



The City of
MONTGOMERY
AND
MONTGOMERY
COUNTY



Request for Proposal

COUNTY WIDE BROADBAND ASSESSMENT STUDY

ISSUED: Wednesday, September 7, 2022

SUBMITTAL DEADLINE: Monday, October 3, 2022

September 7, 2022

Dear Proposer:

The Montgomery County Commission (“County”) and the City of Montgomery (“City”) are seeking proposals from qualified firms to conduct a county wide Broadband Assessment Study. The Broadband Assessment Study will provide an inventory and analysis of the current conditions of broadband infrastructure and services in Montgomery County, examine current and future broadband uses and needs and identify the strategies available to improve Broadband service options for every county resident.

The County recognizes this may require an innovative mix of technologies and phased planning. The ultimate goal is to ensure local residents, businesses and anchor institutions have access to convenient, affordable, resilient, scalable, world-class broadband networks that enable them to survive, connect and thrive both locally and in the global economy now and in the future.

We understand the crux of this vision will require flexibility, ingenuity and innovation. The county further understands that a variety of services and funding sources could be used to achieve this vision. The County would like to explore scalable technology options and all funding sources, public and private to improve broadband infrastructure, availability, and affordability for all county residents.

The deadline for submission of proposals is Monday, October 3, 2022 at 4:30 p.m. CST. Interested applicants should submit a notification of intent to Florence Cauthen at the Montgomery County Commission via email to florencecauthen@mc-ala.org. The details of submitting a proposal are outlined in the enclosed package.

Sincerely,

Florence Cauthen

1.0 INTRODUCTION & BACKGROUND

The City and County of Montgomery, Alabama serve a population of almost 200,000 residents. The Federal Communications Commission (FCC) and the Microsoft Broadband Mapping Tool indicate that broadband service meeting the FCC minimum definition of broadband is available to nearly 98 percent of county residents, leaving about 5,000 residents without access. However, the FCC data also shows that over 60% of the County's residential locations do not have access to a provider offering 1G download and 100Mbps upload speeds¹.

Despite high availability of minimum speed broadband, Microsoft data shows that less than 50 percent of Montgomery County residents use the Internet at broadband speeds. The FCC data showing a lack of higher speed broadband services coincides with the FCC's most current data.

Affordable, high-quality, advanced speed broadband is a necessity. Yet today, many homes in Montgomery County lack sufficient Internet connectivity despite high availability. While mobile devices provide limited access, a cellular connection is not enough to sustain 21st century Internet needs. Mobile data services tend to have difficulty supporting real-time video because of jitter and latency. The current generation of mobile wireless services available in most of Montgomery County cannot support the County and City's long-term goals related to workforce, healthcare, and economic development goals. To achieve these goals, high-quality, resilient and future proof Internet service must be fully accessible to every resident.

The County and City believes achieving this goal will require a five-prong approach. We seek a qualified Consultant to advise on the following, and any other needs identified over the course of a county wide broadband assessment:

1. Ensuring residents have the education, training, devices, skills, and support they need to effectively engage in online communities.
2. Establishing an affordable Internet connection in every home in the county at speeds that match consumer demand and scale to at least two decades into the future
3. Deploying fiber-optic infrastructure as a foundation for deploying Smart City technologies.
4. Identifying a variety of last-mile technology solutions to serve various densities and geographies within the county, and matching these technical solutions with funding mechanisms to achieve those solutions.
5. Assessment of wireless solutions that could be used in the near term, while longer term connectivity is implemented.

The timeline for the submission of proposals, evaluation of proposals, and award of the contract is as follows:

- Distribute request for proposals (RFPs): *Wednesday, September 7, 2022*
- Deadline for submission of questions regarding RFP: *Friday, September 16, 2022*
- Deadline for submission of proposals: *Monday, October 3, 2022*

¹ https://broadbandmap.fcc.gov/#/area-summary?version=jun2021&type=county&geoid=01101&tech=acfosw&speed=25_3&vlat=32.23377364291001&vlon=-86.20855399999999&vzoom=8.48377715769333

- Contract award determination no later than: *Monday, October 31, 2022*

2.0 **SCOPE OF WORK (SOW)**

Proposals will need to include the following items in the scope of work as well as the Proposer's approach to complete these work activities. NOTE: All elements of this SOW are to be considered "as needed" as determined by County and City staff, with consideration of the recommendations made by the selected vendor:

- A. **Service and Infrastructure Analysis.** Complete an analysis of all Internet service providers (ISPs) operating in the County. This analysis will include:
- Service packages offered by geographic area
 - Service package pricing
 - Existing fiber, coax, copper, fixed wireless and mobile wireless infrastructure
 - Adoption of service
 - Copies of high-level service reports submitted to the FCC as part of the Broadband DATA collection (due 9/1/22)

This study should provide a clear picture of the state of broadband in the study area including wireless connectivity and how any forthcoming network(s) will fit into that landscape.

The study should identify service models that could be utilized throughout the County, the locations in need of new or improved broadband service and identify cost-effective infrastructure improvements appropriate to the terrain. The designs will reflect best practices with respect to resilience and survivability to improve the likelihood that critical services such as telehealth and treatment programs for substance abuse are not disrupted. Outcomes will include GIS maps detailing the physical extent of fiber-optic lines, service areas, incumbencies, and level of service provided. Areas served by fixed wireless should also be documented.

The study should use publicly available data. For example, the FCC has opened its Broadband DATA Fabric to municipal and county governments by special request. The contractor should seek County and City assistance to access this data.

- B. **Technology and Trends Review.** Review current trends in telecommunications technologies and the industries they support. Determine which technologies are most viable to serve specific areas of the County and to safeguard against obsolescence.

For example, if wireless last mile technologies are proposed to serve lower density areas of the County, general recommendations regarding the type of wireless equipment to be deployed to promote scalability and the maximum number of wireless hops off of fiber backhaul to help future-proof the solution should be made.

- C. **Digital Adoption.** Assessment of the non-profit, philanthropic, and other organizations working to address the digital divide, focusing on different aspects of adoption, providing

services only in a certain geography, and/or specializing in reaching certain demographics.

Specific programs should be logged for:

- Audience
- Program Content (Education, Telehealth, Staying Safe On-line)
- Number of patrons reached
- Is there assistance with Internet-connected device acquisition
- Is there instruction on how to register for the FCC's Affordable Connectivity Program

- D. **Affordable Access.** Review current trends in universal free and low-cost broadband service plans for individuals with Affordable Connectivity Program (ACP) qualifying needs. Summarize the County's current participation in the ACP. Summarize recommendations for increasing participation. Provide analysis of the county's specific needs to effectively develop and implement a sustainable program that could reach every neighborhood and resident and remain affordable over time, while keeping pace with growing technology trends.
- E. **County/City Asset Analysis.** Complete an asset analysis to discover whether existing public assets and/or land can be used to better facilitate network construction and operation. This will include City and/or County towers, conduit, fiber, land, rights of way, and any other asset deemed relevant in the broadband space.
- F. **Needs Assessment and Community Outreach.** Complete a needs assessment for larger-scale use of broadband for local businesses, industrial/manufacturing industries, schools (including K-12 and post-secondary), medical facilities, public safety (including an assessment of any upgrades required to support a citywide camera surveillance system), and other anchor economic development institutions. Conduct online surveys, community interviews, enterprise business interviews to evaluate local concerns.
- G. **Stakeholder Meetings.** Advise the County and City on the individuals and entities that should be engaged as key stakeholders in strategic broadband expansion. Facilitate, at minimum, five stakeholder meetings during the project. These meetings may be conducted virtually or in-person to enhance key stakeholders' understanding of the technical, financial, and policy aspects of planning and executing a sustainable broadband strategy. The covered populations for Federal Digital Equity programs should be the focus of at least 2 of these outreach sessions:
- a. People with disabilities
 - b. Rural populations/residents
 - c. Veterans
 - d. Aged population
- H. **Project Identification.** Work with County and City stakeholders, develop a prioritized list of projects for expansion of broadband service to unserved and underserved areas. Identify potential ISPs, technologies, funding strategies for project implementation to include potential for public/private partnerships, affordability, financing, and

sustainability.

- I. **Progress Reports.** Proposer will prepare a quarterly written progress report for the duration of the project, to include major work activities completed, issues of concern, schedule update and costs.
 - J. **Grants.** Research and advise the County and City on the application and implementation of external grant opportunities to maximize local investment in the availability, accessibility, and affordability of broadband. These include all Federal and State programs.
 - K. **American Rescue Plan Act (ARPA) Grant Program.** The Proposer may be charged with the development of a grant program for existing providers that will make use of ARPA funds available to the County and City for the construction and expansion of broadband to serve County and City residents, businesses, institutions. Key elements of the grant program will include:
 - ARPA qualified project
 - 100/100 symmetrical speeds
 - Service to unserved and underserved areas
 - Preference for affordability
 - Preference for reliability
 - Preference for customer service
 - Preference for wireline fiber
 - Preference for equity participation by provider
 - Preference for leverage of other funds
- Proposer will also assist the County and City with the review, ranking, and award of grants while providing oversight of winning grant projects.
- L. **Partners.** Seek out public and private partners who will benefit from and invest in the project to achieve the goal of countywide, affordable high-speed Internet.
 - M. **Final Report.** Develop a final report so that the County and City will have a comprehensive understanding of the broadband landscape in Montgomery County and the barriers impacting broadband access, including availability, technology deficiencies, affordability, and other factors as identified by the Proposer. Short-term and long-term solutions shall be identified, along with any associated costs for deployment. Proposer's proposal shall include a timeline from the commencement of the agreement of when the County and City will receive a draft report and final report of the comprehensive findings.
 - N. **Final Presentation.** Proposer will conduct a final presentation documenting the results and recommendations of the study at a meeting open to stakeholders and interested public guests. The final presentation shall be no later than two weeks from Final Report Submission.

3.0 **REQUEST FOR PROPOSALS**

The following will be considered minimal contents of the proposal. (Limit proposal to 25 pages)

- A. Provide a restatement of the goals, objectives, and project tasks to demonstrate the responder's view of the project and your approach to this project.
- B. Provide your background and experience in the following areas:
 - **Network:** Outline the direct knowledge and experience your company has regarding broadband solutions. Provide an overview of the personnel the company proposes to use to analyze the technical merits and specifications of existing broadband service in the County and City.
 - **Financial:** Describe direct experience and knowledge your company has creating and analyzing broadband service financial plans and models including capital requirements, operational pro formas, and financing options.
 - **Government and Private Broadband Funding Sources:** Describe direct knowledge your company has with Government and Private broadband funding sources. Give specific examples regarding how your company has helped public entities leverage these funding sources.
 - **Regulatory/Legal:** Describe any direct experience and knowledge your company has in analyzing and interpreting the regulatory and legal landscape and providing analysis and guidance on these issues as they pertain to the various options contained in the proposal.
 - **Services:** Describe any direct experience and knowledge your company has in providing community and business community analysis and guidance surrounding broadband services.
 - **Project Management:** Outline your company's direct knowledge and experience with structured project management.
 - **Partnerships:** Share your company's experience in working with state and local governments and public-private sector collaborations.
 - **Conflicts of Interest:** Provide any information on prospective conflicts of interest, including existing or financial relations with equipment vendors, ISPs or other firms.
 - **References:** Include at least three references from previous similar projects
 - **Personnel:** Identify key personnel who will conduct the project and provide detail of their training and work experience.
 - **Other:** Include any other relevant information that might inform the evaluators about qualifications to carry out the County and City's objectives.

4.0 SUBMISSION OF PROPOSALS

Sealed proposals delivered physically or through the mail, must be received by the Montgomery County Commission located at 101 South Lawrence Street, Montgomery, AL 36104 by 4:30 p.m. CST. **LATE PROPOSALS WILL NOT BE ACCEPTED OR CONSIDERED.**

Proposals must be submitted in a sealed package, with the proposer's name and address on the outside of the package, along with the designation: "Broadband Assessment Study." One (1) original signature master copy shall be included in the package along with two (2) duplicate copies, and one (1) digital version on USB flash drive.

Proposed Schedule

Please provide an estimated project timeline. Timeline should include:

- Estimated project start and end dates.
- Proposed date(s) for pre-project meeting with County and City's feasibility study project committee.
- Proposed dates for conducting a community presentation to collect public input and review preliminary findings.
- Proposed dates for the completion of the draft final report and the final report.

- A. **Questions Regarding the RFP.** Questions about the RFP may be submitted by email to Florence Cauthen at florencecauthen@mc-ala.org to be considered for answer and possible inclusion in an addendum.
- B. **Withdrawal of Proposals.** Proposals may be withdrawn by a proposer at any time up to the deadline for submission. After said deadline, proposals must remain firm (subject to negotiation of terms as provided for in these specifications) and cannot be withdrawn for a period of thirty (30) days.
- C. **Familiarity with Proposed Work.** The proposer certifies that they have carefully considered the work proposed and the terms of the RFP to determine for itself the difficulties and requirements incidental to the prosecution of the work, and that the submission of a proposal is considered conclusive evidence of such examination.

5.0 PROCEDURE FOR AWARD OF CONTRACT

- A. **Proposal Review.** Proposals received will be evaluated and reviewed by representatives from the County and City. Following evaluations of written proposals, some companies may be selected **for an interview** to determine the company deemed best qualified. Proposals that do not meet the mandatory requirements will be considered non-compliant. The County and City reserves the right to waive technicalities and to reject any or all proposals in the best interest of either entity.
- B. **Interviews, Selection of Finalists, and Negotiation of Contract.** Proposers may be asked to attend interviews with County and City and City officials. After review of proposals and conducting interviews (if any), the County and City and/or City staff may be authorized to commence negotiation for a contract with the proposer recommended for the award. The Commissioners will be the signatories on any contract entered into because of this RFP. If a satisfactory contract cannot be negotiated with the proposer deemed most qualified within a reasonable period of time as determined solely by the County and City, negotiations with that proposer will be suspended, and negotiations shall be undertaken with the firm ranked second most qualified. Should a satisfactory contract not be negotiated with either of these firms, additional firms may be selected in order of their qualifications as established by proposal review and/or interview, as applicable, and negotiations entered into as outlined above. The County and City reserve the right to cancel or re-issue the Request for Proposal. The proposer agrees to negotiate

in good faith with the County and City to enter into a formal contract with the County and City, with such contract substantially incorporating the terms and conditions in the RFP. The contract will incorporate, in order of precedence, the following:

- The contractual terms as required to comply with apply state and federal laws and regulations
- The terms and conditions contained in this RFP;
- The proposal submitted by the proposer.

C. **Contract Award.** Based on the proposal, interview, and any other information which may be requested and obtained by the County and City, the County and City intend to enter into a contract with the proposer deemed most qualified to successfully provide these services for one year with the option of renewal for up to three additional one-year terms on a year-to-year basis at the option of the County and City. The successful proposer shall commence work only after the transmittal of a fully executed contract. The successful proposer will perform all services indicated in the proposal in compliance with the negotiated contract. The County and City reserves the right to reject any or all proposals in whole or in part received by reason of this RFP. The County and City will not pay for any information herein requested, nor is it liable for any costs incurred by the proposer.

D. **Evaluation Criteria.** Proposals will be evaluated based on the following criteria:

- Approach and scope
- Overall quality and completeness
- Team composition, qualifications, and experience
- Capacity
- Local knowledge and understanding
- Schedule
- Communications
- Cost

Evaluation Criteria

The County and City will evaluate proposals based upon the criteria listed below, scoring each strategy separately. The maximum score a Proposal can receive is 100.

<i>Criteria</i>	<i>Points</i>
Project Approach & Scope of Work, including but not limited to: - Overall quality and completeness - Capacity - Proposed scheduling - Communication	30
Relevant Experience - Examples of comparable projects - Local knowledge and experience	20

Qualifications, including but not limited to: - Team composition - Qualifications - Experience	25
References - 3 references from similar projects	15
Pricing	10
Total	100

6.0 **ADDITIONAL INFORMATION**

- **Agreement.** All terms and conditions, as well as duties of the selected Proposer, shall be set forth in a contract agreement between the selected Proposer and County. The contract will incorporate reference to the requirements of the RFP and the Proposer's proposal as negotiated. State law prohibits the County from agreeing to (1) indemnify the Contractor; (2) waive the right for jury trial; (3) grant a security interest; or (4) binding arbitration.
- **Public Information.** All responses received will be subject to the Alabama Open Records Act, Ala. Code § 36-12-40 (1975), as amended, and may be subject to public disclosure upon request. The Open Records Act is remedial and should therefore be liberally construed in favor of the public. The Alabama Trade Secrets Act is Ala. Code §§ 8-27-1 to 8-27-6 (1975), as amended. Responders are cautioned to be familiar with these statutes. The burden is on the one asserting the trade secret to show that the information sought to be protected meets the definition of a Trade Secret as defined in the Act.

Any RFP response submitted that contains confidential, trade secrets, or proprietary commercial information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as such. Identification of the entire bid proposal as confidential is not acceptable unless the Proposer enumerates the specific grounds or applicable laws which support treatment of the entire material as protected from disclosure to the foregoing statutes or other applicable Alabama law.

The owner of the confidential information shall indemnify and hold the County, the City, and their staff harmless from all costs or expenses including, but not limited to, attorney fees and expenses related to litigation concerning disclosure of said information and documents.

- **Immigration Law.** The selected Proposer affirms that it will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama for the duration of the agreement. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting

therefrom.

- **Minority and Women-Owned Businesses.** The County and City are committed to increase participation by Minority and Women-Owned Businesses (M/WBs) in the procurement process; to ensure equal opportunity for M/WBs to participate in the procurement process; to prohibit discrimination on the basis of race, color, religion, national origin, sex, age, disability, or veteran status in the procurement process; and to achieve a minimum of 30% participation by M/WBs in the procurement process.
- **Rights Reserved.** The County and City reserve the right, it is sole discretion, to reject all submissions, reissue a subsequent RFP, terminate, restructure, or amend this procurement process at any time. Evaluation criteria contained herein shall be used in evaluating interested firms, groups, or persons for selection. The County and City may contact any RFP proposer after receiving its submittal to seek clarification on any portion thereof. The County and City further reserve the right to request additional information from any RFP respondent if such information is deemed necessary to further evaluate selection. All RFP material submitted becomes property of the County and City and will not be returned to the RFP proposers. All created and managed assets (i.e., maps, assets purchased for events, etc.) will also be the property of the County and the City.
- **American Rescue Plan Act.** In the event American Rescue Plan Act funds are utilized for this purchase or contract, the County will require the selected vendor to affirm its adherence to the applicable standards provided in 2 C.F.R. Part 200, including, but not limited to, its compliance with the applicable provisions of the following federal laws, regulations and orders:
 - a. Title VI of the Civil Right Act of 1964
 - b. Section 504 of the Rehabilitation Act of 1973
 - c. Davis Bacon Act of 1931
 - d. Age Discrimination Act of 1975
 - e. Section 402 of the 1974 Vietnam Veterans Act
 - f. Byrd Anti-Lobbying Amendment Compliance and Certification
 - g. Executive Order 11246 and Equal Employment Opportunity