

September 3, 2019

Release of RFP for Improvement of Broadband Services in Westmoreland, NH

Dear telecom professional:

On behalf of the Board of Selectmen, the members of the Westmoreland Broadband Advisory Committee, and the residents of the Town of Westmoreland, I appreciate your consideration for partnering with the Town on our goal of improving the level of the broadband service, and for some potential partners, the cable service, of the Town of Westmoreland, NH.

I have called out several key facts from within the proposal that may assist you in responding to our RFP:

- 89% of the Town is underserved according to the FCC 25/3 definition of broadband
- The US Post Office recognizes approximately 734 distinct addresses in Westmoreland, NH
- There are approximately 42 miles of town-maintained roadways (approximately 24 miles paved and 18 miles of gravel) plus another approximately 14 miles of NH State-maintained roads within Westmoreland.
- All inquiries and submissions must be addressed to Jo Ann LaBarre, Town Administrator (addresses enclosed).
- The response date for this RFP is October 15, 2019

We greatly appreciate your consideration and look forward to reviewing the submitted proposals.

Best regards,

John Snowdon
Chair,
Westmoreland Broadband Advisory Committee

Request for Proposal
Creating FCC Level Broadband Service
Throughout the Town of Westmoreland, NH

September 1, 2019

1. DESCRIPTION

The Town of Westmoreland is currently accepting proposals to improve broadband coverage in Town to the unserved locations as defined by RSA 38:38, I(c). An unserved location is defined as a location that does not have access to at least 25 Mbps download/3 Mbps upload speeds. The location does not need to be subscribing to this service, but the service must be available at the street location (State or Town Road).

The Town currently has very uneven broadband access availability and speeds, as evidenced in our town-wide survey conducted April 15 - June 15, 2018. The survey results are available here:

<https://tinyurl.com/WestmorelandSurvey>

The Town is served by 2 primary providers, Consolidated Communications, Inc. (CCI) and Argent Communications (AC) with approximately 89% of the town not having the availability of 25 Mbps download and 3 Mbps upload speeds (FCC spec). Figure 1 shows our estimate of the best coverage available compiled from the data received during the Request for Information phase of this project. This can be seen in greater detail at:

<https://tinyurl.com/WestmorelandMap>

For reference, the Town has approximately 42 miles of town-maintained road, which consists of 24 miles paved and 18 miles of gravel roads. There are also approximately 14 miles of state-maintained paved roads.

A point of interest for some providers is Westmoreland's cable contract expires May 2020. The Town would consider a package deal if a provider is interested in combining Broadband Internet and Cable Television packages.

2. BUSINESS MODEL: GENERAL CONSIDERATIONS OF TOWN

The Westmoreland Board of Selectmen is soliciting proposals to further improve broadband coverage in the town to specifically address the needs of the unserved population. The Board of Selectmen's desire is to form a partnership(s) with one or more providers that address this goal. The Town does not want to operate or be an owner of the system.

- A. **Both wired and wireless** technologies will be considered.
- B. Proposals should break down costs for each specific unserved area and Provider should be willing to accept project by specific unserved area. For example, the Town may accept multiple providers to serve different unserved areas of the Town. However, our preference is to partner with a single provider.
- C. The Town is willing to work with any and all providers with regards to siting equipment, e.g. poles on town right of way or distribution equipment.
- D. Proposals are to include costs to provide service at the "street level" and should not include the cost of going from the street to the final location. The "street level" only includes State and Town maintained roads; driveway coverage will be the responsibility of the property owners.
- E. The town is not willing to fund plans or parts of plans to provide service to those areas already having 25Mbps service available from other providers. However, providers are free to compete in those areas of town with their own funding, and with cooperation of the Town with regards to right-of-way access.
- F. The Town is willing to consider funding improvements to existing service providers for served areas if a case can be made for significantly improving overall system reliability. The Town of Westmoreland is following the requirements of New Hampshire SB 170 in order to pursue the option of the Town Bonding upgrades to the Broadband infrastructure to meet the 25/3 specification. This allows for the Town to Bond and enter into a public-private partnership for these improvements. Since the Town would fund and Bond improvements, there are some requirements of the Bonding Bank and the State to do this. The most significant is the requirement that the Town own the Bonded assets until the Bond is paid off. After the Bond is paid off, the Town would be willing to transfer these

assets to the partner in the agreement. This transfer may be at no cost or some previously agreed on price. These “buyout” provisions need to be part of the proposal. Once bids are received, the Board of Selectman will review the proposals and recommend one for the voter’s consideration. Final approval and acceptance of the Bid must be done at Town Meeting where a Bonding Article will have to be accepted by the Town voters. Several Public Hearings are required before this goes to Town vote. Town Meeting is scheduled for the middle of March 2020.

3. PROPOSAL GUIDELINES

All proposals must be submitted in a sealed envelope, plainly marked with “**Broadband Service**” by the response date of **11:00 AM EST, October 15, 2019** to Town of Westmoreland, PO Box 55, Westmoreland, NH 03467.

Include within each proposal package:

- A letter of transmittal with the name, signature and title of the person authorized to commit the Bidder to the proposal terms;
- Nine (9) hard copies of the proposal;
- One electronic version of the proposal as an attachment in Adobe Acrobat (pdf format) sent to townofwestmoreland@myfairpoint.net

Contact Town Administrator Jo Ann LaBarre by email (townofwestmoreland@myfairpoint.net) with any questions about submitting the proposal. The Board of Selectmen reserves the right to reject any and all proposals, to waive any defect or informality in the proposals received and to accept the proposal deemed to be most favorable to the best interests of the Town, including, but not limited to, bidder qualifications, project cost, project size, schedule, and Business model. Approval of a proposal requires the acceptance by the Board of Selectman and approval of the bond by Town Voters at the Annual Town Meeting in March.

In addition to the above requirements, proposals must include:

- A. Description of the Technology to be used and how it meets the requirements.
- B. Cost to install to the Street level for each specified unserved area of Town.

- C. Approximate timeline for installation. This should include estimates for tasks that may or may not be fully under providers control, such as “make ready requirements” or easements. List of easements or approvals required from third parties.
- D. Cost of monthly service for different performance specifications including rental of all equipment and if there is a time commitment for such pricing.
- E. Cost of installation from “street” to residence. This can include a per foot charge.
- F. Guarantees of service call response times.
- G. Buyout provisions of Town investment after Bond paid off.
- H. Estimate of expected up time (properly working service) and how bills will be affected due to down time (service not working) whether at a system or home level.
- I. Credentials of Provider: Examples and references to other systems installed and managed.
- J. Contract recommendations/requirements for bidder to work with Town. Proposals should show service to the entire town except where called out in this RFP. Any potential problem areas that will require extensive engineering/costs should be highlighted with cost savings achieved if left unserved. All contractual terms and conditions will be subject to review by the Town of Westmoreland’s Attorney and will include scope, budget, schedule, and other necessary items pertaining to the project. The town has a right to accept or refuse any/all proposals.
- K. Any contract wording or provision that assures the Town does not suffer financial loss or loss of service should the bidding company be sold or go out of business during the term of the agreement. If no consideration is available, the bidding company’s response should so state.

4. TIMELINE

The desire is to have acceptable proposal(s) ready in time for Town Meeting in March of 2020.

Sealed bids will be opened by the Westmoreland Board of Selectmen at their meeting held on Thursday, October 17, 2019 at 6:00PM. Proposals will be reviewed during October and November with either a recommendation or rejection no later than December 6, 2019.

5. PROPOSAL EVALUATION CRITERIA

The Board of Selectmen will evaluate all proposals based on the following criteria. To ensure consideration for this Request for Proposal, your proposal should be complete and include all of the following criteria:

- A. Overall proposal suitability: proposed outlines must meet the scope and needs included herein and be presented in a clear and organized manner
- B. Organizational Experience: Organizations will be evaluated on their experience as it pertains to the scope of this project
- C. Previous work: Organizations will be evaluated on examples of their work as well as client testimonials and references
- D. Value and cost: Organizations will be evaluated on the cost of their solution(s) based on the work to be performed in accordance with the scope of this project
- E. Technical expertise and experience: Organizations must provide descriptions and documentation of staff technical expertise and experience

1. Proposal Elements

Proposals must include the information set forth below:

- a) Letter of transmittal, signed by an individual authorized to bind the Bidder contractually, certifying that the Bidder will, if awarded a contract, execute contracts in accordance with the terms of the proposal within a reasonable time.
- b) The Bidder's qualifications demonstrating the skill, ability and integrity necessary to faithfully perform the work required, including any those of any subcontractors proposed to be used by the Bidder. Such qualifications shall include a description of the Bidder's project experience, including project name, location and project costs, a brief description of the project, the firm's role in the project, project team member roles in the project, a project reference and contact phone number.
- c) Bidder's proposed Project design.
- d) Bidder's proposed Business model.
- e) Anticipated Project schedule.
- f) Bidder's proposed insurance coverages.

2. Terms of RFP

Town Discretion: The Board of Selectmen reserves the right to cancel this RFP at any time, to reject any and all proposals, to waive any defect or informality in the proposals received and to accept the proposal deemed to be most favorable to the best interests of the Town.

No Costs: This solicitation does not obligate the Town, or any other person associated with the Project to pay any costs incurred by Bidders in preparing and submitting a proposal.

No express or implied services: This solicitation does not obligate the Town, or any other person associated with the Project to accept or contract for any expressed or implied services.

Bidder duty to examine: Submission of a proposal shall be conclusive evidence that the Bidder has examined the Premises and the contract documents and is familiar with all the conditions of this procurement. Upon finding any omissions or discrepancy in the proposal documents, the Bidder shall notify the Board of Selectmen immediately so that any necessary addenda may be issued. Failure of the Bidder to completely investigate the Premises and/or to be thoroughly familiar with the contract documents (including plans, specifications and all addenda) shall in no way relieve the Bidder from any obligation with respect to the proposal. Bidder is responsible for verifying all statements in this RFP with the proper authorities.

Incomplete Proposal: Proposals that are incomplete, contain any omissions, erasures, alterations, additions or irregularities of any kind may be rejected, but the Town is not obligated to reject such proposals.

Proposal Withdraw or Modification: Any Bidder may withdraw or modify its Proposal by written request at any time prior to the Response Date (October 15, 2019). Telephonic proposals, amendments or withdrawals will not be accepted. Unless otherwise specified, no Proposal may be withdrawn for a period of sixty (60) days from the Response Date. The Board of Selectmen may waive minor informalities or allow the Bidder to correct them. The Board of Selectmen may permit a Bidder to withdraw a proposal if a mistake is evident on the face of the document, but the intended correct offer is not similarly evident. Negligence on the part of the Bidder in preparing the Proposal confers no rights for the withdrawal of the Proposal after it has been opened.

Bidder Inquiries: All substantive inquiries from prospective Bidders concerning this RFP must be submitted via email with subject line "Westmoreland Broadband" to Town

Administrator Jo Ann LaBarre at townofwestmoreland@myfairpoint.net up to October 1, 2019 and will be shared with other prospective Bidders. All responses to substantive questions shall be via email and will be simultaneously distributed to all recipients of the RFP and will be made available to all interested parties.

The Board of Selectmen is not obligated to select the lowest bid, the lowest responsible bid or follow any other criteria in selecting the successful bidder. The Board of Selectmen shall select the Proposal which in their view, after evaluation of the qualifications of the bidder and proposed design, business model, and schedule, is most advantageous to the Town.

Final acceptance of the Bid requires the approval of the Board of Selectman, and the approval of the Bond by Town voters at the Annual Town Meeting held in March 2020.