



REQUEST FOR PROPOSALS

FOR OPERATION OF THE MASSBROADBAND 123 MIDDLE MILE NETWORK

RFP No. 2017-MBI-03

**Massachusetts Technology Collaborative
75 North Drive
Westborough, MA 01581-3340
<http://www.masstech.org>**

RFP Issued: 3/31/17

Team Leader: David Charbonneau

Proposals Due: 5/1/17

1. RFP INTRODUCTION AND OBJECTIVES

Massachusetts Technology Collaborative (“Mass Tech Collaborative”), on behalf of Massachusetts Broadband Institute, is issuing this Request for Proposals for an operator of the MassBroadband 123 network (RFP No. 2017-MBI-03) (the “RFP”). MBI’s primary objective is to obtain responses from qualified companies interested in taking over responsibility for operating the approximately 1,200 mile fiber optic MassBroadband 123 network in western and north central Massachusetts (hereinafter referred to as the “Network”). This RFP describes a comprehensive array of operational services and functions (see Section 3) to be provided by a successful Respondent that is modeled on MBI’s relationship with the incumbent operator.

The selected Respondent will maintain and operate the Network as a commercial operation on behalf of the MBI. MBI built the Network to provide reliable broadband internet access for a broad array of critical community anchor institutions in the Network service area, to serve as a platform to promote economic growth in the region, and to facilitate solutions for municipalities without broadband internet access. MBI intends that the Network will be operated to serve these goals, and the Network Operator Agreement will reflect these priorities.

Under the current Network Operator Agreement, a copy of which is available on MBI’s FTP site referenced in Section 4.2 of this RFP, the incumbent operator generates, collects, and accounts for all network revenue and pays MBI annual platform access charges and a percentage of annual Network revenue when specific thresholds are met. (As provided in Sections 4.9.4 through 4.9.7 of the current agreement, the platform access charges consist of payments for “Oversight,” “CAPEX Upgrade and Updates,” and “Decommissioning.”) The incumbent operator pays all operating, maintenance, and capital expenses of the Network.

This RFP contemplates that MBI’s agreement with a new network operator would be structured in a manner similar to the arrangement with the incumbent operator, in which the operator pays all costs and expenses of the Network, collects all revenues, and remits payments to MBI. Alternative compensation structures may be proposed by Respondents to this RFP. MBI recognizes that any new agreement is unlikely to recreate the economics of the current agreement, and MBI’s principal objective is to secure the long-range stability and success of the Network.

MBI invites interested firms to submit proposals to operate the Network for a minimum initial term of three years, with provisions for additional renewal terms and extensions.

MBI has an overarching near-term interest in accomplishing an orderly transition of operational responsibility for the Network from the current operator in a manner that preserves the integrity of the Network and continuity of service for existing Network customers. The transition may occur under exigent circumstances due to the recent bankruptcy filing by the incumbent network operator.

The timetable for negotiating and awarding a contract under this RFP will depend, in part, on the period of time provided to the incumbent network operator in its bankruptcy proceedings to formulate its intentions with regard to the current network operator agreement. The process in bankruptcy court will run concurrently with MBI’s decision-making process under this RFP. MBI will endeavor to provide appropriate notice to qualified Respondents, to the extent practicable, of its consideration of material changes in direction or approach based on proposals advanced by respondents to the RFP or other factors.

1.1. History of the Project

Mass Tech Collaborative is an independent public instrumentality of the Commonwealth of Massachusetts chartered by the Commonwealth to serve as a catalyst for growing its innovation economy. Mass Tech Collaborative brings together leaders from industry, academia, and government to advance technology-focused solutions that lead to economic growth, job creation, and public benefits in Massachusetts. For additional information about Mass Tech Collaborative and its programs and initiatives, please visit our website at www.masstech.org.

MBI is a division of the Mass Tech Collaborative and serves as the central broadband program for the Commonwealth. The MBI was created in 2008 and has a mission to extend affordable, robust, high-speed Internet access to all homes, businesses, schools, libraries, medical facilities, government offices and other public places across Massachusetts, with a focus on the hard-to-serve areas of western and central Massachusetts. For more information about the MBI and its programs and activities generally, please visit the web site at www.massbroadband.org

MBI received state and federal funding to build the Network. The federal grant required that MBI construct an open access, middle mile network that directly connects community anchor institutions. The Network commenced operations in 2014.

2. PROFILE OF THE NETWORK

2.1. Description of the Network, Service Area and Demographics

The Network is a 1,200 mile fiber-optic cable middle mile broadband network that connects 123 communities in western and north central Massachusetts to the Internet. The Network’s service territory encompasses more than one-third of the geographic area of Massachusetts.

The service area, including the Network route, is depicted in Figure 1 below. The Network is generally comprised of a main loop throughout western Massachusetts with smaller loops into key parts of the service area. An additional Network route runs along Route 2 to Ayer, where the Network connects to third-party leased fiber through to metro Boston. The Network also utilizes third-party leased fiber along I-90 to create a further link to the Boston metropolitan area. The Network service area is located in a predominantly rural region that includes 41 towns that have no other wired broadband available to residents that meets FCC standards. The service area contains over one million residents, 380,000 households, 34,000 businesses, 2,500 community anchor institutions (“CAIs”), and 3,429 square miles.

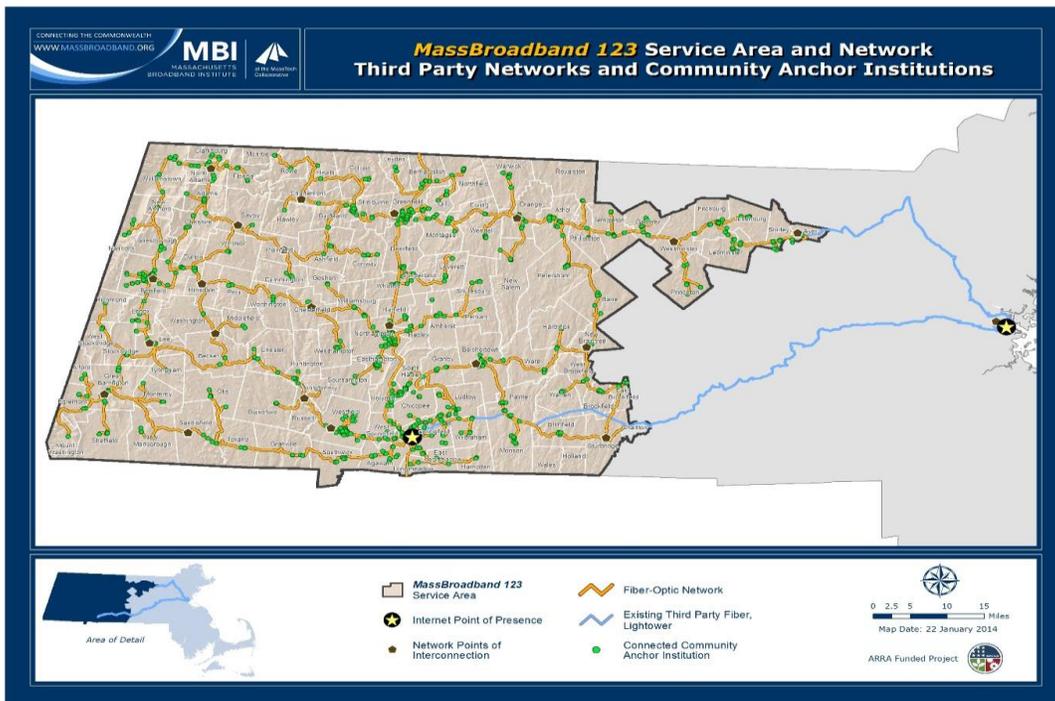


Figure 1: MassBroadband123 Network and Service Area

The Network connects with approximately 1,108 CAIs, which include federal, state and local government buildings; schools and universities; libraries; hospitals and healthcare facilities; public safety facilities; and wireless communications towers. Public safety CAIs include police and fire stations, as well as e911 public safety answering points (“PSAPs”) and Emergency Operations Centers. In some cases, such as hospital campuses, these CAIs may use multiple circuits at the same address, although most use a single circuit at each address. CAIs making use of the Network purchase services directly from retail ISPs, who in turn purchase the underlying connections on a wholesale basis from the Operator. Under MBI’s existing Network Operator Agreement, the Operator is required to establish a separate affiliate if it wishes to serve as a retail ISP and the same is anticipated for the new Operator.

2.2. Network Characteristics

The selected Respondent will manage the Network, which has the following general characteristics:

- 952 miles of fiber construction
- 231 miles of leased fiber enables path diverse transport to a second Internet connection site in Boston
- Fiber passes within 3 miles of at least 98% of all households, businesses and CAIs in the service area
- High strand counts (almost 60% of the fiber cables boast 72 or more strands)
- Slack loops placed an average of every 0.6 miles
- 27 Points of Interconnection (“POIs”) or Network nodes are located in hardened carrier-grade facilities distributed geographically throughout the service area
- Approximately 1,108 connected CAIs are connected to the Network and most CAI’s are located within 10 miles of, but never more than 30 miles away from, a POI; allowing the use of low-cost optics
- 97% of fiber was installed in the communications space on more than 32,000 existing utility poles
- 2% of fiber was installed in existing conduit
- 1% of fiber was installed on new poles or in new conduit
- One Federal Street in Springfield is the primary, carrier-neutral hotel for western Massachusetts and serves as a Network gateway site
- 3 Internet Points of Presence facilities (i.e. Boston, MA; Cambridge, MA; and Springfield, MA)
- Network is run on an open access basis (as required under the terms of the federal grant)

2.3. Current Network Revenue

Over the first three years of Network operations (2014 – present) the incumbent operator has continued to grow revenues. Current annualized operator gross network revenue is approximately \$3,200,000. There are currently approximately 18 wholesale customers. There are approximately 533 CAI end users taking service and approximately 119 non-CAI end users taking service that collectively have approximately 1,158 active services.

3. SKILLS, FUNCTIONS AND SERVICES TO BE PROVIDED BY THE NETWORK OPERATOR

3.1. Services.

This section lists the full array of network operator functions and services that MBI currently outsources to the incumbent Operator. MBI has a strong preference to enter into a relationship with a firm that can provide similar, comprehensive, turnkey operational services. Notwithstanding its preference for continued turnkey Network operations, MBI is also open to considering alternative approaches to addressing the functions described below.

The full array of network operator functions and services includes the following:

- a. Sales and Marketing of Wholesale Network Services – This service category includes the provision of (i) all wholesale services to current and future wholesale customers; and (ii) all marketing of the Network and the services provided by the Operator to wholesale customers. This service category involves the Operator making best efforts to sell services on the Network to produce Network revenues and to make the Network successful under the requirements of this RFP and the Operating Agreement. This service category does not involve the sales and marketing of retail services which are marketed by retail service providers. It should be noted that CAIs are not required to purchase services on the Network.
- b. Billing and Account Management – This service category involves operational responsibility for managing Network revenue from wholesale customers. In the provisioning of this service the Operator will handle all wholesale billing and collections for the Network, which may involve the implementation and integration of new or existing Operational Support Systems (“OSS”) and Business Support Systems (“BSS”) subject to MBI’s approval. The Operator is the wholesale operator, and is not in the ordinary course responsible for retail billing.
- c. Service Fulfillment and Provisioning – The Operator will be required to fulfill all new service orders, provision all services, and perform (when necessary) adds, moves, and changes to the Network infrastructure.
- d. Network Management and Monitoring – The Operator will be responsible for 24/7 Network monitoring and change management (e.g. change states, change control).
- e. Customer Care – The Operator will provide customer care and non-discriminatory interconnection for all wholesale customers. The Operator will provide customer service for wholesale customers using a level of care and service that is consistent with industry-accepted standards. The Operator must adopt an open access network policy that will guarantee that the Operator provides wholesale bandwidth services to any qualified service provider at published rates to be proposed by the Operator, subject to approval by MBI.
- f. Advanced Support – The Operator shall have qualified advanced support staff (or obtain qualified advanced support staff from a subcontractor) to maintain and monitor the integrity of the Network and its services. Advanced support staff shall also help resolve major outages or equipment failures; provide advanced monitoring of services and Network utilization; ensure Network optimization; and roll out equipment upgrades, firmware and software.
- g. Field Operations – The Operator will be responsible for all maintenance and repairs to the Network during the term of and as required by the Network Operator Agreement. Network relocations will be the sole responsibility of the Operator.
- h. Back Office Support Systems –The Operator will maintain up-to-date maps, configurations and network diagrams for the Network in an OSS to support field technicians, technical support technicians and engineers. The Operator will be responsible for maintaining accurate inventory and up-to-date documentation for the configuration of all Network nodes, devices and services. The Operator will furnish and maintain all systems or applications on the Network and all applicable licenses to support these responsibilities.

4. RFP PROCESS

4.1. Schedule

The RFP process will proceed according to the following anticipated schedule:

3/31/17	RFP issued
4/12/17	Mandatory Bidders Conference
4/14/17	Deadline for all questions and clarification inquiries, preferably submitted via e-mail to proposals@masstech.org ; due by 5:00 p.m.
4/20/17	Deadline for posting answers to Respondents’ questions.
5/1/17	Complete Responses due by 3:00 p.m.

Responses will be due no later than 3:00 p.m. on May 1, 2017. Proposals received later than the date and time specified will be rejected or deemed non-conforming and may be returned to the Respondent unopened. Mass Tech Collaborative assumes no responsibility or liability for late delivery or receipt of responses.

4.2. Questions from Bidders, Bidder's Conference and Additional Network Information

A mandatory bidder's conference will be held on April 12, 2017 at 11:00 a.m. at the Massachusetts Technology Collaborative, 75 North Drive, Westborough, MA. The bidder's conference will be held in Room 104 of the Karl Weiss Education and Conference Center. Prospective Respondents may attend in person or participate remotely via Go-To-Meeting. All prospective Respondents must preregister for the bidder's conference by sending an email to proposals@masstech.org no later than 3:00 p.m. on April 11, 2017. Please indicate in the email whether attendance will be in person or online. MBI will send instructions for the Go-To-Meeting to prospective Respondents that are unable to attend in person.

Questions regarding this RFP must be submitted by electronic mail to proposals@masstech.org with the following Subject Line: "Questions – RFP No. 2017-MBI-03". All questions must be received by 5:00 p.m. on April 14, 2017. All questions submitted to MBI about this RFP and MBI's responses to all questions received will be posted on April 20, 2017 to the Mass Tech Collaborative, MBI and COMMBUYS websites.

Additional documents that provide supplemental details on the financial, technical and operational aspects of the Network have been posted to a FTP site. Any prospective Respondent that wishes to access these documents should submit a request by email to proposals@masstech.org. MBI will respond to email requests and will provide log in credentials for the FTP site.

4.3. Instructions for Submission of Proposals

Respondents are cautioned to read this RFP carefully and to conform to its requirements. Failure to comply with the requirements of this RFP may serve as grounds for rejection of a proposal.

- a. All Proposals must be submitted in writing, on 8 ½ x 11 paper (including all required submissions), with one (1) unbound original; and three (3) bound copies (no three ring binders); and one electronic version (.pdf or .doc with the budget in excel format) thereof.
- b. Proposals **must** be delivered to:

Request for Proposals No. 2017-MBI-03
Massachusetts Technology Collaborative
75 North Drive
Westborough, MA 01581

- c. A statement indicating compliance with the terms, conditions and specifications contained in this RFP must be included in the Proposal. Submission of the signed Authorized Respondent's Signature and Acceptance Form (Attachment B) shall satisfy this requirement.
- d. Any and all responses, proposals, data, materials, information and documentation submitted to Mass Tech Collaborative in response to this RFP shall become Mass Tech Collaborative's property and shall be subject to public disclosure. As a public entity, the Mass Tech Collaborative is subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are very limited and narrow exceptions to disclosure under the Public Records Law. If a Respondent wishes to have the Mass Tech Collaborative treat certain information or documentation as confidential, the Respondent must submit a written request to the Mass Tech Collaborative's General Counsel's office no later than 5:00 p.m. on April 12, 2017. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Respondent. The General Counsel will issue a written determination within ten business days of receipt of the written request. If the

General Counsel approves the request, the Respondent shall clearly label the relevant information and/or documentation as “**CONFIDENTIAL**” in the proposal and shall only include the confidential material in the hard copy of the proposal. Any statements in a Proposal reserving any confidentiality or privacy rights that is inconsistent with these requirements and procedures will be disregarded.

Respondents please note: By executing the Authorized Respondent’s Signature and Acceptance Form and submitting a Proposal in response to this RFP, Respondent certifies that it (1) acknowledges and understands the policies and procedures for handling materials submitted to Mass Tech Collaborative, as described in this RFP, (2) agrees to be bound by those policies and procedures, (3) acknowledges that the statutory exemptions from the Massachusetts public records law are very limited; and (4) agrees that Mass Tech Collaborative shall not be liable under any circumstances for any disclosure of materials submitted to in connection with this RFP that is required by law.

4.4. Information Required of Bidders

Respondent’s Proposal shall include a narrative that addresses the following questions and contains the following elements:

- a. Executive Summary. Respondents shall provide a summary of their organization and their proposed technical and operational approach. Respondent shall indicate the basic components of its Proposal and a proposed initial term under the Network Operator Agreement (must be at least three years). This summary should be a maximum of three (3) pages in length.
- b. Company History. Provide an overview of Respondent’s history, organizational structure and current operations.
- c. Respondent’s Organizational Qualifications. MBI has a strong preference to select a Respondent that has the characteristics listed below. Respondent shall provide information that demonstrates the extent to which Respondent’s organization possesses these characteristics:
 - Prior Experience – Respondent should have substantial experience operating comparable network(s), including performing network operator services substantially similar to those described in Section 3 that Respondent proposes to provide to MBI.
 - Financial Stability – Respondent should have the demonstrated financial capacity, resources and stability to successfully operate the Network in a sustainable manner over the term of the Network Operator Agreement.
 - Operating Infrastructure – Respondent should have an established network operations center (“NOC”) capable of providing 24/7/365 network monitoring of the Network.
- d. Staff Qualifications. Respondents shall provide brief resumes demonstrating staff qualifications and relevant experience and certifications (e.g. Ciena and Juniper).
- e. Network Operations Center Capabilities. Provide a detailed description of functions and capabilities of the network operations center that the Operator proposes to use in support of the Network.
- f. Technical Proposal. Provide a high level technical description of the proposed network operator services that will be provided as described in Section 3. Respondent must clearly identify any services listed in Section 3 that it will not provide to MBI or are offered as an add-alternate.
- g. Operational Structure and Capacity. Describe infrastructure and resources that Respondent will put in place to perform network operator functions and services (as described in Section 3) that it proposes to provide in response to this RFP. Respondent should indicate whether services will be provided by internal or external (subcontracted) resources and the location of such resources. Respondent should also clearly identify the extent to which internal resources will need to be expanded or augmented to take on the new responsibility of Network operations.

- h. Transition Strategy. The Respondent shall describe in detail the process it will use to assume Network operator functions from the current network operator in a manner that minimizes the impact of the transition on active Network customers and minimizes any Network downtime. The transition must be coordinated so that it is as seamless as possible. The transition strategy shall describe the anticipated schedule for migration.
- i. Network Service Offerings and Customer Rates. Describe all proposed Network and related service offerings that the Respondent plans to offer to wholesale customers. Respondent shall provide a description of any proposed modifications to services currently offered on the Network. The Respondent shall submit a spreadsheet that reflects its proposed rates for customer service offerings and associated revenue projections over the term of the engagement. Respondent shall also provide a marketing plan describing Respondent's approach to generate sales revenue from wholesale and carrier customers.
- j. References. All Proposals must include references from three (3) organizations to which the Respondent has provided network operator functions and services similar to those described in this RFP. If the Respondent owns the network(s) that it operates and would therefore be unable to provide references, Respondent shall alternately provide references from three (3) of its largest customers. All references must include a contact name, address, telephone number, and email address. In addition to the foregoing, all Proposals must include a listing of public and private clients for whom the firm has provided services similar to those set forth in this RFP, with a description of the services provided.
- k. Compensation Proposal. Respondent should provide a compensation proposal to provide the services described in Section 3 and included in Respondent's Technical Proposal (including any services listed as an add-alternate). The Proposal must contain sufficient information and detail to enable MBI to assess the value of the Proposal in comparison to other proposals it receives.
- l. Experience. Provide brief descriptions of all comparable broadband networks (e.g. similar size, scope and characteristics) located in the United States that the Respondent within the past five years has operated or is still currently responsible for operating.
- m. Financial Capacity and Resources.
1. Provide three years of Respondent's most recent audited financial statements. If Respondent's most recent financials are over 180-days old, submit, in addition, the most recent financial statements. Should the Respondent not have audited financial statements, Respondent should provide an explanation and, if applicable, submit three years of the most recent set of audited financial statements of its parent company, together with a description of Respondent's corporate structure that clearly demonstrates the relationship between the Respondent and its parent. Should neither the Respondent, nor its parent, if any, have audited financial statements, Respondent should: (1) submit a statement explaining why such audited financial statements do not exist; and (2) provide unaudited financial statements sufficient to allow MBI to evaluate the Respondent's financial condition, including three years of the Respondent's most recent income statements, balance sheets, and cash-flow statements.
 2. Submit a letter from a bonding company licensed to issue surety bonds in Massachusetts confirming that the Respondent has surety credit in an amount no less than the aggregate payment amounts proposed or estimated for the initial 3-year term and identifying the proposed bonding company. The Operator will be required to furnish a performance and a payment bond each in the foregoing amount, with surety satisfactory to MBI.
 3. Submit the completed Officer's Certificate (see Attachment C).
- n. Administrative Forms.
1. Proposal Cover Sheet (see Attachment A)
 2. Authorized Respondent's Signature and Acceptance Form

5. EVALUATION PROCESS AND CRITERIA

A team assembled by Mass Tech Collaborative and MBI will evaluate each Proposal that complies with the requirements in this RFP based on the following criteria:

- a. Extent to which Respondent's financial resources and strengths as evidenced by availability of surety bonding credit and balance sheet strength, including cash reserves, operating profit, credit rating, etc. provide assurance of Respondent's ability to fully execute its network operator obligations.
- b. Extent to which Respondent's organizational structure, capacity and qualifications of personnel (including relevant industry certifications) may reasonably be expected to support fulfilment of network operator obligations.
- c. Extent to which Respondent's experience demonstrates successful operation of middle mile or carrier networks of similar size, scale and characteristics.
- d. Quality of technical proposal, including comprehensiveness of proposed services and extent to which Respondent subcontracts for services listed in Section 3.
- e. Quality of transition strategy, including, but not limited to, the speed in which the transition is executed and the protections put in place to ensure a smooth transition that does not disrupt Network operations.
- f. Outcome of reference checks and determination that Respondent is not currently debarred from contracting with State, Federal, or any Local government.
- g. Range of services offered to carrier and wholesale customers and proposed pricing of services.
- h. Network Operations Center (NOC) capabilities.
- i. Robustness of Respondent's marketing plan.

MBI will select a Respondent based on MBI's determination of which proposal presents the best overall economic value. The best value determination will rely on common sense decision-making to meet the objectives of the RFP in the most efficient and effective manner possible. MBI will weigh competing proposals by considering comparative pricing and quality along with relative measures of financial and operational risk, the need for timely performance of network operator objectives, and the prospects for each Respondent's ability in the long-term to meet all of the objectives expressed in the RFP.

The order of criteria listed above does not necessarily reflect the relative order of importance. Mass Tech Collaborative also reserves the right to interview Respondents, request supplemental and clarifying information, and request best and final offers.

The selected Respondent will execute a Network Operator Agreement. The Mass Tech Collaborative expects to negotiate a final agreement with the selected Respondent based, in part, on the specifics of the respondent's proposal.

6. OTHER PROVISIONS

6.1. General Information

- a) If a Respondent's Proposal fails to meet any material terms, conditions, requirements or procedures, its Proposal may be deemed unresponsive and disqualified. The Mass Tech Collaborative reserves the right to waive omissions or irregularities that it determines to be not material.
- b) This RFP, as may be amended from time to time by Mass Tech Collaborative, does not commit Mass Tech Collaborative to select any firm(s), pay any costs incurred in preparing a Proposal or in connection

with the award of any contracts. Mass Tech Collaborative reserves the right, in its sole discretion, to make no awards through this RFP, to withdraw the RFP, to engage in preliminary discussions with prospective Respondents, to accept or reject any or all Proposals received, to request supplemental or clarifying information, to negotiate with any or all qualified Respondents, and to request modifications to Proposals in accordance with negotiations, all to the same extent as if this were a Request for Information.

- c) Unless otherwise specified in this RFP, all communications, responses, and documentation must be in English, and all cost proposals or figures in U.S. currency. All Proposals must be submitted in accordance with the specific terms of this RFP.
- d) On matters related to this RFP that arise prior to an award decision by the Mass Tech Collaborative, Respondents shall limit communications with the Mass Tech Collaborative to the Procurement Team Leader and such other individuals as the Mass Tech Collaborative may designate from time to time. No other Mass Tech Collaborative employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this RFP. Respondents may contact the Procurement Team Leader for this RFP in the event this RFP is incomplete.
- e) The Mass Tech Collaborative may provide reasonable accommodations, including the provision of materials in an alternative format, for Respondents with disabilities or other hardships. Respondents requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. The Mass Tech Collaborative reserves the right to grant or reject any request for accommodations.
- f) Respondent's Proposal shall be treated by the Mass Tech Collaborative as an accurate statement of Respondent's capabilities and experience. Should any statement asserted by Respondent prove to be inaccurate or inconsistent with the foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for Mass Tech Collaborative in its sole discretion to reject the Proposal and/or terminate of any resulting Agreement.

6.2. Posting of Modifications/Addenda to RFP

This RFP has been distributed electronically using the Mass Tech Collaborative, MBI and COMMBUYS websites. If the Mass Tech Collaborative determines that it is necessary to revise any part of this RFP, or if additional data is necessary to clarify any of its provisions, an addendum will be posted to the websites. It is the responsibility of each potential Respondent to check the Mass Tech Collaborative, MBI and COMMBUYS websites for any addenda or modifications to the RFP. The Mass Tech Collaborative accepts no liability and will provide no accommodation to Respondents who submit a response based on an out-of-date RFP.

Attachment A
Proposal Cover Sheet

Respondent Information	
Primary Respondent – Organization	
DUNS Number	Respondent Taxpayer ID# and jurisdiction (e.g., “a Massachusetts corporation”)
Mailing Street Address:	Total Funding Requested
State:	City/ Town:
Website	Zip Code:
Brief Summary of Project:	

Point of Contact Information	
Respondent’s Designated Representative: Authorized to commit organization; notified upon decision of contract award	
Name:	Title:
Organization: <i>If different from Respondent</i>	Phone:
Email Address:	Fax:
Mailing Street Address: <i>If different from Respondent</i>	City/ Town: <i>If different from Respondent</i>
State: <i>If different from Respondent</i>	State: Zip +4 Code: <i>If different from Respondent</i>
Respondent’s Project Manager: Contact over course of project	
Name:	Title:
Organization:	Phone:
Email Address:	Fax:
Mailing Street Address:	City/ Town:
State:	State: Zip +4 Code:

Attachment B

RFP for Network Operator Services

Authorized Respondent’s Signature and Acceptance Form

The undersigned is a duly authorized representative of the Respondent listed below. The Respondent has read and understands the requirements of this RFP.

The Respondent specifically acknowledges the application of the procedures regarding submission of sensitive information as set forth in this RFP, and specifically agrees that it shall be bound by those procedures. The Respondent understands that all materials submitted as part of the proposal are subject to disclosure under the Massachusetts Public Records Law unless an exemption applies as determined in writing by the Mass Tech Collaborative’s General Counsel. Respondent acknowledges that the statutory exemptions from the Massachusetts public records law are very limited and agrees that Mass Tech Collaborative shall not be liable under any circumstances for any disclosure of materials submitted to in connection with this RFP that is required by law.

Respondent acknowledges and agrees that the Mass Tech Collaborative has no obligation, and retains the sole discretion whether to select the Proposal set forth herein, and that Mass Tech Collaborative’s receipt of a Proposal does not imply any promise of a contract award at any time.

The Respondent understands that, if selected by the Mass Tech Collaborative, the Respondent and the Mass Tech Collaborative will negotiate a written agreement specifying the respective rights and obligations of each party.

I certify that Respondent is in compliance with any and all corporate filing requirements and State and Federal tax laws.

I certify that the statements made in this Proposal, including all attachments and exhibits, are true and correct to the best of my knowledge.

Respondent: _____
(Printed Name of Respondent)

By: _____
(Signature of Authorized Representative)

Name: _____

Title: _____

Date: _____

Attachment C
Officer's Certificate

The following questions must be answered by the Respondent.

1. Is your organization in compliance with of all its obligations under all bank lending and other credit (e.g., equipment leases) arrangements and has it been in compliance with these requirements during the past 12 months?
Yes No
2. During the past 5 years has your organization filed for bankruptcy or has any Principal (more than 5% stockholder or other type of ownership) or officer been an officer or Principal of another firm that filed for or been the subject of any bankruptcy or insolvency proceeding?
Yes No
3. Has your organization complied with all of its obligations to federal, state and local taxing authorities over the past three years?
Yes No
4. Has your organization been a named party (either voluntarily or involuntarily) in any legal proceedings, administrative proceedings or arbitrations initiated by a local, state or federal governmental body within the past 5 years that resulted in your organization being sanctioned or ordered to pay fines or penalties in excess of \$10,000?
Yes No
5. Has your organization or any officer or Principal been convicted in any criminal proceeding (other than minor traffic and other non-felony offenses) during the past 7 years or currently the subject of any similar criminal proceeding?
Yes No
6. Are your organization's financial statements audited? and,
Yes No
7. If so, have you received a "going concern" opinion from such audit firm during the past three years?
Yes No
8. Are more than 25% of your revenues derived from any single customer?
Yes No
9. Did your organization have positive net income in each of the three most recent fiscal years?
Yes No
10. Do your organization's tangible current assets (current assets less goodwill) exceed its current liabilities?"
Yes No
11. Has your organization been terminated or failed to complete work within the past 5 years on a project funded in whole or in part with public funds (local, state or federal).
Yes No
12. Certify your organization has internal accounting controls as required by Massachusetts General Laws Chapter 30, Section 39R(c).
Yes No If you have answered 'Yes' to questions 2, 7 or 8 please explain.

If you answered 'Yes' to questions 4 or 5 please provide appropriate details.

If you answered 'Yes' to question 11 please provide appropriate details.

If you have answered 'No' to questions 1, 3, 6, 9, 10, or 12 please explain.

Attach additional sheets if necessary.

Certification

The undersigned, _____, hereby certifies

(Name and Title)

that I am a duly authorized representative of _____

(Organization Name)

and that all of the foregoing answers and all statements contained in any explanation are complete, true and correct. Providing false or misleading information or failure to provide all required information will be considered grounds for disqualification. I attest to the accuracy of all information contained in this proposal and verify that the information submitted is in fact complete, accurate and true.

Signed and sworn under the penalties of perjury

Dated at: _____

(Location)

This _____ day of _____, 201_.

By: _____

(Signature)

Name: _____

(Printed or Typed)

Title/Position: _____