

NOTICE TO BIDDERS

1. NOTICE IS HEREBY GIVEN The Berkeley Unified School Distrf

BERKELEY UNIFIED SCHOOL DISTRICT

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GENERAL TERMS AND CONDITIONS

G This information to Bidders is in addition to any instructions or conditions stated elsewhere in the Contract Document.

B P To receive consideration, Bid Proposals shall be made in accordance with the following instructions:

D R P Proposals will be received prior to **PM F** after which time the proposals will be opened and reviewed by the evaluation committee. Envelopes containing a proposal must be sealed, prominently marked with the RFP number, RFP title, RFP opening time/date and name of proposer, and submitted to:

**BERKELE UNIFIED SCHOOL DISTRICT
PURCHASING DEPARTMENT**

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Proposals

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THE BID All items on the form should be stated in figures long hand. The completed form should be without interline copy for your file and return one complete set sealed in the bids will not be accepted.

FAX BIDS Facsimile copies of bids will not be accepted for

DEFINITIONS Responsible; a bidding party possessing necessary to timely perform and complete the contract of the specifications set forth in the request for bids.

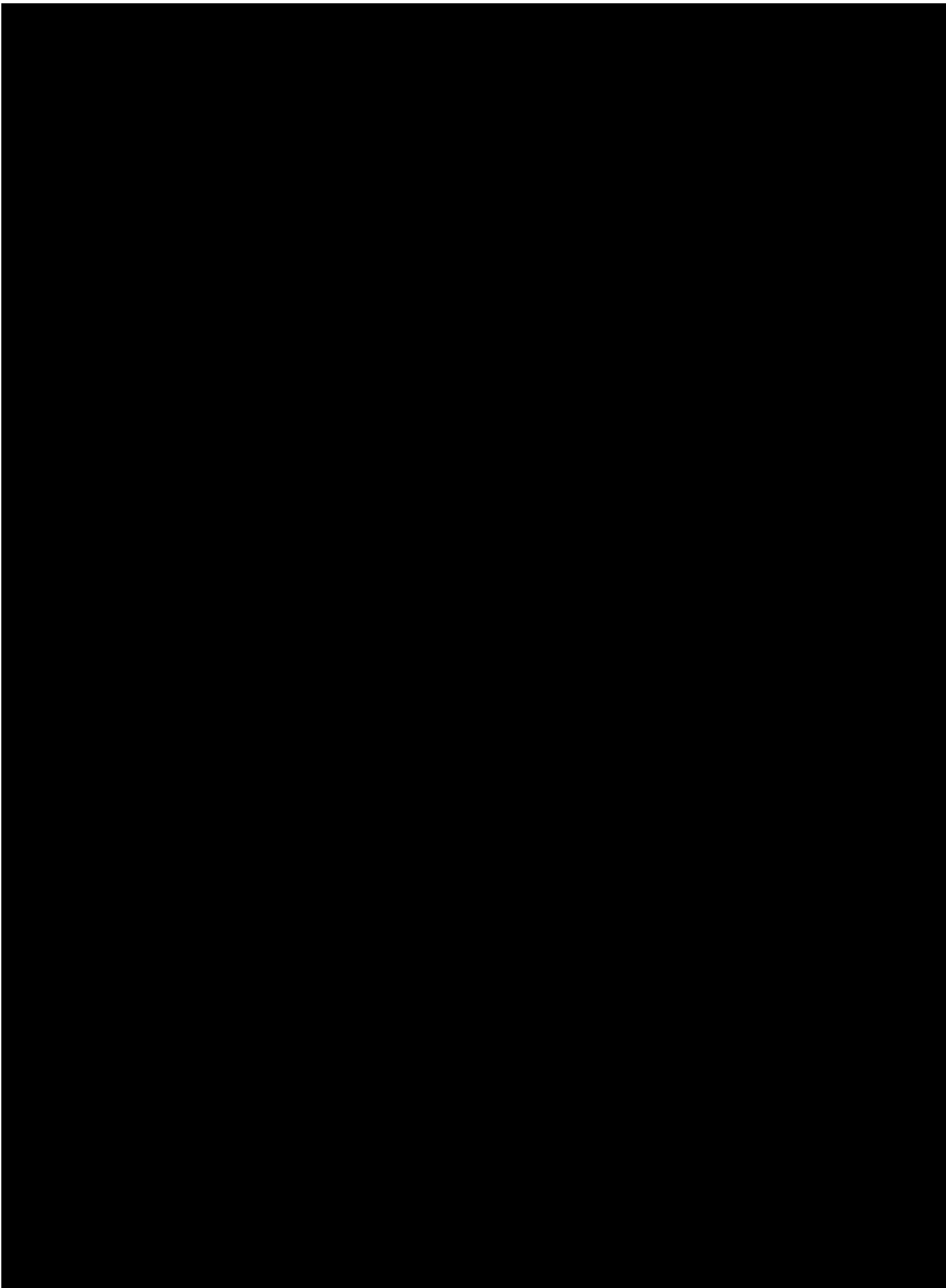
NAME AND NATURE OF BIDDER'S LEGAL ENTITY bond, if furnished as a guarantee, the name and under which it does any business covered by the bond. name by an authorized officer.

WITHDRAWAL OF BID Bid proposals may be withdrawn for the opening of bids, but may not be withdrawn for the opening of bids. A successful bidder shall not be relieved of the bid or bidder's license to public Contract Code Sections 5100 et



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additional items

U duplicate for materials delivered or services performed under the contract, to Accounts Payable, and District Purchasing Office located at 2020 Bonar Street, Berkeley, CA 94702. Invoices shall be submitted under the same firm name as shown on the bid. The successful bidder(s) shall list separately any taxes PAYABLE BY THE District and shall certify on the invoices that Federal Excise Tax is not included in the prices listed thereon. The District shall make payment for materials, supplies, or services furnished under the contract within a reasonable and proper time after acceptance thereof and approval of the invoices by the authorized District Representative.

~~1. The Contractor shall~~
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MISCELLANEOUS PROVISIONS

A **C** The Contractor shall not assign or transfer by operation of law or of the contract the performance of its District. Tr F it un a licted

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The District is not obligated to ask for the LCP; it must receive it.

If, at the time of delivery, the LCP is lower than the agreed-upon price, Vendor must charge the LCP.

Promotional rates that a Vendor offers for a period of more than 90 days must be included among the comparable rates upon which the LCP is determined.

There is a rebuttable presumption that rates offered within the previous three years are still compensatory.

Vendor may not avoid the LCP Rule by arguing that none of its non-residential customers are identically situated to the District or that none of its contracts cover goods or services identical to those sought by the District.

The FCC will permit Vendor to charge the District more than the LCP only when it can prove to the agency that the LCP is not "compensatory" – i.e., that it will f

**NONCOLLUSION DECLARATION TO BE EXECUTED BY AND SUBMITTED WITH PROPOSAL
BERKELEY UNIFIED**

**RFP W A N
M C
E E
W A N W A N S**

I, _____, declare that I am the party making the foregoing proposal, that the proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the proposer has not directly or indirectly induced or solicited any other proponent to put in a false or sham proposal and has not directly or indirectly coerced, conspired, connived, or agreed with any proponent to put in a sham proposal; that anyone shall refrain from responding to the proposer in any manner, direct or indirect,]

BERKELEY UNIFIED

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P **S**
To be signed

PRIME POINT OF CONTACT

Name of Company _____

Address _____

City, State, Zip _____

Signature _____

Print Name _____

Phone Number: _____

Title _____

Email Address: _____

**REQUEST FOR REFERENCES
TO BE EXECUTED AND SUBMITTED WITH BID**

All Proposers shall submit with their proposal at least three ^{to be executed} _{contracts}

REQUESTED SERVICES AND DISTRICT TOPOGRAPH

WAN REQUIREMENTS

The services requested will include upgrades to our existing WAN CIR's. Service must be capable of delivering a minimum (CIR) of 1,000 Megabits/second ("Mbps") to 5,000 Mbps using Layer 2 Ethernet protocol over fiber to each site as specified in Appendix A. All sites must have the option to upgrade

The vendor shall spec



QUALIFICATIONS

All vendors submitting proposals must demonstrate the ability to participate in the E--rate Program (i.e. must possess a SPIN number). The Vendor must demonstrate to BUSD's satisfaction that both the Vendor and the manufacturer(s) of the proposed systems are financially sound and are likely to remain strongly committed to the data communications field and the Alameda County area for the next ten (10) years. Vendor must submit, with the proposal, a copy of their most recent annual report. If Vendor is not a public corporation or has no annual report available, verifiable financial information of a comparable nature to an annual report must be provided.

CONTRACT TERM

BERKELEY UNIFIED will be seeking a contract length of three (3) years with the option of extending the contract with three (3) - one (1) year term contracts. Contract term for Lit Fiber Services shall be five years with option to extend for one additional five-year term. Please provide pricing beginning with Year 6 (month 61) for cost comparison over a ten-year period. Contract term for Leased Dark Fiber/IRU shall be ten years with option to extend for one additional ten-year term. Funding for this project will be Priority 1 E--rate Funding at the District discount rate (approximately 60%). Any installation costs associated with the service delivery must be amortized over initial term and is to be included within the monthly service cost.

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sex, or religious creed. Therefore, the proponent(s) ab

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No commitment will be made to select a proponent's system(s) solely on the basis of cost. Selection will be made on a combination of factors including technical bid submittal, Service, Maintenance & Training, Proponent experience and references, Implementation Plan, Price and other customer satisfaction, customer references, and conformance to the specifications contained in this Request for Proposal.

The process that will be used by the district in selecting the firm a

A – In the event revisions to this document become necessary, addendum will be provided to all proponents receiving the RFP from the issuing office, following established procedures.

N R – News released pertaining to the award resulting from this RFP shall not be made without prior written approval of the Purchasing Agent.

D R – All materials submitted in response to this request will become the property of the District and will be returned only at the District's option and at the proponent's expense. The master copy shall be retained for official files and will become a public record. However, confidential financial information submitted in support of the requirement to show proponent's responsibility and proprietary information will not be made public and will be returned upon request. Confidential and proprietary information

V B Please respond to each of the Items listed below.

How large is your current client base?

Would we have an account team assigned to the District?

Describe the members of the team and each person's responsibilities.

How many customers does this account team handle?

Would the account team be local?

Provide an escalation list for the account team, with names, telephone numbers, and email addresses.

For routine orders and changes, whom do we contact?

Do you have your own service staff? If so, how many local technicians do you have?

What is the location of the service staff?

What hours are the technicians available?

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S A

R CIR

R O P G

Oxford Elementary /
District Office

Alameda
County Office
of Education **

313 Winton Ave
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