

REQUEST FOR PROPOSAL (RFP)

BROADBAND IMPROVEMENT IMPLEMENTATION

TOWN OF HENNIKER

DATE ISSUED JULY 14, 2023

UPDATED AUGUST 4, 2023

1. DESCRIPTION

The Town of Henniker is currently accepting proposals to improve broadband coverage throughout the entire community/town.

Service reference to the unserved locations as defined by RSA 38:38, I(c) for Bonding for Infrastructure. An unserved location is defined as a location that does not have access to at least 25 Mbps download/3 Mbps upload speeds. The location does not need to be subscribing to this service, but the service must be available at the street location (State or Town Road).

Or

Service Reference to new “fiber infrastructure to the premise” (FTTH) for all or parts of town that requires a financial strategy or shared costs.

Or, a combination of the above referenced services.

Town Communications Landscape:

Henniker has a mix of copper, cable, wireless, and fiber technologies serving parts of town. Many roads outside the center of town have poor quality line service. New developments need investment in infrastructure and will require new infrastructure to provide service. Existing fiber infrastructure (as shown on current maps) may not be currently in use, however it passes down some roadways. Maps are available on request.

Bidding Providers must provide specific service coverage, technology used, and high-speed availability for residential and business premises in Henniker.

Broadband Technology Maps can be supplied upon request for qualified bidders.

Proposals are due by Friday August ~~11~~ 25, 2023 at 4pm

BUSINESS MODEL: GENERAL CONSIDERATIONS OF TOWN

The Town is soliciting proposals to further improve broadband coverage in the town to specifically address the needs of the community with the infrastructure of the future, fiber to the premise for all residents and businesses. The Town's desire is to form a partnership(s) with one or more providers who can address this goal. The Town does not want to operate or be an owner of the system.

- **Both wired and wireless** technologies will be considered. In order to reach areas where fiber has an extremely high cost, wireless service may be an option. A commitment to replace wireless with wired as soon as possible, when and where necessary., should also be a consideration.
- Proposals should break down costs and identify areas covered. Providers should be willing to accept the project in part or whole by specific area. For example, The Town may accept multiple providers to serve different areas of The Town. However, the preference is to partner with a single provider.
- The Town is willing to work with any and all providers with regards to siting equipment, e.g. poles on town rights-of-way or distribution equipment.
- Proposals are to include all costs to provide service at the "street level" and should breakout and include the cost of going from the street to the network interface devices on a building deemed the final location. Special requirements for extensions to home with long driveways may be required to serve all residents. The "street level" includes State, Town, and Private roads that have a utilities right-of-way easement. Any additional coverage may be the responsibility of the owners of those roads without established rights-of-way.
- The town may not be willing to fund plans, or parts of plans, to provide service to those areas already having broadband service available from other providers. However, providers are free to compete in those areas of town with their own funding, and with cooperation of The Town with regard to right-of-way access.
- The Town is willing to consider funding improvements to existing service providers for served areas if a case can be made for significantly improving overall system reliability, better bandwidth speeds, and additional coverage.
- The Town is willing to support proposals to NH BEA Office of Broadband Initiatives for the Broadband Matching Fund and BEAD Funding.

Once bids are received, the Henniker Broadband Committee will review these proposals and make recommendations to the Select Board. The Select Board will notify the partner or partners. Final approval and acceptance of the Bid must be done at Town Meeting, if bonding, where a Bonding Article or a financing strategy will be developed for a town warrant that will be presented for approval by the Town voters. Several hearings may be required before this goes to Town vote. Town Meeting is scheduled for March 2024.

2. PROPOSAL GUIDELINES

All proposals must be submitted by the Response date: **Friday August ~~11~~ 25, 2023 at 4pm**

Include within each proposal package:

- A letter of transmittal with the name, signature and title of the person authorized to commit the Bidder to the proposal terms;
- Two electronic versions of the proposal as an attachment in Adobe Acrobat (pdf format) and MS Word document.

**Address to: Town Administrator
Diane Kendall
Town Hall
18 Depot Hill Rd
Henniker, NH 03242**

Email: diane.kendall@hennikernh.gov

Contact email above with any questions about submitting the proposal.

The Town reserves the right to reject all proposals, to waive any defect or informality in the proposals received and to accept the proposal deemed to be most favorable to the best interests of the Town, including, but not limited to, bidder qualifications, project cost, project size, schedule, and business model.

Approval of a proposal requires the acceptance by the Board of Selectman and the Town Voters at the Annual Town Meeting in March. Proposals may also be submitted to NH BEA for the NH Broadband Matching Fund and additional BEAD Funding when made available.

In addition to the above requirements, proposals must include:

- Description of the Technology to be used and how it meets the requirements high-speed broadband.
- Cost to install to the Street level for each specified unserved area of Town.
- Approximate timeline for installation. This should include estimates for tasks that may or may not be fully under providers control, such as “make ready requirements” or easements. List of easements or approvals required from third parties.
- Cost of monthly service for different performance specifications including rental of all equipment and if there is a time commitment for such pricing. If data caps are part of the service, these must be specified and should be high enough that a family of 4, with students, will not reach them.
- Cost of installation from “street” to residence. This can include a per foot charge.
- Guarantees of service call response times.

- Buyout provisions of Town investment after Bond or financing instrument is paid off.
- Credentials of Provider: Examples and references to other systems installed and managed.
- Contract recommendations/requirements for bidder to work with Town.

Proposals do need to address all the population of Town especially those that currently do not have adequate service.

All contractual terms and conditions will be subject recommendation of the Broadband Committee and final review by the Town’s Attorney. The contract will include scope, budget, schedule, and other necessary items pertaining to the project.

3. TIMELINE

The desire is to have acceptable proposal(s) ready to present at Town Meeting on March 2024 or in time to qualify to apply for NH BEA Broadband Matching Grant and BEAD Funding. Proposals will be reviewed in ~~mid August~~ **September** 2023. Some discussion with bidders may or may not occur concerning their bids during this time frame. Bidders must make themselves available in a timely manner to discuss specific proposals in advance of presentation at Town Meeting.

4. PROPOSAL EVALUATION CRITERIA

The Town of Henniker will evaluate all proposals. To ensure consideration for this Request for Proposal, your proposal should be complete and include all the following criteria:

- Overall proposal suitability: proposed outlines must meet the scope and needs included herein and be presented in a clear and organized manner
- Organizational Experience: Organizations will be evaluated on their experience as it pertains to the scope of this project
- Previous work: Organizations will be evaluated on examples of their work as well as client testimonials and references
- Value and cost: Organizations will be evaluated on the cost of their solution(s) based on the work to be performed in accordance with the scope of this project
- Technical expertise and experience: Organizations must provide descriptions and documentation of staff technical expertise and experience

1. Proposal Elements

Proposals must include the information set forth below:

- a. Letter of transmittal, signed by an individual authorized to bind the Bidder contractually, certifying that the Bidder will, if awarded a contract, execute contracts in accordance with the terms of the proposal within a reasonable time.

- b. The Bidder's qualifications demonstrating the skill, ability and integrity necessary to faithfully perform the work required, including any subcontractors proposed to be used by the Bidder. Such qualifications shall include a description of the Bidder's project experience, including project name, location and project costs, a brief description of the project, the firm's role in the project, project team member roles in the project, a project reference and contact phone number.
- c. Bidder's proposed Project design.
- d. Bidder's proposed Business model.
- e. Anticipated Project schedule.
- f. Bidder's proposed insurance coverages.

2. Terms of RFP

Town Discretion: The Town reserves the right to cancel this RFP at any time, to reject any and all proposals, to waive any defect or informality in the proposals received and to accept the proposal deemed to be most favorable to the best interests of The Town.

No Costs: This solicitation does not obligate The Town or any other person associated with the Project to pay any costs incurred by Bidders in preparing and submitting a proposal.

No express or implied services: This solicitation does not obligate The Town or any other person associated with the Project to accept or contract for any expressed or implied services.

Bidder duty to examine: Submission of a proposal shall be conclusive evidence that the Bidder has examined the Premises and the contract documents and is familiar with all the conditions of this procurement. Upon finding any omissions or discrepancy in the proposal documents, the Bidder shall notify The Town immediately so that any necessary addenda may be issued. Failure of the Bidder to completely investigate the Premises and/or to be thoroughly familiar with the contract documents (including plans, specifications and all addenda) shall in no way relieve the Bidder from any obligation with respect to the proposal. Bidder is responsible for verifying all statements in this RFP with the proper authorities.

Incomplete Proposal: Proposals that are incomplete, contain any omissions, erasures, alterations, additions or irregularities of any kind may be rejected, but The Broadband Committee and The Town are not obligated to reject such proposals.

Proposal Withdraw or Modification: Any Bidder may withdraw or modify its Proposal by written request at any time prior to the Response Date. Telephonic proposals, amendments or withdrawals will not be accepted. Unless otherwise specified, no Proposal may be withdrawn for a period of sixty (60) days from the Response Date. The Town may waive minor informalities or allow the Bidder to correct them. The Town may permit a Bidder to withdraw a proposal if a mistake is evident on the face of the document, but the intended correct offer is not

similarly evident. Negligence on the part of the Bidder in preparing the Proposal confers no rights for the withdrawal of the Proposal after it has been opened.

Bidder Inquiries: All substantive inquiries from prospective Bidders concerning this RFP must be submitted via email with subject line “Henniker Broadband” to date and may be shared with other prospective Bidders. All responses to substantive questions shall be via email and will be simultaneously distributed to all recipients of the RFP, and will be made available to all interested parties.

Selection of Successful Bidder: The Town shall evaluate all Proposals on the basis of the following criteria:

- a. Adequacy of Proposal:
 - i. Proposal timely submitted;
 - ii. Proposal complies with the RFP’s terms and conditions;
- b. Bidder Qualifications and Experience
- c. Project Design
- d. Business Model
- e. Project Schedule
- f. Agreement with Contract terms
- g. Insurance

After opening of the bids, The Town may seek such additional information and enter into negotiation of contract terms as The Town, in its sole discretion, deems appropriate.

The Town is not obligated to select the lowest bid, the lowest responsible bid or follow any other criteria in selecting the successful bidder. The Town shall select the Proposal which in the Town’s view, after evaluation of the qualifications of the Bidder and proposed design, Business model, and schedule, is most advantageous to The Town.

Final acceptance of the Bid requires the approval of the Board of Selectman, and the Town voters at the Annual Town Meeting held in March 2024 in Henniker.

5. Financial Strategies the town may use to enhance public-private partnership with one of more providers.

The Town of Henniker is following the requirements of New Hampshire SB 170 in order to pursue the option of the Town Bonding upgrades to the Broadband infrastructure to meet the 25/3 specification. This allows for the Town to Bond and enter into a public-private partnership for these improvements. Since the Town would fund and Bond improvements, there are some requirements of the Bonding Bank and the State to do

this. The most significant is the requirement that the Town own the Bonded assets until the Bond is paid off. After the Bond is paid off, the Town would be willing to transfer these assets to the partner in the agreement. This transfer may be at no cost or some previously agreed upon price. These “buyout” provisions need to be part of the proposal.

The Town of Henniker will support applications to NH BEA for the NH Broadband Matching Fund, and BEAD Funding as well as private investment strategies.

Financial strategies may be developed to spur investment in infrastructure to residents and businesses in Henniker. A shared cost scenario should include all costs and requirements to enable the deployment of new infrastructure.