

Site Name	Address	Site Type	Bandwidth Need
Central Academy	6075 N. Locust Grove Rd.	High School	4.5mbps
Centennial High School	12400 W. McMillan Rd	High School	15mbps
Eagle High School	574 N. Park Ln.	High School	15mbps
Pioneer School of the Arts	13255 W. McMillan Rd.	Elementary School	4.5mbps
Eagle Academy	100 S. Academy	High School	4.5mbps
Eagle Elementary	475 N. Eagle Rd.	Elementary School	4.5mbps
Eagle Hills Elementary	650 Ranch Dr.	Elementary School	4.5mbps
Eagle Middle School	1000 W. Floating Feather Rd.	Middle School	9mbps
Joplin Elementary	12081 Demeyer	Elementary School	4.5mbps
Lowell Scott Middle School	13600 W McMillan Rd.	Middle School	9mbps
Seven Oaks Elementary	1441 N. Sevenoaks Wy	Elementary School	4.5mbps
Chaparral Elementary	1155 N. Deer Creek Ln.	Elementary School	4.5mbps
Mary McPherson Elementary	1050 E. Amity Rd.	Elementary School	4.5mbps
Chief Joseph Elementary	1100 Chateau Ave.	Elementary School	4.5mbps
Meridian High School	1900 W. Pine Ave.	High School	15mbps
Linder Elementary	1825 Chateau Dr.	Elementary School	4.5mbps
Meridian Academy	2311 E. Lanark	High School	15mbps
Peregrine Elementary	1860 Waltman Ln	Elementary School	4.5mbps
River Valley Elementary	2900 E. River Valley	Elementary School	4.5mbps
Discovery Elementary	2100 E. Leigh Field Dr.	Elementary School	4.5mbps
Meridian Medical Charter School	1789 E. Leigh Field Dr.	High School	4.5mbps
Mountain View High School	2001 S. Mellennium Wy.	High School	15mbps
Ponderosa Elementary	2950 N. Naomi Ave.	Elementary School	4.5mbps
Sawtooth Middle School	3730 N. Linder Rd.	Middle School	9mbps
Meridian Middle School	1507 W 8	Middle School	9mbps
Meridian Elementary	48 W. State Ave.	Elementary School	4.5mbps
Summerwind Elementary	3675 Jullion Way	Elementary School	4.5mbps
Lewis and Clark Middle School	4141 E. Pine Ave	Middle School	9mbps
Pepper Ridge Elementary	2252 Sumpter Wy	Elementary School	4.5mbps
Eilza Hart Spalding Elementary	4701 E. Braddock Dr.	Elementary School	4.5mbps
Frontier Elementary	11851 W. Musket Dr.	Elementary School	4.5mbps
McMillan Elementary	10901 W. McMillan Rd.	Elementary School	4.5mbps
Silver Sage Elementary	7700 W Snohomish	Elementary School	4.5mbps

<b>Lake Hazel Middle School</b>	11625 La Grange	Middle School	9mbps
<b>Christine Donnell School of the Arts</b>	7075 S. Five Mile Rd.	Elementary School	4.5mbps
<b>Lake Hazel Elementary</b>	11711 Lake Hazel Rd	Elementary School	4.5mbps
<b>Cecil D. Andrus Elementary</b>	6100 Park Meadow Dr.	Elementary School	4.5mbps
<b>Hunter Elementary</b>	2051 W. McMillan Elementary	Elementary School	4.5mbps
<b>Star Elementary</b>	700 N. Star Rd.	Elementary School	4.5mbps
<b>Ustick Elementary</b>	12435 Ustick Road	Elementary School	4.5mbps
<b>Administration</b>	911 N. Meridian Rd.-Dist. Off.	Head End	750mbps
<b>Transportation</b>	50 N. Ward	Admin	4.5mbps
<b>Special Services</b>	1090 E. Watertower Lane	Admin	4.5mbps

### 3.4.3 Expandability

Expanding bandwidth, taking into account growth projections at time of install, needs to be simple and inexpensive. Upgrade paths and associated costs: hardware, software & labor, need to be part of any Vendor's proposal.

### 3.4.4 Ethernet Access Service

The School District requires any vendors responding to this RFP to provide true inter-site Ethernet connectivity and internet access. In short, the ISP must have the bandwidth in place to route the District's traffic directly with no aggregation whatsoever. The vendor must own it's own nationwide backbone. Aggregation is acceptable in the inter-site connectivity, so long as the handoff is Ethernet. The District would like details on the following from all vendors:

- Exactly how the vendor proposes carrying traffic to the internet and to remote sites.
- How the ISP is connected (Any peering agreements, load balancing used, etc)
- Backup network access, power, etc.
- Dedicated or shared bandwidth?
- Description of devices used to handoff Ethernet to each site.
- Description of services available for digital PRI circuits.
- Description of services included with the ISP.

The School District will ask for proof of any claims made by participating vendors.

### 3.4.5 Addressing Space

The School District currently utilizes six of eight xxx.xxx.xxx.yyy/24 networks for the main address pool. These addresses are used for a pool of NAT addresses.

The District is willing to examine the current IP addressing schemes in use on the network to some extent. For example, a smaller number of host addresses may be possible in some cases.

All vendors must indicate the maximum number of xxx.xxx.xxx.yyy/24 networks that will be made available to the School District for use within the District's network, and if these addresses will be contiguous. If additional costs will be charged for these address that should be indicated as part of any proposal

## SECTION 4 – District Budget

### 4.0 Budget Outline

As some aspects of this proposal may be reimbursable as part of the "E-Rate" program, all vendors must show proof of E-Rate eligibility. Note that the fiscal year runs July 1<sup>st</sup> thru June 30<sup>th</sup>.

#### 4.1 Proposal Breakout

Vendors are asked to provide a detailed proposal, listing (but not limited to):

- Bandwidth options
- Equipment provided
- Customer interfaces
- Monitoring tools
- Pricing options
- Addressing schemes/Costs

Relate how said proposal meets the design goals set by the District.

### **SECTION 5 - Contracts / Agreements**

#### 5.0 Terms & Conditions

The Meridian School District will require the following terms as part of the final agreement between the District and the Vendor. In the event of any conflict between the terms and conditions used in the Vendor's documents and the District's terms and conditions, the District's terms shall prevail. The Meridian School District may require the following provisions in its contract with the Vendor, and the Vendor, as a condition of tendering its proposal, agrees to be bound by these provisions if included in the District's contract.

In the case of inconsistencies or disputes among the Agreement, the District's RFP, and the Vendor's Response to the RFP, the following order of precedence shall prevail in descending order of priority:

1. The Agreement and any written and fully signed amendments thereto.
2. The District's RFP and any written amendments thereto.
3. The Vendor's Response to the RFP and any authorized written amendment or clarifications thereto.

Attachment C  
615288 – Qwest  
622618 – Nextel  
625938 – Time Warner Telecommunicatios

District Technology Plan Covering All 3 FRN's.

# **EXHIBIT TWO**

to Request for Review

In the Matter of

Request for Review of the Decision of  
the Universal Service Administrator

by Joint School District No. 2, Meridian, Idaho

Schools and Libraries Universal Service  
Support Mechanism

CC Docket No. 02-6

**RFP-602701**  
**PROPOSAL RATING FORM**

ITEM	CRITERIA	MAXIMUM	VENDOR: TIME WARNER			VENDOR TOTAL
			RATER 1	RATER 2	RATER 3	
1	Quality of the service(s) and products proposed and their conformity with technical specifications.	<u>20</u>	19	18	18	55
2	Ability, capability and skill of the vendor to provide the products and services required.	<u>20</u>	18	18	16	52
3	Ongoing servicing and maintenance resources, capability, and capacity.	<u>20</u>	15	10	17	42
4	Character, Integrity, reputation, judgement, experience and efficiency of the vendor.	<u>10</u>	8	10	9	27
5	Quality of performance on similar contracts and services.	<u>10</u>	9	9	10	28
6	Cost for service(s) and products considered or proposed.	<u>10</u>	7	8	8	23
7	Intangibles - such other information as may be obtained and have an impact on the decision to award the contract.	<u>10</u>	7	7	9	23
<b>TOTAL:</b>		<u>100</u>	83	80	87	

# RFP-602701

## PROPOSAL RATING FORM

ITEM	CRITERIA	MAXIMUM	VENDOR:			VENDOR TOTAL
			RATER 1	RATER 2	RATER 3	
1	Quality of the service(s) and products proposed and their conformity with technical specifications.	<u>20</u>	12	15	15	42
2	Ability, capability and skill of the vendor to provide the products and services required.	<u>20</u>	12	10	12	34
3	Ongoing servicing and maintenance resources, capability, and capacity.	<u>20</u>	12	10	15	37
4	Character, integrity, reputation, judgement, experience and efficiency of the vendor.	<u>10</u>	6	8	8	22
5	Quality of performance on similar contracts and services.	<u>10</u>	5	7	8	20
6	Cost for service(s) and products considered or proposed.	<u>10</u>	9	9	10	28
7	Intangibles - such other information as may be obtained and have an impact on the decision to award the contract.	<u>10</u>	5	7	8	20
<b>TOTAL:</b>		<u>100</u>	61	66	76	

# **EXHIBIT THREE**

to Request for Review

In the Matter of

Request for Review of the Decision of  
the Universal Service Administrator

by Joint School District No. 2, Meridian, Idaho

Schools and Libraries Universal Service  
Support Mechanism

CC Docket No. 02-6

**Notification of Commitment Adjustment Letter**  
**Funding Year 2006: 7/01/2006 - 6/30/2007**

October 14, 2008

**Jerry Reininger**  
**MERIDIAN JOINT SCHOOL DIST 2**  
**911 N MERIDIAN RD**  
**MERIDIAN, ID 83642 2241**

**Re: Form 471 Application Number: 518833**  
**Funding Year: 2006**  
**Applicant's Form Identifier: 2006-02**  
**Billed Entity Number: 142726**  
**FCC Registration Number: 0001631621**  
**SPIN Name: tw telecom of idaho llc**  
**Service Provider Contact Person: Beata Terry**

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

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

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

## TO APPEAL THIS DECISION:

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

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Numbers you are appealing. Your letter of appeal must include the Billed Entity Name, the Form 471 Application Number, Billed Entity Number, and FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of 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 section of the USAC web site, or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

## FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report.

The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.

Please note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Please note the Funding Commitment Adjustment Explanation in the attached Report. It explains why the funding commitment is being reduced. Please ensure that any invoices that you or your service provider submit to USAC are consistent with program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Beata Terry  
tw telecom of idaho llc

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 518833**

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Funding Request Number:	1441812
Services Ordered:	INTERNET ACCESS
SPIN:	143024639
Service Provider Name:	tw telecom of idaho llc
Contract Number:	N/A
Billing Account Number:	(208) 855-4500
Site Identifier:	142726
Original Funding Commitment:	\$19,890.00
Commitment Adjustment Amount:	\$19,890.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$19,890.00
Funds to be Recovered from Applicant:	\$19,890.00

**Funding Commitment Adjustment Explanation:**

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that the price of eligible products and services was not the primary factor in the vendor selection process. This determination was based on the bid evaluation sheets provided by the applicant, which indicated that Quality of Service, Skill of Vendor, and Ongoing Service and Maintenance Categories had a weighting of 20 points while price only had a weighting of 10 points. FCC rules require that applicants select the most cost-effective product and/or service offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. Ineligible products and services may not be factored into the cost-effective evaluation. Since price was not the primary factor in the vendor selection process, the commitment has been rescinded in full and USAC will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING**

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Funding Request Number: 1442073  
Services Ordered: INTERNET ACCESS  
SPIN: 143024639  
Service Provider Name: tw telecom of idaho llc  
Contract Number: N/A  
Billing Account Number: (208) 855-4500  
Site Identifier: 142726  
Original Funding Commitment: \$247,689.00  
Commitment Adjustment Amount: \$247,689.00  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date: \$0.00  
Funds to be Recovered from Applicant: \$0.00  
Funding Commitment Adjustment Explanation:

2006

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that the price of eligible products and services was not the primary factor in the vendor selection process. This determination was based on the bid evaluation sheets provided by the applicant, which indicated that Quality of Service, Skill of Vendor, and Ongoing Service and Maintenance Categories had a weighting of 20 points while price only had a weighting of 10 points. FCC rules require that applicants select the most cost-effective product and/or service offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. Ineligible products and services may not be factored into the cost-effective evaluation. Since price was not the primary factor in the vendor selection process, the commitment has been rescinded in full and USAC will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR  
CHECK TO ENSURE TIMELY PROCESSING**

# **EXHIBIT FOUR**

to Request for Review

In the Matter of

Request for Review of the Decision of  
the Universal Service Administrator

by Joint School District No. 2, Meridian, Idaho

Schools and Libraries Universal Service  
Support Mechanism

CC Docket No. 02-6

ROSE  
LAW GROUP  
BORTON

JOE BORTON  
6223 N. Discovery Way, Suite 200  
Boise, ID 83713  
Phone 208.323.5393  
Fax 208.658.2371  
jborton@roselawgroup.com  
www.roselawgroup.com

November 11, 2008

Letter of Appeal  
Schools and Libraries Division  
Dept. 125 – Correspondence Unit  
100 South Jefferson Road  
Whippany, NJ 07981

FCC  
Office of the Secretary  
455 12<sup>th</sup> St SW  
Washington DC, 20554

Re: Appeal of Commitment Adjustment Decision  
Billed Entity Name: Joint School District #2  
FCC Docket No.: 02-6  
Form 471 Application Number: 518833  
Funding Year: 2006  
Applicant's Form Identifier: 2006-02  
Billed Entity Number: 142726  
FCC Registration Number: 0001631621  
SPIN Name: TW Telecom of Idaho LLC  
Service Provider Contact Person: Beata Terry

To Whom It May Concern:

This firm represents the Joint School District No. 2 and in that regard we have prepared and submitted this appeal and requested waiver of the Commitment Adjustment Decision issued by your agency (courtesy copy enclosed). The date of the "Notification of Commitment Adjustment Letter" (NCAL) at issue is October 14, 2008, and the Funding request numbers being appealed are #1441812 and #1442073 (courtesy copy enclosed). I have carefully reviewed the documents provided by your agency and my client, reviewed the FCC and USAC regulations, and discussed this with USAC staff and can provide you with the following analysis and basis to support granting this appeal.

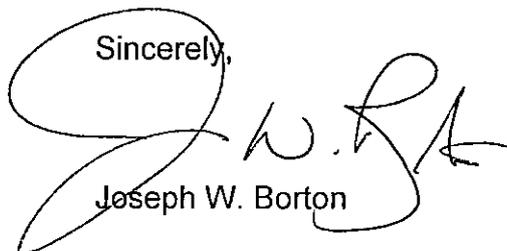
The NCAL for both funding requests noted above states that the commitment must be rescinded because "the price of eligible products and services was not the primary factor in the vendor selection process." This conclusion was mistakenly made by reference to the bid evaluation sheets. However, as noted by FCC regulation the requirement that the applicant "select" the most cost effective product was adhered to and that the most cost effective responsive bidder was selected by Joint School District No. 2 in selecting the successful bidder. In both funding request numbers #1441812 and #1442073 *the lowest cost responsive bidder was awarded the contract.*

Appeal of Commitment Adjustment Decision  
November 11, 2008  
Page 2

I have discussed this matter at length with USAC staff today (case #21-805708) and it was confirmed that the fact that the school district did in fact select the lowest cost provider was consistent with the intent of the low bidder weight requirement. The intent of all contract rules were adhered to, and no adjustments in funding commitments need be made.

If you have any additional questions or need anything further the person who can most readily discuss this appeal is Dr. Jerry Reininger, Director of Information Systems, and his number is (208) 350-5156. I look forward to your prompt response in affirming our appeal of this NCAL and we look forward to your prompt response in that regard

Sincerely,

A handwritten signature in black ink, appearing to read "J.W.B.", is written over the typed name "Joseph W. Borton". The signature is stylized and cursive.

Joseph W. Borton

Enclosures

JWB/kdt

# **EXHIBIT FIVE**

to Request for Review

In the Matter of

Request for Review of the Decision of  
the Universal Service Administrator

by Joint School District No. 2, Meridian, Idaho

Schools and Libraries Universal Service  
Support Mechanism

CC Docket No. 02-6



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

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**Administrator's Decision on Appeal – Funding Year 2006-2007**

December 10, 2008

Joseph W. Borton  
Rose Law Group  
6223 N. Discovery Way, Suite 200  
Boise, ID 83713

Re: Applicant Name: MERIDIAN JOINT SCHOOL DIST 2  
Billed Entity Number: 142726  
Form 471 Application Number: 518833  
Funding Request Number(s): 1441812, 1442073  
Your Correspondence Dated: November 11, 2008

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1441812, 1442073  
Decision on Appeal: **Denied**  
Explanation:

- During the appeal review, USAC determined that during review of Meridian Joint School Dist 2's Funding Year 2008 Form 471 applications, the applicant was contacted and asked to provide signed and dated copies of any and all agreements related to each of the Form 471 funding requests, bid responses and documentation explaining the vendor selection process. In response, the applicant provided Funding Year 2006 contracts. According to the information provided in FY2006, these contracts are FRN 1442073 and 1441812's contracts. Additionally, the applicant provided the Funding Year 2006 bid responses and the weighting of the factors used in the Funding Year 2006 vendor selection process. The evaluation process used in determining these winning bids clearly stated that

the following factors were weighted more than price: Quality of the Service; Ability, Capability and Skill of the Vendor; Ongoing Servicing and Maintenance. Therefore, USAC correctly determined that the vendor selection process did not comply with the competitive bidding rules of the Schools and Libraries Support Mechanism. You did not demonstrate in your appeal that price was the primary factor when the school selected its service provider. Consequently, the appeal is denied.

- FCC Rules require that applicants select the most cost-effective products and/or services offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. 47 C.F.R. sec. 54.511(a); Request for Review by Ysleta Independent School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45, 97-21, Order, 18 FCC Rcd 26407, 26429, FCC 03-313 para. 50 (rel. Dec. 8, 2003). Ineligible products and services may not be factored into the cost-effective evaluation. See Common Carrier Bureau Reiterates Services Eligible for Discounts to Schools and Libraries, CC Docket No. 96-45, Public Notice, 13 FCC Rcd 16570, DA 98-1110 (rel. Jun. 11, 1998).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the 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 section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

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

Schools and Libraries Division  
Universal Service Administrative Company

cc: Jerry Reininger



## Schools & Libraries – Competitive Bidding Process

The competitive bidding process begins when an applicant posts the Form 470 to the USAC website and/or issues an RFP. The applicant must then wait 28 days after the Form 470 is posted or an RFP is issued (whichever is later) before selecting a service provider, ordering services and/or executing a contract.

### Conduct an open, fair competitive bidding process

- "Open" means that there are no secrets in the process and that all bidders have equal access to the same information.
- "Fair" means that all bidders are treated the same and that no bidder has privileged knowledge over the contents of the Request for Proposal (RFP) or the Form 470.

### Service provider involvement in the competitive bidding process

- Service provider involvement in the preparation or certification of the Form 470 or the vendor selection can taint the competitive bidding process and result in denials.
- Applicants cannot turn over their responsibility for ensuring a fair and open competitive bidding process to a service provider or a consultant acting on behalf of a service provider. Only applicants or authorized representatives can prepare, sign and submit (i.e., post to the website or file on paper) the Form 470 and certification.
- Listing a service provider representative as the Form 470 contact person and allowing the same service provider to participate in the competitive bidding process is a violation of FCC rules and will result in denial of funding.
- Service providers who bid on services must not participate in the evaluation process.

### Select the winning bid

- Price of the eligible products and services must be the primary factor under consideration when evaluating bids. It does not have to be the sole factor. Examples of relevant factors include: prior experience, personnel qualifications, management capability, environmental objectives, and the cost of ineligible goods and services.
- The selected bid must be cost-effective in comparison to prices available commercially. If you receive only one bid, it is not necessarily cost-effective.

### Retain all documents for a period of five years from the last date of service

- This includes:
  - Request For Proposal (RFP), with evidence of publication date
  - Bid evaluation matrix, criteria and weighting
  - Bid evaluation worksheets
  - All written correspondence with the service providers
  - All bids submitted, both winning and losing
  - Other documentation related to service provider selection

For additional information, please use the USAC resources listed below:

<b>28 Day Waiting Period:</b>	<a href="http://www.usac.org/sl/applicants/step04/28-day-waiting-period.aspx">http://www.usac.org/sl/applicants/step04/28-day-waiting-period.aspx</a>
<b>Competitive Process:</b>	<a href="http://www.usac.org/sl/applicants/step03/">http://www.usac.org/sl/applicants/step03/</a>
<b>Open &amp; Fair Bidding:</b>	<a href="http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx">http://www.usac.org/sl/applicants/step03/run-open-fair-competition.aspx</a>
<b>Selecting Service Provider:</b>	<a href="http://www.usac.org/sl/applicants/step04/">http://www.usac.org/sl/applicants/step04/</a>