

Clay County Fiscal Court Clay County, Kentucky

Request for Proposals

For

High Speed Internet/Broadband Services

Date Issued July 15, 2024

Proposal Submission Deadline:

September 4, 2024, 5:00 p.m.

**Mail, Hand Deliver, or Email Proposal
to Primary Contact:**

Tommy Harmon
Judge Executive
Clay County Fiscal Court
102 Richmond Rd # 201, Manchester, KY 40962
grants@claycountky.com

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1. SUMMARY

CLAY County Fiscal Court, hereinafter referred to as “County,” is requesting proposals from all interested providers of High-Speed Internet/Broadband (hereafter “Internet”) services for affordable, reliable high-speed Internet access in the form of Fiber to the Premise (FTTP) for **the Brutus area** of CLAY County.

The term “provider” shall refer to providers submitting proposals in response to this Request for Proposals (RFP). The term “Contractor” or “Provider” is also used to describe the successful offeror(s) in the context of providing services under a contract resulting from this RFP.

An electronic copy may be downloaded from www.ClayCountyKy.com.

Each proposal received in response to this RFP will be evaluated on the criteria described herein. All proposals must be sealed, clearly marked “PROPOSAL – BRUTUS FIBER PROJECT” and must include all elements described in the **PROPOSAL CONTENT AND FORMAT REQUIREMENTS** section of this RFP.

One original copy of the proposal must be delivered to the physical address or email address below before the date and time listed in the **CONTRACT AWARD SCHEDULE** section of this RFP. The County will not be responsible for proposals delivered to a person or location other than that specified herein, and reliance on the postal service will not excuse late proposals.

Access to County data for the identification of demand and assets is available by request.

Any amendment or addendum to this RFP is valid only if issued in writing by the County.

2. CONTRACT AWARD SCHEDULE

Publish RFP	Date: July 15, 2024
Last Day for Questions	Date: July 26, 2024
Questions Answered by County	Date: August 15, 2024
Proposal Submission Deadline	Date: September 4, 2024
Contract Approval (tentative)	Date: September 12, 2024
Services to Begin (tentative)	Date: October 1, 2024

3. GENERAL CONDITIONS

3.1. **Prime Responsibility:** The selected provider will be required to assume full responsibility for all services and activities offered in its proposal(s), whether or not provided directly. Further, the County will consider the selected Contractor(s) to be the sole point of contact regarding contractual matters, including payment of any and all charges resulting from the contract.

- 3.2. Assurance: Any contract awarded under this RFP must be carried out in full compliance with all laws of the State of Kentucky. The County prohibits discrimination in employment or in the provision of services because of race, color, religion, religious creed, sex, age, marital status, ancestry, national origin, political affiliation, physical disability or medical condition. This clause does not require the hiring of unqualified persons.
- 3.3. Independent Contractor: In performance of the work, duties and obligations assumed by the submitting organization, it is mutually understood that the submitting organization, and all of its officers, agents and employees, will at all times be acting and performing in an independent contractor capacity and not as an officer, agent, servant, employee, joint venture, partner or associate of the County. The Independent Contractor should identify to the County an individual to serve as the Point of Contact and/or Project Manager.
- 3.4. The County reserves the right to reject any and all proposals; to negotiate specific terms, conditions, compensation, and provisions on any contracts that may arise from this solicitation; to waive any informalities or irregularities in the proposals; and to accept the proposal(s) that appear(s) to be in the best interest of the County. In determining and evaluating the proposals, costs will not necessarily be the sole determining factor; the experience of those who will be providing services under the contract, quality, equality, efficiency, utility, suitability of the services offered, and the reputation of applicants will be considered, along with other relevant factors.
- 3.5. The County reserves the right to:
 - Request clarification of any submitted information;
 - Not enter into any agreement;
 - Not select any applicant;
 - Amend or cancel this process at any time;
 - Interview applicants prior to award and request additional information during the interview;
 - Negotiate a multi-year contract or a contract with an option to extend the duration;
 - Issue similar RFPs in the future.
- 3.6. Prior to commencement of services, the Contractor must provide evidence of the following insurance coverages in amounts satisfactory to the County: Worker's Compensation, Commercial General Liability (naming the County as additional insured), Comprehensive Business or Commercial Automobile Liability for Owned Automobiles and Non-owned /Hired Automobiles. The Contractor will be required to maintain the required coverages, at its sole cost and expense, throughout the entire term and any subsequent renewal terms of the contract.
- 3.7. If any portion of the labor costs associated with this project will be paid using federal funds, Davis-Bacon prevailing wage guidelines will apply and must be tracked without exception.

4. BACKGROUND

- 4.1. The County is looking for an internet solution that will serve residents, businesses and any other entities located in the area. This portion of the County is currently underserved or has limited internet service, therefore, the County wishes to obtain access to high-quality internet access for its citizens and to encourage economic development.
- 4.2. The County is looking for a company to install internet to connect and serve this underserved or unserved section of the County. Preference will be given to proposed solutions that best provide or offer to provide the indicated services to the approximately 147 passings (both residential and business) that are part of the Area.
- 4.3. Proposed solutions must be highly reliable (99.99% or better) and provide low-link-latency capable of carrying multicast, real-time streaming and video conferencing.
- 4.4. The County is willing to work with the Provider if necessary to alleviate any Rights of Way or other accessibility issues that may arise as part of proposed fiber routes.

- 4.5. Preference will be given to local providers, with additional preference to those who offer local representation and customer support.
- 4.6. The selected entity will be required to market their offerings to customers through an Area-specific marketing plan.
- 4.7. Preference may be given to firms that offer creative ways to fund this project.

5. DESCRIPTION OF SERVICES REQUIRED

- 5.1. Scope of Services
 - 5.1.1. Provide turn-key Internet access;
 - 5.1.2. Provide local sales and technology support;
 - 5.1.3. Provide pricing for residential internet access along with time-to-market for implementation to residential areas. This includes providing for the first year, plus promotional discounts, if applicable.
- 5.2. Detailed Description(s) of Services Required
 - 5.2.1. Fiber to the Premise (FTTP) in the form of single-mode fiber or Wireless Network (while FTTP is the preferred solution, wireless may be the best possible, and in some cases, only solution for certain projects).
 - a. High-speed internet access for customers;
 - b. Minimum offerings of 100Mbps x 20 Mbps, with additional delivery speeds available. Consideration will be given to offerings of symmetrical speeds.

6. PROPOSAL CONTENT AND FORMAT REQUIREMENTS

Interested ISPs shall submit one original copy of their proposal to CLAY Fiscal Court, either in person, by mail, or by electronic mail. Submissions must be received no later than the submission deadline.

Proposals shall be delivered no later than the date and time listed in the CONTRACT AWARD SCHEDULE and shall contain at a minimum the following items:

6.1. Cover Sheet (Attachment A)

- 6.1.1. Provide the full legal name of the Contractor who will execute the contract. Provide specific information concerning the agency, including: the agency's legal name, type of entity, and Federal Tax ID #.
- 6.1.2. The cover sheet must be signed by an owner, corporate officer, or agent authorized by the Contractor.

6.2. Network Specifications

- 6.2.1. Complete Attachment B – Specifications and Pricing
Record 'N/A' in the data section of the form for any portion of the scope of service that you are NOT including in your proposal.
- 6.2.2. Provide a detailed description of the Primary FTTP that you are providing.
 - a. Provide equipment specifications in adequate detail to document the performance claims reported on Attachment B.
 - b. Provide the electrical requirements for the proposed system.
 - c. Provide installation sketches or drawings showing what the installations will look like and what connections you are proposing.

- d. Describe any benefits that your proposed system may provide that exceed specifications or enhance performance in ways that are not otherwise documented in your proposal.

6.2.3. Provide details on residential access

- a. Provide maps detailing when each underserved or unserved area will have access to Internet.

6.3. Organization Information

6.3.1. Background and Experience

- a. Provide information substantiating your organization's experience in providing broadband in a fiber to the premise model. Include any references that are pertinent.

6.3.2. Provide a description of all available equipment and installation warranties provided in your proposed system(s).

6.4. Proposed Costs

In addition to the customer pricing provided in Attachment B, provide any additional costs required by the County to construct the infrastructure and a timeline for implementation.

7. SELECTION PROCEDURES

Proposals will be evaluated on the criteria outlined in the PROPOSAL CONTENT AND FORMAT REQUIREMENTS section.

After an initial review and evaluation of each of the proposals, the organization submitting the most highly rated proposals may be invited for interviews prior to final selection, to further elaborate on their proposals. The County reserves the right to award a contract without holding interviews, in the event the written proposals provide a clear preference on the basis of the criteria described. CLAY County will at all times adhere to its currently approved Purchasing Policy.

The Contractor(s) selected for this project will be required to accept the County's contract and to comply with insurance standards as deemed acceptable to the County. No agreement with CLAY County is in effect until both parties have signed a contract.

8. INQUIRIES

Direct all inquiries regarding the proposal process to grants@claycountyky.com

Direct proposal submissions to:

In Person or by USPS

Tommy Harmon
Judge Executive
Clay County Fiscal Court
102 Richmond Rd, Ste # 201, Manchester, KY 40962

Via email:

grants@claycountyky.com

ATTACHMENT A: COVER SHEET

Name of Person, Business or Organization:	
Type of Entity: (e.g. Sole-Proprietorship, Partnership, Corp., Non-Profit, Pubic Agency)	
Federal Tax ID Number:	
Contact Person – Name	
Contact Person – Address	
Contact Person – Phone Number (s)	
Contact Person – e-mail address	

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

Signature of Authorized Representative

Printed Name of Authorized Representative

Date

Printed Title of Authorized Representative

ATTACHMENT B: SPECIFICATIONS AND PRICING

Primary Network	Specification or (N/A)
Rated Reliability	
Link-induced latency	
Advertised network speed	
Connection Distance Limit	
Residential – Standard Price(s) Minimum 50 Mbps x 15 Mbps	\$
Residential – Promotional Price(s) (Include length of promotional period.)	\$
Government – Standard Price(s)	\$
Government– Promotional Price(s) (Include length of promotional period.)	\$
Business – Standard Price(s)	\$
Business – Promotional Price(s) (Include length of promotional period.)	\$