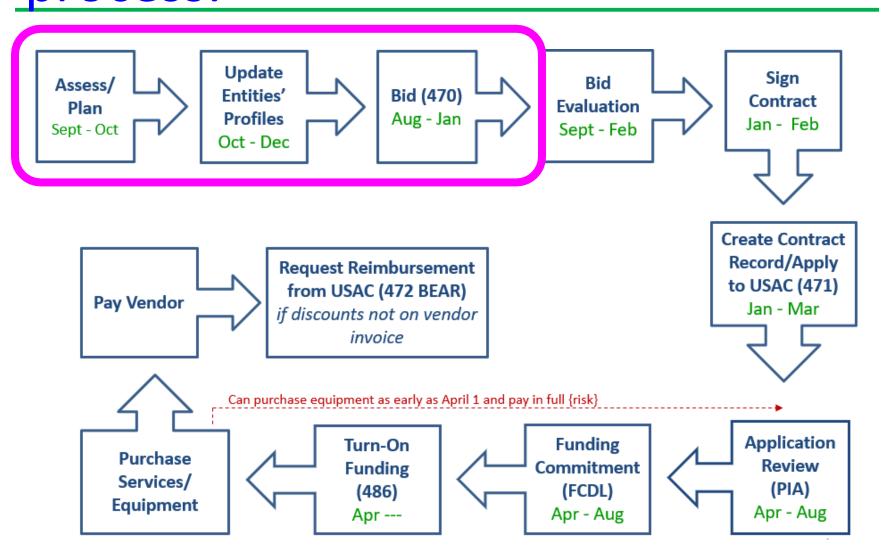
Category 1 Guide: Eligibility and Form 470 Competitive Bidding



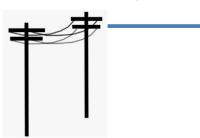
Presented by Julie Tritt Schell
PA E-rate Coordinator
for the Pennsylvania Department of Education
November 2021

You are here in the FY 2022 E-rate process:



Categories of Service

- Category 1 Services that go TO the school/library
 - Subcategories:
 - Data Transmission Services (fiber, coaxial cable, etc.)
 - Internet Access
 - Maximum discount is 90%
 - No E-rate funding caps





- Category 2 Services/equipment that go <u>INSIDE</u> the school/library
 - Subcategories:
 - Internal Connections
 - Basic Maintenance of Internal Connections
 - Managed Internal Broadband Services (MIBS)
 - Maximum discount is 85%
 - Subject to 5-year E-rate funding caps



C1: Data Transmission Services

Most Common:

- Leased Lit Fiber
- Leased Dark Fiber (including IRUs)*
- Self-Provisioned Fiber (Build/Own Your Own Network)*
- Microwave Service

- Special Construction Charges
 - Costs to build-out network

* Additional bidding requirements apply

Also Eligible:

- Broadband over Power Lines
- T-1, T-3, Fractional T-1
- DS-1, DS-2, DS-3
- OC-1, OC-3, OC-12, OC-n
- Frame Relay
- ISDN
- Satellite Services
- Wireless data plans *
 - If no Wi-Fi access, must prove that data plans are most cost effective option (bookmobiles would qualify)

Voice services – Not Eligible

Leased 'Lit' Fiber

- Fiber-based network where service provider owns, lights, and manages the network
- Typically contract for 1 or 10 Gbps connection to each building
 - Vendor owns the equipment that lights the fiber
 - Can bid different bandwidths if unsure what's affordable
- Must be "lit" by last day of funding year (June 30)
- This is currently the most common type of WAN

* * *

- ✓ RFP 'technically' not required if all addresses/terms are in Form 470
- ✓ Not required to seek proposals from any other service type

Leased 'Dark' Fiber

- Applicant leases 'dark' capacity on a provider-owned fiber network
 - Typically lease # of strands
- Applicant lights the fiber -- not the vendor
 - Network equipment to light the fiber is E-rate eligible under C1 if bid
- Maintenance/Operations (M&O) charges are eligible
 - Can be provided by same fiber vendor or another vendor
- Must be "lit" by June 30 (last day of funding year)

* * *

- ✓ RFP required
- ✓ Must also seek bids for Leased Lit Fiber and compare (cannot specify preference)
- ✓ M&O and Network Equipment must be on same 470 if needed.



'Self-Provisioned' Fiber

- "BYO" Build Your Own Network
- Applicant contracts with vendor to construct the network
 - Thereafter, owns and is responsible for maintaining the network (whether in-house or contracted)
 - M & O costs are E-rate eligible
 - Typically purchase at least 12 strands
- Applicant lights the fiber -- not the vendor
 - Network equipment to light the fiber is E-rate eligible as C1
- Must be "lit" by last day of funding year (June 30)

* * *

- ✓ RFP required
- ✓ Must also seek bids for 'Services Provided Over 3rd Party Networks' and compare (cannot specify preference)
- ✓ M&O and Network Equipment must be on same 470 if needed

Close-Proximity Fiber Eligibility

- 1 school 2 buildings
 - Fiber between those buildings = C2
 - Does PDE recognize it as single school?
- 1 building 2 schools
 - Fiber between those schools = C2
- 2 schools, not in same building (most common)
 - Fiber between those buildings = C1
 - Would list as "Self Provisioned Fiber" on Form 470
 - Cannot use C2 funding, unfortunately



What is Special Construction?



- "Build" Charges One time charges incurred for physical installation of new fiber service
- Special PIA Review Examples at: http://e-ratepa.org/wpcontent/uploads/2014/03/4-7-Fiber-Questions.pdf
- Applicants can ask vendors for up to a 4 year payment plan for the nondiscounted share of these costs
- E-rate will pay for entire <u>discounted</u> amount in 1st year
- **For example:** If there is a \$100,000 special construction charge & applicant has 60% E-rate discount:
 - E-rate will pay <u>discounted</u> amount of \$60,000 in Year 1 of contract
 - Applicant may request to pay vendor the non-discount amount of \$40,000 over 4 years (\$10k/year)

C1: Internet Access Services

- Two main types:
 - Bundled Internet (most common)
 - Internet and transport are bundled together
 - Could be cable modem-type service or internet delivered over fiber (or other transport such as microwave or satellite)
 - Stand-alone, raw, commodity Internet
 - No transport included
 - Typically used by consortia/large networks
- Installation charges are eligible if listed in contract
- Filtering is <u>not</u> eligible
- "Commercially Available" Internet packages that cost less than \$300 per month, per building (pre-discount) can be purchased without posting a Form 470
 - Cost must be based per building and cannot be averaged across multiple buildings
 - Minimum speed must be 100 mbps downstream and 10 mbps upstream
 - Note: This is mostly geared toward small libraries and small non-public schools using cable modem services

Purpose of Form 470

- Online form to notify vendors of services and equipment for which you are seeking proposals
 - All equipment/services for which you will seek funding on the Form 471 must be posted on a Form 470
- Vendors are invited to submit bids/price quotes for 28 days from the date of certifying your Form 470
 - Day 1 = date of Form 470 submission
 - Day 29 = earliest date that you can conduct your bid evaluation and select your vendor
- Vendors send proposals directly to the applicant
- You are NOT obliged to purchase any service/equipment listed on Form 470

When Must a Form 470 be Used?

- Form 470s must be posted for all MTM/non-contract services and at the beginning of any <u>new</u> contract
 - If you signed a multi-year contract in a previous year, after posting a Form 470 and waiting 28 days, you are NOT required to post a 470 for the "out" years of that contract
- Don't have to file 470 if using a contract extension, but only if that extension was specifically outlined in the contract
 - For example: 3 year term, with two, 1-year extensions
 - Must have a definitive end to contract
 - Automatic renewals of contracts must be rebid on a new Form 470

Additional 470 Requirements

- Cannot list company name (such as Comcast or Zito)
 - If bidding C1 network equipment (rare), cannot list manufacturerspecific name without including the words "or equivalent"
- RFPs
 - Not required, except for:
 - All applicants applying for leased dark fiber, self-provisioned fiber, or wireless data plans
 - All RFPs must be uploaded with Form 470 at time of filing
 - Addenda also must be uploaded to online 470 when released
 - If adding sites, changing services or providing additional information not previously in RFP, must wait an additional 28 days before closing bidding
- Vendors cannot provide RFP language or bid lists

Deadline to File Form 470s

- A Form 470 must be posted online <u>at least</u> 29 days before the Form 471 window close (example: March 23 close = Feb. 22 deadline)
 - 471 Deadline is expected to be mid-March, 2022
 - File 470 before December 1, if possible
- Recommended timeline:
 - November: File all Form 470s by December 1
 - December: Vendor bids submitted during December
 - January: Bid evaluation, board agenda submission
 - February: School board approval, sign contracts
 - March: File Form 471

Form 470s being accepted in EPC NOW!

How Many Form 470s to File

- Category 1 and Category 2 can be filed on the same 470
 - But not a requirement
 - C1 and C2 requests must be on different 471s
- There is no 1:1 requirement for 470 vs 471s
- If filing multiple 470s, be sure to use good Nicknames for easy identification when completing the Contract Record

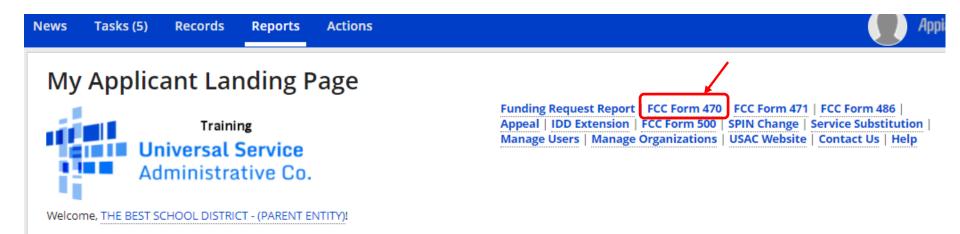
Where to File the Form 470

- Form must be filed in EPC the E-rate Productivity
 Center
- Before filing the Form 470, be sure to check the Entity List on the Landing Page to be sure all of your buildings (schools, libraries, NIFs) are listed
 - Contact USAC to have missing buildings added to EPC
 - Cannot add entities yourself

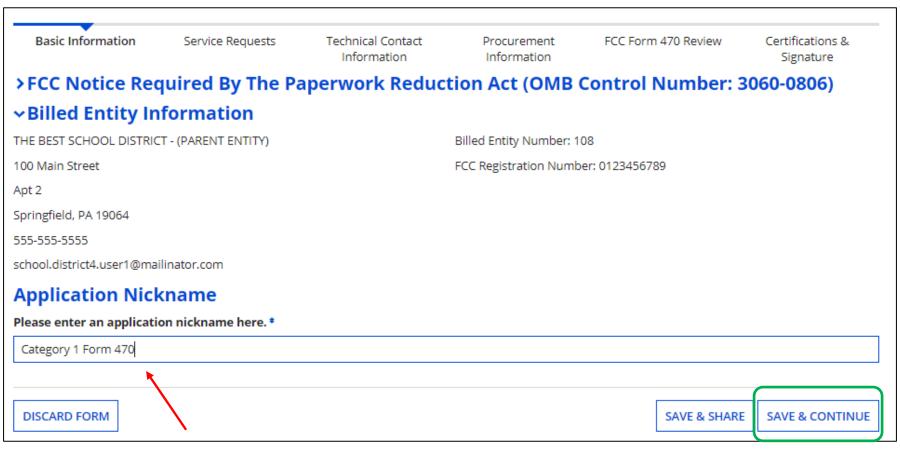
LET'S FILE A FORM 470!



470 - File Inside Your EPC Portal



Give it a Nickname



Use a well-described nickname for easier identification.

Basic Information – Can't Change in Form

THE BEST SCHOOL DISTRICT - (PARENT ENTITY) - Category 1 Form 470 - Form #220000189

Last Saved: 11/10/2021 2:22 PM EST

Basic Information

Service Requests

Technical Contact Information

Notice the numbering convention for the 470's. Form 470 begins with the Funding Year.

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

Application Type and Recipients of Service

Applicant Type: School District

Number of Eligible Entities: 12

Recipients of Service

Recipient(s) of Public School

Pre-K

Head Start

of Eligible Entities is pre-populated from the EPC Profile. It is the total # of entities in the district, not necessarily the # of entities seeking service on this 470.

Billed Entity Name	Billed Entity Number
THE BEST SCHOOL DISTRICT - (PARENT ENTITY)	108

BACK

DISCARD FORM

SAVE & SHARE

SAVE & CONTINUE

Who is the Main Contact?

Contact Information

Are you the main contact person? *



If you select 'No' then you must select another User in your EPC profile. The system will not let you type-in someone's contact information. To add a User, have the EPC Account Administrator go to > Related Actions > Add User

BACK DISCARD FORM

SAVE & SHARE SAVE & CONTINUE

Select Category(ies) of Service

Basic Information

Service Requests

Technical Contact Information Procurement Information FCC Form 470 Review

Certifications & Signature

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

Visit our website for more information on how to file the FCC Form 470.

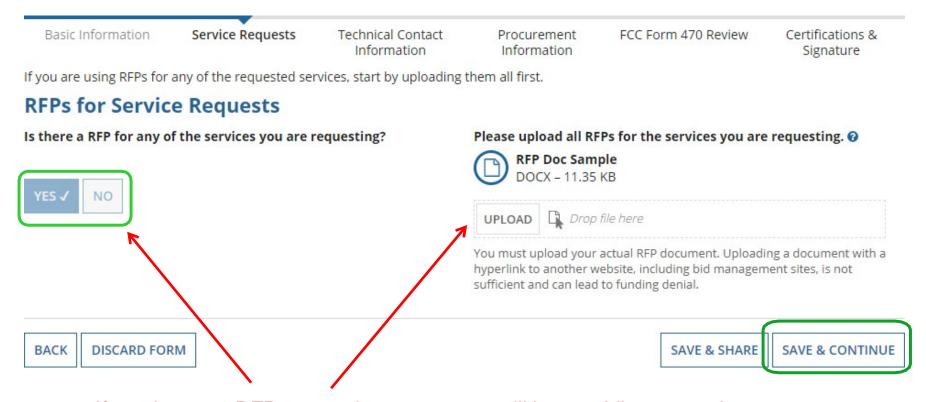
Category(s) of Service

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



You can include both C1 and C2 requests on the same Form 470, but it's not required.

Do You Have an RFP?



If you have an RFP or any documents you will be providing to vendors, you **must** upload them with the Form 470. The system will allow you to upload multiple documents and then you can decide which requests belong with which RFP documents.

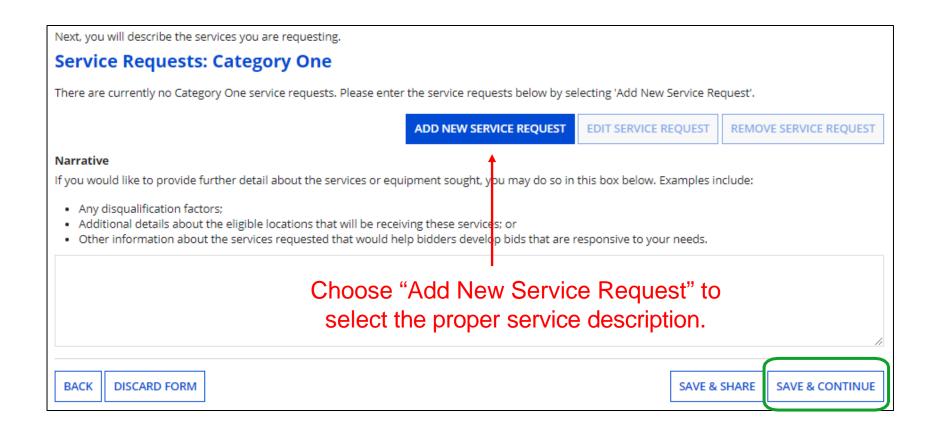
More on RFP Requirements

- All applicants seeking the following services MUST issue an RFP:
 - Leased Dark Fiber
 - Self-Provisioned Fiber
 - C1 Network Equipment
 - Maintenance and Operation of Leased Dark or Self-Provisioned Fiber
 - Wireless Data Plans (rarely eligible except for bookmobiles)
- All RFPs and related documents must be uploaded with the 470
 - Cannot just provide a link
- All subsequent material provided to vendors must be uploaded to the RFP/470 in EPC
 - Locate 470 in EPC > Related Actions > Add an RFP Document
 - 28-day clock must be restarted if material changes are made to the RFP
 - USAC considers MOST changes to be significant enough require an extension of the 28-day clock or a new Form 470

Creating Category 1 Service Requests



Begin Building the Category 1 470

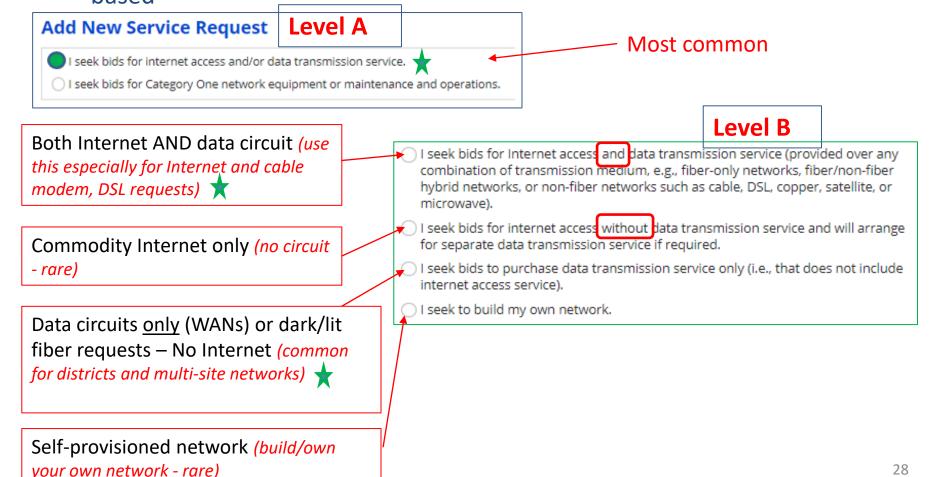


Category 1 Form 470 for FY 2022

- Beginning in FY 2022, the FCC revamped the Form 470 to be descriptionbased
- Using 'progressive disclosure' method, the form will show you additional choices
- Using the following "Category 1 Cheat Sheets" to select the option that best reflects the service you're seeking
 - A green star indicates the most common choice *
 - Level A is the first page that everyone sees, and the subsequent levels change depending on what option is selected on the previous level

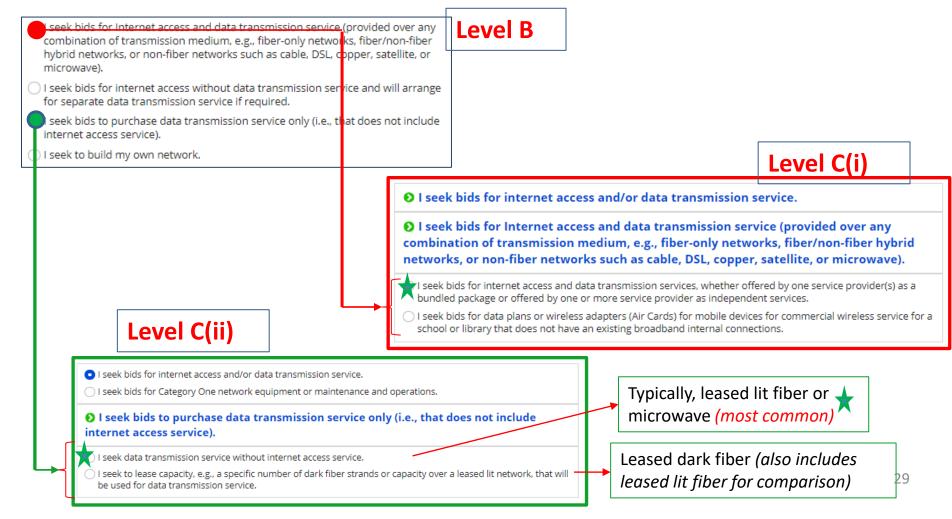
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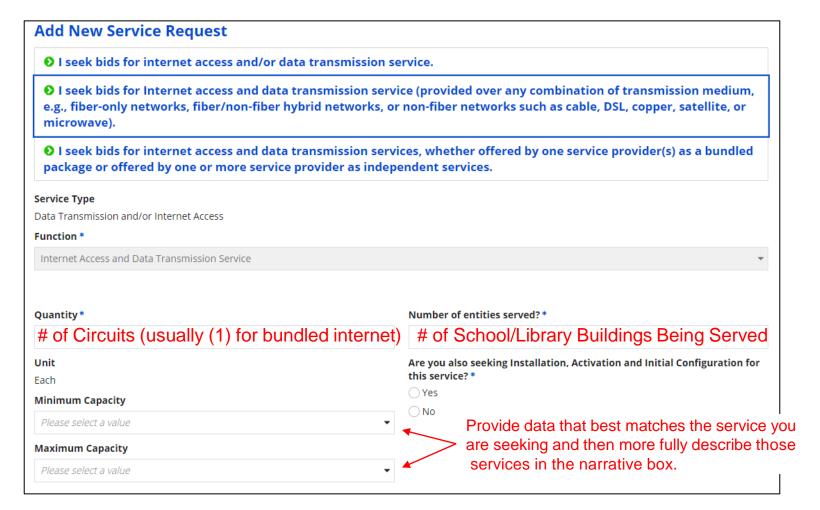
Category 1 Form 470 for FY 2022

• 1st or 3rd Options have additional level:



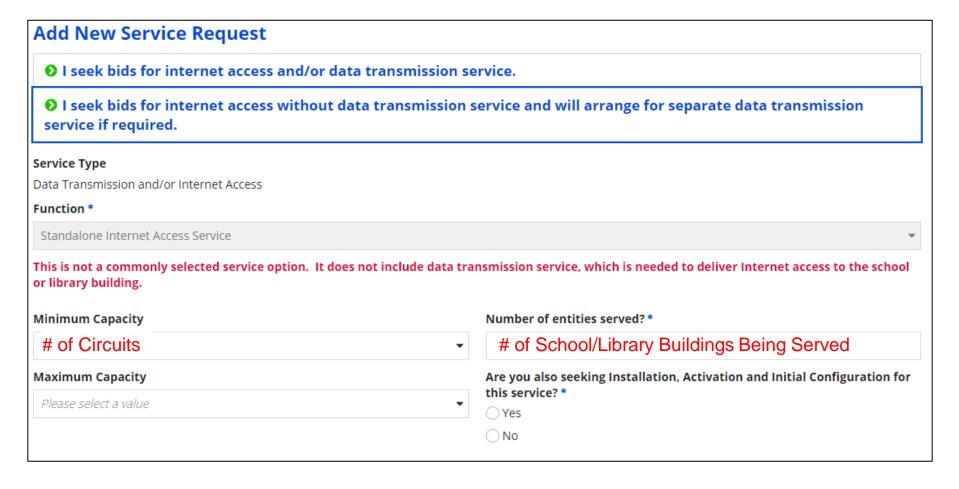
Internet: Bundled

 Bundled Internet is the <u>most common</u> Internet type and can include Internet delivered via cable, fiber, microwave, satellite, etc.



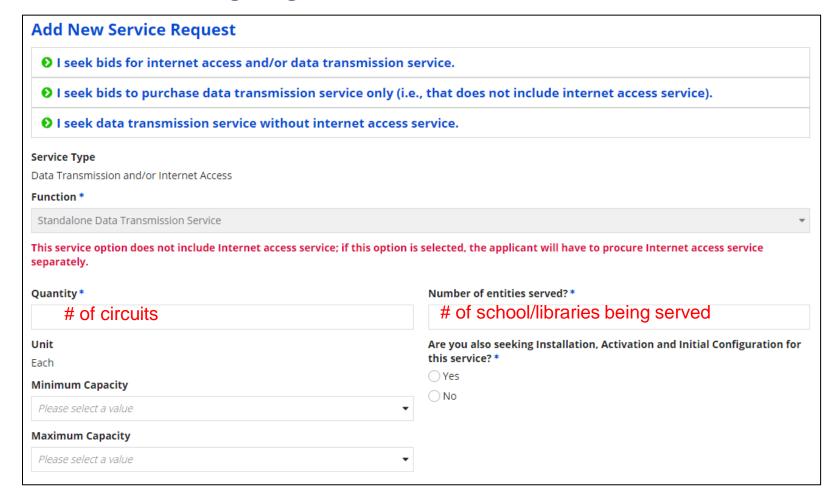
Internet: Standalone - No Transport

 Standalone Internet is a <u>rare</u> selection where the underlying circuit is purchased separately (mostly used by consortium)



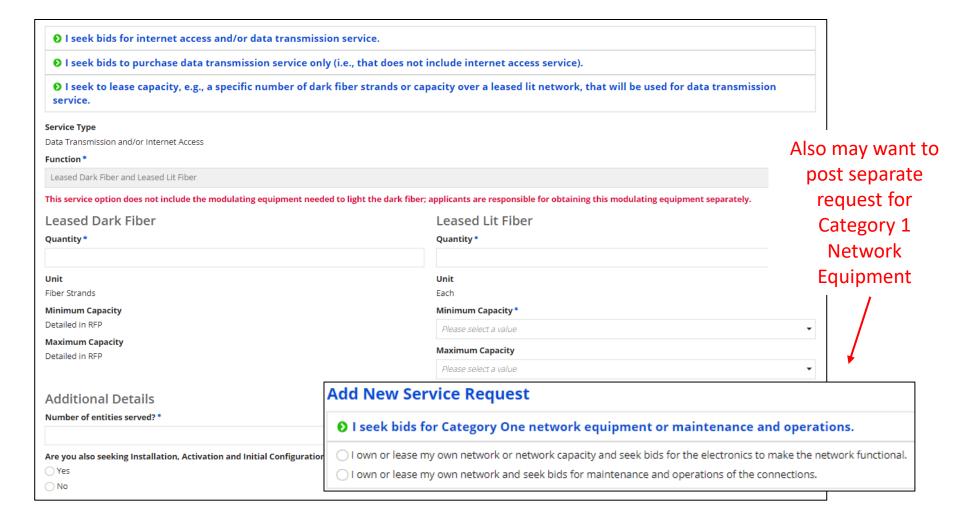
Transport Circuit Only (WAN)

- Most common for leased lit fiber or microwave circuits
- No Internet is being sought



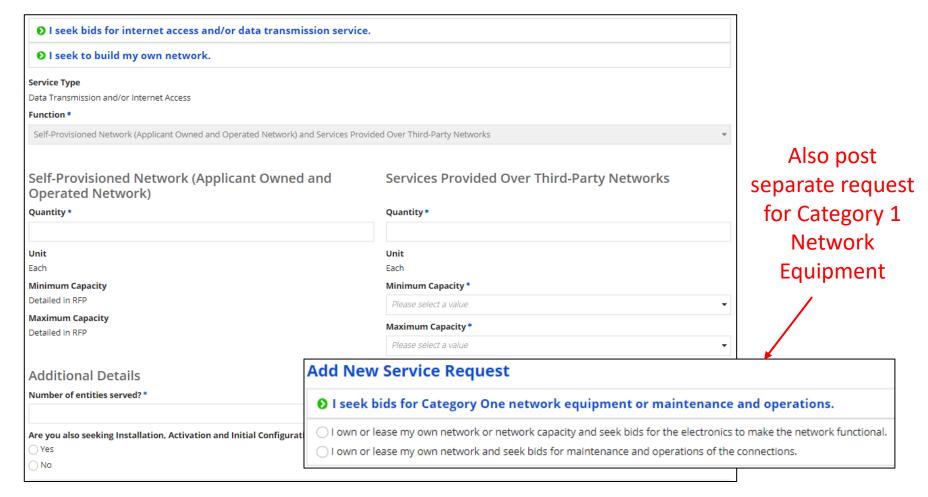
Leased Dark Fiber

Must also bid "leased lit fiber" – and compare



Self-Provisioned Fiber (you own it)

 Must also bid "services provides over 3rd party networks" – meaning all other transport technologies – and compare



Narrative in Text Box for C1 Requests

 Use the narrative text box to describe your services more fully and instructions for bidders

Narrative

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

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

Seeking proposals for 2, 3 and 4 GB of symmetrical Internet delivered via fiber.

DQ reasons:

Deadline for vendor questions:

Deadline for vendor proposals:

Proposals must be submitted to XXX via e-mail.

Special Construction Charges: Want to Spread Them Out? - YES

Installment Payment Plan

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



O No

Over how many years do you wish to amortize the costs? *	
4	
4	
Please select a range of years above.	
Do you prefer annual or monthly payments? *	
Annual	
○ Monthly	

- If you selected any "fiber" services that require Special Construction (build-out) charges, you can request to pay the vendor for the non-discounted amount (the school or library's share) over 4 years
- Vendors aren't required to agree
- This is a great idea to make fiber build-out more affordable
- E-rate portion will still be paid in the 1st year
 - Will not be amortized

Want to Add Technical Contact?

Technical Contact Person

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



How would you like to enter the technical contact details?*

SEARCH EPC SYSTEM ENTER DETAILS MANUALLY

- You may add a technical contact that vendors can contact to ask additional questions about the procurement
 - Not a requirement to add a separate technical contact
- If you do, you may select a current EPC User
- Or you can manually enter the name/contact information of the contact

State or Local Procurement Rules?

State or Local Procurement Requirements

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



If applicable, provide a description of state or local procurement rules and/or restrictions on how or when service providers may contact you or on other bidding procedures.

- Always select YES!
- Then use the narrative box to provide additional requirements/instructions to vendors
- For example:
 - All bids must be submitted to X person by X date in X format
 - Vendor must provide discounted bills
 - Vendor must submit 3 references of district officials where identical services were provided within last 2 years
 - Vendors must attend pre-bid meeting on X date

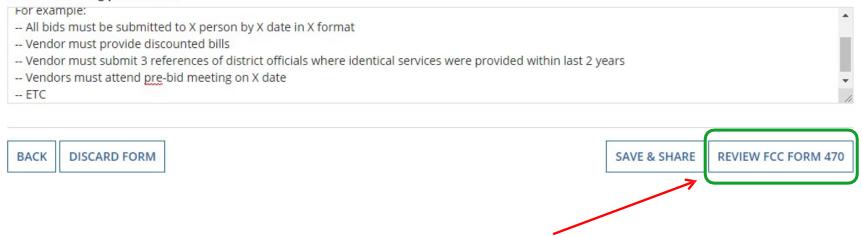
Generate PDF to Review

State or Local Procurement Requirements

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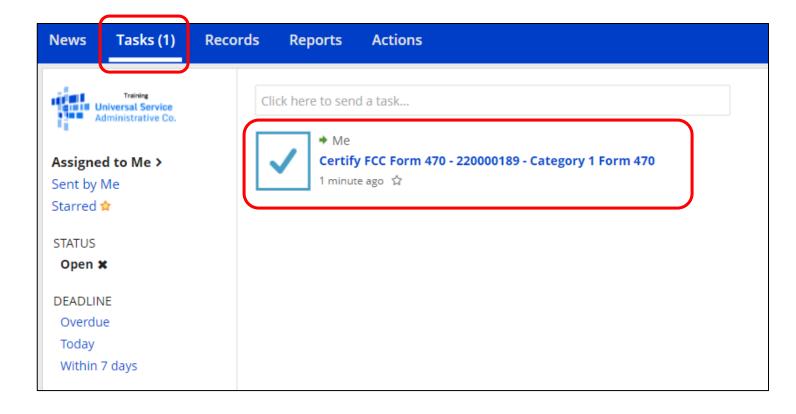
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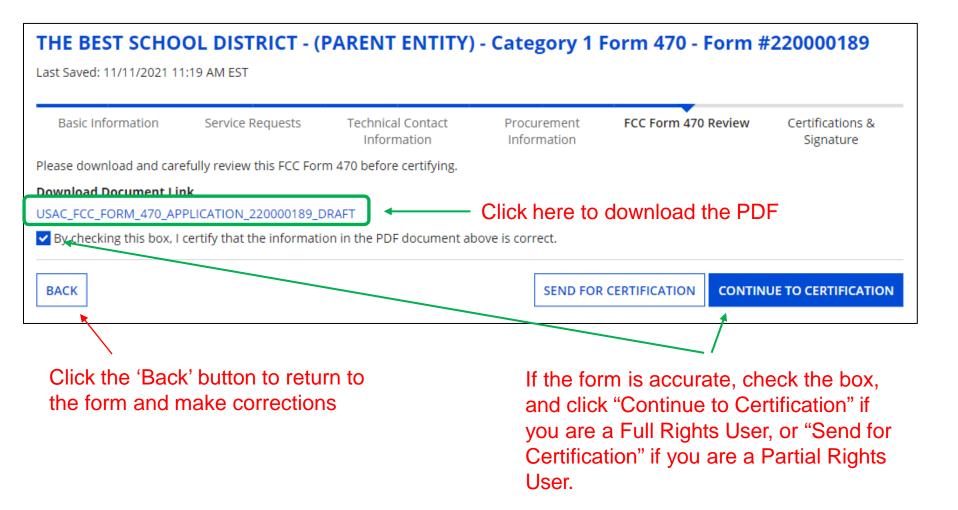
Click "Review FCC Form 470" to have the system generate a PDF copy of your draft Form 470 to review

Generate PDF to Review

In about 15 seconds, the draft Form 470 PDF will be available as a "Task" in the top blue toolbar of your EPC Portal. Click on Tasks, then click on "Certify FCC Form 470 to review the draft or to certify the form. (The system will also send you an e-mail giving you a direct link to the draft page.)



Review PDF and Make Changes



Required Certifications

Applicant Certifications

✓ I certify that the applicant includes schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.

Other Certifications

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

You must check all of the certification boxes before you can finish the certification and officially submit the form.

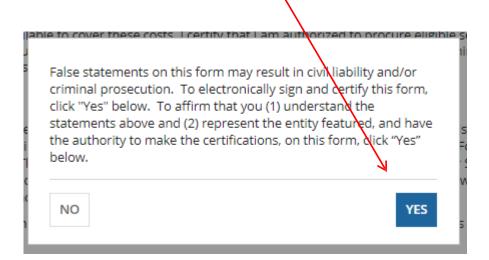
Required Certifications

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



After all of the Certification boxes are checked, click the live Certify button!

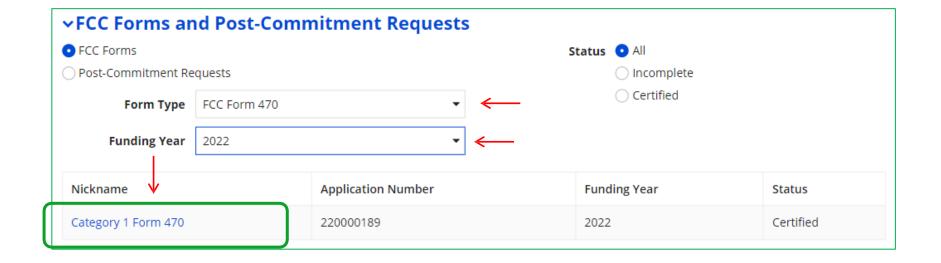
Then click "yes" in the final pop-up box:



Where to Find a Copy of Your 470

- On EPC Landing Page, scroll to the bottom
- Select Form 470
- Select appropriate Funding Year
- Select specific Form 470





Where to Find a Copy of Your 470

- The next screen will be a Summary Page of the submitted Form 470, with a link to the RFP Documents
 - RFP documents must be downloaded separately
- To obtain PDF of submitted Form 470, select 'Generated Documents

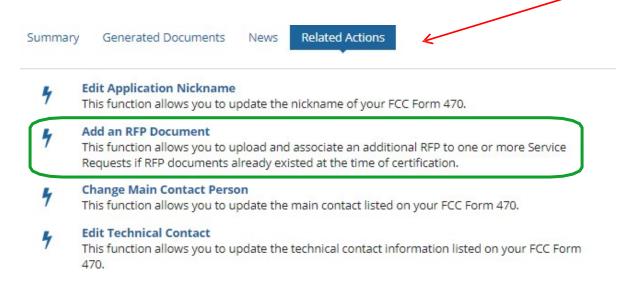
Summary Generated Documents News Related Actions

Then select 'Original Version'



To Make Changes to Submitted 470

- Note: very few changes can be made to a Form 470 after it's submitted
- Additional changes can be made to an RFP document, but only if an RFP was uploaded with the original Form 470
 - "RFP document" refers to <u>any</u> bidding document that describes your project and requested services in more detail than in the fields provided on the Form 470
- To make changes, or upload an additional RFP document, click 'Related Actions'



Caution When Modifying RFP

- Applicants must wait at least 28 days from the date the Form 470 is certified before closing the competitive bidding process
- Warning!

Changes to the Form 470 beyond the allowable changes require applicants to wait <u>an additional</u> 28 days from the date of the change before closing the competitive bidding process.

The EPC system will not automatically recalculate the new Allowable Contract Date; applicants must do this manually.