

Request for Proposal
ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS

Issue Date: July 22, 2019

Proposal Due Date: August 21, 2019

1. Statement of Purpose

On March 28, 2018, Governor Kay Ivey, signed the Alabama Broadband Accessibility Act. On May 30, 2019, Governor Kay Ivey signed Act 2019-27 amending the Alabama Broadband Accessibility Act. These acts established and amended the Alabama Broadband Accessibility Fund for the purpose of promoting the availability of high-speed broadband services in unserved rural Alabama in order to encourage economic development, education, health care, and emergency services.

2. Anticipated Scope of Work

The purpose of this proposal request is to identify the consultant most advantageous to the Alabama Department of Economic and Community Affairs (ADECA) in meeting the state's broadband deployment goals. In general, the responding consulting firm will be required to demonstrate its experience successfully coordinating large scale telecommunication infrastructure projects, capability to assist government and economic development agencies with a regional/community broadband needs assessment, developing and implementing a strategy for archiving grant information, mapping, and other related activities. Therefore, ADECA is seeking a consultant to undertake the following:

- **Technical Expertise for Grant Program Development** – demonstrate how the proposer will provide technical expertise, resources, and information to assist in the development of program guides for administration of grant funds offered by the State of Alabama to support service provider deployment of infrastructure.
- **Review of Other Funding** – demonstrate how the proposer will identify other federal funds and develop strategies for leveraging state and local funds to maximize investment of federal funds in Alabama.
- **Legislation Review and Recommendation** – demonstrate how the proposer will review legislation in Alabama and other states in order to recommend changes to existing legislation and/or additional legislation in Alabama.
- **Identify and Convene Stakeholders** – demonstrate how the proposer will identify stakeholders and assist in the management of convening stakeholder meetings and planning sessions.
- **Current and Future Mapping** – demonstrate how the proposer will provide mapping of existing broadband availability and a system for updating broadband maps over time.
 - all maps will be provided in an editable form and in a format ADECA staff can utilize with existing hardware and software
 - maps will be consistent with federal mapping requirements for states

- **Statewide Strategic Plan** – demonstrate how the proposer will provide strategies for driving deployment of scalable broadband infrastructure throughout Alabama with a particular focus on rural areas of the state that lack scalable broadband infrastructure to include needs assessment, potential branding, and promotion.
- **Regional Planning Support** - demonstrate how the proposer will provide planning assistance to rural counties, municipalities and economic development agencies as these entities develop a broadband infrastructure needs assessment and strategies for addressing needs.

The estimated time frame for this contract will start on November 8, 2019 and continue through May 8, 2021.

It is our expectation that, upon selection, we will develop and agree to a scope of work to be delivered by the Proposer, keeping in mind that we are held to stringent cost-control measures and always seek to be good stewards of the state’s resources.

The scope and subsequent staff requirements to support ADECA are dynamic and volatile, always influenced by state budget fluctuations, local, state and national events, and other unforeseen circumstances. While every effort is made to define and follow a specified scope of work, there is no guarantee that such scope or budgets will be maintained.

3. Contractor Information required

- a) Headquarters address and other offices
- b) Years in business
- c) Ownership
- d) Contractor leadership with bios
- e) Number of employees
- f) Billings: 2017, 2018 and projected 2019
- g) Describe contractor’s philosophy and what makes the contractor unique or different
- h) List your current clients – please describe any potential conflicts
- i) List your former clients within the last two years and please describe any potential conflicts such as other broadband plans

4. Contractor Capabilities

Please indicate contractor’s capabilities (yes or no) in each category below and, if yes, whether services are provided by in-house staff or are outsourced and if so, to whom.

- Contractor must have five years working in or with the telecommunications industry. This includes demonstrating an ability to explain the broadband infrastructure construction process and the related costs (both wired and wireless).

- Contractor must display a track record of successful interface with broadband service providers and other broadband infrastructure owners that have produced positive outcomes for states, counties and municipalities.
- Contractor must submit three references from previous engagements providing similar services including at least two references working with federal or state government.

5. Additional Requirements

- a) List the Contractor's current or previous experience involving statewide broadband strategic planning (please provide at least one case study).
- b) List the Contractor's current or previous experience involving statewide broadband mapping projects (please provide at least one case study).
- c) Please include two additional case studies of the Contractor's best work regardless of client type (include the strategy, execution and results).
- d) Provide bios of the team members who would work on this assignment, including their experience working with broadband planning and mapping.
- e) Describe the digital security and privacy policies the Contractor has in place and any completed certifications.
- f) As a respondent, the Contractor has a continuing obligation to disclose information throughout the RFP process should any qualifications or situations change that might render the Contractor as an unqualified candidate.
- g) If selected, the Contractor must be registered to do business with the State of Alabama through the STAARS Vendor Self Service (VSS). For more information, visit VSS at <https://procurement.staars.alabama.gov>.
- h) If selected, the Contractor must be qualified with the Secretary of State to conduct business in the State of Alabama. For more information, visit the Secretary of State website at www.sos.alabama.gov and click Corporations.
- i) The Contractor covenants that it will have no interest, direct or indirect, that will conflict in any manner or degree with the performance of the contract. The Contractor shall employ no person having any such known interests.
- j) The Contractor covenants that it has a policy and practice of equal employment opportunity and nondiscrimination based on age, race, creed, and/or gender.
- k) The Contractor attests that all workers providing the services described in this RFP are either citizens of the United States or are in proper and legal immigration status that authorizes them to be employed for pay within the United States.
- l) The Contractor attests that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based on doing business with a jurisdiction with which this state can enjoy open trade.

6. Cost Estimate Based on Anticipated Scope of Work

Based on Section 2 herein, prepare a proposal that will demonstrate what the Contractor can provide for an amount not to exceed \$500,000.00.

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7. Contractor Capabilities Evaluation

- a) Responses to RFP will be used to evaluate the Contractor on the following criteria:
 - i. Experience (20%)
 - ii. Comprehensiveness (25%)
 - iii. Strategy (30%)
 - iv. Cost (25%)
- b) References
 - i. Please provide three current client references
 - ii. If possible, at least one of the above should pertain to statewide broadband mapping and/or planning
- c) Final Selection
 - i. Final selection will be based on 7.a., and 7.b.

8. Process and Schedule

- a) RFP response due date: August 21, 2019
- b) Review and selection completed: September 20, 2019
- c) All Contractor documents required for Contract Review due to ADECA: October 21, 2019
- d) Contract Review date: November 7, 2019
- e) Estimated contract issue date: November 8, 2019

9. Instructions for Submitting a Proposal

Proposals should be as thorough and detailed as possible so that the Contractor's capabilities to provide the required services can be properly evaluated.

All proposals submitted in response to this RFP must include one original and completed Disclosure Statement as required by Ala. Code § 41-16-80 et seq., (1975), as amended. Copies of the Disclosure Statement and information may be downloaded from the Alabama Attorney General's website at www.ago.alabama.gov.

All proposals submitted must contain one (1) original and two (2) copies of the full proposal.

All proposals must be received no later than **5:00 p.m., August 21, 2019** at:

By Courier:

Alabama Department of Economic and Community Affairs
Energy Division
Attn: Maureen Neighbors
401 Adams Avenue
Montgomery, Alabama 36104

By US Mail:

Alabama Department of Economic and Community Affairs
Energy Division
Attn: Maureen Neighbors
Post Office Box 5690
Montgomery, Alabama 36106

- Package should be sealed and labeled “Response to ADECA Broadband RFP” and should clearly indicate the proposer’s name.
- Faxed or emailed submissions are not acceptable.
- Please respond to all questions and provide all information in the order requested.
- Number all pages of the proposal.
- It is the responsibility of the responding Contractor to ensure that its proposal is timely delivered and received by ADECA on or before the deadline stated above. ADECA will not consider proposals received after the deadline. ADECA assumes no responsibility for late delivery by the U.S. Mail, the State’s Central Mail Facility, a commercial courier service, or any other method of delivery selected by the Respondent.

Questions pertaining to this RFP may be submitted by email to Maureen Neighbors at broadband.fund@adeca.alabama.gov.

10. Additional Information

a) Agreement:

All terms and conditions, as well as duties of the selected Contractor, shall be set forth in a contract agreement between the selected Contractor and ADECA. The contract will incorporate reference to the requirements of the RFP and the Contractor’s proposal as negotiated.

State law prohibits ADECA from agreeing to (1) indemnify the Contractor; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration. Additionally, it is mandatory that Alabama laws apply to the performance of the contract and that jurisdiction and venue be in Montgomery, Alabama for state and federal courts.

b) Public Information

All responses received will be subject to the Alabama Open Records Act, Ala. Code § 36-12-40 (1975), as amended, and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is Ala. Code §§ 8-27-1 to 8-27-6 (1975), as amended. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets, or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Contractor enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the State of Alabama, ADECA, and ADECA's staff harmless from all costs or expenses including, but not limited to, attorney fees and expenses related to litigation concerning disclosure of said information and documents.

c) Property of the State

All created and managed assets (i.e., maps, assets purchased for events, etc.) will be the property of the State of Alabama.