

Information Regarding Competitive Bidding & Vendor Selection Process

The following sections outline the documentation you will need to supply concerning your competitive bidding and vendor selection processes. Please provide the information by FCC Form 471 Funding Request Number (FRN) unless otherwise indicated. If a document (e.g., contract, RFP, bid response, etc.) applies to multiple FRNs, indicate on the first page of the document all of the FRNs that are supported by the document. If for any reason you do not have the documentation requested below, you **MUST** completely explain why it is missing.

The FCC's E-rate Modernization Order (FCC 14-99, released July 23, 2014) sets out document retention requirements for Program participants. Failure to comply with these requirements will put your funding at risk.

Contracts and/or Other Agreements

Provide signed and dated copies of any and all agreements related to each FRN, including any and all contracts, agreements, Statements of Work, etc., and any and all agreements between the applicant and the service provider related in any way to the applicant's funding request(s) and/or provision of services. Please indicate the FRN(s) on all relevant contracts.

In order for a contract to be considered valid under the rules of the Program, it must be signed and dated by the applicant after the Allowable Vendor Selection/Contract Date (ACD). The ACD is set when the FCC Form 470 that establishes the competitive bidding for the FRN is posted to the USAC website. If a contract is not properly dated, the Contract Award Date that appears on the FRN may be used instead. However, if the Contract Award Date on the FRN is before the ACD or is missing altogether, you will be given the opportunity to complete a certification statement regarding the correct Contract Award Date. In addition to the completed certification statement, you must provide supporting documentation that validates your new Contract Award Date.

If the price on the contract is different from the pre-discount price on your FRN, please explain the difference and account for the difference. (For example, if the dollar amount on the contract is higher than the dollar amount on your FCC Form 471, indicate which services have been removed, if that is the case. If the dollar amount on the contract is lower than the dollar amount on your FCC Form 471, please explain why).

If the contract referenced on a particular funding request is a state master contract, please indicate that. There is no need to provide us with a copy of the state master contract if it is available online and you provide us with the website address or if it has previously been provided to USAC and you provide us with information to help us locate it.

Submit a copy of the relevant contract(s) with your Selective Review response. Tariffed services (e.g., local and long distance telecommunication services) and month-to-month services (e.g., monthly Internet services) are sometimes offered through state master contracts or other types of contracts. If you sign a contract for these services (or if you are buying from a state master contract), USAC considers your services to be contracted services. Again, if a state master contract was previously provided to

USAC or if it is available on a website, you may provide information about how to locate it instead of providing a copy.

If contracts are required and are not provided, please explain why you have not provided them.

Requests for Proposals (RFP)

Provide copies of any and all RFP(s), invitation(s) to bid, request(s) for bids, or other documentation of bid requests for services and/or products requested, or other solicitations in any way associated with the applicant's funding request(s) and/or the selection of the service provider(s) that appear(s) on the applicant's funding request(s). Be sure to include any and all amendments made to the original RFP. You must also demonstrate that the RFP was available to bidders for 28 days before you signed a contract. RFP responses can be received prior to the 28th day of the FCC Form 470 posting. All RFPs should indicate when they were first made available to service providers (i.e., release and posting date as well as the due date for which bids were required to be submitted).

You do not need to provide copies of any FCC Form 470 that was posted on the USAC website.

If RFPs or other bid solicitation documents were used as part of the procurement process and are not being provided, please explain why you have not provided them.

Bid Responses

Indicate the number of bids/proposals received for all funding requests and provide complete copies of any and all proposals, bid responses, etc., received in response to the FCC Form 470 and/or any RFP, or other solicitation in any way associated with the applicant's funding request and/or with the selection of the service provider that appears on the applicant's funding requests. Please list the FRN(s) associated with relevant bid responses on your Selective Review response. Information should be provided for all funding requests including tariffed, month-to-month, and contracted services.

If you did not receive any bids, you should indicate on your Selective Review response "no bids received" and submit documents explaining how you selected your service provider(s).

Vendor Selection Process

Provide the number of bids received for each Telecommunications, Voice Services, Internet Access, Internal Connections and Managed Internal Broadband Services, and Basic Maintenance of Internal Connections FRN.

Provide all documentation created during the bidding process and indicate how and why you selected your service provider(s). This includes FRNs where you selected a state master contract that was a multiple award schedule or similar vehicle. (See "Special Note Regarding State Master Contracts" below.) If multiple bids were received, vendor evaluation sheets must be provided.

Applicants may use a multi-tier bid evaluation process, but price of the eligible products and services must be the primary factor during EACH stage of the evaluation process.

Documentation should include:

- a description of the evaluation process
- the factors used to determine the winning bid

- the relevant weighting of the factors (points or percentage) in the evaluation process
- correspondence to and from the bidding vendor(s) and
- attendance sheets for any meetings regarding the FCC Form 470 and/or RFP or other solicitation vehicles

Consulting Agreement(s) or Letter(s) of Agency

Please provide a complete signed and dated copy of any consulting agreement(s), including any Letter(s) of Agency (LOAs), relating to the planning, implementation, and support of your funding request(s). If a consultant was not used, please indicate that no consultant was used. Failure to provide a consulting agreement or LOA for the current funding year will indefinitely delay USAC's ability to issue a Funding Commitment Decision Letter.

Correspondence (Email, Phone Logs, etc.)

Provide a copy of all correspondence between the entity and any service provider(s) or consultant(s) regarding the competitive bidding process and the application process. Examples of requested correspondence include emails, faxes, phone logs, letters, and responses from potential bidders and selected service providers.

Organizational Structure

If your organization functions in multiple capacities, such as consultant, service provider, and/or applicant, provide a copy of your organizational flow charts or budget clearly identifying in which role you are responding to the SRIR, and how that is separated from other business functions and/or reporting structures in the organization.

Please provide any other documentation available that would be helpful to demonstrate your compliance with FCC rules requiring a fair and open competitive bidding process.

Special Note Regarding State Master Contracts (SMC)

The filer of the FCC Form 470 - whether state or applicant - must comply with all FCC requirements and local and state procurement laws. Applicants must follow the applicable provisions of the state master contract and local and state procurement laws.

If you are procuring products or services off a state master contract, and the state filed a FCC Form 470 that led to the award of that state master contract that is not a multiple award schedule, and you referenced that state FCC Form 470 in your funding request, you do not need to provide competitive bidding and vendor selection documentation at this time. If this is the case for some or all of your FRNs, please indicate such in your response.

If, however, you filed one or more FCC Forms 470 and then used the state master contract as a bid response, you must provide full documentation about your competitive bidding process and vendor selection. Whether you use a state FCC Form 470 or your own FCC Form 470, if the state master contract that you are purchasing from is a multiple award schedule or similar vehicle you must show that the service provider that you selected is the most cost-effective provider. In other words, you will need to demonstrate how and why you selected service provider "A" instead of one of the other service providers that provide the same services through the multiple award schedules.