



City of Cleveland Heights

Request for Proposals (RFP)

BROADBAND NEEDS ASSESSMENT AND FEASIBILITY STUDY

Proposals Due: September 13, 2019, 4:00 p.m. EST

A. INTRODUCTION

The City of Cleveland Heights is soliciting proposals from qualified firms to complete a Broadband Needs Assessment and Feasibility Study. The City considers a modern digital infrastructure to be a critical component of a competitive city of the future and wishes to ensure that it is well positioned to meet the current and future needs of its residents, businesses and anchor institutions.

This project will result in the production of a Feasibility Study containing a residential needs assessment, business needs assessment, deployment strategy options and construction cost estimates. The results of this outcome will be used as a tool to better understand broadband strategies, the desires of our residents and businesses, costs associated with implementing fiber to the premise (FTTP), and provide assistance in next step decisions.

B. BACKGROUND INFORMATION

The City of Cleveland Heights is a full-service municipality that operates under the Council/City Manager form of government. The City is a diverse, progressive inner-ring suburb of Cleveland in Cuyahoga County. The City is primarily considered a bedroom community, but has eleven unique commercial shopping districts. As with many communities in Northeast Ohio, our residents are confined to one or two providers that would be considered broadband service providers by Federal Standards.

The City has a population over 46,000 as of the 2010 census and occupies 8.14 square miles. The City was ranked the 8th largest city by population in the Greater Cleveland metropolitan area and ranked 20th in Ohio. There are 19,857 households, 10,834 families residing in the city.

The City is currently replacing traffic signals on Mayfield Road. Traffic signals will be connected by fiber. The fiber final termination point will be the datacenter located in City Hall at 40 Severance Circle. As part of this project, the City increased the number of aerial fibers to 144 and added a few additional slack loops for future user. A map of Mayfield Road has been included in the RFP showing the fiber location and slack points. Note the 144 fibers would be the only City owned fiber. The City does own 2 empty conduits under Mayfield Road. Additionally, the City has 10 facilities connected with Charter/Spectrum leased dark fiber as part of its Wide Area Network.

C. QUESTIONS AND REGISTRATION

A registration form (Attachment C) is provided. Registration is strongly recommended as only firms that register will receive automatic updates on the RFP and answers to any questions posed by others. Registration form may be emailed to the Project Manager, Jim Lambdin, jlambdin@clvhts.com.

To ensure that all prospective respondents accurately and completely understand the RFP

requirements, the City will accept written questions via e-mail to the Project Manager, Jim Lambdin, jlambdin@clvhts.com, by the date and time listed below. Replies to all questions will be sent blind copy to all responding vendors.

Only one point of contact is offered to respondents for this procurement and all communication must be accomplished exclusively by e-mail submission of questions to the procurement contact. No other direct or indirect contact is to be made during this RFP period with the procurement contact or with any other member of the City concerning this project. Violation of these project rules may be cause for rejection of any submitted proposal.

Questions must be submitted by Thursday, August 22, 2019 at 4:00 p.m. EST

D. PROPOSAL SUBMISSION

Each proposer must submit one (1) original and four (4) copies of their proposal. In addition submit an electronic copy of the proposal and any supporting documentation on a CD-ROM or a flash drive. The complete proposal package must be submitted in a sealed envelope, clearly identified as "**Broadband Needs Assessment and Feasibility Study RFP**". The proposal may be mailed or delivered to:

Jim Lambdin, Director of Information Technology
City of Cleveland Heights
40 Severance Circle
Cleveland Heights, OH 44118

Proposals must be submitted by Friday, September 13, 2019 at 4:00 p.m. EST

If a proposer uses an express mail or courier service, the proposal name must be clearly marked on the exterior of the express mail or courier service envelope with the proposal name and also marked on the inside envelope.

A proposal that is not properly and clearly marked and is inadvertently opened before the scheduled proposal submission deadline may be disqualified without additional consideration.

Proposers accept all risks of late delivery of mailed proposals regardless of fault. Facsimile and other electronically transmitted proposals will not be considered. All proposals and accompanying documentation will become the property of the City and will not be returned.

Proposals shall be good for 180 days following the date of submission.

E. NON-COLLUSION CERTIFICATION AND VENDOR CONFLICT OF INTEREST AND DISCLOSURE STATEMENT

1. Non-Collusion Certification (Attachment A)

Each party submitting a proposal must submit as part of its proposal, a completed, signed and notarized Non-Collusion Certificate. By the signature affixed on the proposal, the proposer

certifies that he/she is (sole owner, partner, president, secretary, etc.) of the party submitting the foregoing proposal; that such proposal is genuine and not collusive or sham; that proposer has not colluded, conspired or agreed, directly, with any proposer or person, to put in a sham proposal; or colluded or conspired to have another not submit a proposal and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person to fix the proposal price of its proposal or any other proposal, or to fix any overhead, profit or cost element of the proposal price, or that of any other proposer, or to secure any advantage against any proposer or any person or persons interested in the proposed contract and that all statements contained in the proposal are true; and further, that the proposer has not directly or indirectly, submitted this proposal, or the contents thereof, or divulged any related information or data to any association or any member or agent of any association.

2. Vendor Conflict of Interest and Disclosure Statement (Attachment B)

Each party submitting a proposal must submit as part of its proposal, a completed, signed and notarized Vendor Conflict of Interest and Disclosure Statement. This form is included in the RFP packet. The City reserves the right to waive this requirement when it is believed to be in the best interest of the City to do so.

F. SCOPE OF SERVICES

A Broadband Needs Assessment and Feasibility Study for fiber to the premise (FTTP) of all residential and businesses with speeds up to at least 1 gigabit per second with the capacity to increase in the future as the definition of high speed or broadband changes is the product that will be produced through this project and will include the following:

Needs Assessment

Conduct a needs assessment to gather information on assessing the current demand of broadband services within the City of Cleveland Heights. Perform a gap analysis of existing data communication services in relation to demand and high-speed broadband availability. Use creative, effective strategies to identify trends in-use of broadband services by existing and potential customers. Examine take rates, develop projections of potential broadband services and examine how the community's efforts relate to on-going and future regional broadband efforts.

Infrastructure and Deployment Recommendations

Provide the City with recommendations on the kind and type of broadband infrastructure needed to support a broadband service offering that also takes into consideration local loop unbundling. Identify key technical and service level requirements to attract and retain residential and business customers. Provide multiple recommendations on deployment strategies and technologies to build the network. These strategies should consider and outline methods to provide equal opportunities for all businesses and residents to obtain some level of service. Indicate key pitfalls of offering a residential or business service and how best to avoid or combat those pitfalls.

Governance and Ownership Strategy

Recommend the strategies that the City could take to move us from our current condition to one where our businesses and residents are served by a state of the art digital infrastructure needed to be competitive into the future. One such strategy should include the governance and ownership strategies that provide the appropriate incentives for private sector participation while ensuring that the City's interest and needs are well-represented for the development of such a network and that provides significant City input and decision making ability over the long term. Identify any potential policy and legal barriers that would need to be addressed linked to these various strategies.

Funding Sources

Identify potential funding sources including but not limited to City issuance of bonds, state and federal grants, philanthropic contributions, retail bonds to allow buy-in from residents etc.

Business and Financial Expectations – Non Revenue Neutral

Provide the City with a financial pro forma for residential and business service of a public developed and owned model. Identify and outline legal issues related to potential project risks at the local, state and federal level in the residential and business market. Provide an analysis of the current product offerings in the market while identifying the products the City needs to offer and could provide to increase take rate. Identify the risks for not offering certain products such as video service, phone, and security. The analysis should provide detailed schedules that show:

- Operating income and cash flow
- Projected revenues and benefits
- Expected and minimum take rates
- Operational expenses
- Depreciation schedule
- Construction build-out cost estimates including hard and soft costs
- Preferred fiber and conduit path selection
- Network Design ideals including preferred equipment vendors, technologies used, and topology design strategies
- Product offerings and pricing
- Staffing levels needed
- Network Implementation Duration/Timing
- Customer and Local Market Information including marketing strategies
- Two to three companies capable of designing and building a network of this size and purpose

Business and Financial Expectations – Revenue Neutral

Provide the City with a financial pro forma for residential and business service of a revenue neutral public developed and owned model. A model where revenue generated is devoted to funding the utility. Identify and outline legal issues related to potential project risks at the local, state and federal level in the residential and business market. Provide an analysis of the current product offerings in the market while identifying the products the City needs to offer and could provide to increase take rate. Identify the risks for not offering certain products such as video service, phone, and security. The analysis should provide detailed schedules that show:

- Operating income and cash flow
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- Two to three companies capable of designing and building a network of this size and purpose

Local Loop Unbundling (LLU) Impact

Define local loop unbundling and how it may be used in a municipal broadband utility. Determine if there are any regulations or other factors that may require the City to allow for LLU. Provide simple best practice design layout(s) and an estimate of any additional infrastructure costs required for the layout(s). State the impact that local loop unbundling could have in terms of competition, revenue generation etc.

Public/Private Partnership Development

- Assist the City with the development of public and private partnerships needed for successful implementation of these strategies.
- Identify key anchor tenants for network services, identify private sector service providers and broadband infrastructures.

- Determine key factors needed to create a critical mass of network customers, service providers, and asset owners.
- Assess potential for regional coordination among entities and/or nearby municipalities.

Community Engagement Plan

Design a community engagement process to include the following:

- Develop engagement plan to capture current and future needs of the community. Plan should include education and background information for community members, as well as online resources.
- Support community discussion and document:
 1. Community's desire for broadband service
 2. Willingness to pay, and at what price, for high-speed broadband service
 3. Citizen's view on the role municipal government should take in providing broadband service

Comprehensive and Summary Report of Benchmark Data – Case Studies

Gather benchmark data and develop case write-ups on 3 municipalities considered to have successful broadband initiatives and 2 municipalities considered to have failed initiatives.

Report should include:

- Organizational approach and rationale
- Level of investment summary
- Type of service offered
- Cost of services offered
- Customer pricing model
- Timeframe to implement
- Legal barriers
- Why the initiative is considered successful
- Why the initiative is considered a failure

Socio-economic Benefit Assessment

Provide an assessment of at least 2 communities and the socio-economic benefits realized by providing low-cost internet access.

Equitable Internet Access

Provide provisions that may be included that address the need to bridge and ultimately eliminate the digital divide such as allowances for low and moderate income households.

G. PROPOSAL FORMAT AND CONTENT

To standardize responses and simplify the comparison and evaluation of responses, all proposals must be submitted in an organized manner set forth below. All information and materials requested shall be provided in the proposal under a single cover. If an award is made, the City expects the project to be completed within a 3 to 5 month timeframe.

1. Business Organization

Please provide the full name and address of the organization that will provide services and number of years in business under current name and structure. The principal in charge of the project shall be identified. A statement from the organization shall be included that notifies the City if there are any pending mergers or litigations that potentially might impact our business relationship with you.

2. Statement of Interest

Please express your interest in the project, specifically addressing: Specialized experience in community broadband planning services; Identify constraints as well as opportunities; Identify how your project goals meet or exceed the City's project goals.

3. Experience and Approach

Describe in brief detail the ability of your organization's infrastructure and service to meet the current needs of the city. Describe the organization's philosophy and approach to providing the services requested. Indicate how long you have been in the business of broadband assessment, planning and feasibility studies. Provide examples of similar quality finished projects. Discuss project alternatives and/or opportunities to add value to the project. Provide Firm's availability for the project. Provide a detailed project schedule that highlights critical path and milestones for the completion of the project.

4. Project Team

Please provide a listing of team members that will be involved in the project and their relevant experience.

5. References

Please provide three (3) references of public sector (local government) agencies with which you had consultant agreements for similar type of services within the last four (4) years. Please provide agency name, contact name(s), telephone number of contact person(s), and dates services were provided.

6. Scope of Services and Budget

Provide a brief summary of the proposed Scope of Services; relating it to the Scope of Services detailed in this RFP and any changes, modifications, or enhancements. Provide cost proposal in a matrix, chart, or table describing the estimated cost and allocation of resources for each deliverable defined in the Scope of Services section. Each deliverable should have a not to exceed price detailing the assigned personnel, hours and hourly rate. Describe any additional benefits or services in this section and include additional cost if required.

7. Insurance, Non-Collusion Certificate, and Conflict of Interest Disclosure Statement
 The respondents will be required to show proof of insurance at the following levels, or take exception to one or more amounts and with detail as to the nature of the exception.

Bodily injury including accidental death	\$2,000,000 per person
Property damage and public liability (including coverage of vehicles used by the Consultant on or off the premises)	\$2,000,000 per person \$2,000,000 per accident \$2,000,000 per damage
Worker’s Compensation Insurance	As required by Ohio statutes
“Errors and Omissions” (Malpractice)	\$2,000,000

8. Addendums
 Signed addendum forms (if issued)*

H. EVALUATION AND SELECTION PROCESS

Professional firms will be evaluated on the following criteria by a selection committee. These criteria will be the basis for the review and assessment of the written proposals and optional interview session.

WEIGHTING FACTOR%	QUALIFICATION	STANDARD
20	Scope of Proposal/Deliverables	Does the proposal address all elements of the RFP? Does the proposal show an understanding of the project objectives, methodology to be used and deliverables required by the project? Are there any exceptions to the Scope of Services or Agreement?
20	Assigned Personnel	Do the persons who will be working on the project have the necessary skills and qualifications? Are sufficient people of the requisite skills and qualifications assigned to the project?
10	Availability	Can the work be completed in a timely manner ? Can the target start and completion dates be met? Are other qualified personnel available to assist in meeting the project schedule if required? Is the project manager available to attend meetings as required by the Scope of Services?

25	Cost and Work Hours	Does the proposal included detailed cost break-down for each deliverable as applicable and are the costs competitive? Are the work hours presented reasonable for the effort required by each project task or phase?
25	Firm Capability	Does the firm have the resources, financial strength, capacity and support capabilities required to successfully complete the project on-time and in- budget? Has the firm successfully completed previous projects of this type and scope?

The Project Manager will check references of top rated firms using the following criteria. The evaluation rankings will be labeled Satisfactory/Unsatisfactory.

QUALIFICATION	STANDARD
Overall Performance	Would you hire this Professional again? Did they show the skills required by this project?
Timetable	Was the original Scope of Services completed within the specified time? Were interim deadlines met in a timely manner?
Completeness	Was the Professional responsive to client needs; did the Professional anticipate problems? Were problems solved quickly and effectively?
Budget	Was the original Scope of Services completed within the project budget?
Job Knowledge	Were problems corrected quickly and effectively?

I. GENERAL PROVISIONS

Proposal Award

The award, if any, shall be made to the firm whose proposal is deemed by the City of Cleveland Heights to be in the best interest of the City. The decision of the City of whether to make the award and which proposal is in the best interest of the City shall be final.

The agreement to be entered into with the selected organization will designate the successful firm as the City's Provider and will include, but not be limited to, the following terms and conditions.

Signature by Responsible Party

All proposals must be signed with firm name and by a responsible officer or employee authorized to transact business on behalf of the organization, partnership or corporation. No organization may assign or transfer any legal or equitable interest in his proposal after the date and hour set for the receipt of proposals.

City's Rights Reserved

The City reserves the right to accept or reject any or all proposals in whole or in part, to waive any irregularities in any proposal, to accept the proposal(s) which, in the judgment of the City is/are most advantageous to the City and to re-advertise if desired. The City reserves the right to negotiate with any provider(s).

Conflict of Interest

The provider agrees that it presently has no interest, and shall acquire no interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The provider further agrees that, in the performance of the agreement, no person having any such interest shall be employed.

Interest of Public Officials

No member, officer or employee of the City during this tenure or for one year thereafter, shall have any interest, direct or indirect, in this proposal or the proceeds thereof.

Indemnification

The provider agrees to protect, defend, indemnify, and hold harmless City, its elected and appointed officials, agents and employees from and against any and all liability, damages, claims, suites, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to any person or persons, caused by organization's proposals or subsequent submittals.

The provider's obligation to protect, defend, indemnify, and hold harmless, as set forth hereinabove, shall include any matter arising out of any actual or alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair completion, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations.

Ownership

All documents and materials prepared pursuant to this proposal are the property of the City. The City shall have the unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data or other materials prepared under this process. All proposals are subject to the provisions of Ohio public records law.

Verbal Agreement

No verbal agreement or conversation with any elected or appointed official, agent or employee of the City, either before, during or after the submittal of this proposal shall affect or modify any of the terms or obligations herein contained, nor shall such verbal agreement or conversation entitle the provider to any additional compensation or consideration whatsoever under the terms of this request for proposals.

Changes

The City may, from time to time, request changes in the Request for Proposals issued to the provider to be performed hereunder. Such changes shall be incorporated in written amendments to this Request for Proposals.

Equal Opportunity

The City of Cleveland Heights is and Equal Opportunity Employer and prohibits, in accordance with the law, discrimination on the basis of race, sex, sexual identity or expression, gender origin or identity, national origin, religion, disability or age.

NON-COLLUSION AFFIDAVIT

ATTACHMENT A

NOTE: This affidavit properly executed and containing all required information must accompany your proposal. If you fail to comply, your proposal will not be considered.

STATE OF OHIO)
) SS
COUNTY OF _____)

_____ being first duly sworn says:

Individual Only: That he is an individual doing business under the name of _____ at _____ in the City of _____ State of _____

Partnership Only: That he is the duly authorized representative of _____ at _____ in the City of _____ State of _____

Corporation Only: That he is duly authorized qualified and acting _____ of _____ a corporation organized and existing under the laws State of _____ and that he, said partnership or said corporation is filing herewith a proposal or proposal to the Owner, is in conformity with the foregoing specifications.

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For Individual: Affiant further says that the following is a complete and accurate list of the names and addresses of all persons interested in said proposed contract:

For Partnership: Only Affiant further says that the following is a complete and accurate list of the names and addresses of all members of said partnership:

Corporations Only: Affiant further says that said partnership is represented by the following attorneys:

Affiant further says that the following is a complete and accurate list of the officers, directors and attorney of said corporation:

President: _____

Vice-President: _____

Secretary: _____

Project
Manager: _____

Attorney: _____

Directors: _____

and that the following officers are duly authorized to execute contracts on behalf of said corporation

_____, _____, _____, _____.

Affiant further says that the proposal filed herewith is not made on the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation, that such proposal is genuine and not collusive or sham, that said proposer had not, directly or indirectly, induced or solicited any other proposer has not, directly or indirectly, induced or solicited any other proposer to put in a false or sham proposal, and has not, directly, or indirect colluded, conspired, connived or agreed with any proposer or anyone else to put in a sham proposal, or that anyone shall refrain from providing a proposal, that said proposer has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix any overhead, profit, or cost element of such proposal price or that of any proposer, to

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secure any advantage against the Owner or anyone interested in the proposed contract; that all statements contained in such proposal are true; that said proposer has not, directly or indirectly, submitted his price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid or agreed to pay, directly or indirectly, any money, or other valuable consideration for assistance or aid rendered or to be rendered in procuring or attempting to procure the contract above referred to, any corporation, partnership, company association, organization, or to any member or agent thereof, to any other individual, except to such person or persons as hereinabove disclosed to have a partnership or other financial interest with said proposer in his general business; and further that said proposer will not pay or agree to pay, directly or indirectly, any money or other valuable consideration to any corporation, individual, for aid or assistance in securing said contract above referred to in the event the same is awarded to

(Name of Individual, Partnership or Corporation)

(Signature of Affiant)

Sworn to and subscribed in my presence the _____ day of _____, 2019.

Notary Public

Submit to the Owner

By: _____

Principal Officer: _____

The signatory of this questionnaire guarantees the truth and accuracy of all statements and all answers to interrogatories hereinafter made.

VENDOR CONFLICT OF INTEREST DISCLOSURE STATEMENT

Disclosure Statement:

All vendors should be aware that the City of Cleveland Heights prohibits City employees and officials from having certain relationships with entities conducting business with the City. City employees and officials are also prohibited from accepting gifts from vendors.

If a vendor has a disclosable relationship, the Vendor should disclose any Conflict of Interest or potential Conflict of Interest that may exist.

Conflicts of Interest (potential or actual) will be evaluated by the Director of Finance to determine a proper course of action. Failure to comply with the provisions established above may render the Vendor ineligible to participate in the City of Cleveland Heights purchasing process.

Certification:

I hereby certify that, except as disclosed below, to Vendor's knowledge, there is no conflict of interest involving the Vendor named below does not: (a) knowingly employ a City of Cleveland Heights employee or family member of an employee, (b) knowingly allow a City of Cleveland Heights employee or family member of an employee to own or have material personal financial interest (directly or indirectly) in the Vendor; or (c) knowingly engage in material personal business transactions with a City of Cleveland Heights employee or any employee's family member.

Vendor Information:

Vendor Name: _____

Vendor Phone Number: _____

Vendor Address: _____

Federal ID#: _____

State of Incorporation of Domicile: _____

List below the name(s) and address(es) of all public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the department for which the public officials/employees work. (Attach additional sheets if necessary).

NAME OF PUBLIC OFFICIAL/EMPLOYEE	ADDRESS	DEPARTMENT

List below the name(s) and address(es) of all family members of public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify all public officials/public employees and department for which the public officials/public employees work (attach additional sheets if necessary).

NAME OF FAMILY MEMBER OFFICAL/DEPARTMENT	ADDRESS	NAME OF PUBLIC EMPLOYEE

If you identified individuals in the items above, describe in detail below the direct financial benefit to be gained by any public official, public employee and/or family member of the public official or public employee as a result of the contract, request for proposal, request for qualifications or invitation to PROPOSAL. (Attach additional sheets if necessary)

By signing below, I certify under oath and penalty of law that all statements on or attached to this form are true and correct to best of my knowledge.

Signature

Date

Notary's Signature

Date

**CITY OF CLEVELAND
HEIGHTS
PROPOSAL DOCUMENT
Broadband Needs Assessment and
Feasibility Study**

COMPANY INFO

Company Contact _____

Company Name _____

Company Address _____

City _____ State _____ Zip Code _____

Telephone # _____ Fax # _____

E-Mail Address: _____

Company Contact Signature

Date

