

March 7, 2014

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

**Subject: CC Docket No. 02-6 and CC Docket No. 96-45**

**Request for Waiver of “28 Day Waiting Period Violated” rule cited on Funding Commitment Decision Letter (Funding Year 2013: 07/01/2013 – 06/30/2014) dated January 8, 2014 for VISTA CHARTER MIDDLE SCHOOL, Billed Entity Number: 16071509, FCC Form 471 Application Number: 896236, Funding Request Number: 2502457**

Dear Ms. Dortch,

The Vista Charter Middle School [VCMS] respectfully submits this formal request for a waiver of the guidelines underpinning the SLD’s determination that the 28-day waiting period for FRN 1502457 was violated resulting in the denial of \$13,482.72 for Funding Year 2012-2013:

**Funding Commitment Decision:** \$0. 00 - 28 Day Waiting Period Violated

**Funding Commitment Decision Explanation:** A contract for a new service was signed prior to the expiration of the required 28-day waiting period computed from the date of the posting of the FCC Form 470 to USAC's web site which violates program rules.

*This is a request for waiver* and follows the SLD website instructions To File an Appeal with the FCC (<http://www.usac.org/sl/about/program-integrity/appeals.aspx>). We appreciate that waivers are granted only in special circumstances and when a deviation from the rules would *serve the public interest*. In this instance, we believe:

- The reviewer’s denial of funding hinges on misinterpretation of the documentation provided and a little-known provision in USAC guidelines which seems to require applicants to *re-sign contracts for existing services* upon selection for E-Rate award.
- Funding was presumptively denied without mandatory opportunity for VMCS to provide additional documentation. The reviewer never even acknowledged our request to provide additional information. Our request for more time to address the reviewer’s concerns due to VMCS being on winter break received no reply.
- VCMS serves students with 90% free/reduced lunch eligibility. This ruling has not only diverted funds from some of the most economically disadvantaged students in our state, it has also placed their ability to access Internet-based resources in jeopardy until funding can be restored.

We hereby request that the FCC waive the denial triggered by the “28-Day Waiting Period Violated” rule in this instance due to the extenuating circumstances detailed below. With this waiver the SLD would be empowered to reverse its decision, enabling it to approve funding the discounted amount of \$13,482.72.

This request for waiver was prepared with the assistance of The Miller Institute for Learning with Technology, dba Learningtech.org (see “exhibit\_1\_vmcs\_consultant\_loa”).

### **Background**

VCMS opened 9/1/2010 (see “exhibit\_2\_vmcs\_cde\_directory”). On 1/15/2011, VCMS signed a three-year contract with TelePacific for combined voice and data services (see “exhibit\_3\_original\_telepacific\_contract\_signed\_20110115” and “exhibit\_4\_telepacific\_contract\_cover\_email”). On 10/25/2012, VCMS engaged Learningtech.org to assist with its first E-Rate application for funding year 2013-2014.

### **Explanation of Events/Special Circumstances**

In adherence to USAC guidelines, VCMS posted its Form 470 (#627840001099846) to the USAC website on 1/28/2013, officially opening the competitive bidding window for service providers, and establishing the Allowable Contract Date of 02/25/2013. An associated RFP (see “exhibit\_5\_vista\_y16\_rfp”) was posted to [http://www.learningtech.org/bids/erate/vista/closed\\_y16\\_2013\\_2014/](http://www.learningtech.org/bids/erate/vista/closed_y16_2013_2014/) and noted the proposal deadline of 2/25/2013.

During the obligatory 28-day waiting period, VCMS received three new bids for the services related to FRN 2502457 in addition to TelePacific, its existing service provider. Once the 28-day waiting period had passed, VMCS worked with Learningtech.org consultant, Andree Miller, to plan a bid evaluation meeting as noted in an email (see “exhibit\_6\_email\_request\_for\_bid\_eval\_meeting\_20130227”) sent to VMCS dated 2/27/2013, *two days following* the Allowable Contract Date.

During the bid evaluation meeting, held on 3/4/2013, *seven days after* the Allowable Contract Date, VMCS scored the bidders according to USAC-approved criteria, with cost of eligible services being most heavily weighted criterion. During the bid evaluation meeting conducted on 3/4/2013, VCMS determined that its existing vendor, TelePacific, was the best solution to provide the combined voice and Internet services detailed in its application.

After the selection was made, losing bidders were notified of the outcome and VCMS continued to receive the services stipulated in its existing contract with TelePacific. Following the successful close of the competitive bidding process for Funding Year 16, VCMS filed its Form 471 and incorrectly entered the Contract Award Date as 03/04/11. This ministerial error was overlooked, not updated via RAL and became the subject of concern during PIA. Learningtech.org furnished the reviewer with the original contract (again, see “exhibit\_3\_original\_telepacific\_contract\_signed\_20110115) and a complete explanation (see “exhibit\_7\_vista\_y16\_pia\_response\_20131221”) supporting its contention that the contract “re-award” date should have been entered on the 471 as 3/4/2013, consistent with the bid evaluation meeting. The SLD reviewer incorrectly concluded that, because the original contract signature date (1/15/2011) appeared to pre-date the Allowable Contract Date (2/25/2013), VCMS had contravened the “28-Day Waiting Period Violated” rule.

In reality, all required protocols and procedures had been followed; the applicant had simply failed to have the existing contract re-signed following the ACD and after the bid evaluation process. The rules state that contracts for *new* services must be signed within the appropriate window of dates. Since this was not a new service, but an existing service, which happened to win in a fresh round of competitive bidding, VCMS staff had no knowledge that the school was required to re-sign its standing contract to remain in compliance with USAC rules. While their interpretation may have been incorrect, it was made in good faith and did not undermine the intent of the rule—to compel Applicants to conduct an open and fair competitive bidding process, a process which did occur. Denying funding over a technicality that had no impact on the intent of the rules, in this situation, warrants making an exception in the public interest. We also suggest, going forward, that the SLD be advised to clarify this subtle rule on its web site, to make it less likely that other Applicants will be subject to the same pitfall.

On 12/30/2013, Learningtech.org received a follow-up notice (see “exhibit\_8\_reviewer\_fax\_notice\_of\_denial\_20131230”) from the PIA reviewer that funding for FRN 2502457 would be denied and instructing that, “If you do not agree with the review decision...[and]...have alternative information to support your position, please provide the supporting documentation.”

Within *nine minutes* of receiving this notice, Learningtech.org responded to the reviewer via email (see “exhibit\_9\_email\_responses\_to\_pia\_reviewer\_20131230\_20131231”) to notify him that Learningtech.org did not agree with the review decision and would provide additional documentation. After learning the following day (12/31/13) that VMCS was on winter break and not available to provide the required documentation until 1/13/14, Learningtech.org sent an email (again, see “exhibit\_9\_email\_responses\_to\_pia\_reviewer\_20131230\_20131231”) to the reviewer requesting an extension to provide additional documentation.

Despite Learningtech.org’s prompt response, its clear notification of disagreement with the reviewer’s decision and the subsequent request for an extension, ***Learningtech.org received no further communication from the reviewer*** and later received a FCDL containing the funding denial on 1/8/2014.

The funding denial came as a shock to VCMS as it had carefully followed every competitive bidding rule. In the absence of guidance from the reviewer, VCMS was left to extrapolate from the FCDL that existing contracts needed to be re-signed, although such a requirement is not explicitly stated within the “Contracts” section in the “Step 3: Selecting Service Providers” portion of the SLD website (<http://www.usac.org/sl/applicants/step03/contracts.aspx>). Such a rule appears to be very difficult, if not impossible, to locate within any existing USAC or FCC guidelines or rules. Further, as a California Charter school subject to California non-profit law, ***VMCS may not have been required to re-sign the contract at all***. According to the “Contracts” section noted above, “Applicants must also comply with state and/or local contract law. Obtaining the service provider signature and date is not a program requirement....”

### **Requested Outcome**

VCMS sincerely hopes that the FCC will see fit to make a one-time exception and waive the reviewer’s “28-Day Waiting Period Violated” finding in order that the SLD may opt to:

1. Not require the applicant to re-sign its existing contract; or
2. Allow VCMS to re-sign its existing contract and update the Contract Award Date to reflect its actual and explicit compliance with the ACD; or
3. Review the exhibits provided below and thereby determine that all documentation was submitted in good faith and that competitive bidding rules were scrupulously followed.
4. Clarify and codify the requirement that standing contracts must be re-signed in future E-Rate training materials and web site instructions to make it easier for applicants to remain in compliance. This would also serve to reduce and/or eliminate such errors in the future and reduce the burden of reviewers and applicants.

In so doing, the SLD could recognize the pre-existing contract with TelePacific as valid, and, based on the adherence of VCMS to all competitive bidding and procurement guidelines, restore the full amount of the funding.

The lack of clarity within USAC guidelines should *not* cause VCMS to lose over \$13,000 in critically needed funding for some of our nation's most underserved students. Failure to re-sign the contract may be viewed as an applicant error, however, recent FCC orders and SLD procedures involving similar types of applicant errors indicates that Vista Charter Middle School may hold out for some possibility of relief due to the relatively obscure nature of this provision in USAC's contract guidelines.

Further, the lack of a response from the reviewer regarding the school's request for an extension due to the its closure during winter break, and the school's subsequent inability to present documentation to defend and support its position, should *not* cause VCMS to forfeit this funding.

It is our fervent hope that, in this particular instance, the FCC will make an allowance based on the mitigating circumstances enumerated above. Thank you for your consideration.

Regards,

Eileen Miller  
VP, E-Rate & Technology Planning  
[Learningtech.org](http://Learningtech.org) [The Miller Institute for Learning with Technology]  
T: 650-598-0105 x252  
F: 866-801-8667  
[emiller@learningtech.org](mailto:emiller@learningtech.org)



**E-Rate Consultant Letter of Agency  
Funding Years 2013-2014, 2014-2015 and 2015-2016**

To Whom It May Concern:

Vista Charter Middle School and its associated Consortium, District or System member entities, if any<sup>1</sup> (hereinafter, **Applicant**) hereby authorizes Learningtech.org [The Miller Institute for Learning with Technology] and its authorized representatives<sup>2</sup> (hereinafter, **Consultant**) to discuss, prepare, and submit all appropriate E-Rate forms. It also authorizes Consultant to interact with the Schools and Libraries Division [SLD] of the Universal Service Administrative Company [USAC], USAC itself, and the Federal Communications Commission [FCC] on its behalf. With this letter of agency, Applicant further authorizes Consultant to interact with Applicant's County Office of Education, State Department of Education and with Applicant's service providers as needed to support E-Rate requirements, including obtaining account numbers, inventories of telecommunications circuits and similar records. This letter of agency shall remain effective through September 30, 2016, for interactions relating to the funding years indicated above, unless superseded or terminated sooner, with thirty written days notice, by either party. If Applicant is applying as an SLD Consortium, this letter of agency applies to the entire Consortium, as well as to each of the individual member entities of the Consortium.

This letter of agency authorizes Consultant to interact with the Schools and Libraries Division of the Universal Service Administrative Company, as well as eligible service providers, on behalf of Applicant. It authorizes all necessary and appropriate E-Rate application activities (such as solicitation of bids from prospective service providers) for the Funding Years noted above, *as well as follow-up actions, as needed, for the two Funding Years before those indicated above*. It authorizes preparation and submission of all appropriate forms (470, 471, 486, 472, 500, Letters of Appeal, and so on), and correspondence with Program Integrity Assurance [PIA] and SLD audit personnel. It applies to all categories of service (Telecommunications, Internet Access, Internal Connections, and Basic Maintenance of Internal Connections) that are eligible for the E-Rate discount program.

In preparing application materials and other responses on behalf of Applicant, it is understood that Consultant shall necessarily rely on the accuracy of information provided by Applicant (including the Applicant's employees, contractors, service providers, and other authorized representatives) including, but not limited to: enrollment data, free/reduced lunch eligibility, service provider agreements, compliance with the Child Internet Protection Act [CIPA] and local competitive bidding regulations and practices. Consultant will exercise reasonable diligence in documenting and verifying such information. It is further understood that the responsibility for E-Rate document certifications and for the veracity of certification statements remains with Applicant, regardless of the method used to certify such statements (such as paper signatures, electronic signatures or electronic submission using a PIN).

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<sup>1</sup> In the case of an SLD Consortium, the Consortium members are listed in an Attachment C. In the case of a School District or Library System, the member entities are as normally defined by public records.

<sup>2</sup> The currently authorized representatives for Consultant are listed in Attachment A.

E-Rate document certifications will be executed via the methodology initialed on the signature page of this E-Rate Consulting Letter of Agency. Options include:

- One of Applicant's authorized representatives will sign E-Rate documents. In selecting this option, Applicant acknowledges that signatures may be required at inconvenient times (*e.g.*, late evening, holidays or short notice). For signature appointments, Applicant will require Internet access, handy access to Applicant's Personal Identification Number [PIN], and active participation to enter the PIN.
- Applicant makes Consultant its authorized signer. By selecting this option, Consultant will handle certifications on behalf of Applicant. Applicant acknowledges that Consultant must rely 100% on Applicant's assurances for certifications and that Applicant still bears full liability for ramifications if the veracity of the certification assurances is questioned.
- Applicant is responsible for all forms submissions and Consultant is available to provide expert consultation. Applicant acknowledges the greater risk of missing deadlines and incorrect data entry with this approach. For this option, an additional E-RATE WAIVER FOR CLIENT CONTACT INFO ON SLD FORMS is required.

Applicant understands that, in submitting E-Rate forms on its behalf, Consultant is being authorized and directed to make certain material certifications on behalf of Applicant.

**In executing this Letter of Agency, the person authorized to sign this Letter of Agency on behalf of Applicant, whose name and title appear below, hereby makes the following certifications:**

(a) E-Rate eligibility certifications will be initialed on the signature page of this E-Rate Consulting Letter of Agency. Options include:

- Applicant's school(s) is/are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million dollars.
- Libraries in Applicant's system are eligible for assistance from a State Library Administrative Agency under the Library Services and Technology Act of 1996, Pub. L. No. 104-208, § 211 et seq., 110 Stat. 3009 (1996) that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary, secondary schools, colleges, or universities).

(b) I acknowledge that support under the E-Rate program is conditional upon the Applicant securing access, separately or through the E-Rate program, to all of the resources, including computers, training, software, internal connections, maintenance and electrical capacity necessary to use the services purchased effectively, and that Applicant has secured or will secure access to said resources. I recognize that some of the aforementioned resources are not eligible for E-Rate support. I certify that I have considered what financial resources should be available to cover these costs. Further, I certify that the Applicant will secure access to all of the resources to pay the discounted charges for eligible service from funds to which access has been secured or is reasonably anticipated to be secured, according to SLD guidelines, in the corresponding funding year, and that the Applicant will pay the non-discounted portion of the cost of the goods and services to the service provider(s). I certify that to the extent that the Applicant is passing through to member entities the non-discounted charges for the E-Rate services requested in conjunction with this Letter of Agency, that the entities represented by Applicant have secured access to all of the aforementioned resources including the ability to pay the

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non-discounted charges for eligible services from funds to which access has been secured or is reasonably anticipated to be secured, according to SLD guidelines, in the corresponding funding year.

(c) I certify that, to the extent required by E-Rate program rules, Applicant's entity(ies) is/are covered by a technology plan(s) that will be/is/are written, that cover(s) all 12 months of the funding year, and that has/have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service. E-Rate program rules stipulate:

- No technology plan needed if applying for Priority 1 services only (i.e., Telecommunications and/or Internet Access categories of service as defined by the E-Rate program).
- A technology plan is required if applying for Priority 2 services (Internal Connections and Basic Maintenance). Technology plans should:
  - Be written (at least in draft form) before an FCC Form 470 is posted to the USAC website in order to support the requests for services featured on that form
  - Cover all twelve months of the funding year
  - Be approved by a USAC-certified Technology Plan Approver (TPA) before an FCC Form 486 is filed and before services start.

(d) I certify that the services the Applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the rules of the Federal Communications Commission (Commission or FCC) at 47 C.F.R. § 54.500, 54.513 (et seq.). Additionally, I certify that the entity or entities listed on the FCC forms will not receive/have not received anything of value or a promise of anything of value, other than services and equipment sought by means of the FCC forms, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

(e) I certify that Applicant has complied with, and will continue to comply with, all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

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

(g) I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I acknowledge that the Consultant's good faith efforts to maintain electronic archival backup copies of such records shall not in any way reduce the Applicant's obligation to maintain its own records.

(h) I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) covered by this Letter of Agency, that I have examined this Letter,

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that all of the information on this Letter is true and correct to the best of my knowledge, that the entity(ies) that will be receiving discounted services under this Letter pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

(i) I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities, or any person associated in any way with my entity and/or the entities, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

(j) I certify, on behalf of the entities covered by this Letter of Agency, that any funding requests for internal connections services, except basic maintenance services, applied for in the resulting FCC Form 471 application will not violate/are not in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. § 54.506(c).

(k) I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

(l) I certify that Consultant is authorized to perform electronic certification of forms on behalf of Applicant, regardless of whether (a) Consultant serves as Applicant's authorized person and uses Consultant's own PIN; or (b) Consultant is provided with PIN of Applicant's authorized person and then directed by Applicant to use it. I understand that such authorized electronic certification shall be interpreted as legally equivalent to the hand-written signature, on a paper form, of the Applicant's authorized person.

(m) I certify that I have disclosed all existing service contracts to Consultant and that I will disclose any new service contracts that are relevant, and that I will make every effort to not create new contracts that might interfere with Applicant's program funding without advance counsel from the Consultant.

(n) I certify that (if applicable) I will post my Form 470 and (if applicable) make available any related RFP for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered in a manner compliant with E-Rate program rules and that the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals.

(o) I certify that the Applicant entity responsible for selecting the service provider(s) will/has review(ed) all applicable FCC, state, and local procurement/competitive bidding requirements and will comply with them. I acknowledge that persons willfully making false statements on FCC forms can be

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punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

(p) I certify that if any funding requests are for discounts for products or services that contain both eligible and ineligible components, that I will/have allocate(d) the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504(g)(1), (2).

(q) I certify that as of the date of the start of discounted services the recipient(s) of service will have complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l). Or, pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA will undertake such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year.

(r) I certify that I am authorized to sign this Letter of Agency and, to the best of my knowledge, information and belief, all information provided to Consultant for E-Rate submission is true.

Applicant responsibilities to Consultant include:

- Assigning a primary and an alternate contact including valid email addresses and either mobile or home telephone numbers to be used by Consultant for the sole purpose of resolving urgent after-hours E-Rate matters
- Assigning and maintaining a primary and an alternate authorized signer for SLD forms
- Responding to routine information inquiries relevant to applications within 3 business days, without reminders
- Ensuring that at least one of the two designated contacts is available on six (6) hours notice during the final 2 weeks of the annual filing window,<sup>3</sup> for e-certification or urgent questions about applications being prepared on behalf of Applicant by Consultant
- Granting full access to Consultant to the online billing systems of Applicant's telecommunications and Internet service providers, to help ensure that all eligible services are properly discounted by E-Rate
- Making payments to Consultant on time, so that dunning is not required
- Clearly documenting all relevant existing contracts and never signing anything relating to telecommunications, Internet access, internal connections or basic maintenance "outside the window" without first checking with Consultant regarding possible E-Rate consequences.

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<sup>3</sup> Each year the E-Rate application filing window varies slightly. Usually, it is November to February preceding the start of the Funding Year. Exact dates for each funding year filing window are posted on USAC's website, generally with at least 60 days notice. For example: Y13 window dates of 12/3/2009 to 2/11/2010 were announced on 12/3/2009; Y14 window dates of 1/11/2011 to 3/24/2011 were announced 12/9/2010; Y15 window dates of 1/09/2012 to 3/20/2012 were announced 11/22/2011.

I understand that I may be asked to sign addenda or amendments to this LOA from time to time to keep contact information and technology plan status current and as E-Rate rules are updated by FCC or SLD.

**Consultant:** Learningtech.org  
[The Miller Institute for Learning with Technology]

**Consultant Registration Number:** 16043681

**Authorized Signature:** *Mark L. Miller*

**Printed Name:** Mark L. Miller, Ph.D.

**Title:** President and Executive Director

**Date:** October 30, 2012

**Applicant:** Vista Charter Middle School

**Authorized Signature:** *Alberto Ramirez*

**Printed Name:** Alberto Ramirez

**Title:** Director of Operations

**Date:** October 30, 2012

With my initials below, I select and certify the following options (initial only one):

**E-Rate document certifications will be executed via the following initialed methodology:**

- \_\_\_\_\_ One of Applicant's authorized representatives will sign E-Rate documents. In selecting this option, Applicant acknowledges that signatures may be required at inconvenient times (e.g., late in evenings, on holidays, with short notice). For signature appointments, Applicant will require Internet access, handy access to Applicant's Personal Identification Number [PIN], and active participation to enter the PIN.
- AR* \_\_\_\_\_ Applicant makes Consultant its authorized signer. By selecting this option, Consultant will handle certifications on behalf of Applicant. Applicant acknowledges that Consultant must rely 100% on Applicant's assurances for certifications and that Applicant still bears full liability for ramifications if the veracity of the certification assurances is questioned.
- \_\_\_\_\_ Applicant is responsible for all forms submissions and Consultant is available to provide expert consultation. Applicant acknowledges the greater risk of missing deadlines and incorrect data entry with this approach. For this option, an additional E-RATE WAIVER FOR CLIENT CONTACT INFO ON SLD FORMS is required.

**E-Rate eligibility certification from (a) above:**

I certify that:

- AR* \_\_\_\_\_ Applicant's school(s) is/are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million dollars.
- \_\_\_\_\_ Libraries in Applicant's system are eligible for assistance from a State Library Administrative Agency under the Library Services and Technology Act of 1996, Pub. L. No. 104-208, § 211 et seq., 110 Stat. 3009 (1996) that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary, secondary schools, colleges, or universities).

**Tech Plan certification from (c) above:**

I certify that:

- AR* \_\_\_\_\_ To the extent required by E-Rate program rules, Applicant's entity(ies) is/are covered by a technology plan(s) that will be/is/are written, that cover(s) all 12 months of the funding year, and that has/have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service. E-Rate program rules stipulate:
- No technology plan needed if applying for Priority 1 services only (i.e., Telecommunications and/or Internet Access categories of service as defined by the E-Rate program).
  - A technology plan is required if applying for Priority 2 services (Internal Connections and Basic Maintenance).

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**Attachment A**

Currently authorized representatives of Consultant, for the purposes of this Letter of Agency, are as follows:

- Mark L. Miller, Ph.D.
- Eileen Miller
- Tom Wilkerson
- Loren Parkhurst
- Byron Davies, Ph.D.
- Rick Van Sickle
- Andree Miller
- Gia Abello
- Linda Cecil
- Anne Petrie
- Bully Soares
- Derek Rochelle

This attachment may be updated from time to time by Consultant, to reflect changes in its assignment of employees and subcontractors, upon prior written notice to the Applicant, signed by Consultant's Executive Director or duly authorized representative.

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Home » Resources » School Directory » Search Results » Details

## California School Directory

### School: Vista Charter Middle

|   |  |
|---|--|
| <b>County</b>                                     | Los Angeles  |
| <b>District</b>                                   | <a href="#">Los Angeles Unified</a>  |
| <b>School</b>                                     | Vista Charter Middle   |
| <b>CDS Code</b>                                   | 19 64733 0122739   |
| <b>Low Grade</b>                                  | 6  |
| <b>High Grade</b>                                 | 8  |
| <b>Web site</b>                                   | <a href="http://www.vistacharterschool.org">www.vistacharterschool.org</a>   |
| <b>School Email</b>                               |  |
| <b>Phone Number</b>                               | (213) 201-4000   |
| <b>Fax Number</b>                                 | (213) 201-5861   |
| <b>Charter</b>                                    | Yes  |
| <b>Charter Number</b>                             | 1234   |
| <b>Charter Funding Type</b>                       | Directly funded  |
| <b>NCES/Federal School ID</b>                     | 12776  |
| <b>School Address</b>                             | 2900 West Temple St.<br>Los Angeles, CA 90026-4516<br><a href="#">Yahoo Map</a>                                    |
| <b>Mailing Address</b>                            | 2900 West Temple St.<br>Los Angeles, CA 90026-4516   |
| <b>Administrator(s)</b>                           | Roger Avila<br>Principal<br><a href="mailto:principal@vistacharterschool.org">principal@vistacharterschool.org</a> |
| <b>Status</b>                                     | Active   |
| <b>Open Date</b>                                  | 9/1/2010   |
| <b>School Type</b>                                | Intermediate/Middle Schools (Public)   |
| <b>Year Round</b>                                 | No   |
| <b>Statistical Info</b>                           | <a href="#">Quick Link to DataQuest Reports</a>  |
| <b>CDS Coordinator (Contact for Data Updates)</b> | Grace Pang Bovy<br>213-241-2450<br><a href="#">E-mail Update Request</a>   |

[Back](#)   [New Search](#)

### Submitting Corrections

**District/County Office Personnel**

- [OPUS-CDS Application and Resources](#)

Access the OPUS-CDS Web application, as well as useful information for using this application.

- [CDS Change Request Forms](#)

For changes that cannot be made through the OPUS-CDS Web application, authorized district personnel may complete a CDS change request form and mail it to the CDE.

#### Public

- Changes initiated by the public must be routed through the LEA CDS coordinator.

## Resources

- [Schools & Districts](#)

Access information on CDS Codes, CDS-related forms, school code assignments, and district reorganizations.

- [Educational Resources Catalog](#)

Obtain printed and electronic copies of the California Public School Directory and other publications from the CDE's Publications Office.

- [Public School Database \(downloadable\)](#)

Downloadable file of California public schools and districts.

- [County Offices of Education \(COE\)](#)

Obtain links to all COE Web sites.

- [Search for public schools nationwide](#) (Outside Source) on the National Center for Educational Statistics (NCES) Web site.

- [Search for private schools nationwide](#) (Outside Source) on the National Center for Educational Statistics (NCES) Web site.

- [DataQuest](#)

Access a variety of data for the state, counties, districts, and public schools.

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Questions: [Educational Demographics Office](#) | [cdsadmin@cde.ca.gov](mailto:cdsadmin@cde.ca.gov) | 916-327-4014

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California Department of Education  
1430 N Street  
Sacramento, CA 95814

[Contact Us](#) | [FAQ](#) | [Web Policy](#)

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Service Agreement

**Section 1 Customer Information**

Account Number (existing acct) 59429

Company Legal Name (Individual if Sole Proprietorship) SANTA MONICA BOULEVARD COMMUNITY CHARTER SC

Doing Business As (DBA) \_\_\_\_\_

Contact Name and Title RAMIREZ  
ALBERTO MARTINEZ - TECHNICAL COORDINATOR

Telephone Number 818-425-2359 3 Fax Number 213/201-5861 Email ALBERTO13X@MAC.COM

Service Address: 1900 W TEMPLE ST -

City LOS ANGELES State CA Zip 90026

**Section 2 TelePacific Services**

TelePacific will provide Customer with the specified type and amount of Services at the rates, and terms and conditions listed below, and Customer shall accept and pay for Services under the Terms and Conditions to which Customer agreed on the Telecommunications Account Agreement that governs this Service Agreement.

| Description of Services  | Account Term (Yrs) | QTY | Monthly Recurring Charge (MRC) | MRC Total  | Set-up Charge (NRC) | NRC Total  |
|--|--------------------|-----|--------------------------------|------------|---------------------|------------|
| FlexCheck Promo (Paid In 4 Equal Payments)   | 3                  | 1   | \$0.00                         | \$0.00     | (\$600.00)          | (\$600.00) |
| Install Discount   | 3                  | 1   | \$0.00                         | \$0.00     | (\$992.75)          | (\$992.75) |
| CA Basic T-Pack 1000   | 3                  | 3   | \$35.00                        | \$105.00   | \$0.00              | \$0.00     |
| MACD Charge: Reconfig  | 1                  | 1   | \$0.00                         | \$0.00     | \$200.00            | \$200.00   |
| OneCentral   | 3                  | 1   | \$0.00                         | \$0.00     | \$0.00              | \$0.00     |
| Fax Central  | 3                  | 10  | \$4.95                         | \$49.50    | \$4.99              | \$49.90    |
| Double Dash: Fax Central Service   | 3                  | 10  | (\$4.95)                       | (\$49.50)  | (\$4.99)            | (\$49.90)  |
| Double Dash: SmartVoice - Call Paths - EN  | 3                  | 4   | (\$12.00)                      | (\$48.00)  | \$0.00              | \$0.00     |
| Double Dash: T-Pack Minute Bundle 1000   | 3                  | 3   | (\$35.00)                      | (\$105.00) | \$0.00              | \$0.00     |
| Business Line Deluxe (P)   | 3                  | 6   | \$18.61                        | \$92.55    | \$75.00             | \$375.00   |
| SmartVoice Feature Discount  | 3                  | 1   | (\$10.00)                      | (\$10.00)  | \$0.00              | \$0.00     |
| 10MB Ethernet Access - Tier 1  | 3                  | 1   | \$639.00                       | \$639.00   | \$500.00            | \$600.00   |
| 10MB Ethernet Port   | 3                  | 1   | \$350.00                       | \$350.00   | \$0.00              | \$0.00     |
| DID Numbers (blocks of 20)   | 3                  | 1   | \$10.00                        | \$10.00    | \$117.75            | \$117.75   |
| INOC - Basic   | 3                  | 1   | \$0.00                         | \$0.00     | \$0.00              | \$0.00     |
| IP Addresses (block of 8)  | 3                  | 1   | \$0.00                         | \$0.00     | \$0.00              | \$0.00     |
| Tier Z Equipment Upgrade   | 3                  | 1   | \$0.00                         | \$0.00     | \$0.00              | \$0.00     |
| Addendum to the TAA 3-Year Pricing on a 2-Year Term  | 3                  | 1   | \$0.00                         | \$0.00     | \$0.00              | \$0.00     |
| EN SmartVoice PRI 12 Call Paths - Unlimited Local, IntraLATA Usage (additional charges for InterLATA, International and Toll-free calling) | 3                  | 1   | \$144.00                       | \$144.00   | \$0.00              | \$0.00     |
| Ethernet - Internet  | 3                  | 1   | \$100.00                       | \$100.00   | \$0.00              | \$0.00     |

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Service Agreement

|                 |   |   |        |        |            |            |
|-----------------|---|---|--------|--------|------------|------------|
| GM Adjustment : | 3 | 1 | \$0.00 | \$0.00 | (\$200.00) | (\$200.00) |
|-----------------|---|---|--------|--------|------------|------------|

|             |            |            |
|-------------|------------|------------|
| Sub Totals: | \$1,177.55 | (\$500.00) |
|-------------|------------|------------|

|  |         |
|--|---------|
| Other Charges and Fees ( LDAC and EUCLG ): | \$23.15 |
|--|---------|

Federal, State and Local taxes along with the Administrative Service Fee (ASF) are not included. ASF is an account-level fee based on Invoiced monthly recurring charges (MRCs) and usage to cover costs for regulatory compliance and administering and processing federal, state and local fees and taxes and public program surcharges. A minimum ASF of \$12.50 shall be charged on Invoiced MRCs and usage up to \$250.00; \$25.00 ASF on Invoiced MRCs and usage totaling between \$250.01 and \$2,500.00; and ASF calculated as 1% of Invoiced MRCs and usage totaling more than \$2,500.00.

Agreed By, Customer Signature: *Alberto Ramirez* Date: 1/15/11  
 Customer Name (Print): Despina Catalay Title: TECH COR  
 Sales Representative Name: \_\_\_\_\_ Phone: 9079458421  
 Agreed By, Sales Manager Signature: *[Signature]* Date: 1/15/2011



Andree Miller <andree.miller@learningtech.org>

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**Fwd: TelePacific Com m.CONTRACT FOR VISTA CHARTER**

1 message

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Alberto Ramirez <aramirez@vistacharterschool.org>  
To: Andree Miller <andree.miller@learningtech.org>  
Cc: Alberto Ramirez <aramirez@vistacharterschool.org>

Fri, Mar 8, 2013 at 3:31 PM

The Contract says Santa Monica Blvd. but it its for us, VISTA.  
Respectfully,

Alberto Ramírez  
Director of Operations  
VISTA Charter Middle School  
[www.vistacharterschool.org](http://www.vistacharterschool.org)  
2900 W. Temple Street  
Los Angeles, CA 90026

818-425-2359  
[aramirez@vistacharterschool.org](mailto:aramirez@vistacharterschool.org)

Begin forwarded message:

**From:** TelePacific Customer Care <[telepacificcustomers@telepacific.com](mailto:telepacificcustomers@telepacific.com)>  
**Subject:** TelePacific Comm.  
**Date:** March 8, 2013 3:29:10 PM PST  
**To:** "[aramirez@vistacharterschool.org](mailto:aramirez@vistacharterschool.org)" <[aramirez@vistacharterschool.org](mailto:aramirez@vistacharterschool.org)>

Please see attachment for copy of contract, any additional questions please call Customer Service at 877-487-8722 option 3.

Thank you

**Customer Service**

**TelePacific Communications**

**Phone: 877-487-8722**

**Fax: 866-891-2088**

**E-mail: [customer\\_care@telepacific.com](mailto:customer_care@telepacific.com)**

**Billing website: [www.telepacificonecentral.com](http://www.telepacificonecentral.com)**

**Please do not reply to this e-mail**

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2 attachments



sigimg1.jpeg  
15K



59429.pdf  
99K

# REQUEST FOR PROPOSALS

## E-Rate Eligible Products and Services

### Funding Year 16: 7/1/2013 – 6/30/2014



**Applicant: Vista Charter Middle School**  
**Billed Entity Number: 16071509**  
**Establishing Form 470: 627840001099846**

#### **ATTN: E-RATE TECHNOLOGY BID**

2900 W. Temple Street  
Westminster, CA 92683  
Los Angeles, CA 90026

[www.vistacharterschool.org](http://www.vistacharterschool.org)

***Submit questions about this RFP by electronic mail to:***

**[erate.vista@learningtech.org](mailto:erate.vista@learningtech.org)**

**Deadline for submission of proposals:**

**2/25/13 at 5:00pm Pacific Time**

**0. E-Rate Program Background**

This Request For Proposals [RFP] is posted in conjunction with the Schools and Libraries Division [SLD] Forms 470 and 471, in partial fulfillment of the requirements for FCC Universal Service Fund [*E-Rate*] discounts. E-Rate provides discounts for certain school technology products and services, including (Priority 1) voice and data telecommunications; Internet access; and (Priority 2) internal connections; and basic maintenance of internal connections. For more information about this Federal program, and before responding to this RFP, please refer to the SLD web site, [www.usac.org/sl/](http://www.usac.org/sl/), or call the SLD Help Line at 888-203-8100.

***Learningtech.org*** [The Miller Institute for Learning with Technology] is ***not*** the E-Rate ***Applicant***. Learningtech.org is Applicant's ***Consultant***, retained to handle competitive bidding interactions and other aspects of the E-Rate application. Therefore, please do not contact school personnel either with general questions about E-Rate, or to offer ineligible services or services not requested on this RFP. All questions and contacts should be via electronic mail, addressed as indicated on the cover page above. Learningtech.org staff will gather the necessary information to respond to legitimate questions and provide answers by posting addenda or amendments clarifying this RFP on the same web site as the original RFP. All such postings are considered formal elements of this RFP and are incorporated by reference into any resulting agreements. Postings may occur from time to time during the bidding period; please be sure to check back periodically while preparing your proposal. Telephone, facsimile or U.S. mail inquiries are strongly discouraged, and are apt to be overlooked during proposal evaluation. As a school/district, library or education-related consortium, the Applicant does not have the personnel resources to respond to generalized inquiries or blanket advertising broadly targeting E-Rate applicants. Such materials shall be deemed "Unsolicited Commercial Email" (spam); Applicants have no obligation to respond to spam. Repeated spamming could cause *all* of your information to be discarded, your email address to become blacklisted by our filtering system, and/or (at a minimum) divert reviewer attention from any materials intended as serious, legitimate responses to this RFP. Please clearly indicate to which of the following requirements your proposal is a valid response.

Vendors should have, or should promptly apply for, a valid Service Provider Identification Number [SPIN] and meet other criteria, as further described herein. For coordination of California Teleconnect Fund discounts for Priority 1 services in California, service providers must discount invoices to the Applicant and submit the balance to the E-Rate program via Service Provider Invoice [SPI] forms, as specified by the SLD. Invoicing information is further described below. Your proposal should refer to this RFP, the Applicant name, the establishing Form 470 Number and Billed Entity Number. You should also clearly indicate your currently valid SPIN number and FCC Registration Number [FCC RN]. ***Descriptions of products and services are expected to provide sufficient line item detail, in a format suitable to serve as Form 471 Item 21 attachments, with minimal need for Applicant modification.***

Applicant intends to procure, and seeks only proposals that are fully compliant with, all state and local procurement rules, codes and regulations, as well as being fully compliant with all rules and guidelines of the E-Rate program.

## 1. Introduction and Scope

Starting with Funding Year 16 (July 1, 2013 – June 30, 2014), **Vista Charter Middle School** [Applicant] seeks proposals for eligible products and services in the following categories of service:

- Telecommunications
- Internet Access
- Basic Maintenance of Internal Connections

Applicant intends to obtain technically sound, cost-effective, eligible products and services to improve telecommunications and/or Internet access services and/or technology infrastructure improvements and/or basic maintenance of infrastructure, to enhance student achievement in its classrooms. Qualified entities offering these products and services [Vendors] should submit proposals including detailed descriptions, with all costs associated with the delivery of the products and services (parts, labor, installation, testing, acceptance, configuration, turn-up, applicable taxes, shipping, and so on). Any line items not 100% eligible for E-Rate discounts according to program rules should be isolated, with separate subtotals. Items that are conditionally or partially eligible should also be noted. Ineligible items should be eliminated when possible (or minimized where necessary but ineligible) and broken out as separate line items or separate proposals. Proposals for ineligible products and services, however potentially useful to school technology programs (such as, say, interactive white boards or end user computers) should *not* be submitted in response to this RFP; Applicant will seek whatever additional, ineligible products and services are needed to implement their technology plan, separately, at another time. Apparent attempts to include excessive quantities of ineligible items, deliberately misrepresent the eligibility of items or otherwise circumvent program rules will result in disqualification.

### 1.1 Evaluation Methodology

Each responsive proposal meeting the minimum qualifications will be evaluated using weighted criteria including cost of the eligible products and services as the highest weighted factor. Secondary factors may also be considered as further described below.<sup>1</sup> For any given solution, after elimination of nonresponsive or bids that fail disqualifying factors, the proposal that is deemed to be most cost-effective and therefore in the best interest of the Applicant, based on scoring these factors, will be selected.

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<sup>1</sup> E-Rate regulations require that cost of the eligible products and services be the highest weighted but not necessarily the only factor considered.

All qualified, responsive proposals will be evaluated using the following factors and weights.

| Factor  | Weight      |
|---|-------------|
| Cost of eligible products and services                                      | 25%         |
| Functionality/specs of proposed solution <sup>2</sup>                       | 20%         |
| Vendor: qualifications, credentials, certifications, experience, references | 20%         |
| E-Rate compliance/experience/track record <sup>3</sup>                      | 15%         |
| Contract terms and conditions <sup>4</sup>                                  | 10%         |
| Extent to which a complete turnkey solution is provided <sup>5</sup>        | 10%         |
| <b>Total</b>  | <b>100%</b> |

## 2. REQUIRED TERMS AND CONDITIONS

### 2.1 Submission Deadline & Delivery Address

The deadline for submission of proposals is as *shown on the cover page* above. If the deadline is extended, an amendment will be posted on the same web site as the original RFP, indicating the change.

Proposals should be submitted as follows (*both* items are expected):

- Via email<sup>6</sup> (preferably one file, consecutive page numbered, MS Office or PDF format) to: [erate.vista@learningtech.org](mailto:erate.vista@learningtech.org)
- Signature page(s), *signed by Vendor*, via facsimile to 866-801-8667, Doc-U-Sign or

<sup>2</sup> In the case of Internet services, *functionality* could include: whether provider is considered “Tier 1,” “Tier 2,” or lower; peering arrangements; whether service is symmetrical; speed and latency of connections; whether a sufficient number of public (static) IP addresses are offered; whether public forward and reverse (in-addr.arpa) lookup DNS services are provided; uptime guarantee or Service Level Agreement [SLA]. For Priority 1 services, whether Customer Premise Equipment [CPE] meets the criteria to be treated as Priority 1, rather than Internal Connections, is also a consideration. If self-installation is required, sample instructions should be provided; installation complexity may be considered.

<sup>3</sup> Vendor’s valid SLD SPIN number or evidence of application for SPIN and FCC Registration Number may be a disqualification factor. For Telecommunications Services proposals, except in the case of dark fiber, Eligible Telecommunications Provider status (a.k.a. “common carrier” or “499 Filer”) may be a disqualification factor. Up-to-date, annual SPAC filings are expected. Routinely successful SLD funding approvals and no history of suspension, debarment or frequent Selective Reviews/High Cost Reviews for E-Rate applications involving your firm may be considered as part of this factor. Higher score may be given to proposals that include an Item 21 Attachment suitable for inclusion with Form 471.

<sup>4</sup> Among other considerations as to terms and conditions, Applicant prefers but does not necessarily require contracts with 1-year term and options for voluntary annual renewal up to three years, starting on July 1 and ending on June 30 (September 30 for Internal Connections) of the funding year.

<sup>5</sup> *Turnkey* means: within a given category, Applicant has a preference, but not a requirement, for a solution wherein a single contract with a single vendor completely addresses all the requirements (or even addresses multiple categories, such as Telecom and Internet). In the case of Priority 1 services, solutions in which customer premise equipment [CPE] meets the requirements for Priority 1 are preferred. Consolidated billing (mapped to Funding Request Numbers [FRNs] and SPINs) is also a plus.

<sup>6</sup> In the unlikely event of technical difficulties with email, please contact Learningtech.org staff at 650-598-0105 x0 or via fax at 866-801-8667 to explain your difficulty and request a workaround delivery procedure.

scan-to-email to: [erate.vista@learningtech.org](mailto:erate.vista@learningtech.org)

***Signature page should be executed by an authorized representative of your firm and show the date signed. There should also be a place for the Applicant to sign and date, in the event your proposal is accepted for award.*** It is the sole responsibility of Vendors to ensure that responses arrive in a timely manner. The Applicant has the right but not the obligation to reject all late or incomplete submissions, as the Applicant determines to be in its own best interest, or to contact vendors to seek corrections (such as missing signature page or technical difficulties opening attachments). Applicant reserves the right but has no obligation to determine a short list for final negotiations and contract revisions after the submission deadline, or to accept the winning proposal as submitted on the deadline date and execute without further discussion. Applicant has the right to make zero, one or multiple, exclusive or non-exclusive awards pursuant to this RFP, with or without best and final offers or additional negotiations.

Oral and telephone bids cannot be considered, nor can modifications of proposals by such communication be considered until written versions are provided. The completed proposal form must be without erasures or alterations unless each such correction is initialed by both parties. Delivery of the proposals will be considered sufficient authorization from the Vendor to the Applicant to make a binding contract based on the scope, terms and conditions of the proposal, with this RFP and any amendments to it included intact or by reference.

## **2.2 Costs Associated with Preparation of the Vendor's Response**

The Applicant will not be liable for any cost incurred by the respondents in preparing responses to this RFP or negotiations associated with award of a contract.

## **2.3 Subcontractors**

All subcontractors working on Applicant's projects must meet the same standards and qualifications applicable to vendor's regular employees, including all applicable drug-free, bonding and insurance requirements.

## **2.4 Interpretation, Additional Information, Corrections and Addenda**

Any interpretation, correction, clarification or change of this RFP will be made by posting an Addendum or Amendment on the same web site as the original RFP. Interpretations, corrections or changes to the RFP made in any other manner, such as verbally during a *walk through*, will not be binding; Vendors should not rely upon such interpretations, corrections or changes unless so posted in writing. It is the sole responsibility of the Vendor to check for all posted Addenda and Amendments throughout the time period from posting of the RFP through the deadline for submission of proposals. Questions or requests for clarification of this RFP should be sent to the email address shown on the cover page above. Except where explicitly stated to the contrary, Vendors should not attempt to contact Applicant personnel by any method during the bidding period; such contacts can potentially taint fair and open competitive bidding, thereby disqualifying your firm. Answers to substantive questions submitted by email will be posted on the web site and should be considered amendments or clarifications that are integral to this RFP.

## **2.5 Omissions**

Omissions in the proposal of any provision herein described shall not be construed as to relieve

the Vendor of any responsibility or obligation for complete and satisfactory delivery, operation, and support of all proposed products and services; nor shall such omission cause Applicant to waive any of the terms and conditions stated herein.

## **2.6 Implementation, Acceptance, Financing and Payment**

After written notification of contract award and before the start of work, the Vendor will later receive purchase order(s) [POs], carrier service order(s) [CSOs] or similar written instructions to begin providing the products and services pursuant to the contract(s) awarded as a result of this RFP. Applicant reserves the right to determine, on a case by case basis, whether or not implementation shall be contingent on receipt of a favorable Funding Commitment Decision Letter [FCDL] for approximately the amounts anticipated; and in the case of multi-year contracts, this right may be newly asserted for each successive year of the contract. In the event of funding at a lower level than anticipated, Applicant reserves the right to reduce the scope of work accordingly or to cancel the project entirely, at its sole discretion. Applicant also reserves the right to start service immediately upon contract award, with the understanding that services through June 30 of the prior year would not be eligible for E-Rate discounts, to wait until July 1 of the funding year, so as to ensure that all goods and services remain potentially eligible for E-Rate discounts, or to wait for FCDL, after July 1, for the strongest assurance of discounts. Vendors must not deliver products or start work before so advised in writing.

Invoices should clearly indicate the **total** cost of services, the Funding Request Number [FRN], the Service Provider Identification Number [SPIN], the portion that is the responsibility of the Applicant, and the E-Rate discount. Invoices for non-recurring costs must not be dated prior to July 1 of the relevant funding year, even if Applicant authorizes early implementation. Applicant has the right to conduct acceptance procedures such as equipment testing or a *walk through* before payment. Applicant will strictly enforce contract quality provisions including applicable industry and/or manufacturer standards. For telecommunications services within California, SLD's "SPI" mode of invoicing is **required** for compliance with California Teleconnect Fund **stacking**. Otherwise, choice of SPI versus "BEAR" invoicing should be at Applicant's discretion. Vendor proposal submission implies willingness to comply with invoicing provisions.

To the extent compliant with E-Rate, local, and state procurement rules, Applicant reserves the right to adjust quantities or to cancel this entire project or any portion thereof, in the event of significant changes in circumstances beyond Applicant's control, such as reduced E-Rate funding, major state K-12 budget cuts or inability to obtain required permits. Applicant will notify the Vendors promptly in case of scope changes or if project must be cancelled and will file Form 500 or other applicable forms to notify the SLD in the case where scope reduction or cancellation occurs after a favorable FCDL.

In the event of significant delays, such as due to late FCDL, should the project eventually proceed, Vendor agrees to use best efforts as necessary to substitute equivalent or better parts or services at equivalent or better pricing, so as to enable compliant Service Substitutions where necessary (such as due to "product end of life" situations caused by the delay). Labor rates, where applicable, should not increase by more than is justifiable by an objective third-party measure of inflation such as the Consumer Price Index [CPI] during the period of delay.

## 2.7 Warranties and/or Service Level Agreements

The Vendor shall fully warrant with the manufacturer's warranty or better all items provided under this RFP against defects in material and workmanship. Warranty information should be on a per item basis on the RFP and detailed in the Bid Proposal. Warranty information and/or Service Level Agreement should be explicitly documented in the Vendor's Proposal. The vendor may also be expected to provide on-site service in addition to the manufacturer's warranty, so please describe this service in detail where available.<sup>7</sup> Should any defects in workmanship or material, excepting ordinary wear and tear, appear during the warranty period, the manufacturer and his representative shall repair or replace such items promptly upon receipt of written notice from Applicant. If there is an associated Service Level Agreement [SLA], including but not limited to uptime guarantees, Vendor will promptly apply credits as specified by the SLA.

## 2.8 Price Quotations

Price quotations should include the furnishing of all materials, equipment, maintenance, shipping cost, delivery, installation, licenses, testing, documentation, taxes, surcharges, and the provision of all labor and services necessary or proper for the completion of the work, except as otherwise expressly stated in the contract. The Applicant shall not be liable for any costs beyond those proposed and awarded. Time and materials proposals **are not** acceptable for this RFP.

In the case of Priority 1 services, if applicable, it is expected that increasing bandwidth at a given site or adding additional sites would not arbitrarily extend the term of the contract and might result in improved volume pricing. Shipping costs should be estimated F.O.B. the address(es) specified herein. In the case of Priority 2 services, if applicable, contracts should allow for extension of implementation schedule for up to thirty-six months (36 months) in the case of delayed FCDL, with reasonable provisions for annual price adjustments as indicated herein.

## 2.9 Clarification of Responses

The Applicant may at its discretion and at no fee to the Applicant, invite any Vendor to appear for questioning (live or via telepresence) during response evaluation for the purpose of clarifying statements in the response or negotiating terms.

## 2.10 Right to Reject; Unit Pricing

The Applicant reserves the right to accept or reject all proposals when the rejection is in the best interest of the Applicant, such as when no proposal is deemed to be cost-effective or when circumstances have changed significantly since posting of this RFP. The Applicant further reserves the right to accept an "authorization to order" [ATO] form of contract but then never order any items against that contract.

Applicant reserves the right to award for some, all, or none of the products and services sought herein; if your bid does not allow for selection of a subset of line items or minor variations in the quantities required, please clearly indicate these limitations. If unit pricing varies as a function of volume purchased, please clearly indicate pricing tiers in your proposal.

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<sup>7</sup> Certain services may be eligible for E-Rate discounts as Basic Maintenance.

## 2.11 Acquisition Policies and Other Applicable Regulations

Applicable regulations impose a number of duties and responsibilities on recipients of E-Rate funds and their Vendors. Applicant intends to comply and expects Vendors to comply with all applicable local, state (including both public procurement and education codes, as applicable) and federal policies or regulations governing procurement and contracting, including the rules, regulations and guidelines of the Federal Communications Commission [FCC], Universal Services Administrative Company [USAC] and its Schools and Libraries Division [SLD]. ***It is the express intent of this RFP that competitive bidding be fair and open, in full compliance with all applicable guidelines, and that resulting contract awards comply with all applicable rules and regulations.*** Without limitation, Vendors may be obligated to comply with additional regulations, such as:

- Telecommunications Act of 1998 and subsequent FCC Reports and Orders governing the Universal Service program (including but not limited to document retention and invoicing procedures);
- Local construction codes, in the case of cabling projects;
- The Drug-Free Workplace Act, 42 U.S.C. § 702 and implementing regulations published at 15 CFR Part 29;
- Lobbying restrictions;
- Federal Equal Employment Opportunity and Non-Discrimination rules;
- The Copeland “Anti-Kickback” Act, 18 U.S.C. 874 and 40 U.S.C. 276c.

Not all of the above are necessarily applicable, and additional codes or regulations may also apply. ***It is the responsibility of the Vendor*** to determine which codes and regulations are applicable to the services that they provide and to comply with all such regulations. Please refer to <http://www.usac.org/sl/> for additional information about E-Rate rules.

The following additional resource(s) may be helpful in determining rules and regulations applicable to Vendors providing products and services via this funding mechanism.

California: See <http://www.leginfo.ca.gov/calaw.html> for information about California Public Contract and Education Codes

## 2.12 Form of Contract

Applicant will consider all allowable forms of agreement including month-to-month or tariffed services,<sup>8</sup> annual contracts, multi-year contracts and contracts with voluntary renewals, including contracts with well-defined provisions to adjust pricing for inflation as part of the annual renewal process. Applicant’s preference where appropriate is for an “Authorization to Order” type of contract, specifying pricing, terms and conditions, enabling Applicant to place orders from time to time pursuant to the contract. Pricing proposals that take into account cumulative volume over the life of the contract are helpful. Contracts with relatively onerous termination fees are apt to be scored lower, other things being equal; annual contracts allowing for voluntary annual renewals will be considered more advantageous.

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<sup>8</sup> E-Rate does not require signed, written agreements for Month-to-Month or Tariffed services; however, such arrangements must be competitively bid anew for each funding year.

This RFP and all addenda issued pursuant to this RFP shall be incorporated either in their entirety or by reference into the final contract. This RFP and any resulting contract(s) are intended to be fully compliant with all applicable state and local laws and purchasing regulations, as well as with the rules of the E-Rate program. If any aspect of this RFP or any resulting contract fails to comply in any manner with all applicable rules and regulations, it shall be amended to comply, if possible, or, if not possible, shall be considered null and void.

Vendors may bid on the entire RFP or on substantial, well-defined portions. For example, one vendor might bid only on cabling infrastructure (if requested), with a separate vendor bidding only on active network elements (if requested). However, Applicant may have a scoring preference for a single contract providing a turnkey solution; please refer to the proposal evaluation criteria above.

### **2.13 Shipping/Delivery**

Where applicable, proposals should itemize costs for mileage charges, equipment rental charges, taxes and shipping. Shipping costs should be estimated F.O.B. the physical address where products or services will be delivered. Explaining the rationale for any mileage-related charges (such as distance from Vendor's nearest Central Office [CO]) is helpful in case the service locations might change during the funding year.

### **2.14 Vendor Qualifications**

Due to technical complexity, application risk and potential liability, and to protect the Applicant's and the SLD's shared investment in infrastructure and services, Applicant expects the following industry standard certifications or evidence of equivalent qualifications *as appropriate to the products and services offered*. Failure to meet relevant minimum qualifications will justify disqualifying a proposal without further scoring.

- Proposal should provide evidence, if available, of experience successfully implementing comparably sized, approved E-Rate projects (preferred) or comparable K-12 projects if E-Rate experience is not available.
- Vendor must have received or document that they are in the process of obtaining a valid SLD Service Provider Identification Number [SPIN].
- Vendor corporation and its key personnel must not have been suspended or debarred from participation the E-Rate program.
- Vendor must have received or document that they in the process of obtaining a valid FCC Registration Number.
- Vendors proposing telecommunications services must be eligible telecommunications providers ("common carriers" filing Form 499) as defined by SLD or must show that the *dark fiber exception* applies to their offering.
- Vendor should have a history of maintaining up-to-date Service Provider Annual Certification [SPAC] filings as required by the SLD.
- Vendor should be a manufacturer authorized provider or maintainer of any proposed equipment. (For example, if Cisco or equivalent functionality equipment is being recommended, provider should document appropriate Cisco or equivalent certifications and/or partner status.)
- Vendor must maintain a Drug Free Workplace.

- All technicians/installers working at Applicant location must be bonded, or Vendor must carry appropriate amounts and types of insurance. In any event, Applicant shall be held harmless for any claims occurring during performance of this work.

During proposal evaluation, depending on the specific products and services sought and the scoring factors described above, Applicant may also take into consideration one or more of the following evidences of vendor qualifications and personnel certifications. Qualifications listed below are *illustrative* of appropriate qualifications for common E-Rate projects; this list is not intended to be comprehensive, nor are all qualifications listed applicable to all projects.

- Proposal should provide evidence of successful performance in the installation and configuration of the proposed brands of switches, routers, Internet servers and similar equipment within the K-12 marketplace during the last 3-5 years.
- Project staffing should include MCSE + Internet Engineer or equivalent certifications for any Windows or equivalent functionality server projects.
- Project staffing should include Apple-certified Engineer or equivalent certifications for any Macintosh or equivalent functionality server projects.
- Project staffing should include RCDD / Low Voltage or equivalent certificated engineer(s) for data cabling projects.
- Project staffing should include manufacturer-qualified engineers to field supervise all infrastructure installation work. (For example, Vendors of Cisco or equivalent functionality equipment should provide a Cisco CCNP/CCNA/CCIE or comparably certified engineer. Cabling offerings should provide an RCDD to field supervise any installation work on this project.)
- Proposal should provide a list of references including from 3 to 10 existing K-12 E-Rate customers and the nature of the products or services delivered, with contact information.

### **2.15 Variations, Exceptions and Waivers of Qualifications**

All variations from any of the above qualifications or other specifications of this RFP should be clearly noted and explained in the proposal. Nontrivial variations from the required qualifications listed above can result in bid disqualification. When not disqualifying, shortcomings in preferred qualifications could affect scoring on secondary factors. Applicant shall have the right but not the obligation to consider reasonable requests for minor waivers from these requirements, if Applicant in its sole discretion determines this to be in its own best interest. For example, a requirement might be waived where a certification is pending and no other fully compliant bid has been received by the deadline.

### **2.16 Disclaimer Regarding Brand Names -- Equivalent Functionality**

In various parts of this RFP, including any attachments and amendments, references may have been made to particular brands of products and services, typically in the context of providing information about the Applicant's existing infrastructure. Applicant strongly believes in open and fair competitive bidding, compliant with E-Rate rules as well as applicable state and local rules. There is neither any brand preference nor any intent to imply a bias toward any particular brand. Such references are purely intended to help convey functional or configuration information about the products and services in use. For each such reference, the phrase "compatible with" or the phrase "or equivalent functionality," if not explicitly stated, is hereby included by reference, as appropriate to the context. Applicant seeks the most cost-effective solutions consistent with the RFP requirements and program rules.

### **2.17 Vendor Walk Through**

There is no Walk Through scheduled for this RFP.

### 3. PRODUCTS AND SERVICES SOUGHT

The following background information about the Applicant's existing technology and goals may be helpful in preparing a responsive bid.

#### 3.1 Telecommunications Services

| <b>Service or Function:</b>      | <b>Quantity and/or Capacity:</b>  |
|----------------------------------|---|
| Local and long distance Services | 5 business lines with Local and long distance Services  |
| PRI                              | 1 PRI with at least 119 DIDs, local and long distance service; Prefer CPE be all Priority 1   |
| Cellular phone Services          | Service for up to 3 lines at least unlimited shared minutes per month per phone with unlimited text messages and up to 4GB of data per phone per month. |
|                                  |   |

#### 3.2 Internet Access

|                 |  |
|-----------------|--|
| Internet Access | One building starting at 10Mbps scalable to 100 Mbps |
|-----------------|--|

Vista Charter Middle School  
Y16 E-Rate Request for Proposals

### 3.3 Basic Maintenance of Internal Connections

Up to 20 hours/mo of skilled technical labor to support all eligible equipment for one school. Include rates, certs and recommended support regimen for following types/quantities of equipment listed.

See complete list of existing inventory below.

| Equipment  | # | Model  | Serial #      | Notes  |
|--|---|--|---------------|--|
| CPU Server   | 1 | ACT Computer Services                          | 7799          | Running Windows Server 2008 R2                                 |
| Monitor  | 1 | Hanns-G HSG1060                                | 022GU3BY03661 |  |
| APC Smart-UPS (Battery) Uninterruptible Power Supply   | 1 | APC Smart-UPS 5000VA 208 V Rackmount/Tower     | JS0817002087  |  |
| APC Step-Down Transformer                              | 1 | AP9626   | NS0803030771  |  |
| High Performance Covered Telephony & Networking Device | 1 | Avaya G350                                     | .081S13173668 |  |
| Module (for Telephone Device)                          | 1 | S8300 icc/LSP C V2                             | 81627000975   |  |
| Media Module (for Telephone Device)                    | 1 | MM710B TI/EI VH11                              | 81627301882   |  |
| Media Module (for Telephone Device)                    | 1 | MM710B TI/EI VH11                              | 71648503585   |  |
| HP Procurve Switch Power Supply                        | 1 | J8698A   | SG824SV3JJ    | (Box Only)   |
| HP Procurve Switch Power Supply                        | 1 | J8698A   | SG824S3K4     | (Box Only)   |
| Procurve Switch zI 875 W Power Supply                  | 1 | J8712A   | IN823TI0PX    | (Power Supply)   |
| Procurve Switch zI 875 W Power Supply                  | 1 | J8712A   | IN824TI12Y    | (Power Supply)   |
| Procurve Switch zI 875 W Power Supply                  | 1 | J8712A   | IN824TI0TB    | (Power Supply)   |
| Procurve Switch zI 875 W Power Supply                  | 1 | J8712A   | IN824TI0EZ    | (Power Supply)   |
| Procurve Switch zI 875 W Power Supply                  | 1 | J8712A   | IN824TI13T    | (Power Supply)   |
| Procurve Switch zI 875 W Power Supply                  | 1 | J8712A   | IN824TI12H    | (Power Supply)   |
| ADTRAN NetVanta 838                                    | 1 | AND-1200633G4                                  | 1200633G4     | (Voice, Data, Video & Internet Communications Across Fiber)    |
| Cisco Series Switch                                    | 1 | Catalyst 3550                                  | CAT1006Z0BS   | (Multilayer Switch that Provides high availability & Security) |
| Pro Curve Hp 24-Port Module                            |   | 24-Port 10/100/1000 PoE Gig T ZI Module J8702A |               |  |
| Cat 6 48 Port Patch Panel                              |   | AMP Netconnect Category 6 System               |               |  |

**Saturday, February 15, 2014 at 1:47:56 PM Pacific Standard Time**

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**Subject:** Fwd: [erate.vista] Request for Bid Eval Meeting**Date:** Saturday, February 15, 2014 at 1:46:43 PM Pacific Standard Time**From:** Eileen Miller <emiller@learningtech.org>**To:** eileen miller <emiller@learningtech.org>

On Wednesday, February 27, 2013 4:50:57 PM UTC-8, Alberto Ramirez wrote:  
Yes! Let's talk this Friday at 11am. Please call me on my cell at 818-425-2359.

Respectfully,



Alberto Ramírez  
Director of Operations  
VISTA Charter Middle School  
[www.vistacharterschool.org](http://www.vistacharterschool.org)  
2900 W. Temple Street  
Los Angeles, CA 90026

818-425-2359  
[aramirez@vistacharterschool.org](mailto:aramirez@vistacharterschool.org)

On Feb 27, 2013, at 3:53 PM, Andree Miller <[andree.miller@learningtech.org](mailto:andree.miller@learningtech.org)> wrote:

Alberto;  
How are you?

You may have noticed that bids have come in for the services which were requested on your RFP. Your Allowable Contract Date is 2/25/13 - which basically means after the 25th you can sign contracts for Y16 (2013-2014).

I have reviewed all of the bids and have noted what the costs would be to you per vendor in the attached Bid Evaluation Worksheet.

Next Steps:

- Review the spreadsheet
- Score each vendor from 1-5 in the yellow boxes on each tab. (you're basically selecting a vendor; the one with the highest score wins and price is weighted the heaviest; the score is calculated automatically on the green side.)
- Save and return to me.

If the above does not make sense after reviewing the spreadsheet, let's set aside a time for a phone call to do the above. Would this Friday at 11:00 am work for you? If this time does not work, please suggest another time.

Thanks for your time; looking forward to chatting with you.

--

Andree Miller  
Senior Educational E-Rate Consultant

[andree.miller@learningtech.org](mailto:andree.miller@learningtech.org)

650-598-0105 ext. 254

516-581-5783 (cell)

866-801-8667 FAX

[www.learningtech.org](http://www.learningtech.org)

<vista\_y16\_bid\_eval\_20130111.xlsx>



# Learningtech.org

The Miller Institute for Learning with Technology

12/21/2013

Carl Parker  
Associate Manager, Program Integrity Assurance  
30 Lanidex Plaza West | Parsippany, NJ 07054  
| M: 973.581.5235 | Fax: 973.599.6538  
cparker@sl.universalservice.org

## **[erate.vista] FY2013 E-Rate Applications 896236 – VISTA CHARTER MIDDLE SCHOOL**

Dear Carl;

Thank you for your PIA questions regarding Form 471 Application # **896236 for VISTA CHARTER MIDDLE SCHOOL** for the 2013-2014 funding year. I have indented the body of your letter below and interspersed our comments in a *distinctive* font to make them easy to find.

The Miller Institute for Learning with Technology [Learningtech.org] has been authorized by the Applicant to submit this PIA response on its behalf. In preparing this document, we have relied upon information and documents provided to us by authorized officials of the school organization and by their service providers. Please do not hesitate to contact us if you require any further information or clarifications regarding this application.

Thank you for helping our schools obtain the telecommunications and technology infrastructure necessary for student achievement. Please confirm receipt and send any follow-up questions to us at [erate.vista@learningtech.org](mailto:erate.vista@learningtech.org).

Respectfully submitted,  
Andree Miller  
Senior Educational Consultant  
The Miller Institute for Learning with Technology  
Consultant Registration Number: 16043681  
Andree.miller@learningtech.org  
650-598-0105 x254



PIA Information Request

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**Response due: December 21, 2013**

*On 3/4/2013 a bid evaluation meeting was held. The meeting was held by telephone conference call. Albert Ramirez, Executive Director of Vista Charter School, scored the bids. Andree Miller, E-Rate consultant from Learningtech.org, participated in the meeting as non-voting advisor and record-keeper. There were four bids:*

- *Burlingpoint*
- *Proficient*
- *Time Warner Cable*
- *Telepacific*

*Telepacific was the incumbent provider; their existing, multi-year contract was used as one of the bids. Using a compliant bid evaluation process, with cost of the eligible services as the highest weighted but not the only factor considered, it was determined that Telepacific's existing contract was the most cost-effective solution. It was selected for award on 3/4/2013 and this should be the Contract Award Date.*

- If **No**, please provide the following information:
  1. A copy of the full contract, signed and dated by the applicant.  
*(see attached –telepacific\_vista\_signed.pdf )*
  2. Were the services procured under a State Master Contract?  **Yes**  
 **No**
    - a. If **Yes**, what is the name and number of the State Master Contract?
  3. Is the State Master Contract available online or been previously submitted to us in connection with the review of another FCC Form 471 application?  
 **Yes**  **No**
    - a. If **Yes**, what is the FCC Form 471 application that was involved?
    - b. If **No**, please provide a copy of the State Master Contract.

Note: If signed and dated contracts are not required under your state law or local procurement regulations, see the instructions below.

**Signed and Dated Contracts are not required in my state (only complete this section if applicable)**

In some states, signed and dated contracts are not required under state law or local procurement regulations. If the entity receiving the services under this FRN is located in such a state, please provide the following information:

1. Supporting documentation demonstrating that this state's contract laws or the entity's local procurement regulations do not require signed and dated contracts. If you are not able to provide supporting documentation, you must instead provide a contract that is signed and dated by the applicant. Examples of acceptable documentation include: a letter from your state procurement office, a copy of your state's contract laws, or a copy of your local procurement regulations.
2. Are you authorized to make the representations set forth below on behalf of **VISTA CHARTER MIDDLE SCHOOL 16071509**, the entity represented on this letter, and are

PIA Information Request

Page 4 of 7

**Response due: December 21, 2013**

you the most knowledgeable person with regard to this information?  **Yes**  
 **No**

3. Can you confirm that the contract referenced for the FRN mentioned above meets your state or local procurement regulations or rules?  **Yes**  **No**

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in a reduction or denial of your funding request(s).

## **II. Requested Discount**

### *Issue*

Based on the review of your Funding Year **2013** FCC Form 471 application **896236**, we were not able to validate your requested discount percentage of the following entities.

For additional information on calculating your discount level, see:

<http://www.usac.org/sl/applicants/step04/discounts.aspx>.

Listed below are the entities and the requested discount percentage:

| <b>Entity</b>                        | <b>Requested Discount</b> |
|--------------------------------------|---------------------------|
| Vista Charter Middle School 16071509 | 90%                       |

### *Questions*

To assist us in the review of your application, please provide the appropriate documentation as described in the options listed below.

***Please see attached - vista\_frl\_2011\_2012.pdf***

### **Option 1: NSLP Participation**

If the school participates in the National School Lunch Program (NSLP), please provide a signed copy (preferably by the Principal, Vice-Principal, Superintendent or Director of Food Services) of a Reimbursement Claim Form that the school sends to the state each month as part of their participation in the program. Make sure that the following three items are identified on the claim form:

- a. The entity name
- b. The total number of students enrolled at the entity
- c. The total number of students eligible for participation in the Free or Reduced Lunch Program for the entity

If the school district fills out an aggregate claim form for the school, please provide a signed letter on school letterhead from a school official (preferably the Superintendent or other chief school official) that lists the enrollment and Free/Reduced information for each school in the district. The enrollment and Free/Reduced information provided in your letter should match the information that appears on the claim form.

### **Option 2: Survey**

If the discount percentage was determined by information obtained from an income survey

## PIA Information Request

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**Response due: December 21, 2013**

or application (NSLP Lunch Application forms cannot be used as survey or application instruments), please provide the following information on school letterhead signed by a chief school official (such as the Principal, Vice Principal, Superintendent or Director of Food Services):

- a. Total number of students enrolled at the school
- b. Total number of surveys/applications sent out (If a single survey is sent to households with more than one student, please indicate the total number of students represented by the surveys)
- c. Total number of surveys/applications returned (If a single survey is sent to households with more than one student, please indicate the total number of students represented by the surveys)
- d. Total number of students qualified for participation in NSLP based upon the information provided in the returned surveys/applications
- e. Are the surveys/applications and results kept on file?  **Yes**  **No**
  - i. If **Yes**, for how long are they kept on file?
- f. A statement that confirms that only students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 9a of Block 4 of the FCC Form 471

Provide a sample copy of a FILLED OUT SURVEY OR APPLICATION with the child's personal information crossed out for confidentiality. **Be advised that in order for a survey to be acceptable it must contain the family's name, student's name, the size of the family and the income level of the family.**

A school cannot include in their numbers other alternative methods, such as sibling match, direct certification etc., and then extrapolate as well. Schools may combine multiple alternative methods, such as survey results, sibling match, direct certification etc., but must ensure that the same students are not counted multiple times, and cannot extrapolate the results from multiple surveys.

**Option 3: Financial Aid forms**

If the discount percentage was determined by information obtained from a financial aid form, please provide the following information in writing on school letterhead signed by a school official (such as the Principal, Vice Principal, Superintendent, or chief school official):

- a. Total number of students enrolled
- b. A statement that confirms "all students have access to financial aid forms"
- c. A statement that confirms that financial aid applicants are required to submit Federal Tax forms to document family income
- d. A statement that confirms the number of students who meet the NSLP Income Guidelines
- e. A statement that confirms the number and percentage of eligible students that supports the requested E-rate discount level
- f. A statement that confirms the school keeps all completed financial aid application on file.

PIA Information Request

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**Response due: December 21, 2013**

- g. A statement that confirms that only students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 9a of Block 4 of the Form 471

The school must submit one completed financial aid application, with personal information blackened out. The financial aid application must have been completed within two years of the start of the fund year.

**Option 4: State Department of Education Verification**

Provide a letter from your State Department of Education (on state letterhead and signed by a chief official at the State Department of Education) verifying that the total student enrollment and the free and reduced figures you provided are accurate.

**Option 5: Letter from State Food/Nutrition Office**

Provide a letter from your State Food/ or Nutrition Service Authority officials (on state letterhead and signed by a chief official of the State or Nutrition Service Authority) verifying the total student enrollment and the free and reduced figures you provided are accurate.

**Option 6: Other Methods**

If the discount percentage was determined using a different method than any of the methods identified above, please clearly describe and explain the survey method that was used and provide all relevant data , forms, or other tools that were used during the survey process. For example, a school has a changing student population in a given school year as the school provides educational services to students drawn from other schools.

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in a reduction or denial of your funding request(s).

*Response Reminders*

Please email or fax the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review of your application(s). **Failure to send all of the information requested may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Should you wish to cancel your FCC Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

PIA Information Request

Page 7 of 7

**Response due: December 21, 2013**

**Carl Parker**

**Associate Manager, Program Integrity Assurance**

30 Lanidex Plaza West | Parsippany, NJ 07054

| M: [973.581.5235](tel:973.581.5235) | Fax: [973.599.6538](tel:973.599.6538)

[cparker@sl.universalservice.org](mailto:cparker@sl.universalservice.org)

# Fax

---

To: **Andree Miller** From: **Carl.Parker@sl.universalservice.org**  
Company: Phone:  
Subject: **Erate App#896236 VISTA CHARTER** Fax:  
Date: **December 30, 2013 2:58:47 PM** Pages: **2**

---

Please see the attached.

Thanks

Carl Parker  
Associate Manager, Program Integrity Assurance  
30 Lanidex Plaza West | Parsippany, NJ 07054  
| M: 973.581.5235 | Fax: 973.599.6538  
cparker@sl.universalservice.org<mailto:cparker@sl.universalservice.org>

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Schools and Libraries Division

**FY 2013E-rate Application Information Request**

December 30, 2013

Contact Name: Andree Miller  
Applicant Name: VISTA CHARTER MIDDLE SCHOOL  
FCC Form 471 Application Number(s): 896236

Dear Applicant:

The Program Integrity Assurance (PIA) team is in the process of reviewing your Funding Year 2013 FCC Form 471 Applications for E-rate discounts to ensure that they are in compliance with the rules of the Universal Service Program.

**I. 28 Day Waiting Period**

*Issue*

We have completed our review of your Funding Year 2013 FCC Form 471 896236 and determined that FRN 2502457 will be denied because the contract that you provided **was signed prior to the Allowable Contract Date**.

For additional information on contracts and the process of selecting a service provider, see:  
<http://www.usac.org/sl/applicants/step03/default.aspx>.

*If you do not agree with the review decision*

If the entire FRN should not be denied and you have alternative information to support your position, please provide the supporting documentation.

*Response Reminders*

Please email or fax any information that you wish to provide to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

**Carl Parker**  
**Associate Manager, Program Integrity Assurance**  
30 Lanidex Plaza West | Parsippany, NJ 07054  
| M: 973.581.5235 | Fax: 973.599.6538  
[cparker@sl.universalservice.org](mailto:cparker@sl.universalservice.org)

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Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West, PO Box 685, Parsippany, NJ 07054-0685  
Visit us online at: [www.usac.org/sl](http://www.usac.org/sl)

**Saturday, February 15, 2014 at 9:19:01 AM Pacific Standard Time**

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**Subject:** Re: [erate.vista] Erate App#896236 VISTA CHARTER MIDDLE SCHOOL  
**Date:** Tuesday, December 31, 2013 at 10:25:58 AM Pacific Standard Time  
**From:** Andree Miller <andree.miller@learningtech.org>  
**CC:** Parker, Carl <Carl.Parker@sl.universalservice.org>, erate.vista@learningtech.org <erate.vista@learningtech.org>

Carl;

As we are currently reviewing this request, is there any way that we can receive an extension? This school is currently on winter break and will not be able to provide the documentation needed before 1/13/14.

Thanks for your time.

Regards,

Andree Miller  
Senior Educational E-Rate Consultant  
[andree.miller@learningtech.org](mailto:andree.miller@learningtech.org)  
650-598-0105 ext. 254  
516-581-5783 (cell)  
866-801-8667 FAX  
[www.learningtech.org](http://www.learningtech.org)

**FCC Form 471 application filing window for Funding Year 2014 will open at noon EST on Thursday, January 9, 2014 and will close at 11:59 pm EDT on Wednesday, March 26, 2014**

On Mon, Dec 30, 2013 at 12:07 PM, Eileen Miller <[emiller@learningtech.org](mailto:emiller@learningtech.org)> wrote:

Hi Carl,

We will be back with you shortly with additional documentation, but basically, we do not agree with the review decision.

Thanks for your prompt response today,  
Eileen

Eileen Miller

VP, E-Rate & Technology Planning

[Learningtech.org](http://Learningtech.org) [The Miller Institute for Learning with Technology]

[650-598-0105](tel:650-598-0105) x252

[866-801-8667](tel:866-801-8667) FAX

[emiller@learningtech.org](mailto:emiller@learningtech.org)

---

**From:** "Parker, Carl" <[Carl.Parker@sl.universalservice.org](mailto:Carl.Parker@sl.universalservice.org)>  
**Date:** Monday, December 30, 2013 11:58 AM  
**To:** "'Andree Miller@1-(866) 8018667'" <[IMCEAFAX-Andree+20Miller+401-+28866+29+208018667@solixinc.com](mailto:IMCEAFAX-Andree+20Miller+401-+28866+29+208018667@solixinc.com)>  
**Cc:** "[erate.vista@learningtech.org](mailto:erate.vista@learningtech.org)" <[erate.vista@learningtech.org](mailto:erate.vista@learningtech.org)>  
**Subject:** [erate.vista] Erate App#896236 VISTA CHARTER MIDDLE SCHOOL

Please see the attached.

Thanks

**Carl Parker**  
**Associate Manager, Program Integrity Assurance**  
30 Lanidex Plaza West | Parsippany, NJ 07054  
| M: [973.581.5235](tel:973.581.5235) | Fax: [973.599.6538](tel:973.599.6538)  
[cparker@sl.universalservice.org](mailto:cparker@sl.universalservice.org)

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