

# **Request for Proposals for Chittenden County Communications Union District**

Request for Proposals  
Release Date: 12/08/2023

Chittenden County Communications Union District  
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Winooski, VT 05404-2109

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## 1. Introduction

The Chittenden County Communications Union District (hereafter CCCUD) is currently made up of eight municipalities: Essex, Essex Junction, Jericho, Shelburne, South Burlington, Underhill, Westford and Williston. A Communications Union District (CUD) is a municipal organization made up of two or more towns for the purpose of building, or causing to be built, communication infrastructure together. CUDs may plan, contract, build, and manage the infrastructure that will provide high speed internet. Learn more about the CCCUD at: <https://www.ccrpcvt.org/our-work/broadband/>.

The CCCUD is governed by a committee made up of municipal leaders from each member town:

### **BOARD MEMBERS**

- **Essex Junction** | Representative: Marta Pauer-Tursi | Alternate: TBD
- **Essex** | Representative: Hubert Norton | Alternate: Andy Watts
- **Jericho** | Representative: John Abbott | Alternate: Angelike Contis
- **Shelburne** | Representative: David Solomon | Alternate: TBD
- **South Burlington** | Representative: Tim Barritt | Alternate: Colin McNeil
- **Underhill** | Representative: Brad Holden | Alternate: TBD
- **Westford** | Representative: Julia Andrews (Vice Chair) | Alternate: TBD
- **Williston** | Representative: Michael Vance (Chair) | Alternates: Erin Dickinson, Erik Wells

### **NON-BOARD MEMBERS**

- Charlie Baker (*Treasurer*)
- Ann Janda (*Clerk*)

The CCCUD is soliciting proposals for the design and implementation of the hardware and electronics necessary to provide a robust and reliable broadband solution for the remaining locations in the eight-town region that are unserved (<4/1Mbps) and underserved (<25/3Mbps). The preferred goal of the project is to enable access to Fiber to the Premise (FTTP) services for the unserved and underserved locations in the region. However, the financing and economics of the project may dictate an alternative or phased approach to providing the desired coverage. As such, this alternative approach may require other technologies to be part of the solution.

Mission Broadband is an independent telecommunications consulting firm retained by the CCCUD Committee to manage the RFP process for the regional broadband project. Mission Broadband will collaborate with the CCCUD participating vendors throughout the RFP process and will provide consultative support, as necessary.

## 2. RFP Process Timetable and Proposal Submission Requirements

Milestone	Target Date
CCCUD RFP Release Date	December 8, 2023
All Written Questions Submitted	December 22, 2023
Response to All Questions Posted	December 27, 2023
Proposals Due by 5:00PM PM Eastern	January 12, 2024
Award Date	January 25, 2024

### 2.1 Proposal Submission Requirements

- 2.1.1 An electronic copy shall be emailed to the RFP Administrator, Mission Broadband at [CCCUDrfp@missionbroadband.com](mailto:CCCUDrfp@missionbroadband.com) and received by 5:00PM Eastern time on the Proposal Due Date noted in the Timetable above. The subject line of the email must read "CCCUD Broadband Project".
- 2.1.2 Vendors are responsible for confirming the timely receipt of their correspondence by the RFP Administrator.

### 2.2 Proposal Addendums and Q&A

- 2.2.1 Vendors should submit any questions, noted errors, discrepancies, ambiguities, exceptions, or deficiencies they have concerning this RFP by emailing such requests, with "CCCUD RFP Inquiry" in the subject line, to RFP Administrator, Mission Broadband at [CCCUDrfp@missionbroadband.com](mailto:CCCUDrfp@missionbroadband.com).
- 2.2.2 The RFP and associated documents, all addendums and any questions received and any response thereto, will be posted on the Mission Broadband web site at: <https://www.missionbroadband.com/rfps>. Vendors shall include all addendums in their responses, and all instructions in Section 6 that apply to the issued RFP also apply to any/all addendums.

### 2.3 Rejection

The CCCUD reserves the right to reject any and all Proposals, to waive any informalities or defects in Proposals or to accept a higher cost Proposal if it is deemed to be in the best interest of the region or a particular town. The CCCUD also reserves the right to negotiate with the successful Proposer.

#### **2.4 Information for Proposers**

Before submitting a proposal, all prospective Proposers are encouraged to carefully examine the Specifications, research, and map the eight-town area, and fully inform themselves as to the existing conditions and limitations under which the work will be performed. Failure of the above will not release a Successful Proposer from the Contract Documents or the requirements to complete the contemplated work for the consideration set forth in the Proposal.

Each Proposer shall make their Proposal from their own examinations and estimates and shall not hold the CCCUD, its agents, or employees responsible for any information received from them.

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### 3. Executive Summary

The CCCUD is committed to participating in a united approach to close the broadband gaps within its eight-town region. While existing incumbent providers do provide service in all eight towns, the region does have unserved and underserved locations scattered across the region. The CCCUD Board of Directors have done the legwork needed to prepare to address those locations.

The CCCUD Board of Directors consists of a town representative from each of the eight towns who shares an interest in this project. At the time of the writing of this RFP, extensive mapping exercises have been conducted with the assistance of Mission Broadband to identify those locations that fall into the unserved and underserved categories.

The CCCUD is soliciting proposals to provide a robust and reliable broadband solution for the region. The goal of the project is to enable access to broadband services at speeds of at least the State's goal of 100 Mbps download/100 Mbps upload for every remaining unserved and underserved household in the eight-town region. Additionally, respondents are asked to provide their current best available speed and a timeline to expand to 100Mbps/100 Mbps with the goal of providing service at 2 Gig symmetrical.

The possibility of upgrades and extension of the available broadband networks already in the CCCUD communities is one of the potential strategies to advance the region's goals and priorities. The CCCUD recognizes that there are a variety of viable technical approaches and ownership/partnership models available that could potentially achieve the region's desired outcomes. Rather than prescribing a network design or ownership model, CCCUD has defined required and desired quality and performance standards including, but not limited to, key network technical characteristics, performance requirements, and life expectancy.

The CCCUD is committed to maintaining an objective perspective on the technologies and operational models to be considered for achieving its desired outcomes. All qualified vendors are invited to propose innovative solutions to achieve the CCCUD's desired outcomes and request that all proposals provide the detail necessary for a fair evaluation of alternative proposals and determine whether and how each proposed solution will satisfy the CCCUD's expected outcomes.

The CCCUD also has access to \$2.1M of potential funding for the project through the American Rescue Plan Act of 2021 (ARPA). Please note ARPA funding must be obligated by the end of calendar year 2024 and expended by the end of calendar year 2026.

#### 4. **Statement of Purpose**

- 4.1 CCCUD is issuing this Request for Proposal (RFP).
- 4.2 The CCCUD is soliciting proposals to provide a robust and reliable broadband solution to ensure broadband service is provided at speeds of at least the State's goal of 100Mbps/100 Mbps for the remaining unserved and underserved locations in the eight-town region.  
  
Additionally, respondents are asked to provide their current best available speed and a timeline to expand to 100Mbps/100 Mbps with the goal of providing service at 2 Gig symmetrical.
- 4.3 The CCCUD would welcome a Public-Private Partnership (PPP) with an organization that will provide services on the network and fulfill all the operational functions of the network.

#### 5. **Instructions to Vendors**

- 5.1 All information provided to vendors by the CCCUD is considered to be proprietary information and must be used solely for the purpose of preparing the proposal and is not to be released outside the Vendor organization without written permission from the CCCUD.
- 5.2 All proposals submitted shall be valid for six (6) months or until a contract is signed, whichever comes first.
- 5.3 All Vendors that respond to the RFP acknowledges that any and all information obtained by the CCCUD from the Vendor through the RFP is subject to the State of Vermont Access to Public Records Act, 1 V.S.A. § 315 et seq.
- 5.4 Confidentiality: legislative intent - The purpose of this section is to clarify that any records or information produced or acquired by a district that are trade secrets or confidential business information shall be exempt from public inspection and copying pursuant to 1 V.S.A. § 317(c)(9). (Added 2021, No. 71, § 11, eff. June 8, 2021.)
- 5.5 A Vendor can team with another vendor and/or respond to some or all of the RFP. No advantage will be assessed for a proposal that addresses all RFP components, and conversely, no disadvantage will be assessed for a proposal which does not address all RFP components.

- 5.6 The CCCUD is asking vendors to be creative in their responses for providing solutions and to explore all options for providing improved broadband services in an expedited timeframe.
- 5.7 Wherever possible, Vendors shall use the numbering convention in this RFP when formatting their response. The Vendor response shall be explained in detail and shall indicate how the Vendor proposes to satisfy each requirement, where necessary. It is desired that Vendors indicate compliance, non-compliance, understood or exception for each line item in the RFP. However, it is recognized that some vendors may propose solutions with narratives that are difficult to fit into the format of the requested response. As such, where appropriate Vendors are encouraged to provide alternate responses. The CCCUD is interested in exploring all options to achieve the desired outcomes.
- 5.8 As the selection process progresses, vendors may be asked to provide professional references from similar projects, including contact name, mailing address, phone number, email address, and description of the projects.
- 5.9 As a separate document, but included in the RFP response submittal, the CCCUD requests an Executive Summary that summarizes the Vendor's approach to a prospective partnership with the CCCUD for this project.
- 5.10 By responding, the Vendor states that the Proposal is not made in connection with any competing Vendor submitting a separate response to the RFP and is, in all aspects, fair and without collusion or fraud.
- 5.11 The CCCUD reserves the right to seek clarification of each Proposal or to make an award without further discussion of the Proposals received. Therefore, it is important that each Proposal be organized and submitted in a clear and complete manner.
- 5.12 This RFP document is the property of the CCCUD and shall not be reproduced or used without permission of the CCCUD.
- 5.13 All materials submitted in response to the RFP become the property of the CCCUD. If there is any concern about confidentiality, mark the appropriate pages of your response "Confidential."
- 5.14 The Successful Vendor may be required to post a 100% Performance and Payment Bond.

**6. Authorized Negotiator**

- 6.1 The proposal shall be signed by the person authorized to legally bind the proposal.
- 6.2 The proposal shall designate the Vendor's authorized negotiator, who shall be empowered to make binding commitments.

7. **Insurance:** Before commencing work on this Agreement, the Party must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Party to maintain current certificates of insurance on file with the State through the term of this Agreement. No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Party for the Party's operations. These are solely minimums that have been established to protect the interests of the State.

*Workers Compensation:* With respect to all operations performed, the Party shall carry workers' compensation insurance in accordance with the laws of the State of Vermont. Vermont will accept an out-of-state employer's workers' compensation coverage while operating in Vermont provided that the insurance carrier is licensed to write insurance in Vermont and an amendatory endorsement is added to the policy adding Vermont for coverage purposes. Otherwise, the party shall secure a Vermont workers' compensation policy, if necessary to comply with Vermont law.

*General Liability and Property Damage:* With respect to all operations performed under this Agreement, the Party shall carry general liability insurance having all major divisions of coverage including, but not limited to:

- Premises - Operations
- Products and Completed Operations
- Personal Injury
- Liability Contractual
- Liability

The policy shall be on an occurrence form and limits shall not be less than:

- \$1,000,000 Each Occurrence
- \$2,000,000 General Aggregate
- \$1,000,000 Products/Completed Operations Aggregate
- \$1,000,000 Personal & Advertising Injury

*Automotive Liability:* The Party shall carry automotive liability insurance covering all motor vehicles, including hired and non-owned coverage, used in connection with the Agreement. Limits of coverage shall not be less than \$500,000 combined single limit. If performance of this Agreement involves construction, or the transport of persons or hazardous materials, limits of coverage shall not be less than \$1,000,000 combined single limit.

*Additional Insured.* The General Liability and Property Damage coverages required for performance of this Agreement shall include the State of Vermont and its agencies, departments, officers, and employees as Additional Insureds. If performance of this Agreement involves construction, or the transport of persons or hazardous materials, then the required Automotive Liability coverage shall include the State of Vermont and its agencies, departments, officers, and employees as Additional Insureds. Coverage shall be primary and non-contributory with any other insurance and self-insurance.

*Notice of Cancellation or Change.* There shall be no cancellation, change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written prior written notice to the State.

## 8. Mapping Information and Gap Analysis

Mapping exercises were conducted using the FCC’s national broadband data map to identify the unserved and underserved locations in each of the CCCUD eight-town region. The mapping exercise identified 840 total locations – approximately 4% of the locations in the eight-town region – that do not have high-speed internet.

The data presented and included in this RFP is accurate based on the Federal Communications Commission (FCC) National Broadband map – which we know contains flaws and inaccuracies, so we ask that Vendors please itemize the address locations in your proposal resulting from your review.

The table below provides high level data about each town:

Municipality	Population	Total Locations	Total Unserved & Underserved	Unserved <4/1	Underserved <25/3	% <4/1 and <25/3
Williston	10,103	3,407	166	160	6	4.87%
Westford	2,062	831	104	104	0	12.52%
Underhill	3,129	1,223	138	132	6	11.28%
S. Burlington	20,292	5,388	27	22	5	.5%
Shelburne	7,717	2,736	151	140	11	5.52%
Essex	11,504	3,489	150	145	5	4.30%
Essex Jct.	10,590	2,955	5	5	0	.2%
Jericho	5,014	1,926	99	97	2	5.14%
<b>Totals</b>	<b>70,411</b>	<b>21,955</b>	<b>840</b>	<b>805</b>	<b>35</b>	<b>3.83%</b>

## 9. Proposed Solution Overview

The goal of the project is to make affordable, reliable, high-speed broadband available to the identified unserved and underserved locations in the eight CCCUD member towns. Vendors must provide an overview of the proposed solution, in narrative form, including explanation of the following elements:

- 9.1 Technology – describe the technology you are proposing to deploy.
- 9.2 Describe the proposed ISP and Network Operator components of the solution.
- 9.3 Describe the proposed funding mechanisms and financial relationship or partnership – including potential match amounts - you are proposing for the locations to be served.
- 9.4 Respondents are encouraged - wherever possible – to provide a solution to all the unserved and underserved locations in each town, or if not, please provide a list of all the address locations you propose to serve.
- 9.5 Indicate how the proposed project timeline will sync with ARPA timelines to ensure this funding source is fully utilized. As noted earlier, ARPA funding must be obligated by the end of calendar year 2024 and expended by the end of calendar year 2026.

## 10. Broadband Network Characteristics

The desired characteristics of the network are outlined below.

- 10.1 Technology:
  - 10.1.1 Network infrastructure – an optical network is preferred.
  - 10.1.2 Bandwidth – Initially, the CCCUD requires the State’s goal of at least 100 Mbps download/100 Mbps upload speed to be available to every proposed subscriber location. At no time shall any Vendor submit a proposal having available speeds lower than this, for either upload or download, for any of the identified unserved and underserved locations.
    - 10.1.2.1 Lower tiered bandwidths/speeds will be allowed as an *affordability* option, provided that the customer has the technological capability of selecting service of at least the State’s goal of 100Mbps/100 Mbps should they later desire to do so; however, the 100 Mbps download/100 Mbps upload *availability* requirement remains as a minimum technology availability requirement for every subscriber.

- 10.1.2.2 If the Vendor is not submitting a proposal that will allow for service including speeds up to 100Mbps/100 Mbps per second for both upload and download speeds at this time, the Vendor should note whether their proposed design will allow for future upgrades to include these speeds without the need to replace the fiber optic cables themselves.
- 10.1.3 Options for synchronous services up to 2 Gbps will be considered, and Vendors should comment on their ability to provide such service, either now or in the future. Vendors should comment on whether an increase to this speed is likely to require changes to the fiber optic cables themselves, or simply changes to electronic equipment operated by the Vendors.
- 10.2 Offerings:
  - 10.2.1 The CCCUD desires voice as an optional service offering. Describe your residential and commercial voice service offerings and the ability to port phone numbers for new subscribers.
  - 10.2.2 Data Caps shall not be permitted for any residential service offered under this RFP. If data caps are to be provided for business/commercial service, clearly state all applicable limits, tiers, and proposed pricing for each of these data cap tiers.
  - 10.2.3 Oversubscription – Describe the ISP’s oversubscription methodology on the last mile segments.
  - 10.2.4 Roadmap / Future technology – Describe what, if any, plans exist to expand or upgrade facilities in these areas.
- 10.3 Customer Service and Service Level Agreements (SLA) and Key Performance Indicators (KPIs) - Provide your standard SLA commitments to (a) residential customers and (b) commercial/business customers. Segments in these locations must be consistent with your average KPIs.
- 10.4 Customer Premise Equipment (CPE)
  - 10.4.1 Customers must be permitted to, but not required to, supply their own router, switches, Wi-Fi devices/access points, and on-premises ethernet cabling.
  - 10.4.2 Vendors must describe the home installation process for their solution. Vendors should comment specifically on their requirements and definitions regarding customer site installations before additional fees are charged to the customer. For example, first “x” feet of aerial cabling, first “y” feet of underground trenching, location

of ONT within building, building height restrictions, limitations on drilling through masonry/stone walls, etc.

10.4.3 Vendors must describe the equipment they will make available to customers, including the cost of each of these pieces of equipment on either a one-time or ongoing cost basis. and included with their service (i.e., router, Wi-Fi devices, remote access points, and so on).

10.4.4 A vendor must describe the features they will make available to customers, including the cost of each of these features on either a one-time or ongoing cost basis. For purposes of clarity, features are defined as services such as voice or streaming services, full “mesh” Wi-Fi availability (number of devices beyond first Wi-Fi device to be included, cost of each additional mesh device, and limitations on number of mesh devices), antivirus/anti-malware services, setup assistance, training, and so on.

10.4.4.1 Note that at no time shall any customer be required to use or accept any additional features/services offered, such as antivirus/anti-malware services, equipment beyond the ONT device, etc.

10.4.5 Outline costs for the following in the accompanying pricing file:

10.4.5.1 Drop installation costs for subscribers.

10.4.5.2 Equipment installation costs for subscribers.

10.4.5.3 Bandwidth service tiers and monthly costs for each.

10.4.5.4 Any additional features or services (i.e., Wi-Fi, voice, and so on).

10.5 What is the (a) average and (b) guaranteed maximum after service ordered installation timeframe for new subscribers?

10.6 What is the (a) average and (b) guaranteed maximum after repair requested repair time for subscribers?

10.7 Would a subscriber ever be charged for repair of service? Please describe the conditions under which this might occur.

10.8 Do you have published Escalation Procedures? If so, please describe it as part of your proposal.

10.9 The winning vendor will provide information to assist the CCCUD with application requirements for Federal and State grants, as well as compliance.

10.10 Vendors must be compliant with the Affordable Connectivity Program (ACP), the FCC benefit program that helps households afford and access

the broadband internet connectivity needed for work, school, healthcare, and other essential needs.

## **11. Evaluation and Selection Criteria**

- 11.1 The CCCUD seeks a robust, scalable, and future proofed broadband solution that will serve those currently unserved and underserved locations across the eight CCCUD towns. Each Vendor is encouraged to provide detailed responses to demonstrate its experience and expertise in providing services as requested in this RFP. The selection will be based on all factors listed for each component and may not go to the lowest price proposal if price is outweighed by a combination of other features and factors in the Successful Vendor's proposal.
- 11.2 The CCCUD is not obligated to accept or select any proposal received in response to this RFP. In particular, the CCCUD may select proposals in whole or in part, or it may disqualify any and all proposals received.
- 11.3 The CCCUD will use selection criteria that includes the following for each section of the RFP: Vendor Viability, Technical Merit, Implementation Timeline and Cost. The selection decisions made by the CCCUD under this RFP are final.
- 11.4 Vendors shall be evaluated based on compliance with this RFP, with the scoring weighted as follows:
  - 11.4.1 ACP compliance: 25 points
  - 11.4.2 Internet speeds offered: minimum of 100/100Mbps = 25 points; Higher speeds offered = up to 10 additional points
  - 11.4.3 Deployment timeline: 2024 = 25 points; 2025=10 points
  - 11.4.4 The proposed funding mechanisms and financial relationship or partnership – including potential match amounts – in the RFP for the locations to be served. 25% match of total project = 25 points; additional points allotted based on percentage (example 35% = 35 points)
- 11.5 Technical Merit of Proposal scores will be assigned based on how well the proposed solution meets the currently understood and projected needs of the CCCUD. This may include, among other things, service performance characteristics (i.e., SLA terms), technology description, continuity of network platform, future network capabilities, and how well it meets the stated priorities of the CCCUD.
- 11.6 In evaluating the Implementation Timeline, the CCCUD will consider, among other things, how the projected starting and completion date

meets the deadlines set by the American Rescue Plan Act of 2021 (ARPA).

**12. Rejection/Negotiation Rights**

- 12.1 The CCCUD reserves the right to disqualify any proposals for substantial non-compliance with the terms of this RFP. The CCCUD reserves the right to accept or negotiate the contractual terms of any proposal(s) in response to this RFP.

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## Appendix B: List and Description of Associated RFP Documents

**B.1: Supporting documents** – Will be posted on the Mission Broadband web site at: <https://www.missionbroadband.com/rfps>.

- Chittenden County map – showing the eight towns that make up the CCCUD.
- Street-by-street summary of the 840 unserved and underserved locations.
- Maps of each of the eight CCCUD towns showing the unserved and underserved locations.

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