

**Before the
Federal Communications Commission
Washington, DC**

In the matter of:)	
)	
Request for Review by)	
)	
Long Beach Unified School District)	File Number SLD 367394
Long Beach, California)	Funding Request Number 1000583
)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	
)	
May 27, 2004)	

Background

The Long Beach Unified School District serves the most diverse population in the nation. In the Fall of 2003, the district was recognized by the Eli Broad Foundation as America's Best Urban School District after peer review by national educational, business, governmental and community leaders. This Request for Review is on behalf of 21,375 children attending 21 of the district's 84 schools in the poorest sections of Long Beach, California and surrounding communities served by the Long Beach Unified School District. The district has a history of good E-rate citizenship. Participation in E-rate projects has allowed the LBUSD to provide Internet Access to every classroom in our district.

The Long Beach Unified School District (LBUSD) respectfully submits a Request for Review of the decision of the Universal Service Administrator to deny Funding Request Number 1000583 for alleged "bidding violations." LBUSD seeks a review of the evaluation processes used to award a contract for professional services. FCC rules maintain that "In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers but price should be the primary factor considered." 47 C.F.R. & 54.511(a). LBUSD is confident that all appropriate state, local, SLD and FCC regulations were applied in selecting the most cost effective resource for Funding Request Number 1000583.

Review and Appeal of Funding Request Number 1000583

Based on the findings of LBUSD's first ever Item 25 Selective Review, Funding Request Number 1000583 was denied, alleging "bidding violations". (Attachment A)

LBUSD maintains that all applicable FCC, SLD, and California Government codes, rules, regulations, and guidelines in force at the time this application was submitted on February 6, 2003 were explicitly followed in evaluating the vendors submitting bids for Funding Request Number 1000583. The district believes that a comprehensive review of our bidding process will demonstrate we followed both the intent and the prescribed rules and regulations developed by the FCC for the SLD to use as guidelines.

In this FCC Request for Review, the district believes that:

- PIA/Item 25 Selective Review process related to Funding Request Number 1000583 only considered a very narrow subset of the documentation we supplied for review.
- SLD mistakenly applied a specific guideline to this application that did not exist when the application was submitted
- When our entire response is analyzed in the context of our application and applicable state procurement code, there was no bidding violation and, in fact, the most “cost-effective” vendor was awarded the contract.
- The SLD may have erroneously denied our request to supply “additional” information on appeal. It is, in fact, information supplied in the Item 25 Selective Review, but not considered.
- The SLD Appeal staff erroneously included a paragraph that suggested that:
 - All bids for Funding Request Number 1000583 were not considered
 - FCC and applicable state and local competitive bidding rules were not followed
 - Service Providers participated in some way either in preparing the Form 470 or vendor selection

Sequence of Events

- Within the context of the full Item 25 Selective Review, LBUSD was asked to clarify its competitive bidding process, including selection criteria. Initially, the district response included a general criteria detailing how the RFP was distributed and the vendor selection criteria as it applied to all applications. LBUSD selection criteria are a product of the California State procurement requirements, used by the district as its local procurement regulations. (Attachment B)
- After reviewing this documentation, clarification was requested for Funding Request Number 1000583. The request noted that LBUSD responded that “Expertise and hourly rate were the district’s rationale for selection.”
- In addition, we were asked to provide the “primary factor” for selecting for the winning bid? (Attachment C)

The district responded with an updated document. (Attachment D) Specially, we provided the following break down of how we weighted each item, without breaking out the specific elements that comprise “Minimum technical expertise and availability of a dedicated resource was weighted at 65%.” Our specific response to our selection criteria related to Funding Request Number 1000583:

- 1) *Minimum technical expertise and availability of a dedicated resource was weighted at 65%*
- 2) *Hourly rate was weighted at 35%*

“Lowest bidders were asked to supply a dedicated resource for an evaluation of knowledge and experience on the hardware and software solutions deployed by the district. Each was given a practical exam. I’ve attached a copy of the exam, along with the individual’s name and vendor they represented.”

“The resources provided by Verizon, Wareforce, and Spectrum Communications were unable to meet the minimum requirements. Only the resource provided by Malcolm McColl exhibited the expertise required to support our network environment.”

When the district submitted this response, we believed that our response, given the guidelines in place at the time, demonstrated that a complete and fair evaluation was conducted and price was used to determine the ultimate winner.

The district realizes now, that a simple reading of our response could lead the SLD reviewer to the conclusion that price was not the primary factor. By supplementing this 65%/35% “formula” with two additional paragraphs, our goal was to give the reviewer a picture of the complete process so it could be determined that price was used both to determine the vendors to be evaluated and that price would be used to select the lowest priced qualified vendor.

The district failed to elaborate on the separate elements that comprised the “minimum technical expertise and availability of a dedicated resource” because the district was not aware of the newly adopted guidelines that were published in the “Form 470 Reminders” on April 29, 2003. (Attachment E) We feel these guidelines were erroneously applied to Funding Request Number 1000583 since there were published over 3 months after our application was submitted.

Price as a Primary Factor Guidelines

In the document published in April of 2003, the SLD felt it necessary to provide additional guidance in formulating selection processes that demonstrated price as the “primary” factor. On April 29, 2003, a set of specific guidelines appeared to guide applicants for preparing for the 2004-05 program year. They appeared as “Form 470 Reminders.” The example given to format this response in an “acceptable” manner appeared as follows:

Factor	Weight
Price	30%
Prior Experience	25%
Personnel Qualifications	20%
Management	15%
Capability	
Environmental	10%
Objectives	
Total	100%

It appears that this “guideline”, not published at the time of our application, was erroneously applied to our review.

LBUSD Selection Criteria

A careful look at the LBUSD evaluation process demonstrates that the district applied price in more than one aspect of the section criteria:

- First as a primary consideration to select the lowest bidders to test for competency.
- Finally, to determine the lowest cost, qualified vendor.

The district relied on California Government Code, Section 53060 for professional services that require that districts contract only with “such persons (that) are specially trained and experienced and competent to perform the special services required.” (Attachment F)

- Once the lowest bidders were evaluated to this standard, it became obvious to district staff that only one of the vendors presented a resource that was competent in our technical environment.

Selective Review and Appeal Findings

The district complied quickly and honestly to both the Item 25 Selective Review and the Appeal that followed. Complete evaluation criteria, including actual examinations, responses, email conversations, and grading were submitted in our Item 25 review and later, in the district's Appeal to the SLD.

The district maintains that:

- The Item 25 Selective Review based its decision solely on the 65%/35% formula we provided and did not consider any of the additional documentation we provided, including the two supporting paragraphs and copies of the examinations that were administered.
- The SLD Appeal staff rejected our "additional" information as a matter of policy. As stated in our appeal, "Program rules do not permit SLD to accept new information on appeal except under limited circumstances where an applicant was not given an opportunity to provide information during the initial review or when an error was made of the SLD." That policy, the district feels, is unfair to the applicant. While the policy fosters SLD workflow, it does not allow the applicant to adequately state his case. The FCC agreed with this argument in FCC Order DA 04-308, File No. SLD-292913, in which Shawano-Gresham School District was denied the ability to include "additional" documentation at Appeal citing this policy. The FCC found that the SLD must consider additional documentation when it supports the applicant's position at appeal. (Attachment G)

Looking Back on The Review and Appeal Process

We made our case for "cost-effectiveness" under the definitions in force at the time our application was submitted. If the district were allowed to format its response using the formula published April 29, 2003 by the SLD, the response would look like this:

Price	35%
Other Factors (65%)	
▪ Prior Experience	20%
▪ Personnel Qualifications	30%
▪ Management Capabilities	10%
▪ Environmental Objectives	<u>5%</u>
	100%

By simply identifying the specific elements associated with the "Other Factors", the district's application would have been approved without further review. In all likelihood, Funding Request Number 1000583 was denied because we failed to adhere to an interpretation of "price as primary factor" that was published after our application was submitted. When the district's responses and bid evaluation process are taken in its entirety, the most "cost-effect" service provider was selected.

Alleged Rules Violations

At first, the district dismissed the final paragraph in the Administrator's Decision on Appeal for Funding Request 1000583 as "boiler plate" language included in most, if not all appeals submitted for review. After comparing the language in other appeal response letters, it appears the SLD Appeal staff is suggesting that the district violated each of the SLD rules related to the areas referenced in the footnoted paragraph.

The district believes you will find ample supporting data in this Request for Review to support the district's claim that 1) all bids were considered and 2) all state and local competitive bidding rules were followed.

In referencing the May 23, 2000 *MasterMind Internet Services, Inc.* appeals decision, the SLD Appeal staff is alleging that either a service provider participated in the preparation of the Form 470 or that one of the service providers participated in the vendor selection process.

- LBUSD has attached a complete copy of LBUSD's Form 470 Application Number 120430000438851 for your review. (Attachment H) You will find no evidence that anyone but district employees prepared this document. In the *MasterMind Internet Services, Inc.* denial, the service provider's contact information was listed on the Form 470. In LBUSD's Form 470 Application Number 120430000438851 you find that a district employee is the main contact person and in Section 11, reserved for an additional contact person, was left blank.
- Vendors did not participate in the competitive bidding selection process. The vendors with the lowest hourly rate supplied an individual resource for the district technical examination. These examinations, along with responses and evaluations, are included in Attachment I for your review.

Additional Support

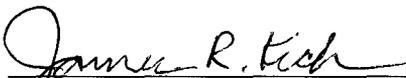
As of the Third Order and Report, the FCC is still taking comments on this issue, but has not published guidelines remotely close to what the SLD used in denying Funding Request Number 1000583. (CC Docket No. 02-6, FCC 03-323, paragraphs 63-66 and paragraph 87).

In support of the district's position, I have also included another copy of the technical examinations that we administered to the lowest bidders in an effort to determine competency. (Attachment I) LBUSD believes that a review of these documents will demonstrate our commitment to provide all vendors a fair and equitable evaluation.

Conclusions

Our conclusions are simple. The district maintains that a complete and thorough evaluation was conducted using all applicable FCC, SLD and California State Government Codes available to us. We disagree that price was not the determining factor and believe we have provided sufficient documentation to support our position. We are requesting that Funding Request Number 1000583 be reviewed and reinstated at the level requested in the district's Form 471.

As we stated earlier, LBUSD considers itself an outstanding E-rate citizen. The district's goal in filing this Request for Review is to get a comprehensive evaluation of the district's request that takes into account both the goals of the E-rate and Telecommunications Act of 1996 and the selection process the district used to determine the most cost-effective provider of these services given the program rules of the SLD and the constraints of the Government Code of the state of California.

By:  _____

James R. Keck
Director of Information Services
Long Beach Unified School District

Voice: 562-997-8177
Fax: 562-997-8288
Email: jkeck@lbusd.k12.ca.us



Administrator's Decision on Appeal - Funding Year 2003-2004

March 30, 2004

Mr. Jim Keck
Long Beach Unified School District
11515 Hughes Way
Long Beach, CA 90810-1839

Re: Billed Entity Number: 143528
471 Application Number: 367394
Funding Request Number: 1000583
Your Correspondence Dated: November 18, 2003

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 SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD'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 for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 1000583
Decision on Appeal: **Denied in full**
Explanation:

- Your appeal letter states that during the Item 25 review, questions and answers went back and forth. Upon realizing the response to the vendor selection was not as clear as it could have been, you attempted to contact the reviewer without having success. After a long period of time attempting to contact the reviewer to determine why the reviewer failed to respond to any contacts, you were told eventually that the reviewer was no longer employed at SLD. You feel you were left in limbo during the Item 25 review. Included in the appeal, you supplied the same 6/18/03 response with notes to clarify. You state the vendor selection was performed in two phases. First the vendors were required to take a basic networking exam to show they could, in fact, manage a complex network. You assert that, "while cost is dictated to be the most weighted factor in the selection of a vendor, it would be preposterous for the SLD to require that Long Beach retain a vendor whose staff could not pass a basic network

test." Furthermore, you state that after the vendors were qualified, based on the results of the networking test, the selection was then based strictly on costs. You are asking SLD to reinstate the funding request to the full pre-discount amount.

- Upon thorough review of the appeal and its relevant facts, it was determined that the funding request was denied properly for price not being the primary factor when choosing a vendor. This Billed Entity Number (BEN) underwent an Item 25/ Competitive Bid review. During the review, you were asked to provide contracts, bids, RFP, vendor selection and consulting agreements for the service providers listed on the FRN's. On 6/18/03, you responded to a request to clarify the vendor selection. PIA asked you what the primary factor was for selecting the winning bids? You responded on 6/18/03, listing two criteria. The first criterion was minimum technical expertise and availability of dedicated resource to address network requirements (65%). The last criterion was hourly rate (35%). Program rules state that the entity selecting a service provider shall carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers, but price should be the primary factor considered. Consequently, the appeal is denied.
- Program rules do not permit SLD to accept new information on appeal except under limited circumstances where an applicant was not given an opportunity to provide information during the initial review, or when an error was made by SLD.
- FCC rules require applicants to seek competitive bids and in selecting a service provider to carefully consider all bids.¹ FCC rules further require applicants to comply with all applicable state and local competitive bidding requirements.² In the May 23, 2000 *MasterMind Internet Services, Inc. (MasterMind)* appeals decision, the FCC upheld SLD's decision to deny funding where a MasterMind employee was listed as the contact person on the FCC Form 470 and MasterMind participated in the competitive bidding process initiated by the FCC Form 470.³ The FCC reasoned that under those circumstances, the Forms 470 were defective and violated the Commission's competitive bidding requirements, and that in the absence of valid Forms 470, the funding requests were properly denied.⁴ Pursuant to FCC guidance, this principle applies to any service provider contact information on an FCC Form 470 including address, telephone and fax numbers, and email address.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC

¹ See 47 C.F.R. §§ 54.504(a), 54.511(a).

² See 47 C.F.R. § 54.504(a), (b)(2)(vi).

³ See *In re MasterMind Internet Services, Inc.*, CC Docket 96-45, ¶ 9 (May 23, 2000).

⁴ See *id.*

Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be **POSTMARKED** within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. 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 in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

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

Schools and Libraries Division
Universal Service Administrative Company

CC: Mr. Gary Hendrick
The Kendrick Group, LLC
P.O. Box 786
Apple valley, CA 92307



**Bidding and Selection Criteria
E-rate Projects
Program Year 2003**

District E-rate Website

Our RFP remains posted at <http://www.lbusd.k12.ca.us/erate>. This page also contains all the program documents and links required to successfully submit a proposal to the district for consideration. Vendors were referred to this page to obtain a copy of the RFP and supporting documents. They were also informed that the district would supply additional information, answer questions, and generally keep the lines of communications open to interested vendors by accessing our webpage.

I've included a list of the vendors that received RFP information. As inquiries were made, the vendor(s) were added to the distribution list. This list was used to notify every one of updates and remind them of the closing date and when and where proposals were to be delivered.

We featured a "Most recent Q&A" document on our E-rate website to answer specific questions and provide clarifications. We chose this method to make the same information available to all vendors equally. The most recent update to that page was provided on Friday, January 10, 2003.

Vendor Selection Criteria

Many of the projects on our applications this year are new for us. We wanted to pursue technologies that support the instructional mission of the district and at the same time, fit within the technology standards the district is staffed to support.

When evaluating proposals, we are looking for the following:

- 1) Is it a viable solution that integrates with technologies and support staff (and training) that exists in the district? Sometimes, it is as simple as "Does it work?"
- 2) Is it the best value to the district when considering the solution and the resources required to support the project? Projects are evaluated on the basis of total cost of ownership. In many cases, the vendor will leave out key components and services that require the district to supply them outside of the discount program. This is the reason the district has asked for total "turn-key" installations that are eligible under program rules.
- 3) Previous experiences with the vendor. We are currently revisiting issues created in the E-rate 3 program from a vendor wanting to bid for similar work in program year 2003.

These are the basic criteria. When there were questions about proposals, specific emails were sent to the vendors asking for clarification. Both Matt Woods (LBUSD Network Manager) and I originated the inquiries. I have detailed each proposal, including the specific page of the RFP, all bid responses, and follow-up emails to support our choice to award the project. You will find a narrative description for each application and FRN in the *Fax Back Page 3* document.

ATTACHMENT B



Universal Service Administrative Company
Schools & Libraries Division

CASE SR-2003-BEN#143528

Date: 6/16/03
To: Jim Keck
Entity: Long Beach Unified School District
Fax #: 562-997-8288
Sender: Ken Collis
Phone: 973-884-8137
Fax: 973-599-6515
Subject: Funding year 2003 selective review

*** *** ***

This fax is a follow up to the information you provided in reference to the E-Rate Selective Review Information Request Funding Year 2003. Please provide the information requested by the **close of business 6/23/03**. If we do not receive the information by that date, your application will be reviewed based on the information we currently have, which may impact the approval of your application

Note- Your proposed budget for 2003-2002 did not include the revenue side of the budget. The proposed budget shows \$712,000 available for E-rate but the full applicant share is \$935,606.63.

Budget: Please submit an operating budget for 2003-2004 showing both revenues and expenses indicating where your portion of e-rate is coming from.

If a budget is not available or in the early stages of an approval process, we will need a letter signed by a school or library official (superintendent, board president, chief business administrator). The letter should explain what phase of the approval process you are in, whether your share of funding is contingent on any outside action (e.g. voter approval, board approval, state legislation, etc.) and whether in the absence of such outside approval, you anticipate being able to meet your share. Also make sure that the letter identifies the specific amount that you will have available to pay your share. For example, if you have \$100,000 that you will be putting in your budget, make sure that that is noted in the letter. In addition to that letter (and in lieu of a finalized budget) we need any of the bulleted examples shown on page 4 of the original fax sent to you. Those

ATTACHMENT C

bulleted examples follow.

- **A draft budget showing both revenues and expenses indicating where your portion of e-rate is coming from.**
- A resolution of a governing Board authorizing the filing of a Form(s) 471 for a given dollar amount, for given services and/or products, within a given timeframe. For us to consider such a resolution sufficient evidence that your entity has provided for payment of your share of E-rate, the resolution should specify the funding year, the fiscal year, or the school year during which the payment is authorized.
- If donations (or other dollars from any contributor) are a source, a signed commitment letter from the donor (e.g. school or library foundation) to the applicant specifying 1) the level and commitment of funds or other resources; 2) the timing of the delivery of such resources, along with a dispositive indication that the resources are for E-rate supported products/services or for items needed to use effectively the discounted services. (The indication as to the use of the resources might come from the donor or be reflected in a Board resolution committing donations to E-rate related purposes.)

Note: if a final, approved budget **is** provided, we may verify that budget with independent sources.

If a final, approved budget is **not** available, we require a combination of a letter (described above) AND one of the bulleted examples above. We require **both, not** one or the other.

Note- Application #367370 & 367394- Malcolm McColl was the winning bid selected from the 4 lowest bidders. Expertise and hourly rate were the district' rationale for selection.

Vendor Selection: More than one factor was used to determine the winning bid(s) please indicate the weighting of those factors . **Which factor was the primary factor for the selection of the winning bids?** If evaluation sheet(s) were used please provide those.

Please call me if you have questions at 973-884-8137.

Thank you.

Ken Collis
Selective Reviewer



**SLD – Item 25 Bid Responses
Long Beach Unified School District
Billed Entity: 143528
Year 2003 Review**

LBUSD BID: RFP 0203/04
471 Application Number: 367370 FRN 1000487 (90% Level)
367394 FRN 1000583 (80% Level)

Product or Service of FRN

Professional Services to manage the district network. The district choose to break out the requests grouping the 90% and 80% schools only.

Successful Bidder: Malcolm McColl, Jr. Inc.
SPIN Number: 143005555

Respondents:
Malcolm McColl (selected)
Verizon – California, Inc.
Spectrum Communications
IdeaMall Inc. dba Creative Computers (Wareforce)
IBM

Updated Rationale for vendor Selection: (06/18/2003)

1. Minimum Technical expertise and dedicated resource to address network requirements (65%)
2. Hourly Rate (35%)

Lowest bidders were asked to supply a dedicated resource for an evaluation of knowledge and experience on the hardware and software solutions deployed by the district. Each was given a practical exam. (attached)

The resources provided by Verizon, Wareforce, and Spectrum Communications were unable to meet the minimum requirements. Only the resource provided by Malcolm McColl exhibited the expertise required to support our network environment.

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The Universal Service Administrative Company

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Form 470 Reminders

The Form 471 application filing window opens on November 5, 2003. The SLD is providing the important reminders below to assist you with the application process.

Form 470 Reminders

- You must ensure an open, fair competitive process...
- You must select the most cost-effective provider...
- The Form 470 cannot be completed by a service provider...
- You must save documentation showing that you have complied...
- Review the Minimum Processing Standards...

Form 470 : You must ensure an open, fair competitive process.

[Top of Page](#)

Filing the Form 470 begins the competitive process. In the Form 470, you describe the types of products and service you desire and for which you are accepting bids. You must conduct a fair and open competitive procurement by which you decide upon the services you then order and report on the Form 471.

You must be in a position to accept bids once the Form 470 is posted on the SLD web site. You must take an affirmative role in the evaluation of such bids. You may not delegate this evaluation role to anyone associated with a service provider. You should keep the following concepts in mind:

Request for Proposals. A Request for Proposals (RFP) is not required, but it is a good idea to have one. An RFP describes the project you are undertaking, with sufficient details to let potential bidders know the scope of your project, the location of your project, and any other requirements you have for the project. If you issue an RFP, you must indicate on the Form 470 where that RFP is available, whether on a web site or from a contact person you have identified on the form. If your state or local procurement regulations impose additional requirements, such as eligibility requirements for bidders, these requirements must also be noted on the Form 470



QUICK LINKS

Apply Online

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- [Appeals](#)
- [Eligible Services List](#)
- [Changes & Corrections](#)
- [Suspensions & Debarments](#)
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ATTACHMENT E

requirements must also be noted on the Form 470.

Competition. The goal of competition is to have as many bidders as possible respond to your RFP (or your Form 470 description of services requested, if you don't have an RFP). Competition - having many bidders - promotes better service and lower prices.

Fair and open. "Fair" means that all bidders are treated the same, and that no bidder has advance knowledge of the information contained in your RFP. "Open" means there are no secrets in the process - such as information shared with one bidder but not with others - and that all bidders know what is required of them. Your RFP (or your Form 470 description of services requested, if you don't have an RFP) should be clear about the products or services and quantities you are seeking.

In order to be sure that a fair and open competition is achieved, any marketing discussions you hold with service providers must be neutral, so as not to taint the competitive bidding process. That is, you should not have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow them to unfairly compete in any way. A conflict of interest exists, for example, when an applicant's consultant, who is involved in determining the services sought by the applicant and who is involved in the selection of the applicant's service providers, is associated with a service provider that was selected.

Form 470 : You must select the most cost-effective provider of the desired services, with price being the primary factor.	Top of Page
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When you examine and evaluate the bids you receive for eligible services, you must select the most cost-effective bid. This means that the price should be the primary factor, but does not have to be the sole factor, in evaluating the bids. Other relevant factors may include: prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives.

For example, the following would be an acceptable weighting of the factors listed above to use in evaluating bid responses, as price is weighted higher than any other single factor:

Factor	Weight
Price	30%

Price	30%
Prior experience	25%
Personnel qualifications	20%
Management capability	15%
Environmental objectives	10%
Total	100%

The value or price competitiveness of services or products that are ineligible for universal service discounts **cannot** be factored into the evaluation of the most cost-effective supplier of eligible services. For example, Service Provider A offers a price for eligible services of \$1,000. Service Provider B offers a price for the same services for \$1,200, but this price also includes ineligible services valued at \$300 to be provided at no additional cost to the applicant. The value of this "free" software or hardware cannot be factored into the evaluation of the most cost-effective supplier of eligible services. All other things being equal, Service Provider A is offering the most cost-effective bid for services eligible for a universal service discount.

Form 470 : The Form 470 cannot be completed by a service provider who will participate in the competitive process as a bidder.	Top of Page
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Many service providers offer to complete the E-rate forms for their clients. It is important to remember that applicants - and **only** applicants - can sign and file the Form 470. The signing of a Form 470 by a service provider, or the listing of a service provider representative as the Form 470 contact, are considered by the SLD and the FCC to be violations of the competitive bidding requirements of the program. The reason is that it appears that the applicant has a pre-existing relationship with that service provider. This appearance of such a relationship compromises the open and fair quality of the competition that is the subject of the Form 470. As a result, Forms 470 signed by service providers, or listing service provider representatives as contacts, will be rejected; any funding requests on Forms 471 that cite such Forms 470 will be denied. There should never be a situation where a person is authorized by an applicant to make decisions for the applicant and at the same time be associated in any capacity with the service provider who submits bids in response to the Form 470. If such a relationship is discovered, it may lead to denial of funding and enforcement action.

For example, if a representative or employee of a service provider which furnishes Internal Connections serves as

the contact on a Form 470 seeking Telecommunications Services and Internal Connections, that entire Form 470 is rendered invalid and cannot be cited to support any funding requests.

The FCC understands that applicants sometimes need to seek assistance from service providers in developing Requests for Proposals (RFPs). Such assistance is permissible even if the service provider plans to submit a bid in response to that RFP, as long as the service provider's assistance is neutral. For example, RFPs may not be written in such a way that only the service provider who rendered the assistance could win the bid. As another example, an applicant may not reveal information to the service provider assisting in the preparation of the bid that the applicant does not share with all prospective bidders. These are just two examples of assistance that would not be considered neutral.

Form 470 : You must save documentation showing that you have complied with all applicable competitive bidding requirements, including copies of competing bids and documentation of the bid evaluation process and bid criteria used.	Top of Page
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Applicants certify on both Form 470 and Form 471 that they understand that they may be audited to ensure that the information they provide on these forms is accurate and that they are abiding by all of the relevant regulations. They also commit to retain any and all worksheets and other records that they have relied upon to fill out these forms for five years so that an auditor can verify the accuracy of the information they provide. This includes all documentation showing that they have complied with all applicable competitive bidding requirements, including copies of competing bids and documentation of the bid evaluation process and bid criteria used. Thus, for example, if applicants represent multiple billed entities, collect data from those entities, and add up that data, they should retain those data sheets for five years.

If you are audited, you should be prepared to make available to the auditor the worksheets and other records used to compile forms you submitted, and you should be able to demonstrate to the auditor how the entries in your application were provided.

The SLD may review your competitive bidding and vendor selection processes. For an example of a comprehensive request for information, please refer to the [E-RATE SELECTIVE REVIEW INFORMATION REQUEST \[PDF format, 344 kb\]](#).

Form 470: Review the Minimum	Top of Page
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Processing Standards and filing requirement.

To review the Minimum Processing Standards for the Form 470, please refer to the [Form 470 Instructions](#) (PDF format; 152kb).

Content Last Modified: April 29, 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!](#)

CALIFORNIA CODES
GOVERNMENT CODE
SECTION 53060-53087.5

53060. The legislative body of any public or municipal corporation or district may contract with and employ any persons for the furnishing to the corporation or district special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required.

The authority herein given to contract shall include the right of the legislative body of the corporation or district to contract for the issuance and preparation of payroll checks.

The legislative body of the corporation or district may pay from any available funds such compensation to such persons as it deems proper for the services rendered.

53060.1. (a) It is the intent of the Legislature in enacting this section, to provide a uniform limit on the retirement benefits for the members of the legislative bodies of all political subdivisions of the state, including charter cities and charter counties. The Legislature finds and declares that uneven, conflicting, and inconsistent retirement benefits for legislative bodies distort the statewide system of intergovernmental finance. The Legislature further finds and declares that the inequities caused by these problems extend beyond the boundaries of individual public agencies.

Therefore, the Legislature finds and declares that these problems are not merely municipal affairs or matters of local interest and that they are truly matters of statewide concern that require the direct attention of the state **government**. In providing a uniform limit on the retirement benefits for the legislative bodies of all political subdivisions of the state, the Legislature has provided a solution to a statewide problem that is greater than local in its effect.

(b) Notwithstanding any other provision of law, the retirement benefits of any member of a legislative body of any city, including a charter city, county, including a charter county, city and county, special district, school district, or any other political subdivision of the state shall be no greater than that received by nonsafety employees of that public agency. In the case of agencies with different benefit structures, the benefits of members of the legislative body shall not be greater than the most generous schedule of benefits being received by any category of nonsafety employees.

(c) Notwithstanding any other provision of law, members of the legislative body of a city, including a charter city, county, including a charter county, city and county, special district, school district, or any other political subdivision of the state shall not be eligible to accrue multiple retirement benefits greater than the most generous schedule of benefits being received by any category of nonsafety employees from two or more public agencies for concurrent service except in the case of a member who serves as a regular full-time employee in a separate public agency.

(d) This section shall be applicable to any member of a legislative body whose first service commences on and after January

A ATTACHMENT F

1, 1995.

53060.3. (a) Every employee of a local agency has the right to inspect personnel records pursuant to Section 1198.5 of the Labor Code.

(b) As used in this section:

(1) "City" means any city or municipal corporation, whether general law city or charter city.

(2) "County" means any county, whether general law county or charter county, including a city and county.

(3) "Local agency" means any city, county, city and county, special district, authority, community redevelopment agency, or other political subdivision of the state.

53060.5. The term "district," as used in this section, means a district, public authority, public agency, and any other political subdivision or public corporation in the state, but does not include the state or a county, city and county, or city.

Any district, directly or through a representative, may attend the Legislature or any other legislative body, including Congress, and any committees thereof and present information to aid the passage of legislation which the district deems beneficial to the district or to prevent the passage of legislation which the governing board of the district deems detrimental to the district. The cost and expense incident thereto are proper charges against the district. Such districts may enter into and provide for participation in the business of associations and through a representative of the associations attend the Legislature, or any other legislative body, including Congress, and any committees thereof, and present information to aid the passage of legislation which the association deems beneficial to the districts in the association, or to prevent the passage of legislation which the association deems detrimental to the districts in the association. The cost and expense incident thereto are proper charges against the districts comprising the association.

Each member of the district board engaging in such activities on behalf of the district shall be allowed eleven cents (\$0.11) per mile, without any constructive mileage, for his expenses of traveling necessarily done by automobile, and his actual traveling expenses when he travels by public conveyance.

53060.7. (a) The Legislature hereby finds and declares the following:

(1) That police protection is an essential service for the protection of life and property and necessary to ensure the orderly conduct of society.

(2) Cities and counties have been the traditional law enforcement providers in the state.

(3) Some special districts have been granted statutory authorization to perform police protection activities. These districts include the Bear Valley Community Services District, the Broadmoor Police Protection District, the Kensington Police Protection and Community Services District, the Lake Shastina Community Services District, and the Stallion Springs Community Services District.

(4) These districts are authorized to perform the same police

protection duties and functions as cities and counties.

(5) These districts wholly supplant the law enforcement functions of the county within the jurisdiction of that district.

(6) These districts employ peace officers, as described in Section 830.1 of the Penal **Code**, who are certified as meeting those standards and requirements adopted pursuant to Article 2 (commencing with Section 13510) of Chapter 1 of Title 4 of Part 4 of the Penal **Code**.

(7) These districts are eligible to receive state funding pursuant to the following:

(A) Section 30061 (Citizen's Option for Public Safety Program (COPS)).

(B) Section 29550.4 (booking fee reimbursement).

(C) Item 9210-106-0001 of the Budget Act of 2001 (technology grants).

(b) The Legislature hereby recognizes the importance of the agencies identified in subdivision (a) in performing essential police protection services within these agencies' respective communities and, in enacting laws, shall attempt to encourage funding equity among all local law enforcement agencies for public safety purposes.

53061. The legislative body of a city, county, or fire protection district may expend money for the payment of contributions to a retirement system authorized to do business in the State for retirement benefits to volunteer or paid firemen of the fire department. For the purposes of determining such contributions the compensation of such firemen shall be either the compensation actually paid or that provided by Section 4458 of the Labor **Code**, whichever is greater. The legislative body may by ordinance provide for the conditions of retirement and may contract with such retirement system as provided in the ordinance. The authority granted by this section shall not be construed as a limitation on any powers heretofore or hereafter granted to the legislative body of a city, county, or fire protection district to provide for the retirement of volunteer or paid firemen.

53062. Whenever any notice or other communication is required by law to be mailed by registered mail to or by any county, city or district, or any officer or agency thereof, the mailing of such notice or other communication by certified mail shall be deemed to be a sufficient compliance with the requirements of such law.

53063. Any county, city, city and county, district, authority or other public corporation or agency which has the power to produce, conserve, control or supply water for beneficial purposes shall have the power to engage in practices designed to produce, induce, increase or control rainfall or other precipitation for the general benefit of the territory within it.

**Before the
Federal Communications Commission**

In the matter of)	
)	
Request for Review by)	
)	
Shawano-Gresham School District)	File No. SLD-292913
Shawano, Wisconsin)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	

ORDER

Adopted: February 5, 2004

Released: February 6, 2004

By the: Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has before it a request by the Shawano-Gresham School District (Shawano-Gresham), Shawano, Wisconsin, to review a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC, or Administrator) to deny a funding request made by Shawano-Gresham pursuant to the universal service schools and libraries support mechanism (E-rate).¹ For the reasons set forth below, we grant the request.

2. As part of Shawano-Gresham's Funding Year 2002 FCC Form 471 application, Shawano-Gresham submitted Funding Request Number (FRN) 756101 for Internet access, one of the three categories of eligible services under the E-rate program.² In support of the FRN, Shawano-Gresham attached an invoice for \$1142 from the Shawano Municipal Utilities (SMU Invoice No. 1). The invoice stated the charges were for "Electric Charges," and under "Type of Service" stated "Elec." Elsewhere on the invoice, under "Name and Service Address," the invoice stated "Shawano Gresham School" and the words "Fiber Optics."

3. SLD denied the FRN on the grounds that "electric charges" are an ineligible service and here they constituted more than the 30% of the charges in the FRN.³ Shawano-Gresham appealed the initial decision to SLD, stating that SMU Invoice No. 1 was really for "fiber optic" transmission, an eligible service, as evidenced by the words on SMU Invoice No. 1. Shawano-Gresham also attached a second invoice from Shawano Municipal Utilities (SMU

¹ Letter from Steve Miller, Shawano-Gresham School District, to the Federal Communications Commission, filed October 30, 2002 (Request for Review); 47 C.F.R. § 54.719(c).

² For the list of eligible services, see SLD Website at <http://www.sl.universalservice.org/reference/eligible.asp>. See also *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, *Second Report and Order and Further Notice of Proposed Rulemaking*, 18 FCC Rcd 9202, 9207 (2003) (*Second Report and Order*).

³ Letter from the Schools and Libraries Division, Universal Service Administrative Company, to Steve Miller, Shawano-Gresham School District, May 7, 2002.

ATTACHMENT G

Invoice No. 2), an earlier invoice for \$1142, that clearly itemizes the charge as fiber optic transmission services.⁴ SLD denied Shawano-Gresham's appeal on the grounds that "[d]uring the appeals process we are unable to accept new information except under limited circumstances."⁵ SLD also stated: "[t]his funding request was correctly denied based on the original support documentation you have included with the Form 471." Shawano-Gresham then filed the instant Request for Review.

5. We find that SLD should have considered the new information submitted by Shawano-Gresham on appeal. We also find that the new information supports Shawano-Gresham's claim that the FRN was for an eligible service. Pursuant to USAC appeal guidelines, new information may not be admitted on appeal to contradict earlier information, but it can be admitted to clarify an ambiguity in earlier information.⁶ Here, the first invoice, SMU Invoice No. 1, was ambiguous on its face because it contained the words "Fiber Optics," which were at odds with the service line statement of "Electric Charges." The new information supports Shawano-Gresham's claim that the instant invoice is, in fact, for fiber optics transmission, an eligible service.

6. SMU Invoice No. 2 also is admissible pursuant to SLD's own Appeal Guidelines, which state that when "...funding is denied based on an incorrect assumption, the SLD will grant appeal when the appellant points out the incorrect assumption and provides documentation about the issue that is consistent with information originally provided but also successfully resolves the ambiguity in the original file."⁷ Here, some of the language on the face of SMU Invoice No. 1 led SLD to the erroneous assumption that Shawano-Gresham had submitted an invoice for electrical utility charges. The new information offered on appeal, in SMU Invoice No. 2, provided SLD the opportunity to correct this assumption.

⁴ Letter from Steve Miller, Shawano-Gresham School District, to Schools and Libraries Division, Universal Service Administrative Company, dated May 13, 2002. See *Second Report and Order*, para. 38.

⁵ Letter from the Schools and Libraries Division, Universal Service Administrative Company, to Steve Miller, Shawano-Gresham School District, dated October 17, 2002.

⁶ *Request for Review by Pope Branch Elementary School, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association*, File No. SLD-200168, CC Docket Nos. 95-46 and 97-21, Order, 16 FCC Rcd 20205, 20207 (Com. Car. Bur. 2001).

⁷ See SLD website Appeal Guidelines at <http://www.sl.universalservice.org/reference/AppealsSLDGuidelines.asp>; see also *Request for Review by Carrollton-Farmers Branch Independent School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association*, File No. SLD 229384, CC Docket Nos. 95-46 and 97-21, Order, 17 FCC Rcd 16067, 16070 (Wireline Comp. Bur. 2002).

8. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Shawano-Gresham School District, Shawano, Wisconsin, on October 3, 2002, IS GRANTED, and the application is REMANDED to SLD for further consideration consistent with this opinion.

FEDERAL COMMUNICATIONS COMMISSION

Narda M. Jones
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

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: 4.0 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 beginning this application.

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

Block 1: Applicant Address and Identifications

Form 470 Application Number: 120430000438851
Applicant's Form Identifier: LBUSD47003
Application Status: CERTIFIED
Posting Date: 12/13/2002
Allowable Contract Date: 01/10/2003
Certification Received Date: 12/13/2002

1. Name of Applicant: LONG BEACH UNIF SCHOOL DIST		
2. Funding Year: 07/01/2003 - 06/30/2004	3. Your Entity Number 143528	
4a. Applicant's Street Address, P.O.Box, or Route Number 1515 HUGHES WAY		
City LONG BEACH	State CA	Zip Code 90810-1839
b. Telephone number (562) 997- 8000	ext. 8177	c. Fax number (562) 997- 8288
d. E-mail Address jkeck@lbusd.k12.ca.us		
5. Type Of Applicant		
<input type="radio"/> Individual School (individual public or non-public school)		
<input checked="" type="radio"/> School District (LEA;public or non-public[e.g., diocesan] local district representing multiple schools)		
<input type="radio"/> Library (including library system, library branch, or library consortium applying		

as a library)

Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Jim Keck

First, fill in every item of the Contact Person's information below that is different from Item 4, above.

*Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)*

6b. Street Address, P.O.Box, or Route Number

1515 HUGHES WAY

City	State	Zip Code
LONG BEACH	CA	90810-1839

6c. Telephone Number (562) 997- 8000

6d. Fax Number (562) 997- 8288

6e. E-mail Address jkeck@lbusd.k12.ca.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 signed, written contract executed pursuant to posting of 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 do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 Telecommunications Services

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

a **YES**, I have an RFP. It is available on the Web at or via (check one):

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 for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
800 Service	for 95 campuses
900/976 Call Blocking	for 95 campuses
ADSL	for 95 campuses
ATM	for 95 campuses
Basic Telephone Service (POTS)	for 95 campuses
Cable TV Access	for 95 campuses
Cellular Service	for 95 campuses
Centrex	for 95 campuses
Centrex Common Equipment	for 95 campuses
On-Premise Priority 1 Equipment	for 15 campuses
Custom Calling Service	for 95 campuses
Digital Data Service	for 95 campuses
Digital Subscriber Line (DSL)	for 95 campuses
Direct Inward Dialing	for 95 campuses
Directory Assistance Charges	for 95 campuses
Distance Learning Circuits	for 95 campuses
DS1 (Digital Signal 1)	for 95 campuses
Fax Machine Line	for 95 campuses
Fractionalized T-1	for 95 campuses
Frame Relay Service, including Uni-Link and NNI-Link	for 95 campuses
High Capacity Service	for 95 campuses
Homework Hotline Service	for 95 campuses
Inside Wire Maintenance Plan	for 95 campuses
Interactive TV	for 95 campuses
Internet 2	for 95 campuses
ISDN	for 95 campuses
LAN Interconnect Service	for 95 campuses
Local Measure Service	for 95 campuses
Long Distance Service and Charges	for 95 campuses
Maintenance and Installation	for 95 campuses
Message Rate Service	for 95 campuses
Metropolitan Area Network (MAN)	for 95 campuses
Network Access Register	for 95 campuses
On-Premise Equipment for End-to-End	

Service	for 95 campuses
Paging Service	for 95 campuses
Permanent Virtual Circuit (PVC)	for 95 campuses
Personal Communications Services	for 95 campuses
Phone Calling Cards	for 95 campuses
PIC Charge	for 95 campuses
POTS	for 95 campuses
Programmed Audio Services	for 95 campuses
Radio Loop	for 95 campuses
Residential Telephone Service	for 95 campuses
Satellite Service	for 95 campuses
Serial Digital Video Service	for 95 campuses
Shared POTS	for 95 campuses
SMDS	for 95 campuses
Sub-Voice Grade Facilities	for 95 campuses
T-1 (Trunk Level 1)	for 95 campuses
Toll Charges (Long Distance Services)	for 95 campuses
Trunk	for 95 campuses
Video Service	for 95 campuses
Wireless Wide Area Network	for 95 campuses
XDSL	for 95 campuses
Construction Costs	for 95 campuses
Contingency Fees	for 95 campuses
Extended Warranty	for 95 campuses
Freight Assurance Fees	for 95 campuses
Leasing Fees	for 95 campuses
Per Diem	for 95 campuses
Professional Services	for 95 campuses
Programming and Configuration Charges	for 95 campuses
Shipping Charges	for 95 campuses
Taxes, Surcharges and Access Charges	for 95 campuses
Calling Cards	for 95 campuses
Dark Fiber	for 95 campuses
Technical Support	for 95 campuses
DSL/VPN solution	for 20 sites
Wireless Service	for 95 campuses

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

a YES, I have an RFP. It is available on the Web at or via (check one):
 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 for examples of eligible Internet Access services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Basic Unbundled Access	for 95 campuses
Bundled Access	for 95 campuses
High Bandwidth Service (56kbps, ISDN, DSL, Frame Relay, Fractional T-1, DS-1, DS-3, OC-3, ATM, Satellite, MAN, WAN, LAN Interconnect)	for 95 campuses
Domain Name Registration	for 95 campuses
Email Service	for 95 campuses
Construction Costs, Contingency Fees, Leasing Fees, Professional Services, per diem, Travel Time	for 95 campuses
Email Account Fees	for 95 campuses
Web Servers	12 Servers
Wireless LAN	for 95 campuses
GSP Rates	for 95 campuses
Wide Area Network (WAN)	for 95 campuses
Extended Warranty	for 95 campuses
Freight Assurance Fees	for 95 campuses
Professional Services	for 95 campuses
Programming and Configuration Charges	for 95 campuses
Shipping Charges	for 95 campuses
Taxes, Surcharges and Access Charges	for 95 campuses
Travel Time	for 95 campuses
WAN	for 95 campuses
Dark Fiber	for 95 campuses
Maintenance and Installation	for 95 campuses
Network Management (Server) OS (including email and DHCP)	for 95 campuses
Technical Support	for 95 campuses
Wireless WAN	for 95 campuses

10 Internal Connections

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

- a **YES**, I have an RFP. It is available on the Web at or via (check one):
 - 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 for examples of eligible Internal Connections services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Antenna	for 95 campuses
Automatic Route Selection (ARS)	for 95 campuses
Backup Equipment`	for 95 campuses
Backup Power Supply	for 95 campuses
Battery Backup	for 95 campuses
Battery Module	for 95 campuses
Broadband Amplifier	for 95 campuses
Bundled Products	for 95 campuses
Cabinet Mounted Power Strips	for 95 campuses
Cabinets	for 95 campuses
Operational software and upgrades, e-mail software, client access licenses, programming and configuration charges	for 95 campuses
Cable Boxes	for 95 campuses
Cable Modem	for 95 campuses
Cabling	for 95 campuses
Channel Service Unit (CSU)	for 95 campuses
Circuit Card	for 95 campuses
Clients Access Licenses	for 95 campuses
CODEC	for 95 campuses
Communication Server	for 95 campuses
Conduit/Raceway	for 95 campuses
Connector	for 95 campuses
Console, PBX /Centrex	for 95 campuses
Consumables	for 95 campuses
Coupler	for 95 campuses
Data Service Unit (DSU)	for 95 campuses
DIMM	for 95 campuses
Documentation	for 95 campuses
Ethernet Card	for 95 campuses
Ethernet Network Module	for 95 campuses
Faceplate	for 95 campuses
FRAD	for 95 campuses
Frame Relay PVCs	for 95 campuses
Graphic Cards / Adapters	for 95 campuses
Hard Disk Drive	for 95 campuses
Hub	for 95 campuses
Key System KSU	for 95 campuses
Local Area Network (LAN)	for 95 campuses
Maintenance	for 95 campuses

Media Converter	for 95 campuses
Medium Access Unit (MAU)	for 95 campuses
Modem	for 95 campuses
Modem Eliminator	for 95 campuses
Monitors	for 95 campuses
Multiplexing	for 95 campuses
Multiport Serial Cards	for 95 campuses
Network Interface Card (NIC)	for 95 campuses
Network Interface Device (NID)	for 95 campuses
PC Attendant Console	for 95 campuses
Data/Power Poles	for 95 campuses
Power Strips	for 95 campuses
Private Branch Excahnge (PBX) (Wired and wireless)	for 95 campuses
Processor Terminator Card	for 95 campuses
PVBX	for 95 campuses
Raceway	for 95 campuses
Rack Mounted Power Strips	for 95 campuses
RAID	for 95 campuses
Relay I/O Module	for 95 campuses
Remote Access Router	for 95 campuses
Remote Access Server	for 95 campuses
Routers	for 95 campuses
Servers	for 95 campuses
Software	for 95 campuses
Switchboard	for 95 campuses
Switches	for 95 campuses
System Improvements and Upgrades	for 95 campuses
Tape Back-up	for 95 campuses
Technical Support	for 95 campuses
Terminal Adapter	for 95 campuses
Terminal Server	for 95 campuses
Transceiver	for 95 campuses
TX to FX Converter	for 95 campuses
Uninterrupted Power Supply (UPS)	for 95 campuses
Univeral Box	for 95 campuses
UPS Interface Expander	for 95 campuses
Video Equipment	for 95 campuses
Voice Compression Module	for 95 campuses
Voice Interface Card	for 95 campuses
Wire Manager	for 95 campuses
Wireless PBX Adjunct	for 95 campuses
Wiring, Internal	for 95 campuses
Zip Drive	for 95 campuses
Construction Costs	for 95 campuses

Contingency Fees	for 95 campuses
Dark Fiber	for 95 campuses
Extended Warranty	for 95 campuses
Freight Assurance Fees	for 95 campuses
Leasing Fees	for 95 campuses
Per Diem	for 95 campuses
Professional Services	for 95 campuses
Programming and Configuration Charges	for 95 campuses
Shipping Charges	for 95 campuses
Taxes, Surcharges and Access Charges	for 95 campuses
Travel Time	for 95 campuses
MPEG Encoder	for 95 campuses
ATM Equipment (Edge Device, EMMI)	for 95 campuses
DSL/VPN Equipment	for 20 sites
Web Servers	for 95 campuses
Internal Wiring Maintenance	for 95 campuses
Network Management (Server) OS	for 95 campuses

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 () -	
Fax number () -	
E-mail Address	

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 provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. 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 timeframes).

Block 3: Technology Assessment

14.

Basic telephone service only: If your application is for basic local and long distance telephone service (wireline or wireless) 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 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 /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.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. **Individual school or single-site library.**

b. **Statewide application for (enter 2-letter state code) representing (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 entities:**

Number of eligible sites	95
<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
213	797
310	243, 510, 631
562	218, 234, 263, 277, 279, 283, 285, 290, 292, 366
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities
 List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
LONG BEACH UNIF SCHOOL DIST	143528

18. Ineligible Participating Entities
 Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix

Block 5: Certification and Signature

19. The applicant includes:(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).

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, and/or
- b. higher-level technology plans for using the services requested in the application, or
- c. no technology plan needed; application requests basic local and/or 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): **12/13/2002**

27. Printed name of authorized person: **Lawrence A. Bozanich**

28. Title or position of authorized person: **Financial Services Officer**

29a. Address of authorized person:

City: State: Zip:

29b. Telephone number of authorized person: **(562) 997 - 8191**

29c. Fax number of authorized person: **()**

29d. E-mail address number of authorized person:

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.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

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 currently 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, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

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.

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Please submit this form to:

**SLD-Form 470
P.O. Box 7026
Lawrence, Kansas 66044-7026
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD-Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
1-888-203-8100

FCC Form 470
May 2003

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**Network Support Test
Technology & Information Services**

100%

Date: 1/23/02

Name: SHAWN ORGAN

Start Time: 2:00

End Time: 2:32 MOCALL Appl.

- In Dsrepair and Dstrace all servers report a -625 error replicating with one server. What is the like cause and action that needs to be taken? *COMMUNICATIONS ERROR
VERIFY COMMUNICATIONS BETWEEN SERVERS - RUN REPAIR NETWORK ADDRESS*
- As part of an NDS health check, would expect to run an XK2 or XK3 on a server? How do you run it? *DSREPAIR - XK3, REBUILDS BACKLINKS TO EXT. REFS
- XK2 IS USED TO REMOVE REPLICAS*
- All servers in the [Root] partition have subordinate references to all of the next level partitions below the [Root]. What is the problem? *NO PROBLEM. SUB REFS ARE A NATURAL BYPRODUCT OF REPLICATING RINGS*
- A Windows98 workstation has a dynamic IP address. Each time it is rebooted the user gets a message that 'No domains are available'. What is the most likely cause of this? *NT PDC
NO WINS ENTRY IN EITHER DHCP SCOPE OR IP CONFIG. DOWN*
- How do you setup a Windows98 workstation to get policies from ZENworks? *WHEN INSTALLING NWCLIENT, INCLUDE WORKSTATION MGR OPTION*
- How do you check the IP configuration of a Windows98 workstation? WindowsNT? WindowsXP? *95/98 - RUN WINIPCFG.EXE, NT/XP FROM CMD PROMPT: RUN IPCONFIG.EXE*
- Assume IP network address 192.168.123.0, mask 255.255.255.192. How many subnets are available? *4*
- Using the information above, your IP address is 192.168.123.72. Is 192.168.123.126 a valid gateway? *YES*
- See Example 1 (on back). Router1 cannot ping the Ethernet interface on router2. Why? *SERIAL INT ON BOTH ROUTERS MUST SHARE SAME SUBNET*
- See Example 1 (on back). Is IPX routing configured correctly? If no, how would you correct it? *NO, R1 E0 AND S0 ARE SAME - NEED TO MAKE R1 S0 = 0107FEDF*
- See Example 1 (on back). One router1 the privileged exec command 'sh fram pvc' shows a status of DELETED. What is wrong? *CSU NOT CONNECTION TO FRAME RELAY CLOUD
WRONG DLCI # IS CONFIGURED IN STARTUP*
- What are the GroupWise WPHOST and WPDOMAIN files? If asked to rebuild them, how would you do it? *WPHOST = GW5.X PO DATABASE. WPDOMAIN = DOMAIN.DI
BOTH ARE REBUILT USING NWADMIN/TOOLS/GWUTILS/SYSTEM MAINT*
- What is the procedure for moving a GroupWise account and NDS login to a different POA and context? *DIS-ASSOCIATE THE GW ACCOUNT FROM LOGIN ID. MOVE BOTH OBJECTS SEPARATELY. REJOIN ONCE COMPLETE*
- How do you install Compaq InSight Agents on a NetWare 5.1 server? *NEW METHOD - USE CSANWICRQDPLOY.NLM FROM SSCD OR DIRECTOR
COPIED*
- What are the basic steps for creating VLANs on a Catalyst 3500 switch? *DEFINE VLANS ASSIGN VLAN PER PORT OR TRUNK UPSTREAM SWITCH*
- How do you start web services on a NetWare 5.1 server? What port does the web manager run on? *NSWEB.NCF PORT 2200*
- When should you delete a SYS:ETCDHCPTAB file? *WHEN DHCP IS CORRUPT - REPLACE W/ DHCPTAB.BAK OR SALVAGE GOOD COPY*
- What are the primary uses for the following TCP port numbers: 80, 21, 23, 110, 123, 443 *80 = HTTP, 21 = FTP, 23 = Telnet, 110 = POP, 123 = NTP, 443 =)*

ATTACHMENT I

Network Support Test Technology & Information Services

11 1/2

Date: 01-27-03 Name: Wesley Fonvergne

Start Time: 10:27 End Time: 11:06 Verizon App!

1. In Dsrepair and Dstrace all servers report a -625 error replicating with one server. What is the like cause and action that needs to be taken? The cause is a lack of communication due to a transport error. Likely the IPX ~~number~~ protocol number has been tampered with.
2. As part of an NDS health check, would expect to run an XK2 or XK3 on a server? How do you run it? XK3, and it can be ~~run~~ run with the following command: LOAD DSREPAIR -XK3
3. All servers in the [Root] partition have subordinate references to all of the next level partitions below the [Root]. What is the problem? NPS ~~corruption~~ corruption, DSREPAIR should be run.
4. A Windows98 workstation has a dynamic IP address. Each time it is rebooted the user gets a message that 'No domains are available'. What is the most likely cause of this? Windows assigned its own IP in the 169.254.*.* range, and the user is really not on the network.
5. How do you setup a Windows98 workstation to get policies from ZENworks? Install the ~~Net~~ Network Client.
6. How do you check the IP configuration of a Windows98 workstation? WindowsNT? WindowsXP? Windows 98 can use both winipcfg and ipconfig, NT/XP both require the ipconfig utility.
7. Assume IP network address 192.168.123.0, mask 255.255.255.192. How many subnets are available? 4
8. Using the information above, your IP address is 192.168.123.72. Is 192.168.123.126 a valid gateway? Yes
9. See Example 1 (page2). Router1 cannot ping the Ethernet interface on router2. Why? The ~~serial~~ serial interfaces are on a private network.
10. See Example 1 (page 2). Is IPX routing configured correctly? If no, how would you correct it? No. Interface E0 and S0 are in the same IPX network, and need to be placed in different networks.
11. See Example 1 (page 2). One router1 the privileged exec command 'sh fram pvc' shows a status of DELETED. What is wrong? The stat counters have been cleared
12. What are the GroupWise WPHOST and WPDOMAIN files? If asked to rebuild them, how would you do it? These are the Groupwise databases, and can be rebuilt with GWCHECK.

13. What is the procedure for moving a GroupWise account and NDS login to a different POA and context? In GroupWise 5, you modify the domain.po attribute, and modify the rights for that user on the new PO membership list.
14. How do you install Compaq InSight Agents on a NetWare 5.1 server? InSight agents can be deployed from a workstation with the Compaq ~~Insight~~ insight manager CD.
15. What initial steps need to be accomplished on a Catalyst 3500 switch before configuring VLANs (assume that this switch will be the VLAN 'server')? IP address and administrative VLAN need to be established.
16. How do you start web services on a NetWare 5.1 server? What port does the web manager run on? You run nvsadmup.ncf. The services run on port 51080.

17. When should you delete a SYS:ETC/DHCPTAB file? DHCPTAB should only be deleted if there is no way to fix any corruption.

18. What are the primary uses for the following TCP port numbers: 80, 21, 23, 110, 123, 443

- Example 1:
- 80: HTTP
 - 110: POP3
 - 21: FTP
 - 443: SSL
 - 23: Telnet
 - 123: NTP



E0:
 IP - 192.168.100.254/24
 IPX - 0107FCFF

S0:
 IP - 192.168.3.48/30
 IPX - 0107FCFF
 DLCI - 20
 IP Routing - EIGRP ASN 1
 IPX Routing - EIGRP ASN 2

E0:
 IP - 205.154.100.1/24
 IPX - 0107FC08

S0:
 IP - 192.168.3.53/30
 IPX - 0107FEDF
 DLCI - 16
 IP Routing - EIGRP ASN 1
 IPX Routing - EIGRP ASN 2

Wrong

Verizon

Network Support Test Technology & Information Services

Spectrum

+8

Date: 1/24/03

Name: BRIAN KINSBERG

Start Time: 1:36

End Time: 2:08

1. In Dsrepair and Dstrace all servers report a -625 error replicating with one server. What is the like cause and action that needs to be taken?
2. As part of an NDS health check, would expect to run an XK2 or XK3 on a server? How do you run it?
3. All servers in the [Root] partition have subordinate references to all of the next level partitions below the [Root]. What is the problem?
4. A Windows98 workstation has a dynamic IP address. Each time it is rebooted the user gets a message that 'No domains are available'. What is the most likely cause of this?
THIS could be caused from the spanning tree stages on the switch. you could configure portfast on the ports of the switch.
5. How do you setup a Windows98 workstation to get policies from ZENworks?
6. How do you check the IP configuration of a Windows98 workstation? WindowsNT? WindowsXP?
✓ can use winipcfg, or at a command prompt ipconfig.
7. Assume IP network address 192.168.123.0, mask 255.255.255.192. How many subnets are available?
✓ there are 4 networks AND 64 hosts to each network.
8. Using the information above, your IP address is 192.168.123.72. Is 192.168.123.126 a valid gateway?
✓ YES.
9. See Example 1 (page 2). Router1 cannot ping the Ethernet interface on router2. Why?
✓ the serial interfaces on BOTH routers do not share a common subnet. ALSO BOTH SERIAL INTERFACES ARE using a network ADDRESS.
10. See Example 1 (page 2). Is IPX routing configured correctly? If no, how would you correct it?
NO, it is not configured properly. I would change router 1's serial interface to have an IPX network of 0107FEDF.
11. See Example 1 (page 2). One router1 the privileged exec command 'sh fram pvc' shows a status of DELETED. What is wrong?
✓ the router is not receiving LMI FROM the frame relay switch stating that DLEI is not configured on the frame relay switch.
12. What are the GroupWise WPHOST and WPDOMAIN files? If asked to rebuild them, how would you do it?
✓ The WPHOST file is the Groupwise Post office Database. The WPDOMAIN FILES IS THE DOMAIN database.
TO Rebuild the WPDomain files you could use the ADIRebuild command. TO Rebuild the wphost file you would use NWADMIN to Rebuild it.

13. What is the procedure for moving a GroupWise account and NDS login to a different POA and context?

14. How do you install Compaq InSight Agents on a NetWare 5.1 server?

15. What initial steps need to be accomplished on a Catalyst 3500 switch before configuring VLANs (assume that this switch will be the VLAN 'server')? *you NEED TO SPECIFY YOUR VLANS within the vlan database. Type vlan database at the prompt. then type vtp mode server and vtp domain name.*

16. How do you start web services on a NetWare 5.1 server? What port does the web manager run on?

17. When should you delete a SYS:ETC\DHCPTAB file?

18. What are the primary uses for the following TCP port numbers: 80, 21, 23, 110, 123, 443

80 = HTTP 21 = FTP 23 = TELNET 110 = POP3 443 = SSL 123 = NTP?

Example 1:



E0:
IP - 192.168.100.254/24
IPX - 0107FCFF

S0:
IP - 192.168.3.48/30
IPX - 0107FCFF
DLCI - 20
IP Routing - EIGRP ASN 1
IPX Routing - EIGRP ASN 2

E0:
IP - 205.154.100.1/24
IPX - 0107FC08

S0:
IP - 192.168.3.52/30
IPX - 0107FEDF
DCLI - 16
IP Routing - EIGRP ASN 1
IPX Routing - EIGRP ASN 2

All correct

Spectrum

13. What is the procedure for moving a GroupWise account and NDS login to a different POA and context?

14. How do you install Compaq InSight Agents on a NetWare 5.1 server?

Management CD - load from CD ROM

15. What initial steps need to be accomplished on a Catalyst 3500 switch before configuring VLANs (assume that this switch will be the VLAN 'server')?

Deal with VLAN ID, create VTD Domain

16. How do you start web services on a NetWare 5.1 server? What port does the web manager run on?

start automatic load by default

17. When should you delete a SYS:ETC\DHCPTAB file?

DHCP is corrupt

18. What are the primary uses for the following TCP port numbers: 80, 21, 23, 110, 123, 443

HTTP, Telnet, FTP, POP, NTP, SSL

Example 1:



E0:
IP - 192.168.100.254/24
IPX - 0107FCFF

S0:
IP - 192.168.3.48/30
IPX - 0107FCFF
DLCI - 20
IP Routing - EIGRP ASN 1
IPX Routing - EIGRP ASN 2

E0:
IP - 205.154.100.1/24
IPX - 0107FC08

S0:
IP - 192.168.3.52/30
IPX - 0107FEDF
DLCI - 20
IP Routing - EIGRP ASN 1
IPX Routing - EIGRP ASN 2

*em
con 7
E0
can't find, need
255 255.255
0*

Router 1 & 2

*Wrong
Missing
Wrong*

WARFORCE