

REQUEST FOR PROPOSALS



PUBLIC NOTICE

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PROVIDER FOR BROADBAND NETWORK DESIGN, BUILD AND DELIVERY OF SERVICES

Pitkin County is accepting proposals for the purchase of services of a Provider for Broadband Network Design, Build and Delivery of Broadband Services. More detailed information may be obtained by contacting:

Kara Silbernagel
Pitkin County Administration
530 E. Main St. 3rd Floor
Aspen Colorado, 81611
(970) 920-5208
kara.silbernagel@pitkincounty.com

or visit the web at: www.aspenpitkin.com/rfp

Proposals must be submitted via <http://www.rockymountainbidsystem.com> no later than **3:00 pm** **MDT on October 17, 2014** to be considered.

Published in Aspen Daily News on Mondays through **October 13, 2014**.

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PURCHASE OF SERVICES FOR BROADBAND NETWORK DESIGN AND DELIVERY

PURPOSE OF RFP

In 2011, citizens of Pitkin County approved a ballot measure to allow funds from the Translator mill levy to be used to research and facilitate the extension of wireless communication and broadband capabilities. In 2012, the Board of County Commissioners identified the expansion of Broadband services to rural areas a top priority. The County is issuing this RFP in order to identify and enter into a competitive selection process with entities from the private, nonprofit or governmental sectors in order to fulfill this community need.

Pitkin County (hereinafter the "County") is seeking proposals from qualified individuals/firms for Broadband Network Design and Delivery of Broadband Services utilizing diverse technologies, including fiber and wireless networks with both traditional and non-traditional providers. The project includes the design, deployment, operation and maintenance of a broadband network that will provide residents and businesses in unserved and underserved areas of Pitkin County and surrounding areas of the Roaring Fork Watershed with competitively priced high speed data, internet, and voice services (hereinafter "broadband").

Due to the mountainous terrain of the area, the service area for this RFP extends beyond Pitkin County and includes some areas in Eagle, Garfield and Gunnison counties (Attachment A).

INTRODUCTION

The goal of the County's Broadband Initiative is to develop a cost-effective, sustainable, scalable, and modern broadband network for all areas of the County and service area. In addition to providing Broadband throughout the service area, the County's seeks to create a Broadband Network which serves as an innovative, high quality solution for other rural, topographically challenged communities in Colorado and the West.

The County seeks an independent assessment of current broadband services provided and a network design with the intent to provide broadband utilizing diverse technologies to the

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entire service area with an implementation plan, projected timeline, estimated service pricing, and proposal for maintenance/administration of the network, with full build-out achieved in the next three (3) years.

The project will result in a Broadband Network Design and Deployment Plan containing a needs assessment, network schematic, “Last Mile” connectivity solutions, preliminary engineering and construction cost estimates, estimated service pricing, and organizational and operational recommendations for maintaining and managing the network. The Plan should detail both expansion of broadband to unserved and underserved areas as well as a proposal for creating redundancy and increasing speed to existing areas.

The objective of the project is to provide redundant, competitively priced, broadband voice, internet and video services. Plans should meet the 2014 FCC Rural Broadband Experiment guidelines for service: 25 Mbps down/5 Mbps up in selected locations and at least 10 Mbps down/1 Mbps up to all locations in the project area.

Usage and pricing must be reasonably similar to usage and pricing available for comparable broadband offerings (i.e., those with similar speeds) in urban areas, and latency no greater than 100 milliseconds (ms).

BACKGROUND

Pitkin County operates eight mountaintop telecommunication sites across the region, stretching from Garfield County to Pitkin County (Attachment BC). The County owns some of the site infrastructure and provides TV and FM radio and public safety communications to the region via these sites. In addition, the County also leases space at the tower sites to commercial companies that provide fixed wireless broadband and cellular phone services. These sites are resources available as part of the network design, but must be operated and supported by the individual/firm. In addition to the eight County-owned mountain top sites, there are other communication sites throughout the region that may be available to Proposers. A list/map of known telecommunication assets is attached (Attachment C).

Attachments D-1 and D-2 depicts a 7-mile viewshed analysis from each of the seven translator towers and identifies which parcels throughout the service area may or may not be visible.

Although the municipalities within the County (City of Aspen, Town of Basalt and Town of Snowmass Village) have concentrated population densities, the purpose of this RFP is to establish a broadband network that encompasses the rural areas of the region. The County recognizes that creating a feasible business case and positive ROI is challenging for private entities in such rural areas with low population densities and complex topologies. To this end, the County anticipates a dynamic, negotiated public/private partnership in proposals.

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Population figures:

	Population	Median Income
Pitkin County	17,148	\$ 68,621
Snowmass	2,826	\$ 72,947
Aspen	6,663	\$ 71,284
Basalt*	3,857	\$ 65,625
East of Aspen	371	
Marble *	360	
Redstone	235	
Thomasville *	342	
RFV Watershed	45,747	

* includes some areas outside of county

The County believes that the viability of a providers' proposed business case is enhanced by including services to all areas of the County in addition to the targeted unserved and underserved areas, including the town of Marble in the Crystal River drainage in Gunnison County and sections of Eagle County up the Fryingpan River drainage geographically connected to Pitkin County. The County has identified specific areas which should be considered priorities in the deployment phase of the plan.

Priority areas include (see Attachment C for map of areas):

1. East of Aspen (Hwy 82 to Independence Pass)
2. Redstone/Marble (Crystal River drainage)
3. Thomasville/Reudi Reservoir (Fryingpan River drainage)
4. Other underserved drainages include: Old Snowmass, West Sopris Creek and Woody Creek

The County recognizes this project is likely too large for any one entity. Firms/individuals may have specific areas of technical or operational expertise and/or existing infrastructure in certain areas of the region where others do not. Firm(s) may propose plans for the entire project area or identify preferred areas/regions for the design and development activities.

Proposers should use their creativity, assets, unique talents and position in the industry to create the most dynamic and beneficial proposal. Proposers may choose to partner with multiple providers/firms and/or incorporate multiple technologies to deliver services to the region (outlined in Attachment A). Priority will be given to proposals that provide the most comprehensive coverage to the area outlined in this RFP.

Proposals will receive favorable rankings that leverage: (1) existing infrastructure, (2) joint partnerships and/or (3) innovative technologies as part of their proposed solution; and (4) provide widespread coverage to the region, individual or jointly.

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The County may select one or more firms, dependent upon the Proposer's identified project area.

SCOPE OF WORK

A detailed written report with an executive summary is a required deliverable. A post assessment briefing in person or via conference call will also be required. The Scope of Work includes:

1. Develop and design a network schematic for broadband that increase and improves service across the County. The plan should include:
 - (i) Service delivery methods, potential carriers, and the levels of service to be provided to each geographic area.
 - (ii) Technological and infrastructure improvements that address current gaps in the existing services and leverage any available current infrastructure.
 - (iii) The capability to upgrade the network and increase provided speeds and services as technology allows.

Identify and assess opportunities for public-private partnerships which benefit your proposal and Deployment Plan.

2. Develop a Deployment plan for the broadband network build out of the entire project area that outlines the type of installation (fiber, wireless or other technology), right-of-ways, network electronic specifications, and preliminary costs for construction. As part of the proposal provide a detailed project plan which includes; scope, assumptions and risks, tasks, milestones and timelines for providing services to priority areas and County-wide service availability. Schedule may include phasing.
3. Develop organization and network operation strategies to attract and retain network subscribers throughout the region, regardless if economies of scale are not met. Selected Proposer(s) are responsible for maintaining and sustaining the broadband network, beyond the design and build of the infrastructure. Plans should include strategies that outline possible organizational/ownership structures, including but not limited to, county managed, public-private partnerships, lease-hold agreements, co-op or authority, as well as legal requirements, maintenance and budgeting estimates.
4. Develop a plan for services marketing, pricing plan, and end subscriber customer service and support for all served areas. The proposed pricing should allow the provider to support a sustainable business model and initial competitive subscriber pricing for a 5-year period.
5. A sustainability plan for the network that demonstrates the network will seek to minimize the environmental impacts throughout the service area.

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SUBMISSION REQUIREMENTS

A proposal must contain the following, **referenced by number and in the order below**:

1. Cover Letter - summarize the proposal and include contact information: name, address, daytime phone number(s), fax number and e-mail address for person(s) to whom additional selection process requests should be communicated.
2. Qualifications - of individual/firm(s) including background and experience.
3. Project Experience - provide a description of related project experience (minimum of 2) including individual/firm's resources and activities as they relate to knowledge of high-availability network operations. Provide a summary of individual/firm's quality metrics and results.
4. Network Experience - provide a description of prior experience related to the provision of services to end-users and technical support. Include the number of customers served, average response time and service levels.
5. Individual/Firms description - a description of what is distinctive about you/your firm and the services that are offered? Describe current work load and priority of the Project as it relates to overall workload.
6. Project Team - Identify the key individuals, including sub-consultants if applicable, who are proposed to be part of the team, along with their qualifications and experience. The information should include the expected amount of involvement and time commitment for each of these individuals.
 - (i) Describe the motivations for wanting an eventual partnership with the County on this project.
 - (ii) Describe the team's alignment with Pitkin County's Broadband Network goals.
 - (iii) Provide evidence the Project Team sees the long-term benefits of keeping their ROI balanced with end user price and quality of service.
7. Approach to Plan - describe the techniques, approaches and methods to be used in developing the Network Design and Deployment Plan. This should include:
 - (i) A description of the work program, deliverables and activities.
 - (ii) An outline of the proposed work plan should accompany the narrative.
 - (iii) Any recommended revisions to the list of tasks should be described here.
 - (iv) A description of how the County can utilize its assets, resources and internal funds to meet "in the middle" with an emphasis on keeping the County's costs down while still creating a positive ROI for Proposer(s).

It is the responsibility of the proposer to assess and define the appropriate number, type, and hours of its staff required to complete the project within the schedule.

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8. Project Schedule - a description of the chronology for completing the work, including a timeline, and deadlines for each task. Provide examples of experience in phased projects where multiple partners may be involved in a complex, overall project.
9. Costs - a detailed cost proposal including travel costs, reimbursables and other expenditures.
10. Professional References - provide a minimum of three (3) professional references. The name, address, telephone number and email for a contact person for the company/organization must be provided, along with a brief description of the services provided.
11. Insurance - provide a summary of the individual's/firm's insurance coverage, including public liability, property damage, workers' compensation, automobile, and professional liability. See Section VII of the Contract for Provision of Services (Attachment E) for specific information regarding insurance coverage required by Pitkin County.
12. Contract for Provision of Services – note any exceptions or objections to the terms and conditions of the Contract for Provision of Services (Attachment E).

All responses must provide at a minimum all requested information in this document. **Any portion not included will be cause of elimination from the quote process.** Each response will be reviewed to determine if it is complete prior to actual evaluation. The County reserves the right to ask for clarification or additional information from any proposer. The proposal should include contact information for the purpose of asking for clarification. The County reserves the right to reject any or all proposals.

QUESTIONS

Questions about this RFP and the project should be directed to:

Kara Silbernagel
Pitkin County Administration
530 E. Main St. 3rd Flr
Aspen Colorado, 81611
(970) 429-2815-5208

kara.silbernagel@pitkincounty.com

All questions and comments must be received by COB **September 26, 2014**. All questions, comments and responses will be posted by **October 7, 2014** on <http://www.aspenpitkin.com/rfp> in addendum format.

SUBMITTING PROPOSALS

All Proposals must be received by **October 17, 2014 at 3:00 PM MDT**. Only electronic copies, submitted via Rocky Mountain Bid System (<http://rockymountainbidsystem.com>) in PDF format will be accepted. Faxed, emailed or hardcopy proposals will not be accepted.

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EVALUATION CRITERIA AND WEIGHTING

Selection of Proposers to be interviewed and/or the selection of the top-ranked Proposer will be based upon the following criteria and relative importance.

1. Approach to Service - 65%

- a. Completeness of the response to the RFP - 10%
- b. Project and network experience (including knowledge traditional and non-traditional broadband delivery) - 15%
- c. Qualifications of individual/firm & project team philosophy- 20%
- d. Approach to Plan and innovative strategies - 20%

2. Cost of Services - 15%

- a. Travel costs, reimbursables and other expenditures
- b. Approach to phasing and project schedule

3. Quality of References - 20%

- a. Comments from references - 10%
- b. Experience with similar past projects - 10%

ORAL PRESENTATIONS/INTERVIEWS

Individuals/firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal in an interview session with the Evaluation Panel. Additional technical and/or cost information may be requested from any individual/firm by the Evaluation Panel prior, during or after the interview for clarification purposes, but in no way will change the original proposal submitted. Interviews are at the option of the Evaluation Panel and may or may not be conducted.

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RFP SCHEDULE

September 19, 2014	Request for Proposals publicly advertised, posted on County's website (http://aspenspitkin.com/rfp), Rocky Mountain Bid System (http://www.rockymountainbidsystem.com/) and/or direct solicitations.
September 26, 2014	Deadline for all questions
October 7, 2014	All questions, comments and responses to questions posted by the County at http://www.aspenspitkin.com/rfp
October 17, 2014	SEALED PROPOSALS MUST BE RECEIVED BY 3:00 PM MDT , (1) COPY AT http://www.rockymountainbidsystem.com/
November 7, 2014	Selection of top three proposals; check references.
Week of Nov. 10, 2014	Interviews
Week of Nov. 17, 2014	Contract Negotiations
December 1, 2014	Notice of Award

TERM OF CONTRACT

Issuance of this RFP and receipt of proposals does not commit the County to award a purchase order or contract. The County reserves the right to postpone opening, to accept or reject any or all proposals received in response to this RFP, or to negotiate with other than the highest ranked proposer should negotiations with the highest ranked proposer be terminated, or to cancel all or part of this RFP.

The term of the contract will be from date of award through project completion. Any contract awarded between Pitkin County and the successful individual/firm will be a Pitkin County Contract for Provision of Services signed by both parties with attachments including proposal response with a detailed scope of work and any addendums, negotiations and original certificates of insurance. A sample Pitkin County Contract for Provision of Services is attached.

NOTE: If proposer does not agree with any terms or conditions of the Contract, the proposer must present its exceptions to the standard contract with its proposal. If no concerns are expressed by proposer, the County shall consider that all terms and conditions of the standard contract will control. If proposer has contract modifications, deletions or additions it would like County to consider, such modifications, deletions or additions must be submitted with the proposal. County reserves the right to reject proposals based on exceptions to its terms and conditions.

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OTHER TERMS AND CONDITIONS

1. Pitkin County Procurement Code:

- a. Proposer acknowledges that this proposal is solicited and submitted subject to the requirements of the "Pitkin County Procurement Code," (Ordinance #026-2005, as amended by Ordinance #03-2007). Copies available on the Pitkin County website at http://www.aspenpitkin.com/Portals/0/docs/county/countycode/procurement_code_07.pdf or upon request for a nominal charge. As such, the Proposer agrees to comply with all applicable requirements of said Procurement Code relating to proposing, contract drafting, contract administration and ethics. The requirements of the Procurement Code are incorporated herein by this reference.
- b. "Proposal" is a responsive, conforming, unconditional, complete, legible and properly executed offer on the Pitkin County Proposal Form to do the work called for in the Request for Proposals ("RFP").
- c. The Proposer shall immediately notify the County Manager in writing of any violation of said Code by the County's employees or agents, which violation is known or should have been known by Proposer, and failure to so notify the County of violations within five (5) days of knowledge of such violations shall disqualify the Proposer from award of the Contract being proposed and shall be deemed as a waiver of any action or defense that the Proposer may have against the County by reason of such violation of the Procurement Code.
- d. The submission of a Proposal shall be conclusive evidence and legal admission that the Proposer: (1) has no questions, complaints or objections in connection with the Proposal process and/or documents, subject to any requests made by Proposer for amplification, clarification, explanation, interpretation or correction pursuant to Paragraph 2.a. and 2.c., above; (2) has no questions, complaints or objections as to the completeness, sufficiency, scope or detail of the Proposal Documents; and (3) has full knowledge of the scope, nature, quality and quantity of work to be performed, the detailed requirements of the Proposal Documents including any and all contract documents, the plans and specifications, the site and conditions under which the work is to be performed, the Pitkin County Procurement Code and applicable Colorado law.

2. Request for Proposal (RFP) Process:

- a. Proposals must be submitted electronically in PDF format and submitted at the time designated in the RFP via the Rocky Mountain Bid System. Proposal submissions must be clearly marked in the electronic submission as a "sealed proposal" with the project name and the name, contact person, mailing address and telephone number of the Proposer. The County reserves the right to request verification of any original or electronic signature at any time before issuing a Notice of Award. Hard copy, email or fax proposals will not be accepted.
- b. It shall be the responsibility of the Proposer to ensure that the Proposal is in proper form and in the County's possession by or before the scheduled time and date of public Proposal opening. Proposals will not be accepted after the scheduled time and date of opening. Any Proposals received late will be returned to the Proposer unopened, if possible. In the event that it is impossible to determine who the late Proposer is unless the envelope is opened, the envelope will be opened, the address determined, and the envelope and Proposal returned immediately to the Proposer.

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- c. If a mistake is made or discovered at or after the public opening, the County reserves the right to determine which party made the mistake and whether the mistake is material and, after these determinations, the County, in its sole discretion, shall make the decision whether to accept or reject the Proposal. No advantage shall be taken by either party of manifest clerical errors or omissions in the Proposal documents or the Request for Proposals (and plans and specifications). All Proposers are required to notify the County immediately of any errors of omissions that may be encountered.
 - d. No reimbursement will be made by the County for any costs incurred in the preparation of a statement of qualifications, Proposals, or attendance at a site inspection, pre-bid conference or interviews.
 - e. No person, firm, corporation or other entity shall be allowed to make, file or be interested in more than one Proposal for the same work, unless alternate proposals are called for. A person, firm, corporation or other entity who has submitted a subproposal to Proposer, or who has quoted prices on materials to a Proposer, is not hereby disqualified from submitting a subproposal or quoting prices to other Proposers.
 - f. All Proposals will be opened and read in public by name of Proposer only. No Proposals may be withdrawn after the beginning of the public opening. The County, in its sole discretion, may delay a Proposal opening for no longer than two (2) business days if weather or other circumstances beyond control of Proposers results in delay in receipt of Proposals. Proposals may be withdrawn at any time prior to the beginning of the public opening or modified by a document executed and delivered in a form substantially similar to the Proposal Form prior to opening.
 - g. All Proposals submitted must be valid for a minimum period of sixty (60) days after the date of the Proposal opening. During this time, Proposers and Proposals are evaluated.
 - h. Any questions or disputes involving the documents or procedures not covered by these Instructions or other Proposal Documents shall be resolved by the Procurement Officer on the basis of fairness, custom in the industry, maximization of competition and best interests and convenience of the County.
3. Signature Authority for Proposals:
- a. Proposals by corporations must be executed in the corporate name by the president or a vice- president (or other corporate officer accompanied by evidence of authority to sign) and the corporate seal must be affixed and attested by the secretary or an assistant secretary. The corporate address and state of incorporation shall be shown below the signature.
 - b. Proposals by partnerships or limited liability companies (“LLC”) must be executed in the partnership or LLC name and signed by a partner, authorized LLC officer, whose title must appear under the signature and the official address of the partnership or LLC must be shown below the signature. The state in which the entity was formed and whose law governs the entity shall be shown below the signature.
 - c. All names must be typed or printed below the signature.

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4. Evaluation of Proposals:

- a. Proposals will be awarded to the highest scoring Proposer complying with the terms, conditions, guidelines, selection criteria, plans and specifications presented in the RFP. All rights are reserved by the County to determine, in the County's sole reasonable discretion, whether the Proposal meets the needs or purpose intended and is within the project budget.
- b. Price may be a major consideration in the selection of a Proposal, the County does not award on price alone. The County may also consider the quality of product as judged by the County; past experience with Proposers, subcontractors, independent contractors, products or suppliers; qualifications of the Proposers and/or subcontractors, independent contractors or suppliers; services offered; warranties; maintenance considerations; long-range costs; delivery; and similar considerations, all as specified in detail in the RFP.
- c. The County reserves the absolute right to conduct Proposer investigations as it deems necessary to assist in the evaluation of any Proposal and to establish the experience, responsibility, reliability, references, reputation, business ethics, history, qualifications and financial ability of the Proposers and proposed subcontractors, independent contractors and suppliers. The purpose of such investigation is to satisfy the County that the Proposer has the experience, resources and commercial reputation necessary to perform the work and support any warranties in accordance with the Contract Documents in the prescribed manner and time.
- d. The County reserves the rights to reject any or all Proposals or to otherwise accept the Proposal which in the County's sole discretion is in the best interest of the County. Any incomplete, conclusory, false or misleading information provided by Proposer shall be grounds for rejection of the proposal. If proposals are rejected, the County further reserves the right to investigate and accept the next best proposal in order of ranking or to reject all proposals and re-solicit for additional proposals.

5. Contract Requirements:

- a. Issuance of Notice of Award, execution of Contract Documents and issuance of a Notice to Proceed shall be as specified in the Contract Documents.
- b. Contracts will be executed on standard Pitkin County Contract documents and/or by separate agreement with the Proposer. Copies of any applicable standard forms are included with the Proposal Documents. The County reserves the right to negotiate with the Proposer for contract terms not specified in the Proposing Documents. Any changes from the Pitkin County standard form contract may result in a delay in the issuance of a Notice to Proceed in order to obtain any necessary County Attorney review of changes from the standard form. Proposer agrees that any such delays shall not be grounds for either additional compensation or an extension of time to complete the work that is the subject of the Proposal.
- c. If the contract awarded as a result of a Proposal extends beyond the calendar year, nothing herein shall be construed as an obligation by the County beyond any amounts that may be, from time to time, appropriated by the County on an annual basis. It is understood that payment under any Contract is conditional upon annual or supplemental statutory appropriation of funds by said governing body and that before providing services, the Proposer, if he/she so requests, will be advised as to the status of funds appropriated for services or materials and shall not be obligated to provide services or materials for which funds have not been appropriated.

6. Evaluation of Proposals:

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