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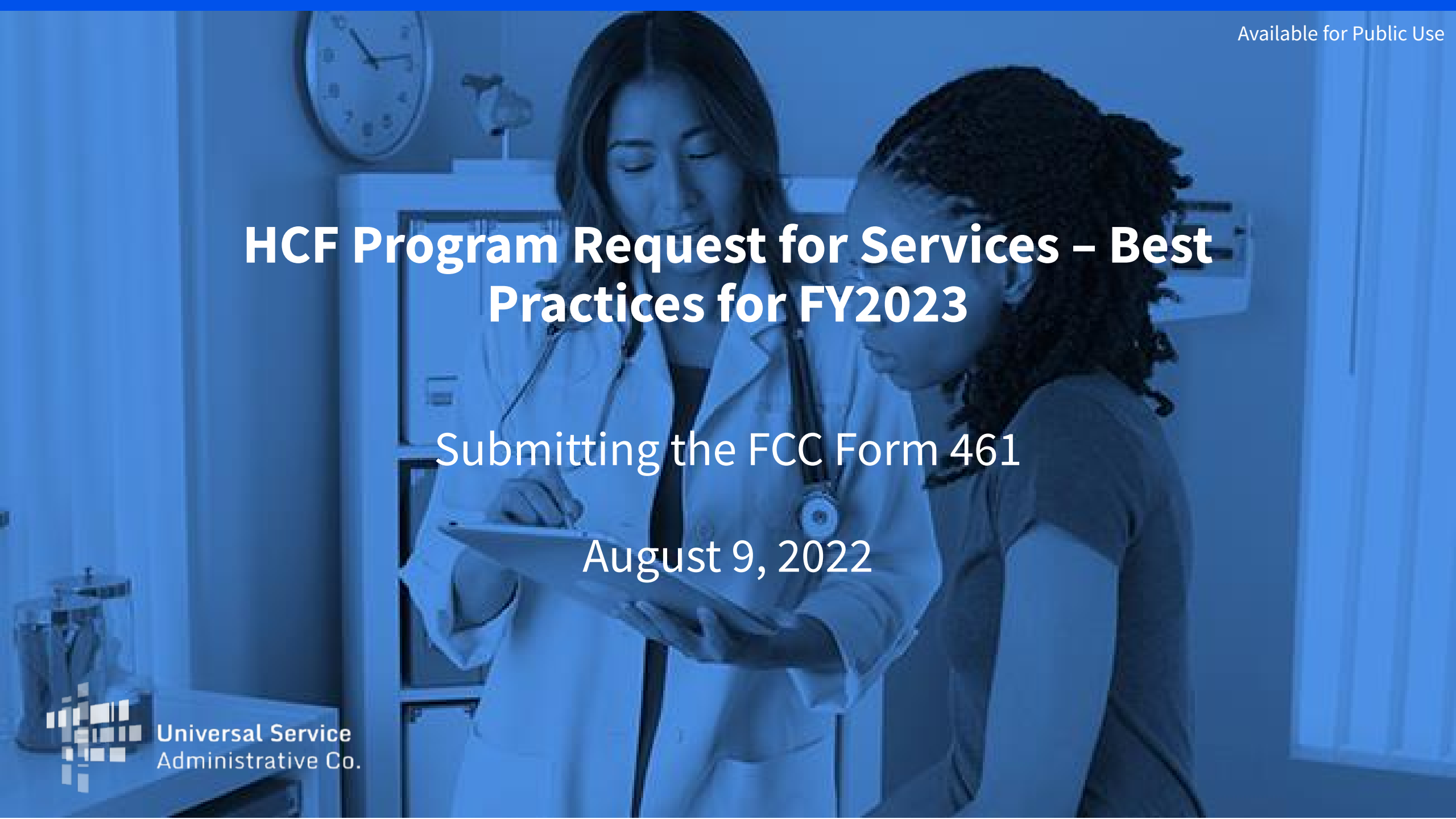


HCF Program Request for Services – Best Practices for FY2023

Submitting the FCC Form 461

August 9, 2022

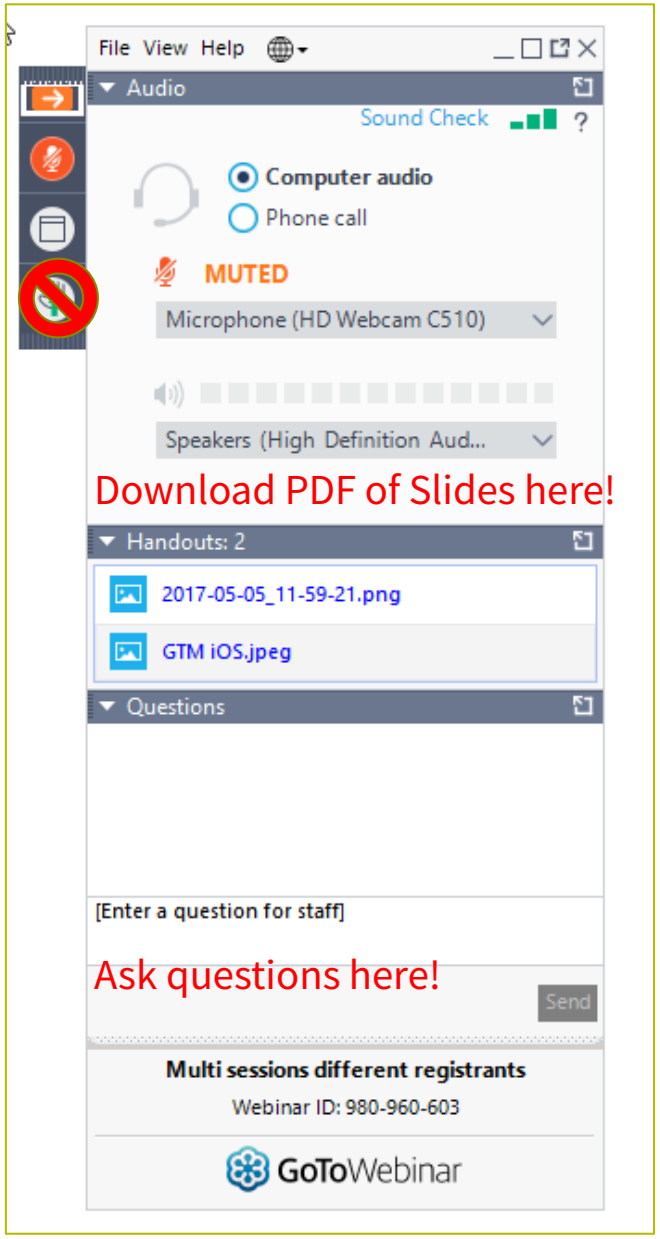
Universal Service Administrative Co.

DISCLAIMER

To accommodate all attendees, real-time closed captions will be present during this presentation. We apologize in advance for any transcription errors or distractions. Thank you for your support.

Housekeeping

- Use the “Audio” section of your control panel to select an audio source and connect to sound
  - Turn on your computer’s speakers, or
  - Use the call-in instructions in your confirmation email
- All participants are on mute
- Submit questions at any time using the “Questions” box



Meet Our Team

Simone Andrews

Senior Communications Specialist | RHC Outreach

Eric Overton

Program Manager | RHC Outreach

Blythe Albert

Advisor of Program Management | RHC Outreach

Agenda

- Overview
- Competitive Bidding
  - Evaluation Criteria
  - Competitive Bidding Exemptions
  - Requests for Proposal
- Search Posted Services
- Submitting the FCC Form 461
- Best Practices and Resources

By the end of this webinar you will be able to…

- *Complete and submit an FCC Form 461 in My Portal*
  - *Create bid evaluation criteria*
  - *Understand competitive bidding requirements*
  - *Identify applicable competitive bidding exemptions*
- *Locate current requests for services and other important resources on the USAC website*

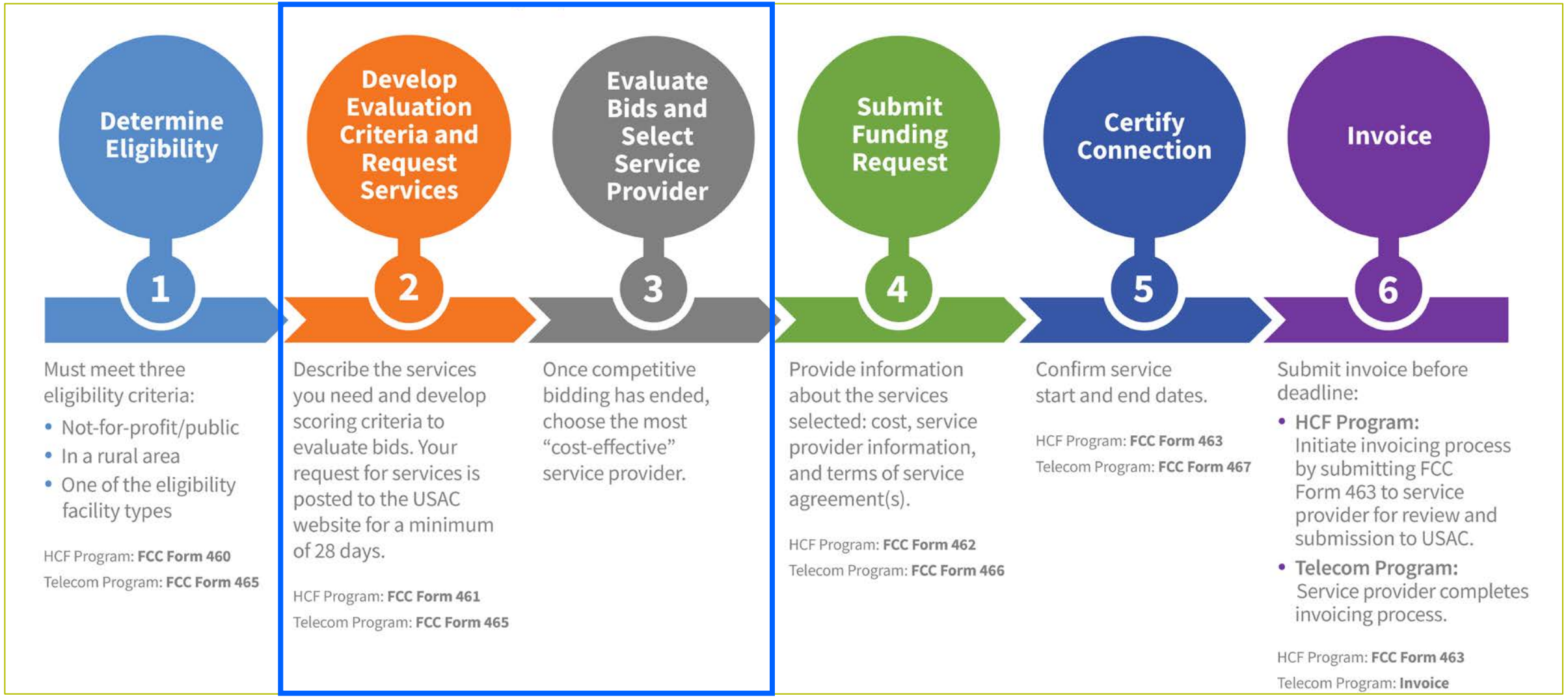
RHC Program Glossary

Acronym	Meaning
FCC	Federal Communications Commission
HCP	Health Care Provider (your site)
HCP Number	Number associated with your site
PAH	Primary Account Holder
ACSD	Allowable Contract Selection Date

Overview

Submitting the FCC Form 461

RHC Program Application Process



What is a Request for Services?

- The HCP submits the FCC Form 461 to let service providers know what types of services and/or equipment are being requested.
- Service providers use the information on the FCC Form 461 to create a bid to provide those services.
- For the Healthcare Connect Fund (HCF) program, the FCC Form 461 is the “Request for Services” form.

What is a Request for Services? (continued)

- The HCP and service provider may not enter into an agreement to purchase services until 28 days after the FCC Form 461 (Request for Services) is posted.
  - The 28 day competitive bidding process begins the next full business day after the FCC Form 461 is publicly posted.
  - After the 28 day period is complete, the HCP and service provider are welcome to sign a contract.
    - This day is called the **Allowable Contract Selection Date (ACSD)**.

Rural Health Care Program: **Funding Year 2023**

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Questions?

Competitive Bidding

Submitting the FCC Form 461

Competitive Bidding

- The purpose of competitive bidding is to allow all service providers an equal opportunity to understand the HCP's service requirements and offer the most cost-effective solution to address those needs.
- RHC program rules and FCC Orders require a fair and open competitive bidding process.

Competitive Bidding (continued)

- Service providers who plan to bid cannot assist with the preparation of the FCC Form 461, choose a winning bidder, or participate in the vendor selection process in any way.
- All potential bidders must have access to the same information about the service needs and must be treated in the same manner.
- All applicants and service providers must comply with all applicable state, Tribal, or local procurement laws.

Bid Evaluation Criteria

- The bid evaluation criteria is a list of weighted standards included in the FCC Form 461, that will be used to determine the most cost-effective bid.
- Applicants must disclose minimum requirements for each criterion.
- Each criterion is given a certain weight. The sum of these weights must equal 100.
- The bid evaluation criteria should address the needs of the HCP as indicated on the FCC Form 461, and be based on the FCC's definition of “cost-effective.” *(47 CFR 54.622(c)).*
- Cost must be a primary factor, but need not be the only primary factor.
- Although other factors may receive the same weight as cost, no single factor can receive a weight that is greater than cost *(47 CFR 54.622(c))*.

Example of Evaluation Criteria

Block 5: Bid Evaluation

22 Select selection criteria (and weights assigned to each) that will be used to evaluate bids received as a result of this request for services. Attach supplemental information (if necessary).

Criteria	Weight	Minimum Requirement
a. Cost	40	
b. One vendor solution	30	
c. Prior experience, including past performance	30	See attached for more information
d.		
e.		

Examples of Evaluation Criteria

Bid evaluation criteria should include the factors that are most important to satisfy the needs and requirements of the HCP.

Criteria commonly included on the FCC Form 461 include:

- Technical support;
- Quality of transmission;
- Reliability;
- Service provider to provide a single point of contact; and
- Prior experience, including past performance.

What is a Competitive Bidding Exemption?

- In some cases, the service needs or contract conditions allow the HCP to be exempt from competitive bidding.
- With a competitive bidding exemption, HCPs will not have to undergo competitive bidding and do not need to create evaluation criteria or collect bids from service providers.
- A competitive bidding exemption will allow the HCP to skip the FCC Form 461 entirely and proceed directly to submitting a funding request.

Competitive Bidding Exemptions

- HCPs must meet one of the following criteria to be exempt from submitting the FCC Form 461 and participating in the competitive bidding process:
  - Purchasing services or equipment from a master service agreement (MSA) negotiated by a federal, state, Tribal, or local governmental entity on behalf of the HCP and others, and was awarded pursuant to applicable competitive bidding requirements;
  - Requesting support using contracts previously approved by USAC (MSA under the RHC Pilot program or the HCF program);
  - Using an active, multi-year contract designated as evergreen for the RHC program (exemption applies for the life of the contract); or
  - Using a contract approved under the Schools and Libraries (E-rate) program.
  - Seeking support for $10,000 or less of total undiscounted eligible expenses for a single year under a contract with a term or one year or less.
- If the HCP does not meet any of the competitive bidding exemptions, the FCC Form 461 must be submitted and the HCP must go through competitive bidding.

Evergreen Contracts

- HCPs are not required to file an FCC Form 461 or competitively bid for the life of a multi-year contract designated as evergreen under the HCF or Telecom programs.
- A contract may be designated as evergreen if the contract meets all of the following requirements:
  - Both parties are identified;
  - Contract specifies the service type, bandwidth, and quantity;
  - Contract is signed and dated by the HCP or consortium leader after the Allowable Contract Selection Date (ACSD);
  - Contract specifies the term and cost of service(s); and
  - Contract includes the physical addresses of the HCP(s) purchasing from the contract.
- USAC must have designated the contract evergreen **prior** to submission of the funding request.

Site and Service Substitutions

- Site and service substitutions allow the HCP to reallocate un-invoiced committed funds to substitute the services, modify the services, or provide the requested services to other eligible sites.
- Substitutions allow the flexibility, for an HCP with an approved funding commitment, to spend all of the committed funds, even if the USAC-supported services or the service locations may change over the course of the commitment.
- An HCP may request a site or service substitution if:
  - The substitution is provided for, in the contract, within the change clause, or constitutes a minor modification;
  - The requested change is within the scope of the controlling Request for Services, including any applicable RFP used in the competitive bidding process; and
  - The substitution does not violate any contract provision or state, Tribal, or local procurement laws.
- HCPs with month-to-month approved funding commitments may not utilize site and service substitutions as they did not apply with a contract.
- Site and service substitutions must be submitted by the service delivery deadline.
- Click here for more information about site and service substitutions.

Requests for Proposal

- A request for proposal (RFP) is a comprehensive bidding solicitation that describes the business priorities and functional requirements of the HCP in sufficient detail to ensure an effective and fair and open competitive bidding process.
- Per FCC Order 19-78 (§ 54.622(e)(5)(ii)), an HCP is required to submit an RFP if:

  (A) it is required under applicable state, Tribal, or local procurement rules or regulations;

  (B) the HCP is a consortium seeking more than $100,000 in program support during the funding year, including applications that seek more than $100,000 in program support for a multi-year commitment; or

  (C) the HCP is a consortium seeking support for participant-constructed and owned network facilities.

Requests for Proposal (continued)

- If the HCP chooses to include an RFP, it must be submitted with the FCC Form 461 for USAC review and approval, and it should include, at a minimum:
  - A description of the service needs and a defined scope of the project and network costs (if applicable);
  - The number of days during which bids will be accepted (28 days or more);
  - Clearly delineated deliverables; and
  - The bid evaluation criteria, including the weight assigned to each criterion.
- The RFP should align with all of the data entered into the FCC Form 461 and provide more details.

Service Providers and Competitive Bidding

- Service providers are prohibited from preparing, signing, or submitting an HCP's FCC Form 461 or any other competitive bidding documents.
- Service providers are prohibited from being involved in developing the bid evaluation criteria, or participating in the vendor selection process in any way.
- If it is determined that a service provider helped an HCP with its request for services and was subsequently chosen to provide services, the HCP will have committed a competitive bidding violation, and the funding request will be denied and any funding payments will be subject to rescission.

Supply Chain Order

- As a reminder, when service providers login to My Portal they will see two new supply chain certifications included in the FCC Form 463 and Telecom program invoice.

  The first certification affirms compliance with the Section 54.9 prohibition on USF support to purchase, obtain, maintain, improve, modify, operate, manage, or otherwise support equipment or services produced or provided by the covered companies deemed to pose a national security threat to the integrity of the communications network or communications supply chain. The second certification affirms compliance with Section 54.10, which prohibits the use of any Federal subsidies on any communications equipment and services on the Covered List, which includes those offered by Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company, AO Kaspersky Lab, China Mobile International USA Inc., China Telecom (Americas) Corp. and their affiliates and subsidiaries.

- **FY2022 Applicants**: If you requested services or equipment provided or that contain components of products produced by any of the listed covered companies or any of their parents, affiliates and subsidiaries in FY2022, you cannot invoice for these funds. Instead, you should immediately request a service substitution prior to invoicing in order to ensure complete program compliance.

- **FY2023 Applicants:** As you proceed with competitive bidding beginning in July, please ensure you are not requesting funding for services or equipment from listed covered companies or any of their parents, affiliates and subsidiaries.

Supply Chain Web Page

- Supply Chain webpage

Available for Public Use

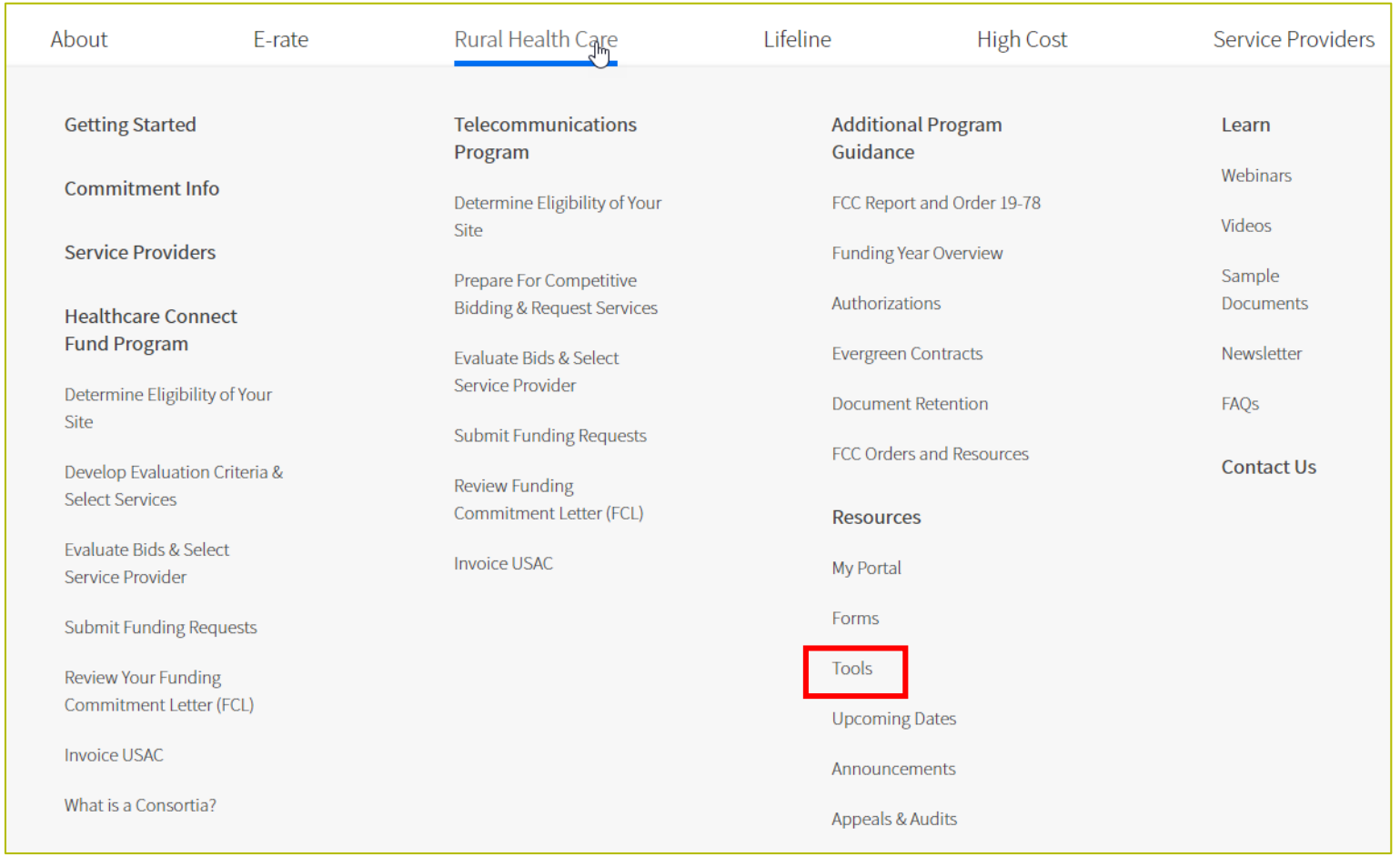
Questions?

Search Posted Services

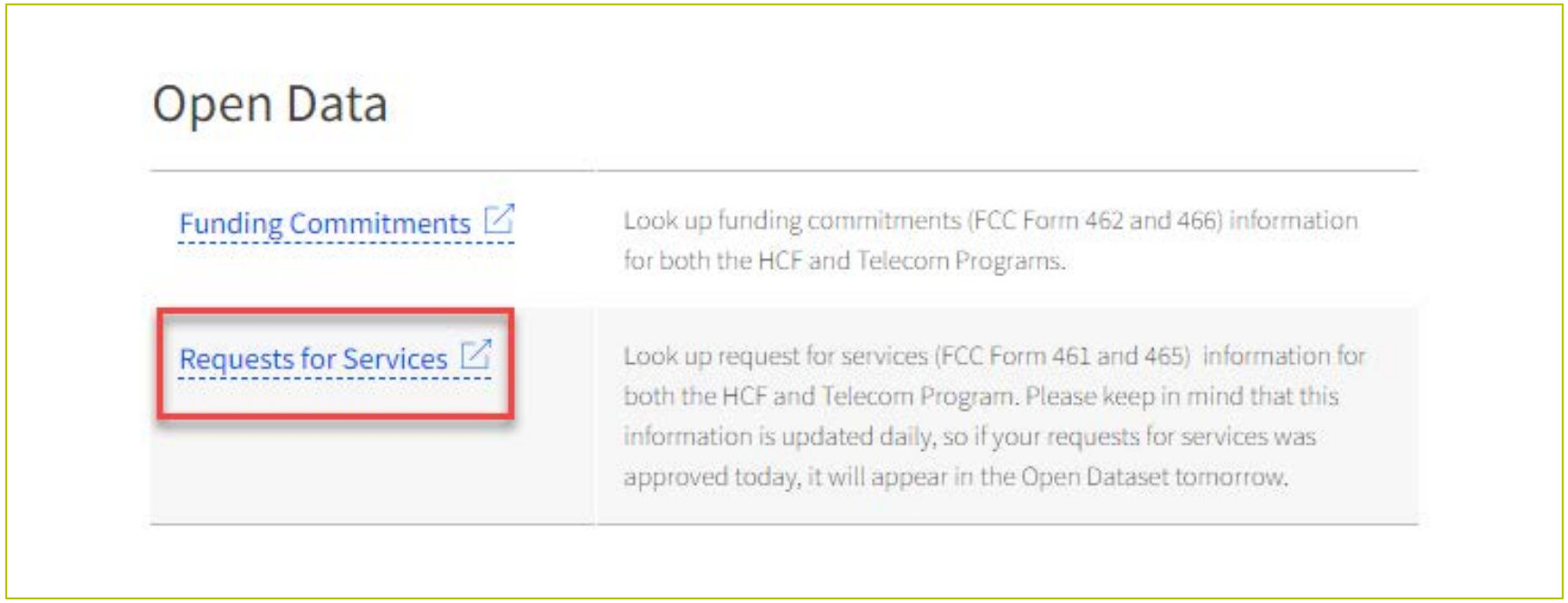
Submitting the FCC Form 461

New for FY2023! HCF Search Posted Services

- The Search Posted Services tool for HCF has moved to the Open Data Platform on the USAC website



Search Posted Services (continued)

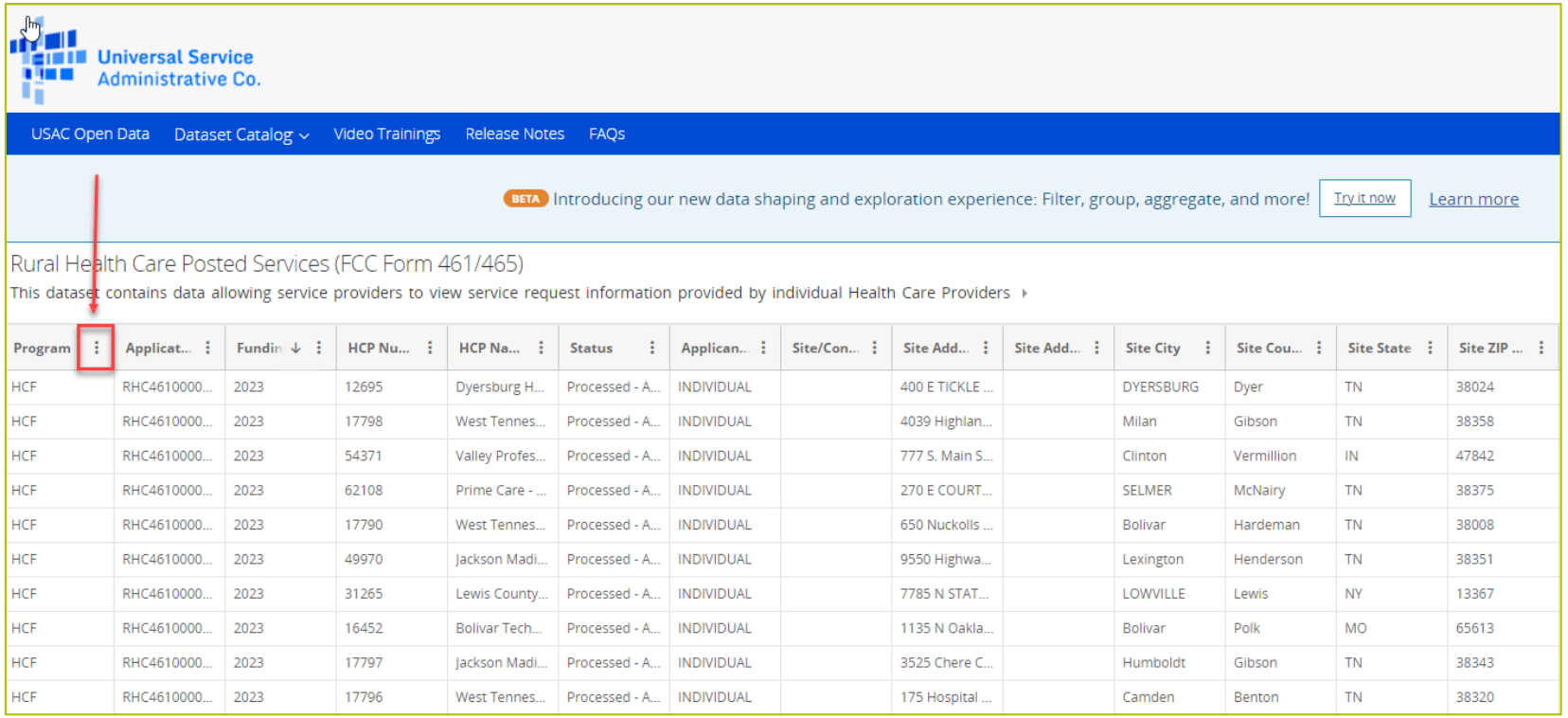


Search Posted Services (continued)

- You can view the dataset directly on the screen or you can export the data to an Excel spreadsheet

Search Posted Services (continued)

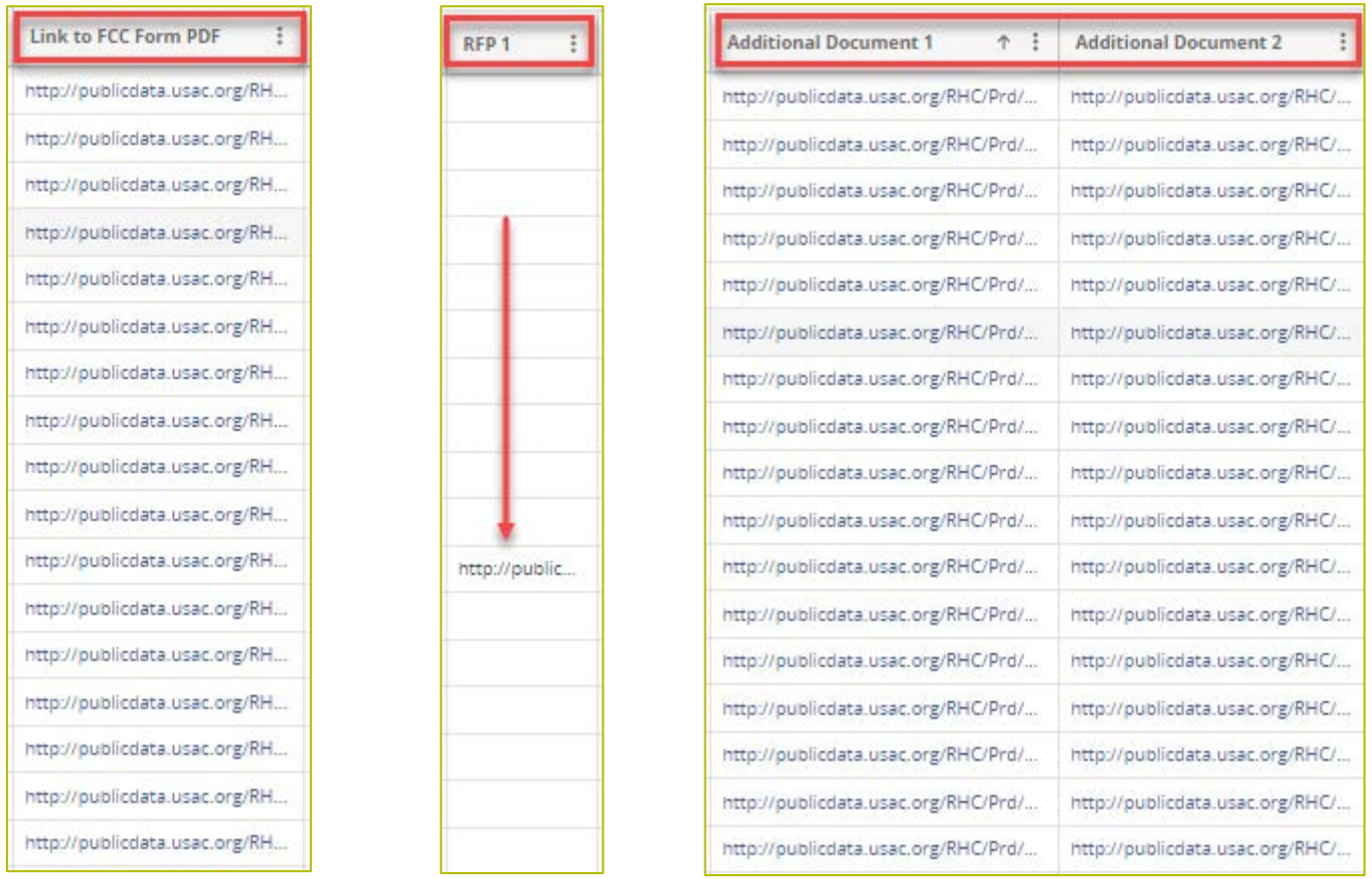
- This is the on-screen view of the dataset
- Click the three dots beside each column title to sort and filter



Program	Applicat...	Fundin	HCP Nu...	HCP Na...	Status	Applican...	Site/Con...	Site Add...	Site Add...	Site City	Site Cou...	Site State	Site ZIP ...
HCF	RHC4610000...	2023	12695	Dyersburg H...	Processed - A...	INDIVIDUAL		400 E TICKLE ...		DYERSBURG	Dyer	TN	38024
HCF	RHC4610000...	2023	17798	West Tennes...	Processed - A...	INDIVIDUAL		4039 Highlan...		Milan	Gibson	TN	38358
HCF	RHC4610000...	2023	54371	Valley Profes...	Processed - A...	INDIVIDUAL		777 S. Main S...		Clinton	Vermillion	IN	47842
HCF	RHC4610000...	2023	62108	Prime Care - ...	Processed - A...	INDIVIDUAL		270 E COURT...		SELMER	McNairy	TN	38375
HCF	RHC4610000...	2023	17790	West Tennes...	Processed - A...	INDIVIDUAL		650 Nuckolls ...		Bolivar	Hardeman	TN	38008
HCF	RHC4610000...	2023	49970	Jackson Madi...	Processed - A...	INDIVIDUAL		9550 Highwa...		Lexington	Henderson	TN	38351
HCF	RHC4610000...	2023	31265	Lewis County...	Processed - A...	INDIVIDUAL		7785 N STAT...		LOWVILLE	Lewis	NY	13367
HCF	RHC4610000...	2023	16452	Bolivar Tech...	Processed - A...	INDIVIDUAL		1135 N Oakla...		Bolivar	Polk	MO	65613
HCF	RHC4610000...	2023	17797	Jackson Madi...	Processed - A...	INDIVIDUAL		3525 Chere C...		Humboldt	Gibson	TN	38343
HCF	RHC4610000...	2023	17796	West Tennes...	Processed - A...	INDIVIDUAL		175 Hospital ...		Camden	Benton	TN	38320

Search Posted Services (continued)

- A PDF copy of the FCC Form 461, RFP (if applicable) and any additional posted supporting documentation can be downloaded by clicking the hyperlink under each column



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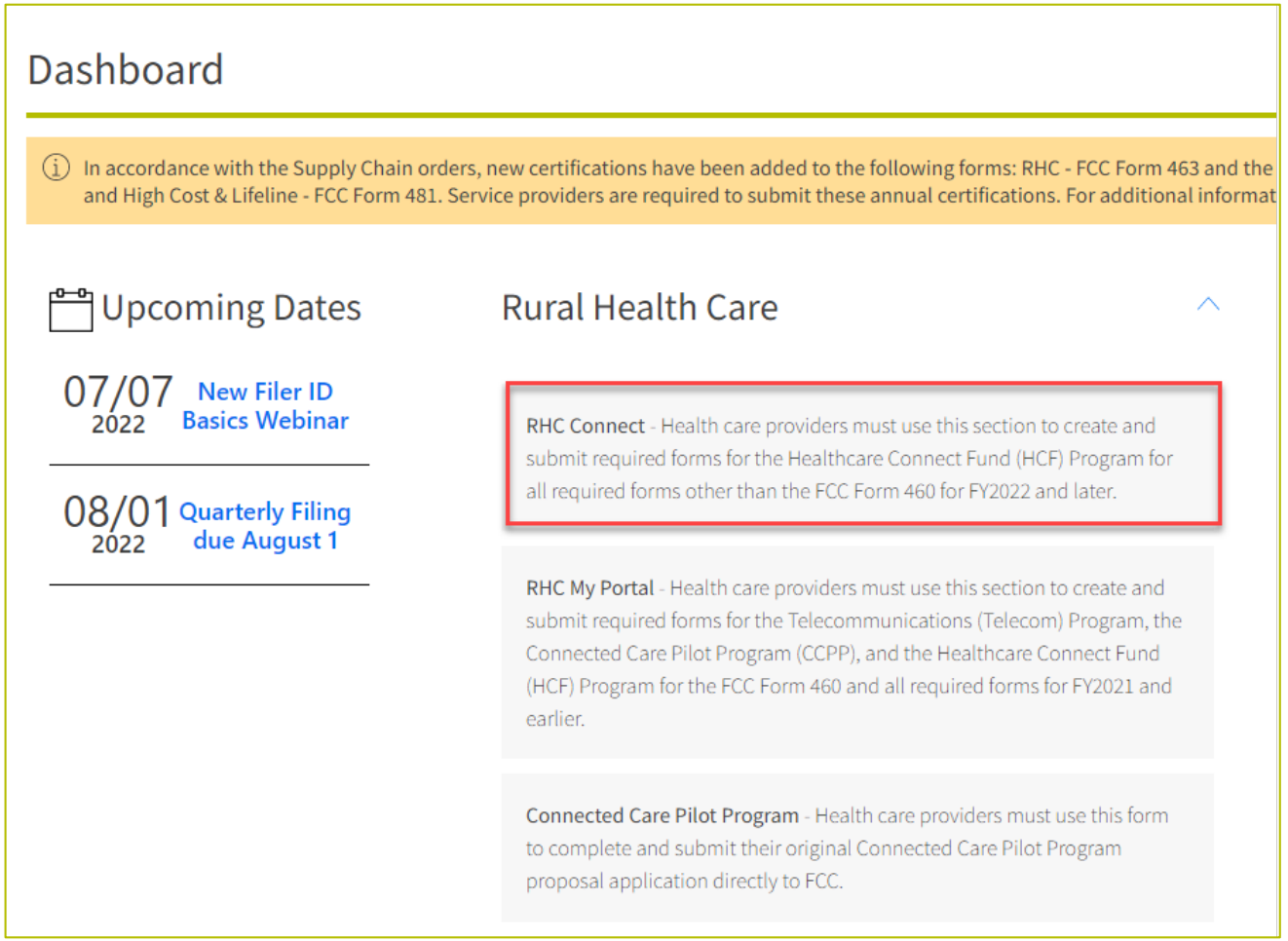
Submitting the FCC Form 461 in RHC Connect

Submitting the FCC Form 461

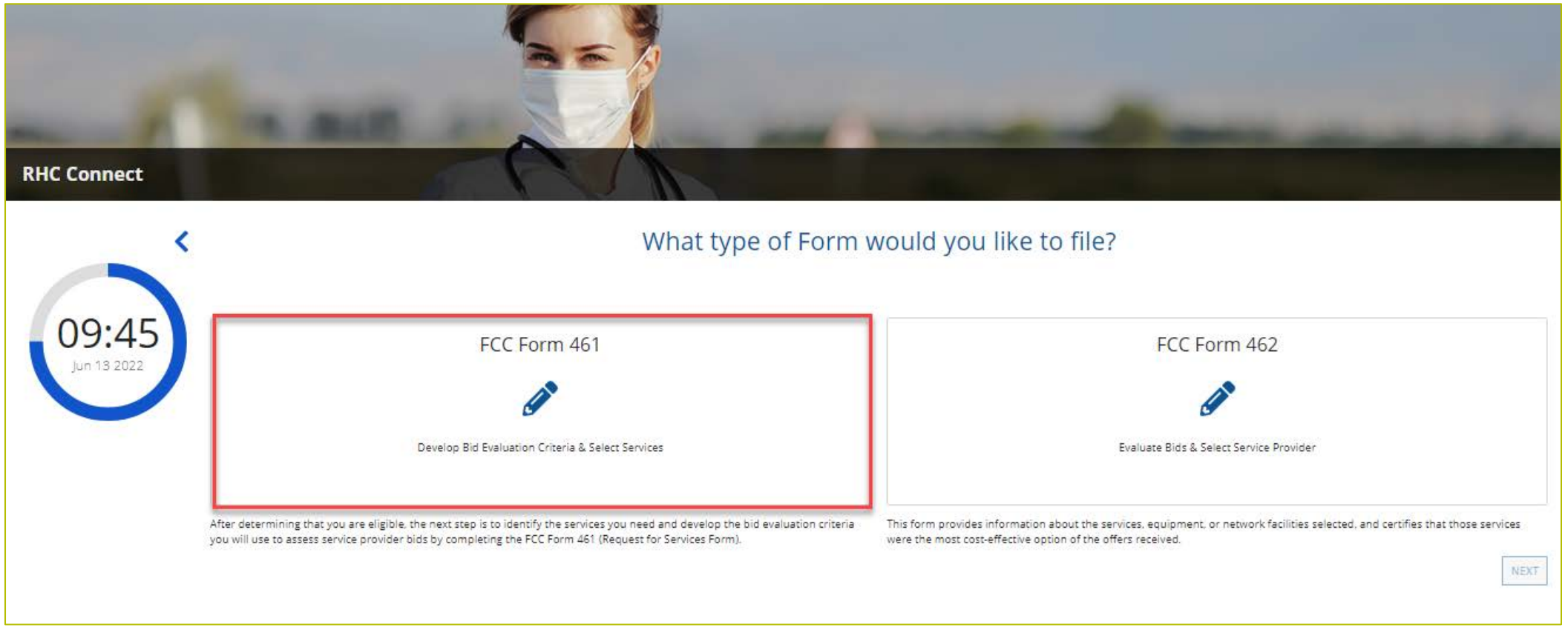
My Portal Landing Page

- Log into My Portal and click on “RHC Connect”



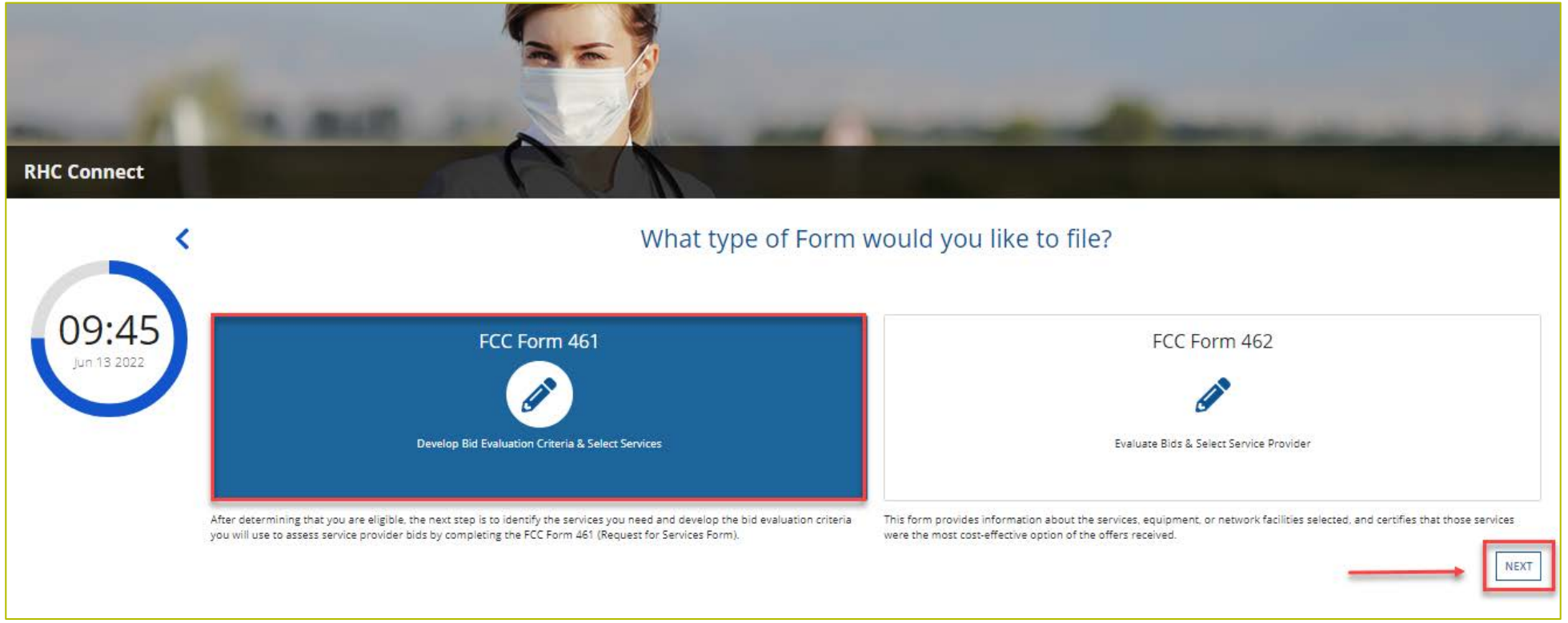
RHC Connect

- Click “FCC Form 461”



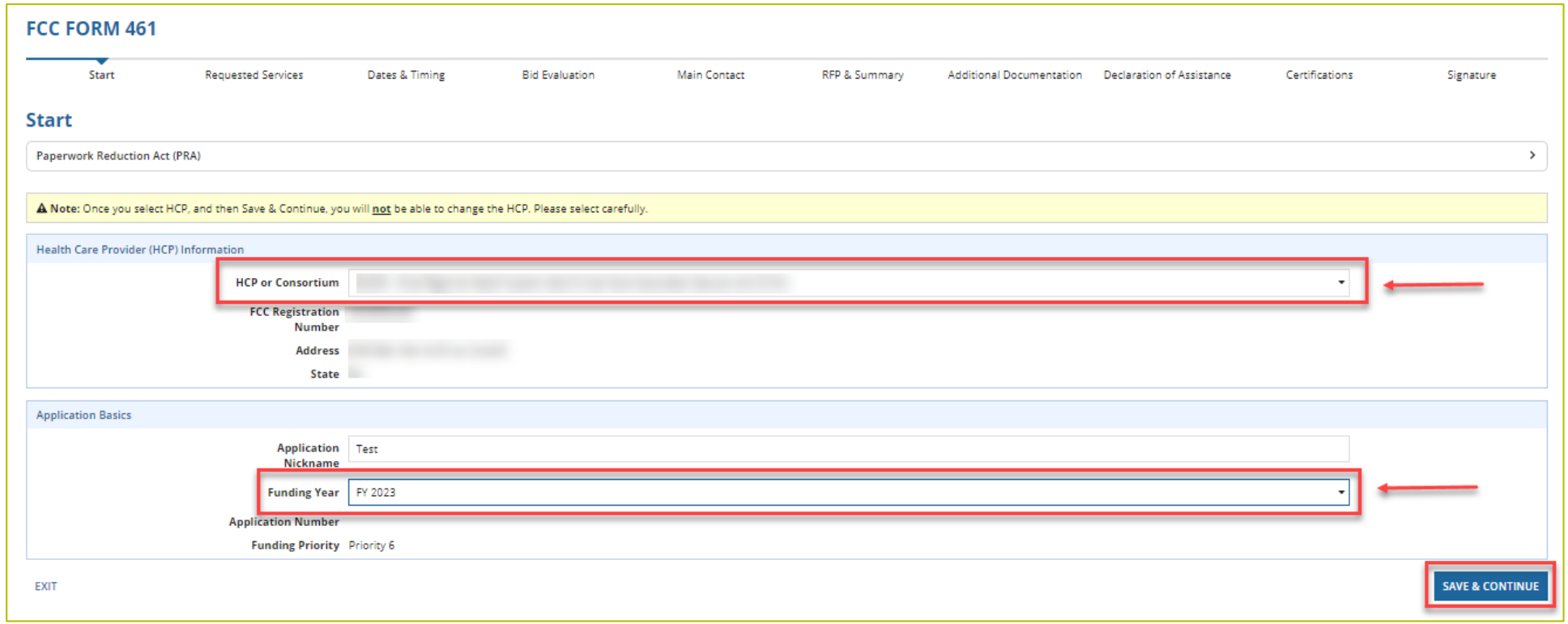
RHC Connect (continued)

- Click “Next”



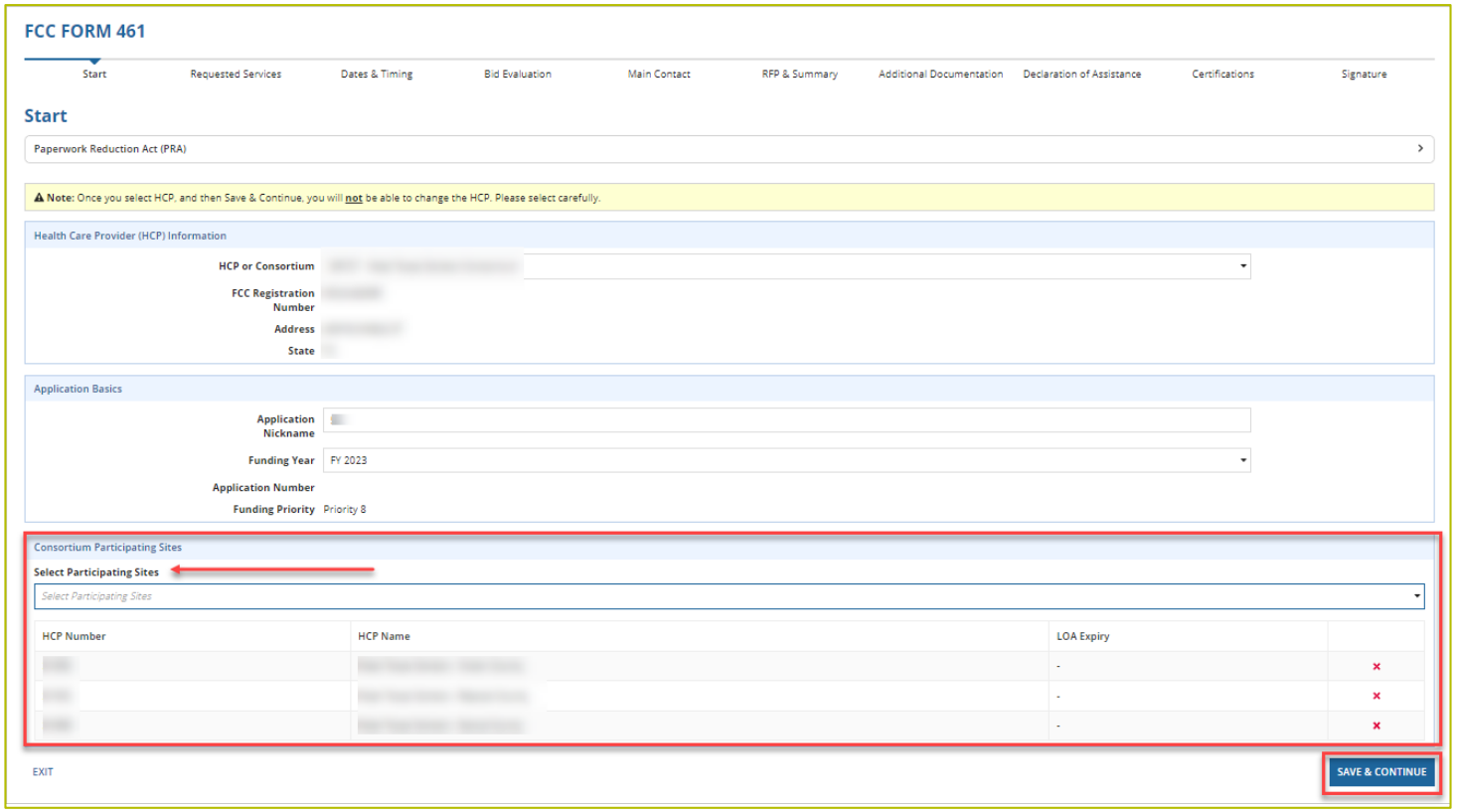
Start

- Select the HCP from the drop-down menu and select funding year
- Click “Save & Continue”



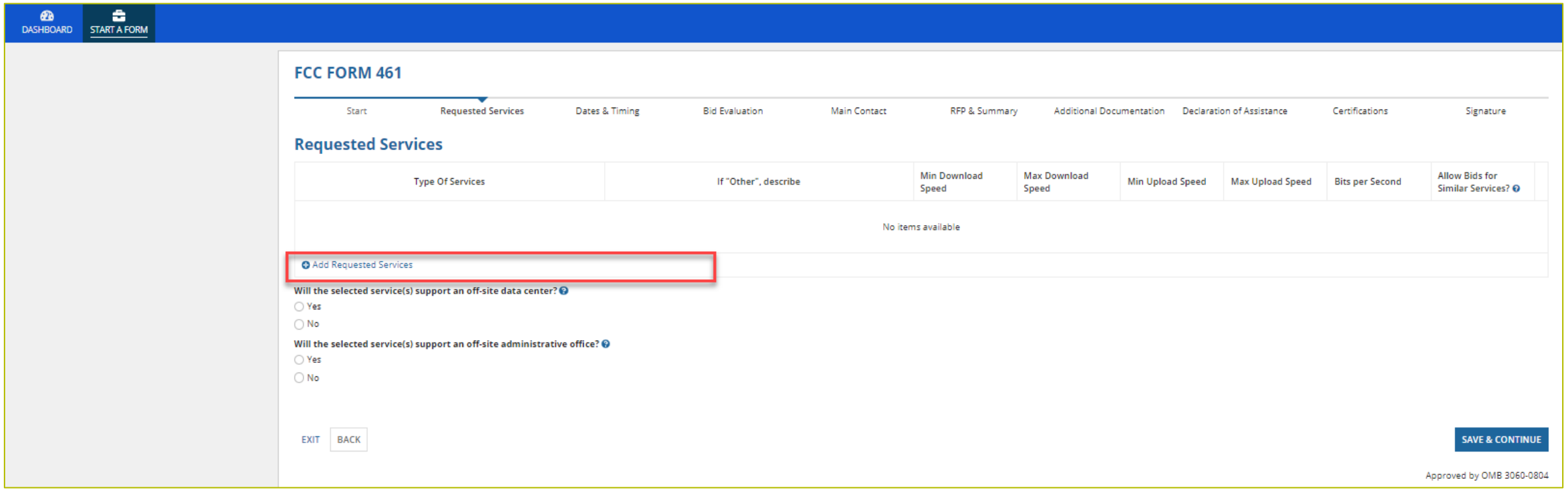
Start (continued)

- If you select a consortium, select all participating sites from the second drop-down menu
- Click “Save & Continue”



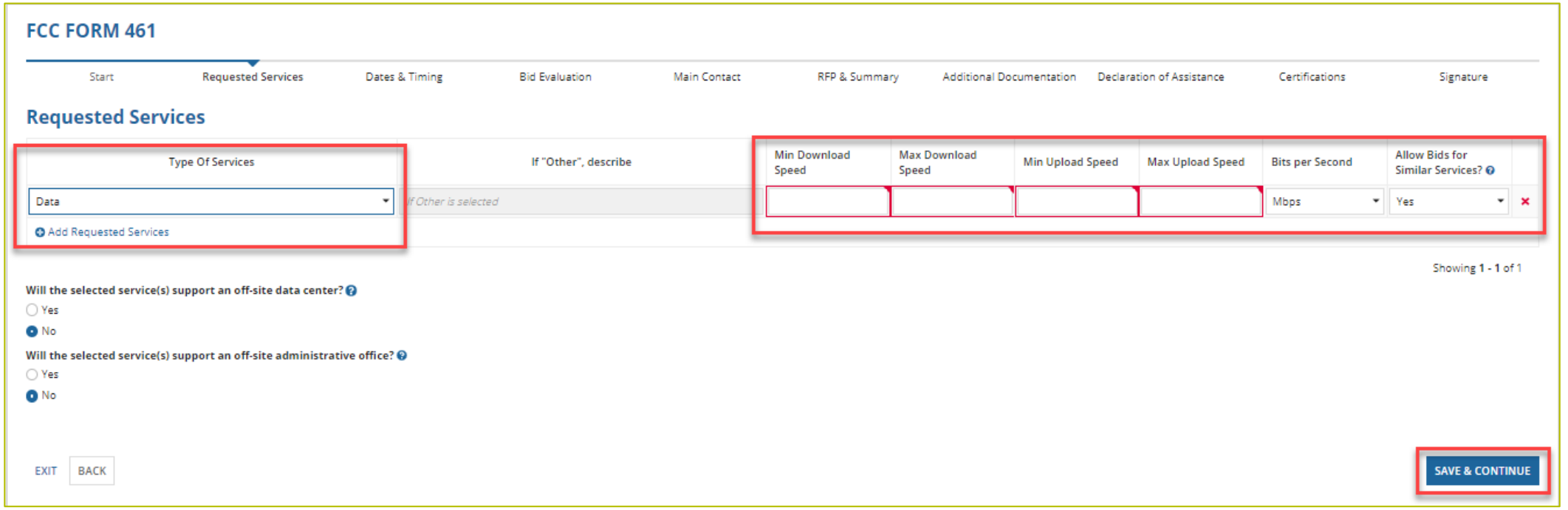
Requested Services

- Click “Add Requested Services”



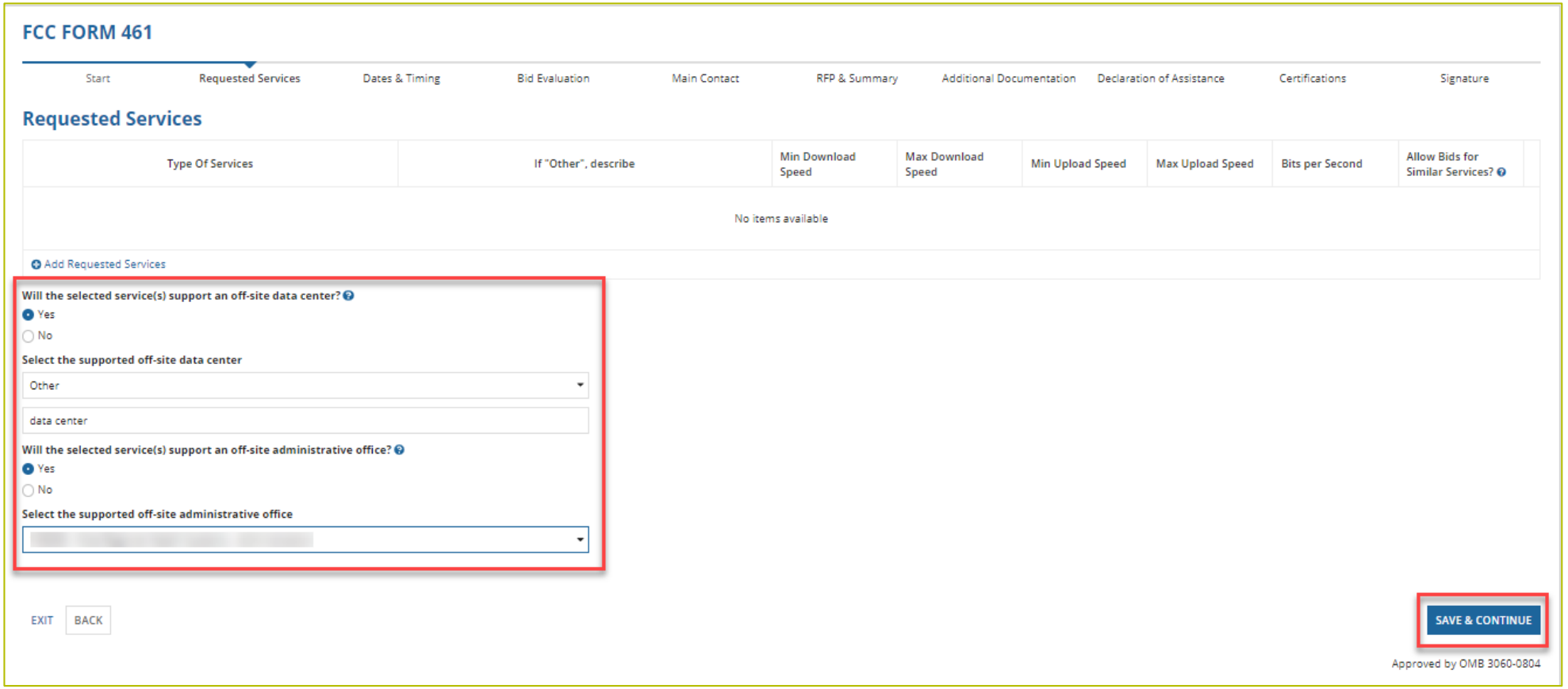
Requested Services (continued)

- Select type of service from the drop-down menu
- Enter minimum and maximum bandwidths
- Answer “Yes” or “No” if you’ll consider bids for similar services



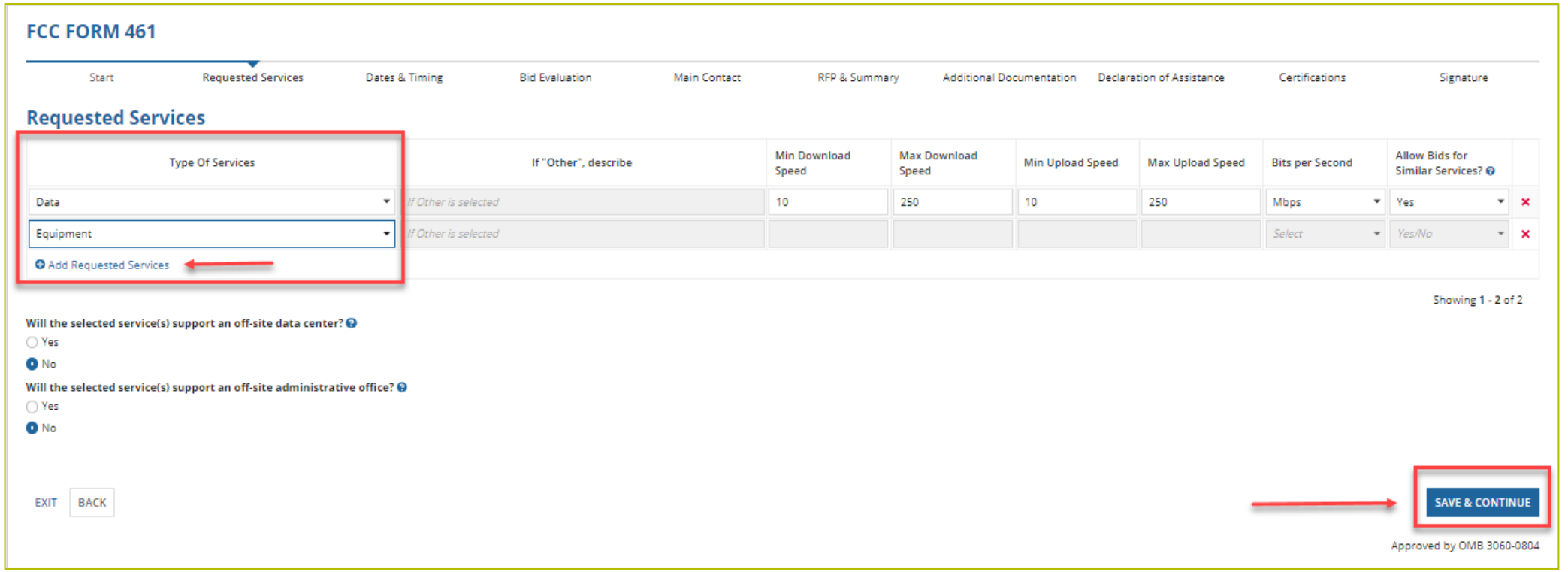
Requested Services (continued)

- Answer questions about off-site data centers and off-site administrative offices
- If you answer “Yes,” you’ll be asked to select the off-site data center or off-site administrative office from the drop-down menu



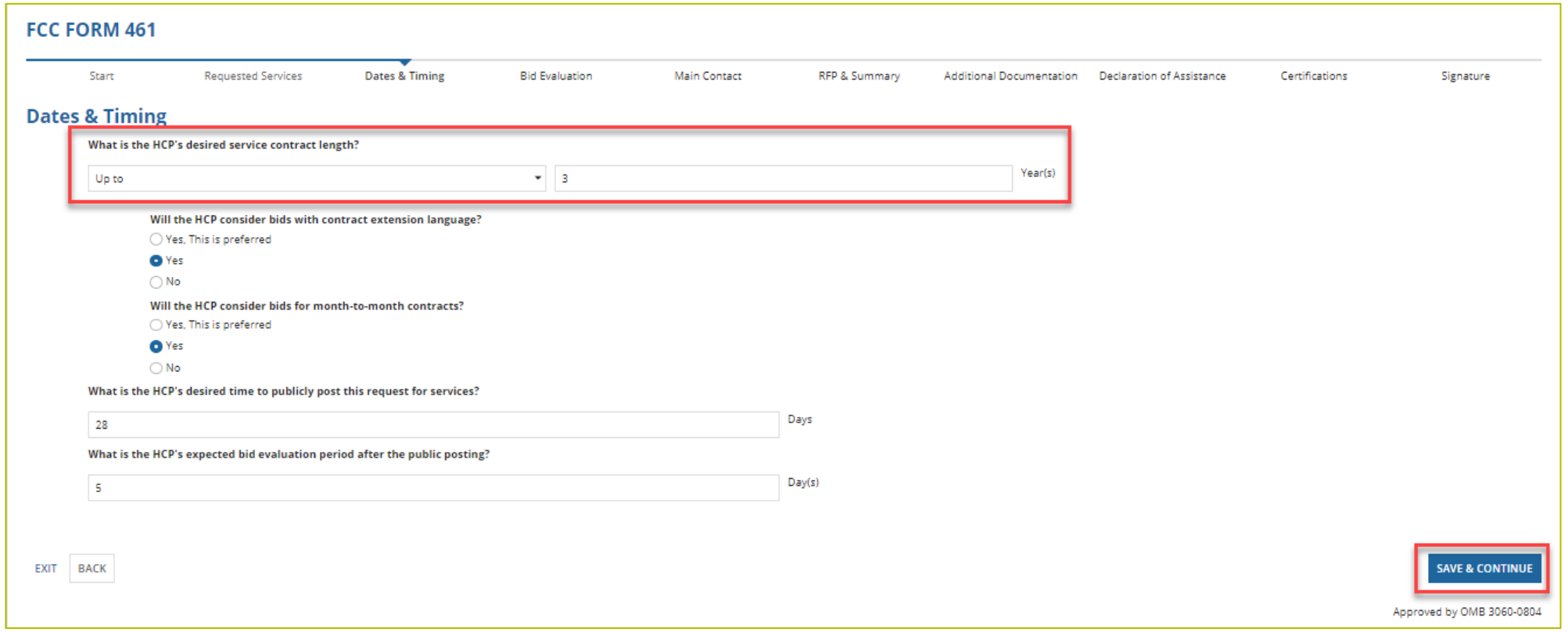
Requested Services (continued)

- Click “Add Requested Services” for each additional service and follow the same steps
- Click “Save & Continue



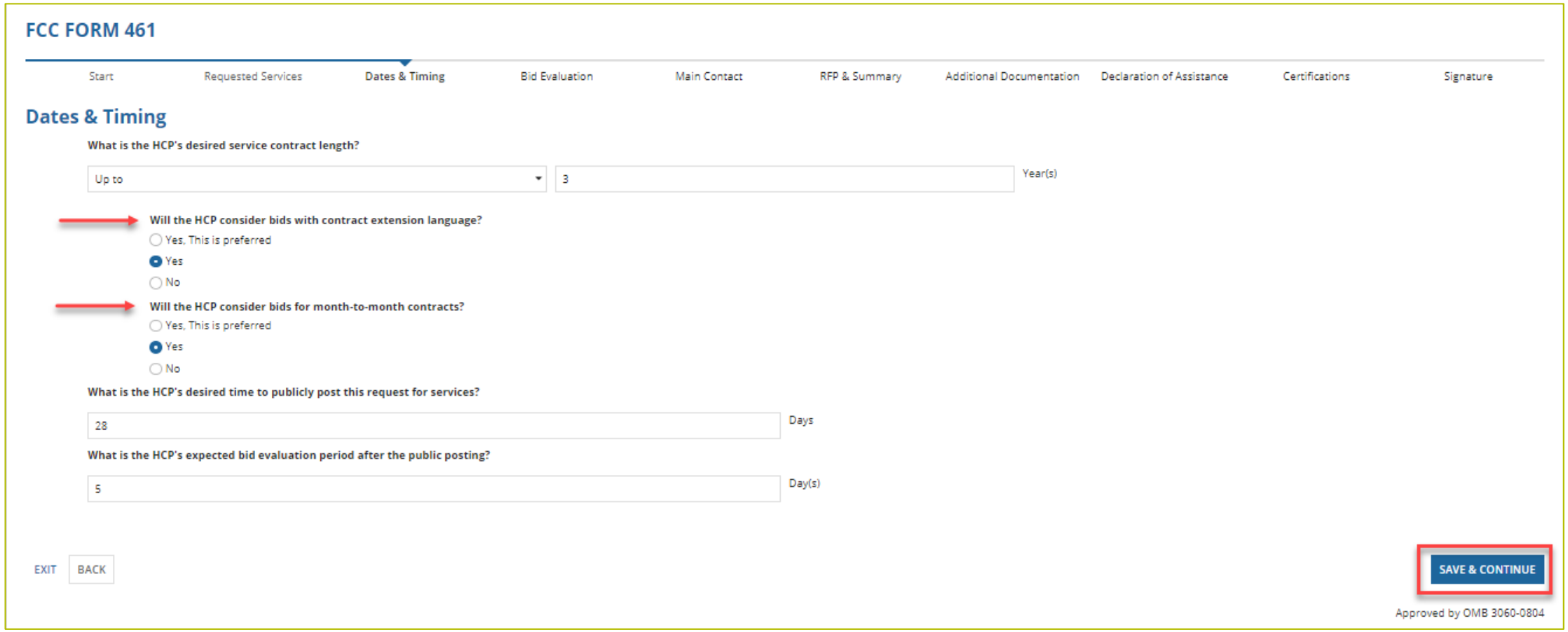
Dates & Timing

- Use the drop-down menu to select “Up to” or “Equal to” to select the desired contract length
- Enter number of year(s)



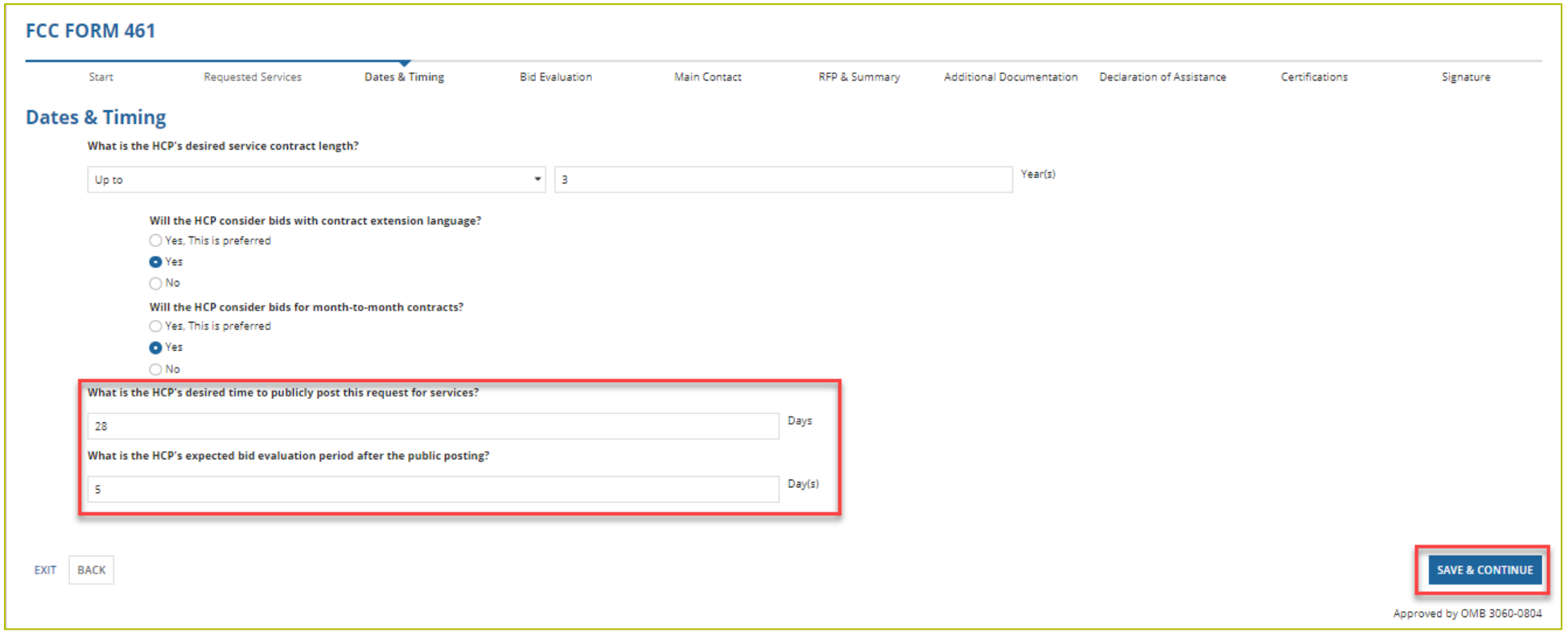
Dates & Timing (continued)

- Answer the questions about contract extensions and month-to-month agreements



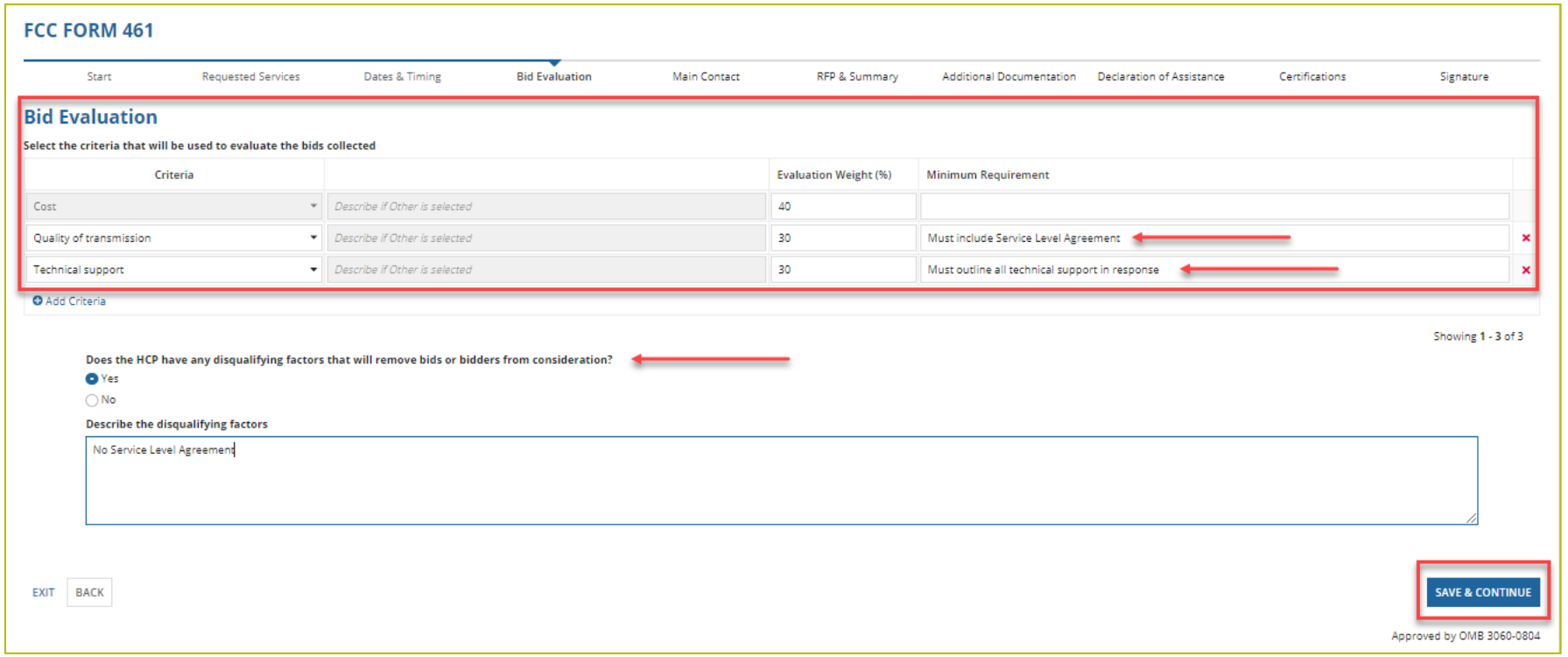
Dates & Timing (continued)

- Enter the desired time to publicly post the request for services
  - Minimum of 28 days is required under program rules
- Enter the expected evaluation period after the public posting ends



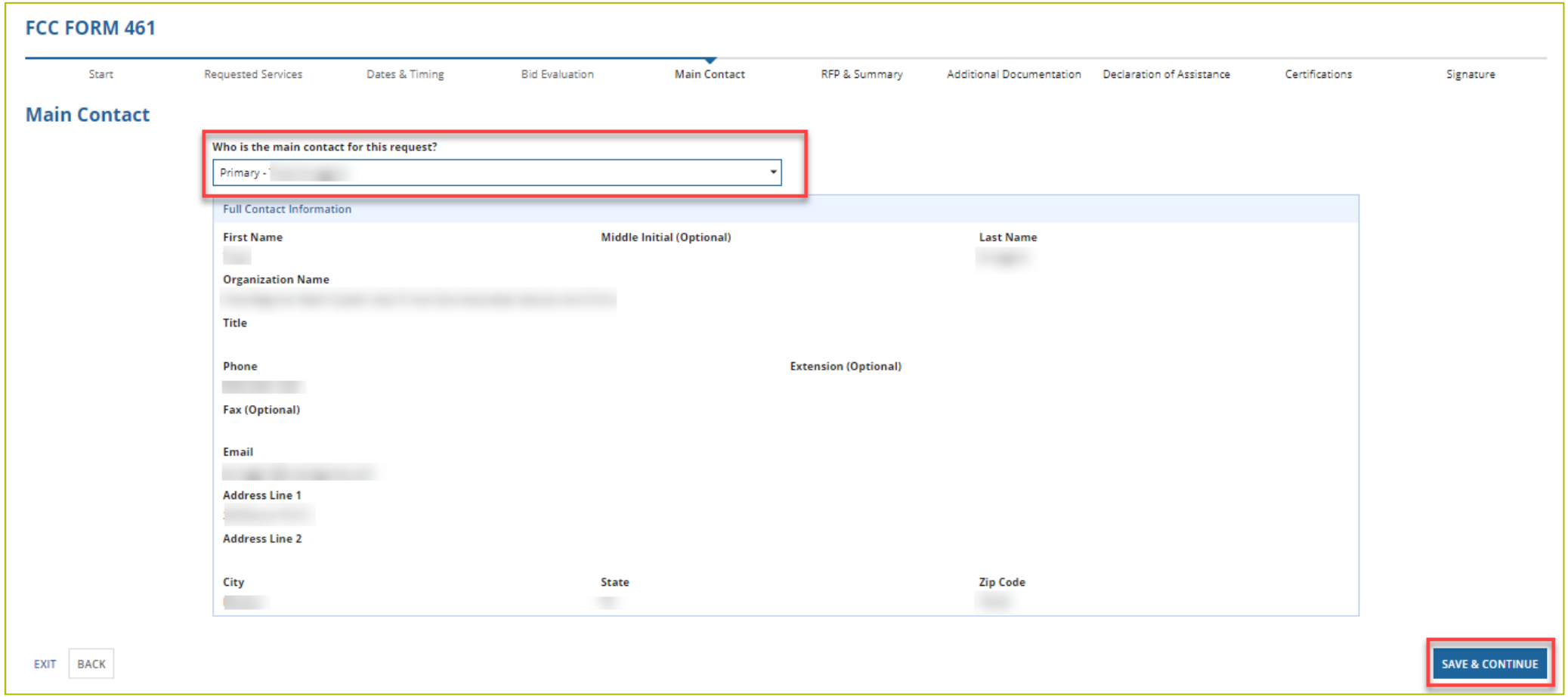
Bid Evaluation

- Choose the bid evaluation criteria from the drop-down menu
  - If you select “Other,” provide a description of the criterion
- Enter the description of minimum requirements for each criterion
- Provide details about any disqualification factors



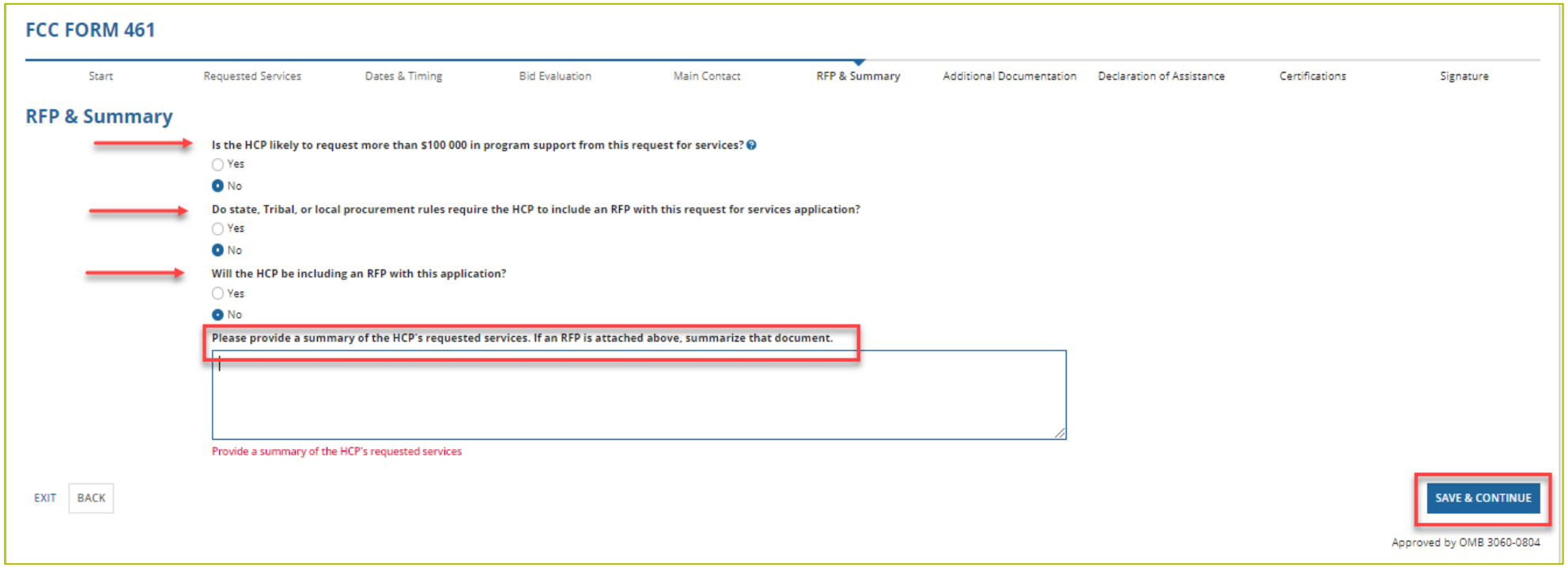
Main Contact

- Choose an account holder from drop-down menu
- Information is pre-populated based on information from the FCC Form 460



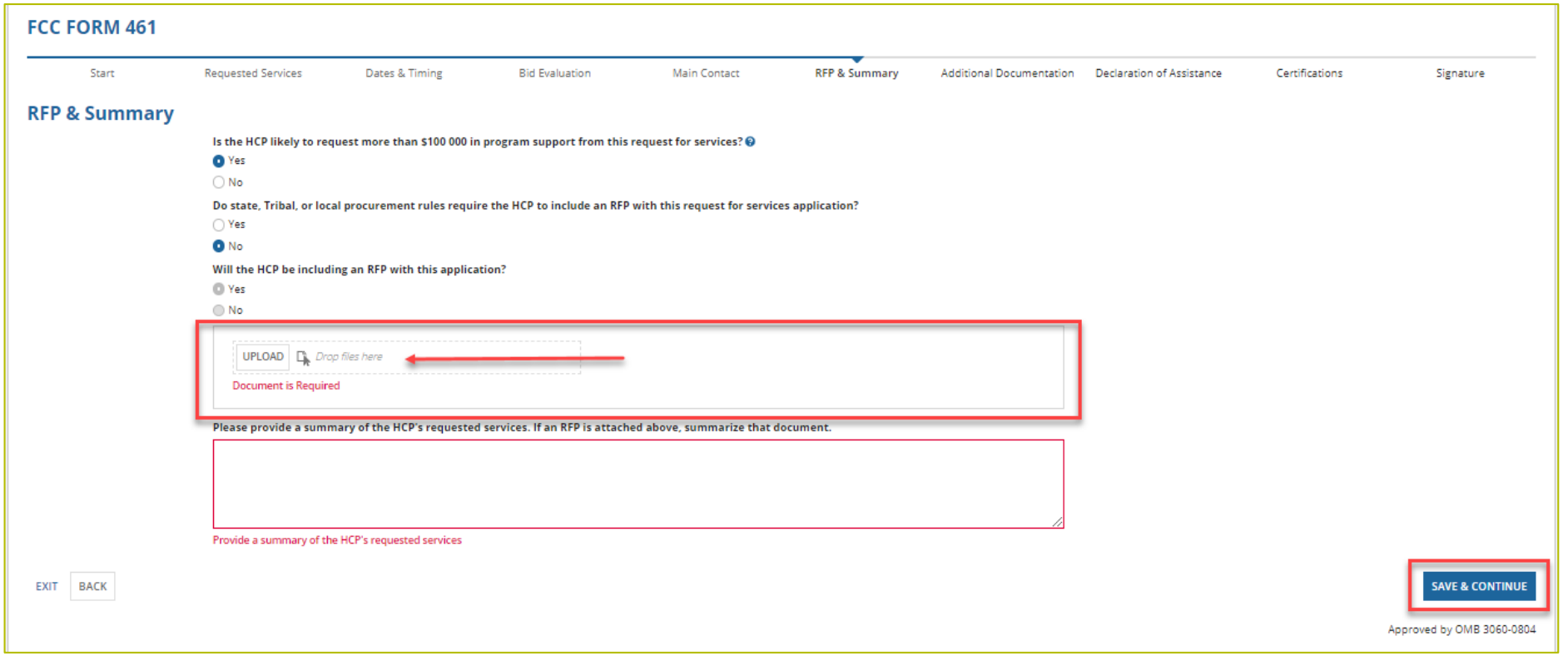
RFP & Summary

- Answer questions about the RFP
- Provide a summary of requested services and/or RFP (if applicable)



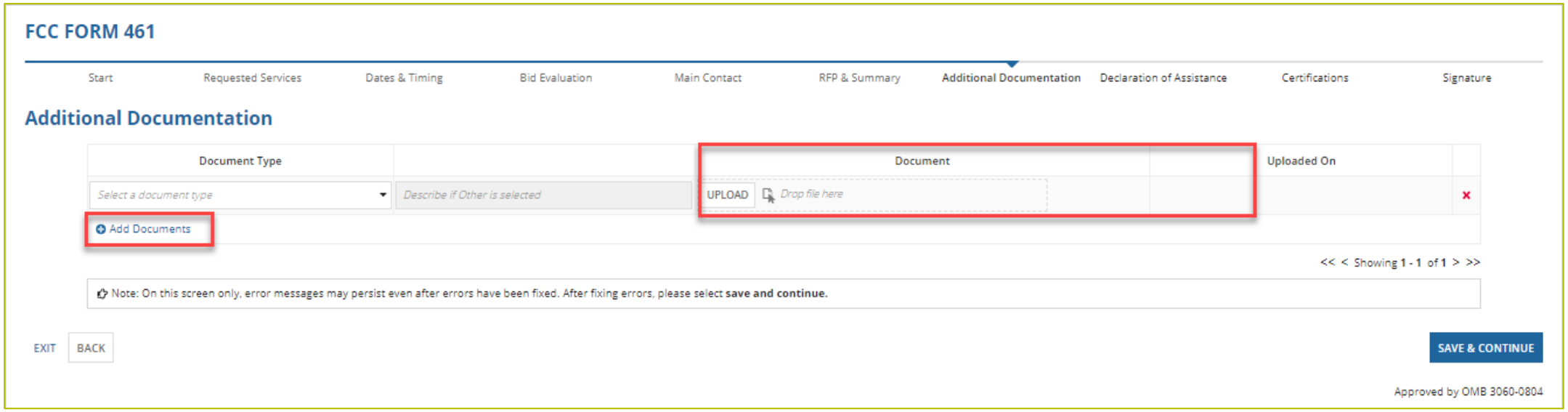
RFP & Summary (continued)

- If a consortium applicant answers “Yes” to the first question, the third question defaults to “Yes”
- Upload the RFP



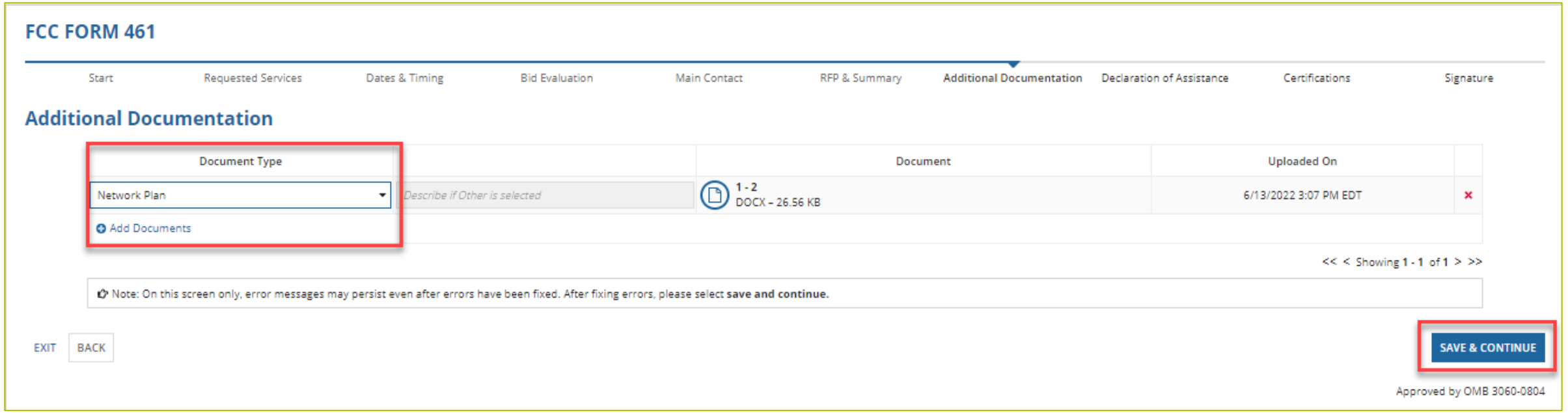
Additional Documentation

- Click “Add documents” for each additional document you are including in your submission



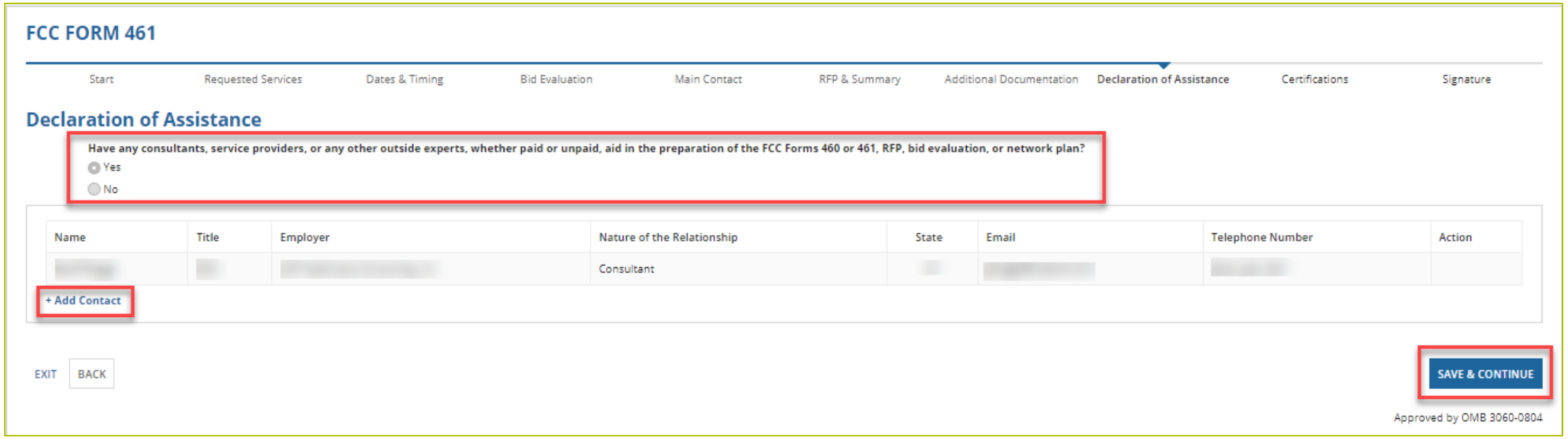
Additional Documentation (continued)

- Use the drop-down menu to select “Network Plan” or “Other”
  - Consortia applicants are required to upload a Network Plan
  - If “Other” is selected, provide a description of the uploaded document

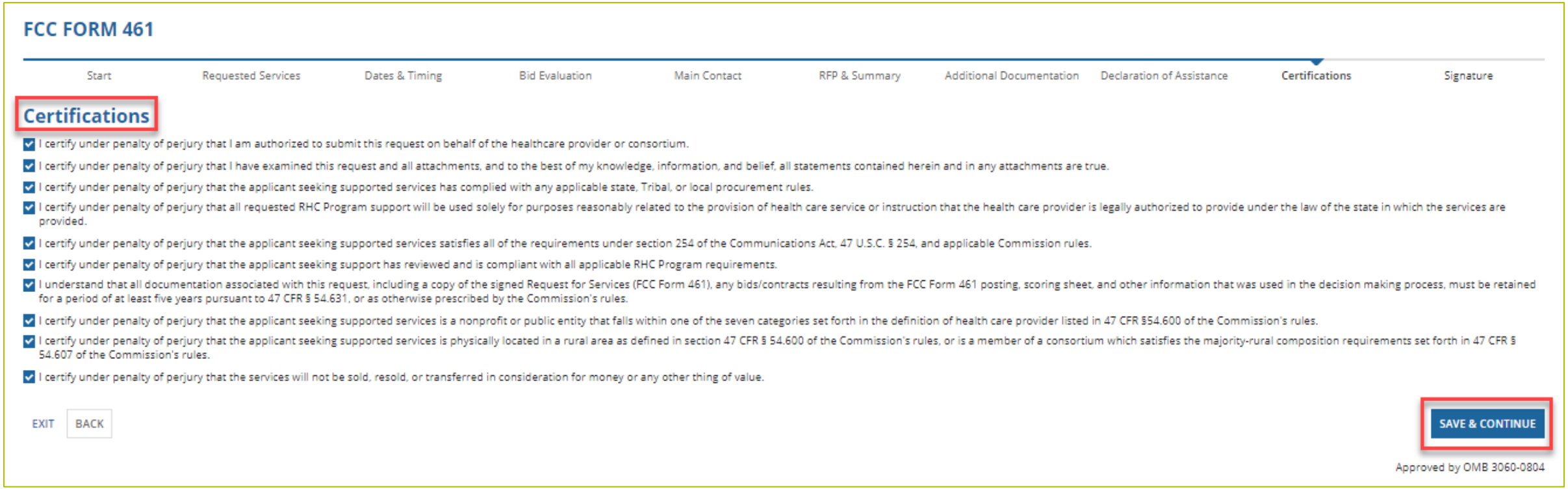


Declaration of Assistance

- Enter information about third parties who assisted the HCP with preparing any FCC Forms or participated in the competitive bidding process
- If a Tertiary Account Holder submits the FCC Form 461, this field is auto-populated with their information

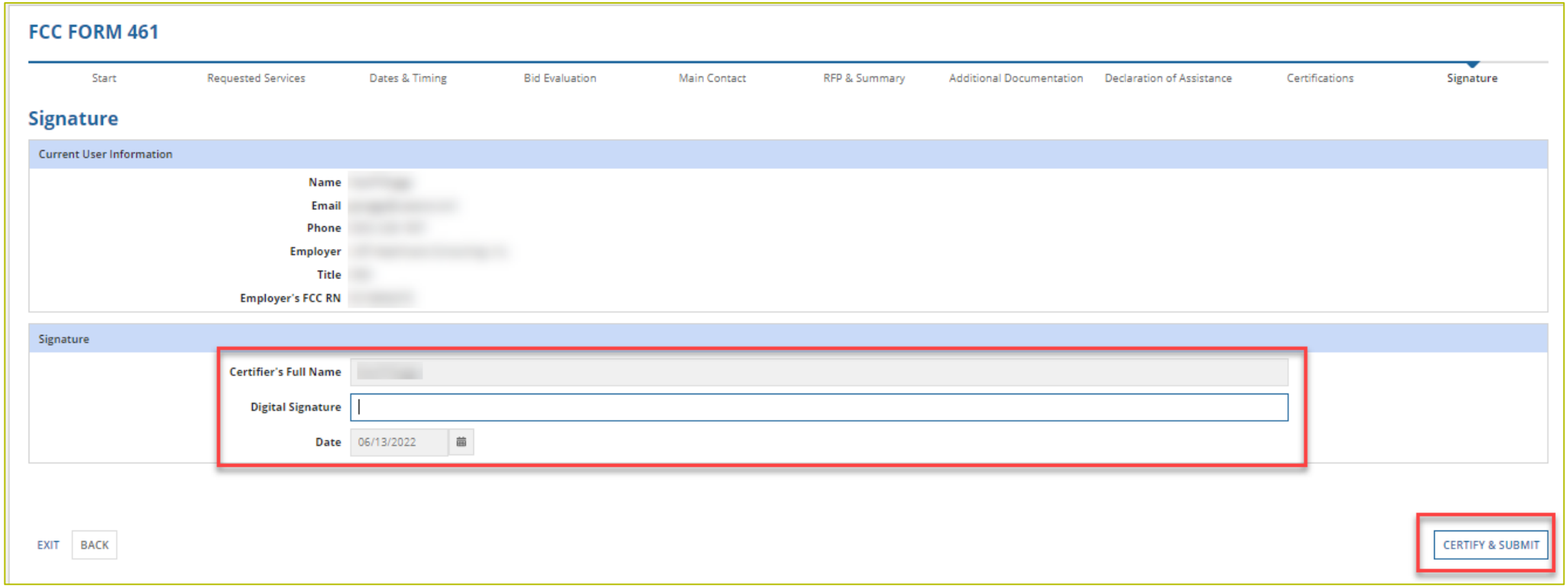


Certifications



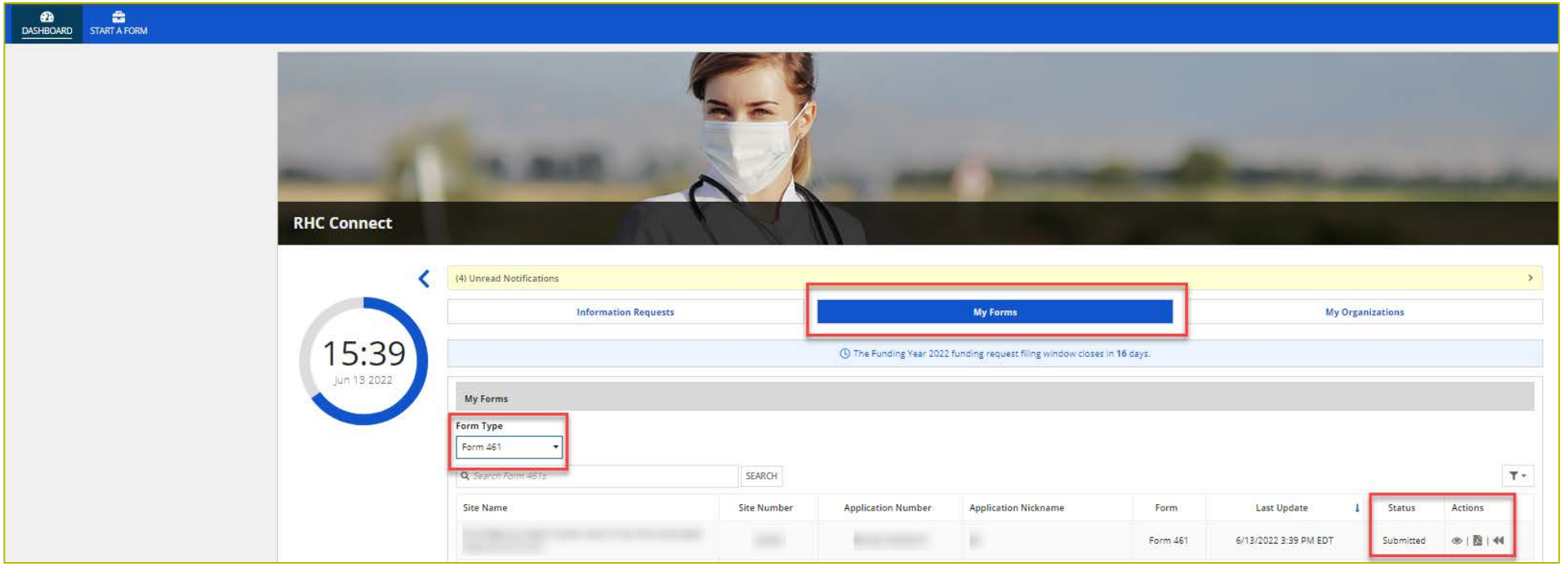
Signature

- Sign by typing your first and last name in the “Digital Signature” field



After Submitting

- After submitting the FCC Form 461, you will be directed back to the Dashboard
- Click on “My Forms” and filter on “Form Type” to view, download a PDF of the FCC Form 461 or withdraw the form



After Submitting (continued)

- An email will be sent confirming that your form was submitted along with a copy of the PDF form. If you do not receive a confirmation email, reach out to the RHC Customer Service Center at RHC-Assist@usac.org.
- Respond to Information Requests within 14 calendar days or by the deadline listed in the email.
  - Failure to respond to the Information Request will result in a denial.
- Applicants can receive HCF program Information Requests through RHC Connect or by email.
- For FY2023 FCC Forms 461, an auto-generated email will be sent directing applicants to RHC Connect to respond.
- **Applicants should respond through RHC Connect only.**
- For Information Requests received by email, click “Reply All” to respond to the Information Request.

Available for Public Use

Questions?

Best Practices and Resources

Submitting the FCC Form 461

Best Practices: Communicating with Your Service Provider

- Once your ACSD has passed and you've chosen a service provider, include them when you reply to Information Requests.
- Ensure your service provider is aware of all the necessary documentation needed for future steps in the application process.
- Include language in your bid documentation that confirms your service provider will act in compliance with all RHC program rules and FCC Orders.
- All bid correspondence should be handled via email for audit purposes.
- HCPs and service providers are required to retain documentation for a minimum of five years.

Milestones to Apply for Funding for FY2023: HCF Program Recommended Last Day to Submit for Individual HCPs NOT using a Request for Proposal (RFP)

HCF Program Form	Last Day to Submit for Individual HCPs NOT using a Request for Proposal (RFP)
FCC Form 460 (Eligibility)	January 10, 2023 Recommended Date
FCC Form 461 (Request for Services)	February 12, 2023 Recommended Date
FCC Form 462 (Funding Request)	April 3, 2023 **Deadline to Submit***

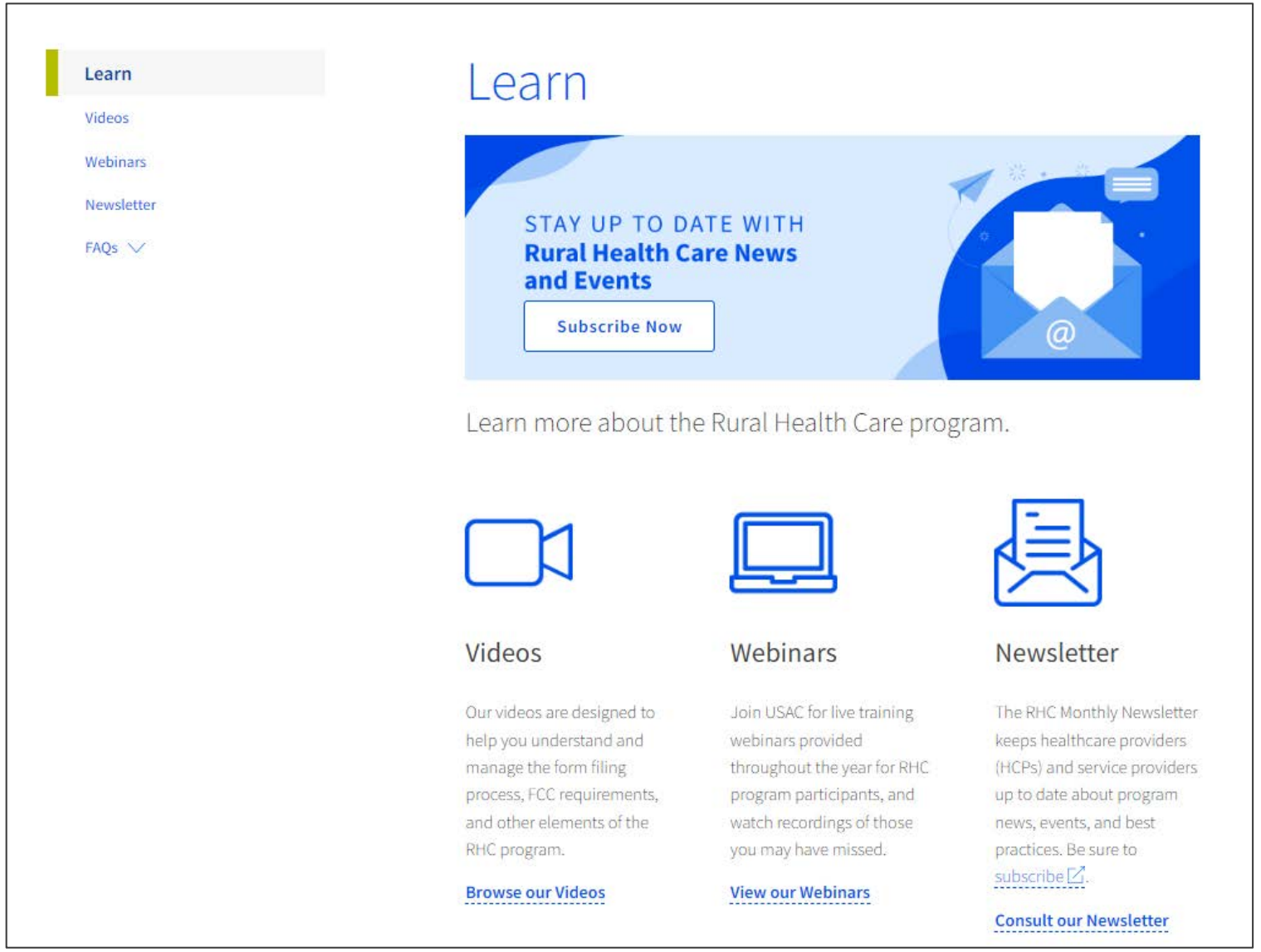
Please note that the FCC Form 460 and 461 submission dates are not mandatory deadlines, but rather recommended milestones to ensure that the FCC Form 461 is posted to USAC's website early enough for a 28-day competitive bidding period before the deadline to submit an FCC Form 462 .

Milestones to Apply for Funding for FY2023: HCF Program Recommended Last Day to Submit for Individual HCPs using a Request for Proposal (RFP)

HCF Program Form	Last Day to Submit for Individual HCPs using a Request for Proposal (RFP)
FCC Form 460 (Eligibility)	January 6, 2023 Recommended Date
FCC Form 461 (Request for Services)	February 3, 2023 Recommended Date
FCC Form 462 (Funding Request)	April 3, 2023 **Deadline to Submit***

Please note that the FCC Form 460 and 461 submission dates are not mandatory deadlines, but rather recommended milestones to ensure that the FCC Form 461 is posted to USAC's website early enough for a 28-day competitive bidding period before the deadline to submit an FCC Form 462.

RHC Learn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Videos
Our videos are designed to help you understand and manage the form filing process, FCC requirements, and other elements of the RHC program.
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Webinars
Join USAC for live training webinars provided throughout the year for RHC program participants, and watch recordings of those you may have missed.
View our Webinars
Newsletter
The RHC Monthly Newsletter keeps healthcare providers (HCPs) and service providers up to date about program news, events, and best practices. Be sure to subscribe.
Consult our Newsletter

Resources

- Competitive Bidding FAQs
- RHC Program Request for Services Dataset
- Search Posted Services
  - Telecom Program
- Subscribe to the RHC Monthly Newsletter
- Blank FCC Form 461 and Instructions

RHC Program Customer Service Center

Email: RHC-Assist@usac.org

- Include in your email
  - HCP Number
  - FRN Number

- Phone: **(800) 453-1546**
  - Hours are 8 a.m. – 8 p.m. ET
  - Monday- Friday

RHC Customer Service Center

The RHC Customer Service Center CAN	The RHC Customer Service Center CANNOT
Answer general questions regarding both programs	Determine eligibility of a specific site or service before an official form submission
Provide account holder information for an HCP	Review a form or document for accuracy before an official submission
Provide clarity regarding FCC Report and Order 19-78	Contact a service provider or other account holder on someone else's behalf
Provide helpful resources and best practices for forms	Provide documents that are not already accessible in My Portal
Assist with My Portal and with RHC Connect	Transfer a call to a specific form reviewer

Available for Public Use

Questions?

Available for Public Use

Thank You!