

ADDENDUM TWO

DATE: December 26, 2013

TO: All Vendors

FROM: Robert Thompson/Michelle Thompson, Buyers
State Purchasing Bureau

RE: Questions and Answers for RFP Number 4582 Z1
to be opened January 13, 2014 2:00 p.m. Central Time

Following are the questions submitted and answers provided for the above mentioned Request For Proposal. The questions and answers are to be considered as part of the Request For Proposal.

QUESTIONS	ANSWERS
<p>1. Question Number 1 RFP Section Reference Appendix B RFP Page Number 1 Question Circuit #5 – site address: ESU6 Admin Office, 210 5th St. Milford, NE 68405 does not list 3180 W. Hwy 34 Grand Island, NE as an option for a state aggregation point. As a service provider that can service this location but only has connections to the state in Grand Island we would appreciate the opportunity to bid this site. Would the state consider opening the Grand Island aggregation site as an optional hand off site for the Milford ESU6 circuit?</p>	<p>No, the State will not consider opening the Grand Island aggregation site as an optional hand off for the Milford ESU 6 circuit.</p> <p>Rationale: Normally, all available Network Nebraska aggregation points are available for circuit termination in order to encourage competition for lowest cost. In this case, opening Grand Island as an aggregation point and awarding this transport route would necessitate additional bandwidth costs in the State backbone to transport the Internet and data back to Lincoln or Omaha.</p>

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<p>2. School Name: STATE OF NEB DEPT OF ADMIN SERVICES, OFFICE OF THE CIO</p> <p>Application Number: 953720001173472</p> <p>Submission Date: 12/10/2013 4:29:48 PM</p> <p>I would like to get a better understanding for the service requirements as mentioned below:</p> <table border="1" data-bbox="207 726 805 1188"> <thead> <tr> <th data-bbox="207 726 561 846">Phone / Voice Services</th> <th data-bbox="561 726 805 846">Internet / Data Services</th> </tr> </thead> <tbody> <tr> <td data-bbox="207 846 561 1188"> <u>Digital Transmission-Ethernet---21 or more circuits ranging from 20Mbps to 8,000Mbps and above///</u> </td> <td data-bbox="561 846 805 1188"></td> </tr> </tbody> </table> <p>It indicates you have (21) locations, can you elaborate on how the services function throughout as well as a breakdown of the services per location?</p>	Phone / Voice Services	Internet / Data Services	<u>Digital Transmission-Ethernet---21 or more circuits ranging from 20Mbps to 8,000Mbps and above///</u>		<p>For a better understanding of the service requirements of FCC Form 470 #953720001173472, please see State of Nebraska RFP 4582Z1 as listed on the State Purchasing website:</p> <p>http://das.nebraska.gov/materiel/purchasing/4582.htm</p> <p>The services described on the Form 470 were listed under Form 470-Block 8, "Telecommunications Services", NOT "Phone/Voice Services".</p>
Phone / Voice Services	Internet / Data Services				
<u>Digital Transmission-Ethernet---21 or more circuits ranging from 20Mbps to 8,000Mbps and above///</u>					
<p>3. Windstream is requesting an extension on this RFP due to the Holidays and lost time to gather the appropriate information for our responses by January 13th. Please let us know at your earliest convenience if this possible.</p>	<p>Per Addendum One posted on December 24, 2013, the State of Nebraska will permit an extension of bid opening until Friday, January 17, 2:00PM CT.</p>				
<p>4. Windstream has formally submitted an extension request to: as.materielpurchasing@nebraska.gov yesterday. I was curious to know if someone would be able to reply prior to the 30th or provide extension dates?</p>	<p>Per Addendum One posted on December 24, 2013, the State of Nebraska will permit an extension of bid opening until Friday, January 17, 2:00PM CT.</p>				

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<p>5. I received this RFP from the State. As we reviewed it the sites that we can service would be Central Catholic (current Charter WAN customer), Northwest (current Charter WAN customer), and Loup City(Current WAN with NCTC until 2016).</p> <p>Is there any reason we should respond to this RFP? Hoping you can help.....</p>	<p>Whether you are a current provider or not, it is strongly suggested to submit bids for the higher bandwidth services.</p> <p>In order for a school district to retain their eligibility for E-rate, every service level must be competitively bid. If the current contract or agreement does not include scalable bandwidths that were competitively bid, the school district may not simply increase their bandwidth or cost level without risking loss of E-rate.</p> <p>In the case of Loup City Public Schools, the State of Nebraska's understanding is that contract with NCTC is set to expire on or about June 30, 2014, thus needing a new telecommunications contract to continue telecommunications service.</p>
<p>6. Will you consider an extension to the deadline? With the holiday season it would give us more time to respond accurately.</p>	<p>Per Addendum One posted on December 24, 2013, the State of Nebraska will permit an extension of bid opening until Friday, January 17, 2:00PM CT.</p>

QUESTIONS	ANSWERS
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7. We have questions regarding the highlighted areas below. The way this paragraph below reads is contradictory. The body of the paragraph indicates that the recipient of the Intent of Award (winner) must provide the current (No older than 90 days) certificate prior to award of the contract, but the last sentence indicates we must have this with submission of the bid.

Please let us know which is correct.

K. SECRETARY OF STATE/TAX COMMISSIONER REGISTRATION REQUIREMENTS

All bidders shall be authorized to transact business in the State of Nebraska. All bidders are expected to comply with all Nebraska Secretary of State registration requirements. It is the responsibility of the bidder to comply with any registration requirements pertaining to types of business entities (e.g. person, partnership, foreign or domestic limited liability company, association, or foreign or domestic corporation or other type of business entity). **The Bidder who is the recipient of an Intent to Award will be required to certify that it has so complied and produce a true and exact copy of its current (within 90 days), valid Certificate of Good Standing or Letter of Good Standing; or in the case registration is not required, to provide, in writing, the reason as to why none is required. This must be accomplished prior to the award of the contract.** Construction contractors are expected to meet all applicable requirements of the Nebraska Contractor Registration Act and provide a current, valid certificate of registration. Further, all bidders shall comply with any and all other applicable Nebraska statutes regarding transacting business in the State of Nebraska. **Bidders should submit the above certification(s) with their bid.**

The way this paragraph reads is contradictory. The body of the paragraph indicates that the recipient of the Intent of Award (winner) must provide the current (No older than 90 days) certificate prior to award of the contract, but the last sentence indicates we must have this with submission of the bid.

We need clarification on this.

The last sentence indicates “should”, not must. “Should” and “Must” as defined in the Glossary of Terms provided with the RFP are provided below.

Should: Expected; suggested, but not necessarily mandatory. **Shall/Will/Must:** An order/command; mandatory.

The language in K. is correctly expressed. The Bidder who is the recipient of an Intent to Award will be required to provide a true and exact copy of its current (within 90 days), valid Certificate of Good Standing or Letter of Good Standing. If the letter is dated later than 90 days i.e. the Bidder had, the Letter of Good Standing or Certificate of Good Standing on file and the document was dated more than 90 days from the date of the intent to award, then the document would not be responsive to the requirement of the RFP and the Bidder would have to get an updated copy “Bidders *should* submit the above certification(s) with their bid.” Is suggested as having this with the submitted proposal would help the State expedite the award process by having the document up front. If Bidder is not registered with the Secretary of State the Bidder will be required to prior to award.

8.

QUESTIONS	ANSWERS			
<p>Continued.</p> <p>PG. 39: The State of Nebraska bids these services on behalf of numerous E-rate eligible education entities across the State. Each entity must be allowed a reasonable duration to hold a public meeting of its administrative board to approve its purchase from the resulting state contract(s) and to file its E-rate Form 471 prior to the national deadline on March 26, 2014. Once Intents to Contract have been announced by the State, each contractor must work expeditiously toward a signed contract in order to allow enough time for the local approval process. Failure to reach a signed contract with the State prior to Thursday, January 30, 2014, may risk negation of purchases for the July 1, 2014 through June 30, 2015 performance year.</p> <p>This is in direct conflict with the provided timeline:</p> <table border="1" data-bbox="235 1108 810 1161"> <tr> <td data-bbox="235 1108 284 1161">1.</td> <td data-bbox="284 1108 506 1161">Contract award</td> <td data-bbox="506 1108 810 1161">February 10, 2014</td> </tr> </table> <p>Can we please get clarification on this as well?</p>	1.	Contract award	February 10, 2014	<p>Page 39 is hereby amended to read:</p> <p>Failure to reach a signed contract with the State by the date of February 20, 2014, may risk negation of purchases for the July 1, 2014 through June 30, 2015 performance year.</p>
1.	Contract award	February 10, 2014		