

**COUNTY OF AMELIA**  
**REQUEST FOR PROPOSALS – PPEA CONCEPTUAL PHASE**  
**BROADBAND EXPANSION - RFP# 9-16-001**  
*September 28, 2016*

**NAME OF SOLICITING BODY:**

County of Amelia, P.O. Box A, 16360 Dunn Street, Suite 101, Amelia, VA 23002

Sealed Proposals Will Be Received Until **12/01/2016 @ 3:00 PM** For Furnishing the Services Described Herein.

All Inquiries for Information Should Be Directed To: David R. Whitaker or A. Taylor Harvie, III  
Phone: (804) 561-3039 or **David.Whitaker@ameliacova.com** or **Taylor.Harvie@ameliacova.com**

**PROPOSALS SHALL BE MAILED OR HAND DELIVERED TO:**

County of Amelia, County Administrator, P.O. Box A, 16360 Dunn Street, Suite 101, Amelia, VA 23002

In Compliance with this Request for Proposal the named party hereby submits a proposal in response to Amelia County's RFP to furnish services described in this RFP. The entire proposal, including proposal, Proposal Cover Sheet, and any supplemental materials required to be provided by the Offeror pursuant to the terms and conditions of the RFP, constitute the entire proposal.

The party submitting the forgoing Proposal acknowledges the provisions, terms and conditions of this RFP, including all attachments and addenda, and agrees to be bound by those provisions, terms and conditions. Further, the party certifies that all information submitted in response to this RFP is correct and true. The person signing this form shall be an authorized signatory officer of the corporation or an individual authorized by the By-Laws of the Corporation that has been given authoritative responsibility to bind the firm in a contract.

Name and Address of Offeror:

\_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ By: \_\_\_\_\_  
\_\_\_\_\_ (Signature in Ink by Officer of the Corporation)  
\_\_\_\_\_ Name: \_\_\_\_\_  
\_\_\_\_\_ (Please Print)  
\_\_\_\_\_ Zip Code: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_  
E-mail: \_\_\_\_\_ State of Incorporation: \_\_\_\_\_  
State Corporation Commission # \_\_\_\_\_

**(Return this Form)**

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## **I. PURPOSE**

This Public-Private Educational Facilities Infrastructure Act (PPEA) Request for Proposal (RFP) by the County of Amelia, Virginia, herein after referred to as the "County" invites from private firms or joint ventures to provide for expansion of broadband access and capacity into un-/under-served areas of the County. The RFP sets forth the terms and conditions whereby the County may enter into a comprehensive agreement with one (or more) successful Offeror(s) to provide the partnership services described herein or in a selected proposal.

The PPEA is the legislative framework enabling the Commonwealth of Virginia and local governments and other political subdivisions to enter into agreements authorizing private entities to design, construct, improve, maintain, and/or operate qualifying public construction or infrastructure projects. Private entities submitting a conceptual proposal are strongly encouraged to read and have a strong understanding of the Act.

The period of any resulting contract(s) from this PPEA-RFP will be as negotiated by the County and the selected PPEA partner.

## **II. SCOPE OF WORK AND REQUIREMENTS**

The County desires expansion of broadband access in unserved areas and improved capacity in underserved areas using a Public/Private Partnership providing quality internet service to its citizens, businesses and local government facilities. The County understands the economics of expanding broadband in rural areas and is preparing to take action to improve those economics as much as possible to entice the private sector investment. The County is technology agnostic and understands the need to leverage all technologies to deliver broadband to every area and as such is open to forming partnerships with more than one provider as well as incumbents. The selected private partner(s) is to provide, but not limited, to the following services:

- Provide seamless and reliable broadband access.
- Operate as an Internet Service Provider.
- Research and prepare all necessary FCC related forms and submittals required to provide services.
- Procurement of any permits required for the distribution of Internet content or FCC licensing.

The County has worked with the Center for Innovative Technology (CIT) to identify potential barriers to adoption of broadband, current broadband demand, future capacity needs, local assets and review of County ordinances and policies related to broadband deployment. The County is committed to taking action to improve the economics of expanding broadband and improving utilization of Internet access to ensure citizens have the access and ability to leverage the connectivity to improve their lives and our community and prepare the County for the future. Following are summary findings of this work:

- The County has reviewed the Community Profile information compiled by the CIT based on census data to identify potential barriers to adoption (Appendix A). The County is planning the following actions to ensure maximum potential subscribers to expanded broadband access:
  - Promote the County's library computer classes to improve digital literacy and remove that potential adoption barrier.

- The County is going to investigate leveraging a community computer refurbish program to provide refurbished devices to lower income families.
- The County has approximately 66.8% of households that are reported to have broadband service at a maximum advertised speed of 10Mbps/1Mbps which is overstated due to FCC 477 reporting rules. The details of the current reported coverage are included in Appendix A. Amelia is primarily served by DSL technology.
- The County has data from Virginia's RUOnline campaign conducted in the summer of 2016 that indicates demand for broadband access and improved capacity. The resulting findings of this survey analysis are available in Appendix A.
  - Amelia had responses from 281 households which is a significant sample size providing confidence level of 95% (+/- 5.69%) in assumptions based on the data.
  - 83% report needing improved services, indicating the current DSL service is inadequate for their needs.
  - 13% report having no access to the Internet at all.
  - 18% rely upon cellular or satellite.
  - 20% of respondents represent businesses (53 responded to the survey).
    - In addition to the RUOnline campaign, Amelia sent out a survey to all 720 businesses with 255 responding:
      - 81% of respondents state their current Internet service is inadequate to support their operations.
      - 75% of respondents state the current Internet service is limiting growth.
- The County has identified the following future capacity needs as related to community anchor institutions:
  - The school's capacity (25Mb) is far below the national goal of 100Mb/1000 students+faculty at just 13.14Mb/1000. Fiber was built to the schools by Mid-Atlantic Broadband under ARRA (federal recovery act) funding in 2009 but is not currently being leveraged. The current Internet service contract expires in July 2017.
  - The County complex needs more broadband capacity to support their local government operations and a new telephone system. The current phone system has 85 phones (Nortel), yet it will only support a handful of simultaneous phone calls and provides no caller-id information.
  - The County library needs more capacity than they have today and they are paying a significant amount more per Mb than other rural libraries. The library provides 20 public access computers and this low capacity impacts the patrons' experience and applications they might otherwise leverage with improved connectivity.

A **conceptual** broadband expansion proposal must be submitted by an Offeror in response to the **conceptual phase** of this PPEA solicitation.

The firm submitting a **conceptual phase** proposal will be required to produce a broadband network design and deployment project plan only for the detailed phase of the PPEA solicitation if their conceptual proposal has been deemed to have sufficient merit to proceed to the detailed design phase. However, the firm may include maps or drawings as desired in their initial submission.

This solicitation is a two-step process consisting of a conceptual phase and a detailed phase. Only those private entities whose conceptual proposals are selected for further consideration will be invited to submit detailed proposals. The County may discontinue its evaluation of any proposal at any time during the conceptual or detailed phase. Proposals must include a legible, easy to understand estimated schedule and cost to develop the detailed design for the proposed project and a justification for why their proposed solution will successfully attain the County's broadband goals.

The selected Offeror(s) shall provide the below listed services related to the design, deployment, operation and maintenance of the proposed broadband expansion, if they are selected as a private partner:

- Prepare a detailed broadband network design to expand broadband access and capacity within the County per the County's goals and requirements as listed in Appendix A.
- Provide construction cost estimates and funding needed from the County or other sources in addition to the private investment.
- Meet with the County to review the design and estimated costs to determine available funding and a phased approach.
- Develop final design and engineering drawings to support the deployment.
- Prepare a phased deployment project plan in collaboration with the County to meet County broadband goals which are outlined in Appendix A.
- Work with the County to pursue state and federal funding opportunities to offset the costs of the deployment(s).

### III. INSTRUCTIONS TO OFFERORS

A. This procurement shall be conducted in accordance with the County of Amelia Combined Guidelines for the Public-Private Education Facilities and Infrastructure Act of 2002, as revised and Public-Private Transportation Act of 1995, as revised.

B. Questions related to the RFP shall be directed to:

David R. Whitaker, Community Development Director or A. Taylor, Harvie, III,  
County Administrator  
Phone: (804) 561-3039  
Fax: (804) 561-6039  
E-mail: [David.Whitaker@ameliacova.com](mailto:David.Whitaker@ameliacova.com) or [Taylor.Harvie@ameliacova.com](mailto:Taylor.Harvie@ameliacova.com)

Questions or requests for clarification may be faxed or emailed. All responses to inquiries will be in writing in the form of a written Addendum and will be posted on the Amelia County website at [ameliacova.com](http://ameliacova.com). **Questions from Offerors must be received at the Amelia County Administrator's office by 5 PM on November 7, 2016** in order to ensure that the answers can be sent and received by the prospective Offerors for their consideration prior to the date proposals are due.

C. Six (6) copies and one (1) original indicated as "Original" of Proposals shall be submitted to:

County of Amelia, County Administrator  
P.O. Box A  
16360 Dunn Street, Suite 101  
Amelia, VA 23002

D. All Proposals must be in a sealed envelope or box and clearly marked with the following information: "PPEA-RFP #9-16-001 CONCEPTUAL PHASE BROADBAND EXPANSION" and company name and

address. Proposals not so marked or sealed may be returned to the Offeror and will not be considered. Proposals shall clearly indicate the legal name, address and telephone number of the Offeror (company, firm, partnership, or individual). Proposals shall be signed above the typed or printed name and title of the individual signing on behalf of the Offeror.

All expenses incurred for submitting Proposals to Amelia County shall be borne by the Offeror. **All Proposals shall be received by 3:00 PM on December 1, 2016.** Any Proposal received after this time and date will not be considered. The time of receipt shall be determined by county administrator's receptionist.

The Offeror has the sole responsibility to have the proposal received by the Amelia County Administration office at the above address and by the above stated time and date. **Please note that Federal Express and other overnight delivery services do not guarantee morning delivery to Amelia Courthouse, VA. Next day delivery usually arrives in mid-to-late afternoon. Also, please note that USPS deliveries require additional days from the post office to the Administration Office.** If you will be using one of these services for delivery of your proposal, please take this information into consideration. It is the Offerors responsibility to ensure that the package is delivered to the Administration office by the due date and time.

Late proposals shall not be considered. Proposals will be returned to the Offeror unopened if received by special carrier or not accepted if hand delivered by Offeror.

Inclement Weather: In the event that Amelia County is closed during the scheduled times for a pre-proposal conference or proposals due date the pre-proposal conference and/or proposal due date will occur on the next business day that Amelia County is open at the appropriate times as stated in the RFP. No exceptions will be made in this situation.

E. Offerors are responsible for familiarizing themselves with the conditions and objectives of the items/services described herein.

#### **IV. PROPOSAL PREPARATION AND SUBMISSION REQUIREMENTS**

- A. **Conceptual** PPEA proposals shall conform in all respects to the requirements stated in the County of Amelia Combined Guidelines for the Public-Private Education Facilities and Infrastructure Act of 2002, as revised and Public-Private Transportation Act of 1995, as revised. The County will review the conceptual proposals and if it decides that there is merit in continuing the process, will select certain proposals for further consideration in the detailed phase.
- B. **Conceptual proposal** shall contain a CONCISE summary of the subject items described in the proposal evaluation criteria contained in RFP Section V.
- C. Submitted proposals should also contain the following:
  - 1. Table of Contents – number all pages of the proposal.
  - 2. Introduction - Cover Letter/Executive Summary on company letter head, signed by a person with the corporate authority to enter into any contract which results from the RFP.
  - 3. The Offeror must provide a list of references of other governmental organizations who have successfully utilized the Offeror's services in designing and deploying a similar project. The references must include telephone numbers and names of contact person. The County also reserves the right to contact undisclosed references in the course of this evaluation.

4. Attach a copy of your State Corporation Commission Certificate and a list of officers.
5. Complete the Trade Secrets/Proprietary Information Form in Section VIII.
6. The Offeror must provide the company's history and expertise in providing design and deployment of broadband expansion project(s) and related project management services in other jurisdictions in the Commonwealth of Virginia, and other states and with similar scope of work.
7. The Offeror must provide the qualifications and experience of key personnel to be assigned to this broadband initiative including the project manager and team members, and the Offeror's commitment to provide identified personnel for the duration of the design and deployment.
8. The Offeror must provide financial information that indicates the firm's resources and ability to provide the services requested for the duration of any resulting contract.

**D. Special Requirements:**

1. Describe conceptually how your firm can leverage the County's assets and your capabilities to meet the County's broadband goals.
2. Describe how your conceptual design will result in a broadband network capable of delivering adequate and affordable Internet service at the lowest possible cost and provide upgrades in the future to continually expand capacity to meet future demand.
3. Describe broadband deployments your firm has successfully completed that are similar to the conceptual deployment in your proposal.
4. Provide the total number of customers your firm currently provides Internet service to in the state of Virginia. If possible, please provide the total residential, business and government customers.
5. Provide a sample of your firm's typical or average Internet service plans and pricing.
6. Provide a price to the County for the development of a detailed broadband network design to meet the County's goals should your firm be selected to enter into an interim/preliminary contract as a result of this RFP. Include an estimated time frame to complete the detailed network design and associated phased deployment project plan.
7. Any assumptions regarding ownership and operation of the proposed broadband network project must be clearly identified.
8. Any assumption regarding short or long-term maintenance must be clearly identified.
9. The marketing of the intent or contents of the proposal is strictly prohibited except by the County.

**V. PROPOSAL EVALUATION CRITERIA**

The County will use the following evaluation factors in its review and evaluation of the proposals PPEA Conceptual Broadband Proposals:

- A. Experience and expertise of the Offeror in providing design and deployment of broadband expansion project(s) and related project management services to other jurisdictions in the Commonwealth of Virginia, and other states and with similar scope of work; 20 points

- B. Qualifications and experience of the Offeror's key personnel to be assigned to the broadband project including project manager and project teams, and overall qualifications and experience of the Offeror and any subcontractors to be used. Also, the Offeror's commitment to provide identified personnel for the duration of the contract; 20 points
- C. Offeror's performance record and demonstrated ability to work with a governmental organization to provide the requested services, provide quality Internet services, meet schedules and manage a successful broadband deployment in a timely and efficient manner; 15 points.
- D. Quality of the content of the proposal and responsiveness to the PPEA-RFP including the requested "Special Requirements" of proposal submission, Part IV, Paragraph D of this RFP; 20 points.
- E. The sufficiency of financial resources and ability of the Offeror to perform the contract or provide the services for the duration of any resulting contract; 15 points.
- F. Pricing and timing estimate for development of a detailed broadband network design and associated phased deployment project plan; 10 points

The County reserves the right to negotiate and enter into a comprehensive agreement with any firm selected to provide the requested PPEA Broadband expansion and may engage one or more firms (utilizing different broadband technologies and targeting different geographical areas) for this work.

The County reserves the right to reject any or all proposals.

## VI. PPEA PROPOSAL SELECTION PROCESS

Selection Process:

- A. Proposals will be evaluated as follows:
  - 1. First step of the evaluation process will consist of scheduled submission of a **conceptual** proposal or proposals for evaluation.
  - 2. Conceptual evaluation process will consist of evaluation of proposals by the County.
  - 3. Those private entities whose conceptual proposals are selected for further consideration will to be notified to schedule an in-person presentation and discussion.
  - 4. Selected entities will be notified to complete an interim/preliminary agreement with the County prior to moving to the detailed design phase.

## VII. TERMS AND CONDITIONS

### A. ACCEPTANCE, INVOICING AND PAYMENT

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Amelia County will make payment to the Offeror, net 30 days or in accordance with discount terms, if offered, after receipt of an acceptable invoice for design work under a interim/preliminary or comprehensive agreement resulting from this RFP.

Nothing herein, or in the process, shall be construed as having obligated the County to pay for any expenses incurred by respondents to this RFP, or to the selected firm prior to the Board of Supervisors' approval of an interim/preliminary or comprehensive contract.

**B. ATTORNEY'S FEES**

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In the event of any action brought by either party against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, each party shall pay their own attorney's fees, costs and expenses, except in a case of default by the Offeror, the Offeror shall be responsible for any resulting additional purchase and administrative costs including, but not limited to fees and charges of engineers, architects, attorneys, and other professionals and all court or other dispute resolution costs.

**C. AVAILABILITY OF FUNDS**

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It is understood and agreed between the parties herein that the County shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this initiative.

**D. CONTRACT AWARD**

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Amelia County has the right to award a contract to more than one Offeror, if it is in the County's best interest to provide adequate services in accordance with the criteria found in the Scope of Services. Should Amelia County determine in writing and in its sole discretion that only one Offeror is fully qualified, or that one Offeror is clearly more qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that Offeror. Amelia County reserves the right to award the contract to the most qualified, responsible, and responsive Offeror(s), resulting in a negotiated agreement, which is most advantageous to and in the best interest of Amelia County. Amelia County shall be the sole judge of the Proposal and the resulting negotiated agreement that is in the public interest, and Amelia County's decision shall be final.

**E. CONTRACT PERFORMANCE TERMS**

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Any contract resulting from this RFP shall have a term limit of three (3) years and may be renewable for three (3) additional one (1) year terms at the option of Amelia County. This contract may be extended during the term of the existing contract for services allowed to complete any work undertaken but not completed during the original term of the contract.

**F. DEFINITIONS**

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1. COUNTY: Wherever the word "County" appears, it shall be understood to mean Amelia County Government.
2. OFFEROR: A person or firm who makes an offer in response to a Request for Proposals.

3. CONTRACTOR: A person or firm who enters into a contract with Amelia County to provide the services described herein.

#### G. TERMINATION

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Amelia County shall have the right to terminate at Amelia County's convenience, with or without cause, any Contract resulting from this RFP by specifying the date of termination in a written notice. In this event, the Contractor shall be entitled to just and equitable compensation for any satisfactory work completed. All work produced, and data collected shall become the property of Amelia County.

**VIII. TRADE SECRETS/PROPRIETARY INFORMATION IDENTIFICATION**

**IF NO PROTECTION IS NEEDED STATE "N/A" ON THE TABLE BELOW AND SIGN**

Trade secrets or proprietary information submitted by any Bidder/Offeror in connection with a procurement transaction shall not be subject to public disclosure under the Virginia Freedom of Information Act, however, the Bidder/Offeror must invoke the protection of §2.2-4342(F) of the Code of Virginia, in writing, prior to or upon submission of the data or other materials, and must clearly and specifically identify the data or other materials to be protected, and state the reasons why protection is necessary. **The proprietary or trade secret material submitted must be identified by the Bidder/Offeror on the table below. If the Bidder/Offeror fails to identify any protected information on the table below, the Bidder/Offeror by return of this form, hereby releases the County and all of its employees from any and all claims, damages, demands or liabilities associated with the County's release of such information, and agrees to indemnify it for all costs, expenses and attorney's fees incurred by the County as a result of any claims made by Bidder/Offeror regarding the release of such information. By submitting its bid or proposal, Bidder/Offeror understands and agrees that any language seeking protection from public disclosure, any specific documents or information, unless identified on the table below, are null and void and of no legal or binding effect on the County.** The classification of line item prices, and/or total bid prices as proprietary or trade secrets is not acceptable. If, after being given reasonable time, the Bidder/Offeror refuses to withdraw such a classification designation, the bid/proposal will be rejected.

SECTION / TITLE	PAGE NUMBER(S)	REASON(S) FOR WITHHOLDING FROM DISCLOSURE

**COMPANY NAME:** \_\_\_\_\_

**SIGNATURE** \_\_\_\_\_

## IX. APPENDIX A – AMELIA COUNTY BROADBAND REQUIREMENTS AND COMMITMENTS

The County is committed to expanding broadband access and capacity. The County understands the economics that are necessary to ensure broadband expansion is sustainable, efficient and cost effective for all parties. The county knows that local challenges and opportunities exist and is prepared to address these as follows:

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### A. AMELIA COUNTY BROADBAND GOALS IN ORDER OF PRIORITY

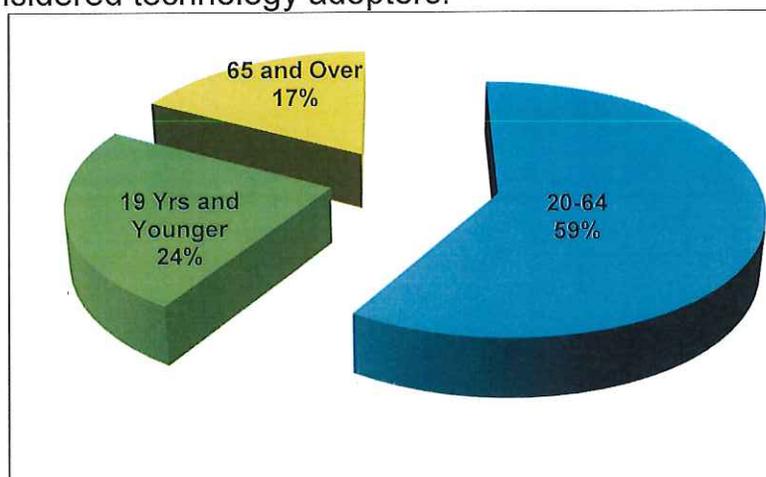
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1. The county recognizes that our businesses need additional access and capacity. Business connectivity is a priority for the county.
2. The county recognizes the bandwidth available to our schools falls below national standards. School connectivity is a priority for the county. **Note, current school Internet service contracts do not expire until July 2017.**
3. The county recognizes the need for increased broadband to local government administrative facilities, including libraries, local state agencies and public safety. These facilities are a priority for the county and need advanced features including digital communications, telecommunications (VoIP) and improved Emergency Services communications all of which can benefit from improved broadband access and capacity.
4. The county recognizes that our residents need additional access and capacity. Residential connectivity is a priority for the county.

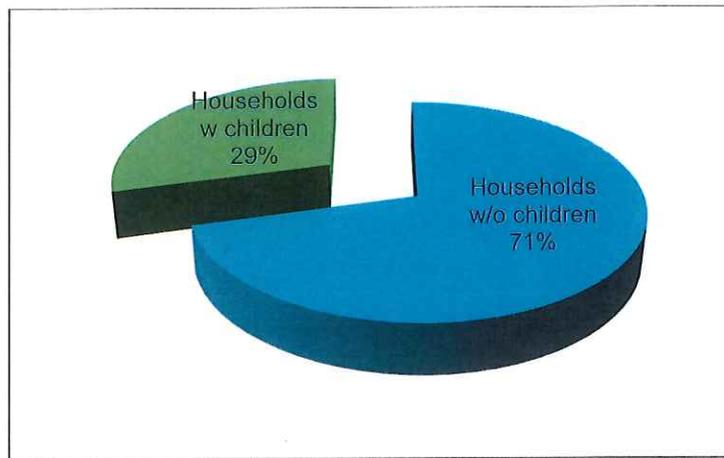
### B. COMMUNITY PROFILE INFORMATION

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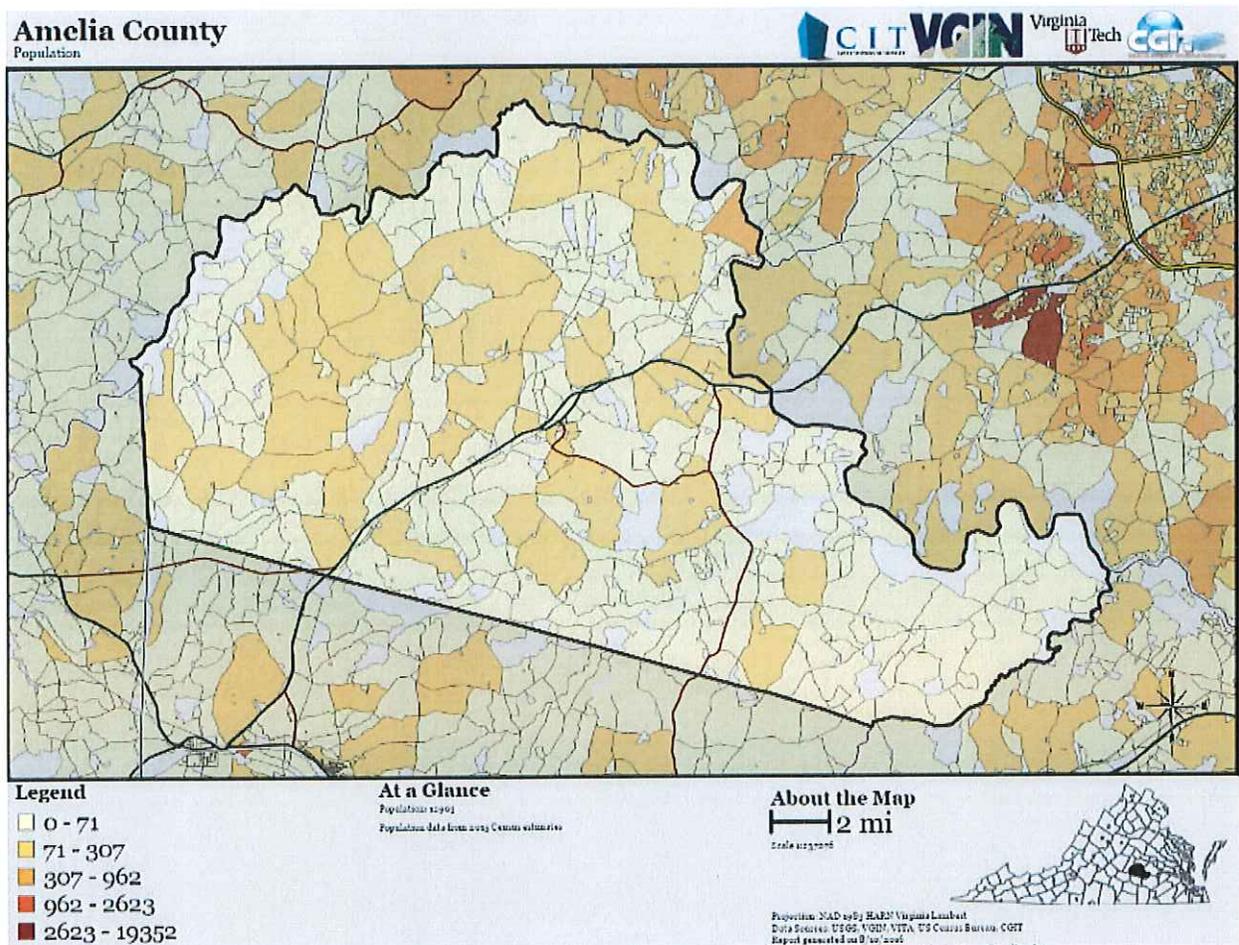
1. The County's community profile has determined the majority of our populations by age groups are considered technology adopters.



2. The county recognizes that almost thirty percent of our households need quality Internet access to support K-12 education.

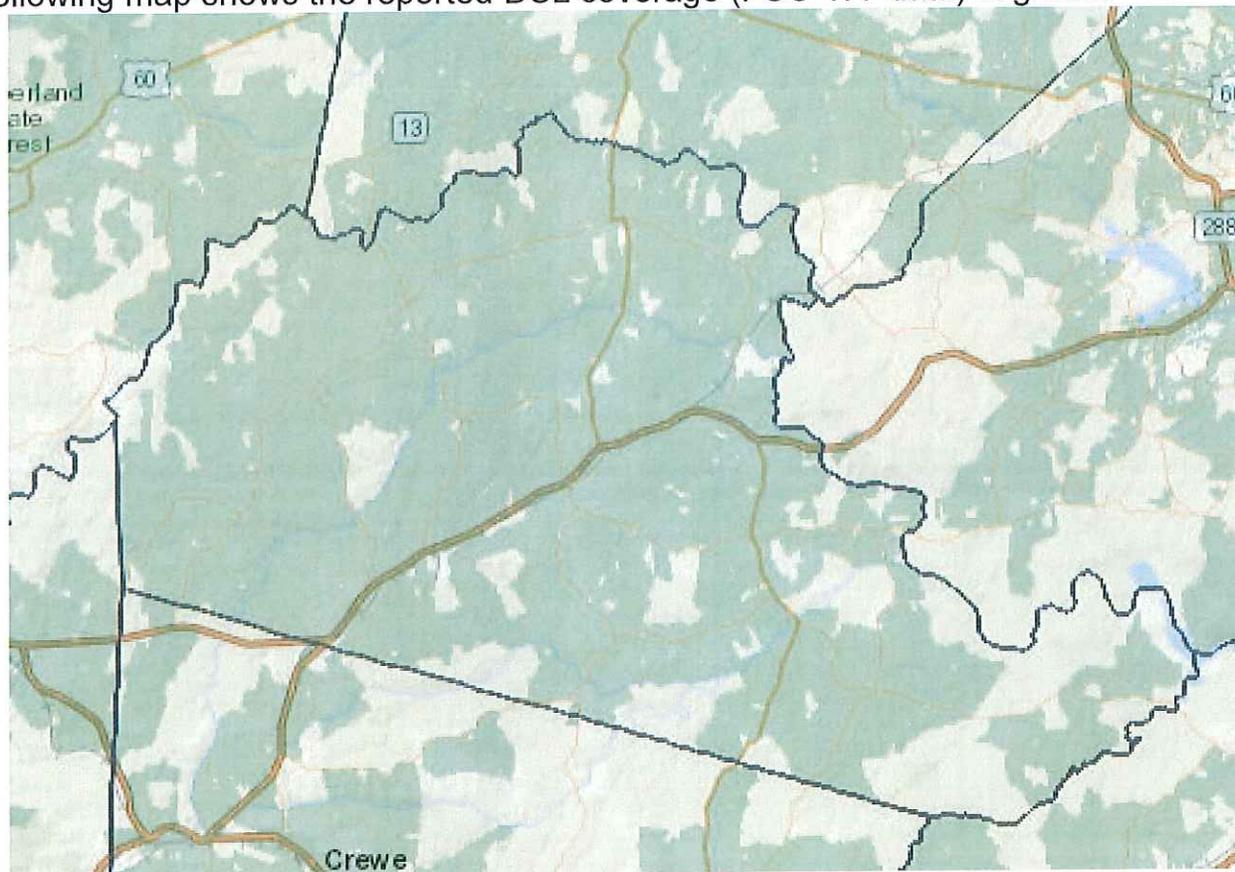


3. Population Density

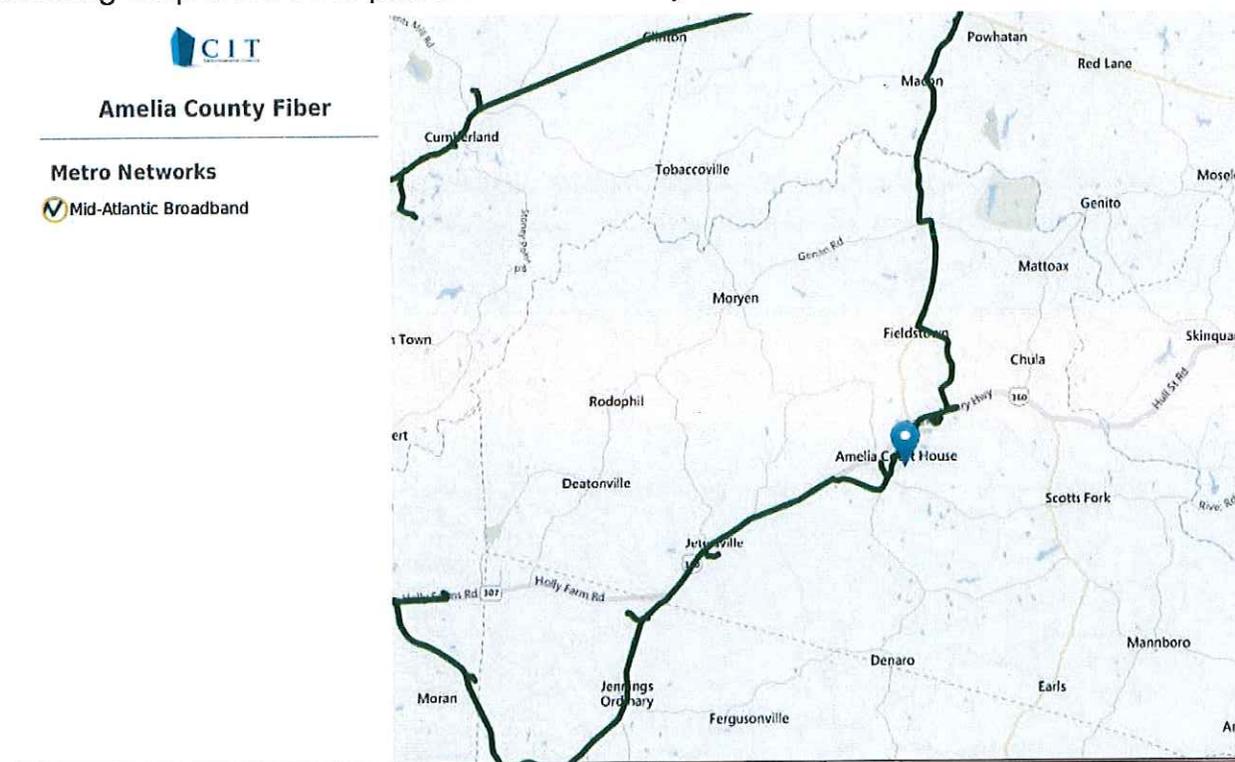


### C. CURRENT REPORTED BROADBAND COVERAGE

The following map shows the reported DSL coverage (FCC 477 data) in green:

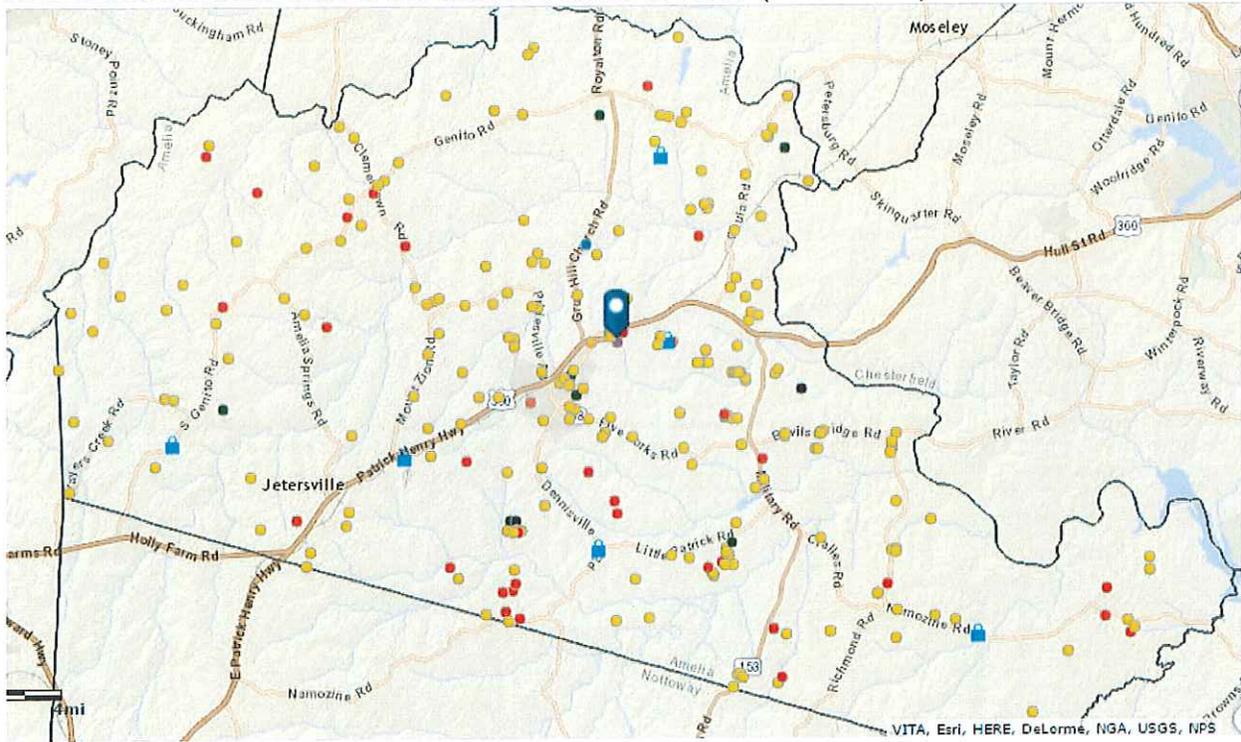


The following map shows the placement of fiber by Mid-Atlantic Broadband:



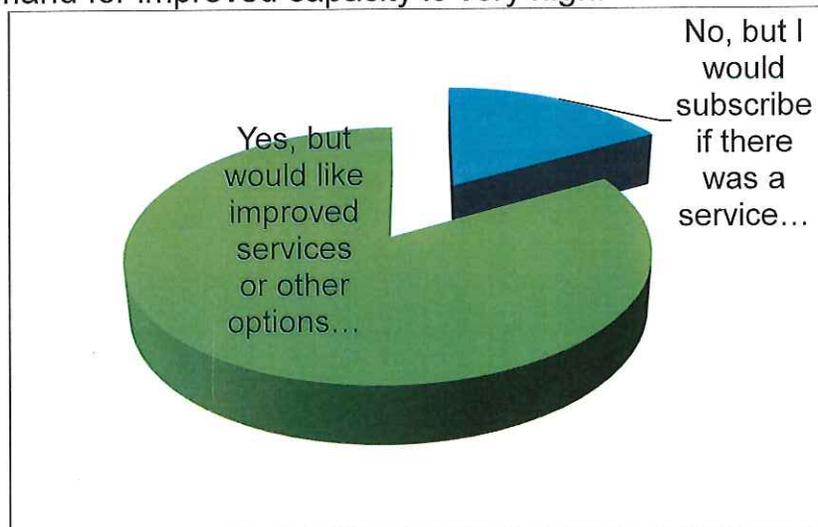
## D. BROADBAND DEMAND DATA

1. The RUOnline responses from Amelia County residents accurately represent the needs of the households with a confidence level of 95% (+/- 5.69%)



- Yes, but would like improved services or other options
- No, but I would subscribe if there was a service available
- Yes, I am happy with my service
- No, I am not interested in subscribing to an Internet service

2. Business demand for improved capacity is very high:



## E. COUNTY COMMITMENTS TO PUBLIC-PRIVATE PARTNERSHIP(S) TO EXPAND BROADBAND ACCESS AND CAPACITY

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1. The county is prepared to purchase necessary equipment to increase broadband capacity at school facilities – contracts permitting.
2. The county is prepared to pay connection fees and purchase the necessary equipment to expand broadband capacity and improved telecommunications (telephony / VoIP) at County facilities.
3. The county is willing to consider assisting with marketing and public relations for the expanded broadband services to residents and businesses.
4. The county recognizes that a segment of the population may have affordability challenges, be slow to adopt or need special equipment. The county is willing to consider a computer donation/refurbishment program such as Virginia STAR to help alleviate some of those barriers.
  - a) The county is aware of existing infrastructure/assets that might be useful to private partner(s). The county is prepared to share space on vertical assets – including building rooftops and water tanks

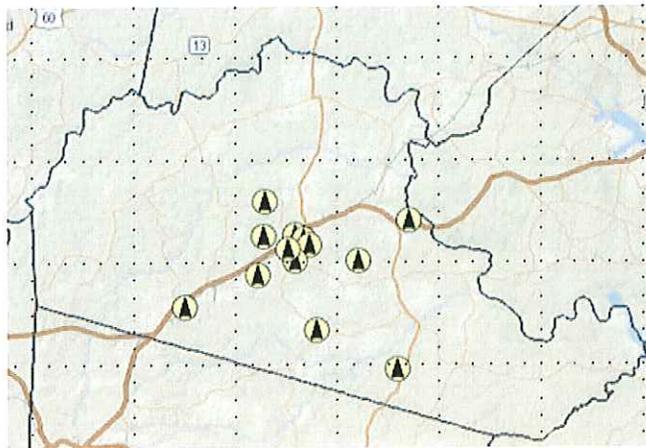


Figure 1 Amelia Vertical Assets

- b) The County is willing to share space on County owned property for construction of towers/poles including Fire Stations, Convenience Centers, IDA Park, and Ashman Tract

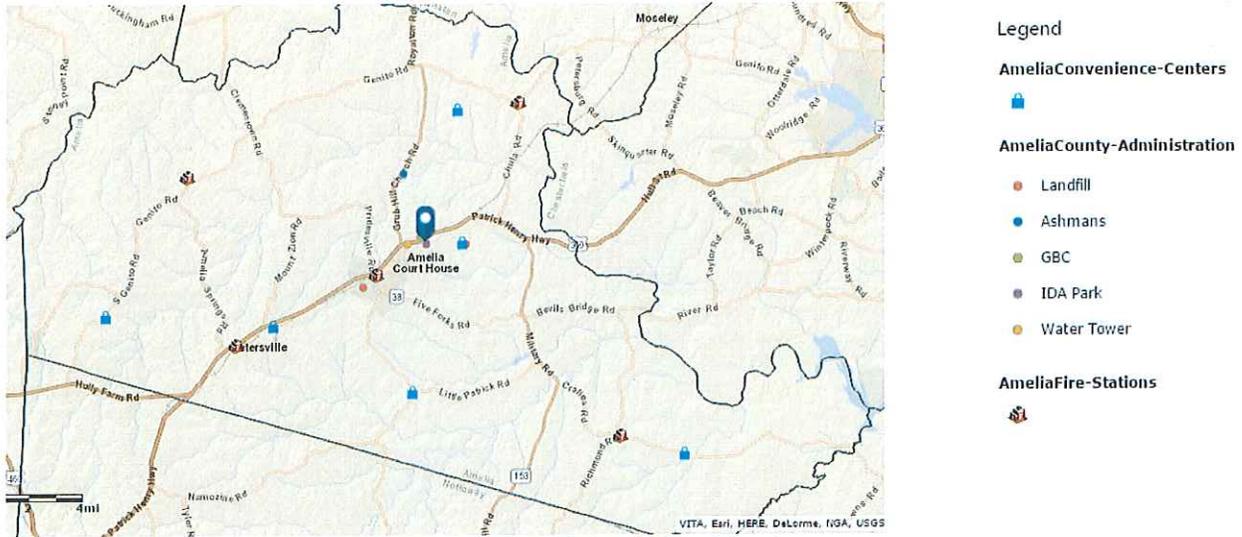


Figure 2 Amelia Land Assets

5. The county is willing to consider assistance with financing through IDA Bonds for potential infrastructure needs.
6. The county is willing to appoint a single point of contact to the private partner(s) for permitting construction/deployment of broadband infrastructure.
7. The county is willing to waive local fees for broadband related infrastructure permitting and construction to the private partner(s).

*The Center for Innovative Technology has worked extensively with Amelia County to gather information and data to support the Broadband Assessment and provide information for this RFP. The majority of this data is available to selected Offeror(s) to facilitate the detailed design work in GIS or table format.*