

INVITATION TO BID

Fixed Wireless Broadband Expansion in Targeted Ohio Counties

ITB-CO-ODOT-20180702

Connected Nation, Inc.
Attn: Charles A. Spann
191 W. Professional Park Ct., Ste. B
Bowling Green, KY 42104

July 2, 2018

Connected Nation, Inc. d.b.a. Connect Ohio Initiatives, LLC (CN), through its project partner role with the Ohio Department of Transportation – Office of Transit (ODOT), is pleased to release this Invitation to Bid (ITB) for the expansion of fixed wireless broadband service in targeted Ohio counties.

This ITB is intended to provide an opportunity to develop a variety of solutions to meet the broadband services need in the 10 targeted counties. Fixed wireless internet service providers (WISPs), community organizations, rural transit agencies or organizations collaborating on a public/private partnership or any individual (Vendors) are encouraged to bid on developing, constructing and operating a fixed wireless system, or other acceptable broadband network on one or more sites in one or more of the ten specifically targeted counties: Carroll, Guernsey, Harrison, Morgan, Monroe, Muskingum, Perry, Pike, Scioto, and Washington (10 Target Counties).

CN reserves the right to reject any and all bid proposals. This ITB does not constitute a commitment, implied or otherwise, that CN or ODOT will take procurement action. Any contracts resulting from this solicitation will NOT be between the Vendor and ODOT; they will be between the Vendor and CN.

Background

ODOT was awarded \$6,839,860.00 under a 2015 TIGER VII grant program. The primary goal of the Transit Tech Ohio Project (T2O) funds are to upgrade scheduling/dispatching ITS software/hardware to a statewide minimum specification set by ODOT and the Rural Transit System Steering Committee and, with a secondary goal to expand broadband into areas of Ohio with insufficient broadband access that can support the upgraded technology referenced above. Broadband expansion is an essential part to the success of the T2O project in the 10 Target Counties. Through the use of the ITS software/hardware, schedulers and dispatchers at the rural transit systems in the 10 Target Counties will be able to dispatch trips to drivers in real-time, improving service efficiency and effectiveness while reducing trip denials. Altering the drivers' routes more efficiently also serves to increase the number of passengers per hour

providing greater opportunity to provide more trips. Drivers will also have the added benefit of utilizing mapping features to locate addresses and common destinations while dispatchers can track the vehicles movement with real-time GPS. The ITS tablets installed in each transit vehicle rely on mobile broadband as their primary source of connectivity. The preferred operational platform for the tablets is mobile wireless, however, the tablets can be set up to operate on conventional fixed wireless and/or Wi-Fi service; the desired medium for this ITB.

CN, through its project partner role with ODOT, was asked to conduct mobile drive testing within the 10 Target Counties, in a manner that would approximate an actual consumer experience, and provide geocoded and date/time stamped test results of key performance indicators (KPIs) such as download/upload speeds and latency while also monitoring and recording other critical information such as network generation operating types and platforms (e.g., HSPAP, LTE, EVDO), Receive Signal Strength Indicator (RSSI), Reference Signal Received Power (RSRP), Reference Signal Received Quality (RSRQ), etc.

Four mobile Carriers (AT&T, Sprint, T-Mobile, and Verizon) were asked to participate in the project through their respective contributions of handsets and/or subscriber identity module (SIM) cards along with unlimited and unthrottled data accounts. All four mobile Carriers agreed to do so. The primary purpose of the mobile drive testing was to determine the locations where specific Carrier coverage existed and to identify respective gaps in mobile coverage. The results of the KPI test data were then mapped on a county-by-county, provider-by-provider basis. Composite test results were then aggregated on a county-by-county basis.

The overarching intent of this ITB is to provide funding for fixed wireless networks that will provide coverage to areas within the 10 Target Counties where mobile coverage is not known to exist.

Project Description

The project will consist of the installation of fixed wireless broadband transmission equipment (WISP Equipment) placed at specific locations, identified by CN and ODOT, that can provide quantifiable and qualitative broadband improvements within the geographic areas of the 10 Target Counties. ODOT, the state of Ohio, American Tower and local agencies within the 10 Target Counties, have provided a list of potential assets such as existing monopole towers, self-support and guyed towers and elevated water tanks (see attached T20 Potential Asset List¹) that can be potentially be used in conjunction with the placement of the WISP Equipment.

¹ Population counts are estimated from the household calculations, using the average number of persons per household in Ohio according to the Census (2.45).

County	Asset Name	"No Mobile Signal" Roads Covered	10x1 Unserved Households Covered	10x1 Unserved Population Covered (Estimated)
Carroll	MARCS Kensington	18.82	639	1,566
Carroll	Perrysville MGD OH	30.52	374	916
Guernsey	Village of Bysville	24.17	235	576
Guernsey	Village of Quaker City	31.26	1,077	2,639
Harrison	Freeport Village Standpipe	29.64	204	500
Harrison	Harrison County Standpipe 2	14.87	110	270
Monroe	MARCS Lewisville	78.25	1,707	4,182
Monroe	Sugartree Ridge Road	87.8	2,695	6,603
Morgan	CenturyLink	84.71	1,320	3,234
Morgan	McConnelsville OH SQA	104.59	850	2,083
Muskingum	MARCS Bloomfield	16.85	646	1,583
Muskingum	MARCS Duncan Falls	21.85	508	1,245
Perry	Burr Oak Water Tower Corning	49.76	899	2,203
Perry	Southern Perry Water System Bristol	32.66	1,299	3,183
Pike	MARCS Latham	12.48	196	480
Pike	Spoon River PCS OH	15.78	552	1,352
Scioto	Debbie Widdig	11.58	414	1,014
Scioto	MARCS Minford	17.61	291	713
Washington	Belpre AT	97.83	1,459	3,575
Washington	Watertown OH	94.57	1,092	2,675

CN and ODOT welcome innovative proposals which may include collaboration among public safety agencies, libraries, WISPs and/or public private partnerships. Unlicensed, lightly licensed, or licensed fixed wireless networks, operating on industrial, scientific and medical (ISM), unlicensed national information infrastructure (U-NII), educational broadband service (EBS), TV white space, 3,650 MHz, 4,900 MHz, etc. will be considered as acceptable submissions under this ITB.

The expansion of fixed and mobile broadband (i) will enable the general public to more easily access the public transit systems' on-line service; (ii) will enable human service agencies and/or critical needs facilities to more efficiently coordinate trips; (iii) will enable EMS communications services that rely on broadband connectivity to realize immediate improvement; and (iv) the core purpose of the ODOT Tiger VII grant, "improving connectivity for more effective utilization of hardware and software routing services within the rural transit agency sector," will have been accomplished.

The total amount of funding available for disbursement to the winning bidder, or bidders, for projects selected under this ITB will be no greater than \$1,31 M (Award). CN reserves the right to award none, all, or a portion of, this amount based on its discretion.

Procedures

All bids must be submitted on or before the designated deadlines with all required documents and signatures to be considered responsive. A vendor may submit multiple bids in multiple counties. However, a separate bid must be submitted for each site.

Each bid must include a completed Budget Template for the specific site included in that bid. The budget template is an Excel file. The first tab provides instructions to complete each following tab in the Excel file. The Total Project Cost includes the proposed costs for the purchase of equipment, installation labor and excludes any fees not directly related to the purchase or installation of WISP Equipment. Exclusions also include, but are not limited to, taxes, permits, logistics, storage, etc. Note that equipment must be in compliance with Buy America provisions (see attached); Attachment I – GENERAL TERMS AND CONDITIONS.

Each bid must also include the following Additional Information in the Budget Template:

- (A) Provide evidence demonstrating the eligible applicant has the financial, technical and managerial resources necessary to complete the project and to provide ongoing maintenance and upgrades to the broadband infrastructure; (submit documentation and provide a description of the documentation in the Budget Template).
- (B) Provide a business plan and financial pro forma demonstrating the broadband service to be provided will be sustainable; and (submit documentation and provide a description of the documentation in the Budget Template).
- (C) Indicate in the Budget Template that Attachment I: Federal Requirements and Special Terms and Conditions has been read, agreed upon, and signed.
- (D) Indicate in the Budget Template that Attachment II: Certification, Assurances, and Grant Requirements has been read, agreed upon, and signed and affirmed as appropriate.
- (E) Indicate in the Budget Template that Attachment III: Buy America Certification has been read, agreed upon, and signed.
- (F) Any additional information requested.

Upon selection of the projects, an award notice will be sent to each selected bidder, advising the bidder(s) of the date, time, and location of pre-construction conferences, if necessary.

By submitting a proposal for this project, each bidder represents that they understand the requirements of the federal program, schedule and are capable of performing the work as per the schedule.

CN has the right to reject any and all bids at its sole discretion

Submission Format and Quantity

Each ITB response is for one site. Each bidder must include, at a minimum, the following:

- Budget Template Excel File (Do Not submit PDF version or a printout but submit in an Excel format)
- Supporting documentation of bidder's financial, technical, and managerial resources necessary to complete the project on time and on budget
- Supporting documentation of bidder's financial capability to sustain project
- Signed Attachment I: Federal Requirements and Special Terms and Conditions
- Signed and affirmed Attachment II: Certifications, Assurances, and Grant Requirements
- Signed Attachment III: Buy America Certification indicating if bidder will comply with Buy America requirements or not

Questions

Any questions related to this Invitation to Bid shall be submitted by e-mail, no later than July 10, 2018, at 5:00 p.m. EST to:

Charles A. Spann at cspann@connectednation.org

with a copy to

Kristen Hill at khill@ftblaw.com

Answers shall be returned by July 16, 2018, at 5:00 p.m. EST

Bid Due Date

Each submission must be sent on a USB flash drive mailed to CN at the address below with an additional copy sent via e-mail to:

Charles A. Spann at cspann@connectednation.org

with a copy to

Kristen Hill at khill@ftblaw.com

Connected Nation, Inc.
Attn: Charles A. Spann
191 W. Professional Park Ct., Ste. B
Bowling Green, KY 42104

Two (2) copies of your sealed proposal must be submitted to Connected Nation, Inc., Attn: Charles A. Spann, 191 W. Professional Park Ct., Ste. B, Bowling Green, KY, 42104 no later than 5:00 p.m. EST, August 13, 2018.

Proposals received after the dates and hours stated above will not be considered. Faxed proposals will not be considered.

Validity of Proposal

Proposals shall remain open and considered valid for a period of at least ninety (90) days from bid submission date.

Initial Selection of Proposals “Short List”

A list will be made available and distributed by e-mail no later than 5:00 p.m. EST August 20, 2018, of the projects deemed compliant with the ITB requirements, received within the required timelines, and initially accepted for further review and consideration. This shall be referred to as the “Short List.”

Procedure for Protests Arising Out of Proposed Public-Private Initiatives

This Procedure sets forth the exclusive protest process for entities responding to this ITB with reference to proposed Public-Private Initiatives pursuant to O.R.C. §5501.70 *et seq.* This Procedure is promulgated pursuant to CN’s best practices and is intended to provide the exclusive protest remedies for respondents.

Protest Deadlines: Protests by respondents (“Protestor”) must be filed as soon as the basis for the protest is known, but no later than ten (10) calendar days after CN determines the short list of respondents or the award of the contract, as applicable. A respondent excluded from the short list is not eligible to protest the award of the contract. The protest period opens August 21, 2018 and closes August 30, 2018.

Protests must be filed in the form and manner required by this ITB Procedure and sent to Charles Spann at cspann@connectednation.org with a copy to Kristen Hill at khill@ftblaw.com.

Failure to file a protest within the time and in the form and manner required under this Procedure shall result in the forfeiture and be a waiver of any right to protest any action by CN and its respective representatives relating to this ITB or the subsequent award of a contract.

Content of Protest: Protests must be in writing via e-mail and shall completely and succinctly state the grounds for protest, its legal authority, and its factual basis, and shall include all factual and legal documentation in sufficient detail to establish the merits of the protest. Statements shall be sworn and submitted under penalty of perjury.

Burden of Proof: The Protestor shall have the burden of proving its protest. CN may, in its sole discretion, discuss the protest with the Protestor and other respondents. The protest shall be decided on the basis of written submissions. CN may, in its sole discretion, allow the Protestor to orally present the basis of its protest.

Decision on Protest: CN shall issue a written decision regarding the protest on or before September 6, 2018. The decision by CN shall be final. If necessary to address the issues

raised in a protest, CN may, in its sole discretion, make appropriate revisions to the ITB by issuing an addendum. The written decision shall be final, binding, and not subject to appeal.

Protestant's Payment of Costs: If a protest is denied, the Protestor shall be liable for CN's costs reasonably incurred to defend against or resolve the protest, including legal and consultant fees and costs, and any unavoidable damages sustained by CN as a consequence of the protest.

Exclusivity of Rights and Remedies: Each respondent, by submitting its response to this ITB expressly recognizes and agrees to the limitation on its rights to protest provided in this Procedure, and expressly waives all other rights and remedies that may be available to the Submitter under Law.

If a Submitter disregards, disputes, or does not follow the exclusive protest remedies provided in this Procedure, it shall indemnify and hold CN and ODOT and their officers, employees, agents, and consultants harmless from and against all liabilities, fees and costs, including legal and consultant fees and costs, and damages incurred or suffered as a result of such Submitter's actions. Each respondent, by responding to this ITB, shall be deemed to have irrevocably and unconditionally agreed to this indemnity obligation.

Approved Projects and Vendor Announcement: CN shall release a final list of project locations, and respective Vendors, on September 12, 2018.

Contract Execution Between Vendors and CN: Having already been supplied with a sample contract, Buy America addendum, and other related documents, the Vendors will be expected to execute contracts in a timely manner no later than September 26, 2018. Please be reminded that questions related to the contract may also be asked and submitted on July 10.

Project Schedule/Timeline

ITB Release Date	July 2, 2018
Questions Due To CN	July 10, 2018 - 5:00 p.m. EST
Questions Answered by CN	July 16, 2018 – 5:00 p.m. EST
Bids Due to CN	August 13, 2018 - 5:00 p.m. EST
Short List Announcement	August 20, 2018 - 5:00 p.m. EST
Protest Period Opens	August 21, 2018 - 5:00 p.m. EST
Protest Period Ends	August 30 , 2018 – 5:00 p.m. EST
Decisions on Protest	September 6, 2018 – 5:00 p.m. EST
Approved Project(s) and Vendor(s) Announced	September 12, 2018 – 5:00 p.m. EST
Contract Execution between Vendor(s) and CN	September 26, 2018 – 5:00 p.m. EST
Estimated Project Start Date for Vendors	October 1, 2018
Required Completion Date for Vendors	February 28, 2019 (no later than)
Payment of Reimbursement Award	Within 90 days of the submission of project receipt(s) and the post construction performance testing (to be conducted by CN). All payments must be tendered no later than June 28, 2019.