

# THE CITY OF NEW HAVEN

## BUREAU OF PURCHASES

200 Orange Street

New Haven, Connecticut 06510  
(203) 946-8201 - FAX (203) 946-8206

**Toni N.**  
Mayor



**Michael V.**  
Purchasing

### REQUEST FOR QUALIFICATIONS

The City of New Haven is accepting Qualification on behalf of a consortium local municipal governments for the following:

**GIGABYTE**  
**Connecticut Municipalities Broadband Infrastructure Upgrade and Expansion Project**  
**RFQ# 2015-09-979**

Response must be submitted in the form and manner specified in the request. Forms and specifications may be obtained from the Bureau of Purchases, website:  
<http://www.cityofnewhaven.com/PurchasingBureauOnline/index.asp>.

**Hardcopy submission:** One (1) Original and one CD or Thumb Drive containing the complete proposal.

**Electronic submission** is submitted through your login on our website:

[www.cityofnewhaven.com/purchasingbureau/CheckSubmissionIP.asp](http://www.cityofnewhaven.com/purchasingbureau/CheckSubmissionIP.asp)

THE BUREAU OF PURCHASES  
200 ORANGE STREET, ROOM 301  
NEW HAVEN, CT 06510

**RFQ's will be accepted until 11:00 AM EST on Tuesday, November 18, 2014**  
**at which time all responses will be publicly opened and read aloud.**

*Submitted by:*

\_\_\_\_\_  
*Company Name*

\_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*City, State & Zip Code*

\_\_\_\_\_  
*Contact*

\_\_\_\_\_  
*Email*

( ) \_\_\_\_\_  
*Telephone #*

( ) \_\_\_\_\_  
*Fax #*

# REQUEST FOR PROPOSALS

## INSTRUCTIONS TO RESPONDENTS

### RFQ Documents – The RFQ documents include the following:

- A. Announcement / cover
- B. Instructions to Respondents

### What to Submit

1. Coversheet of this document
  2. Supplemental Information (If Requested)
- 
1. **RFQ Submission** - All RFQs shall be sealed and identified on the outside by your firm's name and the RFQ title, and submitted to the office of the Bureau of Purchases, 200 Orange Street, New Haven, CT 06510, by the time and date shown on "Cover". A "clearly marked" Original (if applicable), if submitting a hardcopy. The City of New Haven can accept, as sole documentation, on-line submission for solicitations. If you respond on-line, you must respond through your account and also provide your response in the manner described on the web site, in creating on-line submissions.
  2. **Rejected Solicitations**- A respondent, whose submission to a solicitation that has been rejected by the Bureau of Purchases will receive a fax or email communication informing them that such action has occurred. The respondents submitted solicitation documents will not be return to their origin. Solicitations which have a bid bond associated with it, the bond will be return to its origin.
  3. **Submission Due Date:** In the event that City Hall is closed due to any reason on the day and time a solicitation is due, this solicitation will be accepted and opened on the next business that City Hall is open at the same time it was originally scheduled. Please note: Any addendum posted to our website to change the date and time will supercede this section
  4. **Interpretation of Addenda** – Requests for interpretation of the RFQ documents shall be made in writing. Such interpretations will be in the form of an addendum to the RFQ documents and will be on file in the Office of the Purchasing Agent at least seven business (7) days before the day of the RFQ opening. In addition, the addendum will be posted on the City of New Haven web-site not less then (5) calendar days prior to the opening date unless it is to extend the opening date which can happen until 5:00 PM on the day before the opening. Respondents that do not have web access or for oversized documents, the Bureau will endeavor to fax or mail addenda. In any event all such addenda shall become part of the contract and each respondent shall be bound by such addenda whether or not received by the respondent.
  5. **RFQ Withdrawal** – RFQs may be withdrawn by written request prior to RFQ opening or after 60 days subsequent to RFQ opening if no award has been made.
  6. The City of New Haven cannot guarantee that equipment involved in this technology will be available to provide information or receive transmittals. It is your responsibility to ensure that you have current information and that submittals are received at the designated location complete and on time. The City of New Haven is not responsible for the confidentiality of information transmitted over the Internet.
  7. Downloading Commodity/Service Bids, RFP/RFQs, Quotes or Construction Bid Documents does not obligate the city to send you future notification of addendum updates. You will need to check the web-site periodically, however we will endeavor not to issue addendums later than 5 business days prior to the solicitation due Date. The only exception would be in the event of an extension, which can occur up to 24 hours prior, to the opening date. Our website [www.cityofnewhaven.com/purchasingbureau](http://www.cityofnewhaven.com/purchasingbureau)

8. **Questions, Inquiries, and/or requests for clarifications regarding this RFQ should be directed to:**  
**Procurement Specialist**  
200 Orange Street Room 301  
New Haven, CT 06510  
Tel: (203) 946-8201  
Fax: (203) 946-8206  
E-mail [purchasing@newhavenct.net](mailto:purchasing@newhavenct.net)  
All questions must be received 7 business days prior to the opening date. Questions received after the deadline may not be answered.
9. **Assignment of Contract** – The contractor may assign all or part of the contract to another after receiving written permission from the City Purchasing agent. Such assignment shall NOT release the contractor from any part of the responsibility or liability assumed under the contract.
10. **Equal Employment Opportunity** – The City will terminate any contract without accepting liability for any incomplete work if it is found that the Contractor has violated any of the provisions of Executive Orders 11246 and 11374, Connecticut Fair Employment Practice Act, and Chapter 12 ½ of the code of Ordinances of the City of New Haven, incorporated herein by reference. The City reserves the right to incorporate into the contract any additional provisions relating to Equal Employment, including an Affirmative Action Agreement
11. **Implied Requirements** – All services not specifically mentioned in this RFQ that are necessary to provide the functional capabilities described by the vendor shall be included in the Proposal. The City does not reimburse for expenses incurred during the performance of this contract. It is the contractor's responsibility to notify the City of New Haven, Bureau of Purchases within a minimum of 7 days of the opening date of any services or supplies not specifically mentioned in this specification but are necessary to provide the functional capabilities of the contract.
12. **Preparation Costs** - All costs incurred in the preparation and presentation of this Proposal shall be wholly absorbed by the proposer.
13. **Insurance**
- A. The Contractor will carry Professional Liability or Errors & Omissions Insurance with respect to any damage caused by an error, omission or any negligent act of the Contractor with minimum coverage limits of One Million Dollars and No Cents (\$1,000,000.00) per claim for any wrongful act to cover work performed under this contract.
- Upon signing this Agreement, the Contractor shall provide a certificate of insurance evidencing said insurance. Upon request, the Contractor will promptly provide the City with a copy of the insurance policy. It is understood that the Contractor shall not change the terms and conditions of such insurance policy except upon the prior written approval of the City, which approval shall not be unreasonably withheld.
- B. The Contractor shall indemnify, defend and save harmless the City and its officers, agents, and employees from and against all claims, damages, losses and expenses, including but not limited to attorney's fees arising out of or resulting directly or indirectly from the performance of services of the Contractor set forth under this Agreement.
- C. The Contractor, shall, in addition carry Commercial General Liability insurance providing for a total limit of one million dollars and no cents (\$1,000,000.00) per occurrence for all damages arising out of bodily injury and property damage, and contractual liability for the indemnification provided under this

contract; Personal and Advertising Liability \$1,000,000 per occurrence; Products/Completed Operations \$1,000,000 aggregate; Fire Damage Legal Liability (where required) \$300,000; Medical Expense \$10,000. Each annual aggregate limit shall not be less than one million dollars and no cents (\$1,000,000.00).

**D.** The Contractor shall carry Automobile Liability insurance with respect to any owned, non-owned, or hired vehicles in the amount of one million dollars and no cents (\$1,000,000.00) per accident for bodily injury and property damage.

The City shall be named both certificate holder and additional named insured. The certificate shall specifically reference this Agreement, and should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**E.** . The Contractor shall furnish the City with a certificate of Insurance evidencing that it has complied with the obligations under this section of the Agreement. The Contractor shall be solely responsible for the payment of all premiums.

**F.** Where required by statute, the Contractor shall carry Workers' Compensation and Employers' Liability with limits of not less than the following: Each Accident \$100,000; Per Disease Policy Limit \$500,000; Disease each employee \$100,000. The City shall be named a Certificate Holder on such policy, and the Contractor shall furnish the City with a Certificate of Insurance evidencing that it has complied with the obligations under this Section of the Agreement.

**G.** City of New Haven must be named as an additional insured and the Certificate of Insurance must include the contract name, number and location.

14. **Availability of Funds** – All contracts are bid with the intention of awarding a contract as a result of the RFQ. Any and all awards and actual contract execution by the City Of New Haven is contingent upon availability of appropriate funds. In the event that funding is not available at the time of award and/or execution of the contract the City reserves the right to cancel the bid.
15. **Execution of Agreement** – Failure of the successful respondent to deliver to the City a properly signed and witnessed Agreement with all required bonds and insurance policies, within ten (10) days after receipt of written Notice of award, or within such extended period as the Purchasing Agent may grant, shall constitute a default, to the City, which may either award the contract to the next lowest respondent, or re-advertise for RFQs.
16. **Commencement of Work** – The City will not be responsible for payment of any work performed or materials supplied by the successful respondent before the Contractor receives a fully executed agreement unless an emergency situation has been declared by a City employee duly empowered to do so, and the vendor receives written authorization from this individual to proceed. Note: Responsibility for payment shall be limited to only that work deemed necessary by the City to alleviate the immediate emergency.
17. **Procurement Card/ PCard (e-commerce tool).** Please indicate in your Statement of Qualification if your firm is enabled to accept credit card payments for goods and service, in addition to Purchase Order or Checks. Please provide any applicable discounts in your response.
18. **City Right & Reservations** - The City of New Haven reserves the right to alter or revoke this RFQ at any time. The City further reserves the right to reject any or all responses, to waive any informalities in the responses received and to accept only those responses deemed by the City to be in the best interests of the City. Any mention in these documents of the term "Proposal" refers to the Response; and any mention of the term "provider" refers to the Respondent.

19. **Vendor Supplied Materials** - Any material submitted by the vendor shall become the property of the City of New Haven unless otherwise requested at the time of submission. Any material that is to be considered as confidential in nature must be so marked.
  
20. **Public Records and Freedom of Information** - The proposals received shall become the property of the City and are subject to public disclosure. Those parts of a proposal which are defined by the proposer as business or trade secrets as that term is defined in CT Trade Laws, and are reasonably marked “Trade Secrets”, “Confidential” or “Proprietary” and placed in a separate envelope shall only be disclosed to the public- if such disclosure is required or permitted under the CT Public Records Act or otherwise by law. Proposers who indiscriminately and without justification identify most or their entire proposal as exempt from disclosure may be deemed nonresponsive. Proposals, excluding confidential information, will be available for review after contract award.

<b>Submission Options:</b>
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**Electronic Submission (If Applicable)**

When submitting your Electronic Bid you are required to

- Upload your Proposal and Statement of Qualifications.

**Hardcopy Submission**

When submitting your Hardcopy bid please submit information in the following format.

- Coversheet-The first page of this document
- Statement of Qualifications
- Required City of New Haven Forms –preceding this page

## **REQUEST FOR QUALIFICATIONS (RFQ)**

### **Connecticut Municipalities Broadband Infrastructure Upgrade and Expansion Project**

Jointly issued by  
the various Connecticut Municipalities, listed and detailed  
in addenda to this RFQ (collectively, the “Requesting Entities” or “RE”).

The Requesting Entities (RE) wish to gather ideas and recommendations for developing, upgrading, and expanding broadband infrastructure and improving access to high-speed Internet across their communities preceding the possible issuance of a Request for Proposal or a multi-step bidding procedure. Inclusiveness being the theme of this Project, other municipalities may choose to join this RFQ during its pendency or thereafter, as practicable.

For purposes of this RFQ, the term “Respondent” means any profit or nonprofit entity or entities providing a written response to this RFQ. Responding to this RFQ is not a pre-requisite for responding to any subsequent solicitations relating to this Project. The RE welcome ideas and recommendations from all interested parties, including organizations with a commercial interest in the Project. Respondents are encouraged to collaborate in offering ideas and recommendations responding to any and all relevant aspects of this RFQ, just as it is hoped that the RE will collaborate and coordinate their activities and plans. While collective action is a possible goal of this RFQ, all references to the “RE” shall inherently mean actions taken “collectively or individually” by the separate entities, as the circumstances dictate.

The RE also request that Respondents make recommendations to aid the RE in the potential preparation of requests for proposals, including comments on and responses to questions posed in this RFQ concerning how the assets and authority of the state of Connecticut could possibly aid the implementation of this Project.

For administrative ease, the RE have adopted this generic RFQ and will use the website of the City of New Haven Bureau of Purchases for all notifications and questions to the RE. Interested firms shall prepare a response to this noncompetitive solicitation of qualifications, data, comments, or reaction through the submission of information or evidence of experience describing their capability to conduct a Project to upgrade and expand broadband access in the RE. This is not an invitation for bids or requests for proposals, therefore, no standard terms and conditions or contractual language is contained herein, nor are they required in any responses. No contract award will result from this solicitation.

To register and file all responses relating to the RFQ or any or all of the RE specifically, Respondents are encouraged to review the procedures or call the City of New Haven Bureau of Purchases, which will also publish all clarifications or changes to this document.

Proposals must be submitted in the form and manner specified in the request. Forms and specifications may be obtained from the Bureau of Purchases, website:

[www.cityofnewhaven.com/purchasingbureau](http://www.cityofnewhaven.com/purchasingbureau) .

Hardcopy submission: One (1) Original, with separate pricing envelope, and one CD or Thumb Drive containing the complete proposal.

Electronic submission is submitted through your login on our website:

[www.cityofnewhaven.com/purchasingbureau/CheckSubmissionIP.asp](http://www.cityofnewhaven.com/purchasingbureau/CheckSubmissionIP.asp)



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## I. PROCESS OVERVIEW

### A. Schedule

The estimated schedule for the RFQ process is as follows:

• RFQ Release	9/15/14
• Deadline for questions from potential Respondents	10/15/14
• Responses Due	11/18/14

Any changes in the process or updates to the schedule above will be publicly posted through the City of New Haven Bureau of Purchases website:

## **B. Communications with Requesting Entities and Requests for Additional Information**

In order to streamline and make this process transparent to all concerned parties, promoting a sharing of information and planning among all participants, all general communications regarding the RFQ or requests for additional information should be directed to:

Michael V. Fumiatti  
Purchasing Agent  
City of New Haven Bureau of Purchases  
<http://www.cityofnewhaven.com/PurchasingBureauOnline/index.asp>  
200 Orange Street  
City of New Haven, CT 06510  
(203) 946-8201  
[purchasing@newhavenct.net](mailto:purchasing@newhavenct.net)

## **C. Further Process**

The RE anticipate that based on the information gathered through this RFQ process, they will collectively or individually proceed to a Request for Proposals that will result in binding commitments between the RE, one or more Respondents, and potentially other entities related to the upgrading and expanding broadband infrastructure in the RE as described in this RFQ.

## **II. GENERAL INVITATION**

The RE issue this RFQ to gather ideas and recommendations for developing, upgrading, and expanding broadband infrastructure and improving access to high-speed Internet for residents, businesses, government and community anchor institutions located within the territories of the RE.

This process will inform the development of a comprehensive telecommunications infrastructure that supports economic development and other public purposes by meeting the technological needs of current and future businesses and residents, and ensuring that all who live and work in the RE will have access to reliable wired and/or wireless service at adequate speeds and affordable prices.

The RE hope that Respondents will also aid this RFQ process by commenting on and responding to questions posed below on possibilities to leverage the assets and authority of the Connecticut state government to the best advantage for this Project.

This RFQ arises from the interest of the RE in partnering to build a community-wide fiber-to-the-premises (FTTP) network with a number of highly motivated and high-caliber private sector partners over an open access fiber network to be built and managed by the partners as part of this Project. The RE seek input from all potential partners regarding the terms and conditions under which partners would construct, own, and operate a high-speed broadband data network to connect over fiber optics to residents and businesses throughout the RE communities.

The RE seek partners that will collaborate to build and operate the proposed broadband network throughout the identified service areas. In return, the RE pledge their support and facilitation of any necessary processes and potential grant opportunities, access to existing RE fiber resources and other community assets, commitment to providing right-of-way access and assistance with permitting, and access to existing the RE infrastructure and customers.

To be clear, the RE seek proposals from entities that can finance the network themselves or can identify alternative sources of funding. For purposes of this RFQ, the RE will contribute in-kind assets and support, but not funding. The private partners the RE may select as a result of a future RFP process or other means will build the network with their own funds. The RE will strongly endorse the partners, support the development of any necessary grant applications, and provide highly valuable in-kind support to enable the successful construction of the proposed network. The RE believe that this arrangement represents a fair and equitable distribution of risk and reward since the RE will provide their full cooperation and assistance with network design and build-out. The private partners will invest in the proposed open access network, receive full ownership and operational rights to the network they build, and enjoy the significant entry into the attractive telecommunications markets of the Requesting Entities.

**A. The RE Seek Ideas And Comments From Respondents Regarding The Following Three Goals:**

**Goal 1:** Create a world-leading gigabit-capable network in targeted commercial corridors, as well as in residential areas with demonstrated demand, to foster innovation, drive job creation, and stimulate economic growth.

**Goal 2:** Provide free or heavily-discounted 10-100 MB (minimum) Internet service over a wired or wireless network to underserved and disadvantaged residential areas across the territories and diverse demographics of the RE.

**Goal 3:** Deliver gigabit Internet service at prices comparable to other gigabit fiber communities across the nation.

Respondents are not required to submit responses pertaining to these goals though the RE encourage interested parties to respond to any and all relevant aspects of this RFQ.

**B. The State Of Connecticut Possesses An Ultra-High Speed Statewide Fiber Network And A Regulatory Structure Providing Streamlined Access To The State's Public Rights Of Way Infrastructure**

The RE are keenly aware of the momentum that has built in the last few years across the Nation in which private providers have begun to form public-private partnerships with municipalities and regional groups to construct fiber networks. It is also equally apparent that these deals are occurring in other regions of the US, yet not a single gigabit service public-private partnership project is planned anywhere in the Northeast.

The state possesses extraordinary assets such as an ultra-high speed statewide fiber network connecting all 169 municipalities with multiple nodes and gigabit access, as well as an organizational structure that provides easy access to the state's public rights of way infrastructure unparalleled in the US. Respondents are thus encouraged to fashion comments or responses to this RFQ that propose the involvement of the state's assets in the Project, perhaps also in cooperation with the Regional Councils of Government, if such a pooling of the various assets of large and small localities into a coordinated association will accomplish this Project more productively or cost effectively for the benefit of the proposed public-private partnership.

It may be in the best interests of the Respondents and the RE to form collaborative efforts among multiple governmental organizations in order to offset some of the local asset discrepancies through collaboration in this Project by large and small communities. This RFQ therefore solicits suggestions from potential providers as to how best to leverage all of the broadband assets and personnel to be found, in the public and private sectors, to best capitalize on this Connecticut's wealth of fiber network capacity, high tech businesses, and population of knowledgeable and active Internet users.

**C. The RE's Questions for Respondents to This RFQ include:**

**1. Market Potential:**

- What role does market size, concentration and demographics play in the geographic location decision of gigabit broadband networks?
- What factors mitigate deficiencies in any of the above areas (community assets, regulatory relief, etc.)?
- What are Connecticut's strengths as a potential market for gigabit deployment; what are its weaknesses?
- Would a proposed service area that extends beyond the borders of a single municipality be more economically viable?
  - How would a larger service area impact consumer prices, offers of discounted service to underserved or disadvantaged neighborhoods or total private investment?
- Will the Partners benefit from an enhanced scope of multiple municipal build outs?
- Will standardizing the potential offerings by the municipalities in order to streamline the general effort in Connecticut benefit the largest number of municipalities, citizens, and businesses?
  - Or, will concurrent separate build outs or regional deals be the best course for the private providers, municipalities, and the state?

**2. Cooperation and Incentives:**

- Are there specific policy or regulatory areas that need to be coordinated across several municipalities?
- Understanding that state and municipal resources are limited, are there specific incentives that would further promote the deployment of gigabit broadband networks in the municipality, region and state?
- Describe any incentive programs that would result in broader network deployment; greater discounts and access for underserved/disadvantage populations, and or lower consumer prices?

**3. Regulatory Environment and Support from State Entities:**

The state of Connecticut is exploring ways in which it can facilitate the deployment and adoption of gigabit broadband service in the state. To that end, the state is interested in getting feedback from respondents to this RFI on the questions below. Answers will help inform state broadband policy.

- What are the benefits/issues associated with larger vs. smaller regions when developing a gigabit broadband?

- In what ways can the state play a beneficial role in assisting municipalities in pursuing a gigabit broadband network?
- In what ways, not already outlined in this RFQ, could the state assist in reducing the time and costs of building or expanding a gigabit network in the proposed service area?
- Are there additional steps the state could take to streamline permitting processes through state agencies?
- Is greater enforcement of existing regulations required for pole access, etc.? If so, what specifics can be offered as guidance?
- Are there specific changes to the state's laws and or regulations (i.e., pole or conduit access) that would accelerate growth in the state?
- Are there any additional suggestions you have to facilitate the building out a network? (Suggested changes should not impact the health and safety of state residents nor incur significant cost or revenue losses to the state or municipalities.)

### III. OBJECTIVES OF THIS RFQ

The RE are eager to help local businesses, residents, and government obtain the resources necessary for them to succeed and thrive in order to build on the economic base already established in the RE, and to help the RE to be a global leaders and pioneers. Availability of access to a high-speed broadband network has quickly become viewed as critical urban infrastructure, similar to electricity, water, and roadways. Today, currently-available speeds do not provide an adequate competitive foundation to propel communities forward in a technology-based economy in which productivity is dependent on competitive advances based on capital projects with multiyear lead times, as with fiber network communications. The RE are committed to making the critical investments and policy modifications required today to ensure that Connecticut is prepared to meet the demands of an ever-evolving 21<sup>st</sup> century global economy.

**Goal 1:** Create a world-leading gigabit-capable network in residential neighborhoods and commercial corridors with demonstrated demand, to foster innovation, drive job creation, and stimulate economic growth.

A first step toward achieving affordable high-speed Internet access could include building upon existing the RE-owned fiber to focus on providing immediate access to households in locations near this fiber. In addition, this access should be provided in selected areas where there is a demonstrated demand and where construction is a cost-effective adjunct to construction related to the targeted commercial and industrial areas. Key to this effort will be leveraging existing fiber assets, deploying new fiber where necessary, and connecting this backbone to serve new and existing residences and businesses in target locations.

The RE's primary goal is to increase penetration of affordable broadband service to foster innovation, drive job creation, and stimulate economic growth. To help the RE achieve these goals, Respondents should include in their responses ideas and recommendations for accomplishing the following objectives:

1. To improve cost-effective Internet access for residents (e.g., remote workers, home-based enterprises) and businesses that need, or will need, faster connectivity.
  - a. Provide a reliable platform for technology and research institutions that require high-speed broadband to conduct business.

- b. Enhance educational opportunities at universities and health care delivery services.
  - c. Stimulate new product, application, and service development through increased bandwidth and network capacity.
  - d. Allow businesses to focus on growing their business, not the lack of access to needed telecommunications infrastructure.
2. Provide discounted or no-cost 10-100 MB (minimum) service in low income Census tracts of the RE to drive (re)location of select businesses to those areas.
  - a. Support the RE's economic development strategy through (re)location incentives.
  - b. Drive targeted economic development efforts in specified areas of the RE.
  - c. Position the RE as a leading destination for next-generation, technology-focused business relocation.
3. Provide discounted or no-cost gigabit service to urban anchors where gigabit service improves community development.
  - a. Provide priority access to schools, libraries, community centers, and public safety agencies, all of which face increasing demand for Internet access.
  - b. Prioritize extending fiber to anchor institutions to reduce gaps in overall network topology.
  - c. Provide access to nonprofits and other organizations that serve the community.

In addition, the RE anticipate that implementation of a gigabit-speed capable network will:

- Create a platform for technology companies to create the next-generation of products and services.
- Reduce existing and/or future government telecommunications costs while simultaneously providing faster speed and improved service.
- Leverage and coordinate ongoing infrastructure improvement efforts to reduce network development costs.
- Encourage competition and transparency.
- Provide a comprehensive broadband infrastructure that can be expanded upon to serve other areas of the RE in the future.
- Position the RE as global leaders in technology and innovation.

**Goal 2:** Provide free or heavily-discounted 10-100 MB (minimum) Internet service over a wired or wireless network to underserved and disadvantaged residential areas across the territories and diverse demographics of the RE.

In addition to providing cutting-edge broadband service for commercial sectors, as well as to residential areas with demonstrated demand, widespread access to reliable, affordable high-speed Internet service is critical to ensuring that all the RE residents are connected to the modern economy. Low-income and disadvantaged residents are often underserved by the RE's current broadband infrastructure and a lack of universally-available, affordable broadband service. Overcoming geographic or financial barriers to connect all the RE residents to the educational, cultural, and economic opportunities and resources they deserve is essential to empower the RE residents to be at the forefront in an increasingly borderless, digital world. Existing programs in the RE that provide very low cost connectivity options for qualifying households may offer a potential model for how to roll this out at scale.

To help the RE achieve this goal, Respondents are invited to submit ideas and recommendations on approaches to providing free or heavily discounted 10-100 MB (minimum) Internet service over a

wired or wireless network to underserved or disadvantaged residential areas.

**Goal 3:** Deliver gigabit Internet service at prices comparable to other gigabit fiber communities across the nation.

To help the RE achieve this goal, Respondents are invited to submit ideas and recommendations on approaches for providing this level of bandwidth at prices consistent with prices charged in gigabit communities across the nation.

#### **IV. GUIDANCE FOR RESPONSES**

- Strategies included in responses to the RFQ should aim for forward-looking, assertive technology solutions that create immediate advantages for users and fertile platforms for innovations in products and services that sustain our technology leadership for years to come.
- High bandwidth in the upstream direction is considered essential.
- Some or all of a Respondent's proposed service offerings could initially be at speeds below the thresholds so long as the overall strategy furthers the goals of broadband innovation and development. While the RE share a belief that ultra-high-speed broadband networks are a pre-requisite for ongoing advances in a number of disciplines, end-users in the RE have a wide-range of networking needs and use-cases. The RE do not anticipate that all areas in the communities will receive access to similar speeds at similar times.
- Respondents should feel free to propose alternative business models and network solutions to leverage existing municipality or state investments that could be used to meet the RE's needs.

#### **V. SCOPE OF REQUESTED INFORMATION**

##### **A. Geographic Areas**

The RE invite responses that include ideas and recommendations regarding the development of a gigabit fiber network in defined geographic areas where demand for the service is likely to be sufficient, as well as expanded wired and/or wireless broadband service to underserved and disadvantaged residential areas. Comprehensive responses will examine existing resources and evaluate the feasibility of network expansion in these areas, including the necessary steps and additional resources or policy changes required to develop an expansive network.

##### **B. Desired Network Characteristics**

The RE intend to be infrastructure and policy partners only and do not intend to act as a retail service provider or network operator. Desired network characteristics are outlined below.

##### **1. General Requirements for All Technology Solutions**

###### *a. Gigabit Wired, Wired or Wireless Broadband*

Customers should be able to attach any devices to the network, as long as they do not impair

network performance. Customers must also be able to post and access any lawful content on non-discriminatory terms. Data must be encrypted while traversing the broadband network in order to ensure the security and privacy of customers.

The network must be characterized by a transport infrastructure that is physically and logically redundant and provide raw Layer 2 transport in addition to IPv4 and IPv6 Layer 3 routing. The infrastructure must be capable of providing 99.9% availability, be resilient with low latency and jitter, and ensure that packets sent and received at the network edges are identical. Finally, the network must permit the adoption of technologies such as DWDM, LTE, 802.11ac and other technologies as they become standardized or gain a significant market share.

*b. Gigabit Network Requirements*

In addition to the general requirements outlined above, RE prefer an open network architecture that allows for multiple service providers and equal access to fiber infrastructure at reasonable wholesale cost, providing dedicated bandwidth to all customers and service providers. The network must be sufficient to support the provision of any combination of voice, video, and data services at gigabit speed, in both upstream and downstream directions, to residents in the RE.

**C. Public Assets and Infrastructure**

**1. Extensive RE Assets Exist**

As detailed in the attached addenda, each of the RE possesses a variety of public assets and infrastructure that may be leveraged to support the development and expansion of a comprehensive telecommunications network. The use of any of these assets may be subject to certain restrictions, regulations, and/or additional authorization by other agencies. Some assets may be preempted from use due to existing contractual relationships, limitations due to tax-exempt bonds or grant funding restrictions concerning private use, and some may be removed from consideration for some other reason. Any such preemption may be disclosed at any time.

The RE have detailed in the attached addenda their ownership of miles of physical infrastructure, including fiber lines, roadways, and alleys that may be leveraged for this effort. In addition, the RE have extensive networks of water mains and sewers that can potentially be leveraged to support expansion of broadband infrastructure. Planned street maintenance, including properties operated by the state DOT, could be utilized to coordinate any proposed work with preexisting construction schedules and these schedules may have certain flexibility to align with a potential network rollout.

In addition to the assets outlined below, the RE may also consider additional investments and support for broadband infrastructure expansion. The Respondents are encouraged to propose additional areas where the RE could extend support.

**2. Extensive State Assets Exist**

The state of Connecticut has constructed and manages the Nutmeg Network, composed of the open-access CT Education Network (the public broadband fiber network in Connecticut) and the secure Public Safety Data Network. Thus, by extending ultra-high speed fiber to all 169 municipalities of



the state, the Nutmeg Network provides network connections to many areas of the state that are currently underserved by retail Internet service.

This statewide ultra-high speed network is fully operational, open access and available at reasonable market rates, currently providing multi-gigabit service in each of the 169 municipalities through multiple nodes at community anchor institutions. Many of those municipalities have built out upon the Nutmeg Network infrastructure to link many more sites, thus reaching deeper into the communities. This is a huge advantage over many of our neighboring states and the RE are interested in leveraging that asset to the benefit of their residents, businesses, and community anchor institutions.

The statewide open-access Nutmeg Network, detailed below, is available at reasonable rates, and the private Internet service providers serving the RE may also make some of their network infrastructures available where spare capacity exists. The Nutmeg Network provides multiple nodes to all of the state's 169 towns, including nodes operating at each main municipal building, a library, the board of education location or one school facility, plus public safety nodes installed at one police station and one fire house.

The Nutmeg Network connects approximately 968 Community Anchor Institutions (CAI), including approximately 510 public safety entities, 26 tower sites, 231 K-12 schools, 146 libraries, 44 Higher Education institutions and 6 Public Television stations (CPTV). The Nutmeg Network's extensive statewide and open-access fiber network provides ultra-high speed broadband Internet access of up to 1GB to sites on 10GB rings, and overall backbone capacity of 10 and 20GB today, 400 GB capacity.

In addition to the Nutmeg Network, the state is serviced by multiple fiber and Internet service providers, such as Fibertech Networks (owner of the Nutmeg Network infrastructure), six cable operators, two local exchange carriers, Frontier Communications and Verizon, and extensive high speed wireless coverage is provided throughout the state.

Among the most robust fiber users in the state organization are its institutions of higher education. The University of Connecticut (UConn) has 30,000 students at six campuses across the state, in addition to its Health Center at Farmington with medical and dental schools. The Connecticut State Colleges & Universities system (ConnSCU), has 17 Statewide Colleges & Universities, with four state universities; 12 community colleges; and Charter Oak State College, which in total enroll about 92,000 students.

The state's Chief Data Officer maintains a web portal - <https://data.ct.gov/> that provides a uniform platform for state government agency data to be published, analyzed, aggregated or combined by other agencies or private citizens, thus allowing all citizens access to the state's data and information. This giant data base and transparency portal rely on robust broadband access in order to produce the maximum benefit possible from this resource.

### **3. Rights-of-way, including Light and Utility Poles**

If considered an optimal form of supporting wired or wireless broadband infrastructure, utility poles could potentially be leveraged for aerial placement of equipment. Depending on the type of equipment required, certain poles may require concurrent upgrades or replacement at the time of installation.

While ownership of the thousands of utility poles currently installed and maintained across the state varies, for the most part the RE do not own such structures (see attached addenda from each of the RE detailing specific assets owned). Generally, the nearly 900,000 utility poles across Connecticut are each owned by an electric and telephone company under joint ownership agreements, being namely Northeast Utilities, United Illuminating, Frontier Communications, and Verizon depending on respective service territories. Usage of these poles may thus require further negotiation with the individual utilities.

Importantly for this Project, however, all the utility poles across the state are subject to the central statutory jurisdiction of the Connecticut Public Utilities Regulatory Authority (PURA). PURA has conducted multiple investigatory dockets in recent years into the rights and obligations pertaining to the ownership of, access to, and maintenance of the infrastructure in the public rights of way, including orders concerning fiber and Internet services, make ready procedures, and the use of the statutory municipal gain. The established and firm timelines for the entire pole attachment process that the Connecticut regulator has ordered and manages, from the day that a prospective attacher files an application, to the issuance of a permit indicating that all attachment work has been completed, including “make ready” procedures, has considerably sped up the process, thus facilitating the deployment of broadband.

PURA is also due to presently order a statewide Single Pole Administrator (SPA) organization that may name each of the state’s two electric distribution companies (EDC) likely to be responsible for:

1. Serving as the single point of contact for all pole-related issues in their respective service territories;
2. Serving as the single point of contact for all parties that seek to attach new or to replace existing equipment on poles;
3. Serving as a “traffic cop” that coordinates the shifting of existing equipment on poles that is necessary to (i) eliminate double poles and (ii) facilitate repairs and replacements of existing equipment and new pole attachments; and
4. Accepting responsibility when pole-related commitments – which are within the control of each SPA in its capacity as the single pole administrator – are not met.

The EDCs already utilize a central database and software service, called NOTIFY, which will greatly aid the discharge of their future duties as the state’s SPA, and all attachers will also have transparent and shared real time notice of all activities on each of the pole. This software automatically generates notices sent to each attacher of work required on each pole in accordance with the state’s regulatory structure, with resultant efficiencies and accountability by all attachers. By implementing the SPA concept, PURA will create and oversee a comprehensive system for managing /coordinating the state’s pole attachment process, by establishing a modern, electronic system that ensures efficiency, transparency and accountability. In this way, the state has the opportunity to continue its efforts to make Connecticut the leader in the United States for enlightened pole access on an equitable basis and reducing market entry barriers, during blue sky days and in disaster preparedness and restoration.

The state has a unique asset in its Municipal Gain law, which the RE are entitled to utilize for the support of projects such as this:

Conn. Gen. Stat. § 16-233, *Municipal and state signal wires*, as amended by P.A. No. 13-247, section 62, provides

each town, city, borough, fire district or the state Department of Transportation with a statutory right to occupy and use for any purpose, without payment therefor, one gain upon each public utility pole or in each underground communications duct system installed by a public service company within the limits of any such town, city, borough or district.

Respondents should acquaint themselves with these streamlined regulatory procedures and state statutes in order to assess the status of the administrative processes pertaining to the public rights of way infrastructure located in the public rights of way.

#### **4. RE Single Point Of Contact Support**

In any future procurement that may follow the issuance of this RFQ, each RE will provide the Respondents with a single point of contact (“SPOC”). Each of the RE SPOCs will be responsible for addressing all issues and providing coordination across agency departments, ensuring the cooperation of all agency departments with respect to the Project, and serving as a communications and troubleshooting resource for the Respondents.

#### **5. Market Potential**

In any future procurement that may follow the issuance of this RFQ, the RE anticipate partnering with sister state and local agencies to leverage overall annual IT spending, subject to agreement by those agencies, to accelerate development of gigabit speed broadband in the RE.

The RE are willing to work with Respondents to analyze potential demand in proposed service areas and underserved and disadvantaged residential areas by helping to pull together data on existing private broadband spending and demand for gigabit service. Respondents are invited to propose additional areas in the RE where network expansion supports economic growth and presents viable economic opportunity for a potential service provider. Municipalities in Connecticut also possess the discretionary authority to provide certain incentives, including property tax abatements.

## **VI. PARTIES INTERESTED IN THE PROJECT**

There are a number of entities in the RE or across the state that may be interested in participating in the Project described in this RFQ. To the extent useful to the Respondents, the response should refer to ways in which partnerships with one or more of these types of interested parties or other allies would improve the ability of the Respondents to meet the goals of this RFQ.

The interested parties include community and state anchor institutions such as:

- Institutions of Higher Education
- Health Care Facilities
- Non-RE Government Agencies, including state agencies, including DAS/BEST (state IT management, including the state CIO), the Connecticut Education Network, Office of Consumer Counsel, the Public Utilities Regulatory Authority, the Commission on Educational Technology, and the Department of Economic and Community Development;
- Businesses
- Commercial Real Estate Owners/Developers

- Multiple Dwelling Unit Owners/Developers

## VII. INFORMATION ABOUT THE RESPONDENT

The response should include general information about the Respondent, such as:

1. Background information including the following details for each company or organization represented in the response: company name, company address, company web page, description of products and services, professional strengths and abilities.
2. Identification of a lead company or organization if more than one is represented in the response.
3. Contact information for the company or group's primary contact. Respondents may provide more than one contact, but should designate only one primary contact. The following details should be included for each contact: name, title, company name, address, phone number and email address.
4. Description of the Respondent's experience financing, designing, building, provisioning and/or operating broadband networks or other major infrastructure projects.
5. Description of any test results, pilot projects or experiments involving new network technologies or network elements that might be incorporated into Respondent's proposed solution(s).
6. Sufficient information to demonstrate the Respondent's financial ability to engage in a project of the magnitude described in the response.
7. Description of any current or past contractual relationships, partnerships, collaborations or other working relationships with the RE or any of its sister agencies.

## VIII. AREAS OF COOPERATION

To the extent not covered in previous sections, this section highlights ways that the RE can cooperate with Respondents to improve the business case for proposed solutions.

Specifically, this section could include:

1. **Resources and facilities:** Explanation of need for access to community assets and resources. Respondents should also address the relative importance and impact of variations in terms or more flexibility with respect to accessing the following types of community assets, facilities, and policies:
  - a. Pole Attachments
  - b. Utility conduits
  - c. Dark fiber
  - d. Backhaul or ISP partnerships involving local, statewide or regional fiber assets
  - e. Public Rights of Way
  - f. Undergrounding policies
  - g. Other community assets, facilities (including radio towers) or policies not specifically mentioned above

2. **Regulatory environment:** Description of any rules or regulations at the federal, state or local level that could impact the feasibility or underlying economics associated with the proposed solutions. Responses should also include an explanation of any forms of proposed regulatory relief, including streamlined permitting, which could improve the economic case for the business models or network solutions proposed or for other network solutions that Respondents considered but dismissed as uneconomic due to existing regulations.
3. **Contracting issues:** Explanation of any material considerations or expectations that Respondents have with respect to any of the following issues likely to be negotiated during any future Requests for Proposal:
  - a. Intellectual property
  - b. Insurance
  - c. Indemnities
  - d. Warranties
  - e. Dispute resolution
  - f. Other contracting issues not specifically listed above
4. **Other partnership or revenue opportunities:** Discussion of any other types of partnerships or working relationships between Respondents and Interested Parties which could improve the business case for Respondents to partner with one or more Interested Parties. For example, a company may work with universities and the surrounding communities to develop partnerships that allow the company to deliver voice, video and data services, and/or to pilot cutting-edge new products, recruit new employees, or enter branding and marketing agreements.

The RE encourage Respondents to be creative and suggest other types of partnerships or business opportunities of interest.

## **IX. GENERAL TERMS FOR RFQ**

Responses to this RFQ become the exclusive property of the RE. All documents submitted in response to this RFQ may be regarded as public records and may be subject to disclosure. This RFQ is issued solely for information and planning purposes and does not constitute a solicitation. No material submitted in response to this RFQ will be returned. Respondents are solely responsible for all expenses associated with responding to this RFQ.

### 1. Confidentiality

All submissions are subject to the Connecticut Freedom Of Information Act, Conn. Gen. Stat. § 1-200 et seq. To the extent that Respondents desire to submit proprietary information to the RE, the RE represent that they will use all reasonable efforts to claim available exemptions under the Freedom Of Information Act ("FOIA"), and will notify the affected Respondent if an FOIA request is received in connection with that proprietary information. All materials that the Respondent believes are proprietary MUST be labeled "Proprietary, privileged and confidential." The RE cannot guarantee that efforts to claim available exemptions will be successful and the RE may be required to disclose the Respondent's information. Responses may also be shared on the same terms with representatives of the state, in order to facilitate state support of the Project.

### 2. Incurred Costs

The RE will not be liable in any way for any costs incurred by Respondents in replying to this RFQ,

including, but not limited to, costs associated with preparing the response or participating in any site visits, demonstrations, conferences or oral presentations.

## **X. APPENDIX A - Confidentiality Statement**

### **Confidentiality Statement**

The undersigned, on behalf of \_\_\_\_\_ (“Respondent”), executes this Confidentiality Statement (“Statement”) as of the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Background:

Respondent is considering whether to respond to the Request for Qualifications (“RFQ”) issued by the Requesting Entities (“the RE”), regarding the construction and operation of a broadband network. In order to assist Respondent in its preparation of its response to the RFQ, the RE will provide Respondent with certain non-public information (“Confidential Information”) about the RE’s infrastructure. The Confidential Information includes but is not limited to, a map or maps of the RE, showing existing lit and dark fiber, water and sewer openings, underground freight tunnels, and other sub-surface infrastructure of the RE that, for security and safety reasons, is not publicly available.

The RE consider some or all of the Confidential Information to be exempt from disclosure pursuant to the Connecticut Freedom Of Information Act and/or other laws or regulations relating to critical infrastructure information. However, in the interest of cooperating with Respondent and its exploration of possibilities relating to the RFQ, the RE is providing the Confidential Information with the understanding that it will be used only for the purpose of responding to the RFQ, and will under no circumstances be distributed publically without the express written permission of the RE.

Respondent understands that in discussing and providing Confidential Information to Respondent, the RE does not waive any exemption(s) or privilege(s) from disclosure that it otherwise possesses under the Connecticut Freedom Of Information Act, or under any other state or federal law or regulation.

In recognition of the benefits to Respondent of receiving Confidential Information from the RE, Respondent will undertake the following obligations with respect to the Confidential Information:

Respondent’s Obligations:

1. Respondent will maintain the confidentiality of the Confidential Information whether transmitted in writing, verbally, or electronically.
2. Respondent will only have a duty to protect Confidential Information if it is disclosed in a manner in which Metro Government reasonably communicated, or Respondent should reasonably have understood under the circumstances, that the disclosure should be treated as confidential, whether or not the specific designation “confidential” or any similar designation is used.
3. Respondent may use Confidential Information only for the purpose of responding to the RFQ. Respondent will use a reasonable degree of care to protect the Confidential Information and to prevent any unauthorized use or disclosure of Confidential Information. Respondent

may share the Confidential Information with its employees, directors, agents or third party contractors who need to know it and if they have agreed with Respondent in writing to keep the information confidential. Respondent will promptly notify the RE of any unauthorized access to Confidential Information of which Respondent becomes aware.

4. Consistent with applicable Connecticut privacy laws, and subject to the provisions of the Connecticut Freedom Of Information Act, Respondent shall: (a) protect all Confidential Information using the same practices it uses to protect trade secrets, (b) notify the RE immediately upon receipt of a request if Respondent believes a response to a request requires the disclosure of Confidential Information and (c) immediately provide the RE with a copy of any request by a third party seeking inspection and copies of such Confidential Information from Respondent. Respondent may disclose Confidential Information by subpoena or otherwise when compelled to do so by law if it provides reasonable prior notice to the RE unless a court orders that the RE not be given notice. However, the RE may oppose release at the RE's expense. Respondent must provide assistance to the RE in opposing the subpoena or request.
5. Confidential Information does not include information that (a) was known to Respondent without restriction before receipt from the RE; (b) is publicly available through no fault of Respondent; (c) is rightfully received by Respondent from a third party without a duty of confidentiality; or (d) is independently developed by Respondent.
6. Respondent will make copies of the confidential Information only as reasonably necessary for Respondent to engage in the purpose of responding to the RFQ. Because Confidential Information is confidential for public safety or security reasons, all copies of such information including the original(s) must be returned to the RE or destroyed when no longer needed for the purpose of responding to the RFQ. However, in no event are copies to be retained longer than one year from the date of this Statement unless otherwise permitted by the RE in writing.
7. Respondent understands that the RE is under no obligation to proceed with any business transaction with it.
8. Respondent understands that it does not acquire any intellectual property rights to the Confidential Information except the limited rights necessary to use the Confidential Information for the purpose of responding to the RFQ.
9. By accepting the Confidential Information, Respondent understands and acknowledges that the exclusive venue for any dispute relating to it shall be the state courts of Connecticut or the U.S. District Court for Connecticut, , and that its obligations with respect to the Confidential Information will be governed by the laws of the State of Connecticut, including its conflict-of-laws principles.
10. Respondent represents and warrants that its undersigned officer has full authority and capacity to execute this Statement on its behalf.

By: \_\_\_\_\_

Name:

Title:

## X. APPENDIX B – Profile of RE Municipality

- **Demographics, Marketing and High Tech Profile of the Municipality**
  - **Demographics**
  - The area still to be built includes XX,xxx population, X,XXX households (XX % of which are in MDUs), X,XXX businesses, and XXX community anchor institutions.
  - Municipal buildings and services, such as building inspection, meter reading, and new generation e-government services such as streaming public meetings, improving PEG TV services.
  - Schools?
    - Higher education campuses: campus network description computer science, electrical, and computer engineering departments?
  - Libraries?
  - Healthcare facilities?
  - Public safety agencies (police, fire and emergency services).
  - Other community anchor institutions?
  - Home to local high-technology businesses? Such as?
  - Start-up innovation and commercialization facilities?
  - Incubator programs active in the municipality?
  - Describe any local angel investing and venture capital organizations?
- **What high technology assets does your municipality possess?**
  - What word would be best be used about your municipality to complete this phrase:
    - [Municipality] is the “Silicon \_\_\_\_\_.” (valley, corridor, prairie, alley, island)
  - What Big Data does your municipality possess; how is access to that data being developed?
  - What Big Computing exists in your municipality?
  - How could your selected private partner add Big Bandwidth to the local equation and enable unmatched connectivity to a major supercomputer from any home or business in the community?
  - What communications infrastructure steps has the municipality taken to make companies want to relocate to this area over others in this state?
- **Specify how the community has enlisted the support for this RFQ**
  - Resolutions of the City Councils in support for an RFI/FRP process
  - Adoption of a list of community values, such as open access, to facilitate the formation of any future partnership.
  - List community anchor institutions that are committed to this effort.
  - What links to state government assets does your municipality have or believe could be helpful to making this Project successful?



- **Staff and municipal organizations available to work on Project**
  - Chief Information Officer?
  - Public rights of way: how are attachments and other work managed?
  - How is broadband managed organizationally by the municipality?
  - To what use can the chosen provider use municipal employees to install or maintain equipment?
  
- **Has a pre-commitment plan for residents and businesses been created, along the lines of the Google Fiber “fiberhood” model?**
  - What number of commitments have been achieved which these residents and businesses have contributed funds toward any potential future buildout in return for service discounts over time
  - Will these funds will be refunded if no private partner is identified.
  
- **What help will the municipality provide the chosen partner to maintain a local customer service presence?**
  
- **What help will the municipality provide the chosen partner regarding local job creation and supporting local contractors?**
  
- **Can the selected private partner can start generating service revenue immediately?**
  - What is the number of existing customers that a new partner can start delivering services to as soon as an agreement is completed?
  - What is the number and revenues related to municipal government customers that could be immediately transferred to the ISP’s services?
    - What use of municipal buildings will be available for this Project?
  
- **Technical Description of the Existing Fiber Network Infrastructure**
  - Who owns the fiber?
  - Data center facility available?
    - What arrangements will the municipality make available to the chosen partner via rental agreements for appropriate rack space and access to the telecommunications nodes that house existing core electronics?
  - What percentage of the municipality’s population currently has DSL and T-1 line service, or cable broadband service?
  - Unserved areas: XXX fiber service areas of roughly XXX homes each.
    - Maps of existing service areas, also showing unserved areas
    - maps of the proposed service areas.
    - Define these by man-made and natural boundaries and by homeowners’ association and condominium association
    - In new construction
  - What backbone fiber is built?
    - Are there redundant core nodes built?
    - Do these have access to major carriers in diverse locations?
    - Is there is space in those nodes for additional core equipment?
    - What neighborhood cabinets exist, do they have redundant links to a backbone ring and FTTP fiber infrastructure in the neighborhood.
  - Technical documentation of electronics, fiber, attachments, public works support available.

- **Regulatory profile of municipal rules and regulations concerning public rights of way, provision of telecommunication services**
- **Municipal financial, legal, permitting opportunities available to promote Project?**

# For administrative ease, the RE have adopted the following

standard affidavit forms used by the Connecticut Department of Administrative for doing business in the state. These forms must be signed, dated, notarized and submitted with your submission. Responders are advised that during the contract process there may be additional documents, attachments or requirements depending on the individual requirements of participating municipalities. Please read ALL RFQ documents carefully and provide all required information. Failure to do so may result in rejection of your proposal.

1. OPM Ethics Form 1 – Gift & Campaign Contribution Certification
2. OPM Ethics Form 6 – Affirmation of Receipt of State Ethics Laws Summary
3. OPM Ethics Form 7 – Iran Certification
4. Form C – Affidavit by Entity (Valued at \$50,000 or more)



## STATE OF CONNECTICUT GIFT AND CAMPAIGN CONTRIBUTION CERTIFICATION

*Written or electronic certification to accompany a State contract with a value of \$50,000 or more in a calendar or fiscal year, pursuant to C.G.S. §§ 4-250 and 4-252(c); Governor M. Jodi Rell’s Executive Orders No. 1, Para. 8, and No. 7C, Para. 10; and C.G.S. §9-612(g)(2)*

**INSTRUCTIONS:**

Complete all sections of the form. Attach additional pages, if necessary, to provide full disclosure about any lawful campaign contributions made to campaigns of candidates for statewide public office or the General Assembly, as described herein. Sign and date the form, under oath, in the presence of a Commissioner of the Superior Court or Notary Public. Submit the completed form to the awarding State agency at the time of initial contract execution and if there is a change in the information contained in the most recently filed certification, such person shall submit an updated certification either (i) not later than thirty (30) days after the effective date of such change or (ii) upon the submittal of any new bid or proposal for a contract, whichever is earlier. Such person shall also submit an accurate, updated certification not later than fourteen days after the twelve-month anniversary of the most recently filed certification or updated certification.

**CHECK ONE:**     Initial Certification     12 Month Anniversary Update (Multi-year contracts only.)

Updated Certification because of change of information contained in the most recently filed certification or twelve-month anniversary update.

**GIFT CERTIFICATION:**

As used in this certification, the following terms have the meaning set forth below:

- 1) "Contract" means that contract between the State of Connecticut (and/or one or more of its agencies or instrumentalities) and the Contractor, attached hereto, or as otherwise described by the awarding State agency below;
- 2) If this is an Initial Certification, "Execution Date" means the date the Contract is fully executed by, and becomes effective between, the parties; if this is a twelve-month anniversary update, "Execution Date" means the date this certification is signed by the Contractor;
- 3) "Contractor" means the person, firm or corporation named as the contractor below;
- 4) "Applicable Public Official or State Employee" means any public official or state employee described in C.G.S. §4-252(c)(1)(i) or (ii);
- 5) "**Gift**" has the same meaning given that term in C.G.S. § 4-250(1);
- 6) "Principals or Key Personnel" means and refers to those principals and key personnel of the Contractor, and its or their agents, as described in C.G.S. §§ 4-250(5) and 4-252(c)(1)(B) and (C).

I, the undersigned, am a Principal or Key Personnel of the person, firm or corporation authorized to execute this certification on behalf of the Contractor. I hereby certify that, no gifts were made by (A) such person, firm, corporation, (B) any principals and key personnel of the person firm or corporation who participate substantially in preparing bids, proposals or negotiating state contracts or (C) any agent of such, firm, corporation, or principals or key personnel who participates substantially in preparing bids, proposals or negotiating state contracts, to (i) any public official or state employee of the state agency or quasi-public agency soliciting bids or proposals for state contracts who participates substantially in the preparation of bid solicitations or request for proposals for state contracts or the negotiation or award of state contracts or (ii) any public official or state employee of any other state agency, who has supervisory or appointing authority over such state agency or quasi-public agency.

I further certify that no Principals or Key Personnel know of any action by the Contractor to circumvent (or which would result in the circumvention of) the above certification regarding **Gifts** by providing for any other Principals, Key Personnel, officials, or employees of the Contractor, or its or their agents, to make a **Gift** to any Applicable Public Official or State Employee. I further certify that the Contractor made the bid or proposal for the Contract without fraud or collusion with any person.

**CAMPAIGN CONTRIBUTION CERTIFICATION:**

I further certify that, on or after December 31, 2006, neither the Contractor nor any of its principals, as defined in C.G.S. § 9-612(g)(1), has made any **campaign contributions** to, or solicited any contributions on behalf of, any exploratory committee, candidate committee, political committee, or party committee established by, or supporting or authorized to support, any candidate for statewide public office, in violation of C.G.S. § 9-612(g)(2)(A). I further certify that **all lawful campaign contributions** that have been made on or after December 31, 2006 by the Contractor or any of its principals, as defined in C.G.S. § 9-612(g)(1), to, or solicited on behalf of, any exploratory committee, candidate committee, political committee, or party committee established by, or supporting or authorized to support any candidates for statewide public office or the General Assembly, are listed below:

**Lawful Campaign Contributions to Candidates for Statewide Public Office:**

<u>Contribution Date</u> <u>Description</u>	<u>Name of Contributor</u>	<u>Recipient</u>	<u>Value</u>

**Lawful Campaign Contributions to Candidates for the General Assembly:**

<u>Contribution Date</u> <u>Description</u>	<u>Name of Contributor</u>	<u>Recipient</u>	<u>Value</u>

Sworn as true to the best of my knowledge and belief, subject to the penalties of false statement.

\_\_\_\_\_  
Printed Contractor Name  
**Official**

\_\_\_\_\_  
**Printed Name of Authorized**

\_\_\_\_\_  
**Signature of Authorized Official**

**Subscribed and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

\_\_\_\_\_  
**Commissioner of the Superior Court (or Notary Public)**

\_\_\_\_\_  
**My Commission Expires**



**STATE OF CONNECTICUT**  
**NONDISCRIMINATION CERTIFICATION – Affidavit**  
**By Entity**  
**For Contracts Valued at \$50,000 or More**

*Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson, member, or other corporate officer duly authorized to adopt corporate, company, or partnership policy that certifies the contractor complies with the nondiscrimination agreements and warranties under Connecticut General Statutes §§ 4a-60(a)(1) and 4a-60a(a)(1), as amended*

**INSTRUCTIONS:**

For use by an entity (corporation, limited liability company, or partnership) when entering into any contract type with the State of Connecticut valued at \$50,000 or more for any year of the contract. Complete all sections of the form. Sign form in the presence of a Commissioner of Superior Court or Notary Public. Submit to the awarding State agency prior to contract execution.

**AFFIDAVIT:**

I, the undersigned, am over the age of eighteen (18) and understand and appreciate the obligations of an oath. I am \_\_\_\_\_ of \_\_\_\_\_, an entity  
 Entity Signatory's Title Name of

duly formed and existing under the laws of \_\_\_\_\_.  
 Commonwealth Name of State or

I certify that I am authorized to execute and deliver this affidavit on behalf of \_\_\_\_\_ and that \_\_\_\_\_  
 Entity Name of Entity Name of

has a policy in place that complies with the nondiscrimination agreements and warranties of Connecticut General Statutes §§ 4a-60(a)(1) and 4a-60a(a)(1), as amended.

\_\_\_\_\_  
 Authorized Signatory

\_\_\_\_\_  
 Printed Name

**Sworn and subscribed to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

\_\_\_\_\_  
**Commissioner of the Superior Court/  
 Notary Public**

\_\_\_\_\_  
**Commission Expiration Date**



**STATE OF CONNECTICUT**  
**AFFIRMATION OF RECEIPT OF STATE ETHICS LAWS SUMMARY**

**Written or electronic affirmation to accompany a large State construction or procurement contract, having a cost of more than \$500,000, pursuant to Connecticut General Statutes §§ 1-101mm and 1-101qq**

---

**INSTRUCTIONS:**

Complete all sections of the form. Submit completed form to the awarding State agency or contractor, as directed below.

**CHECK ONE:**

- I am a person seeking a large State construction or procurement contract. I am submitting this affirmation to the awarding State agency with my bid or proposal. [Check this box if the contract will be awarded through a competitive process.]
- I am a contractor who has been awarded a large State construction or procurement contract. I am submitting this affirmation to the awarding State agency at the time of contract execution. [Check this box if the contract was a sole source award.]
- I am a subcontractor or consultant of a contractor who has been awarded a large State construction or procurement contract. I am submitting this affirmation to the contractor.
- I am a contractor who has already filed an affirmation, but I am updating such affirmation either (i) no later than thirty (30) days after the effective date of any such change or (ii) upon the submittal of any new bid or proposal, whichever is earlier.

**IMPORTANT NOTE:**

Within fifteen (15) days after the request of such agency, institution or quasi-public agency for such affirmation contractors shall submit the affirmations of their subcontractors and consultants to the awarding State agency. Failure to submit such affirmations in a timely manner shall be cause for termination of the large State construction or procurement contract.

**AFFIRMATION:**

I, the undersigned person, contractor, subcontractor, consultant, or the duly authorized representative thereof, affirm (1) receipt of the summary of State ethics laws\* developed by the Office of State Ethics pursuant to Connecticut General Statutes § 1-81b and (2) that key employees of such person, contractor, subcontractor, or consultant have read and understand the summary and agree to comply with its provisions.

\* The summary of State ethics laws is available on the State of Connecticut's Office of State Ethics website.

\_\_\_\_\_  
Signature  
Date

\_\_\_\_\_  
Printed Name  
\_\_\_\_\_ Title

\_\_\_\_\_  
Firm or Corporation (if applicable)

\_\_\_\_\_  
Street Address  
State Zip City

\_\_\_\_\_  
Awarding State Agency





**STATE OF CONNECTICUT**

Written or electronic PDF copy of the written certification to accompany a large state contract pursuant to P.A. No. 13-162 (Prohibiting State Contracts With Entities Making Certain Investments In Iran)

Respondent Name: \_\_\_\_\_

**INSTRUCTIONS:**

**CHECK ONE:**        Initial Certification.  
       Amendment or renewal.

**A. Who must complete and submit this form.** Effective October 1, 2013, this form must be submitted for any large state contract, as defined in section 4-250 of the Connecticut General Statutes. This form must always be submitted with the bid or proposal, or if there was no bid process, with the resulting contract, regardless of where the principal place of business is located.

Pursuant to P.A. No. 13-162, upon submission of a bid or prior to executing a large state contract, **the certification portion of this form must be completed** by any corporation, general partnership, limited partnership, limited liability partnership, joint venture, nonprofit organization or other business organization **whose principal place of business is located outside of the United States**. United States subsidiaries of foreign corporations are exempt. For purposes of this form, a “foreign corporation” is one that is organized and incorporated outside the United States of America.

**Check applicable box:**

Respondent’s principal place of business is within the United States or Respondent is a United States subsidiary of a foreign corporation. Respondents who check this box **are not required to complete the certification portion of this form**, but must submit this form with its Invitation to Bid (“ITB”), Request for Proposal (“RFP”) or contract package if there was no bid process.

Respondent’s principal place of business is outside the United States and it is not a United States subsidiary of a foreign corporation. **CERTIFICATION required.** Please complete the certification portion of this form and submit it with the ITB or RFP response or contract package if there was no bid process.

**B. Additional definitions.**

- 7) “Large state contract” has the same meaning as defined in section 4–250 of the Connecticut General Statutes;
- 8) “Respondent” means the person whose name is set forth at the beginning of this form; and
- 9) “State agency” and “quasi-public agency” have the same meanings as provided in section 1–79 of the Connecticut General Statutes.

**C. Certification requirements.**

No state agency or quasi-public agency shall enter into any large state contract, or amend or renew any such contract with any Respondent whose principal place of business is located outside the United States and is not a United States subsidiary of a foreign corporation unless the Respondent has submitted this certification.

Complete all sections of this certification and sign and date it, under oath, in the presence of a Commissioner of the Superior Court, a Notary Public or a person authorized to take an oath in another state.

**CERTIFICATION:**

I, the undersigned, am the official authorized to execute contracts on behalf of the Respondent. I certify that:

Respondent has made no direct investments of twenty million dollars or more in the energy sector of Iran on or after October 1, 2013, as described in Section 202 of the Comprehensive Iran Sanctions, Accountability and Divestment Act of 2010.

Respondent has either made direct investments of twenty million dollars or more in the energy sector of Iran on or after October 1, 2013, as described in Section 202 of the Comprehensive Iran Sanctions, Accountability and Divestment Act of 2010, or Respondent made such an investment prior to October 1, 2013 and has now increased or renewed such an investment on or after said date, or both.

Sworn as true to the best of my knowledge and belief, subject to the penalties of false statement.

\_\_\_\_\_  
\_\_\_\_\_  
**Printed Respondent Name  
Authorized Official**

**Printed Name of**

\_\_\_\_\_  
**Signature of Authorized Official**

**Subscribed and acknowledged before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.**

\_\_\_\_\_  
**Commissioner of the Superior Court (or Notary  
Public)**

\_\_\_\_\_  
**My Commission Expires**