



# MBLC: E-rate Procurement

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Massachusetts Board of Library  
Commissioners

November 16, 2023



# Before We Start...

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- Slides/Updates:
  - Accurate to the best of our knowledge as of 11/14/2023) but...expect more changes
- Most updates are in SLD's News Brief issued monthly
  - Subscribe or view online on SLD web site  
(<https://www.usac.org/e-rate/learn/news-brief/>)
- Basic training videos, webinar links, and more available online at in USAC's Learn page at <https://www.usac.org/e-rate/learn/>
- USAC training is online only



# Before We Start...

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- Questions are welcome!
  - Goal to is make session as useful as possible to you
  - Please save your questions until after the presentation
  - Please try to note slide #'s if you have a question about them
  - Q&A at end of session for as long as you need it
- REMINDER: E-rate requirements supplement state and local requirements. They do not supplant state and local requirements



# Today's Agenda

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- E-rate Overview
- Eligible Services
- Procurement Overview
- Procurement Option 1: Form 470 and (optional) RFP
- Procurement Option 2: State Master Contract
- Edge Cases
- Evaluating Bids
- Procurement Pitfalls



# E-rate Overview

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# E-rate Program Overview: Origin

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- Universal service program for schools and libraries
  - Part of Telecommunications Act of 1996
  - Discount Program
  - Application-based, NOT grant-based
- Funding level historically was capped annually at \$2.25 Billion
- Now capped at **\$4.76 billion** with annual inflation factor
  - Demand is below cap for recent years – funding is yours *if you apply correctly*



# E-rate Program Overview: Discounts

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- Discount for libraries is based on:
  - NSLP eligibility for the **school district** in which main branch is located and
  - **Urban/rural status** determined by majority of library outlets (must be 51%+ to be considered rural).
    - Status has been updated based on 2020 census
  - Discounts calculated automatically in EPC
    - Good: less data for libraries to worry about
    - Bad: reliant on schools to provide accurate data, libraries need to double check schools' information, information can change after you have filed, schools have confusion over which data to use

# E-rate Program Overview: **Who is Eligible?**



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- Schools and libraries are eligible
  - Library eligibility keyed to definition of library in and eligibility for LSTA
  - Must be **budgetarily independent of educational institutions** (except for some tribal libraries)
    - Public school libraries eligible *as part of school*
    - Libraries tied to higher education not eligible
  - Must be not for profit (for-profit libraries are not eligible)



# E-rate Program Overview: **What is Eligible?**



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- Program only covers
  - Eligible services
  - Used at eligible locations
  - Used for eligible (educational) purposes
- Educational purpose as defined in the Second Order and as amended in the FCC rules [54.500(k)]:
  - “For purposes of this subpart, activities that are integral, immediate and proximate to the education of students, or in the case of libraries, integral, immediate and proximate to the provision of **library service to library patrons**, qualify as “educational purposes.” Activities that occur on **library** or school property are presumed to be integral, immediate and proximate to the education of students or the **provision of library services to library patrons.**”



# Application Steps and Deadlines

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- E-rate requires annual applications
- Funding years mostly don't overlap, but application processes do
- Important to remember where you are in the process for each funding year



# Application Process in a Nutshell

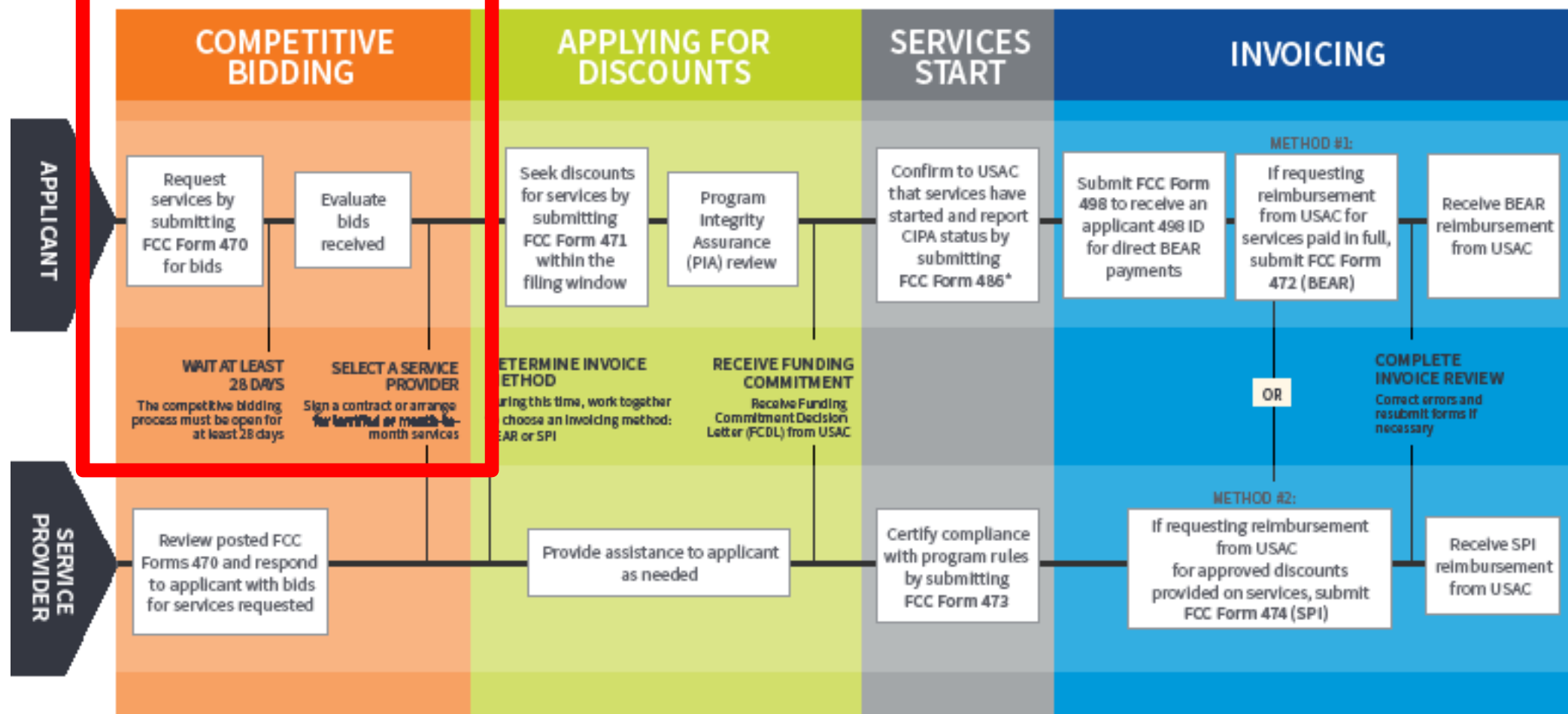
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- Procurement: **Form 470** and (optional) RFP
  - Bid Evaluation and Contract Award
- Application for Funding: **Form 471**
  - PIA review and award of funding (FCDL)
- Notification of Services Starting: **Form 486**
  - Receipt of services and compliance with CIPA
- Invoicing: **BEAR (Form 472)** or **SPI (Form 474)**
- Post-Invoicing: Audits, reviews, etc.

## BEFORE YOU BEGIN:

**APPLICANTS:** Applicants must first have an entity number and an E-rate Productivity Center (EPC) account.

**SERVICE PROVIDERS:** Service providers must first obtain a Service Provider Identification Number (SPIN /service provider 498 ID) by submitting FCC Form 498.



### FOR MORE INFORMATION:

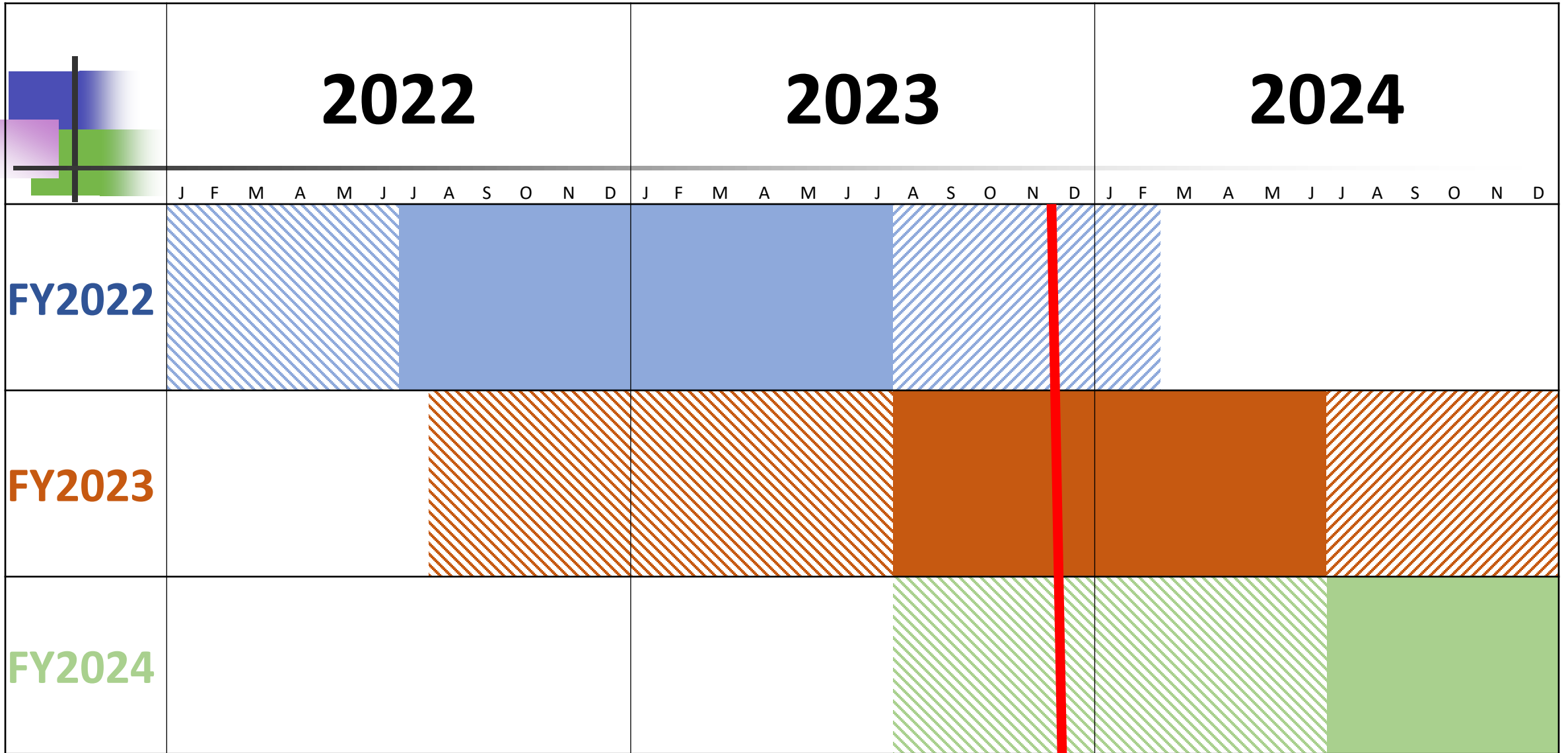
- Website: The application process is broken down in detail for both applicants and service providers on the Schools and Libraries Program website ([www.usac.org/sl](http://www.usac.org/sl)).
- Glossary of Terms: Definitions for program terms and acronyms.
- \*Consortium members report their CIPA status by submitting the FCC Form 479 to their consortium leader. The consortium leader then files the FCC Form 486.
- To adjust funding commitments and/or modify the dates for receipt of services after the FCDL is issued, file the FCC Form 500.



# Application Steps and Deadlines

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- Dates are somewhat flexible (but deadlines are not)
- Procurement/competitive bidding: Fall and early Winter prior to the Funding Year (includes Form 470)
- Contract Award and Form 471: Jan – Mar prior to the Funding Year
- Form 486: late Spring - early Fall of Funding Year
- Invoicing: either during or Summer/Fall after Funding Year





# E-rate Program: Different Roles

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- Roles of Library Staff
  - E-rate cuts across three main areas of responsibility:
    - Technology
    - Business
    - Leadership/Executive
  - Different libraries divide responsibilities differently
    - Critical to keep all levels involved/informed



# Eligible Services

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# Eligible Services

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- Eligible services divided into two categories:
  - Category 1 (Data and Internet) Services
  - Category 2 (Internal connections, Basic Maintenance of Internal Connections, Managed Internal Broadband Services)
- Eligible services list revised each year
  - ESL draft for FY2024 has minor changes, but not finalized yet



# Review of Eligible Services: C1

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- Category 1 (Data and Internet) Services
  - Ethernet Service
  - Leased Dark Fiber
  - Leased Lit Fiber
  - Self Provisioned Broadband Networks
  - T-1, T-3, OC-1, OC-3, etc.
  - Cable modem, DSL
  - Wireless Data Services\*
  - Satellite
  - Terminating network equipment



# Eligible Services: C1

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- Category 1 (Data and Internet) Services (cont'd)
  - NOTE: cellular services are only eligible when they are the most cost effective way to deliver service – must be proved through RFP
    - Specific exception for Bookmobiles but “RFP” requirement for 470 remains
    - Likely exemption for school bus service – unclear if/how that will affect bookmobiles
  - NOTE: self provisioned fiber must be compared in cost effectiveness to lit leased fiber – so you must seek bids on both
    - You also need to include the pricing of electronics, maintenance, etc. in the bid process



# Eligible Services: C2

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- Category 2 Services
  - Internal Connections
  - Basic Maintenance of Internal Connections
  - Managed Internal Broadband Services



# Eligible Services: C2

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## Category 2: **Internal Connections** Services

- Routers
- Switches
- Wireless Access Points
- Wireless Controllers
- Licenses\*
- Racks
- Cabling/Wiring
- Caching servers/appliances
- Firewall services and components
- Uninterruptible Power Supplies
- Software supporting eligible items



# Eligible Services: C2

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- **Basic Maintenance of Internal Connections (BMIC):**
  - Maintenance agreements for eligible internal connections
    - Maintenance, repair, and upkeep of eligible equipment
    - Wire and cable maintenance
    - Configuration Changes
    - Basic technical support (in person, online, over the phone)
    - Software changes and patches (incl. bug fixes)
      - Licenses\*



# Eligible Services: C2

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- Basic Maintenance of Internal Connections (BMIC) (cont'd):
  - Best practices:
    - Separate from other maintenance
    - Hourly rates and logs
    - Include estimates of the total # of hours in 470 and bids



# Eligible Services: C2

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- Basic Maintenance of Internal Connections (BMIC) (cont'd):
  - NOT eligible as BMIC:
    - Maintenance of *ineligible* equipment
    - Network management and monitoring services
    - Unbundled warranties
    - On site technical support\*
    - Estimates that cover the full cost of the equipment





# Eligible Services: C2

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- **Managed Internal Broadband Services (MIBS):**
  - Services provided by third parties for operation, management, and monitoring of eligible services
  - Can include lease of equipment
  - Can include multiple years of licensing in one-year cost
  - Typically used for managed wi-fi, but cloud management of other devices increasingly popular



# Eligible Services: C2 Constrained by C2 budgets

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- Category 2 Budgets
  - C2 services are limited by a five year C2 budget calculated for entire system (FY2024 is second to last year – new budgets coming FY2026)
  - Budgets are calculated automatically based on square footage. Data available at [opendata.usac.org](https://opendata.usac.org) and in EPC
  - Remember, C2 budget applies to *pre-discount* cost – i.e. your discount is applied against that C2 budget
    - E.g. if your C2 budget is \$100,000, and your discount rate is 60%, you can order up to \$100,000 of eligible equipment and receive discounts or reimbursements worth up to \$60,000.



# Eligible Services: Licenses

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- USAC divides licenses into “right to use” licenses (like CALs) and “support” licenses
  - “Right to use” licenses are Internal Connections
  - “Support” licenses are Basic Maintenance of Internal Connections and must be cost allocated over their term (e.g. 3 year support license is eligible for 1/3 of cost in year 1, 1/3 of cost in year 2, 1/3 of costs in year 3 – even though applicant pays full cost in year 1)
  - Vendors/Manufacturers typically do not think of licenses in this way, and bundle the functionalities together
  - **HINT:** Ensure your Form 470 includes licenses in both IC and BMIC in order to cover your bases



# Eligible Services: “or equivalent”

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- If you are specifying a particular make and model of equipment or service, be sure to include “or equivalent” language
  - Be sure it’s in the 470 narrative and any RFPs
    - Use narrative/RFP to outline needs and define what constitutes equivalent
  - Failure to include can lead to denial
  - Be sure to consider equivalents if they are bid!



# Eligible Services: Partial Eligibility

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- Partial Eligibility
  - Equipment or services with ineligible components can be partially eligible (very common with firewalls!)
    - Ineligible costs/components must be cost-allocated
      - Bid evaluation
      - Form 471
      - Invoicing
    - Only eligible portion gets E-rate discount
  - Best practice: make vendors break out ineligible components in bids and evaluate ineligible costs separately



# Procurement Overview

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# Procurement Process

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- Procurement generally made up in the E-rate process of the Form 470, and any related RFPs
- E-rate procurement requirements supplement local requirements (such as Chapter 30b) but do not supplant them



# Procurement Process

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- Procurement process must be “fair and open”
  - Fair: every vendor evaluated fairly and equally
  - Open: same information available to all potential vendors
  - Must consider “or equivalent” options for C2 services
- This is the most critical part of the E-rate process
  - Difficult to remedy errors
  - Remediation usually involves starting over – which is a problem since you normally only find out about problems after it’s too late to start over





# Procurement: MA State Requirements

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- Chapter 30b lays out three separate dollar thresholds for purchases with different requirements for libraries
- Less than \$10,000: use sound business practices
- \$10,000 to \$49,999.99: seek written quotes from at least three vendors via RFP
- \$50,000+: conduct a formal, advertised competition by issuing an invitation for bids

**REMEMBER: these layer with E-rate requirements**



# Procurement: RFPs

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- Request for Proposal (RFP) used in the E-rate process to specify needs and requirements in greater detail
  - Term “RFP” applies to any document/information that clarifies or modifies the requirements expressed in the Form 470
  - RFP is optional in E-rate – may be required based on local needs
  - RFP is encouraged, especially for more complex services/equipment
  - Include bid timeline and bid evaluation information in RFP as well as description of services
  - Hundreds of RFPs available online and through EPC
    - Talk with other applicants/networks



# Procurement: Bookmobiles

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- Service to bookmobiles is eligible under E-rate
- Technically you must prove that cellular/mobile is the most cost effective way to deliver service to a bookmobile
- Recommendation: File 470 with both traditional and mobile Internet, and an RFP explaining that it's service to a bookmobile. Evaluate all bids received

**This may change based on the school bus order at the FCC**



# Procurement: Gift Rules

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- Strict requirements in place for gifts
  - Only allowable gifts:
    - Retail value of \$20 or less (including meals)
    - Combined total from one source (e.g. vendor) is \$50 or less for the year
    - Applies to prizes, meals, gifts, etc.
  - Charitable donations exempt as long as they are unrelated to procurement/services
  - Must document everything
  - Violations can be cured by reimbursing for, returning, or disposing of gift
- Advice: do not accept gifts from vendors, potential vendors, consultants, etc.**



# Procurement Option 1: Form 470 and (optional) RFP

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# Procurement: Form 470

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- Form 470 filing formally starts the bidding process
  - Includes services and quantities you're seeking
  - Can include outside documents (e.g. RFP) that supplement the description of services or provide other information on requirements
    - **If outside documents exist, they must be included!**
    - As outside documents are added, they must be included too



# Form 470: Filing

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- Must be posted on USAC website (and all materials must be available) for at least 28 days before bid evaluation/ vendor selection can begin
  - Day 1 is the day the 470 is filed
  - This means your **allowable contract date** is the 29<sup>th</sup> day!
    - ACD will be in the Form 470 Notification Letter
  - Any significant change to the 470 or RFP restarts the 28 day clock and may require restarting the process
  - 28 days is the minimum – longer periods are permissible



# Form 470 Online Demo

ACP Program providers, EPC users and BEAR Form filers: If this is your first time logging in to One Portal, please read this information carefully.

USAC has added multifactor authentication (MFA) to increase the security of our Universal Service Fund (USF) IT applications. The first time you sign into an application, the system will prompt you to set up MFA for your account. To do this:

1. Click the blue **Continue** button below.
2. Click the **Forgot Password** link.
3. Enter your Username (your email address) and click **Reset via Email**.
4. When you receive the email, click the link to create a password. Your password must be at least eight characters long and include one lowercase letter, one uppercase letter, one number, and one special character.
5. Accept the system's terms of use and click **Sign In**.
6. On the next page, confirm the email associated with your account and click **Send Email**.
7. Check your email for a verification code.
8. Enter the code and click **Verify**.

After logging in, you will see USAC's new single portal application dashboard if you have access to more than one application. On this page you can access all of the USF applications associated with your log in. This means users no longer have to sign into multiple applications to interact with different USF programs.

From the dashboard, you can visit the "Settings" page to add a cell phone number to your account. This will allow you to receive verification codes via either email or text message when you log in in the future.

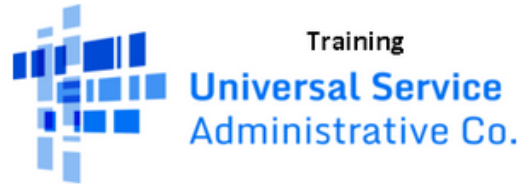
To learn more about USAC's MFA and to find a list of all USF IT applications included in the single portal, visit [USAC's website](#). If you cannot access the email associated with your account and need to set up a new log in, please contact your organization's USF administrator. If you need to reset your password, click the "forgot password" link. More detailed instructions are available in [this video](#).

**Continue**

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# My Applicant Landing Page



Training

[Funding Request Report](#) | **[FCC Form 470](#)** | [FCC Form 471](#) | [FCC Form 486](#) | [Appeal](#) | [IDD Extension](#) | [FCC Form 500](#) | [SPIN Change](#) | [Service Substitution](#) | [Manage Users](#) | [Manage Organizations](#) | [USAC Website](#) | [Contact Us](#) | [Help](#)

Welcome, [Library System 10036!](#)

## Pending Inquiries

Type

Application/Request

Funding Year

Pending COMAD Inquiries are not included.

Application/Request Number	Type	Nickname	Inquiry Name	Outreach Type	Date Sent	Due Date	↑	Extn.	Status
No items available									

## Notifications

Notification Type

Status  All  
 Generated  
 Not Generated

Funding Year

# FCC Form 470 - Funding Year 2024

Basic Information

Service Requests

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

> **FCC Notice Required By The Paperwork Reduction Act (OMB Control Number: 3060-0806)**

▼ **Billed Entity Information**

Library System 10036

39 Maryland Ave

Rockville, MD 20850

012-345-6789

library\_sys\_10036@mailinator.com

Billed Entity Number: 1529

FCC Registration Number: 0123456780

## Application Nickname

Please enter an application nickname here. \*

DISCARD FORM

SAVE & SHARE

SAVE & CONTINUE

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:24 PM EDT

**Basic Information**

Service Requests

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Where applicable, we've completed this section of the form based on information from your applicant entity's profile. If any of the non-editable information is incorrect, or you wish to change the information, please update your profile first by going to your entity record, and clicking Manage Organization from the Related Actions menu. If you do not have access to Manage Organization, please contact your applicant entity's account administrator or create a customer service case to request updates to your applicant entity's profile.

### Application Type and Recipients of Service

Applicant Type: Library System

Number of Eligible Entities: 2

- Recipient(s) of Service**
- Public Library
  - Main Branch
  - Public Library System

### Recipients of Service

Billed Entity Name	Billed Entity Number
Library System 10036	1529

[BACK](#) [DISCARD FORM](#)

[SAVE & SHARE](#) [SAVE & CONTINUE](#)

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:25 PM EDT

Basic Information

Service Requests

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, you will identify the individuals assisting in seeking E-rate support.

### Consultant Information

There are currently no consulting firms associated with your organization. If this is in error, please update your organization profile.

### Contact Information

Are you the main contact person? \*

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:25 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, you will identify the category(s) of service requested.

Visit [our website](#) for more information on how to file the FCC Form 470.

### Category(s) of Service

What are the category(s) of service that you are requesting?\*

CATEGORY 1

- Data Transmission and/or Internet Access

CATEGORY 2

- Internal Connections
- Basic Maintenance of Internal Connections
- Managed Internal Broadband Services

BACK

DISCARD FORM

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SAVE & CONTINUE

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:26 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

If you are using RFPs for any of the requested services, start by uploading them all first.

### RFPs for Service Requests

Is there a RFP for any of the services you are requesting?

YES ✓

NO

Please upload all RFPs for the services you are requesting. ?

UPLOAD

 Drop file here

You must upload your actual RFP document. Uploading a document with a hyperlink to another website, including bid management sites, is not sufficient and can lead to funding denial.

BACK

DISCARD FORM

SAVE & SHARE

SAVE & CONTINUE

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:28 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, you will indicate whether RFPs are applicable across a category.

### RFPs for Service Requests

**If applicable, please select the RFP(s) that apply to all new category ONE services.**

Sample RFP

This selection will only apply to new service requests. Selecting and deselecting RFPs above will not affect service requests already added to this FCC Form 470.

**If applicable, please select the RFP(s) that apply to all new category TWO services.**

Sample RFP

This selection will only apply to new service requests. Selecting and deselecting RFPs above will not affect service requests already added to this FCC Form 470.

BACK

DISCARD FORM

SAVE & SHARE

SAVE & CONTINUE

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:28 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, you will describe the services you are requesting.

### Service Requests: Category One

There are currently no Category One service requests. Please enter the service requests below by selecting 'Add New Service Request'.

**ADD NEW SERVICE REQUEST**

EDIT SERVICE REQUEST

REMOVE SERVICE REQUEST

#### Narrative

If you would like to provide further detail about the services or equipment sought, you may do so in this box below. Examples include:

- Any disqualification factors;
- Additional details about the eligible locations that will be receiving these services; or
- Other information about the services requested that would help bidders develop bids that are responsive to your needs.

BACK

DISCARD FORM

SAVE & SHARE

SAVE & CONTINUE



# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:28 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Please select the option below that matches the services for which you are seeking bids.

Visit [our website](#) for more information on how to file the FCC Form 470.

### Add New Service Request

See Form 470 Guiding Statements Table for more info

- seek bids for internet access and/or data transmission service.
- seek bids for Internet access and data transmission service (provided over any combination of transmission medium, e.g., fiber-only networks, fiber/non-fiber hybrid networks, or non-fiber networks such as cable, DSL, copper, satellite, or microwave).
- seek bids for internet access and data transmission services, whether offered by one service provider(s) as a bundled package or offered by one or more service provider as independent services.

#### Service Type

Data Transmission and/or Internet Access

#### Function \*

Internet Access and Data Transmission Service

#### Quantity\*

Unit

#### Number of entities served?\*

Are you also seeking Installation, Activation and Initial Configuration for this service? \*

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:31 PM EDT

Basic Information **Service Requests** Technical Contact Information Procurement Information FCC Form 470 Review Certifications & Signature

Next, you will describe the services you are requesting.

### Service Requests: Category One

Please enter the service requests below by selecting 'Add New Service Request'.

<input type="checkbox"/>	Service Type	Function	Function Other Description	Minimum Capacity	Maximum Capacity	Entities	Quantity	Unit	Installation and Initial Configuration?	Associated RFPs
<input type="checkbox"/>	Data Transmission and/or Internet Access	Internet Access and Data Transmission Service		500 Mbps	2 Gbps	2	2	Each	Yes	

**ADD NEW SERVICE REQUEST** EDIT SERVICE REQUEST REMOVE SERVICE REQUEST

#### Narrative

If you would like to provide further detail about the services or equipment sought, you may do so in this box below. Examples include:

- Any disqualification factors;
- Additional details about the eligible locations that will be receiving these services; or
- Other information about the services requested that would help bidders develop bids that are responsive to your needs.

Seeking 1 Gbps symmetrical Internet service to main library and 500 Mbps symmetrical link to branch library

Confirm the narrative matches the service description

### Installment Payment Plan

Are you seeking an installment payment plan for the non-discounted portion of any special construction charges associated with the request(s) listed above? \*

Yes  
 No

BACK DISCARD FORM

SAVE & SHARE **SAVE & CONTINUE**

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:32 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, you will describe the services you are requesting.

### Service Requests: Category Two

There are currently no Category Two service requests. Please enter the service requests below by selecting 'Add New Service Request'

**ADD NEW SERVICE REQUEST**

EDIT SERVICE REQUEST

REMOVE SERVICE REQUEST

#### Narrative

If you would like to provide further detail about the services or equipment sought, you may do so in this box below. Examples include:

- Any disqualification factors;
- Additional details about the eligible locations that will be receiving these services; or
- Other information about the services requested that would help bidders develop bids that are responsive to your needs.

BACK

DISCARD FORM

SAVE & SHARE

SAVE & CONTINUE


### Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:32 PM EDT

- Basic Information
- Service Requests**
- Technical Contact Information
- Procurement Information
- FCC Form 470 Review
- Certifications & Signature

Next, you will describe the services you are requesting.

#### Add New Service Request

 I seek bids for the equipment needed for broadband connectivity within schools and libraries and/or the related software and right-to-use licenses necessary for the equipment to function.

##### Service Type

Internal Connections

##### Function \*

Wireless Access Points and Necessary Software and Licenses

##### Quantity \*

10

##### Unit

Each

Please select this option if you would like to create an accompanying Category Two BMIC request for this request.

##### Service Type

Maintenance of Internal Connections

##### Function \*

Wireless Access Points

##### Quantity \*

10

##### Unit

Each

##### Manufacturer

Other

##### Manufacturer Description \*

Brand X

##### Are you also seeking Installation, Activation and Initial Configuration for this service? \*

- Yes
- No

Please select the RFP(s) that apply to this service request.

Sample RFP

##### Manufacturer

Other

##### Manufacturer Description \*

Brand X

##### Number of entities served?

2

Please select the RFP(s) that apply to this service request.

Sample RFP

- [CANCEL](#)
- [SAVE & CREATE ANOTHER REQUEST](#)
- [SAVE REQUEST](#)

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:35 PM EDT

Basic Information

**Service Requests**

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, you will describe the services you are requesting.

### Service Requests: Category Two

Please enter the service requests below by selecting 'Add New Service Request'

<input type="checkbox"/>	Service Type	Function	Manufacturer	Manufacturer Other Description	Entities	Quantity	Unit	Installation and Initial Configuration?	Associated RFPs
<input type="checkbox"/>	Internal Connections	Wireless Access Points and Necessary Software and Licenses	Other	Brand X		10	Each	Yes	Sample RFP
<input type="checkbox"/>	Basic Maintenance of Internal Connections	Wireless Access Points	Other	Brand X	2	10	Each		Sample RFP



[ADD NEW SERVICE REQUEST](#) [EDIT SERVICE REQUEST](#) [REMOVE SERVICE REQUEST](#)

#### Narrative

If you would like to provide further detail about the services or equipment sought, you may do so in this box below. Examples include:

- Any disqualification factors;
- Additional details about the eligible locations that will be receiving these services; or
- Other information about the services requested that would help bidders develop bids that are responsive to your needs.

Seeking 10 Brand X Model 321 Wifi 6e Managed Access Points, plus 5 years of licenses for same (or equivalent)

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# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:36 PM EDT

Basic Information

Service Requests

**Technical Contact Information**

Procurement Information

FCC Form 470 Review

Certifications & Signature

Next, please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking.

### Technical Contact Person

Is there a person who can provide additional technical details or answer specific questions from service providers about the services you are seeking? \*

YES  NO

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:37 PM EDT

Basic Information

Service Requests

Technical Contact Information

**Procurement Information**

FCC Form 470 Review

Certifications & Signature

Next, you will enter all information regarding state and local procurement rules.

### State or Local Procurement Requirements

Are there state or local procurement/competitive bidding requirements that apply to the procurement of services sought?\*

# FCC Form 470 - Funding Year 2024



## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:38 PM EDT

Basic Information

Service Requests

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

**When the FCC Form 470 PDF is ready, a task will become available to complete certification.**





**Assigned to Me >**

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STATUS

**Open ✕**

DEADLINE

Overdue

Today

Within 7 days

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**Certify FCC Form 470 - 240000168 - State Training Fall 2023**

A moment ago ☆

# FCC Form 470 - Funding Year 2024

## Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:38 PM EDT

Basic Information

Service Requests

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Please download and carefully review this FCC Form 470 before certifying.

### Download Document Link

[USAC\\_FCC\\_FORM\\_470\\_APPLICATION\\_240000168\\_DRAFT](#) 

By checking this box, I certify that the information in the PDF document above is correct.

 ACK

SEND FOR CERTIFICATION

 CONTINUE TO CERTIFICATION

## Certify FCC Form 470

### Library System 10036 - State Training Fall 2023 - Form #240000168

Last Saved: 10/16/2023 7:38 PM EDT

Basic Information

Service Requests

Technical Contact Information

Procurement Information

FCC Form 470 Review

Certifications & Signature

Please complete the certifications below.

#### Applicant Certifications

- certify that the applicant includes libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools (including, but not limited to elementary and secondary schools, colleges, and universities).

#### Other Certifications

- certify that this FCC Form 470 and any applicable RFP will be available for review by potential bidders for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.
- certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.
- acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.
- certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.
- acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

#### NOTICE

In accordance with Section 54.503 of the Federal Communications Commission's ("Commission") rules, certain schools and libraries ordering services that are eligible for and seeking universal service discounts must file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.503. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.503.

training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

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An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information requested in this form. We will use the information you provide to determine whether you have complied with the competitive bidding requirements applicable to requests for universal service discounts. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, the information you provide in this form may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information you provide in this form may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form, or in response to subsequent inquiries, may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide in this form may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC or Universal Service Administrator may return your form without action or deny a related request for universal service discounts.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 3.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554. We also will accept your comments via the email if you send them to PRA@FCC.gov. DO NOT SEND COMPLETED WORKSHEETS TO THESE ADDRESSES.

BACK

CERTIFY

training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that I have considered what financial resources should be available to cover these costs. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

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False statements on this form may result in civil liability and/or criminal prosecution. To electronically sign and certify this form, click "Yes" below. To affirm that you (1) understand the statements above and (2) represent the entity featured, and have the authority to make the certifications, on this form, click "Yes" below.

NO

YES

BACK


CERTIFY



Training  
Universal Service  
Administrative Co.

**Assigned to Me >**

Sent by Me

Starred 

STATUS

**Open** 

DEADLINE

Overdue

Today

Within 7 days

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 NEWEST -

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**USAC's Internal System** Library System 10036's FCC Form 470 - 240000168 for Funding Year 2024 was successfully posted to the USAC website on 10/16/2023. This posting begins the required 28 day competitive bidding process. **The allowable contract date is 11/13/2023.**

It is important that you review this form now to make sure the products and services you require have been correctly posted and, if necessary, take any appropriate corrective action as soon as possible. You are allowed to correct certain errors on your form but not others. For fields that allow a correction, you will be able to edit the information in the form field directly.

To determine what corrections are allowable and why, see the "List of correctable ministerial and clerical errors" on our website.

NEXT STEPS

- Make sure that you wait 28 days before you select your service provider(s) and sign any contracts.
- Use the Form 470 Application Number shown above in any Form 471, Block 5 Funding
- Request that cites this Form 470. Share this number with t [...More](#)

State Training Fall 2023... #1529 - Library System...

A moment ago ☆ 🔒 [Comment](#) [More Info](#) ▾



# Procurement Option 2: State Master Contract

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# State Master Contract

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- State master contracts **can** allow you to move forward without a Form 470
  - Contingent upon the state master contract having been bid through the E-rate process
  - Generally requires several other steps



# State Master Contract

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- Operational Services Division (OSD) has two separate active master contracts which have been bid through the E-rate system
  - Focusing on ITT72
  - Will have a guide document available shortly



# RFR ITT72

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- Nominally covers cellular services and devices, voice services, conferencing, **data services and broadband**, small facility services, fiber services, managed services, call center services, customer premises equipment
- Form 470 200018855 was filed in FY2020
- ITT72 is a multi-award bid

# Multi-award State Master Contract Bid Process



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- Applicant does not need to file a Form 470
- Applicant does need to conduct a “mini-bid” process (which parallels E-rate requirements)
  - Letter outlining services sought and timeline to all vendors awarded by state in that category
    - Bid response form (recommended)
  - Evaluate all the responses in the mini-bid based on E-rate requirements
  - Sign a contract with the awarded vendor

# Multiaward State Master Contract Bid Process



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- Guide coming shortly
  - Template letter
  - Template bid response form
  - List of vendors to include in mini-bid
  - Bid evaluation guidance



# Downsides to State Master Contracts

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- Eligibility contingent upon state having done the process in compliance with E-rate
- Limited to vendors awarded by state
- Limited to services covered by contract



# Edge Cases

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# Edge Cases: Existing Contract

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- Under the Kalamazoo Order, existing contracts can be considered a bid
  - Only the bid that wins the bid evaluation is eligible for E-rate support
  - **If and only if** the existing contract wins the bid evaluation, it can be eligible for E-rate
  - Review Kalamazoo Order (FCC Docket 97-21, DA 02-2975) for additional information





# Edge Case: CABIO

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- C1: Commercially Available Business class Internet Option (CABIO), aka “Low Cost, High Speed Internet Access”
  - Requirements:
    - Speed of at least 100 Mbps down/10 Mbps up
    - Commercially available to all non-residential customers at same price and terms
    - Must cost \$3,600/yr. per library (or less) including any one-time charges. Cannot be aggregated across libraries
  - Examples: Comcast Business Fiber, Verizon Fios
  - Does not require procurement or bid evaluation process. Does require creating a contract record and Form 471



# Edge Case: C2 Tribal Libraries (new!)

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- C2: The Tribal Libraries Exception
  - Applies to all libraries, not just Tribal Libraries
  - Up to \$3,600 in C2 can be sought each year for each library outlet without needing to file a Form 470
  - Cannot be aggregated across library outlets
  - Library does not need to conduct procurement/470 process or bid evaluation
  - Unclear how this will work, but likely similar to CABIO on Form 471



# Evaluating Bids

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# Bid Evaluation

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- Bid evaluation in E-rate requires applicants to fairly evaluate all the bids that are received
- Bid evaluation matrix is required as the way to do such evaluations
- Bid evaluation process and matrix should be determined before the Form 470 is filed



# Bid Evaluation

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- Bid evaluation criteria are flexible
  - Must use same criteria for all bidders on a service
  - Price of eligible goods and services must be the primary factor
    - More heavily weighted than any other factor, but does not need to be majority of points
    - *TIP: incorporate upgrade prices if applicable*
    - *TIP: include bid evaluation criteria in the RFP*
  - Use criteria that work for you



# Sample Bid Evaluation Criteria

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Bid Evaluation Criterion	Points
Vendor bid response meets format requirements	10
Price of Eligible Goods and Services	30
Price of Ineligible Goods and Services	5
Vendor References	10
Vendor Reputation / Past Experience	15
Vendor Acceptance of Terms and Conditions	10
Vendor Description of Services / Meets Needs Expressed in Statement of Work	20
<b>TOTAL:</b>	<b>100</b>



# Bid Evaluation Process

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- When to Evaluate:
  - After bid is closed (after 28 days is up, either specified in RFP or chosen if no RFP)
  - *TIP: specify a due date for bids in Form 470 or RFP*
- What to Evaluate:
  - Submitted, responsive bids only
  - Non-responsive bids do not need to be evaluated
- Multistep evaluations are permissible
  - RFP or Form 470 may include minimum requirements, then evaluation
  - Bids failing minimum requirements can be disqualified
    - This is a good way to eliminate “sham” bids
- Must sync with local/state requirements



# Bid Evaluation Documentation

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- Outline and explanation of criteria (often part of RFP or separate memo) and evaluation process
- Bid evaluation worksheet(s)
  - Either one from each evaluator or one for the evaluation team
  - Can do one per vendor or a multivendor evaluation sheet
  - Signed and dated by appropriate party(ies)
  - Clearly show the winning vendor
- Notes/minutes/summary (check with counsel)





# After Bid Evaluation

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- Winning vendor is the vendor who scores the most points on the bid evaluation
  - Reach out to vendor to negotiate contract
  - Goal is to enter a legally binding agreement (which could be a one year contract, multiyear contract, contract with extensions, or month to month agreement)
  - If unable to enter a legally binding agreement, move on to next vendor
  - More on this in our next training!



# Procurement: Common Pitfalls

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# Procurement Pitfalls

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- Failure to wait 28 days
- C2: failure to consider “or equivalent”
- C2: licenses in wrong subcategory
- Failure to properly evaluate bids (or document that evaluation)
- Use of consultant with conflicts of interest during 470/evaluation process
- Certification of Forms by parties not authorized to certify
- Lack of signed contracts (or signed after 471 deadline)
- Violation of Gift Rules
- Failure to enter legally binding agreement before filing Form 471



# Final Thoughts

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# Final Thoughts

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- Next training will cover contracts, Form 471, and PIA review, as well as updates on school bus wifi, patron hotspots, and cybersecurity pilot
- Make sure your entity information is complete and your accounts are set up
- Don't be afraid to ask questions!
  - Ask us on mailing list!
  - CSC: 888-203-8100 or in EPC (under Actions "select", "Contact Us" to get answers from USAC)
- Make sure you stay in control of and monitor your applications
- Take advantage of E-rate if it can help you!
- Let us know if there are other topics you'd like to see covered