MAHANOY AREA SCHOOL DISTRICT

REQUEST FOR PROPOSAL
INTERNAL CONNECTIONS - NETWORK EQUIPMENT

Response Deadline: Tuesday, December 8, 2026 at 3:00pm EST

1.0 Introduction

1.1 Mahanoy Area School District ("MASD") issues this Request for Proposal ("RFP") for network switches and Access Points. Mahanoy Area School District intends to apply for discounts on the materials/services listed in this RFP through the federal E-rate program. Several criteria and restrictions pertinent to the E-Rate program are included herein and must be met by the successful vendor in order for the proposal to be considered a Qualified Proposal.

1.2 **Issuing Officer and Technical Contact for Questions and Information**

Paul Babinsky
Technology Coordinator
Mahanoy Area School District
1 Golden Bear Drive
Mahanoy City, PA 17948
pbabinsky@mabears.net

Prospective Vendors must direct and confine all inquiries and communications concerning this procurement to the Issuing Officer and correspondence should be made via e-mail. Although there is no due date for questions, MASD encourages prospective Vendors to submit any questions they may have as soon as possible. Questions should include "MASD E-Rate Network Equipment RFP" in the subject line to ensure that the issuing officer identifies the email as relating to this procurement.

If the RFP was downloaded from a web site link, Vendors are responsible for periodically monitoring the web site for any updates relating to this RFP.

1.3 An electronic proposal must be e-mailed with all attachments to the Issuing Officer on or before 3:00pm E.S.T. on Tuesday, December 8, 2026. Email must have a subject line of, "MASD E-Rate Network Equipment RFP." All required Vendor information, certifications and attachments must be included with the proposal.

MASD intends to select the successful Vendor and have the final contract presented to the school board no later than its December 2026 meeting.

1.4 MASD will review the proposals for compliance with the procedural requirements set forth in Section 5 and may reject any proposal that materially fails to comply.

MASD reserves the right to ask clarifying questions of Vendors and to request best and final offers upon review of initial proposals. The price of E-rate eligible services will be most heavily weighted in the review of proposals.

1.5 The successful bidder(s) will be advised of selection by the Issuing Officer through the issuance of a notification of intention to recommend award via email. Any notification of the selection of the successful bidder shall have no legal effect unless and until the parties negotiate a mutually acceptable agreement that is approved by the school board. Unsuccessful bidders also will be notified via email.

1.6 MASD is exempt from Pennsylvania Sales and Use Tax and has other federal and state tax exemptions afforded to public school entities and/or similar political subdivisions. This notice shall serve to satisfy any notification required by the provider as to these tax exemptions. Vendors must ensure that their cost proposals specifically include all applicable taxes, fees and surcharges from which MASD is not exempt or that is imposed or assessed by Vendor.

1.7 **Reasons for Disqualification of Proposals**

If any of the following conditions occur, Vendor's proposal is automatically disqualified from being evaluated.

1.8.1 Vendor's proposal is submitted after proposals have been opened and reviewed by MASD.

1.8.2 Vendor is on Red Light Status with the FCC or is delinquent on a debt to a state or federal governmental agency or entity.

1.8.3 Vendor is not authorized to do business in Pennsylvania.

1.8.4 Vendor has not been in business for at least 5 years performing services or furnishing equipment required in the bid.

1.8.5 Vendor does not have an E-rate SPIN number.

1.8.6 Vendor cannot provide all equipment and services listed in section 2.0 unless otherwise noted in this RFP that separate contracts may be awarded for subsets of equipment and/or services.

2.0 Scope of Services Requested in this Request for Proposal

Equipment Purchase

2.1 Included in this proposal is Appendix A which lists part numbers and quantities for proposal. Vendors may submit alternative equipment if the equipment is an equivalent make and model or serves a similar functionality.

2.2 All equipment shall be new, factory-sealed equipment currently available from the manufacturer; the MASD will not accept proposals of used, remanufactured, refurbished, returns, open-box, discontinued, or equipment in any condition other than new and factory-sealed with all original manufacturer warranties.

2.3 MASD reserves the right to adjust quantities prior to purchasing to meet the needs of the district, and shall have the sole discretion to evaluate, ascertain, and determine whether any item proposed or offered by any bidder is in fact an equivalent or better for any item listed in Appendix A. It is the Vendor's responsibility and obligation to provide documentation and other evidence that alternative equipment is functionally equivalent or better. Failure to show equal functionality may result in the disqualification of the bid.

3.0 E-RATE REQUIREMENTS

Vendors submitting proposals under this RFP must agree to meet the following conditions relating to the E-rate program and be willing to include such requirements in the Vendor's contract:

3.1 Vendor must agree to submit to the SLD a completed Form 473 prior to July 1 of each calendar year. This form is available on the SLD's website at https://www.usac.org/e-rate/resources/forms.

3.2 Discounted Bills: Should MASD so choose; Vendor must agree to provide discounted bills to MASD which reflect the net charges due to MASD after E-rate discounts have been reflected (also known as the "non-discount" amount). The Vendor will then invoice USAC using the Form 474 SPI form for the E-rate discount amount. Vendor shall be solely responsible for timely filing invoices with USAC. Accordingly, Vendor understands and agrees that MASD will NOT be liable to Vendor and Vendor shall have no recourse against MASD for any discounted amount that Vendor submits late to USAC for payment, if USAC refuses to pay the invoice due to late filing. Further, Vendor understands and agrees that MASD shall not be liable to Vendor and Vendor shall have no recourse against MASD for any discounted amount that Vendor submits to USAC for payment if Vendor is at fault for USAC's refusal to pay. If MASD's actions or failure to act are responsible for the non-payment of the Vendor's invoice with USAC, MASD shall not be liable to Vendor and Vendor shall have no recourse against MASD for the amount at issue until both MASD and the Vendor have exhausted their administrative remedies of appeal to USAC and/or the FCC. Vendor must separately itemize the cost of E- rate eligible and ineligible products and/or services on all invoices. To determine what items are eligible, Vendor must contact the equipment manufacturer or contact USAC.

3.3 If Vendor learns of any federal, state, or local investigation conducted by any regulatory authority or law enforcement authority that could have an adverse impact on MASD's ability to continue to receive the benefit of E-rate funding, Vendor must notify MASD within 30 calendar days of learning of such investigation. MASD reserves the right to cancel the agreement without penalty if the investigation impedes MASD's ability in any way to receive the benefit of E-rate funding, subject to any investigation of wrongdoing.

3.4 Vendor shall maintain all bids, quotes, records, correspondence, receipts, vouchers, delivery information, memoranda and other data relating to Vendor's services and any subcontractors to MASD. All such records shall be retained for 10 years following completion of services and/or installation of equipment and shall be subject to inspection and audit by MASD.

3.5 In addition to the foregoing, Vendor must maintain and enforce an internal E-rate audit process that ensures that Vendor complies with all E-rate program rules and regulations. This process must include the following:

- Where labor is involved, maintaining detailed, signed individual timesheets.
- Ensuring that ineligible charges are not submitted to USAC.
- Invoicing to USAC that is consistent with the contract and MASD's Form 471.
- Ensuring that services or products are not provided to MASD without SCAD's express written permission or official purchase authorization.
- Ensuring that MASD approved substitute services or products are prominently noted on invoices submitted to USAC and MASD.
- When E-rate eligible services or equipment are allocated or installed in multiple buildings, support for the allocation consistent with the amount and buildings identified in the Form 471.
- Documenting that E-rate funded services were provided within the allowable contract period and program year.
- Charging proper FRN(s).
- Ensuring that invoices and USAC forms are submitted to MASD in a timely manner.
- Ensuring that USAC forms are filled out completely, accurately and on time.
- Ensuring that Forms 472 are signed/dated by vendor's representative in a timely manner.
- Maintaining fixed asset list of E-rate-supported equipment provided to MASD with detailed information for each item (model number, serial number, product description) and made available to MASD in electronic format upon project completion.

4.0 CONDITIONS, CONTRACT and BILLING

4.1 MASD reserves the right to:

- Amend, modify, cancel this RFP, or not award any contract.
- Modify or add to the requirements contained in this RFP at any time after the issuance of this RFP for compliance by all providers.
- Increase or decrease the quantities of services at the same price listed in the successful contract; or entirely omit an item or group of items to be purchased to reflect actual MASD needs at the time that orders are placed. Such additional quantities will be purchased at the price indicated on the contract. Such modifications are expressly anticipated and included within the scope of this RFP.
- MASD intends to award a single contract for all services; however MASD reserves the right to award a contract for any or all parts of the RFP to one or more service providers.
- Negotiate terms and conditions to meet requirements consistent with this RFP.
- Request providers to clarify their RFP proposals.
- Reject any or all the Proposals.
- Accept other than the lowest offers.

4.2 **Timeline for Purchase of Services**

The purchase of services will be contingent upon E-rate approval and a Notice to Proceed, or Purchase Order by the Mahanoy Area School District after E-rate approval has been received.

4.3 **Lowest Corresponding Price**

Per FCC rules, vendors must offer the Lowest Corresponding Price when submitting proposals. Lowest Corresponding Price (LCP) is defined as the lowest price that a service provider charges to nonresidential customers who are similarly situated to a particular E- rate applicant (school, library, or consortium) for similar services. See 47 CFR, Part 54, Section 54.500(f). Service providers cannot charge E-rate applicants a price above the LCP for E-rate services. See 47 CFR Section 54.511(b). There is a rebuttable presumption that rates offered within the previous 3 years are still compensatory.

4.4 MASD reserves the right to extend or abbreviate the contract period if such extension or abbreviation is necessary to make the Contract term coincide with an E-rate “program year” or an extended service end date for an E-rate program year pursuant to a “service delivery deadline extension,” as those terms are defined by the Federal Communications Commission and/or USAC.

4.5 Vendor shall itemize, price, and invoice separately any materials or services that are ineligible for E-rate funding. Vendor must include the following information on all invoices to MASD for E-rate eligible equipment and/or services:

- Date of invoice
- Date(s) of service
- Funding Request Number (“FRN”)
- Vendor SPIN
- Detailed description of services performed, and materials supplied that matches MASD’s contract specifications and Form 471 descriptions of same
- Clear, concise breakdown of amount(s) to be billed to USAC (discounted portion of eligible charges) and amount(s) to be billed to MASD (non-discounted amount of eligible charges)
- Invoice on Vendor’s letterhead or on a Vendor-generated form
- Proper E-rate discount percentage as set forth by the applicable FRN and USAC funding commitment decision letter (“FCDL”)

5.0 INFORMATION TO BE INCLUDED IN PROPOSAL

In addition to the other information required to be provided, Vendor also will include with their proposal responses to the following questions:

5.1 Provide a description of the nature and scope of your firm's business endeavors, including the history of the company.

5.2 Provide a description of your firm's previous and ongoing relationship, if any, with the MASD.

5.3 Provide proof that the Vendor and all subcontractors are authorized to do business in Pennsylvania.

5.4 Provide the names and contact information of at least 3 current Pennsylvania K-12 clients of similar size to MASD that can attest to the quality of work provided by your company using or procuring similar goods and/or services as requested in this RFP.

5.5 Provide a description of the firm's experience with the federal E-rate program.

5.6 Provide federal Tax ID Number, E-rate SPIN Number, and FCC Registration Number (FCCRN).

5.7 Provide certification that the Vendor currently is not subject to the Red Light Rule and will notify MASD if they are placed on Red Light Status with the FCC. Further, provide a certification that the Vendor's principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation, by any Federal department or agency, from transactions involving the use of Federal funds. Where Vendor is unable to certify to any of the Statements in this certification, Vendor shall attach an explanation to their offer.

5.8 Provide contact name and contact information for person authorized to negotiate terms and conditions.

5.9 Provide contact name and contact information where questions related to the proposal can be directed with statement certifying that this person (or his/her authorized representative) will be available in January 2026 – April 2026 in order to assist with the completion of MASD's 471 E-rate applications, if requested.

5.10 Provide a copy of terms and conditions for proposed contract.

5.11 **Pennsylvania Right-to-Know Law**

Vendor is required to clearly identify any specific information that they deem as proprietary and request to be withheld from public view. Vendor must provide one copy of its redacted proposal with all proprietary information omitted. MASD intends to comply with the Pennsylvania Right to Know law concerning requests for release of documents regarding this procurement, including the release of proposals after bid opening. Per E-rate regulations, price of winning bid is not confidential information.

5.12 **Non-Collusion Affidavit**

Proposers must complete and submit the Non-Collusion Affidavit in the form set forth in Appendix B.

6.0 EVALUATION

In accordance with applicable state law, 24 P.S. Section 8-807.1, MASD is required to select the proposal of the "lowest responsible bidder" in the event that MASD decides to award a contract.

In order for a bidder to be eligible to be considered a “responsible” bidder, the bidder must comply with the following:

6.1 Submit a timely proposal and not be disqualified under Section 1.8.

6.2 The proposal must include all of the required information in Section 5.

6.3 Information submitted in response to Section 5.5 must confirm the bidder is familiar with and experienced with the federal E-rate program.

6.4 Bidder must indicate their willingness to be bound by the terms of the RFP.

6.5 A bidder that opts to submit a proposal for an alternative manufacturer has submitted required documentation that satisfies the requirements of Section 2.3.

APPENDIX A

LIST OF NETWORK EQUIPMENT

Function	Item #	Description	Quantity
Switches	**R8Q71A**	**HPE Aruba Networking CX 6200M 36G 12SR5 Class 6 PoE 4 SFP+ Switch or Equivalent**	**4**
Switches	**JL087A**	**Aruba X371 12 VDC 250 W 100-240VAC Power Supply or Equivalent**	**8**
Switches		**5 Year Aruba Warranty or equivalent**	**4**
Access Points		**Aruba 745 Series or equivalent**	**30**
Access Points	**S4K79A**	**Universal Mounting Bracket**	**30**

APPENDIX B

NON-COLLUSION AFFIDAVIT INSTRUCTIONS AND FORM

1. This Non-Collusion Affidavit is material to any contract pursuant to this RFP. According to the Pennsylvania Anti Bid-Rigging Act, 73 P.S., Sections 1611 et seq., governmental agencies may require Non-Collusion Affidavits to be submitted together with bids.

2. This Non-Collusion Affidavit must be executed by the member, officer or employee of the bidder who makes the final decision on prices and the amount quoted in the RFP.

3. Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of bids are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself or herself that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the bidder with responsibilities for the preparation, approval or submission of the bid.

4. In the case of a bid submitted by a joint venture, each party to the venture must be identified in the Bid Documents, and an Affidavit must be submitted separately on behalf of each party.

5. The term “complementary bid” as used in the Affidavit has the meaning commonly associated with that term in the bidding process, and includes the knowing submission of bids higher than the bid of another firm, any intentionally high or noncompetitive bid, and any other form of bid submitted for the purpose of giving a false appearance of competition.

6. Failure to file an Affidavit in compliance with these instructions will result in disqualification of the bid.

NON-COLLUSION AFFIDAVIT

Project Name: _____

Owner: _____

Project No.: _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____: S.S.

I state that I am _____ (Title) of _____ (Name of Firm) and that I am authorized to make this affidavit on behalf of my firm, and its owners, directors, and officers. I am the person responsible in my firm for the price(s) and the amount of this bid.

I state that:

1. The price(s) and amount of this bid have been arrived at independently and without consultation, communication or agreement with any other contractor, bidder or potential bidder.

2. Neither the price(s) nor the amount of this bid, and neither the approximate price(s) nor approximate amount of this bid, have been disclosed to any other firm or person who is a bidder or potential bidder, and they will not be disclosed before bid opening.

3. No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a bid higher than this bid, or to submit any intentionally high or noncompetitive bid or other form of complementary bid.

4. The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive bid.

5. _____,(Name of Firm) its affiliates, subsidiaries, officers, directors and employees are not currently under investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as follows:

I state that_____ (Name of Firm) understands and acknowledges that the above representations are material and important, and will be relied on by the Owner in awarding the contract(s) for which this bid is submitted. I understand and my firm understands that any misstatement in this affidavit is and shall be treated as fraudulent concealment from Owner of the true facts relating to the submission of bids for this Agreement.

Signature: _____

Signatory's Printed Name: _____

Signatory's Title: _____

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____ DAY
OF _____, 20_____

NOTARY PUBLIC _____

My Commission Expires _____