

FY2024 E-RATE REQUEST FOR PROPOSALS: KIPP NYC SCHOOLS



Initial Service Timeframe: 7/1/2024 – 6/30/2025

Possible Contract Extension: 1-, 2-, 3-year or month-to-month contract extension(s)

RFP Publication Date: Monday 10/23/2023

28-Day E-Rate Required Waiting Period Ends: Monday 11/20/2023

Bidder Questions Due (in writing to TechBids@kipnyc.org): Wednesday 11/22/2023

**All answerable questions will be compiled into one list and published with answers for all bidding parties to review.*

Question Responses Posted (in aggregate for all bidders to view): 11/30/2023

Final Bids Due to TechBids@kipnyc.org (follow instructions below): Friday 12/8/2023

Required Bid Format: Final Bid responses must be supplied in complete PDF Form.

Additionally, supply **all pricing in Excel Spreadsheets as per the format below**, via email to TechBids@kipnyc.org no later than midnight on due date.

About Us: In the school year 2023-24, KIPP NYC Schools includes 18 schools in The Bronx, Brooklyn, and Manhattan at 14 brick-and-mortar campuses and 1 central administrative Shared Services Team office in midtown. KIPP NYC plans to open one more campus in The Bronx in 2025. All KIPP NYC schools are chartered as public schools. More information can be found here: www.kipnyc.org. All KIPP NYC schools are chartered as public schools by one of the following authorizers: NYC Department of Education (KIPP Academy Charter) or the State University of New York (all other charters).

RFP DESCRIPTION

KIPP NYC Schools is seeking bids for the following services, all of which include E-Rate eligible services.

Vendors may bid on all or part of the services or all or some addresses. Bid awards may be by site or address or may be for all sites, or some combination thereof. Each service must be individually considered and priced – there are no contingencies that both services (DIA and MPLS) are required, or that a certain number of sites are required.

1. **SERVICE 1:** CAMPUS BANDWIDTH SERVICES – DEDICATED INTERNET ACCESS (DIA)
2. **SERVICE 2:** CAMPUS WAN SERVICES – WAN – preference for Managed MPLS

RFP REQUIREMENTS

1. Vendor SPIN number must be submitted as part of Bid Document, **along with evidence of vendor's good standing with the E-Rate program.**
2. Full adherence to USAC Requirements is required -- see following pages.
3. Pricing terms and pricing vehicle must be clearly specified in proposal; all related contracting documents must be included or linked explicitly, including any documentation published by state, national, or other purchasing consortia, contracts, or cooperatives.
4. Specify for all services what percentage and what dollar figure of the costs (and extended annual costs) are e-Rate eligible vs. not e-Rate eligible. This includes any monthly recurring costs.

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5. Pricing must be provided in an Excel spreadsheet, submitted to TechBids@kipnyc.org in addition to the formal PDF document.
6. Supply full terms and conditions of the plan type with the bid submission

DISQUALIFICATION TERMS

1. Vendors who do not provide all required and requested information in their bids may be disqualified.
2. Vendors without active SPINs or vendors who are not in good standing with the E-Rate program will be disqualified.
3. Vendors who do not submit pricing in Excel form and the Response in PDF per the instructions on page 1 will be disqualified, including vendors who do not submit to TechBids@kipnyc.org.
4. Vendors who do not submit pricing by the bid due date may be disqualified.

UNIVERSAL SERVICE (E-RATE) REQUIREMENTS

To warrant consideration for an award of contract resulting from this Request for Proposal, vendors must agree to participation in the Universal Service Support Mechanism for Schools and Libraries (commonly known as “E-rate”) as provided for and authorized under the federal Telecommunications Act of 1996 (Reference 47 U.S.C. § 254, “Universal Service”). Vendors acknowledge that any contractual relationship resulting from this solicitation of proposals may be partially or entirely dependent upon the successful receipt of Universal Service Fund (“USF”) subsidies. To ensure compliance with all applicable USF regulations, program mandates and auditing requirements, vendors must comply with the following:

- **USF Knowledge:** Vendor shall have, at a minimum, a working knowledge of the Federal Universal Service Support Mechanism for Schools and Libraries (commonly known as “E-rate”).
- **USF Registration:** Vendor shall submit with its proposal a valid Service Provider Identification Number (“SPIN”) and a valid Federal Communications Commission Registration Number (“FCCRN”).
- **USF Participation:** Vendor shall agree to participate in the E-rate Program and to cooperate fully and in all respects with the District, the Universal Service Administrative Company (“USAC”), and any agency or organization administering the E-rate Program to ensure that the District receives all of the E-rate funding for which it has applied and to which it is entitled in connection with Vendor’s services and/or products.
- **Lowest Corresponding Price:** The Lowest Corresponding Price Rule (“LCP Rule”), 47 CFR § 54.511 (b), prohibits Vendor from ever charging the District more for E-rate eligible goods or services than it charges similarly situated non-residential customers for similar goods or services, unless it can prove that the lowest corresponding price (“LCP”) is not “compensatory.”
 - 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 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 face demonstrably and significantly higher costs to provide its goods and/or services to the District than it would to provide similar goods and/or services to similarly situated non-residential customers. Some factors that could affect the cost of service are volume, mileage from facility, and length of contract.

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- **USF Documentation:** Vendor shall provide to District staff and/or the District’s E-rate consultant within a commercially reasonable period of time, all of the information and documentation that the Vendor has or that Vendor reasonably can acquire that the District may need to prepare its E-rate applications and/or to document transactions eligible for E- rate support.
- **Invoicing Procedures:** Vendor shall itemize, price, and invoice separately any materials or services that are ineligible for E-rate funding. Vendor must include the following information on all invoices to the District for E-rate eligible equipment and/or services:
 - Date of invoice
 - Date (s) of service
 - Funding Request Number (“FRN”)
 - Vendor’s signature on invoice attesting to the accuracy and completeness of all charges
 - Detailed description of services performed and materials supplied that matches District’s contract specifications, Form 470 and Form 471 descriptions of same
 - Clear, concise breakdown of amount(s) to be billed to USAC (discounted portion of eligible charges) and amount(s) to be billed to the District (non-discounted amount of eligible charges)
 - Invoice on Vendor’s letterhead or on a Vendor-generated form
 - District’s Billed Entity Number
 - District’s Federal Communications Commission Registration Number
 - Proper E-rate discount percentage as set forth by the applicable FRN and USAC funding commitment decision letter (“FCDL”)
- **USF Discounted Invoicing and Reimbursement Processes:** Vendor shall, at the District’s request, either (a) invoice the District only for the non-discounted amounts due on E-rate-approved transactions and simultaneously invoice the Universal Service Administrative Company (“USAC”) for the balance [Discounted Invoice Process] or (b) invoice the District in full for eligible products and services [Reimbursement or “BEAR” Process].
- **Discounted Invoice Process**
 - **Invoicing:** Within fourteen (14) days from the date that Vendor delivers to the District, E-rate approved materials or services, when delivery of such services triggers a payment obligation under Vendor’s contract with the District, Vendor must invoice the District for its share of the pre-discount cost of those materials or services.
 - **Timely Filing:** Vendor shall be solely responsible for timely filing invoices with USAC. Accordingly, Vendor understands and agrees that District will NOT be liable to Vendor and Vendor shall have no recourse against the District for any discounted amount that Vendor submits late to USAC for payment, if USAC refuses to pay the invoice due to late filing.
 - **Invoice Rejection:** Vendor understands and agrees that District shall not be liable to Vendor and Vendor shall have no recourse against the District for any discounted amount that Vendor submits to USAC for payment if Vendor is at fault for USAC’s refusal to pay; if the District is at fault, the District shall not be liable to Vendor and Vendor shall have no recourse against the District for the amount at issue until both the District and the Vendor have exhausted their administrative remedies of appeal to USAC and/or the FCC.
 - **District Approval:** Vendor shall submit to the District for its review and approval before submitting it to USAC for payment, a copy of every invoice that Vendor intends to submit for services that it has provided or, in appropriate circumstances, will be providing to the District. The District shall not unreasonably delay or withhold approval of Vendor’s USAC invoices. As Vendor is solely responsible for timely filing invoices with USAC, it understands that it must submit invoices to the District sufficiently in advance of any USAC filing deadline to ensure that there will be adequate time remaining for it to meet the USAC filing deadline after the District has had a reasonable opportunity to review and approve them.
 - **Reimbursement Process: Service Provider Annual Certification:** Vendor understands that the District’s ability to file a FCC Form 472 to start the BEAR process is dependent upon the Vendor filing a FCC Form 473, Service Provider Annual Certification form for the relevant funding year. Moreover, Vendor understands and agrees that its failure to file the Form 473 in a timely manner will adversely affect the District’s operations and may prohibit the District from being able to receive reimbursement monies that it is entitled to receive. If the District is unable to receive reimbursement money due to the lack of a Form 473 from the Vendor, the Vendor will be liable to

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the District for any monies that the District was unable to collect from the USF program due to the Vendors lack of a Form 473.

- **Delayed USF Funding Commitment:** Vendor understands that, due to circumstances beyond the District's control, the District may not receive an E-rate funding commitment by the beginning of the E-rate funding year, July 1, for the services it intends to purchase from Vendor during that funding year.
- **Retroactive Invoicing:** When E-rate funding is approved, Vendor shall invoice USAC for the discounted amount the District is owed retroactive to July 1st of the funding year or to whenever approved service to the District began, whichever date is later.
- **USF Audit and Document Retention Requirement:** Vendor shall maintain all bids, quotes, records, correspondence, receipts, vouchers, delivery information, memoranda and other data relating to Vendor's services to the District. All such records shall be retained for ten (10) years following completion of services and shall be subject to inspection and audit by the District. Vendor shall include in all subcontractor agreements for services, provisions requiring subcontractors to maintain the same records and allowing the District the same right to inspect and audit those records as set forth herein.

In addition to the foregoing, Vendor will create, implement and enforce an internal E-rate audit process that ensures that Vendor complies with all E-rate program rules and regulations. This process must include the following:

- Separating ineligible project management and other professional services costs, if any, from other charges
- Where labor is involved, maintaining detailed, signed individual timesheets
- Ensuring that ineligible charges are not submitted to USAC
- Invoicing to USAC that is consistent with the contract and the District's 470 and 471
- Ensuring that services or products are not provided to the District without District's express written permission or official purchase authorization
- Ensuring that District-approved substitute services or products are prominently noted on invoices submitted to USAC and the District
- Where applicable, non-recurring services should be provided prior to September 30th and recurring services provided prior to June 30th of the relevant E-rate funding year
- Supporting documentation sufficient to evidence that what was approved per the FCDL and provided to the District, was actually provided to the District and when
- If E-rate eligible services and/or installation or equipment costs are included as part of a larger contract or service/equipment billing, support for the allocation of E-rate eligible amounts and reconciliation of that total to the total amount billed
- If E-rate eligible services or equipment are allocated to multiple sites, support for the allocation consistent with the amount and locations identified in the Form 471
- Documenting that E-rate funded services were provided within the allowable contract period and program year
 - Charging proper FRN(s)
 - Ensuring that invoices and USAC forms are submitted to the District in a timely manner
 - Ensuring that USAC forms are filled out completely, accurately and on time
 - Maintaining fixed asset list of E-rate-supported equipment provided to the District with detailed information for each item (model number, serial number, product description) and made available to the District in electronic format
- **Contract Term Modification:** The District will reserve the right to extend or abbreviate the contract period if such extension or abbreviation is necessary to make the Contract term coincide with an E-rate "program year" or an extended service end date for an E-rate program year pursuant to a "service delivery deadline extension," as those terms are defined by the Federal Communications Commission ("FCC") and/or the Universal Service Administrative Company ("USAC").

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SERVICE 1: CAMPUS DEDICATED INTERNET ACCESS SERVICES (DIA)

KIPP NYC seeks symmetrical Dedicated Internet Access Services. (These services are currently provided by Crown Castle.) Include pricing for any Customer Premise Equipment, installs, transition costs, build-outs, etc. as part of the bid package, specifying e-Rate eligibility for each of the components and services.

Provide one pricing matrix (below) for each of the following contract term lengths:

1. One-year contract with optional 1-, 2-, 3-year or month-to-month contract extensions.
2. Two-year contract with optional 1-, 2-, 3-year or month-to-month contract extensions.
3. Three-year contract with optional 1-, 2-, 3-year or month-to-month contract extensions.

For each term length, please provide pricing for incremental speeds – **current speed, 1 Gbps, 3 Gbps, 5 Gbps, 10 Gbps.** The school reserves the right to expand up to 10 Gbps over the course of the contract.

Indicate Yes/No if a Fiber circuit can be brought to the DMARC to the MDF without a local loop.

SERVICE TYPE: Symmetrical Dedicated Internet Access				Pricing Non-Recurring Costs			Pricing Recurring		Pricing Extensions	
PROVIDER NAME:				Build-Out and Other Costs (specify)	Install Costs	E-Rate Eligible %	MRC	E-Rate Eligible %	Optional 1-, 2-, 3-YR Extensions? Y/N	Month to Month Y/N
CONTRACT TERM LENGTH: [specify]										
Line	School/Campus/Location	Bandwidth Options	Direct fiber to DMARC w/o LocLoop Y/N							
1	KIPP NYC Shared Services Office [SST]	1Gbps								
	1501 Broadway, Suite 1000	3Gbps								
	New York, NY 10036	5Gbps								
	DMARC Room: 10th Floor MDF	10Gbps								
2	KIPP NYC College Prep Campus [CPHS]	1Gbps								
	201 East 144th Street	3Gbps								
	Bronx, NY 10451	5Gbps								
	DMARC Room: Basement MDF	10Gbps								
3	KIPP Academy Elementary [ACA ES]	1Gbps								
	730 Concourse Village West, Tower D	3Gbps								
	Bronx, NY 10451	5Gbps								
	DMARC: B80	10Gbps								
4	KIPP Academy Middle [ACAMS]	1Gbps								
	250 East 156th Street	3Gbps								
	Bronx, NY 10451	5Gbps								

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	DMARC Room: 427X	10Gbps								
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5	KIPP AMP Campus [AMPE and AMPM]	1Gbps								
	1224 Park Place	3Gbps								
	Brooklyn, NY 11213	5Gbps								
	DMARC Room: 452	10Gbps								

6	KIPP Freedom Elementary [FDES]	1Gbps								
	2246 Jerome Avenue	3Gbps								
	Bronx, NY 10453	5Gbps								
	DMARC: 219A	10Gbps								

7	KIPP Freedom Middle [FDMS]	1Gbps								
	1825 Prospect Avenue	3Gbps								
	Bronx, NY 10457	5Gbps								
	DMARC: 412A	10Gbps								

8	KIPP Infinity Campus [INFE, INFM, STAE]	1Gbps								
	625 West 133rd Street	3Gbps								
	New York, NY 10027	5Gbps								
	DMARC Room: 315	10Gbps								

9	KIPP Star Harlem Middle [STAM]	1Gbps								
	433 West 123rd Street	3Gbps								
	New York, NY 10027	5Gbps								
	DMARC Room: 425	10Gbps								

10	KIPP Washington Heights ES [WHES]	1Gbps								
	586 West 177th Street	3Gbps								
	New York, NY 10033	5Gbps								
	DMARC Room: 255	10Gbps								

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11	KIPP Washington Heights Middle [WHMS]	1Gbps								
	21 Jumel Place, Tower D	3Gbps								
	New York, NY 10032	5Gbps								
	DMARC Room: A312	10Gbps								

12	KIPP Gerard [GR9]	1Gbps								
	110 East 149th Street	3Gbps								
	Bronx, NY 10451	5Gbps								
	DMARC Room: Basement	10Gbps								

13	KIPP Beyond Middle School [BYMS]	1Gbps								
	533 West 121st Street	3Gbps								
	New York, NY 10027	5Gbps								
	DMARC Room: 301	10Gbps								

14	KIPP Bronx II [INQES and AFMS]	1Gbps								
	2720 Jerome Avenue	3Gbps								
	Bronx, NY 10468	5Gbps								
	DMARC Room: 218	10Gbps								

15	KIPP Bronx III [ELPS and ALMS]	1Gbps								
	1504 Macombs Road	3Gbps								
	Bronx, NY 10468	5Gbps								
	DMARC Room: Basement 117	10Gbps								

16	New High School 2025	1Gbps								
	75 Canal Street West	3Gbps								
	Bronx, NY 10451	5Gbps								
	DMARC Room: To Be Determined	10Gbps								

SERVICE 2: CAMPUS WIDE AREA NETWORK SERVICES (WAN)

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KIPP NYC seeks WAN Services, with a preference for Managed MPLS WAN Services all locations. (These services are currently provided by Crown Castle.) Include pricing for any Customer Premise Equipment, installs, transition costs, engineering costs, managed services costs, etc. as part of the bid package, specifying e-Rate eligibility.

Provide one pricing matrix (below) for each of the following contract term lengths:

1. One-year contract with optional 1-, 2-, 3-year or month-to-month contract extensions.
2. Two-year contract with optional 1-, 2-, 3-year or month-to-month contract extensions.
3. Three-year contract with optional 1-, 2-, 3-year or month-to-month contract extensions.

For each term length, provide pricing for incremental speeds – current speed, 1 Gbps, 3 Gbps, 5 Gbps, 10 Gbps. The school reserves the right to expand up to 10 Gbps over the course of the contract.

Indicate Yes/No if a Fiber circuit can be brought to the DMARC without a local loop.

SERVICE TYPE: WAN				Pricing Non-Recurring Costs			Pricing Recurring		Pricing Extensions	
PROVIDER NAME:				Build-Out and Other Costs (specify)	Install Costs	E-Rate Eligible %	MRC	E-Rate Eligible %	Optional 1-, 2-, 3-YR Extensions? Y/N	Month to Month Y/N
CONTRACT TERM LENGTH: [specify]										
Line	School/Campus/Location	Bandwidth Options	Direct fiber to DMARC w/o LocLoop Y/N							

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	Bronx, NY 10451	5Gbps								
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	<i>DMARC: 412A</i>	10Gbps								

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