

VILLAGE OF LIMA

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Request for Proposals

**For Design, Engineering, and Consulting Services
for the Village of Lima's Fiber Optic Internet System in connection with
NBRC Grant Agreement Number: NBRC21GNY05
Project Title: Village of Lima Fiber Optic Network Construction**

Proposals must be received no later than Thursday, July 21 at 3:00pm.

For information, please contact:

Project Manager	John Wadach, Village of Lima Deputy Mayor
Mailing Address	PO Box 20A, Lima, NY 14485
Physical Address	7329 East Main Street, Lima, NY 14485
Phone	585-624-2210
Email	jwadach@VillageOfLima.us

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Village of Lima, New York

Request for Proposals

For Design, Engineering, and Consulting Services for the Village of Lima's Fiber Optic Internet System in connection with NBRC Grant Agreement Number: NBRC21GNY05 Project Title: Village of Lima Fiber Optic Network Construction

1 Summary

The Village of Lima, New York, ("the Village") is seeking proposals from qualified network design and consulting contractors ("Design Contractor") for professional design, engineering, and consulting services for a Broadband Fiber Optic Network capable of providing internet service to all premises in the Village of Lima. Although some residents and businesses may not choose to subscribe, we believe that interest is high; there are approximately 700 residential and business premises in the Village. The estimated length of fiber optic cabling needed is 12.4 miles.

The estimated total project cost is \$843,512. 80% (max of \$664,960) will be funded from NBRC Grant # NBRC21GNY05 while the remaining 20% (\$178,552) will be paid by the Village of Lima. The Village will finance the entire cost of the project (\$843,512) using a Bond Anticipation Note. Upon completion of the project and receipt of all NBRC Grant Funds, the Village will finance the balance with a long term serial bond.

The Engineering Design Firm will be required to perform all work (the "Work") described herein, which includes specifying network architecture and technology, identifying permitting requirements, designing optimal fiber routes, surveying utility poles, overseeing the pole and conduit licensing process, overseeing utility pole "make ready" work (performed by National Grid or other utility/telecom, depending on pole ownership), preparing the construction bid package, specifying testing procedures, performing construction quality assurance/quality control, developing detailed project budgets, coordination of and documentation of as-built records, and any other functions that may be needed to ensure successful construction and operation of a fiber optic broadband network in the Village in compliance with the standards and requirements under the Northern Border Regional Commission (NBRC) contract.

Proposals must be received no later than Thursday, July 21 at 3:00pm. See section 4.1 below for a summary of key dates. The contract will be awarded to the Engineering Firm offering the most advantageous proposal, taking into consideration responsiveness to requirements, other comparative evaluation criteria set forth in this RFP, and price. Proposals that are incomplete, not properly endorsed or signed, or otherwise contrary to instructions may be rejected by the Village as non-responsive. All contracts shall be reviewed by the NBRC prior to final approval.

The contract will be awarded by Resolution of the Village of Lima Board of Trustees on recommendation of the Village Broadband Committee. The Village reserves the right to reject any and all proposals in whole or in part, and to waive irregularities and informalities, at its sole discretion and to the extent permitted by law, if and when it is deemed to be in the best interest of the Village.

All plans, designs, specifications, maps, analyses, and all other documents and data, including GIS data, created through this project shall become the property of the Village at no additional cost.

Services for network construction shall be procured through a separate RFP process or processes as required by the NBRC grant. The Engineering Design Firm on this design, engineering, and consulting services project shall not be eligible to bid on these follow-on services; instead, the Village expects that the Engineering Design Firm will provide independent advisory and project management services during the construction phase.

2 Description and Scope of Work

2.1 Network Design Objectives

The network design and plan must accommodate the Village's Broadband Network requirements, which include but are not limited to the following:

- The network must have the ability to provide access to all premises in the Village although not all residents or businesses may choose to connect. There may be those premises that are adjacent to the established coverage area that request inclusion on the network. These premises may be considered in the event an equitable agreement is made with the ISP for connection and service funded outside the NBRC grant.
- The network should be expandable in a manner as efficient and effective as possible to increase capacity and to accommodate advances in technology as may reasonably be expected to become available over the life of the network (at least 20 years). This means, at a minimum, a sufficient number of spare fiber strands in the backbone and distribution routes, as well as enough expansion slots in electronics cabinets to accommodate expansion cards for all future subscribers.
- The network and its construction must adhere to all current and generally accepted technical standards, building codes, construction practices, and other regulations, specifications, and standards as may apply in the broadband networking industry. Also, all federal, state, and local laws, regulations, and codes applicable to the network, its construction, and its operation and services must be observed.
- The network will likely connect to the Livingston County Network and be fully compatible therewith. This does not rule out that the ISP selected as the operator may have its own backhaul capability independent of the Livingston County network.
- The network must provide high-speed data connection to the internet as well as additional services (at subscriber option and based upon ISP product offering outside of the NBRC grant).
- The network is not required to provide traditional Cable TV service although the system must be fully and robustly capable of accommodating current-state Internet Protocol Television (IPTV) and other internet-based video services, including interactive video services.
- Where there are technical or architectural design alternatives, and where there are multiple types, brands, or models of equipment, the design consultant will be expected to identify all options and present to the Village a reliable and understandable explanation of each, along with an explanation of tradeoffs in terms of functions, features, costs, and other pros and cons. There will likely be coordination with the partner ISP provider on specific aspects of the design, however the Engineering Design Firm will be tasked with ensuring that choices related to those details are not detrimental to future adaptation or use by other ISPs.
- The network shall comply with the requirements set forth in the grant application and contract between the NBRC and the Village.

2.2 Schedule

The Engineering Design Firm shall begin work within thirty (30) days of execution of the signed contract with the Village. As part of their proposals, all submitters shall include a comprehensive schedule of project events and deliverables along with delivery dates for each, such proposed schedules to be among material criteria used to evaluate the proposals. The Engineering Design Firm shall be expected to adhere to its proposed schedule.

2.3 Scope of Work

The Village will expect the Design Contractor to perform the services listed below. Proposals should clearly address all items and follow the requirements of the NBRC where applicable:

- Design a “last mile” fiber-to-the-premise network, including optimal fiber routes, that meets the design objectives specified in section 2.1 above.
- Survey utility poles along public and private ways and evaluate where fiber optic cables should be placed along the poles versus where they should be buried.
- Identify special situations, private roads, unusual cable runs, remote parcels, or other obstacles, if any, that will affect installation costs.
- Identify third-party approvals or permits that will be needed, if any, including but not limited to conservation, environmental, and historical preservation permits, waivers, and easements.
- Identify “hut” and distribution hub locations, equipment enclosures, etc.
- Oversee the utility pole and conduit licensing process, including verifying pole information and applying for pole attachments. The Village will pay application fees, make-ready costs, and rents directly to pole owners; these costs should not be included in proposals.
- Oversee utility pole “make-ready” work (to be performed by National Grid or other utility/telecom, depending on pole ownership).
- Specify testing and quality assurance procedures necessary to ensure that the completed Network will perform as designed and that all work is good and workmanlike.
- Conduct a survey of the provided address list within the coverage area to develop a list of probable subscribers to whom the network would be connected to and inform the distribution design.
- Prepare the construction bid package that the Village will issue as an Invitation for Bids to identify a construction contractor. The information for bid must include all detailed specifications, construction scope of work, NBRC requirements and procedures; required bidder qualifications, and all other content required for a complete and proper bid package.
- Advise the Village during the construction contractor selection process to help evaluate proposals.
- Provide construction management, testing, consulting, and advisory services as needed during the network construction phase on a per-hour or per-diem basis.
- Identify and describe any other functions and services that may be required or recommended to ensure successful, timely, and responsive construction of the Village’s Broadband Network.
- Create a budget for the build-out that includes all aspects of permitting, utility pole agreements, construction costs (including cable installation, “hut” construction, and all other construction elements), construction oversight, network equipment (including premise terminal equipment), connection fees, etc.
- Provide a contractor qualifying profile/ evaluation matrix for use in evaluating potential contractors that may bid on the construction portion of the work.

2.4 Project Contact

The Engineering Design Firm shall provide a primary contact for the duration of the Work. The contact information should include name, telephone number, and email address of the Engineering Design Firm's primary contact. The Village will identify and provide contact information for the Village's primary contact at the time of design/consulting contract execution. During performance of the Work, all questions and responses regarding the Work shall be in writing, which requirement may be satisfied via email communication.

2.5 Other Terms and Conditions

Any additions or deletions to the Work shall be only by written change order executed by the Village and the Engineering Design Firm. Scope changes may require prior review and approval by NBRC before execution.

The Village reserves the right to amend the Engineering Design Firm's form conditions and/or terms used in its agreement(s).

The Engineering Design Firm will submit monthly invoices to the Village with payment terms net 30 days.

The Engineering Design Firm shall carry liability insurance in the amount of One Million Dollars (\$1,000,000) per occurrence, errors and omissions insurance in the amount of One Million Dollars (\$1,000,000), and workmen's compensation insurance as required by law; The Engineering Design Firm shall furnish to the Village Certificates of Insurance demonstrating such coverage.

The contract between the Village and the Engineering Design Firm shall include a termination provision allowing the Village to terminate the contract at any time for any reason at its sole discretion without penalty. In such event, the Village will be liable for payment only for services rendered prior to termination.

3 Village Description and Subscriber Information

The Village has a population of 2,200 and approximately 700 dwellings. The Village is home to a Bible College, K-12 Christian School, K-2 Public Primary School, and Public Library. The business district is located within a one-block radius from the intersection of NY routes 5 and 15A. All Village and Town of Lima municipal facilities are located within the village. Telecommunication resources are supplied to most dwellings via telephone poles except the following residential streets: Eastwood Drive, Eastwood Circle, Meadow View Drive, Rainbow Lane, Kober Drive, Hogan Avenue, and Parkside Place.

4 Proposal Process and Submission Requirements

4.1 Summary of Key Dates

The Village establishes the following dates for this proposal process but reserves the right to adjust any of these dates if in its sole discretion adjustment is warranted:

Date of RFP Issue	Thursday, June 16, 2022
Deadline for Receipt of Proposals	Thursday, July 21, 2022 at 3:00pm
Interviews with Finalist Proposers	Prior to Friday, August 5, 2022
Board Award Decision	Tuesday, August 9, 2022
Execution of Contract	Prior to Friday, August 19, 2022
Work to Begin	Prior to Monday, September 19, 2022

4.2 Submission Procedure

Proposals must be clearly marked as: "*Village of Lima Broadband Network Design and Consulting Services Proposal*", *price proposal must be marked or labeled as: "Price Proposal Village of Lima Broadband Network Design and Consulting Services*, and must be received by Elissa Sacket, Village of Lima Clerk, via US Mail or email (clerk@VillageOfLima.us) no later than **Thursday, July 21, 2022, at 3:00pm**.

Proposals that are late, incomplete, not properly endorsed or signed, or otherwise contrary to instructions may be rejected by the Village as non-responsive.

All proposals, plans, designs, specifications, maps, analyses, and all other documents and data, including GIS data, created through this project shall become the property of the Village at no additional cost.

4.3 RFP Inquiries

All inquiries and requests for information/clarification regarding this RFP must be submitted by email to Trustee John Wadach (jwadach@VillageOfLima.us).

The manner in which the Village responds to inquiries shall be at the Village's discretion.

4.4 Interviews and Presentations

Finalist proposers that meet evaluation criteria (section 5) will be invited to meet with the Village Broadband Committee to discuss their proposals and answer questions. The Committee requests that proposers who are so invited include the person who will be the firm's project manager and lead consultant, and other members of the team as the firm deems appropriate.

4.5 Proposal Contents

Proposers are encouraged to prepare responses using clear and concise language that responds to the RFP in a straightforward manner. Please explain all acronyms and technical terms. Proposers are requested to organize their RFP submission consistent with the following, with any additional attachments that they may deem appropriate:

Section	Contents
Transmittal Letter	<p>The Transmittal letter may be in the form of a business letter and should be no more than 2 pages. It should include:</p> <ul style="list-style-type: none"> • Brief statement of Proposer’s understanding of the project • Highlights of the Proposer’s qualifications and ability to perform the Work • Name, title, and contact information of the person(s) who are authorized to respond definitively to questions
1 Company Overview	<ul style="list-style-type: none"> • Company name, email address, physical address, and phone and fax numbers • Year the company was established and former names if applicable • Parent company if applicable • Company/consultant background demonstrating longevity and stability • Organizational structure • Names and locations of company owners, unless publicly traded • Proof of existence, officer authority, qualifications to do business, and/or licensing and good standing in New York State.
Section	Contents
3 Workforce	<ul style="list-style-type: none"> • List all key personnel to be assigned to the project, including managers, supervisors, foremen, technicians, etc., and their respective responsibilities, experience, training, Certifications and length of service. Also list subcontractors, if any (firms and/or individuals), their roles, and their backgrounds.
4 Project/ Client Experience	<ul style="list-style-type: none"> • Briefly describe all relevant fiber optic network projects that you have been involved in, including client, location, size, project duration, and whether the project was completed within budget and on schedule. • Clearly note specific experience with municipalities and government entities. • Provide client contact information for at least three recent projects of similar nature. • List any projects funded with Federal Grants that the firm was involved in.
5 Description of Proposed Work, Work Plan and Schedule	<ul style="list-style-type: none"> • Based on the Scope of Work described in this RFP, provide a description of the approach the Design Contractor will use to meet project goals and requirements. Include a summary table that shows each task along with the assigned team member if known, estimated hours/days, and scheduled completion date. Also include a graphical timeline showing key milestones for the project and when they will be achieved. • Clearly indicate any restrictions, qualifications, additions, or deviations from the services requested in this RFP, with explanation.

6 Price Proposal	<ul style="list-style-type: none"> • Quote hourly or daily rates for all personnel to be assigned to project. • Estimate hours or days for each task, with estimated cost for each. • List non-labor costs, if any. • Estimate total project cost and provide a “not-to-exceed” total budget cap for all design, engineering, and consulting services to be rendered as part of proposal.
7 Completed Signature Form	<ul style="list-style-type: none"> • Attached hereto as Appendix B is the Villages’ required Certification and Signature Form.

4.6 Proprietary and Confidential Information

Unless clearly marked and submitted according to the instructions below, submitted materials are a matter of public record and will be open to public inspection.

4.7 Other Requirements

The Engineering Design Firm shall comply with all laws, rules, regulations, codes, and permits applicable to the Work and with the requirements set forth in the NBRC Contract and Procedures Manual.

The Village is exempt from Federal and State Sales and Excise Taxes, and no such taxes should be included in the proposal.

5 Evaluation Process and Criteria

The contract will be awarded to the Proposer offering the most advantageous proposal, taking into consideration responsiveness to Village requirements, other comparative evaluation criteria, and price. The contract will be awarded by the Village of Lima Board of Trustees on recommendation of the Village Broadband Committee. The Village reserves the right to reject any and all proposals in whole or in part, and to waive irregularities and informalities, at its sole discretion and to the extent permitted by law, if and when it is deemed to be in the best interest of the Village.

Proposals will be rated using the following categories: Highly Qualified, Qualified, Not Qualified.

5.1 Proposer Qualifications and Experience

Highly Qualified (2pts)	<ul style="list-style-type: none"> • Demonstrates significant expertise and experience in completing similar broadband network design, engineering, and consulting projects • Demonstrates a track record of success in completing projects of similar size and scope within scheduled timeframe and budget • Demonstrates expert knowledge of all FTTP technologies, standards, and protocols related to passive and active broadband networking and is able to articulate benefits, costs, and tradeoffs among all options • Is familiar with emerging next-generation systems and technologies and is able to assess their potential future impact • Demonstrates experience working with key stakeholders (government officials, network industry representatives, utility company representatives, property owners, etc.) • Has worked on Federally Funded projects in the engineering/ project supervisory role.
Qualified (1pt)	<ul style="list-style-type: none"> • Demonstrates some expertise and experience in completing network design, engineering, and consulting projects • Demonstrates a track record of success in completing projects within scheduled timeframe and budget • Demonstrates adequate technical knowledge related to broadband networks • Demonstrates general experience working with stakeholders
Not Qualified (0 pt)	<ul style="list-style-type: none"> • Does not demonstrate minimum levels of expertise or experience.

5.2 Proposer Response to Requirements

Highly Qualified (2pts)	<ul style="list-style-type: none"> • Clearly and comprehensively articulates an understanding of the project • Addresses an approach to each defined task in a credible and sensible way • Demonstrates mastery of the process necessary to manage projects and complete tasks • Has a clear and credible approach to dealing with unknowns and project contingencies if and when they emerge • Provides a comprehensive, well-conceived project plan with logical steps and realistic timeframes • If warranted, identifies sensible changes to the Scope of Work, addressing missing or poorly conceived activities
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Qualified (1pt)	<ul style="list-style-type: none"> • Articulates a general understanding of the project • Is credible in addressing specific requirements • Demonstrates understanding of the process necessary to manage projects and complete tasks • Acknowledges the possibility of unknowns and project contingencies and is prepared to address them in a general way • Provides a project plan with logical steps and realistic timeframes
Not Qualified (0 pt)	• Does not demonstrate a project approach that is likely to be successful

5.3 Proposer Staffing Plan

Highly Qualified (2pts)	<ul style="list-style-type: none"> • Is clearly and comprehensively articulate in the response • Provides a firm time commitment of all key personnel, including the Project Manager • Is clear in identifying project team members, their roles, and time commitments • Is clear in identifying sources of staffing per task (company employees versus subcontractors) • Demonstrates appropriate skills and qualifications of all staff and subcontractors to be assigned • Demonstrates convincingly that the proposed staffing level is sufficient to meet project requirements within the scheduled timeframe
Qualified (1pt)	<ul style="list-style-type: none"> • Is articulate in the response • Provides a time commitment for most key personnel • Demonstrates that the proposed staffing is sufficiently skilled • Demonstrates that the proposed staffing level is adequate to get the job done
Not Qualified (0 pt)	• Does not demonstrate that the staffing plan is adequate to be successful

5.4 Proposer Communication Skills

Highly Qualified (2pts)	• Proposal clearly and comprehensively explains plans, approaches, technical information, and all other data in a manner that is easily understandable to both technical and non-technical audiences.
Qualified (1pt)	• Proposal explains contents in a manner understandable to both technical and non-technical audiences.
Not Qualified (0 pt)	• Does not demonstrate communication skills necessary to be successful

5.5 Quality of Interview (If Interviewed)

Highly Qualified (2pts)	<ul style="list-style-type: none">• Key personnel on the project team, including the Project Manager, attended the meeting and each demonstrated his/her skill and expertise, and comprehensively communicated a thorough knowledge of the services required to address the Scope of Work.
Qualified (1pt)	<ul style="list-style-type: none">• Some key personnel attended the meeting and demonstrated relevant expertise and knowledge regarding required services.
Not Qualified (0 pt)	<ul style="list-style-type: none">• A company representative did not demonstrate sufficient knowledge to inspire confidence that the project would be successful.

5.6 Results of Reference Checks (If Checked)

Highly Qualified (2pts)	<ul style="list-style-type: none">• References show that the firm, the identified Project Manager, and key personnel have positively and successfully completed similar, relevant projects on time and within budget.
Qualified (1pt)	<ul style="list-style-type: none">• References show that the firm along with some identified project team members have experience with similar projects and generally meet deadlines on time and within budget.
Not Qualified (0 pt)	<ul style="list-style-type: none">• References do not indicate satisfactory experience with firm and/or team members.

**Appendix
A
Informational Resources**

The following links (to be inserted) and documents are included for informational purposes in developing a well-focused proposal for Engineering Services.

The following Information and open data is available to inform responses to the RFP, including but not limited to:

1. NBRC website - <https://www.nbrc.gov>
2. NBRC21GNY05_Grant Agreement - <https://villageoflima.us/other-documents/>

Appendix B Certification and Signature Page

Must be completed and submitted with proposal.

Company Information

Company Name _____

Address _____

Contact Person _____

Contact Phone # _____

Contact Email (Print) _____

Certification of Services

The Undersigned Engineering Design Firm proposes to furnish all labor and materials, and to deliver all services, work products, and documents identified in the attached *Village of Lima Broadband Network Design and Consulting Services Proposal* in accordance with the requirements laid out in the Village's Request for Proposals, subject to specific exceptions clearly described in our proposal, if any. The Undersigned agrees that Engineering Design Firm is ready, willing, and able to furnish the staffing resources described in our proposal, and agrees that if selected as Design Contractor, the company will within five business days after presentation thereof by the awarding authority; execute a contract in accordance with the terms of this proposal. The Undersigned certifies that Design Contractor is in good standing and meets all requirements to do business in the State of New York.

Signature of Authorized Individual _____ Date _____

Title of Authorized Individual _____

Certificate of Non-Collusion

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person or entity considered as an affiliate related to other portions of the project. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of Authorized Individual _____ Date _____

Title of Authorized Individual _____

Tax Compliance Certification

Pursuant to State Law, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the State of New York relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature of Authorized Individual _____ Date _____

Title of Authorized Individual _____