



REQUEST FOR PARTNERSHIP

Southern Colorado Economic Development District (SCEDD) Broadband Middle and Last Mile Partnership May 23, 2023

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Project Purpose and Scope of Work

The Southern Colorado Economic Development District (SCEDD) strives to nurture the economies of the 13 member counties in southern Colorado – Baca, Bent, Chaffee, Crowley, Custer, Fremont, Huerfano, Kiowa, Lake, Las Animas, Otero, Pueblo, and Prowers. SCEDD believes that in today’s information age, access to reliable and affordable internet service through broadband, for all its members and residents, is a necessity for long term sustainable economic growth. SCEDD’s broadband initiative aims to help facilitate the expansion of broadband infrastructure throughout the SCEDD region. As the COVID-19 pandemic highlighted, having access to adequate, affordable internet service is essential for residents to fully participate in the modern economy, access education, access employment training activities, and to participate in telehealth services.

The intent of SCEDD’s broadband plan is to:

- Fill gaps in middle mile broadband infrastructure throughout the SCEDD region in partnership with counties, municipalities and internet service providers (ISPs)
- Deliver last mile broadband to homes, businesses and industry through partnerships with ISPs operating throughout the region
- Act as a central point of coordination and collaboration for broadband projects throughout the region
- Work with partners to pursue grants and funding alternatives

To accomplish its broadband implementation goals, SCEDD desires to partner with local and regional ISPs to accomplish middle and last mile service. As such, the scope of services contemplated through this request for partnership includes:

- Partnering with SCEDD to refine middle mile routes and develop last mile deployment strategies building on the work done in the SCEDD Broadband Blueprint
- Designing and building middle and last mile fiber optic network routes
- Participating in establishing and operating carrier neutral or meet me locations to serve communities, as applicable
- Participating in grant applications and funding programs to further broadband initiatives across the SCEDD region; acting as a grant recipient, subrecipient or pass through entity
- Complying with all federal and state government standards and requirements around grant programs and grant awards including 2 CFR 200, and 2 CFR 200.216

In order for SCEDD to be a successful grant recipient through the Colorado Broadband Office Advance Colorado Broadband Capital Projects Fund (ACBCPF) Grant Program, it is imperative that all partners awarded contracts through this request for partnership are compliant with the *ARPA Capital Projects Funds Broadband Infrastructure Grant Program Guidelines* and other associated Federal procurement standards including, but not limited to:

- § 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
- § 200.322 Domestic preferences for procurements.
- § 200.323 Procurement of recovered materials.
- Procurement for recipient and subrecipients must be compliant with §§ 200.317 through 200.327 Procurement Standards. Please reference: <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>

ISP Partner Requirements

SCEDD expects ISP partners selected through this RFP to identify as qualified offerors and have the ability to provide the following services.

Design and Preconstruction Services

- Design of middle and last mile projects that deploy fiber optic technologies to unserved and underserved SCEDD regions that offer 100 Mbps symmetrical service.
- Provisioning of middle mile fiber for “open access” to improve regional connectivity and access.
- Design of optional fixed wireless service to serve “difficult to reach” areas of the SCEDD region where fiber optic technology may be too costly to build.

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- Participate in design progress meetings, design review meetings, provide constructability input and provide lead time estimates of various materials, equipment or furnishings incorporated into the work. Provide phasing recommendations of construction.
 - Provide routine cost estimates of the planned projects at high- and low-level design phases to ensure the projects are tracking to grant awards, funding requests and budget. Each project is expected to be delivered under a fixed-price, not-to-exceed, format contract.
 - Provide route walk-out and preliminary design services to ensure route viability. Work with SCEDD representatives and local utility partners to identify the best routes (overhead or underground), make ready requirements and required permitting.

Procurement and Contracting

- Provide and participate in procurement for recipient and subrecipients compliant with §§ 200.317 through 200.327 Procurement Standards.
- ISP Partners will be awarded multiple fixed price, not-to-exceed contracts for various projects throughout the region.
- ISP Partners will be expected to perform an open book bidding process that is competitive to all work not self-performed. This is expected to include third-party contractors used for outside plant construction and materials procurement.
- SCEDD reserves the right to competitively bid any portion of the Work in the event a fixed price contract cannot be established with the ISP Partner.
- Fixed price contracts are expected to contain an element of force-account or contingency provisions to ensure risk is properly allocated and addressed.
- All Work shall be subject to warranty provisions contained in the final contract(s). It is expected that the minimum warranty requirement will be 1 year from substantial completion of any fixed-price contract.
- ISP Partners are expected to participate, as necessary, in grant approach planning and be ready to provide Letter of Intent or enter into partnering agreements at the time of grant application.
- Final contract documents will be performance based and include any grant provisions necessary for recipient and subrecipient performance. SCEDD will work with the ISP Partner(s) to develop the final contracts and fixed price agreements.
- The ISP Partner(s) will be required to participate in the Affordable Connectivity Program (ACP) or equivalent to be compliant with grant application requirements.

Construction Services

- Provide construction services according to the provisions in the fixed price contract to accomplish the Work (outside plant construction, active network installation and FTTP or fixed wireless installations).
- Provide qualified site supervision and management of subcontractors to meet or exceed the project schedule and meet the requirements of the fixed price contract(s).
- Provide construction Critical Path Method (CPM) scheduling using an approved software; attend meetings and provide reports according to the contract documents and federal, state or local requirements. Provide a fully conformed procurement schedule for critical material deliveries.
- Provide cost reports monthly to SCEDD to ensure cost tracking and control within the fixed price contract. Construction costs are expected to be tracked and reported regularly.
- Provide site security and protection during construction. Provide all site safety management and compliance with OSHA standards and criteria. Implement a site safety program that is reported on regularly.
- Provide a quality control program that meets or exceeds minimum job/contract document and industry standards. Material testing and inspection may be provided through a third party working directly for SCEDD.
- Meet all licensing requirements as set forth by jurisdictional authorities for all Work.
- Provide and manage startup, testing and commissioning processes; project close out and address needs during the project warranty period.
- Provide plans, applications and submittals necessary to obtain all permits. All permit fees are expected to be paid for by the ISP Partner(s).

Roles

The following outlines the respective roles of the design and management team involved in the project. These are described below.

SCEDD. SCEDD will act as the main grant recipient, coordinator and management agency. SCEDD will manage grant compliance and reporting requirements. There may be instances where the ISP Partner operates as the main grant recipient. In this case, SCEDD would act as a facilitator and coordinator with county and local agency issues/participation.

ISP Partner. The ISP Partner(s) acquired through this RFP will act as a design/builder through a fixed price contract arrangement. It is expected that the final infrastructure built by the ISP Partner will be owned and operated by the ISP Partner through a subrecipient agreement arrangement or equivalent.

SCEDD Consultant. At the sole discretion of SCEDD, SCEDD may engage a third-party consultant to assist with program, project, design and construction management oversight.

Culture of Project Delivery

Partnering

SCEDD expects a partnering relationship with the selected ISP Partner(s). The team expects an environment where trust and teamwork prevent disputes, fosters a cooperative bond to everyone's benefit, and facilitates the completion of successful projects. Adversarial relationships between the project participants are not an acceptable way of doing business on this project.

Key Staff

SCEDD expects the ISP Partner(s) to commit key staff members to manage the project through attendance of project meetings; management of subcontractors; management of schedule; quality and cost. Key staff members for this project are expected to include the project manager, assistant project manager, and field superintendent. These individuals shall be named in the RFP and be assigned to the project throughout the design and construction phases.

Communication

SCEDD expects open and honest communication related to project activities including subcontractor performance, cost control, schedule control, budget and quality issues as they may arise. The project team expects communication to occur directly through the established chain of command which may involve working directly, receiving direction and coordinating with SCEDD's assigned personnel or consultant team staff.

Contract Management

SCEDD expects the ISP Partner(s) to participate in contract management such that pay applications/grant draw requests, change orders, and other documents are managed timely and effectively to avoid delays in project delivery. SCEDD expects full transparency of costs with back up documentation for cost of work.

Delivery Schedule

SCEDD expects the ISP Partner(s) and subcontractors to develop, monitor and execute the construction to an overall schedule that meets or exceeds the schedule required in any particular grant application. Overall, work contemplated under this RFP is expected to be complete by 2026.

RFP Submittal Requirements

ISP Partners that have the requisite experience and minimum qualifications outlined herein are encouraged to submit proposals. Partner ISP should provide any proprietary information via separate “sealed envelope” submittal. This can be done electronically with separately labeled PDF.

General Company Information

- Name of ISP Partner, contact person for this proposal, title, phone number, fax number, street and mailing addresses.
- Previous names of ISP Partner in last 10 years; date company was established. Describe how the company is legally organized.
- Provide licenses held by ISP Partner.
- DUNS Number.
- Verification of SAM registration.

Similar Projects

Provide a brief project description and history of projects, similar in scope to the SCEDD projects, completed and in progress in the last 5 years. Provide a list of all projects of similar size completed by your company in the last 5 years. It is expected that the ISP Partner will have outside plant construction experience with projects exceeding \$5M in value. Include the following information.

- Project description that includes the project name, overall scope of work, key subcontractors used and any unique project characteristics.
- Project history that includes the original schedule agreed upon, the actual duration of construction, and any special characteristics of the project that affected delivery.
- Original and final project cost.
- Subcontractor or other entity-initiated claims and their resolution.
- Provide references for cited projects. If performed directly for ISP Partner company, provide references from local permitting agencies that oversaw company work.

Project Approach

Provide a written project approach outlining how your firm would facilitate delivery of the SCEDD projects. Include a narrative describing how you would build the work; outline project challenges you see and how they may be overcome. Provide a plan for how key last mile projects of interest fit in with the overall intent of the SCEDD Broadband Blueprint and justify any deviations or additions from current planned routes or priorities. Please provide an estimated count of unserved and underserved addresses that would be served by the proposed projects.

Outline your commitment to third party in-kind contributions towards local match requirements to grant applications. Describe how you would participate with the SCEDD team to pursue grant applications for projects throughout the region.

Company Resources

Provide a description of your overall company resources, office locations and their proximity to the project site(s).

- Provide an organizational chart for the personnel to be used on this project.
- Indicate the office location this project will be managed through.
- Provide a full list of equipment on hand, owned and managed by the company.

Key Project Staffing

Provide names and resumes of proposed key project staff, including the proposed project manager, assistant project manager, and field superintendent. Detail the availability of proposed staff. *(Note: key personnel must be committed to this project for its duration.)*

- The proposed project manager shall have no less than 10 years of experience in outside plant network design and construction.
- The proposed field superintendent shall have no less than 8 years of experience in outside plant network construction.

Project Budget and Cost Control

- Describe your approach to developing a cost to complete for projects in the SCEDD region.
- Describe your approach to be transparent when developing and controlling cost for this project - in cooperation with the project team.
- Describe how you view fixed-price cost contracting and contingency use.

Construction Sequencing and Scheduling

Describe the scheduling approach your company typically uses for successful management of outside plant projects.

- Describe the way in which your firm develops and maintains project schedules for projects of this size and nature.
- Describe your process and frequency for updating project schedules and how your company works to overcome challenges and to maintain the original completion date.

Quality Assurance/Quality Control

Provide details on your company's quality control program. Explain how your team administers a quality control program during construction, how performance measures are documented and how quality issues are addressed.

- Provide examples of when your firm exceeded quality standards, gained industry recognition or received quality awards.

Safety Record

Provide your firm's OSHA reportable accident rate and current workman's compensation insurance multiplier for the last 3 years. If ISP Partners also provide TRIR or DART rates they should also provide:

- Number of recordable injuries related directly to number of hours worked
- Days Away Restricted Transfer incidents related directly to number of hours worked.

Bonding Company Reference

Provide your ability to provide both performance and payment bonds for 100% of the contact value for projects contemplated under this RFP. Single project size is not expected to exceed \$5M.

Insurance Company

Provide the name, address and phone number of the company’s insurance agent(s). Provide certificate of insurance outlining coverage and policy limits matching or exceeding that outlined in this section. Provide statements to answer the following questions.

- Does coverage meet minimum project requirements?
- Can coverage be increased?
- Can SCEDD be listed as an additional insured?
- Are there any current claims that will affect coverage limits available for this project?

Workers’ Compensation

State:	Statutory _____
Federal, if applicable (e.g., Longshoreman’s):	Statutory _____
Employer’s Liability:	
Bodily injury, each accident	\$ 500,000 _____
Bodily injury by disease, each employee	\$ 500,000 _____
Bodily injury/disease aggregate	\$ 1,000,000 _____
Foreign voluntary worker compensation	Statutory _____

Contractor’s Commercial General Liability

General Aggregate	\$ 2,000,000 _____
Products - Completed Operations Aggregate	\$ 1,000,000 _____
Personal and Advertising Injury	\$ 1,000,000 _____
Each Occurrence (Bodily Injury and Property Damage)	\$ 2,000,000 _____

Automobile Liability

Bodily Injury:	
Each person	\$ 1,000,000 _____
Each accident	\$ 1,000,000 _____
Property Damage:	
Each accident	\$ 1,000,000 _____
Combined Single Limit of	\$ 1,000,000 _____

Excess or Umbrella Liability

Per Occurrence	\$ 5,000,000 _____
General Aggregate	\$ 5,000,000 _____

Professional Liability

Occurrence	\$ 1,000,000 _____
General Aggregate	\$ 2,000,000 _____

ISP Partner Costs and Fee

Provide approach to pricing and performing outside plant construction. Provide markups on each type of work (i.e. construction, materials, etc.) Provide a list of construction cost factors that are used to develop the cost of work and indicated what work would be self-performed vs. subcontracted. Include the following in separate submittal labelled as proprietary:

Construction Phase Costs	
Item Description	Containing
Overhead and Profit	Overhead markup (home office; management) Profit/Fee markup
Cost of Work Development	Subcontractor markup Permanent Materials markup Equipment owned and rented markup Labor (provide unburdened labor rates and markups); an effort to match prevailing wages should be documented

- Describe how your firm develops overall costs for projects of the size and type in the SCEDD region.
- Describe in detail how your firm uses the markups and cost of work to develop the final project cost. The final cost, plus allowances or contingency (if any), will encompass a final not to exceed contract value for the project. Ownership and authorization of contingency use will be defined in the final contract.

Contract cost and price development shall be consistent with 2 CFR 200 § 200.324. It is expected that contracts developed through this RFP shall also meet requirements set forth in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards as may be amended by the Colorado Broadband Office.

Selection Process and Schedule

Qualified ISP Partner(s) interested in the work described in this Request for Partnership should submit items contained above for consideration. Procurement of ISP Partner(s) through this RFP shall be compliant with 2 CFR 200 § 200.320.

SCEDD reserves the right to reject any and all proposals and to waive any informalities and irregularities therein.

Financial Obligation

SCEDD anticipates pursuing grant applications through the CPF program beginning in June 2023. All funds made available for the projects shall be at the sole discretion of the SCEDD Board of Directors and partner agencies. SCEDD reserves the right to cancel this RFP at any time, without penalty.

SCEDD reserves the right to bid any part of its projects if a fixed price contract cannot be negotiated with the selected ISP Partner(s).

References

References contained in submitted proposals for partnership are an intricate part of the ISP Partners qualifications. References must be accurate. The ISP Partner authorizes SCEDD and its consultants to verify any and all information contained in the Proposal from references contained therein and hereby releases all those concerned providing information as a reference from any liability in connection with any information they give.

Collusive or Sham Proposals

Any proposal deemed to be a collusive or sham proposal will be immediately rejected. The ISP Partner's project principal's signature on the proposal shall assure the proposal is genuine.

Proposals may be modified or withdrawn by the ISP Partner prior to the established due date and time.

Ownership of Documents

SCEDD shall own all documents submitted or generated during this proposal process or thereafter. The ISP Partner(s) will not be compensated for generating, producing or duplicating any proposal materials associated with this RFP. All information submitted for evaluation will be considered official information acquired in confidence and SCEDD will use its best efforts to maintain confidentiality to the extent permitted by law.

Proposal as Contract

Items contained in the selected ISP Partner's proposal will be considered conditions of the contract (as applicable). In the event conditions of the contract conflict with elements in the proposal, the contract shall govern.

Submit Proposals for partnership and direct all questions to:

Leslie Mastroianni
Executive Director
Southern Colorado Economic Development District
Phone: 719-545-8680
Cell: 719-299-0989
leslie@scedd.com

- **Submit a single electronic PDF file to leslie@scedd.com (any proprietary information to be sent separately in second single PDF file)**
- **Page Count: Maximum 20 pages (double sided – 40 total; excluding covers); 11x17 sheets shall count as a single page.**
- **Limit PDF proposal size to 20 MB or less.**

Procurement Schedule

Event	Date
Issued for Advertisement	May 23, 2023
Pre-Proposal Meeting	June 1, 2023, 1:00-3:00pm Microsoft Teams Meeting Information: Click here to join the meeting Meeting ID: 297 492 126 638 Passcode: Q6AwUz Download Teams Join on the web
Final Questions	June 9, 2023 – 5 PM (MST)
Final Addenda Issued	June 13, 2023
Proposals Due	June 16, 2023 – 3 PM (MST)
<i>Interview and/or Company Selection</i>	<i>Before end of June 2023</i>

The Schedule dates listed in *italics* above are approximate and may change. They are provided to ISP Partners for information only.

In the event it becomes necessary to revise any part of the RFP a written addendum will be issued. Each Proposal for Partnership shall state it is valid for a period of not less than ninety (90) days from date of proposal submittal.

Selection Criteria

ISP Partner companies will be evaluated on the following qualification criteria. These criteria will be the basis for review of the written proposals, as well as for the oral interviews (if necessary) of the top ranked firms.

The rating scale shall be from 1 to 5, with 1 being a poor rating, 3 being an average rating, and a 5 being an outstanding rating. Weighting factors for the criteria are listed adjacent to the qualification.

Weighting Factor	Qualification	Standard
3.0	Firm/Company Experience	Has the company worked on projects similar in scope to this project? Does the company have the experience necessary for this project? Does this ISP Partner have federal grant experience? Are they familiar with the CBO grant programs and their requirements? Have the company projects been delivered on schedule and within budget? Preference will be made for providers currently operating in the region and offering projects as natural extensions of their existing service areas.
2.0	Project Approach	Does the company have an overall understanding of the project? Do they understand SCEDD’s goals and needs? Do they have good solutions for project challenges based on information provided?
2.0	Company Resources	Does the company have experience, equipment, manpower and finances necessary to complete the work?

2.0	Assigned Project Team	Does the proposed team have the necessary skills and experience to fulfill the requirements of the project? Is the key staff available to do the work?
2.0	Project Controls	Does the firm show an understanding of the required project controls? Do they have established procedures for schedule, cost and quality control related to this type of project delivery?
1.0	Safety Record	“OSHA Illness/Injury Rate”, “OSHA Lost Work Day Incidence Rate” and Workers Compensation Experience Modification Rate Insurance Multiplier. Are their rates reasonable to the industry?
1.0	Bonding and Insurance	Does the firm have the appropriate bonding availability for the project delivery and schedule? Can they provide the appropriate insurance?
2.0	Cost	Are the cost factors presented in the proposal reflective of industry standards? Do they offer a reasonable way to approach development of the cost of work and fixed price contract?
75		Total Points Available

Reference evaluation process (top rated firm)

Prior to, and after optional interviews have been conducted, the evaluation committee will check references for overall performance, timetable, completeness; cost control and job knowledge of selected project references. A satisfactory/unsatisfactory rating shall be given to each reference contacted. Prior to optional interviews, firms may be disqualified from proceeding to the interview phase if negative references are received. After optional interviews, the top ranked company’s references will be again checked. If all references return positive results, SCEDD will work to negotiate a contract for ISP Partner services. If the top firm’s reference checks are not positive, then the selection committee will refer to the second ranked firm to evaluate their respective references, and so on. SCEDD reserves the right to select one or more ISP Partners through this solicitation for middle and last mile projects throughout the SCEDD region.

Qualification	Standard
Overall Performance	Would you hire this Contractor again? Did their level of quality meet the project specifications and Owner needs?
Schedule	Was the original Scope of Work completed within the specified time? Were interim deadlines met in a timely manner?
Completeness	Was the Contractor responsive to client needs; did they anticipate problems? Were problems solved quickly and effectively?
Cost Control	Was the original Scope of Work completed within the project budget?
Job Knowledge	Did Contractor personnel exhibit the knowledge and skills necessary for the efficient completion of the scope or work?

Appendix A – SCEDD Blueprint Report