

City of Vacaville, CA

**Request for Proposals
(RFP)**

for

Fiber Optic Network Public-Private Partnership

SUBMISSIONS DUE NO LATER THAN:

2:00 P.M. PDT

FRIDAY, MAY 31, 2024

Submit Qualifications to:

City of Vacaville

ATTN: Angelina Herron

Executive Assistant to the City Manager

(707) 449-5199 • Angelina.Herron@cityofvacaville.com

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CITY OF VACAVILLE
NOTICE OF REQUEST FOR PROPOSALS
FIBER OPTIC NETWORK PUBLIC-PRIVATE PARTNERSHIP
RFP NO. 2024-001

The City of Vacaville is seeking one or more qualified private parties to enter into a public-private partnership with the City to expand business and residential broadband access using a planned upgrade of the City’s carrier-grade, redundant backbone ring fiber network and the state middle-mile network (Golden State Net) along U.S. Highway 101 and State Route 33. The planned 45-mile fiber optic network is predominantly located below grade in conduit, and will pass more than 10,000 addresses within a 750’ buffer. This planned network will allow the private partner to microtrench laterals and service drops to business and residential subscribers.

The partnership will increase the availability of affordable broadband Internet access and market competition throughout the City. The private internet service provider will operate, manage, and sell retail internet services over the publicly owned fiber optic backbone network in exchange for lease payments, revenue share, match contributions for grant applications, or new City network construction (or a combination thereof). The City intends to work with the private partner in developing comprehensive and competitive federal and state grant applications.

Proposals must be submitted through the City’s online system, information is available on the City’s website at [RFP Postings | Vacaville, CA](#)

RFP NUMBER:	2024-001
PROSPECTIVE RESPONDENT DEADLINE FOR QUESTIONS:	Monday, May 27, 2024
RFP DUE DATE:	Friday, May 31, 2024
SUBMITTAL LOCATION:	City of Vacaville 650 Merchant Street Vacaville, CA 95688
DIRECT WRITTEN QUESTIONS TO:	Angelina Herron (707) 449-5199 Angelina.Herron@cityofvacaville.com

I. BACKGROUND

The City of Vacaville, CA is located in Solano County, California, with a population of 102,386 at the 2020 census. Vacaville is 35 miles southwest of Sacramento and 55 miles northeast of San Francisco. The City covers approximately 30 square miles.

The City of Vacaville recognizes that access to high-speed internet is a necessity for its residents, businesses, healthcare providers, schools, and non-profit sector. The City has been focused on making broadband more affordable, reliable, and available to all areas to enhance broadband access, economic development, quality of life, and government innovation. In early 2022, the City and Magellan (an Entrust Solutions Group company) developed Vacaville's Broadband Infrastructure Master Plan to inventory the public and private broadband assets, assess the market and community need, develop a Conceptual Network Design to improve the city's connectivity and provision of public services as well as meet broadband needs for the unserved and underserved parts of the community. Magellan is also completing full design engineering for the first phase that will construct a Citywide redundant backbone ring and connect at least 740 unserved locations (as identified by the California Public Utilities Commission).

CITY DEMOGRAPHICS AND ECONOMIC OUTLOOK

The City of Vacaville is located between the Sacramento Valley and the San Francisco Bay Area on Interstate 80. As a result of our unique location, our community has become a melting pot of cultures, music, food, and art. It's what you would expect from a progressive, forward-thinking city filled with biotech workers, health care workers and more. At the same time, our commitment to the biotech and advanced manufacturing industries means we've got a solid base of businesses with well-paying jobs to go along with our robust retail and tourism opportunities.

Beyond the borders of Vacaville lie the Napa Valley, Sonoma and Central Valley wine regions, and countless outdoor activities, all just a short drive away. Over 100 colleges and universities are within 50 miles of our city. Warm summers and mild winters just add to the lure of a region that has grown to over 100,000 residents but still maintains a small-town feel and charm. Other attributes of our community include:

- Multiple recreational opportunities within city limits – hiking, biking, rock climbing - as well as skiing, camping, and more less than a day's drive away.
- Ranking as one of the safest cities in California, with public safety employees trusted and respected by residents.

- Responsive, involved elected officials and city staff committed to making Vacaville the best city it can be.
- An expanded Economic Development Department, faster permit processing, and a new biotech and advanced manufacturing initiative in the Northeast Growth Area spanning approximately 1,400 acres are set to transform Vacaville and the surrounding region into the world's premier biotech hub. The forthcoming specific plan will introduce a Technology Park land use designation, featuring research and development facilities, technology centers, medical institutions, and office spaces. Infrastructure enhancements, including public utilities extension and roadway improvements, will be a key focus during the planning process. This initiative aligns with Vacaville's 2015 General Plan, which envisions the area as a thriving employment hub with residential, retail, and recreational amenities. Anticipating significant growth in the bioeconomy, Vacaville is proactively preparing for a prosperous future.
- Over 1,400 acres of land ready for development. The Interchange Business Park, located in northern Vacaville, is positioned to be the number 1 business park not only in Solano County, but Northern California.
- Three completely independent sources of water (Lake Berryessa, State Water Project, and ground water) that provide a reliable supply even during long-term drought conditions.
- Access to nearby international airports in Sacramento (40 miles), Oakland (60 minutes) and San Francisco (90 minutes) make it easy to reach any destination in the world in less than 24 hours.
- Affordability. Vacaville has some of the lowest home prices in the region. Employees can live where they work.
- The East of Leisure Town Road Growth Area is comprised of 1,317 acres, of which 669 acres are currently in the City of Vacaville and 648 acres are within the unincorporated County. A Specific Plan would lay out potential land uses for the East of Leisure Town Road Growth Area and would be funded by prospective developers.

Additional information about the city's prospects can be found at the following websites:

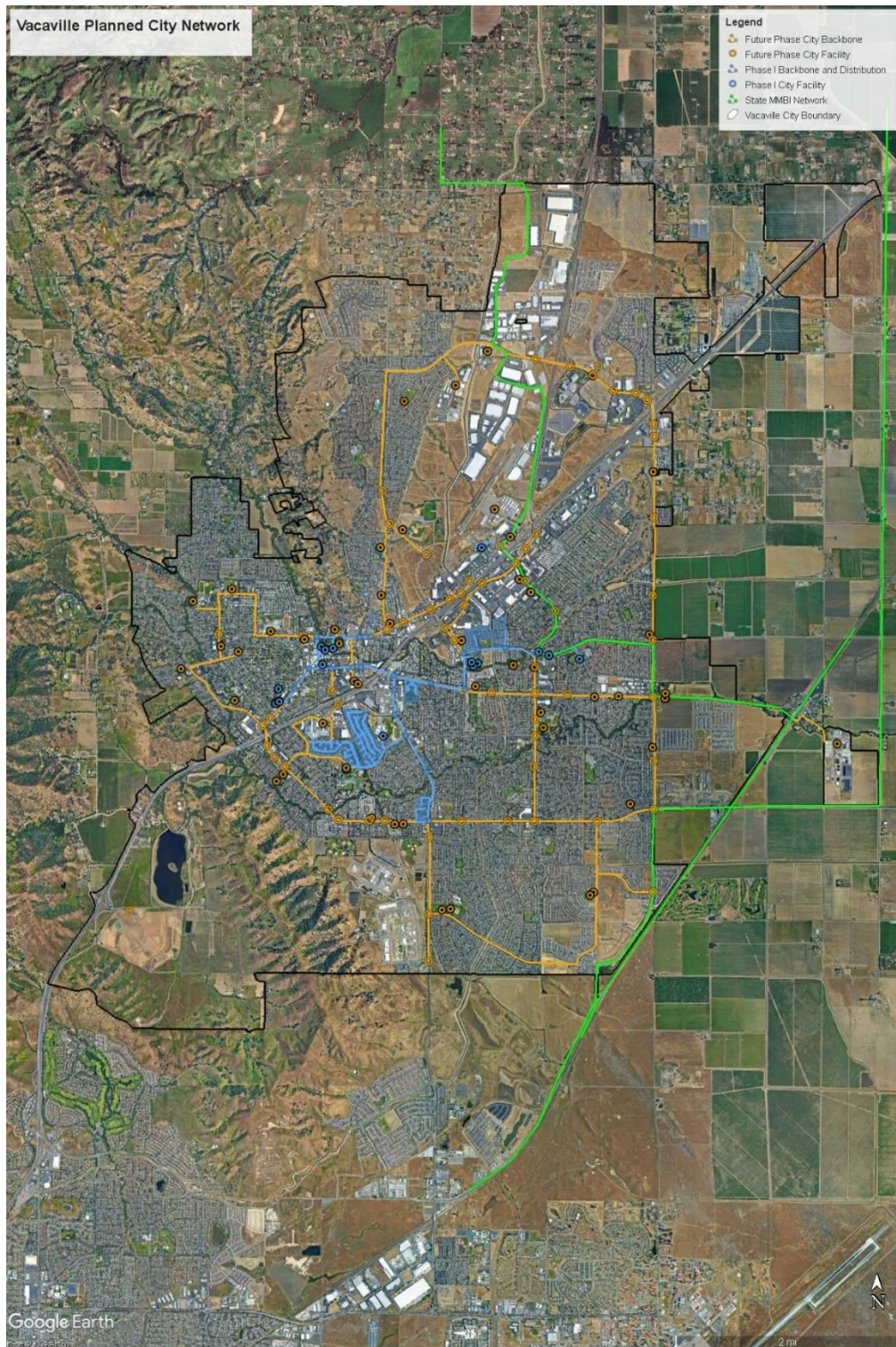
[Economic Development | Vacaville, CA \(cityofvacaville.gov\)](http://cityofvacaville.gov/economic-development)

[Community Development | Vacaville, CA \(cityofvacaville.gov\)](http://cityofvacaville.gov/community-development)

City Backbone Fiber Optic Ring

The City of Vacaville is seeking a qualified network operator to provide competitive, reliable retail internet services to the community and businesses. The backbone loop will connect critical City facilities while enabling last mile connections to residents and businesses.

The goal of the City's backbone fiber ring is to increase community access, enable investments in last mile by private providers, create a competitive broadband marketplace and facilitate digital equity and inclusion, economic development, and improvements in quality of life. The



design shown in

Figure 1, once completed, would construct more than 45 miles of fiber cable in a redundant loop design, and would pass more than 10000 serviceable addresses within 750' that could be connected by an ISP utilizing City fiber.

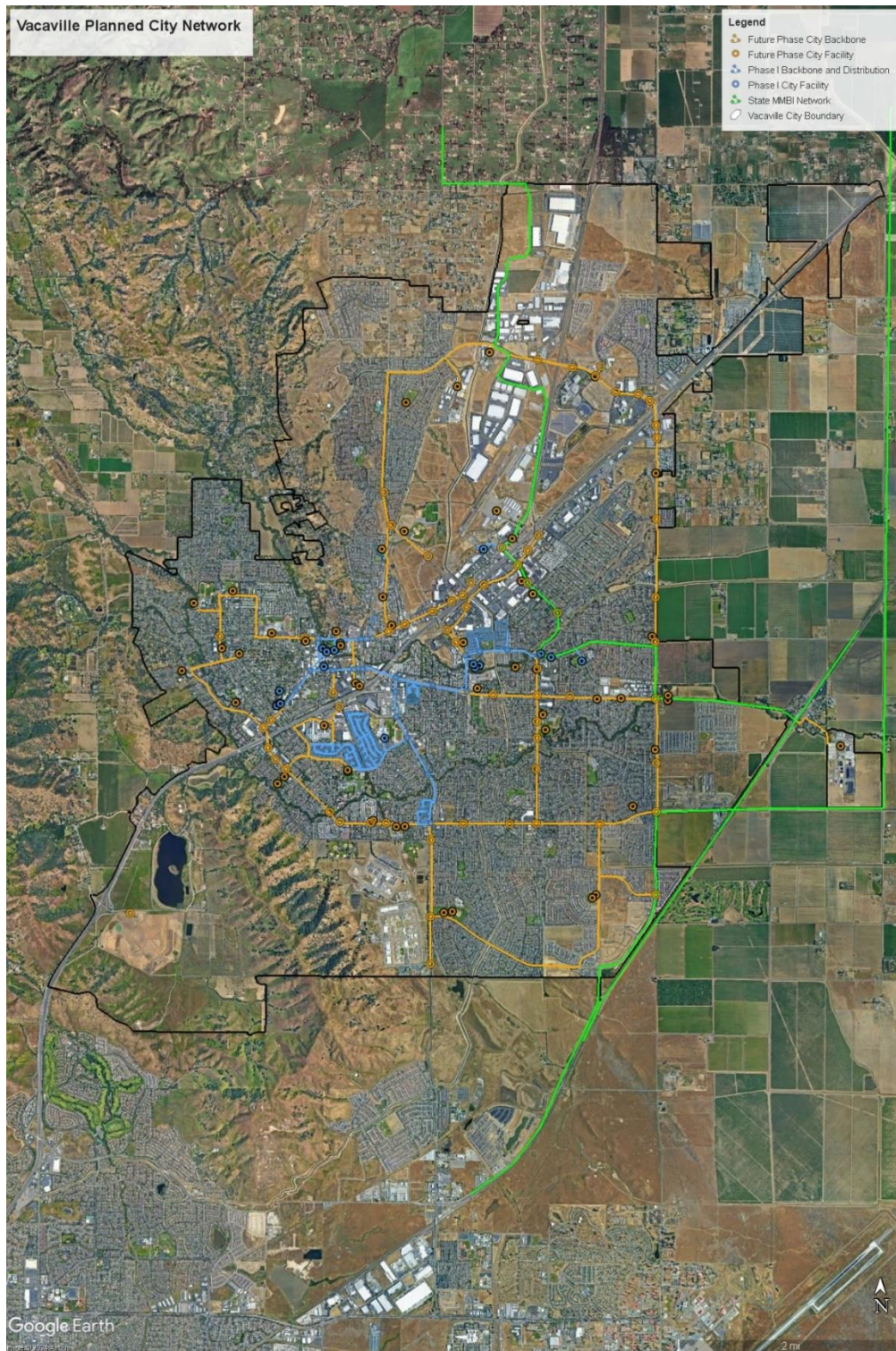


Figure 1 - Network Design for City Backbone and Laterals

The City's fiber optic backbone ring will also be inter-connected with the state middle-mile network, known as MMBI. MMBI is well underway, with portions of the network being planned and designed within the City of Vacaville.

Connecting Unserved Locations

In addition to the Citywide backbone loop, the City has also developed designs as part of Phase 1 to construct service drops to more than 740 locations that have been identified by the CPUC as “unserved” and thus eligible for SB 156 Last Mile grant funding. The city has an active FFA grant application in place now to, if funded, provide service to unserved locations shown in blue on the previous map. In the map below, you can see that there are additional priority locations for the CPUC that the city will work with the private partner to pursue additional grant funds to build to these areas.

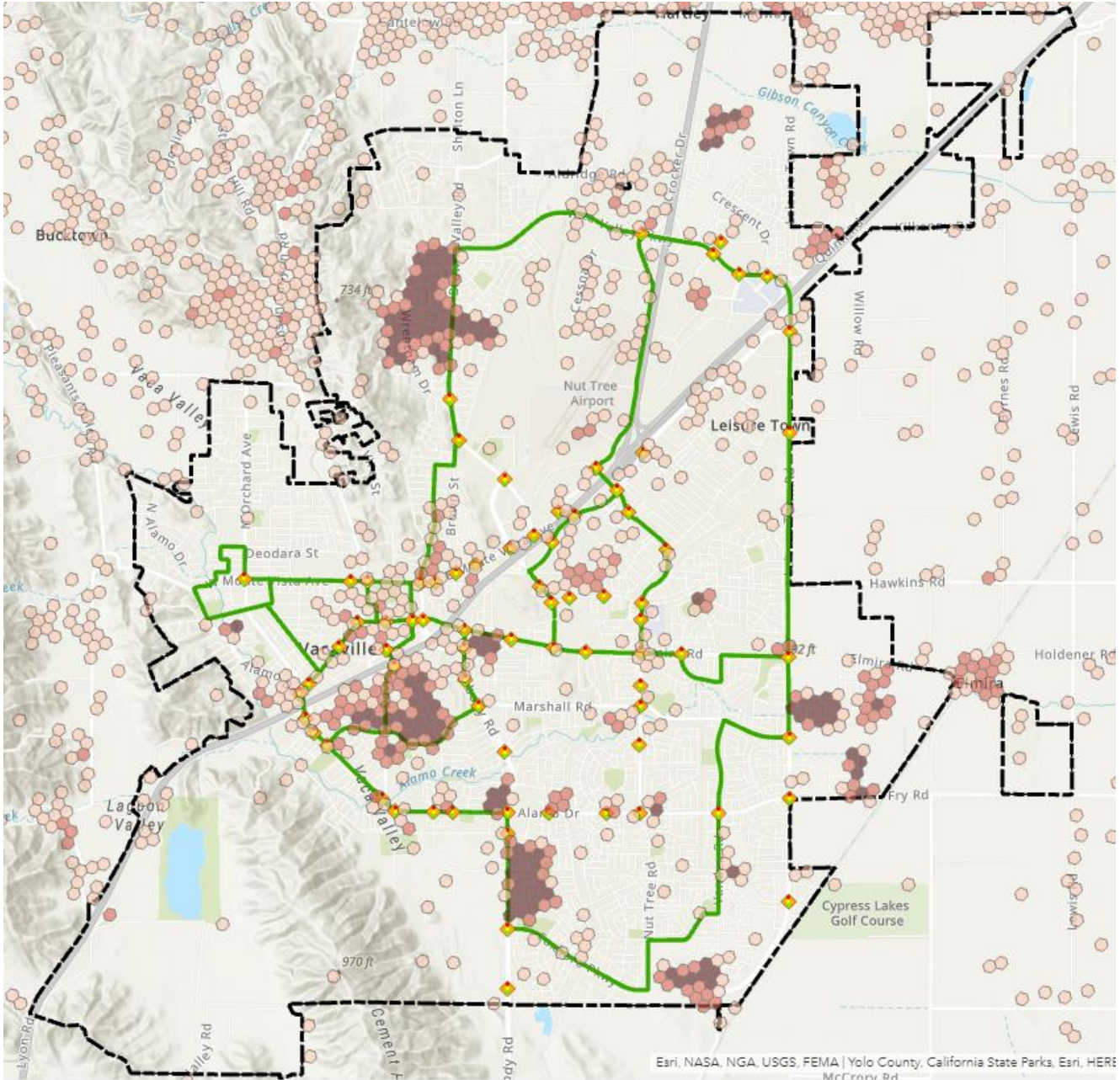


Figure 2 - CPUC Unserved Locations Citywide

Many of these locations are multi-family structures; the costs for internal wiring and equipment for distribution can be included in any grant application.

Grant Funding

The City's intent is to construct all or part of this network expansion through state and federal grants, particularly Senate Bill 156 Last Mile Federal Funding Account grants and the California Advanced Services Fund (CASF) Broadband Infrastructure Account grants. California State and California Public Utility Commission (CPUC) maps (

) identify areas throughout the City that are prioritized for funding eligibility based on unserved status, disadvantaged or vulnerable community indicators, or low-income areas. The city has an active Federal Funding Account (FFA) Grant application in process with the CPUC. The network elements in figure 1 shown in blue would be funded by this grant and available for the partner to provide service from initially.

The Partnership

Through this RFP, the City hereby solicits one or more experienced operators that are prepared to partner with the City in the development, completion, and retail operations of the City's fiber optic network. A qualified partner would be able to demonstrate experience and ability to perform the following roles:

- Network operations, maintenance, and management
- Network construction & permitting
- Marketing & retail sales of symmetrical gigabit fiber-to-the-premises services
- Financing and constructing service drops and laterals to subscribers
- Customer services, billing, and network operations center (NOC) support
- Technical field work, subscriber calls for service, and network repairs
- Cash contributions toward match funding as required by various state and federal grant applications
- In-kind contributions of private broadband assets and/or services that would expand or enhance the City's network

The City is pursuing grant funding to assist with the cost of deploying this network infrastructure from both state and federal agencies, including the Economic Development Administration (EDA), Federal Communications Commission (FCC) programs where relevant, the National Telecommunications Information Administration (NTIA) implementation of the

Broadband Equity, Access & Deployment (BEAD) program, California Advanced Services Fund (CASF) funding accounts, and California SB 156 Last Mile Federal Funding Account programs through the California Public Utilities Commission (CPUC) and Department of Technology (CDT). Assisting the City in developing comprehensive, feasible, and competitive grant applications, and willingness to contribute toward match funding requirements, is a critical role for the City's selected partner.

The City prefers a qualified partner(s) with the ability to permit, construct, and contribute to the project, either through capital or an in-kind contribution, and will evaluate proposals based on the criteria within this RFP that emphasizes the contribution from potential partnering organizations. Through a joint-build process, partnering organizations may also install their own conduit and/or fiber cable concurrently with City-owned plant, but such proposed privately-owned assets that duplicate new City infrastructure may not be considered as the in-kind contribution to this project, nor as part of the total project cost.

The City also emphasizes the importance of a partner that prioritizes un- and underserved, disadvantaged, vulnerable, or low-income areas to ensure grant eligibility and realize the public benefits of this network as soon as possible.

The City also emphasizes the importance of a partner that has their own capital and expansion plans to extend the network beyond the publicly funded elements.

II. SCOPE OF WORK

The City of Vacaville is seeking a qualified partner(s) with the ability to permit, construct, contribute to, and operate the City's fiber optic network. The selected respondent(s) should hold a Certificate of Public Convenience and Necessity (CPCN) or qualify as a facilities-based broadband service provider and commit to extending its own communications network off any newly installed fiber to provide retail high-speed broadband internet and data services to residents and businesses. The selected respondent(s) will partner with the City to pursue federal and California state grant funding opportunities to fully finance the project, and comply with any requirements, conditions, or service offerings as required by any grant sponsors, including, but not limited to, any affordable connectivity programs or connecting under-served or disadvantaged areas. The City seeks respondents that can contribute private broadband assets to leverage and is willing to provide match funding for federal and state grants. The City is seeking a fair exchange for rights to use the City's current and future network, which may include Indefeasible Right to Use (IRUs) fees, dark fiber lease(s), revenue share, in-lieu payments through cash contributions toward match funding for grants, or a combination thereof.

The City has broken down the network expansion into phases (

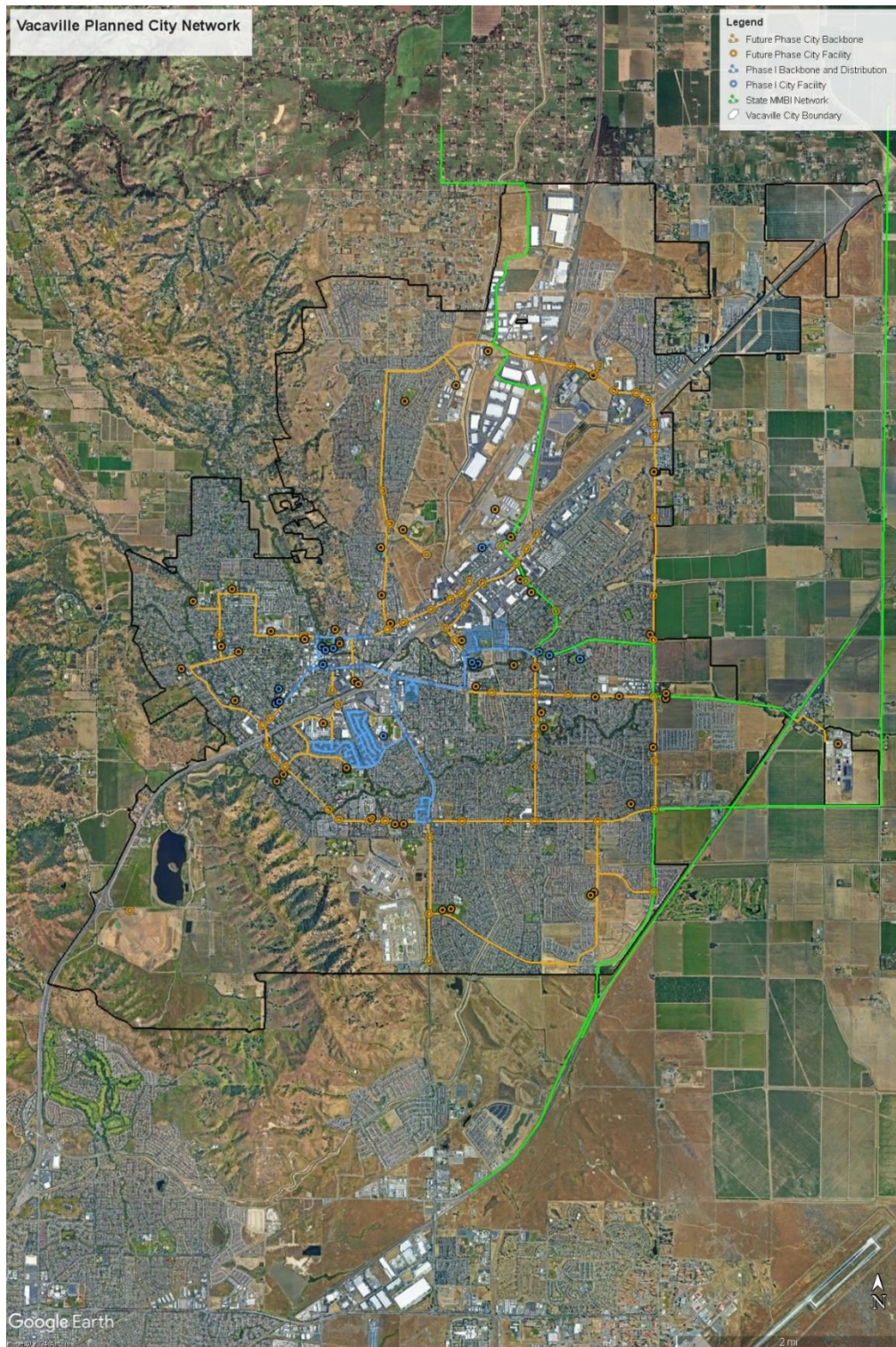


Figure 1), but anticipates undertaking Phase 1 as part of the SB 156 Last Mile Grant application in Summer 2023.

Conceptual Design Construction Scope

Phase 1 – City Backbone Loop & Unserved Locations

Responses to this RFP shall be evaluated according to the Evaluation Criteria in Section V. At

this stage, the City is seeking qualified partners who can satisfactorily perform the work once the scope and design are finalized. This is not a competitive bid request, and the City shall weigh responses based on all the criteria, not necessarily the lowest and most responsive bidder. Future construction shall be subject to a public competitive bidding process, at the sole discretion of the City, and at such point the City's selected partner may submit its bid for construction.

The City requests proposals from respondents that are qualified and prepared to provide all of the following:

A. **Grant Application Coordination**

The City of Vacaville is preparing to submit a grant application for funding through California SB 156 Last Mile Federal Funding Account, as well as future CASF Broadband Infrastructure Account grants. Respondents shall clearly state their intention to coordinate as the City's private partner on any grant applications, and comply with any requirements of grant sponsors, including any affordability programs. The City assumes primary responsibility for preparation and submittal of grant application materials, and, if successful, grant administration.

B. **Matching Funds/In-Kind Contribution for Grants**

Respondents shall state their proposed local match contribution for grant application(s) and to the total public project cost, either as a cash, in-kind contribution, or both. This may include the equivalent value of any proposed construction of service drops to connect unserved locations or disadvantaged areas (as identified on CPUC maps and databases). Any proposed match or in-kind contribution shall be separate and independent of any anticipated direct costs to the respondent that may be incurred as a result of any joint build of privately-owned/operated assets installed concurrently with grant-funded construction.

If the respondent is recommending phasing and routing adaptations to the conceptual network design based on private assets that could be integrated with the City network, proposal shall state and describe the alternative routing and identify the potential construction cost savings (and thus, the equivalent value of the in-kind contribution to the project).

C. **Project Permitting**

- 1) Respondent shall assume responsibility for securing all project permitting.
- 2) The City assumes the responsibility of securing all ROW access and other required permissions necessary for the project.

D. Design Engineering Coordination

- 1) The City shall fund, procure, and complete full design engineering and a bill of materials for the project based on the low level design with input from the selected respondent.
- 2) As the City's partner, the selected respondent shall coordinate and cooperate with the City during the design engineering stage to ensure the final design meets the contractually agreed expectations of both parties, can provide the services and utilization described herein and within any grant applications, and can be constructed within a reasonable budget.
- 3) The selected partner shall coordinate with the City to ensure any existing or planned privately-owned assets that could be leveraged to reduce the build cost are incorporated into the design engineering process.

E. Project Construction

The City is seeking a partner that also has experience constructing fiber networks, and evaluating the qualifications of respondents that may participate in any future public competitive bidding process. Nothing in this RFP, or in the City's selection of a preferred partner, shall prohibit the respondent from submitting a bid for construction as part of the public competitive bidding process. Conversely, any entity may submit a bid for network construction as part of the public competitive bidding process, regardless of whether they submitted a proposal for this RFP.

- 1) Project Management
 - i. The City shall, at its sole discretion, procure a qualified, independent project manager for the project construction.
 - ii. The partner will coordinate with the city's project manager to ensure all project goals are being met during construction.

F. Last Mile Distribution

- 1) Portions of the city's distribution network will be funded by grants. The city and partner will collaborate on grant applications for these public priority areas. Additional areas in the city that the partner desires to serve shall be privately financed and constructed including but not limited to, privately-owned conduit and fiber optic laterals and service drops in order to expand high speed broadband service offerings within the City of Vacaville.

G. Network Operations, Maintenance, Sales, and Service

- 1) The proposed partner shall undertake the following operational and sales

responsibilities:

- i. Management & operations of the City's network
- ii. Exclusive retail sales of lit services on behalf of City to residential and commercial customers, in compliance with affordability requirements from any applicable state and federal grant programs
- iii. Maintenance and operation of City network, including reporting and oversight of maintenance activities
- iv. Secure long-haul transport services with redundant circuits
- v. Networks Operations Center (NOC) support
- vi. Equipment, fiber asset, hub and colocation facility management
- vii. Customer interface (sales, provisioning, billing, customer service, technical support, collections)
- viii. Lateral/service drop financing, engineering, construction, and management
- ix. Marketing campaign
- x. Regulatory filings, taxes, fees, etc.

III. RESPONSE FORMAT

A. **Cover Letter / Letter of Interest (LOI)** on company letterhead including:

- 1) Short company introduction highlighting experience, track record, qualifications, introductory comments, plus any intention to use any third-party/subcontractors.
- 2) Why the respondent is interested in a partnership with the City.
- 3) Clearly state whether the respondent is proposing specific phases for the fiber optic backbone network, and how those specific phases are defined.
- 4) Clearly state the respondent's intent to partner with the City on grant applications for the SB 156 Last Mile Federal Funding Account and the CASF Broadband Infrastructure Account and identify the proposed contributions toward match funding requirements.
- 5) Clearly indicate if respondent is willing and capable to build last-mile connectivity in order to operate and provide services to un- and underserved, disadvantaged, vulnerable, and/or low-income areas at affordable rates.

B. **Table of Contents:** Clearly identify each section in the order listed below.

C. **Background of the Proposed Partner(s):** Provide an overview of the respondent's organization, services, and capabilities.

- 1) Company's knowledge, years of experience, and operations within the broadband telecommunications industry and, if applicable, infrastructure development in the City of Vacaville.
- 2) Provide details\resumes on key expertise\key personnel.
- 3) List any licenses, registrations, or certifications as required by law to perform the scope of services in this RFP.
- 4) Provide an overview of company's assets, products and services, operations, total subscriber count, type of services, local presence in the City of Vacaville, and other markets served in California and other states.
- 5) List any similar arrangements you have entered with counties, municipalities, electric utilities, or other public-private partnerships.
- 6) Please include any installation, sub-contractors, partners, or service contractors in the region that may be utilized again for this project.

D. **Financial Health:** Please include a statement of your firm's financial health. Please state if you have any recent dispute or legal action that might impact your ability to perform.

E. **Description of your Proposal and Partnership Arrangement:**

- 1) State and describe the proposed match funding and/or in-kind contributions, including the equivalent cash value of any in-kind, to be contributed by private sources to the public cost for the network expansion project.
 - i. Exclude any direct or indirect costs incurred by the respondent that may result from the joint build to concurrently install privately-owned infrastructure that duplicates existing or new City infrastructure.
 - ii. If the respondent is recommending phasing and routing adaptations to the conceptual network design based on private assets that could be integrated with the City network, proposal shall state and describe the alternative routing and identify the potential construction cost savings (and thus, the equivalent value of the in-kind contribution to the project).
- 2) Price & Terms of payment proposed in exchange for rights to sell retail services over the City's network (IRU fees, lease payments, revenue share, and/or in-lieu or in-kind contributions), including any exclusivity terms and length of proposed agreement.
- 3) Technical specifications for any proposed last mile distribution build of privately owned fiber infrastructure, including but not limited to:

- i. Map/description of any privately funded last-mile or middle-mile fiber routes in addition to the proposed City-owned network.
 1. Identify proposed aerial vs. underground build.
 2. Identify which of these areas qualify under state and federal grant eligibility due to un- and underserved, disadvantaged, vulnerability, or low-income status.
 - ii. Type & size of conduit to be used for private build.
 - iii. Type and strand count for any fiber cable to be installed as part of private build.
 - iv. Estimated cost of privately funded construction.
 - v. Proposed technical specifications and plan for interconnecting private build within auxiliary public network infrastructure (vaults, handholes, pull boxes, etc.), if applicable.
 - vi. Description of your strategy, materials, and recommended construction method(s) for installation of last mile fiber and/or service drops, including on private property, to connect customers to the City backbone network.
 - vii. Estimated number of businesses, residents, and anchor institutions to be served by the proposed private infrastructure, including take rates and estimated schedules for phasing and/or service roll-out.
 - viii. Proposed retail pricing for tiered, symmetrical service offerings to be provided through new private infrastructure, minimally for 50 Mbps, 100 Mbps, 200 Mbps, 1 Gbps, and up to 10 Gbps. Please describe any additional value-added services and pricing.
 - ix. Considerations for connectivity to internet points of presence, including dual or singular route, in order to provide retail ISP services.
- 4) Estimated total construction cost of City's Conceptual Network Design (the City is not requesting a formal construction bid at this time, but only an estimate based on the conceptual design)
 - 5) Description of anticipated construction phasing (including timeline).
 - 6) Expertise/experience in construction of similar networks (if applicable).
 - 7) Considerations for permitting fees or expediting permitting processes.
 - 8) Define any requirements or commitments that the respondent would need from the City to ensure a successful agreement or partnership.
 - 9) Provide potential conflicts of interest disclosure that is a direct or indirect financial investor, partner, employee, or member of any corporation, partnership, or other legal entity making or participating in this proposal.

10) Additional details, preferred arrangements, or creative business models.

11) Clearly outline any limitations or oppositions in your ability to meet any requirements detailed in the RFP.

F. **Response Matrix:** Please complete a Response Matrix (see Appendix A). If alternative or multiple proposals are being offered, please include a Response Matrix for each alternative approach.

G. **Third-Party / Subcontractors:** If the Respondent intends to subcontract, please provide a detailed list of any sub-contractors, partners, or third-party vendors who will be involved in the implementation of the project (including any privately funded joint build), including but not limited to:

- 1) Description of the Respondent's experience with each of the proposed subcontractors, and
- 2) Three (3) customer references for each subcontractor to include references names and contact info for products and services similar to those described in this RFP, and
- 3) Describe the specific role of each.

H. **References:**

- 1) Provide a minimum of three (3) references of existing partners, municipalities, or constituents served in a similar fashion as described in this RFP.
- 2) Provide three (3) industry references that demonstrate your ability to successfully plan, implement, and deploy broadband networks, products, and services using innovative public and/or private environments.

IV. INSTRUCTIONS TO RESPONDENTS

Completed responses must be submitted online per instructions on the City's website at [RFP Postings | Vacaville, CA](#)

Respondents are responsible for ensuring their submissions are received by the City on or before the Submittal Deadline. No oral, telegraphic, facsimile, e-mail, or telephone proposals or modifications will be considered.

4.1 Responses

Respondents must submit their responses and all required information and forms by the submittal deadline. Responses failing to provide complete information may be deemed

non-responsive. Offerors should keep copies of their submittals for future reference.

4.2 Modification of Responses

Any Respondent who wishes to make modifications to a response already received by City must withdraw their response in order to make the modifications. All modifications must be made on-line, properly by Respondent's authorized representative, executed, and submitted in accordance with the terms and conditions of this RFP. It is the responsibility of Respondent to ensure that modified responses are resubmitted before the Submittal Deadline.

4.3 Examination of the Request for Information

Respondents should carefully examine the entire RFP, any addenda thereto, and all related materials and data referenced herein or otherwise available to offeror.

Respondents shall be presumed to be familiar with all specifications and requirements of this RFP. The failure or omission to examine any form, instrument or document shall in no way relieve offerors from any obligation with respect to this proposal

4.4 RFP Response

Respondents must submit their response and all information and forms by the submittal deadline. Respondents should keep copies of their submittals for future reference.

4.5 Costs Incurred in Responding

The City will not pay any costs incurred in RFP preparation, presentation, demonstration, or negotiation, nor does it commit to procure or contract for any services. All costs of proposal preparation shall be borne by the offeror. It is understood that all RFIs, inquiries, and correspondence relating to this RFP and all reports, charts, displays, schedules, exhibits, and other documentation will become the property of the City of Vacaville when received by the City and may be considered public information under applicable law. The City assumes no liability for any costs incurred by respondents throughout the entire selection process.

4.6 Nomenclatures

The terms "Successful Offeror, Successful Contractor, and Contractor" may be used interchangeably and shall refer exclusively to the firm with whom the City enters into a contract.

The terms "RFP" refer to all Request for Proposal documents and related addenda produced by the City and provided to prospective Offerors.

RFP = Request for Proposal

4.7 Confidential and Proprietary Data

All materials received relative to this RFP will be kept confidential, until such time an agreement is presented and the RFP is canceled, at which time all materials received will be made available to the public. Proposals received will be subject to Government Code §6250, the Public Information Act. Under the Act, the City may be obligated to provide a copy of any and all responses to this Request for Proposals, if such requests are made after the contract is awarded.

One exception, to this required disclosure, is information which fits within the definition of a confidential trade secret [Government Code section 6254(k)] or contains other technical, financial or other data whose public disclosure could cause injury to the respondent's competitive position. If any respondent believes that information contained in its response to this Request for Proposals should be protected from disclosure, the respondent MUST specifically mark the pages of the response that contains the information. The City will not honor any attempt by the Offeror to designate its entire proposal as proprietary.

V. EVALUATION CRITERIA

At its sole discretion, the City may elect to combine any phases under a single partnership agreement with a single proposed partner; alternatively, the City may elect to enter into agreements with two or more respondents for different sub-phases of the project. The following criteria shall be used when evaluating proposals.

Category	Description	Maximum Points
Qualifications & Experience	The respondent's qualifications and experience handling similar projects and public-private partnerships, including but not limited to: the length of time in business, knowledge and education of key personnel, presence in The City of Vacaville, and fiscal health.	25
Contribution	The value of cash or in-kind contributions toward grant submittals and/or the publicly owned fiber optic backbone ring project, separate from and excluding any investment in private infrastructure through joint	20

	build or last mile distribution laterals.	
Price & Terms	The terms of payment (IRU fees, lease payments, revenue share, and/or in-lieu or in-kind contributions) proposed in exchange for rights to sell retail services over the City's network.	20
Broadband Offerings	The speed, pricing, and retail offerings proposed to businesses and residents, including the ability to provide symmetrical services and reach un- or underserved, disadvantaged, vulnerable, and/or low-income areas.	10
Private Infrastructure	The value and scope of the proposed privately funded last mile distribution infrastructure used to connect un- or underserved, disadvantaged, vulnerable, and/or low-income areas as identified by state and/or federal grant programs.	25
TOTAL POSSIBLE POINTS		100

VI. CONTRACT PROVISIONS

- A. Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). All prime construction contracts in excess of \$2,000 must be in compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors are required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors are required to pay wages not less than once a week. The decision to award a contract or subcontract is conditioned upon the acceptance of the wage determination. The City will report all suspected or reported violations to the Federal awarding agency.
- B. Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must

be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The City will report all suspected or reported violations to the Federal awarding agency.

APPENDIX A
RESPONSE MATRIX

Respondents should complete the matrix. If respondent is proposing alternative approaches, separate matrices should be included for each alternative or partnership model.

Estimated total cost for publicly owned fiber optic network expansion project (Phase 1)	\$
Proposed match funding for public project	\$
Proposed in-kind contribution including any alternative designs utilizing private assets	
Estimated dollar value of in-kind contribution	\$
Proposed privately-funded last-mile distribution build to unserved and/or disadvantaged areas	Description/Area for : Construction methodology (aerial, underground): # of conduit: Size of conduit: Fiber cable strand count:
Estimated cost of privately-funded last-mile distribution build to unserved and/or disadvantaged areas	\$

Proposed service offerings for retail internet & data services	50/50 Mbps: \$ 100/100 Mbps: \$ 250/250 Mbps: \$ 1/1 Gbps: \$ 10/10 Gbps: \$
Proposed Price & Terms in Exchange for Rights to Sell Services over City Network	
Requirements from the City	
Other Benefits to the City	