

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:

Joseph L. Aragon

Title:

Network Administrator

Telephone number

(505) 326 - 6571 extn: 123

Fax number

(505) 564 - 8099

E-mail Address

jaragon@opus.nps.bia.edu

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.

Navajo Preparatory School is a member of the New Mexico CES State Contract. NPS reserves the right to select from the New Mexico CES Contract provided it does not violate SLD/Usac Program Rules and Regulations.

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).

The school reserves the right to negotiate a multi-year contract for technology services with the successful Service Provider

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

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

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

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

e. Staff development: all staff have had an appropriate level of training /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.

Navajo Preparatory School has standardized on Cisco Switches and Dell Servers. BIA has standardized on Cisco system network electronics.

<input checked="" type="checkbox"/>	6d. Fax Number	(505) 326- 2155
<input checked="" type="checkbox"/>	6e. E-mail Address	jaragon@opus.nps.bia.edu

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):
a. <input checked="" type="checkbox"/> 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. <input checked="" type="checkbox"/> 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. <input checked="" type="checkbox"/> Services for which a new written contract is sought for the funding year in Item 2.
d. <input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> Telecommunications Services Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?
a <input checked="" type="checkbox"/> YES, I have an RFP. It is available on the Web at or via (check one): <input checked="" type="checkbox"/> the Contact Person in Item 6 or <input checked="" type="checkbox"/> the contact listed in Item 11.
b <input type="checkbox"/> 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.
9 <input checked="" type="checkbox"/> Internet Access Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?
a <input checked="" type="checkbox"/> YES, I have an RFP. It is available on the Web at or via (check one): <input checked="" type="checkbox"/> the Contact Person in Item 6 or <input checked="" type="checkbox"/> the contact listed in Item 11.
b <input type="checkbox"/> 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.
10 <input checked="" type="checkbox"/> Internal Connections Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?
a <input checked="" type="checkbox"/> YES, I have an RFP. It is available on the Web at www.nps.bia.edu or via (check one): <input checked="" type="checkbox"/> the Contact Person in Item 6 or <input checked="" type="checkbox"/> the contact listed in Item 11.
b <input type="checkbox"/> 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.

Block 5: Certification

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

- | |
|---|
| <p>a. <input type="checkbox"/> 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</p> <p>b. <input type="checkbox"/> 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).</p> |
|---|

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:
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- | |
|--|
| <p>a. <input type="checkbox"/> individual technology plans for using the services requested in the application, and/or</p> <p>b. <input checked="" type="checkbox"/> higher-level technology plans for using the services requested in the application, or</p> <p>c. <input type="checkbox"/> no technology plan needed; application requests basic local and/or long distance telephone service only.</p> |
|--|

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):
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- | |
|--|
| <p>a. <input type="checkbox"/> technology plan(s) has/have been approved by a state or other authorized body.</p> <p>b. <input type="checkbox"/> technology plan(s) will be approved by a state or other authorized body.</p> <p>c. <input type="checkbox"/> no technology plan needed; application requests basic local and long distance telephone service only.</p> |
|--|

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):

27. Printed name of authorized person: **Joseph L. Aragon**

28. Title or position of authorized person: **Network Administrator**

29a. Address of authorized person: **1220 W. Apache St.**
 City: **Farmington** State: **NM** Zip: **87401-3886**

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 entities	
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
If your application includes INELIGIBLE entities, check here. <input checked="" 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 Number	Entity
99209	NAVAJO PREPARATORY SCHOOL

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

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

FCC Form 470
May 2003

Close Print Preview

29b. Telephone number of authorized person: **(505) 326 - 6571 ext. 123**

29c. Fax number of authorized person: **(505) 5648099**

29d. E-mail address number of authorized person: **jaragon@opus.nps.bia.edu**

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.

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

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 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



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Office of Information Operations
Special IT Services, Education
500 Gold Avenue SW, 6th Floor
Albuquerque, New Mexico 87102

IN REPLY REFER TO:

SPIT

NOV 21 2003

Memorandum

To: School Administrator, Navajo Preparatory School

From: Team Leader, Special IT Services

Subject: Technology Plan

The Bureau of Indian Affairs, Office of Information Operations, hereby approves your technology plan. This approval is based on the recommendations of a group of educators, who reviewed the plan and found it met the five criteria for approval outlined by the Schools and Libraries Division and the Bureau of Indian Affairs for qualification for the E-Rate Program

- (1) The plan establishes clear goals and a realistic strategy for using telecommunications and information technology to improve education services;
- (2) The plan has a professional development strategy to ensure that staff knows how to use these technologies to improve education services;
- (3) The plan includes an assessment of the telecommunications services, hardware, software, and other services that will be needed to improve education services;
- (4) The plan must provide for a sufficient budget to acquire and maintain the hardware, software, professional development and other services that will be needed to implement the strategy; and,
- (5) The plan includes an evaluation process that enables the school or library to monitor progress toward specified goals and make mid-course corrections in response to new developments and opportunities as they arise

The approval of your Technology Plan means you have met the technology-planning requirement of the program and are eligible to participate in the Universal Service Program. **Please keep a copy of this letter and your technology on file at your school to be used for purposes connected to E-Rate Program Discounts.**

In approving this technology plan, the Bureau of Indian Affairs does not assume obligation or responsibility for the school's activities outlined in the plan. The activities covered under the plan are the sole responsibilities of the school and its school board.

Congratulations, to you and your school staff.

NPS Scoring Matrix

E-rate Yr. 8 2005

	<u>Bid Pricing</u>	<u>Vendor Certifications</u>	<u>References</u>	<u>Vendor Statement</u>	<u>NPS experience</u>	<u>Total Points</u>
#1	43	14	6	8	0	71
#2	50	20	9	8	0	87
#3	43	20	13	9	5	90

Bid Awarded to: Vendor #3 Fierro Utility Construction Services at \$3,600,824.05

vendor #1 Powerline Technologies

vendor #2 NACR

vendor #3 Fierro Utility Construction Service

Evaluators:

Joseph L. Aragon

Sign:

Joseph L. Aragon

Date:

2/11/05

Shirley Bannowsky

Sign:

Shirley Bannowsky

Date:

2/1/05

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, DC 20240



July 19, 2006

Memorandum

To: Principal, Navajo Preparatory School, Inc.
Joseph Aragon, Technology Contact

From: *[Signature]*
Director, Office of Indian Education Programs

Subject: Education Technology Plan for eRate

As the State Education Agency agent for the Office of Indian Education Programs, I am pleased to inform you that your Education Technology Plan for July 2005 – September 2006 (Year 8 of eRate) and July 2006 – September 2007 (Year 9 of eRate) has been approved.

Your Education Technology Plan was reviewed for compliance with Federal Communications Commission (FCC) requirements as administered by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company. Approval was based on the inclusion of the following elements:

- (1) Establish clear goals and a realistic strategy for using telecommunications and information technology to improve education or library services;
- (2) Include a professional development strategy to ensure that the staff understands how to use these new technologies to improve education or library services;
- (3) Include an assessment of the telecommunication services, hardware, software, and other services that will be needed to improved education or library services;
- (4) Provide for a sufficient budget to acquire and support the non-discounted elements of the plan: the hardware, software, professional development, and other services that will be needed to implement the strategy; and,
- (5) Include an evaluation process that enables the school or library to monitor progress toward the specified goals and make mid-course corrections in response to new developments and opportunities as they arise.

An approved plan means that your submittal has met the technology planning requirements and that your school is eligible to participate in the eRate, Universal Service Fund Program.

Please file this memorandum with a copy of your technology plan. eRate records must be kept for a period of five years. If you have further questions about the contents of this memorandum or about eRate, please contact Ellen Findley at 703-735-4133.

Navajo Preparatory School
Summary of Service Eligible for Exclusion from Per Student Cost Calculations

Date	Invoice	FRN	90% Amount	Work accomplished this invoice	Notation for Temporary Buildings	% of Invoice Temporary	Percentage Applied	Other Duplicated, Future, or Replacements	Deduction
					Designed for 28 Buildings, 8 of which were temporary facilities used during construction projects, 1 of which is still existing but obsolete for classroom use. Necessary to tie in to network for 4 + year construction project span.				
5/12/2006	MC 700	1312950	277,621.17	Design of Network Trenching & Cabling Athletic Center		32.14%	(89,235.38)		
5/24/2006	M 0704	1312950	56,075.16		New Construction Student Center Not temporary - Server installation and training on same. Reached end of 3 years service period during funding year. This initial cost should be included, but replacement duplicates this.	0.00%	-		
6/2/2006	M 709	1312950	52,306.49	Servers & Training	Cabling and telecommunications for temp library, old academic obsolete facility, telecommunications for same, and temp facilities at annex bldg.	0.00%	-		
7/3/2006	M 0721	1312950	138,564.13	Horizontal Cabling	Campus wide voice cabling - 28 buildings/8 temporary/1 obsolete	100.00%	(138,564.13)		
7/3/2006	M 0722	1312950	40,255.96	Voice backbone cabling	All Dodge Hall permanent academic facility	32.14%	(12,939.42)		
8/1/2006	M 0738	1312950	75,908.48	Horizontal Cabling		0.00%	-		
8/1/2006	M 0739	1312950	99,241.97	Voice backbone cabling	Campus wide optic fiber installation and termination cabling - 28 buildings/8 temporary/1 obsolete Voice, video, backbone cabling IDF 18 was portable building used temporarily, Jones Hall IDF is 19, this was temporary rented building	32.14%	(31,899.20)		
9/8/2006	M 0755	1312950	29,772.34	Backbone cabling IDF 18 & 19		100.00%	(29,772.34)		
10/5/2006	M 0778	1312950	62,965.75	Horizontal cabling Morgan Hall	Permanent facility now in use	0.00%	-		
10/5/2006	M 0779	1312950	17,151.03	Horizontal cabling Athletic Ctr	Permanent facility physical education / athletic center	0.00%	-		
3/6/2007	M 0880	1312950	9,688.74	Horizontal cabling Dodge, Morgan, and McDonald Halls	Permanent academic facilities	0.00%	-		
8/17/2007	M 1048	1312950	23,958.40	UPS units Dodge, Morgan, McDonald	Installation, cabling, and units in permanent academic buildings	0.00%	-		
8/28/2007	M 1054	1312950	23,418.31	Patch cables	Patch cables Campus wide installation for 28 buildings/8 temporary/1 obsolete	32.14%	(7,527.31)		
8/28/2007	M 1055	1312950	101,743.84	Horizontal cabling	Permanent Academic building fiber optic installation	0.00%	-		
9/28/2007	M 1070	1312950	27,479.03	Trenching and conduit	Permanent installation new construction	0.00%	-		
9/28/2007	M 1071	1312950	226,850.06	Trenching and conduit	Permanent done during renovation	0.00%	-		
9/30/2008	M 1351	1312950	58,094.10	Horizontal LAN	Permanent work new construction	0.00%	-		
6/1/2009	M 1439	1312950	400,228.85	New Switches	Replace old switches in IDF's, needed power over ethernet. Substitution for existing switches.	0.00%	-	Replace switches due to age and obsolescence	(400,228.85)
6/1/2009	M 1440	1312950	82,474.93	Horizontal LAN media center	Permanent new construction Library/Media Center	0.00%	-		
8/25/2009	M 1501	1312950	109,703.03	Horizontal LAN media center	Permanent new construction classrooms student center	0.00%	-		
8/25/2009	M 1502	1312950	43,554.88	Backbone cabling	Voice backbone new construction permanent	0.00%	-		
8/25/2009	M 1503	1312950	60,281.87	Campus Network Equip	Switches, Catalyst 3560 replacement of 6500 catalyst switches at end of life	0.00%	-	Replace switches due to age and obsolescence no longer supported	(60,281.87)
10/19/2009	M 1553	1312950	17,737.59	UPS units and installation	Replace original UPS due to age and obsolescence	0.00%	-	Replace UPS units and install	(17,737.59)
10/19/2009	M 1554	1312950	70,628.35	Replace server and server migration 2003 to 2008	Replace servers due to age and obsolescence	0.00%	-	Replace servers and upgrade server software due to obsolescence	(70,628.35)
11/16/2009	M 1571	1312950	78,303.36	Trenching for fiber ring	Conduit installed for future campus and population expansion.	0.00%	-	Installation of conduit for future campus and student population expansion on west 40 acres. Service cost is based on future not current.	(78,303.36)
12/21/2009	M 1587	1312950	187,052.46	Replace Switches MDF Voice, Video and Optic fiber backbone cabling	Replace switches in MDF	0.00%	-	Replace switches due to age and obsolescence	(187,052.46)
12/21/2009	M 1588	1312950	131,406.95		New Construction Student Center	0.00%	-		
3/15/2010	M 1606	1312950	79,139.17	UPS units for IDF's on campus	Replace UPS units in IDF's on campus due to age and obsolescence. Many already burned out.	0.00%	-	Replace due to age and obsolescence	(79,139.17)
							(309,937.78)		(893,371.65)

Exhibit D

- A Due to massive size of construction/renovation, numerous areas that were not permanent had to be tied in to network for ongoing classroom instruction and library use. Temporary sites should not be included in per student cost as they were never meant to be ongoing instructional areas once renovation/construction was completed. (\$309,937.78)
- B Time span of this funding year was extended several years across the construction project. There were several factors that contributed to the extended length of the construction project.
- 1 Funding delays caused by BIA reviews
 - 2 Construction project included a number of historical buildings that had to be renovated according to historical guidelines.
 - 3 Many hidden problems with renovation of historic buildings that could not be foreseen until encountered.
 - 4 Demolition of historic buildings beyond renovation status required HABS documentation prior to demo.
 - 5 Original contractor for the historic portions of construction was terminated for lack of performance under contract. Missed several completion dates.
 - 6 Much of the original contractor's performance in construction had to be reworked, replaced, or redone.
 - 7 100 year rain caused major flooding during construction and delayed progress as it required replacing hundreds of thousands of dollars of completed work
 - 8 Severe winter and inordinately wet weather also caused delays
- *Extended length of time for construction caused obsolescence of several of the network components actually installed during this funding year. Essentially, components were purchased, installed, and then replaced and installed later during the same funding year due to obsolescence. This duplicated cost due to lengthened time frame should not be included in cost per student as it is essentially the same service. (\$815,068.29)
- C Conduit was installed in west 40 acres for future expansion to include agricultural and environmental lab facilities. (78,303.36)

FIERRO Utility Construction Services, Inc.

TO: NAVAJO PREPARATORY SCHOOL
BUSINESS OFFICE
1220 W APACHE ST
FARMINGTON, NM 87401

ATTN: JOSEPH ARAGON

**FIERRO JOB# 202190
ERATE FRN # 1312950
471 # 475813**

INVOICE # M-1587
DATE: 12/21/2009
PURCHASE ORDER # 1722 / 1729
TERMS: UPON RECEIPT

Description	Qty	Unit Price	Ext. Price
Campus Network Equipment			
Billing per attached quote 83877			\$ 194,239.32

Subtotal \$ 194,239.32
Gross Receipts Tax 13,596.75
Grand Total \$ 207,836.07
SLD 90% 187,052.46
School 10% Due \$ 20,783.61

FIERRO Utility Construction Services, Inc.

TO: NAVAJO PREPARATORY SCHOOL
BUSINESS OFFICE
1220 W APACHE ST
FARMINGTON, NM 87401

ATTN: JOSEPH ARAGON

**FIERRO JOB# 202190
ERATE FRN # 1312950
471 # 475813**

INVOICE # M-1588

DATE: 12/21/2009

PURCHASE ORDER # 1722 / 1729

TERMS: UPON RECEIPT

Description	Qty	Unit Price	Ext. Price
Voice Backbone Cable			
Billing per attached quote 84023			\$ 136,455.81

Subtotal \$ 136,455.81
Gross Receipts Tax 9,551.91
Grand Total \$ 146,007.72
SLD 90% 131,406.95
School 10% Due \$ 14,600.77

FIERRO

Fierro Utility Construction Services, Inc.
82 North 17th Avenue
Phoenix, Arizona 85007
Phone 602 262-2947
Fax 602 262-2842

QUOTE	
84023	
Date:	November 16, 2009

BILL TO:	SHIP TO:
Navajo Preparatory Academy	Navajo Preparatory Academy
1220 W. APACHE STREET	1220 W. APACHE STREET
Farmington, NM 87401	Farmington, NM 87401
CONTACT Joe Aragon	CONTACT Joe Aragon
PHONE 505-326-6571	PHONE 505-326-6571

PART NUMBER	PART DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
SLCT-OR	Orange, Self-laminating Cable Marker Holder, 1.31"H x 3"W, 25 tags/pkg.	1.00	\$0.00	\$0.00
PST-FO	Self-Laminating Fiber Optic Cable Marker Tags, Black/Yellow, 2"H x 3.5"W, 5 tags/pack	3.00	\$0.00	\$0.00
HS-32	HYDRASOL 1QT	2.00	\$0.00	\$0.00
WP1250P	Polyester Muletape, 1250 lbs. Strength, 3000' Reel	2.00	\$323.50	\$647.00
31-388	Aqua-Gel® II Cable Pulling Lubricant 1-Quart Squeeze Bottle	4.00	\$8.48	\$33.92
31-385	ClearGlide, Wire Pulling Lubricant, 5-Gallon Pail	2.00	\$68.28	\$136.56
A-LAB-10025	Cable Pathway Installation	80.00	\$75.00	\$6,000.00
	Installation Crew Travel, Accomodation, Per Diem			
A-LAB-10056	Travel (per hour)	96.00	\$45.00	\$4,320.00
NMSC-LAB-023	Lodging	36.00	\$89.00	\$3,204.00
A-LAB-10550	Per Diem Expenses	72.00	\$95.00	\$6,840.00
	Project Engineering / Managment			
A-LAB-10656	Project Engineering & Managment	6.00	\$2,000.00	\$12,000.00

Intellectual Property Alert!

This Document is the Intellectual property of Fierro, Inc. and cannot be legally shared with anyone outside of your company. We appreciate your compliance.

Products:	\$46,590.81
Services:	\$89,865.00
SUBTOTAL:	\$136,455.81
Tax:	\$9,551.91
TOTAL:	\$146,007.72

- Exhibit E



Contact Us Help

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Initiate Single Wire - Confirmation

OK Your sequence number is 000096

You may want to print this page for your records.

Today's Date: 08/17/2010
Today's Time: 04:11 PM ET
Debit Account: 9810202426 [Operating]
Transfer Type: DOM
Status: ENTRD
Beneficiary: 644617284 [Fierro Utility Construction Service]
Value Date: 08/17/2010
Execution Date: 08/17/2010
Wire Amount: 30,000.00 USD

Print Page

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Aug 17, 2010 04:59:01 PM ET

Customer ID: NAVAJ401

Operator ID: BEGAR401

Commercial Electronic Office®

NAVAJO PREPARATORY SCHOOL, INC

Detail Wire Transfer Activity Report

From 08/17/2010 Through 08/17/2010

Wire Transfer

Wire Transfer Information contained in this Report reflect transaction(s) initiated within CEO®

Wire Transfer Activity Detail

Debit Currency: USD

Debit Bank Name: WELLS FARGO BANK NEW MEXICO, N.A.

Debit Account Name: Operating

Account Number: 9810202426

Debit Amount: 30,000.00 USD

Value Date: 08/17/2010

Execution Date: 08/17/2010

Template Name:
 FIERRO UTILITY
 CONSTRUCTION
Type: Domestic

CEO® Tracking Number: 000096

Fed/SWIFT Confirmation Number:
 N/A
Transaction Reference Number:**Status:** Entered**Beneficiary Account Information:**
Account Number: 644617284
Account Name: Fierro Utility Construction Service
Account Address: 820 N 17th Ave
 Phoenix AZ 85007
Beneficiary Bank Information:
Bank ID: 021000021
Bank Name: JPMORGAN CHASE BANK, NA
Bank Address: NEW YORK
 NY
Form of Notification: None
Originator to Beneficiary Information:
 erate payment
 08172010

Originator Information:
Name: NAVAJO PREPARATORY SCHOOL, INC
Address: 1220 W Apache St
 Farmington, NM 87401 US
ID / Account Number:
Internal Reference:
Intermediary Bank Information:
 Data Not Provided
Audit Trail Information:
Created By: BEGAR401 August 17, 2010
 04:11:45 PM ET.
Verified By:
Verify-3 By:
Rejected By: N/A

Last Modified By: BEGAR401 August 17, 2010
 04:11:45 PM ET.
Verify-2 By:
Verify-4 By:

Total By Status

	Total Debits USD	Total Credits USD	Total Transactions
Status: Entered	30,000.00	0.00	1
Grand Total:	30,000.00	0.00	1

† Applies only to Migration Wires

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RESOLUTION OF THE BOARD OF TRUSTEES
OF THE NAVAJO PREPARATORY SCHOOL, INC.



Authorizing Payment of \$30,000 to Fierro Utility Construction Services toward invoices held by the Universal Service Administrative Company (USAC), Schools and Libraries Division (SLD) for E-Rate Services

Whereas:

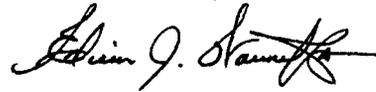
1. The Universal Service Program for Schools and Libraries Division (SLD), more commonly known as E-Rate, is a federal initiative that provides discounts on telecommunications and Internet technologies to elementary and secondary schools and public libraries across the country; and
2. The E-rate Funding for Year 2005 in the amount of \$2,514,102.83 was approved for Navajo Preparatory School, Inc. (NPS, Inc.) by which a qualified vendor, Fierro Utility Construction Services, was authorized by NPS, Inc. and the SLD, to provide telecommunication services, internet access and internal connections; and
3. On April 12, 2010, USAC-SLD provided a Notification of Commitment Adjustment Letter to rescind the funding in full based on SLD's determination that the funds were erroneously committed and not justified as cost-effective (Exhibit "A"); and
4. On May 24, 2010, the NPS, Inc. submitted its Appeal to the SLD regarding the Funding Commitment Adjustment Letter and on June 2, 2010 the SLD acknowledge by letter the receipt of NPS, Inc. Appeal (Exhibit "B"); and
5. During the Appeal, the SLD is withholding two outstanding invoices in the amount of \$318,459.41 for work completed by Fierro Utility Construction Services that normally would have been paid by the SLD to Fierro Utility Construction Services (Exhibit "C"); and
6. Fierro Utility Construction Services requests payment on the outstanding invoices with agreement that if the School's (NPS, Inc.) appeal is approved by the SLD, Fierro Utility Construction will reimburse NPS, Inc. for payments made to Fierro Utility Construction Services (Fierro's letter - Exhibit "D").

Now Therefore Be It Resolved That:

1. The Board of Trustees hereby authorizes payment of \$30,000 to Fierro Utility Construction Services toward invoices held by the Universal Service Administrative Company (USAC), Schools and Libraries Division (SLD) for E-Rate Services.
2. The Board of Trustees hereby approves payment to Fierro Utility Construction Services with the understanding that Fierro will reimburse the NPS, Inc. dollar for dollar if the NPS, Inc. Appeal is approved by the USAC-SLD (Exhibit "D").

Certification

I hereby certify that the foregoing resolution was duly considered by the Board of Trustees of the Navajo Preparatory School, Inc. at a duly called meeting held in Farmington, New Mexico at which a quorum was present and that same passed by a vote of 3 in favor, 0 opposed, and 0 abstained this 11th day of August 2010.

A handwritten signature in cursive script, appearing to read "Edison J. Wauneka".

Edison Wauneka, President
Board of Trustees

M/S: Charley Long, Jennifer Laughter

FIERRO Utility Construction Services, Inc.

August 16, 2010

Betty Ojaye, Executive Director
Navajo Preparatory School
1220 West Apache Street
Farmington, New Mexico 87401.

Regarding: Reimbursement of Funds

Betty,

Per our phone conversation on the overdue invoices for labor and materials performed at Navajo Preparatory in the amount of \$318, 459.41 any payments made by Navajo Preparatory to reduce existing invoices which the SLD has rejected will be returned to Navajo Preparatory per the Billed Entity Application Reimbursement Process dollar for dollar if the school wins its appeal. However as it stands currently the invoices are owed to Fierro by Navajo Preparatory. I will be waiting for the partial payment of \$30,000.00 we spoke of. This partial payment is not a settlement of the remaining amount and payments must continue until total debt is paid in full.

Sincerely



James R. Fierro
President
Fierro Utility Construction Services, Inc.

Equal Employment Opportunity Employer