

Platte County/Loup River Public Power District
Rural Broadband Project

Platte County, Nebraska

Request for Proposals (RFP) Notification

For

Private Provider(s) to Deploy, Operate, and Maintain a Broadband Internet
Network Which Delivers High-Speed Broadband to Unserved and Underserved
Residents in Platte County

Issued:

November 18, 2022

Summary Page

Project Location: Platte County, Nebraska

Response Due Date and Time: January 15, 2023

This Request for Proposals (“**RFP**”) is official notification of needed professional services. This RFP is being issued to solicit a response and other documents from Internet Service Providers (“**ISPs**”) or other organizations qualified to deploy, operate, and maintain a broadband internet network (“**Applicant**”) ensuring that currently unserved and underserved households, as hereinafter defined, in Platte County, Nebraska (“**County**”) are served by high-speed, reliable and affordable broadband services. Submitting a response to this RFP (“**Response**”) does not guarantee that the Applicant will be contracted to perform any services but only serves notice that the Applicant desires to be considered. The County and Loup River Public Power District (“**District**”) (hereinafter referred to as the “**Public Partners**”) are not responsible for any costs incurred by the Applicants for the preparation of any materials required for responding to this RFP.

Contact for Questions: Neal Suess
nsuess@loup.com
Phone: (402) 564-3171 ext. 268

Submittal Requirements:

RFP Response (required content and instructions follow) submitted to:

Submit To: Neal Suess
Loup River Public Power District
2404 15th Street
P.O. Box 988
Columbus, NE 68601

Selection Procedures:

Applicants will be selected to provide services further described herein, based on the evaluation of the RFP Response and other required documents as submitted. Analysis and scoring of responses shall be based on the major criteria identified in Section 6 of the RFP. The Public Partners may make one or multiple awards but are not required to make an award.

The RFP is particularly interested in Applicants’ ability to meet the funding eligibility requirements set forth in the American Rescue Plan Act of 2021, PL 117-2 (March 11, 2021), which amends Title VI of the Social Security Act (42 U.S.C. 801 et seq.) (“**ARPA**”).

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1. Introduction

This RFP reflects the commitment of the County and the District (hereinafter referred to as the “Public Partners”) to ensure high-speed broadband is available to as many currently unserved and underserved households¹ in Platte County as possible. The successful Internet Service Provider(s) or other organization(s) responding to this RFP (hereinafter referred to as “Applicants”) will be expected to deploy a network that meets the eligibility requirements set forth in the ARPA and as provided by this RFP. Successful applicants will demonstrate a clear and achievable plan to deliver high-speed, reliable, and affordable broadband communications services in unserved and underserved areas in Platte County.

The Public Partners are offering direct capital funding to qualified and committed private sector partners to support deployment of broadband services. Furthermore, to achieve their goal, the Public Partners understand it may need to fund more than one Applicant, though preference will be given to an Applicant with a commitment to provide broadband service to as many unserved and underserved Households in the County as possible.

The purpose of the direct capital funding will be to defray the cost of the infrastructure (hereinafter identified as “Assets”) necessary to meet the requirements of the RFP. Applicants may submit multiple responses to this RFP for proposals that differ in service areas, technology, requested Public Partner funding, timing of deployment, eligibility requirements or any combination thereof. However, the Public Partners will give preference to fiber-optic broadband solutions.

The Public Partners seek proposals that state clearly how many Households will be covered, at what levels of service, and how those Households will receive that service.

The inability of an Applicant’s proposal to meet the technical requirements and speeds of this RFP is not an automatic means of disqualification. The Applicant shall clearly and thoroughly define any proposed solutions or technical alternatives which may not meet the eligibility requirements of ARPA due to constraints with geography, topography, or excessive costs, including but not limited to fixed wireless solutions, but will expand high-speed internet to unserved and underserved Households.

¹ “Household” means any structure or premises used as a place of residence.

2. Project Overview, Purpose, and Objectives

The following are the Public Partners requirements and goals under this RFP.

2.1 Provide High-Speed Service to Unserved and Underserved Households

The Public Partners seek to make available high-speed broadband services to as many Households in the County as possible, specifically to underserved or unserved households and businesses, defined as those that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps upload speed as well as to provide broadband service to Public Partners facilities in select locations.

The high-speed broadband services shall specifically provide a service designed to reliably meet or exceed a symmetrical speed of 100 Mbps download and 100 Mbps upload; or in cases where the symmetrical 100/100 Mbps service is not practicable, provide a service designed to reliably meet or exceed 100 Mbps download and at least 20 Mbps upload speeds, and be scalable to a minimum of 100 Mbps download and 100 Mbps upload.

From these RFP Responses, the Public Partners will select the best Applicant, to finalize project details by creation and execution of a contract with the Public Partners.

The Public Partners do not intend to enter the broadband business as a competitive service provider. The Public Partners, specifically the District, may own a portion or the network infrastructure Assets financially supported through this RFP process by the Public Partners. The Public Partners do not intend to operate the network enterprise it financially supports through this RFP process.

The network enterprise could be owned and operated by the selected Applicant, and/or Applicant's subcontractor, as per the contract to be negotiated with the Public Partners. Further, if the Applicant is currently providing service in some areas of the County, the Public Partners require that the Applicant provide similar pricing and service tiers for broadband services in the newly served areas through this RFP.

This request for proposals does not constitute a contract for services performed or to be performed.

2.2 RFP Schedule and Publication

The Public Partners intend the project be deployed in a continuous fashion commencing immediately upon contract execution. The RFP Schedule is as follows:

| | |
|------------------------|--|
| RFP Proposal: | November 18, 2022 |
| Written Questions Due: | December 15, 2022, close of business (“COB”) |
| Q&A Response: | Week of January 1, 2023 |
| RFP Response Due: | January 15, 2023, COB |
| Begin Negotiations: | February 1, 2023 |
| Award Contract: | March 30, 2023 |
| Begin Construction: | June 1, 2023 |

2.3 RFP Submittal Process

RFP Responses must be as detailed as possible and submitted using the formats, processes, and timelines outlined in the RFP. Additional documentation is permitted to make sure all details are fully explained. Final RFP submittal information documents shall be submitted to the Public Partners as provided in Section 2.2 hereof. Documents should be well organized and presented as this will be part of the scoring for the RFP. Responses received after the specified Due Date shall result in disqualification of the Applicant's RFP submittal and will not be accepted. All Responses submitted become the property of the Public Partners.

2.4 RFP Question and Answer Process

Written questions are the sole responsibility of the Applicant concerning requirements of this RFP.

RFP Applicants must submit any technical or procedural questions related to the RFP in writing via e-mail to the following e-mail address: nsuess@loup.com

All questions related to the RFP must contain in the subject line of the e-mail the following identifier: “Platte County – Rural Broadband Coverage – Questions”

All questions must be submitted by the “written questions” due date specified in Section 2.2.

The Public Partners reserve the right to directly contact Applicants via e-mail or phone to clarify questions received.

All questions received with corresponding answers will be forwarded to all known prospective bidders or posted on the Public Partners website at www.loup.com.

2.5 Public Partners Financial Contribution

The County will provide a direct capital dollar contribution of up to \$1 million for the project under the terms and timelines specified in a negotiated contract. The District may also provide funding to deploy services to District facilities in select locations. However, the amount of such funding has not yet been determined. The Public Partners funding will be released upon completion and acceptance of agreed upon project milestones.

All deployment, maintenance, and operational costs, including customer acquisition and customer service, will be the responsibility of the Applicant.

The capital financial contribution of the Public Partners is explicitly designed to compensate and adjust the overall project’s financial metrics to acknowledge that the selected Applicant will be creating and making available specific, pre-defined broadband products within one or more specified geographic areas of rural Platte County. Contiguous geographic areas are not required.

Applicants shall consider in their responses the ability of the Public Partners to potentially enact a recovery fee to recapture its initial investment as allowable by law depending on the funding source(s).

2.6 General Requirements, Considerations and Anticipated Contract Terms

The Public Partners, at their option, may make a single award for this RFP. The Public Partners may also, at their option, make multiple awards. The contract may be awarded on the merits of the whole Response or only a part of it. By submission of a Response, each Applicant offers or acknowledges the right of the Public Partners to make the award which is in their best interest. The Public Partners may also make no award after the completion of this RFP process.

There is no guarantee a contract will successfully be awarded related to a winning Applicant's Response. The Public Partners reserve the right to cancel this RFP at any time. The Public Partners are not required to accept the lowest cost Response.

The Public Partners reserve the right to reject any Response if the evidence submitted by, or investigation of, such Applicant fails to satisfy the Public Partners that such Applicant is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

The Public Partners reserve the right to accept any Response, to reject any or all Responses, to reissue a request for proposals, to waive irregularities and/or informalities in any Response, and to make the award in any manner deemed in the best interest of the Public Partners.

The Public Partners may make such investigation as deemed necessary to determine the capability of the Applicant to perform the work, and the Applicant shall furnish to the Public Partners all such relevant information in connection therewith by the date specified by the Public Partners.

The Public Partners may conduct such investigations as they deem necessary or appropriate to assist in the evaluation of any RFP Response and to establish the responsibility, qualifications, and financial ability of the Applicant, their proposed subcontractors, and other persons or organizations submitted within an Applicant's Response to do the work to the Public Partners satisfaction within the prescribed time.

The submission of an RFP Response will constitute the representation by the Applicant that it understands and has complied with the requirements of the RFP. Submission of a Response indicates the RFP information provided was sufficient in scope and detail to convey the Applicants' understanding of anticipated terms and conditions for performance of the work.

While not shown in the schedule above, the Public Partners reserve the right to conduct interviews of Applicant(s) prior to making a final selection.

The information contained in Responses submitted for consideration by the Public Partners will be held in confidence only to the extent allowable by law. The Public Partners will honor specific requests for confidentiality of information of a proprietary nature only to the extent allowed by law if clearly marked by Applicant as "Proprietary" or "Confidential."

All Responses become public documents and are subject to public review (upon request and as allowed by law). "Proprietary" or "Confidential" items should be noted and will not be eligible for public review to the extent allowed by law. During the RFP process itself, and until a contract is awarded or the RFP is canceled, all information and documents received are confidential.

RFP Applicants assume all costs of preparation of the Responses.

RFP Responses become the property of the Public Partners.

In submitting an RFP Response, the Applicant is not required to submit a bid bond, certified check, or other evidence of financial responsibility.

The Public Partners are exempt from State, Federal, and Local taxes. The Public Partners will not be responsible for any taxes levied on the Applicant as a result of any contract resulting from this RFP.

The Public Partners acknowledge the potential for a variety of contract frameworks that may result from this RFP process and subsequent contract negotiations; however, any final contract must comply with all Public Partner requirements.

If chosen for contract negotiation, the selected Applicant must provide a description of all liability and property insurances that would be in place relative to the contract as outlined in this RFP.

The Applicant will be expected to execute a contract within sixty (60) days of notification they have been selected by the Public Partners, unless such date is extended by the Public Partners. The Public Partners reserve the right to select other candidates if a contract is not executed within the sixty (60)-day timeline.

The Applicant should expect that the disbursement of Public Partner capital fund participation will be coordinated with the achievement of specific, mutually agreed-to project milestones. Additionally, a performance bond, construction bond, letter of credit, or other method of surety may be required for all or certain portions of the project scope.

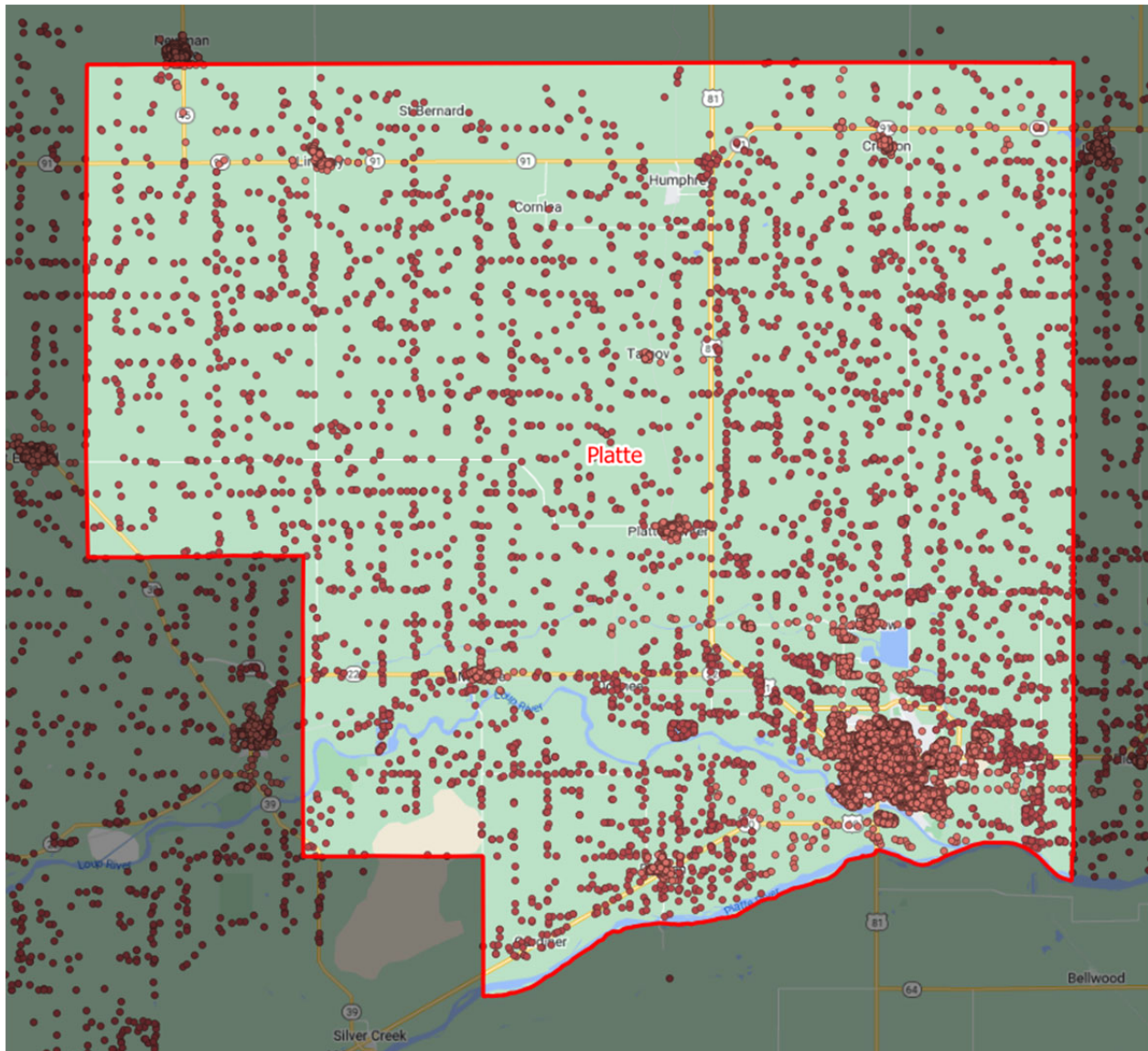
3. Service Areas

The Public Partners seeks to close the broadband availability gap throughout Platte County.

Applicants are encouraged to provide Response information engineered to the highest level of detail possible for an RFP of this nature.

Preference points will be given to the project plan that will have a major portion of the broadband infrastructure within the next two (2) years. The Public Partners also encourages the Applicant(s) to also utilize other funding sources to complete this project.

The map below depicts a general description of potential Households which may be served by the Project's fiber-optic network. Furthermore, the District has substation facilities located near Columbus, Creston, Duncan, Humphrey, Lindsay, Monroe, Newman Grove and Platte Center within Platte County.



4. Project Requirements

The following section is intended to describe the network and product requirements associated with the Rural Broadband Coverage project (the “**Project**”).

4.1 Technical Requirements

Applicants’ proposed solutions should meet the following technical performance requirements:

- a. **Uptime.** System designed to 99.9% uptime.
- b. **Backhaul.** Networks backhaul capacity per base station must be one (1) Gigabit per second (Gbps) minimum, but capable of scaling to accommodate the maximum customer capacity as designed. Total Internet peering capacity must accommodate the aggregate backhaul bandwidth of all base stations be scalable if implementing a hub-and-spoke design.
- c. **Alternate Technology Solutions.** If Applicant has a technology or solution which does not meet the speed eligibility requirements of ARPA but the technology or solution will reliably serve unserved or underserved premises with high-speed internet, Applicant is encouraged to submit a proposal which clearly identifies levels of services obtainable and the anticipated number of Households able to be served.
- d. **No Blocking.** Applicant shall not block lawful content, applications, Services or non-harmful devices;
- e. **No Throttling.** Applicant shall not impair or degrade lawful internet traffic on the basis of internet content, application or service or the use of nonharmful devices.
- f. **No Paid Prioritization.** Applicant shall not engage in paid prioritization where paid prioritization means the management of the System to directly or indirectly favor some traffic over other traffic, including through use of techniques such as traffic shaping, prioritization, resource reservation or other forms of preferential traffic management, either (a) in exchange for consideration (monetary or otherwise) from a third party, or (b) to benefit an affiliated entity.
- g. **No Data Caps.** Applicant shall not assign Data Caps to Broadband Services provide within Platte County.
- h. **Availability of Service.** Applicant shall extend the Broadband Network to pass every Household within the Project Area within the first two (2) years of the Initial Term and to all future Households in the Project Area upon Written request from a potential Subscriber.
- i. **Non-Discriminatory Access.** Applicant shall offer and provide Broadband Service to all residential Subscribers under non-discriminatory rates, terms and conditions.
- j. **No Contracts.** Except as otherwise specified herein, Applicant may require residential contracts for Broadband Service through the Broadband Network for terms of no more than one (1) year, with month-to-month thereafter, in the absence of a new or extended contract or termination of Broadband Service.
- k. **Broadband Service Drop.** Applicant shall install a Broadband Service Drop in front of one (1) driveway or access road/street for each Household in the Project Area, whether or not the occupants of the Household are existing Subscribers of the Applicant.
 - o **Limited Drop Fees.** Applicant may charge the Subscriber a fee for the extension of the Drop of up to One Hundred Dollars (\$100.00) for the first One Hundred

Fifty Feet (150') from the street/road to the Household and up to One Dollar and Fifty cents (\$1.50) for each additional foot, payable over two (2) years, which may be evidenced by a contract between the Subscriber and Applicant. Service installation requests will be completed within ten (10) business days of receipt of a written request from a potential Subscriber and shall not be unreasonably withheld.

- **No Service Delivery Modem/Router Fees.** Applicant shall not charge for Broadband Service delivery modems or routers.
 - **Speed Testing.** Applicant shall provide to the County, for review and analysis, its Speed Testing reports within ten (10) business days following the submission of such reports to the FCC or its designated contractor.
1. **Customer Service.** Applicants shall comply with all applicable FCC customer service standards.

4.2 Open Access Requirements

There are no requirements for open access related to the Rural Broadband Coverage RFP.

4.3 Network Construction Standards

Applicants should expect that upon successful completion of a negotiated contract for deployment of a broadband network, and commencement of work by the selected Applicant, the Public Partners will provide inspection oversight to ensure compliance with design and deployment standards per the negotiated contract.

The selected Applicant will fully engineer and permit the project prior to commencement of construction as a function of the negotiated contract, subject to the approval of the Public Partners.

Deployment of all fiber and fiber-related infrastructure must comply with all National Electrical Contractors Association (NECA) codes and laws at the local, state, federal, and private land levels as they pertain to fiber optic installations.

Should wireless technology be proposed for deployment, all towers, antennas, and other components utilized to deliver wireless broadband must comply with all FCC regulations regarding tower construction, spectrum registration, and applicable state/county authority over zoning and land use regulations. All newly constructed towers shall become the property of the Applicant; however, the Public Partners reserve the right to attach signal capability for dispatch. No fees may be charged to Public Partners for dispatch use.

The selected Applicant will provide the Public Partners with GIS/CAD mapping as well as provide the Public Partners with GIS/CAD mapping showing the locations of all facilities deployed and service areas of engineered coverage design(s). The Public Partners have available certain GIS layers that may prove useful to the Applicant.

However, Applicant shall note that GIS layers for parcel lines, public easements, and right of ways do not suffice as a survey for public routes. Other construction requirements that are the responsibility of the Applicant include:

- Provide the Public Partners with periodic reports of daily/weekly activities and progression towards milestones, such reports to include information as negotiated in the contract.
- Work with all appropriate agencies to obtain all required right of way approvals.
- Obtain all required permits and private easement approvals.
- Coordinate project deployment with all utilities.
- Obtain any necessary contractor licensing issued by the County's Planning and Zoning Commission.
- Provide on-site construction inspections to ensure design.
- Coordinate and resolve third party or private claims.
- Repair any and all damages to private property.
- At all times, maintain an adequate staff of experienced and qualified employees for efficient performance.
- At all times, furnish or perform any services in a safe, proper, and workmanlike, manner.

4.4 Network Equipment, Design, and Technical Specifications

The Applicant must provide network architecture documentation to the Public Partner's approval, including, but not limited to the following:

- Fiber/circuit utilization
- Equipment to be used
- Active equipment locations
- Logical equipment designs and specifications
- Any other documents necessary to define and describe the intended architecture

Network architecture should consider a redundant topology that provides resiliency in the network. While not every component of the network can be redundant, where feasible the Applicant should take steps to make service offerings as resilient as possible. It is expected that an Applicant may have some preexisting core Assets they intend to utilize in providing services to the proposed service areas. Applicants utilizing preexisting infrastructure should describe how these Assets fit into their proposed network architecture. The Applicant will be responsible for selecting equipment that can deliver the service as set forth in section 4.1 hereof.

4.5 Network Test and Acceptance Standards

The Applicant will be required to demonstrate network performance to specified speed test standards. These standards will need to be met for services offered and infrastructure built or contracted. Speeds will be tested and proven as negotiated in the contract in accordance with Section 8 hereof.

4.6 Presence in the County

While the successful Applicant will receive a capital dollar subsidy from the Public Partners, the Applicant may also be contributing significant capital and operational Assets and shall

demonstrate they can successfully deliver broadband where the network is required to offer service.

A significant component of the scoring criteria will be the Public Partners' assessment of the Applicant's proposed physical presence within the County, demonstrating its ability to provide adequate service and support to its customers. Also, the Applicant's previous commitment to serving rural areas of the County before subsidized options was available.

4.7 Network Deployment Timing

The Public Partners intend the Project to be deployed in a continuous fashion commencing immediately upon contract execution.

As stated in section 3, a majority portion of the Project would be expected to be completed within two (2) years of the acceptance of a Response. Within their RFP response, Applicants shall provide a proposed schedule for implementation that reflects the most expeditious timeline possible, including engineering, permitting, licensing, construction, and validation.

With the current state of the supply/demand of products, there will be the option to extend the timeline by written notice but no more than a one-year extension in accordance with ARPA standards.

5. Applicant Information

Each Applicant will be requested to provide background history and current capabilities. The Public Partners also request information to support Applicant's track record regarding customer acquisition capabilities, customer service capabilities, and how many and where the customers are they serving in rural areas of the County.

The Public Partners shall require the successful Applicant(s) to post a letter of credit or performance bond to support its performance obligations. The Applicant shall describe in the RFP response its ability to acquire such surety and denote the limitations of such (e.g., maximum credit lines, bond coverages, etc.).

Startups or new Service Providers with limited performance history are not excluded from participation in the RFP Response process; however, they should anticipate providing similar performance and financial due diligence information upon request.

The Public Partners reserve the right as a function of the RFP analysis process to require Applicants to identify the source(s) of Applicant's share of project funding.

The Public Partners reserves the right to contact references of the Applicant as deemed necessary to complete its valuation of each Response.

6. Rating Criteria

The following scoring matrix shall be used to determine successful Applicant(s).

| <u>Criteria</u> | <u>Points</u> | <u>Score</u> |
|---|---------------|--------------|
| Project Costs and Public Partners Contribution | | |
| How much of Platte County the Applicant intends to cover (number of Households connected) | 15 | |
| How much Applicant intends to invest | 5 | |
| Business connections | 5 | |
| Willingness to agree to an Infrastructure Support fee | 5 | |
| Proposed Solution | | |
| Overall deployment timing – priority given to projects that can be done the quickest | 5 | |
| Network Design/Proposed Solution/Redundancy | 5 | |
| Reasonably priced product tiers and speed criteria | 15 | |
| Fiber Optic Solution | 15 | |
| Applicant Background, Qualifications, and Capabilities | | |
| Currently serving unserved/underserved residents in Platte County | 10 | |
| Relevant projects in Nebraska | 5 | |
| Knowledge, team, and technical competence | 5 | |
| Financial stability | 5 | |
| Customer service capabilities | 5 | |

7. RFP Response Format

Responses shall be limited to 25 pages and should be submitted electronically in Adobe PDF format. Maps and technical drawings are not included in this page limit.

To expedite the evaluation of the RFP responses received, Applicants are required to organize proposals in the sequence below.

1. Cover Sheet
2. Executive Summary of Scope of Work
3. Cost Proposal
4. Technical Approach and Work Plan
5. Company Background
6. Statement of Qualifications

7.1 Cover Sheet

Complete the RFP “Attachment A: Cover Sheet” worksheet provided.

Provide the full legal name of the Applicant, including any previous names or doing-business-as names.

Signature of an owner, corporate officer, or agent authorized by the Applicant is required.

7.2 Executive Summary of Scope of Work

Applicant shall provide an overview of the major feature of the RFP Response. Include any suggestions, conclusion, recommendations, or assumption the Applicant believes are significant to the understanding of the RFP. Sequencing and description of the tasks and/or the time from for completion of the tasks is required.

7.3 Cost Proposal

Applicant shall provide a detailed breakdown of the total Project cost, and clearly indicate the requested Public Partners contribution and Applicant’s contribution. Attachment C has been provided as a template for the cost proposal. Total project cost shall not include ongoing fees such as licenses, O&M costs, or lease/rent expenses. Additional points will be awarded accordingly for the more Applicant contributes to the total project cost. Should any technical alternatives be included for the Public Partners consideration, a separate cost proposal should be included for each alternative.

7.4 Technical Approach and Work Plan

A detailed scope of work plan, to include the specific information listed below.

7.4.1 Technical and Procedural Concerns

Address technical and/or procedural concerns that may influence the proposed project. Applicants should also include any assumptions made within their response.

Explain any type of support required from Public Partners personnel.

7.4.2 Technical Alternatives

Describe any technical alternatives or exceptions to listed specifications. Cite the applicability of alternative approaches/procedures to address the Public Partners objectives and the advantages to be gained through their use. Clearly acknowledge the project technical requirements as outlined in Section 4. Any exceptions the Applicant may have to the technical requirements as outlined in Section 4 of this RFP must be clearly set forth and described. The inability of an Applicant's proposal to meet the technical requirements and speeds of this RFP is not an automatic means of disqualification. The Applicant shall clearly and thoroughly define any proposed solutions or technical alternatives which may not meet the eligibility requirements of ARPA due to constraints with geography, topography, or excessive costs, but will expand high-speed broadband to unserved/underserved Households.

7.4.3 Implementation Schedule

Describe the anticipated schedule to deploy, operate, and maintain a Broadband Internet Network, including anticipated resources required. Applicant should provide a proposed schedule for design, permitting, construction, and initiation of broadband services to the specified areas of the County. The timeline schedule should include key milestones, phasing plans, and completion timelines of payments from the Public Partners. Should any technical alternatives be included for the Public Partners consideration, a separate schedule should be included for each alternative.

7.4.4 Staff Capabilities and Experience

Applicant should clearly describe the capabilities, qualifications, and certifications of the staff to be assigned to support the Public Partners. The Public Partners realize that this work effort may require the services of multiple entities organized into a project team. Applicants have the option of engaging the services of subcontractors for completion of this project. If the proposal involves any subcontractors, provide full details on the nature of work to be performed by these subcontractors. The division of work assigned to subcontractors must be clearly specified in the Technical Approach and Work Plan section of your Response. The subcontractors' qualifications must be detailed in the Company Background section of the Response.

7.4.5 Project Location

Describe proposed project location(s). Provide coverage area Asset narratives as applicable to support the proposed design that demonstrates coverage of the project location within the specified areas(s).

Provide map(s) outlining proposed Asset placement as applicable to support the proposed design that demonstrates coverage of the project location within the specified area(s).

Clearly state how many premises will be covered, what levels of service will be received, and what technology will be used to reach those premises.

7.4.6 Service Delivery and Design

Provide detailed service delivery and design information, as outlined in the Applicant's Response, to fully describe the service delivery platform being proposed. Provide a detailed narrative and related diagrams outlining the proposed network design, the specific equipment to

be used and verification that it meets the standards specified to deliver the products as outlined in Section 4. For each product being proposed within the scope of this RFP please provide the following information as applicable:

- Downstream speed
- Upstream speed
- Monthly recurring cost (MRC) – inclusive of estimated taxes and fees for the following speeds:
 - 50mbps/50mbps, 100mbps/20mbps, 100mbps/100mbps, and Gig/Gig, if offered
- Other speeds offered
- One-time non-recurring installation costs (NRC) – inclusive of estimated taxes and fees.
- Narrative of installation requirements/process.
- Service level agreement and performance metrics for each.

7.4.6.1 Business Class Solutions

Applicants may propose any business class Internet products.

7.4.6.2 Services Required

All Responses are required to include a description of the services required as the Applicant's organization would address support of the deployment, operation, and maintenance for the delivery of broadband Internet network products and services throughout the County. Provide a narrative of current and/or intended presence in the County (i.e., sales, administrative, customer service personnel) in support of the Internet infrastructure established as a result of this RFP.

7.4.6.3 Service Level Agreements

The Public Partners have identified the following minimum service level requirements (SLR) which must be followed by the Applicant. Detailed requirements will be mutually defined by the Public Partners and selected Service Provider during contract negotiations, and may be amended, added to, and subtracted from by mutual agreement during the contract term.

- Internet access will be available ninety-nine (99) percent of each month.
- Internet access will be expected to deliver 100 Mbps download and 20 Mbps upload.
- Monitor and administer the Internet assets twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days per year.
- Provide preventative maintenance whenever possible through proactive installation of patches, upgrades, hot fixes, service packs, and updates.
- Provide constant commercially reasonable security monitoring of the Internet assets located within the County.
- Provide ongoing capacity management and planning to assure internet traffic throughput meets the required speeds.
- OTHER SLR AS DETERMINED. General Network and Testing Standard requirements are stated in Section 8 for each type of service.

7.5 Company Background

Please provide the following information as part of the company background and current capabilities:

- Overview of the company history, number of years in operation, and management team. Also, indicate if the company is currently registered to do business in the State of Nebraska as well as how much business the company is currently doing in the County as well as other areas.
- Overview of the organization's service products and capabilities. Include any brochures or marketing material which would help give the Public Partners a better appreciation for the capabilities being offered.
- Outline the company's capacity to handle a project of this size and complexity. If the capacity entails hiring additional staff should the organization be awarded the Public Partners contract for this work effort, identify the quantity and type of staff that is envisioned being added, and the time frame anticipated to make these additions. The Public Partners would prefer the staff were in place by the time the initial assessment is completed.
- Identify key staff to be assigned to the project with resumes of their personal qualifications.

7.6 Statement of Qualifications

Provide a description of (up to) three (3) projects like the one described in this RFP that the company has deployed within the last five (5) years. Outline services offered, geography covered, network design utilized, customer types served, and costs for those services. For each project provide the contact information for the primary reference for each of the projects including: the company/organization name, a primary point of contact, their title, and their phone number. The preference of the Public Partners would be to receive a list with both older established sites as well as new installations, if possible.

8. Network and Testing Standards

Applicants will be required to demonstrate network performance to specified test standards. These standards will need to be met for services offered and infrastructure built or contracted.

Test standards will be per user and include the following as outlined:

8.1 Fiber and Cabling Infrastructure

Applicants shall provide the Public Partners with the following documentation:

8.1.1 Insertion Loss Test

All optical fiber cables and cable plants shall be tested for insertion loss using Electronic Industries Alliance/Telecommunication Industries Association (EIA/TIA) Standards EIA/TIA 526-14 or EIA/TIA 526-7. Insertion loss refers to the optical loss of the installed fibers when measured with a test source and power meter (OLTS).

8.1.2 OTDR Testing

The Applicant will be required to test all fiber segments with an optical time domain reflectometer (OTDR). The tests performed are to verify the quality of the installation and for establishing baseline data for future troubleshooting. However, it shall not be used as a measurement of the light loss of the cable.

OTDR measurements should follow procedures outlined in EIA/TIA 455-59, -60, and -61.

The Public Partners reserve the right to verify through separate testing the Applicant's test data submitted.

8.1.3 Speed Testing.

Speed Testing means the testing of the speed of Broadband Service over the Broadband Network consistent with performance measure testing requirements adopted by the FCC in *Connect America Fund*, Order, WC Docket No. 10-90, DA 18-710 (re. July 6, 2018), and *Connect America Fund*, Order on Reconsideration, WC Docket No. 10-90, FCC 19-104 (rel. Oct. 31, 2019), for recipients of high-cost support, as the same may change from time to time.

8.1.4 Speed Testing Reports.

Applicant shall provide to the County, for review and analysis, its speed testing reports within ten (10) business days following the submission of such reports to the FCC or its designated contractor.

8.2 Wireless Elements

8.2.1 Coverage Mapping

For all point-to-multipoint wireless technologies, coverage must be tested and documented in a GIS format with documentation provided to the County.

8.2.2 Simulated End User Testing

If a wireless solution is proposed, Last Mile Elements will be tested at a select number of active customer sites per tower deployed. At a minimum, the Applicant will be required to secure and provision one active customer per tower deployed for this test.

To ensure the required coverage, tests will be conducted for the maximum product service delivery levels proposed by the Applicant, at three (3) sites selected by the County. These County selected sites will be located within specified coverage areas. The maximum bandwidth size proposed by the Applicant will be tested at each of these selected test sites.

If the selected Applicant's Response contains point-to-point data and/or business class Internet bandwidth level products, these are also subject to verification testing at the proposed service delivery level speeds in each Coverage Segment Zone proposed.

Simulated User Testing will consist of:

- Downstream throughput at the speeds proposed by Applicant
- Upstream throughput at the speeds proposed by the Applicant
- Latency of 100 ms or less
- Packet Loss: 99.9 percent or more packets must be passed

8.3 Leased Capacity or Wireless Point-to-Point

Testing (RFC 2544 benchmark testing or equivalent) should benchmark throughput, latency, and frame loss at multiple frame sizes to ensure performance is within specifications. All test results will be documented and delivered to the County. The County reserves the right to test any and all network components delivered to verify quality standards are met.

Attachment A: Cover Sheet

| | |
|------------------------------------|--|
| Name of Person/Business: | |
| Type of Entity: | |
| Federal Tax ID Number: | |
| Contact Person – Name | |
| Contact Person – Address | |
| Contact Person – Phone Number(s) | |
| Contact Person – Email Address(es) | |

By signing this **Cover Sheet**, I hereby attest: that I have read and understood all the terms listed in the RFP; have read and understood all terms listed in this proposal; that I am authorized to bind the listed entity into this agreement; and that should this proposal be accepted, I am authorized and able to secure the resources required to deliver against all terms listed within the RFP as published by Platte County, Nebraska and the Loup River Public Power District, including any amendments or addenda thereto except as explicitly noted or revised in my submitted proposal.

Signature of Authorized Representative

Printed Name of Authorized Representative

Date

Printed Title of Authorized Representative

Attachment B: Non-Collusion Certificate

By submission of this proposal, each vendor and each person signing on behalf of any vendor certifies, and in the case of a joint quotation each party thereto certifies, as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

1. The prices in this quotation have been arrived at independently without collusion, consultation, communications, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other vendor or with any competitor;
2. Unless otherwise required by law, prices which have been quoted in this proposal have not been knowingly disclosed by the vendor and will not knowingly be disclosed by the vendor, directly or indirectly, to any other vendor or to any competitor;
3. No attempt has been made or will be made by the vendor to include any other person, partnership, or corporation to submit or not to submit a proposal for the purpose of restricting competition; and
4. No employee of Platte County, Nebraska or Loup River Public Power District has received or will receive any payment or any other form of financial compensation from the Vendor as the result of award of this contract or promise of award to vendor.

Name: _____

Signature: _____

Title: _____

Company: _____

Date: _____

Before me, a notary public in and for said county and state, personally appeared _____, who acknowledged the truth of the statements in the foregoing affidavit on this _____ day of _____, ____.

Notary Public: _____

Name: _____

County of Residence: _____

My Commission Expires: _____

Attachment C: Cost Proposal

Complete this form in its entirety. Identify the costs for the services outlined in the RFP. If alternative technical alternatives are proposed, please submit those costs on a separate sheet.

Vendor Name: _____

| <u>Category</u> | <u>Cost Estimate</u> |
|---|-----------------------------|
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| Total Project Cost | |
| | |
| Total Public Partners Cost | |
| Total Applicant Cost | |
| Public Partners Contribution as a Percentage of Total Cost | |

Notes:

*Category – please add categories to provide a detailed breakdown of the total Project cost. Categories may depend on the proposed technology and solutions.