BANDON SCHOOL DISTRICT 54

COVER PAGE

DEDICATED INTERNET ACCESS

Request for Proposal (RFP)

2027-BANDON SD-C1

Date of Issue: November 12, 2026

Closing Date and Time: December 17, 2026, at 4:00 PM

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Electronic Submission Portal
https://erate.imesd.k12.or.us/submission/ab85f2ca48f9b2814cc8

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SECTION 1: GENERAL INFORMATION

1.1 INTRODUCTION

The Bandon School District ("District") is issuing this Request for Proposal (RFP) to solicit bids from qualified service providers for Dedicated Internet Access (DIA) to support the district's educational and administrative operations. The district seeks a reliable, scalable, and cost-effective internet solution that ensures high-speed connectivity across all designated sites.

1.2 SCHEDULE

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change. N/A denotes that event is not applicable to this RFP.

Event	Date	Time
Questions / Requests for Clarification Due	November 25, 2026	04:00 PM
Answers to Questions / Requests for Clarification Issued (approx.)	December 2, 2026	
RFP Protest Period Ends	7 Calendar Days Prior to RFP Closing	
Closing (Proposal Due)	See RFP Cover Page	
Issuance of Notice of Intent to Award (approx.)	January 14, 2027	
Award Protest Period Ends	7 Calendar Days After Notice of Intent to Award	

1.3 SINGLE POINT OF CONTACT (SPC)

The SPC for this RFP is identified on the Cover Page, along with the SPC's contact information. Proposer shall direct all communications related to any provision of the RFP only to the SPC, whether about the technical requirements of the RFP, contractual requirements, the RFP process, or any other provision.

SECTION 2: AUTHORITY, OVERVIEW, AND SCOPE

2.1 AUTHORITY AND METHOD

District is issuing this RFP pursuant to its authority under ORS 279A.050 and OAR 125-246-0170(2).

District is using the Competitive Sealed Proposal method, pursuant to ORS 279B.060 and OAR 125-247-0260. District may use a combination of the methods for Competitive Sealed Proposals, including optional procedures: a) Competitive Range; b) Discussions and Revised Proposals; c) Revised Rounds of Negotiations; d) Negotiations; e) Best and Final Offers; and f) Multistep Sealed Proposals.

2.2 DEFINITION OF TERMS

For the purposes of this RFP, capitalized words are defined in OAR 125-246-0110, unless otherwise defined within this RFP.

2.3 OVERVIEW AND PURPOSE

2.3.1 Project Overview, Background, and Purpose

This RFP outlines the District's requirements for bandwidth, service levels, installation timelines, and ongoing support. The selected provider will play a critical role in enabling digital learning, communication, and access to online resources for students, educators, and staff.

Vendors are invited to submit proposals that demonstrate their ability to meet the District's technical specifications, service expectations, and compliance with E-rate program guidelines. All proposals must be received by the deadline specified in this document and adhere to the submission instructions provided.

2.4 SCOPE OF WORK/SPECIFICATIONS

2.4.1 Contract Pricing and Flexibility

Each Proposer is required to complete the pricing matrix located in Attachment A of this RFP. Special construction (if applicable), monthly recurring cost, and any additional non-recurring costs are required to be broken out and listed separately in Attachment A.

No increased pricing of the quoted MRC, NRC, other fees and charges, and/or special construction in each pricing cell of the matrix will be allowed during the term. If an increase in bandwidth is requested during the Contract period, the Contract does not renew.

Proposers must be willing to add additional sites and/or increase bandwidth count to existing sites without extending the Contract duration and must be noted in the agreement.

The Contract must include a provision permitting new District locations to be added at the existing contracted Monthly Recurring Cost (MRC) rate for the duration of the contract, with the District paying any one-time charges associated with extending service to the new site.

The Contract must also include a provision permitting early termination of circuits, with no penalty, should the District determine that the service is no longer required at a given location, including but not limited to situations where a site is closed, consolidated, or repurposed.

Proposers must be willing to include 5, optional 1-year Voluntary Extensions. Voluntary Extensions must be finite and not automatic renewals and identified in the awarded Contract.

2.4.2 Network Design

District will consider traditional network designs or alternative proposals that, in accordance with E-Rate guidance, maximize cost effectiveness. Proposers should clearly illustrate proposed network design and construction routes. District is not advocating or mandating any preconceived network design or construction route and leaves this decision up to Proposer to present their best solution while recognizing the cited termination locations.

The Proposal must include a detailed fiber pathway map (e.g., Google Maps or equivalent GIS-based mapping) showing the exact proposed route(s) of the fiber between all specified sites. The map must clearly indicate:

- Whether each segment is aerial or buried
- Whether the fiber plant is owned by the Proposer or leased/subcontracted from another provider
- The name of any subcontracted or third-party provider(s) responsible for fiber segments
- All proposed points of presence, splice points, and demarcation points

Maps must be provided in an electronic format viewable by the District (e.g., PDF overlay, KML/KMZ export, or equivalent). Proposals that do not include a complete fiber pathway map may be considered non-Responsive.

Proposers must disclose whether the proposed fiber design provides diverse routing between District sites or if it is a single path. If diverse routes are included, the Proposal must identify the alternate paths and explain how traffic will be handled if one path is unavailable. If only a single path is proposed, the Proposer must describe available options and associated costs for adding path diversity in the future.

2.4.3 Preferred Construction Method

The District strongly prefers that new fiber construction be installed as buried fiber in armored conduit. Proposals that include aerial or unprotected buried plant must clearly justify why such construction is the most feasible option (e.g., cost, environmental, or right-of-way constraints) and identify any long-term risks or maintenance considerations.

2.4.4 Construction and Installation Requirements

All construction and installation activities must comply with applicable federal, state, and local codes and follow industry best practices. Work shall be performed safely and in a workmanlike manner with minimal disruption to District operations.

- Inside-Building Cable Routing: Intra-building cable routing shall be performed in accordance with all applicable local building codes. Where required, Proposer must plan a splice/transition at the building entrance from outdoor-rated cable to indoor-rated cable, or enclose outdoor cable in metallic conduit or covered metal raceway as permitted by code.

- Slack Storage: Provide 15-20 feet of neatly managed slack cable in each MDF (and IDF if applicable) to facilitate future repair or relocation. Provide appropriate maintenance slack loops in handholes/closures consistent with manufacturer recommendations.
- Site Make-Ready and Restoration: Any trenching and conduit placement from the right-of-way to the building entrance must include all necessary pavement, landscaping, and ground repair. All affected surfaces shall be restored to original condition or better. Proposer is responsible for debris removal and traffic control as required.
- Standards and Workmanship: All installation of cabling, pathways, terminations, and related infrastructure shall conform to BICSI specifications and applicable manufacturer installation guidelines. Bonding and grounding shall comply with ANSI/TIA-607 (or successor). Firestopping shall comply with applicable codes and listed systems.
- Pathways and Conduit: New outside-plant pathways shall utilize appropriately sized conduit suitable for the environment (e.g., HDPE or PVC). Install detectable pull tape with sequential footage markings in new conduit runs and label conduit/handholes per industry practice. Conduit penetrations shall be sealed and water-blocked as appropriate.
- Handholes and Splice Enclosures: Handholes, vaults, and splice enclosures shall be weather-resistant, properly rated, and installed to maintain accessibility and drainage. Locations shall support maintenance access and OTDR testing. All handholes and enclosures shall be labeled and reflected in as-built documentation.
- Permits and Utility Coordination: Proposer is responsible for securing all permits, rights-of-way, and inspections; coordinating utility locates (e.g., 811) prior to excavation; and complying with all jurisdictional requirements. Costs for permits and inspections shall be included in the Proposal unless otherwise specified.
- Labeling and Documentation: All new pathways, handholes, splice points, and patch panels shall be labeled. As-built drawings (including conduit routes, handholes, splice locations, and termination details) shall be provided electronically and shall align with the submitted fiber pathway map. As-built updates are required upon project completion and after any post-install changes.

2.4.5 Special Construction

In E-Rate terminology, special construction refers to the upfront, non-recurring costs associated with the installation of new fiber to or between eligible entities. For leased fiber solutions requiring special construction, this means that the costs associated with building the fiber are considered special construction and the costs associated with the equipment required to activate the service are a standard NRC. Special construction and service eligibility for reimbursement have changed starting funding year 2016. See the Federal Communications Commission E-Rate modernization order 2 (WC Docket No. 13-184) (https://www.fcc.gov/document/fcc-releases-order-modernizing-e-rate-21st-century-

connectivity) for more information. Special construction charges eligible for Category One support consist of three components:

1. construction of network facilities
2. design and engineering
3. project management

If no new fiber is being installed, then any installation costs are considered standard non-recurring costs (NRC).

If special construction is necessary, Proposers are required to complete Attachment B: Special Construction Worksheet. Project management should include required permitting.

2.4.5.1 Special Construction Payment Plan Option

The District requests that the respondents consider allowing District to pay the non-discount share of special construction costs (portion of costs that are the responsibility of the District) to be paid in equal annual installments over two to four years. Responses must include agreement or non-agreement of this request.

2.4.5.2 Excess Fiber Strands for Special Construction Projects

To the extent that the winning Proposer installs additional strands of fiber for future business ventures, the winning Proposer assumes full responsibility to ensure those incremental costs are allocated out of the special construction charges to the District in accordance with FCC rules and orders.

If, after the issuance of the FCDL, USAC or the FCC determines that the winning Proposer did not cost allocate those charges associated with the additional strands, District will not be responsible for reimbursing the winning Proposer and the Proposer will assume all responsibilities deemed ineligible by USAC.

For examples of cost allocation, please see document in Attachment G as prepared by the State E-Rate Coordinators' Alliance (SECA).

2.4.6 Internet Access

The purpose of this RFP is to procure Dedicated Internet Access (DIA) services for the District to support instructional, administrative, and operational needs across the district. The selected vendor will be responsible for providing high-speed, reliable internet connectivity with guaranteed symmetrical bandwidth and service-level commitments.

IPv4 Addressing Requirements: District requires a contiguous /27 public IPv4 address block to support existing services and network operations. Proposals shall identify any one-time or recurring charges associated with the address allocation.

Each Proposer is required to complete the pricing matrix located in Attachment A of this RFP.

If Special Construction is necessary, Proposers are required to complete Attachment B: Special Construction Worksheet.

No increased pricing of the quoted MRC, NRC, other fees and charges, and/or special construction in each pricing cell of the matrix will be allowed during the term. If an increase in bandwidth is requested during the Contract period, the Contract does not renew.

Proposers must be willing to add additional sites and/or increase bandwidth count to existing sites without extending the Contract duration and must be noted in the agreement.

2.4.6.1 Service Level Agreement

All solutions must adhere to the following Service Level Agreement (SLA) terms in addition to the terms found in the Service Level Agreement section:

- Network Availability: the provider will make all reasonable efforts to ensure 99.99% network availability of service
- <=.5% frame/packet loss commitment
- <=25ms network latency commitment
- <=10ms network jitter commitment
- There is no right of service provider to limit or throttle the capacity of the circuit at any time for any reason
- Provider must monitor service availability and proactively investigate/respond to disruptions
- Provider stated commitment is to respond to any outage within 1 hour and a 4 hour restoration of service.

2.4.7 National Security

The Universal Service Fund (USF) National Security Rule FCC 19-121 prohibits the use of USF funds to purchase or obtain any equipment or services produced or provided by a covered company posing a national security threat to the integrity of communications networks or the communications supply chain. By submitting a Proposal, Proposer is certifying the proposed infrastructure providing service delivery complies with FCC 19-121.

SECTION 3: PROCUREMENT REQUIREMENTS

3.1 MINIMUM QUALIFICATIONS

To be considered for evaluation, Proposal must demonstrate how Proposer meets all requirements of this section:

3.1.1 USAC Registration

All Proposers must be capable of providing telecommunication services under the Universal Service Support Mechanism, be a registered service provider with USAC, and have a USAC issued 498 ID (Service Provider Identification Number - SPIN).

Proposer must be prepared to accommodate either E-Rate reimbursement method, BEAR (Form 472) or SPI (Form 474), based on the preference and selection of the District. The selected method will be communicated during contract negotiations or service implementation. Compliance with the chosen method is a condition of contract award.

3.2 MINIMUM SUBMISSION REQUIREMENTS

3.2.1 Proposal Submissions

To be considered for evaluation, Proposal must contain each of the following elements (further detailed in Proposal Requirements section below):

- Description of Proposal
- Service Level Agreement
- Timeline
- Demarcation
- Network Diagram & Fiber Pathway Map
- Sample Contract
- References
- Cost Proposal Form (Attachment A)
- Special Construction Worksheet (Attachment B)
- Proposer Information and Certification Sheet (Attachment C)
- Responsibility Inquiry (Attachment D)
- Certified Disadvantaged Business Task Plan (Attachment E)

3.2.2 Proposal Page Limits

Proposal is limited to 50 pages. Any pages exceeding this limit will not be provided to the evaluation committee or considered in the evaluation. The RFP Attachments listed in the Proposal Submissions section do not count toward the page limit.

3.2.3 Proposal Format and Quantity

Proposal should follow the format and reference the sections listed in the Proposal Requirements section. Responses to each section and subsection should be labeled to indicate the item being addressed.

Proposer shall submit an electronic copy of the Proposal. The total combined size of the Proposal and Coversheet should be compressed so it does not exceed 50 megabytes.

The Proposer Information and Certification Sheet (Attachment C) must bear the Proposer's authorized representative's Signature. If Proposer believes any of its Proposal is exempt

from disclosure under Oregon Public Records Law (ORS 192.410 through 192.505), Proposer shall submit a fully redacted version of its Proposal, clearly identified as the redacted version.

Proposer's electronic copy of the Proposal must be submitted via the Electronic Submission Portal as listed on the Cover Page and must be formatted using Adobe Acrobat (pdf), Microsoft Word (docx), and/or Microsoft Excel (xlsx).

3.2.4 Authorized Representative

Failure of the authorized representative to sign the Proposal may subject the Proposal to rejection by District.

3.3 PROPOSAL REQUIREMENTS

Proposal must address each of the items listed in this section and all other requirements set forth in this RFP. Proposer shall describe the Services to be performed. A Proposal that merely offers to provide the services as stated in this RFP may be considered non-Responsive to this RFP and will not be considered further.

The State of Oregon established the Connecting Oregon Schools Fund for the purpose of providing matching funds for federal money received by school districts for the purpose of providing broadband access to eligible schools in Oregon. As a result, many districts may be issuing RFPs for fiber special construction. All Proposals to this RFP must independently meet the requirements set forth in this RFP without contingencies on other projects or proposals to other customers. A Proposal that does not independently meet the requirements as set forth in this RFP may be considered non-Responsive to this RFP and will not be considered further. Proposals may include additional Cost Proposal Forms (Attachment A) and Special Construction Worksheets (Attachment B) (if applicable) beyond the requirements as set forth clearly identified as contingent upon other projects or proposals. Additional submitted forms containing contingencies will not be considered during the evaluation process.

Proposal should not include extensive artwork, unusual printing, or other materials not essential to the utility and clarity of the Proposal. Do not include marketing or advertising material in the Proposal, unless requested. Proposal should be straightforward and address the requests of the RFP. Proposal containing unsolicited marketing or advertising material may receive a lower evaluation score if required information is difficult to locate.

3.3.1 Description of Proposal

Proposer will provide a description of their proposal for all services and solutions. Description will include an overview of the proposal, any deviations from the requested architecture, design or requirements, assumptions made, and other detail District may find useful or necessary (or could differentiate the solution from a competing proposal).

3.3.2 Service Level Agreement

Proposer will provide a proposed Service Level Agreement (SLA) with the RFP response. The proposal must include a description of the following services and how these services will be measured.

- Network Operations Center: Solution will provide customer support functions including problem tracking, resolution, and escalation support management on a 24x7x365 basis. District has the right and is encouraged to call concerning any problems that may arise relative to its connection with provided services.
- Trouble Reporting and Response: Upon interruption, degradation, or loss of service, District may contact service provider by defined method with a response based on trouble level. Upon contact from the District, the provider support team will initiate an immediate response to resolve any District issue. District will receive rapid feedback on trouble resolution, including potential resolution time.
- Escalation: In the event that service has not been restored in a timely manner, or the District does not feel that adequate attention has been allocated, the District can escalate the trouble resolution by request. A list of escalation contacts will be provided when implementation schedule is completed.
- Resolution: The District will be notified immediately once the problem is resolved and will be asked for verbal closure of the incident.
- Trouble Reporting, Escalation and Resolution: A detail trouble reporting, escalation and resolution plan will be provided to the District.
- Measurement Start: Outage duration is measured from the time the service disruption begins, as detected by the Provider's monitoring systems or by the District, whichever occurs first.
- Measurement End: The outage duration ends when full service is restored and confirmed operational.
- Credit Calculation:
    - Outages lasting less than 5 consecutive minutes are not eligible for credit.
    - For each 30 minutes, or portion thereof, beyond the first 5 minutes of outage, the District will receive a credit equal to 5% of the Monthly Recurring Charge (MRC) for the affected circuit.
    - Partial 30-minute increments are rounded up to the next full 30 minutes.
    - Credits are cumulative and calculated per circuit, per billing cycle, up to a maximum of 100% of the MRC for that month.
    - Credits will be applied automatically to the next invoice; no separate request from the District is required.
- Reports: Upon request, an incident report will be made available to the District within 5 working days of resolution of the trouble.
- Link Performance per Segment: The service will maintain the proposed link performance throughout the term of the contract.
- Historical Uptime: Provide aggregate uptime statistics for your proposed service in the geographic area encompassing District.

3.3.3 Timeline

For each response, Proposers must include a timeline for bringing all sites online. Proposers requiring little to no special construction should be able to bring all sites online by the July 1 start of the funding year. For solutions requiring special construction, a schedule of bringing the service online must be included with an explanation of how this timeline shifts if the date of the E-Rate funding commitment shifts.

3.3.4 Demarcation

All solutions must terminate service or infrastructure in the demarcation point at the addresses specified in this RFP. Solutions bringing service to the property line but not to the demarcation point will be rejected. Proposer must specify specific demarcation setup included in base fees and handoff medium (e.g., mounted CPE and CAT6a handoff, rack mount patch panel, single mode fiber, etc.).

3.3.5 Network Diagram & Fiber Pathway Map

Proposer must include both a logical network diagram and a geographic fiber pathway map as part of its Proposal.

- The network diagram must display the paths used to serve each endpoint, showing aggregation hubs, equipment, and third-party facilities between District sites and points of presence.
- The Proposal must also indicate whether each site-to-site connection is single-path or includes path diversity. All diverse paths must be clearly labeled in the diagrams and maps.
- Proposals must clearly indicate whether each fiber segment is installed as buried armored conduit, buried non-armored plant, or aerial plant.
- The fiber pathway map must illustrate the proposed physical route(s), identifying aerial vs. buried fiber segments, and specifying ownership (Proposer-owned vs. subcontractor/leased).
- Subcontracted providers must be explicitly identified by name.

These documents will be used to evaluate service reliability, scalability, and compliance with District specifications.

3.3.6 ISP Services

Proposals must address the following ISP services:

- Network topology that supports and provides stability and resiliency
- DDoS mitigation capabilities
- Peering capability with:
  - Northwest Access Exchange, Inc. (NWAX) and Seattle Internet Exchange (SIX)
  - CENIC, PNWGP, and Internet2
  - Cloud providers Microsoft Azure, Google Cloud, and Amazon AWS
- BGP with multiple ASNs

- Mutually Agreed Norms for Routing Security (MANRS) compliance
- IPv4 and IPv6 routing
- Dedicated/static IP addressing
- Functionality for Provider-Independent (PI) IP addresses

3.3.7 Sample Contract

Proposer shall submit a sample Contract for District review.

3.3.8 References

Provide 3 references from current or former customers (preferably K-12) for similar projects performed for any clients within the last 5 years. References must be able to verify the quality of previous, related work.

District may check to determine if references provided support Proposer's ability to comply with the requirements of this RFP. District may use references to obtain additional information, or verify any information needed. District may contact any reference (submitted or not) to verify Proposer's qualifications.

Proposer shall submit reference names and contact information.

3.3.9 Cost Proposal Form

Proposer shall complete and submit the Cost Proposal Form (Attachment A).

3.3.9.1 Lowest Corresponding Price (LCP)

Proposer shall submit their Lowest Corresponding Price (LCP) (as required by the SLD 1996 Universal Service Order, 12 FCC Rcd 87, 383, para. 540).

3.3.9.2 Other Fees and Charges

Proposer shall include the total monthly other fees and charges (i.e., cost recovery fees, service charges, etc.) that are not taxes or charges assessed by government authorities. Other fees and charges are factored as part of eligible costs evaluation.

3.3.9.3 Estimated Assessed Taxes and Fees

Proposer shall include the estimated total monthly customer assessed or reassessed taxes and fees as established by government authorities (i.e., USF fees, franchise fees, taxes, etc.). Estimated assessed taxes and fees will not be factored as part of eligible costs evaluation.

3.3.10 Special Construction Pricing

Proposer shall complete and submit the Special Construction Worksheet (Attachment B) if special construction is necessary.

3.3.10.1 Special Construction Information for Form 471 and PIA Review

The awarded Proposer is required to promptly provide District with any information being requested as part of PIA review. Proposers may assist applicants with preparing funding requests or responding to PIA questions and may speak directly with PIA reviewers.

For all proposals that include special construction, the Proposer agrees to, by submitting its proposal, produce all construction labor, construction materials and other cost information requested during PIA review.

All proposals must agree, in writing, to this section with a yes or no answer. Answering no or failure to answer is grounds for disqualification.

3.3.11 Proposer Information and Certification Sheet

Proposer shall complete and submit the Proposer Information and Certification Sheet (Attachment C).

Failure to demonstrate compliance with Oregon Tax Laws and sign the Proposer Information and Certification Sheet may result in a finding of non-Responsibility.

SECTION 4: SOLICITATION PROCESS

4.1 PUBLIC NOTICE

The RFP and attachments are published on the Universal Service Administrative Company (USAC) website at https://data.usac.org/publicreports/Forms/Form470Detail/Index. RFP documents will not be mailed to prospective Proposers.

Modifications, if any, to this RFP will be made by written Amendment(s) published with the Universal Service Administrative Company (USAC). Prospective Proposer is solely responsible for checking USAC to determine whether any Amendment(s) have been issued. Amendment(s) are incorporated into the RFP by this reference.

4.2 QUESTIONS / REQUESTS FOR CLARIFICATIONS

All inquiries, whether relating to the RFP process, administration, deadline, or method of award or to the intent or technical aspects of the RFP must:

- Be delivered to the SPC via email
- Reference the RFP number
- Identify Proposer's name and contact information
- Refer to the specific area of the RFP being questioned (i.e., page, section, and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule

Questions by telephone are not accepted.

4.3 SOLICITATION PROTESTS

4.3.1 Protests to RFP

Prospective Proposer may submit a Written protest of anything contained in this RFP. This is prospective Proposer's only opportunity to protest the provisions of the RFP, except that Proposer may protest Amendment(s) as provided below.

4.3.2 Protests to Amendment(s)

Prospective Proposer may submit a Written protest of anything contained in an Amendment. Protests to an Amendment, if issued, must be submitted by 4:00 PM Pacific Time on the second Business Day following the issuance of the Amendment or the date/time specified in the Amendment, or they will not be considered. Protests of matters not added or modified by the Amendment will not be considered.

4.3.3 Protest Requirements

All protests must:

- Be delivered to the SPC via email
- Reference the RFP number
- Identify prospective Proposer's name and contact information
- Be sent by an authorized representative
- State the reason for the protest, including:
  - the grounds that demonstrate how the Procurement Process is contrary to law, Unnecessarily Restrictive, legally flawed, or improperly specifies a brand name; and
  - evidence or documentation that supports the grounds on which the protest is based
- State the proposed changes to the RFP provisions or other relief sought
- Protests to the RFP must be received by the due date and time identified in the Schedule
- Protests to an Amendment must be received by the due date identified in the respective Amendment

4.4 PROPOSAL DELIVERY OPTIONS

Proposer is solely responsible for ensuring its Proposal is received by the SPC in accordance with the RFP requirements before Closing. District is not responsible for any transmission errors or delays for any reason. A Proposal submitted by any means not authorized below will be rejected. The following delivery options are permitted for this RFP:

4.4.1 Electronic Delivery

A Proposal may be delivered through the Electronic Submission Portal as listed on the Cover Page.

4.5 PROPOSAL MODIFICATION OR WITHDRAWAL

If a Proposer wishes to make modifications to a submitted Proposal, it must submit its modification in one of the authorized methods listed in the Proposal Delivery Options section. To be effective the notice must include the RFP number and be submitted to the SPC prior to Closing.

If a Proposer wishes to withdraw a submitted Proposal, it must submit a Written notice signed by an authorized representative of its intent to withdraw to the SPC via email prior to Closing in accordance with OAR 125-247-0440. To be effective the notice must include the RFP number.

4.6 PROPOSAL DUE

A Proposal (including all required submittal items) must be received by the SPC on or before Closing. All Proposal modifications or withdrawals must be received prior to Closing.

A Proposal received after Closing is considered LATE and will NOT be accepted for evaluation. A late Proposal will be returned to the Proposer or destroyed.

4.7 PROPOSAL REJECTION

District may reject a Proposal for any of the following reasons:

- Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer's authorized representative sign the Proposal.
- Proposer has liquidated and delinquent debt owed to the State or any department or agency of the State.
- Proposer fails to meet the responsibility requirements of ORS 279B.110.
- Proposer makes any contact regarding this RFP with District representatives, employees, or officials other than the SPC or persons authorized by the SPC, or inappropriate contact with the SPC.
- Proposer attempts to influence a member of the Evaluation Committee.
- Proposal is conditioned on District's acceptance of any other terms and conditions or rights to negotiate any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFP or Amendment(s).

4.8 EVALUATION PROCESS

4.8.1 Responsiveness and Responsibility Determination

4.8.1.1 Responsiveness Determination

A Proposal received prior to Closing will be reviewed to determine if it is Responsive to all RFP requirements including compliance with Minimum Qualifications section and Minimum Submission Requirements section. If the Proposal is unclear, the SPC may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-Responsive proposal. If the SPC finds the Proposal non-Responsive, the Proposal may be rejected, however, District may waive mistakes in accordance with OAR 125-247-0470.

4.8.1.2 Responsibility Determination

District will determine if an apparent successful Proposer is Responsible prior to award and execution of the Contract. Selected Proposer(s) shall submit a signed Responsibility Inquiry form (Attachment D) within 5 Business Days of receipt of Intent to Award notice.

At any time prior to award, District may reject a Proposer found to be not Responsible.

4.8.2 Evaluation Criteria

Each Proposal meeting all Responsiveness requirements will be independently evaluated by members of the Evaluation Committee. Evaluators will assign a score for each evaluation criterion listed below in this section up to the maximum points available in the Point and Score Calculation section.

SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of Proposal. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal.

The following table represents an example of how a criterion worth 10 points may be scored.

SCORE	EXPLANATION
10	OUTSTANDING - Response meets all the requirements and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter and project. The Proposer provides insight into its expertise, knowledge, and understanding of the subject matter.
6 - 9	VERY GOOD - Response provides useful information, while showing experience and knowledge within the category. Response demonstrates above average knowledge and ability with no apparent deficiencies noted.
5	ADEQUATE - Response meets all requirements in an adequate manner. Response demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the Proposer.

1 - 4	FAIR - Proposer meets minimum requirements but does not demonstrate sufficient knowledge of the subject matter.
0	RESPONSE OF NO VALUE - An unacceptable response that does not meet the requirements set forth in the RFP. Proposer has not demonstrated knowledge of the subject matter.

4.8.2.1 Ability to Support Requirements

Did the Proposer demonstrate the ability to fulfill the requirements per the RFP?

Did the Proposer provide a detailed project plan demonstrating the construction timeline and service availability?

4.8.2.2 Service Reliability

Did the Proposer demonstrate acceptable service reliability through proposed service level agreements?

Did the Proposer demonstrate path diversity in the proposed fiber routes to enhance resiliency and service continuity in the event of a fiber cut or outage?

Did the Proposer propose buried fiber in armored conduit as the primary construction method, or provide a clear justification if aerial or unarmored buried plant is proposed?

Do the Proposer's references support the Proposer's reliability and response as outlined in the Proposal?

4.8.2.3 Timeline

Did the Proposer provide a clear and realistic implementation timeline that aligns with the District's required service completion date?

Did the Proposer identify milestones (e.g., permitting, construction start, testing, service activation) with dates and durations?

Did the Proposer address how schedule changes, including delays in E-rate funding commitments, would affect the timeline?

4.8.2.4 Scalability

Did the Proposer demonstrate scalability of the proposed technology through pricing for higher tiered bandwidths?

4.8.2.5 Proposed Contract Terms & Conditions

Are the proposed contract terms and conditions flexible and acceptable to the District?

4.8.2.6 Proposal Completion

Is the Proposal complete and in compliance with the instructions and requirements as stated in the RFP with minimal corporate boilerplate marketing information?

4.8.2.7 References

Did the Proposer submit complete contact information for the required number of references?

Do the references include K-12 education entities of similar size and scope?

How well would the references recommend the Proposer?

4.8.2.8 Recurring and Non-Recurring Costs

Total cost of ownership considers all recurring and non-recurring costs. Note that E-rate eligible costs refer to the pre-discount cost of the solution, not the post-discount portion of costs that are the responsibility of the District. Estimated assessed taxes and fees will not be factored as part of eligible costs evaluation. The SPC will conduct the E-rate eligible costs evaluation. The SPC will award a cost score to each Cost Proposal based upon the percentage of the proposed cost as compared to the lowest Proposer's cost using the following formula:

$$\frac{\text{lowest 5-year TCO cost of all Proposers}}{\text{cost being scored}} \times \text{cost points possible} = \text{cost score}$$

4.9 POINT AND SCORE CALCULATIONS

Scores are the points assigned by each evaluator. The maximum points possible for each evaluation item are listed in the table below. The SPC will average all scores for each evaluation criterion. Cost points are calculated as stated in the Cost Evaluation section.

POINTS POSSIBLE	
Ability to Support Requirements	20
Service Reliability	20
Timeline	10
Scalability	5
Proposed Contract Terms & Conditions	5
Proposal Completion	5
References	5
Recurring and Non-Recurring Costs	30
TOTAL POINTS POSSIBLE	**100**

4.10 RANKING OF PROPOSERS

The SPC will average the scores for each Proposal (calculated by totaling the points awarded by each Evaluation Committee member and dividing by the number of members).

District will rank all Proposers at the conclusion of the evaluation and scoring.

SECTION 5: AWARD AND NEGOTIATION

5.1 AWARD NOTIFICATION PROCESS

5.1.1 Award Consideration

District, if it awards a Contract, shall award a Contract to the highest-ranking Responsible Proposer(s) based upon the scoring methodology and process described in the Solicitation Process section. The District may, at its sole discretion, award a Contract for the entire Scope of Work or make multiple partial awards to different Proposers. The District reserves the right to award different portions of the Scope to different Proposers if such awards are determined to be in the best interest of the District.

5.1.2 Intent to Award Notice

District will notify all Proposers in Writing that District intends to award a Contract to the selected Proposer(s) subject to successful negotiation of any negotiable provisions.

5.1.3 Required Notice to Proceed and Funding Availability

District will follow the purchasing policies of the District Board, State procurement laws and regulations, and requirements and procedures of the FCC's E-Rate program as administered by the Universal Service Administrative Company to be eligible for all available funding. The implementation of any associated Contracts resulting from this competitive bid process will be dependent on District's issuance of a written Notice to Proceed. E-Rate funding notification alone will not signify Notice to Proceed. The District will have the right to allow any associated Contracts to expire without implementation if appropriate funding does not come available.

Additionally, any projects requiring special construction may also be contingent on issuance of funds from the State of Oregon and Federal special construction matching funds. The District will have the right to allow any associated Contracts to expire without implementation if this specific funding does not come available.

5.2 INTENT TO AWARD PROTEST

5.2.1 Protest Submission

An Affected Proposer shall have 7 calendar days from the date of the intent to award notice to file a Written protest.

A Proposer is an Affected Proposer only if the Proposer would be eligible for Contract award in the event the protest was successful and is protesting for one or more of the following reasons as specified in ORS 279B.410:

- All higher ranked Proposals are non-Responsive.
- District has failed to conduct an evaluation of Proposals in accordance with the criteria or process described in the RFP.
- District abused its discretion in rejecting the protestor's Proposal as non-Responsive.
- District's evaluation of Proposal or determination of award otherwise violates ORS Chapter 279B or ORS Chapter 279A.

If District receives only one Proposal, District may dispense with the evaluation process and intent to award protest period and proceed with Contract Negotiations and award.

5.2.1.1 Protest Requirements

All protests must:

- Be delivered to the SPC via email
- Reference the RFP number
- Identify prospective Proposer's name and contact information
- Be signed by an authorized representative
- Specify the grounds for the protest
- Be received within 7 calendar days of the intent to award notice

5.2.2 Response to Protest

District will address all timely submitted protests within a reasonable time and will issue a Written decision to the respective Proposer. Protests that do not include the required information may not be considered by District.

5.3 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS

Proposers who are selected for a Contract award under this RFP will be required to submit additional information and comply with the following:

5.3.1 Taxpayer Identification Number

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form when requested by District or when the backup withholding status or any other relevant information of Proposer has changed since the last submitted W-9 form, if any.

5.3.2 USAC Issued 498 ID

The apparent successful Proposer shall provide its USAC issued 498 ID (Service Provider Identification Number - SPIN).

5.3.3 Business Registry

If selected for award, Proposer shall be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Contract. Information about these requirements may be found at http://sos.oregon.gov/business/pages/register.aspx.

5.3.4 Responsibility Inquiry

Prior to award, the apparent successful Proposer shall be required to complete and submit Attachment - Responsibility Inquiry.

5.3.5 Pay Equity Certification

If selected for award and the Contract value exceeds $500,000 and Proposer employs 50 or more full-time workers, Proposer shall submit to District a true and correct copy of an unexpired Pay Equity Compliance Certificate, issued to the Proposer by the Oregon Department of Administrative Services. For instructions on how to obtain the Certificate, visit https://www.oregon.gov/das/Procurement/Pages/PayEquity.aspx.

ORS 279B.110(2)(f) requires that Proposer provide this prior to execution of the Contract.

5.3.6 Nondiscrimination in Employment

As a condition of receiving the award of a Contract under this RFP, Proposer must certify by its Signature on the Proposer Information and Certification Sheet (Attachment), in accordance with ORS 279A.112, that it has in place a policy and practice of preventing sexual harassment, sexual assault, and discrimination against employees who are members of a protected class. The policy and practice must include giving employees a written notice that the policy both prohibits, and prescribes disciplinary measures for, conduct that constitutes sexual harassment, sexual assault, or unlawful discrimination.

5.4 CONTRACT NEGOTIATION

5.4.1 Negotiation

After selection of a successful Proposer, District may enter Contract negotiations with the successful Proposer. By submitting a Proposal, Proposer agrees to comply with the requirements of the RFP including during the Contract term.

All Proposers must remain capable of providing telecommunication services under the Universal Service Support Mechanism, be a registered service provider in good standing with USAC, and maintain a USAC issued 498 ID (Service Provider Identification Number - SPIN) during the Contract term. Failure to maintain shall be grounds for Contract default and termination.

In the event that the parties have not reached mutually agreeable terms within 30 calendar days, District, at its discretion, may terminate Negotiations and commence Negotiations with the next highest-ranking Proposer.

SECTION 6: ADDITIONAL INFORMATION

6.1 CERTIFIED FIRM PARTICIPATION

Pursuant to Oregon Revised Statute (ORS) Chapter 200, District encourages the participation of small businesses, certified by the Oregon Certification Office for Business Inclusion and Diversity ("COBID") in all contracting opportunities. This includes certified small businesses in the following categories: disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns or an emerging small business. District also encourages joint ventures or subcontracting with certified small business enterprises. For more information, visit: https://oregon4biz.diversitysoftware.com/FrontEnd/VendorSearchPublic.asp?XID=6787&TN=oregon4biz

If the Contract has potential subcontracting opportunities, the successful Proposer may be required to submit a completed Certified Disadvantaged Business Task Plan (Attachment) prior to execution.

6.2 GOVERNING LAWS AND REGULATIONS

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFP, evaluation and award is the Circuit Court of Coos County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section 6.2 be construed as a waiver by the District of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any claim or consent to the jurisdiction of any court.

6.3 OWNERSHIP/PERMISSION TO USE MATERIALS

All Proposals are public records and are subject to public inspection after District issues the Notice of Intent to Award. Application of the Oregon Public Records Law will determine whether any information is exempt from disclosure.

All Proposals submitted in response to this RFP become the Property of District. By submitting a Proposal in response to this RFP, Proposer grants the District a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating a Contract, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478). Proposals, including supporting materials, will not be returned to Proposer, except in the case of Proposals that were submitted late and rejected by District.

6.4 CANCELLATION OF RFP; REJECTION OF PROPOSALS; NO DAMAGES

Pursuant to ORS 279B.100, District may reject any or all Proposals in-whole or in-part, or may cancel this RFP at any time when the rejection or cancellation is in the best interest of the State or District, as determined by District. Neither the State nor any State agency is liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP or a Contract award, or the rejection of any Proposal.

6.5 COST OF SUBMITTING A PROPOSAL

Proposer shall pay all costs incurred in connection with its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, costs to participate in demonstrations, and costs associated with protests.

6.6 STATEWIDE E-WASTE/RECOVERY PROCEDURE

If applicable, Proposer shall include information in its Proposal that demonstrates compliance with the Statewide E-Waste/Recovery Procedure #107-011-050_PR.

6.7 RECYCLABLE PRODUCTS

Proposer shall use recyclable products to the maximum extent economically feasible in the performance of the Services or Work described in this RFP and the subsequent Contract. (ORS 279B.025)

6.8 CHECKLIST DISCLAIMER

Any checklists that may be contained in this RFP are provided only as a courtesy to prospective Proposer. District makes no representation as to the completeness or accuracy of any Checklist. Prospective Proposer is solely responsible for reviewing and understanding the RFP and complying with all the requirements of this RFP, whether listed in a checklist or not. The District is not liable for any claims, or subject to any defenses, asserted by Proposer based upon, resulting from, or related to, Proposer's failure to comprehend all requirements of this RFP.