only on basic local and long distance telephone service and for no other services. In that limited case, you are not required to complete and obtain approval of a technology plan.

**Tip 6. When a Request for Proposal (RFP) is Available** – If you are applying for E-rate discounts and you have developed a Request for Proposals (RFP) specifying the services you are seeking, you do not need to detail these services on the Form 470. In Block 2, Items 8 or 9 or 10, simply check box A and include the URL (web site address) where your RFP is posted, OR check box B and indicate which person to contact to obtain the RFP.

**Tip 7. Online Filers: How to Successfully Submit your Form 470 Online** – Follow these simple steps to make sure your Form 470 is successfully submitted to the SLD:

1. After you have completed each block, print a copy of the screen for your records.
2. Provide the appropriate answers in Block 5, Items 19-29
3. Print a copy of this screen for your records.
4. Click the "Next" button to move on to the next page, which features special instructions.
5. On this special instructions page, read all the instructions and then click the "Next" button at the

instructions and then click the "Next" button at the bottom of the screen. By clicking "Next" you are simultaneously releasing your completed application to the SLD for posting, AND viewing a complete version of Block 5 of your Form 470. This version represents the Block 5 information as it appears in the SLD database. Clicking "Next" will prevent any further changes to the application. Please be sure that you are satisfied that all entries to the Form 470 are correct and you are fully authorized to release this form for posting before clicking "Next" on this page.

6. Print a copy of this Block 5 Certification and Signature page, ask the authorized person to sign Item 25 with an original ink signature, and submit it to the SLD either manually, by mail, express delivery or U.S. Postal Service Return Receipt Requested.

For regular mail, submit Form 470 to:

SLD - Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, submit Form 470 to:

SLD - Form 470  
C/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100

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Content Last Modified: May 2, 2003

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Our hours of operation are 8AM to 8PM, Eastern Time, Monday through Friday.  
Aware of fraud, waste, and abuse, report it to our Whistleblower Hotline!

**EXHIBIT 2**

FCC Form

Approval by OMB  
3060-0806

**470**

### Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**  
(School, library, or consortium desiring Universal Service funding.)

<b>Form 470 Application Number:</b> 300630000426662
<b>Applicant's Form Identifier:</b>
<b>Application Status:</b> COMPLETE
<b>Posting Date:</b> 11/06/2002
<b>Allowable Contract Date:</b> 12/04/2002
<b>Certification Received Date:</b>

<b>1. Name of Applicant:</b> NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES			
<b>2. Funding Year:</b> 07/01/2003 - 06/30/2004		<b>3. Your Entity Number</b> 210254	
<b>4. Applicant's Street Address, P.O.Box, or Route Number</b>			
<b>a. Street</b> 52 WASHINGTON STREET 40 N. Pearl 15th Floor			
<b>City</b> RENSSELAER	<b>State</b> NY	<b>Zip Code 5Digit</b> 12144	<b>Zip Code 4Digit</b>
<b>b. Telephone number</b> (518) 402-3194		<b>c. Fax number</b> (518) 473-2348	
<b>d. E-mail Address</b> Zack.Zambri@dfa.state.ny.us			
<b>5. Type Of Applicant (Check only one box)</b> <input checked="" type="radio"/> Library (including library system, library branch, or library consortium applying as a library) <input type="radio"/> Individual School (individual public or non-public school) <input type="radio"/> School District (LEA; public or non-public[e.g., diocesan] local district representing multiple schools) <input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia)			
<b>6a. Contact Person's Name:</b> Araya, Chris			

6b. Street Address, P.O.Box, or Route Number (if different from Item 4)

52 WASHINGTON STREET  
40 N. Pearl 15th Floor

City	State	Zip Code 5Digit	Zip Code 4Digit
RENSSELAER	NY	12144	

6c. Telephone Number (10 digits + ext.) (518) 402- 3194

6d. Fax Number (10 digits) (518) 473- 2348

6e. E-mail Address (50 characters max.) Zack.Zambri@dfa.state.ny.us

**Block 2: Summary Description of Needs or Services Requested**

7 This Form 470 describes (check all that apply):

a.  Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b.  Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c.  Services for which a new written contract is sought for the funding year in Item 2.

d.  A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

**NOTE: Services that are covered by a qualified contract for all or part of the funding year in Item 2 do NOT require filing of Form 470. A qualified contract is a signed, written contract executed pursuant to posting a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract.**

8  Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a.  YES, I have an RFP. Choose one of the following: It is available on the Web at \_\_\_\_\_ or via  the Contact Person in Item 6 or  the contact listed in Item 11.

b.  NO, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications Services, and remember that only common carrier telecommunications companies can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
local phone service	34 Facilities
long distance phone service	34 Facilities
centrex service	34 Facilities
cellular phone service	34 Facilities
pager service	34 Facilities
video conferencing links	34 Facilities
ISDN, DSL, Frame, T1, T3, ATM service	34 Facilities

**9  Internet Access**

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a  YES, I have an RFP. Choose one of the following: It is available on the Web at  
or via  the Contact Person in Item 6 or  the contact listed in Item 11.

b  NO, I do not have an RFP for these services.

**If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internet Access Services. Add additional lines if needed.**

Service or Function:	Quantity and/or Capacity:
dialup service	34 Facilities
dedicated service	34 Facilities
email service	34 Facilities

**10  Internal Connections**

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a  YES, I have an RFP. Choose one of the following: It is available on the Web at  
or via  the Contact Person in Item 6 or  the contact listed in Item 11.

b  NO, I do not have an RFP for these services.

**If you answered NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56Kbps or better). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections Services. Add additional lines if needed.**

Service or Function:	Quantity and/or Capacity:
routers, hubs, switches	34 Facilities
servers, ups, tape backup	34 Facilities
new/upgrade pbx	34 Facilities
voice over ip server	34 Facilities
pbx maint.	34 Facilities
Lan network maint.	34 Facilities
routers, hubs, switches maint.	34 Facilities
cabling, racks, risers, raceways	34 Facilities
Mult. point control unit	34 Facilities
Mult. point control unit maint.	34 Facilities
Mpeg video encoder maint.	34 Facilities
video amplifiers	34 Facilities
video channel modulators	34 Facilities
Internet routers	34 Facilities
video bridge/gateway	34 Facilities
video bridge/gateway management tool	34 Facilities

**11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.**

Name: Araya, Chris	Title: Project Manager
Telephone number (10 digits + (518) 473- <del>0853</del> 474-9284	
Fax number (518) 474-6928	
E-mail Address (50 characters max.) Chris.Araya@dfa.state.ny.us	
12. <input checked="" type="checkbox"/> Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or give Web address where they are posted. <b>NYS procurement guidelines</b>	
13. (Optional) Purchases in future years: If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).	

**Block 3: Technology Assessment**

14. <input type="checkbox"/> Basic telephone service only: If your application is for basic local and long distance voice telephone service only, check this box and skip to Item 16.
15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.
a. Desktop communications software: Software required <input checked="" type="checkbox"/> has been purchased; and/or <input checked="" type="checkbox"/> is being sought.
b. Electrical systems: <input checked="" type="checkbox"/> adequate electrical capacity is in place or has already been arranged; and/or <input checked="" type="checkbox"/> upgrading for additional electrical capacity is being sought.
c. Computers: a sufficient quantity of computers <input checked="" type="checkbox"/> has been purchased; and/or <input checked="" type="checkbox"/> is being sought.
d. Computer hardware maintenance: adequate arrangements <input checked="" type="checkbox"/> have been made; and/or <input checked="" type="checkbox"/> are being sought.
e. Staff development: <input checked="" type="checkbox"/> all staff have had an appropriate level of training or additional training has already been scheduled; and/or <input checked="" type="checkbox"/> training is being sought.
f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

**Block 4: Recipients of Service**

16. Eligible Entities That Will Receive Service:  Check the ONE choice that best describes this application and the eligible entities that will receive the services described in this application.
---

You must select a state if (b) or (c) is selected:

a.  Individual school or single-site library: Check here, and enter the billed entity in Item 17.

b.  Statewide application (check all that apply):

- All public schools/districts in the state:
- All non-public schools in the state:
- All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here.  If checked, complete Item 18.

c.  School district, library system, or consortium application to serve multiple eligible sites:

Number of eligible sites	34
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
315	225, 245, 253, 255
516	667
518	473, 474, 643, 762, 797, 851
585	533
607	265, 533, 538, 539
631	667
716	533, 638, 925, 945
718	574, 638, 739, 761, 773, 798, 993
845	249, 342, 758
914	294, 342, 691, 758, 832
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item	

**17. Billed Entities**

<b>Entity Name</b>	<b>Entity Number</b>
NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES	210254

<b>18. Ineligible Entities</b>			
<b>Ineligible Participating Entity</b>	<b>Entity Number</b>	<b>Area Code</b>	<b>Prefix</b>

**Block 5: Certification**

**19. The applicant includes:(Check one or both)**

a.  schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or

b.  libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

**20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:**

a.  individual technology plans for using the services requested in the application

b.  higher-level technology plans for using the services requested in the application

c.  no technology plan needed; application requests basic local and long distance telephone service only.

**21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):**

a.  technology plan(s) has/have been approved by a state or other authorized body.

b.  technology plan(s) will be approved by a state or other authorized body.

c.  no technology plan needed; application requests basic local and long distance telephone service only.

**22.  I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.**

**23.  I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.**

**24.  I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.**

**25. Signature of authorized person:**  

**26. Date (mm/dd/yyyy):** 11/14/2002

**27. Printed name of authorized person:** Zack Zambri

**28. Title or position of authorized person:** OCFS-IT Director

29. Telephone number of authorized person: (518) 402 - 3194 ext.

New Search

Return to Search Results

**EXHIBIT 3**



**Universal Service Administrative Company**  
Schools & Libraries Division

**FORM 470--Receipt Notification Letter**  
**(Funding Year 2003: 07/01/2003--06/30/2004)**

November 20, 2002

**NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES**  
Araya, Chris  
52 WASHINGTON STREET  
40 N. Pearl 15th Floor  
RENSSELAER, NY 12144

**Re: Applicant's Form Identifier:**  
**Form 470 Application Number: 300630000426662**  
**Entity Number: 210254**  
**Date Form 470 Posted: 11/06/2002**  
**Allowable Vendor Selection/Contract Date: 12/04/2002**

We are pleased to inform you that the Schools and Libraries Division (SLD) has received your FCC Form 470, "Description of Services Requested and Certification Form," although we have NOT yet received your Block 5 signed certification page, either electronically or on paper. The posting date is noted above. This letter provides important information about the processing of your Form 470 application. Please read this letter carefully and retain it for your records and future reference.

The Form 470 Application Number listed above has been assigned by the SLD and will be used to track your Form 470. This number must be provided on each FCC Form 471, "Services Ordered and Certification Form," that cites this Form 470. Any applicant who relies on this Form 470 will need to know this Form 470 Application Number. You may wish to share this number with those schools and/or libraries featured in this application to assist them in their preparation of Form 471.

The purpose of the Form 470 is to open a competitive bidding process for the services desired. The Form 470 applicant is responsible for ensuring an open, fair competitive process and selecting the most cost-effective provider of the desired services. Please be aware that if a service provider was involved in the preparation or certification of your FCC Form 470, this could taint the competitive bidding process and result in the denial of your funding requests. The Form 470 must be completed by the entity that will negotiate with potential service providers. It cannot be completed by a service provider who will participate in the competitive bidding process as a bidder.

If you believe that a service provider was improperly involved in the submission of this Form 470, you should cancel this Form 470 and submit a new one if you wish. To cancel a Form 470, call the Client Service Bureau at 1-888-203-8100 and follow their instructions. Please also refer to the "Service Provider Role in Assisting Customers" at [www.sl.universalservice.org/vendor/manual/chapter5.doc](http://www.sl.universalservice.org/vendor/manual/chapter5.doc) or call the Client Service Bureau for information on proper service provider involvement in the preparation and

---

Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey, 07981

Visit us online at: <http://www.sl.universalservice.org>

submission of the FCC Form 471.

You should save all competing bids for services to be able to demonstrate that the bid you chose is the most cost effective, with price being the primary consideration.

Remember also that you cannot seek discounts for services in a category of service on the Form 471 if those services in those categories were not indicated on a Form 470.

FCC rules require that requests for tariffed or month-to-month services and requests for new contractual services be posted on the SLD web site for a period of 28 days before selecting a vendor, to provide for a competitive bidding process. State or local laws may require a longer procurement cycle. This 28-day waiting period must occur before you may execute any contracts for contracted services, before you select your vendor for tariffed or month-to-month services, and before you sign and submit your Form 471. In addition, if you are seeking support on your Form 470 for the first time for services delivered under a multi-year contract signed on or before July 10, 1997, the SLD cannot process your Form 471 until the 28-day waiting period has elapsed.

The date that contracts can be executed for contracted services or that selection can be made for a vendor providing tariffed or month-to-month services is listed above as the "Allowable Vendor Selection/Contract Date."

For information about the filing window for FCC Form 471 for discounts on services to be provided for Funding Year 2003, check the Schools and Libraries web site at <[www.sl.universalservice.org](http://www.sl.universalservice.org)>. Information about the filing window will be posted when it becomes available.

It is important to remember that not all requested services will necessarily be approved for discounts. Your FCC Form 471, "Services Ordered and Certification Form," will be subject to review by the SLD for a determination of funding eligibility before funds are committed. (This review will consider all program rules, including eligibility of discount recipients and the eligibility of services for which discounts are requested.) In addition, availability of funds will be a factor in funding decisions. Therefore, you should consider the possibility of a denial of funding or a level of funding below your request, and include appropriate contingencies in contracts for any or all of the requested services.

Thank you for your interest in the Schools and Libraries program. If you have any questions, please call the SLD Client Service Bureau at 1-888-203-8100.

Schools and Libraries Division  
Universal Service Administrative Company

# USAC

Schools and Libraries Division  
Box 125 Correspondence Unit  
80 South Jefferson Road  
Whippany, New Jersey 07981

## TIME SENSITIVE MATERIAL

04040  
NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES  
Araya, Chris  
52 WASHINGTON STREET  
40 N. Pearl 15th Floor  
RENSSELAER, NY 12144



**EXHIBIT 4**

## AFFIDAVIT

I, Chris Araya, being over the age of 18, residing at 29 Rockton St. being duly sworn, deposes and says:  
Amsterdam NY

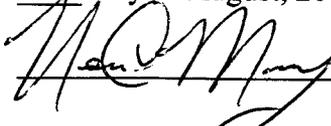
1. It is OCFS' customary practice to have all Form 470 applications signed and sent by return receipt or certified U.S. mail to the Schools and Libraries Division of the Universal Service Administration Company.
2. On January 16, 2003, I prepared and placed a sealed envelope, containing the original, signed Form 470, addressed to the SLD-Form 470, PO Box 7026, Lawrence KS 66044-7026, in the outgoing mail bin at OCFS' office at 40 North Pearl Street, Albany, NY. The envelope was prepared to be sent by certified mail, with the requisite Post Office Form 3800 and 3811 attached.
3. The customary OCFS procedure for items that were to be mailed via certified mail - return receipt requested was as follows:
  - a) Form 3800 with the bar code and tracking number was affixed to the envelope. I retained the section of the white Postal form (PS Form 3800) and attached to the file copy of the item to be so mailed.
  - b) The green parcel receipt card (PS Form 3811) was affixed to the envelope to be mailed.
  - c) The item to be mailed was placed in the mail bin for same day pick-up by OCFS mail room employees, taken to the OCFS central office mailroom, proper postage affixed, and then "bagged" for postal service pick-up that afternoon.
4. It was certainly my intention to comply with the requirements of the SLD by placing the original, signed paper Form 470 Certification in a sealed envelope.
5. I have since noted that I had inadvertently addressed the envelope containing OCFS' original, signed Form 470 to SLD-Form 470, PO Box 7026, Lawrence KS, rather than to Ms. Smith, 3833 Greenway Drive, Lawrence, Kansas.
6. While I may have indicated by letter to Helene Reich, SLD, on April 25, 2003 that "in recollecting the event, I did not send the Form 470 by certified mail", that statement was made based on my discussions and understanding with Ms. Reich that a parcel was not considered certified unless I had physically taken the envelope to the U.S. Post Office and had it date and time stamped.
7. Based on the above procedures that were in effect at that time, it is my opinion that the FCC Form 470 prepared and placed in the OCFS mail bin for certified

mailing in this matter would have been sent by certified mail to the SLD on January 16, 2003.

8. Even if the Form 470 containing Mr. Zambri's original signature page was not received by the SLD, the electronic Form 470 posted on the SLD website contained all of the required information.
9. It is respectfully submitted that the programs administered by OCFS with the monies provided by the E-Rate program should not be penalized.

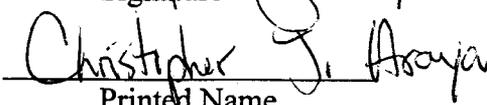
Sworn before me

12<sup>th</sup> day of August, 2003

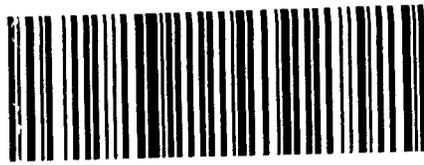
 Notary Public

**NORMAN C. MASSRY**  
Notary Public, State of New York  
No. 02MA5083312  
Qualified in Albany County  
Commission Expires August 11, 2005

  
Signature

  
Printed Name

OFFICE OF CHILDREN & FAMILY SERVICES  
CAPITAL VIEW OFFICE PARK  
52 WASHINGTON ST  
RENSSELAER NY 12144-2796



7001 0360 0000 4550 0111

SLD - Form 470

PO Box 7026

Lawrence, Kansas 66044-7026

Is your RETURN ADDRESS completed on the reverse side?

<b>SENDER:</b> <input type="checkbox"/> Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):  1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery	
3. Article Addressed to:  SLD - Form 470 PO Box 9026 Lawrence, Kansas 66044-7026		4a. Article Number 7001 0360 0000 4550 0111	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name)		7. Date of Delivery	
6. Signature (Addressee or Agent)		8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

OFFICIAL USE

7007 0360 0000 4550 0117

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Jan. 16,  
2003

Postmark  
Here

**Sent To**  
*S/O - Form 470*  
 Street, Apt. No.,  
 or PO Box No. *PO Box 2026*  
 City, State, ZIP+4  
*Lawrence, Kansas 66044-7026*

**EXHIBIT 5**

HOME CANCEL HELP

# FCC Form 471

Services Ordered and Certification Form



Applicant's Form Identifier: Yr 6 471 Video Management

Entity Number: 210254

Contact Person: Chris Araya

Phone Number: (518) 474-9284

## Block 6: Certifications and Signature

Do not write in this area.

471 Application Number: 376340

24. The entities listed in Block 4 of this application are eligible for support because they are: (check one or both)

- a.  schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b.  libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities

25. The eligible schools and libraries listed in Block 4 of this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.

26. All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:

- a.  an individual technology plan for using the services requested in this application; and/or
- b.  higher-level technology plan(s) for using the services requested in this application; or
- c.  no technology plan needed; applying for basic local distance telephone service only.

27. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a.  technology plan(s) has/have been approved; and/or
- b.  technology plan(s) will be approved by a state or other authorized body; or
- c.  no technology plan needed; applying for basic local and long distance telephone service only.

28. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.

29. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:            SLD - Form 471  
   P.O. Box 7026  
   Lawrence, KS 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:  
   SLD - Form 471  
   C/O Ms. Smith  
   3833 Greenway Drive  
   Lawrence, KS 66046  
   (888) 203-8100

[Return to SLD Home Page](#)

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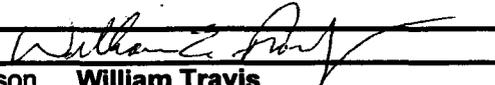
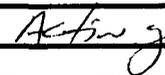
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30. I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.

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

32. I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.

33. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

34. Signature of authorized person		35. Date	2-6-03
36. Printed name of authorized person	William Travis		
37. Title or position of authorized person	Deputy Commissioner 		
38. Telephone number of authorized person	(518) 402-3194		

**471 Application Number: 376340**  
**NEW YORK STATE OFFICE OF CHILDREN & FAMILY**  
**52 WASHINGTON STREET**  
**RENSSELAER, NY 12144**

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury, Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 46 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of

**EXHIBIT 6**

470

Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form

Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**  
(School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 152850000416601
Applicant's Form Identifier: NYS-OGS-FY2003
Application Status: CERTIFIED
Posting Date: 09/24/2002
Allowable Contract Date: 10/22/2002
Certification Received Date: 09/18/2002

<b>1. Name of Applicant:</b> NEW YORK STATE OFFICE OF GENERAL SERVICES			
<b>2. Funding Year:</b> 07/01/2003 - 06/30/2004		<b>3. Your Entity Number</b> 217761	
<b>4. Applicant's Street Address, P.O.Box, or Route Number</b>			
a. Street PROCUREMENT SERVICES GROUP CORNING TOWER, 37TH FLOOR			
City ALBANY	State NY	Zip Code 5Digit 12242	Zip Code 4Digit
b. Telephone number (518) 474- 1350		c. Fax number (518) 486- 6867	
d. E-mail Address CUSTOMER.SERV@OGS.STATE.NY.US			
<b>5. Type Of Applicant (Check only one box)</b>			
<input type="checkbox"/> Library (including library system, library branch, or library consortium applying as a library)			
<input type="checkbox"/> Individual School (individual public or non-public school)			
<input type="checkbox"/> School District (LEA:public or non-public[e.g., diocesan] local district representing multiple schools)			
<input checked="" type="checkbox"/> Consortium (intermediate service agencies, states, state networks, special consortia)			
<b>6a. Contact Person's Name:</b> KAREN FOWLER			

6b. Street Address, P.O.Box, or Route Number (if different from Item 4)

**PROCUREMENT SERVICES GROUP  
CORNING TOWER, 37TH FLOOR**

City <b>ALBANY</b>	State <b>NY</b>	Zip Code 5Digit <b>12242</b>	Zip Code 4Digit
-----------------------	--------------------	---------------------------------	-----------------

**6c. Telephone Number (10 digits + ext.) (518) 474- 1350**

**6d. Fax Number (10 digits) (518) 486- 6867**

**6e. E-mail Address (50 characters max.) KAREN.FOWLER@OGS.STATE.NY.US**

**Block 2: Summary Description of Needs or Services Requested**

**7 This Form 470 describes (check all that apply):**

a.  **Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.**

b.  **Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.**

c.  **Services for which a new written contract is sought for the funding year in Item 2.**

d.  **A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.**

**NOTE: Services that are covered by a qualified contract for all or part of the funding year in Item 2 do NOT require filing of Form 470. A qualified contract is a signed, written contract executed pursuant to posting a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract.**

**8 Telecommunications Services**

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a.  **YES, I have an RFP. Choose one of the following: It is available on the Web at  
or via  the Contact Person in Item 6 or  the contact listed in Item 11.**

b.  **NO, I do not have an RFP for these services.**

**If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications Services, and remember that only common carrier telecommunications companies can provide these services under the universal service support mechanism. Add additional lines if needed.**

**Service or Function:**

**Quantity and/or Capacity:**

**SEE OGS WEB SITE FOR LIST OF E-RATE ELIGIBLE SERVICES:  
[WWW.OGS.STATE.NY.US/PURCHASE/SNT/WIREDINDEX/NYWIRED.ASP](http://WWW.OGS.STATE.NY.US/PURCHASE/SNT/WIREDINDEX/NYWIRED.ASP)**

**MAXIMUM: ALL NYS  
SCHOOLS AND LIBRARIES**

**9 Internet Access**

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a.  **YES, I have an RFP. Choose one of the following: It is available on the Web at  
or via  the Contact Person in Item 6 or  the contact listed in Item 11.**

**NO** . I do not have an RFP for these services.

If you answered **NO**, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internet Access Services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
SEE OGS WEB SITE FOR LIST OF E-RATE ELIGIBLE SERVICES: <a href="http://WWW.OGS.STATE.NY.US/PURCHASE/SNT/WIREDINDEX/NYWIRED.ASP">WWW.OGS.STATE.NY.US/PURCHASE/SNT/WIREDINDEX/NYWIRED.ASP</a>	MAXIMUM: ALL NYS SCHOOLS AND LIBRARIES

**10**  **Internal Connections**

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

**YES**, I have an RFP. Choose one of the following: It is available on the Web at \_\_\_\_\_ or via  the Contact Person in Item 6 or  the contact listed in Item 11.

**NO** , I do not have an RFP for these services.

If you answered **NO**, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56Kbps or better). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections Services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
SEE OGS WEB SITE FOR LIST OF E-RATE ELIGIBLE SERVICES: <a href="http://WWW.OGS.STATE.NY.US/PURCHASE/SNT/WIREDINDEX/NYWIRED.ASP">WWW.OGS.STATE.NY.US/PURCHASE/SNT/WIREDINDEX/NYWIRED.ASP</a>	MAXIMUM: ALL NYS SCHOOLS AND LIBRARIES

**11** (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone number (10 digits +  
( ) - \_\_\_\_\_

Fax  
( ) - \_\_\_\_\_

E-mail Address (50 characters max.) \_\_\_\_\_

**12.**  Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or give Web address where they are posted.

**SEE PROCUREMENT GUIDELINES OF THE NYS OFFICE OF GENERAL SERVICES:  
[HTTP://WWW.OGS.STATE.NY.US/PROCURECOUNC/PDFDOC/GUIDELINES.PDF](http://WWW.OGS.STATE.NY.US/PROCURECOUNC/PDFDOC/GUIDELINES.PDF)**

**13.** (Optional) Purchases in future years: If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).

**SEE INFORMATION ON INFORMATION TECHNOLOGY AND SERVICE BID OPPORTUNITIES:  
[HTTP://WWW.OGS.STATE.NY.US/ASP/PURCHASE/SNT/BIDS/WELCOME.ASP](http://WWW.OGS.STATE.NY.US/ASP/PURCHASE/SNT/BIDS/WELCOME.ASP)**

**Block 3: Technology Assessment**

14.  **Basic telephone service only:** If your application is for basic local and long distance voice telephone service only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop communications software: Software required  has been purchased; and/or  is being sought.

b. Electrical systems:  adequate electrical capacity is in place or has already been arranged; and/or  upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers  has been purchased; and/or  is being sought.

d. Computer hardware maintenance: adequate arrangements  have been made; and/or  are being sought.

e. Staff development:  all staff have had an appropriate level of training or additional training has already been scheduled; and/or  training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

**SEE INFORMATION ON INFORMATION TECHNOLOGY AND SERVICE BID OPPORTUNITIES:  
 HTTP://WWW.OGS.STATE.NY.US/ASP/PURCHASE/SNT/BIDS/WELCOME.ASP**

**Block 4: Recipients of Service**

**16. Eligible Entities That Will Receive Service:**

Check the ONE choice that best describes this application and the eligible entities that will receive the services described in this application.

You must select a state if (b) or (c) is selected: NY

a.  **Individual school or single-site library:** Check here, and enter the billed entity in Item 17.

b.  **Statewide application (check all that apply):**

- All public schools/districts in the state:
- All non-public schools in the state:
- All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here.  If checked, complete Item 18.

c.  **School district, library system, or consortium application to serve multiple eligible sites:**

Number of eligible sites	
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item	

17. Billed Entities	
Entity Name	Entity Number
NEW YORK STATE OFFICE OF GENERAL SERVICES	217761
All Eligible Libraries in State NY	
All Non-Public Schools in State NY	
All Public Schools/Districts in State NY	

18. Ineligible Entities			
Ineligible Participating Entity	Entity Number	Area Code	Prefix

**Block 5: Certification**

**19. The applicant includes:(Check one or both)**

a.  schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or

b.  libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

**20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:**

a.  individual technology plans for using the services requested in the application

b.  higher-level technology plans for using the services requested in the application

c.  no technology plan needed; application requests basic local and long distance telephone service only.

**21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):**

a.  technology plant(s) has/have been approved by a state or other authorized body.

b.  technology plant(s) will be approved by a state or other authorized body.

c.  no technology plan needed; application requests basic local and long distance telephone service only.

**22.  I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.**

23.  I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24.  I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person:

26. Date (mm/dd/yyyy): 10/12/2001

27. Printed name of authorized person: WALTER BIKOWITZ

28. Title or position of authorized person: ASSISTANT DIRECTOR

29. Telephone number of authorized person: (518) 402 - 5906 ext.

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