



Campbell County Fiscal Court
1098 Monmouth Street, Newport, KY 41071

Request for Proposals - Campbell County Broadband Project

I. Bid Information

- a. Issue RFP: June 3, 2021
b. Department: Campbell County Administration
c. Additional Information Request Deadline: June 17, 2021- County will provide information by June 20, 2021
d. RFP opening: June 23, 2021, 2:00 PM deadline for submissions
e. Location of Open: Campbell County Fiscal Court Chambers, 1st Floor 1098 Monmouth Street, Newport, KY 41071

f. Bidder Information:

Bidders Name
Firm/Company
Firm/Co. Address
Firm/Co. Phone
Firm/Co. Email

The signee hereby certifies the ability to meet all requirements listed in this solicitation and further affirms that all work will be done in compliance with all Federal, State, and Local codes, ordinances, and regulations.

Authorized Signature

II. Instructions to Bidders – Terms and Conditions

The Campbell County Fiscal Court will accept proposals to construct and provide high speed broadband (Minimum: 1GBPS/one gigabyte per second) to areas of Campbell County currently either unserved or underserved (less than 1GBPS available) until 2:00PM on 6/23/21.

A. Authority

- 1. This Request for Proposals is issued in accordance with applicable provisions of the Campbell County Administrative Code Chapter 4 Purchasing and Contracts.

2. This is not an order. Please read all instructions, terms, and conditions carefully.

B. Transmission

1. Proposals should be submitted in a sealed envelope addressed to Campbell County Finance, 1098 Monmouth Street, Suite 322, Newport, KY 41071 or the front reception desk.
2. The envelope must be clearly marked with the RFP title "Campbell County Broadband Project".
3. Submissions will be received at the CCFC Finance department in Suite 322 until the date and time specified.
4. Late submissions, those not clearly marked, or those that do not follow the instructions will not be accepted.
5. Campbell County Fiscal Court will not be held responsible for any premature opening or failure to open any submission not properly addressed and identified as stated above.

C. Instructions

1. Proposal forms must be signed in ink.
2. One original and one copy of the proposal must be submitted. Keep a copy of the proposal for your records. These will not be returned.
3. A list of qualifications and a minimum of three reference are required. Please refer to Section VII.
4. Bidders should verify their proposals before submission. Errors in preparing the submission confers no right of withdrawal or modification after open.
5. Bidders are responsible for all costs associated with the preparation of response to the request for proposals. Campbell County is not liable for any costs incurred by bidders in their response to this request.
6. A pre-bid or pre-award visit may be required at the discretion of the Owner.

D. Pricing

1. Firm prices are required.
2. All prices quoted must be F.O.B. destination shown in shipping instructions on specification.
3. Insert time discounts, if any. Time discounts will not be a factor in award determination.
4. Quotations must be submitted on the bid price sheet indicating unit price, total extension of each item, and grand total of bid.
5. Unit prices should be based on the bid specification instructions. Please direct questions to the County at 859-547-1825 prior to submitting a bid.
6. Trade discounts must be deducted by the vendor in calculating the unit price. The unit price must be net.
7. CCFC is KY sales and use tax exempt.

E. Warranty

The selected Bidder shall provide warranty on any services and materials found to be defective or faulty due to imperfect or bad workmanship/materials within one year from the date of completion at no additional cost to the County. This warranty does not change or void any warranties expressed or implied to which the purchase is subject.

F. Regulatory Compliance

1. This contract will be governed by and construed according to the laws of the Commonwealth of Kentucky. Pursuant to the provisions of KRS 45A.343, the contractor or vendor is required to reveal to Campbell County Fiscal Court any final determination of a violation of KRS Chapters 136, 139, 141, 337, 338 and 342 by the contractor or vendor

within the previous five (5) years; and further that said contractor or vendor has been and is in continuous compliance with the provisions of KRS Chapters 136, 139, 141, 337, 341, and 342 for the duration of the contract. The failure of a contractor or vendor to reveal a final determination of a violation to a local government, or to comply with the statutory requirements, is considered grounds for cancellation of a contract and disqualification of the contractor or vendor from eligibility for any Campbell County Fiscal Court contracts for a period of two (2) years.

2. All bidders must possess all federal, state, and local qualifications licenses to provide products or services in Campbell County, the Commonwealth of Kentucky, and the United States.
 - a. Including, but not limited to
 - i. Business license issued by the Occupational License Department of Campbell County (see attached application)
 - ii. Hazardous Communication Program (OSHA)
 - iii. Workers' Compensation Certificate
 - iv. Liability Insurance
 - v. Pre-approval by KYTC if applicable
 - vi. Vendors will be expected to comply with federal uniform guidance 2 CFR 200 standards as required by the County.
3. Successful bidder shall comply with the Kentucky Human Rights Act, HRA 344.150-344.270 as amended and any rules and regulations promulgated therewith, including, but not limited to the Equal Employment Opportunity EEO 45.550 – 45.640 which is incorporated herein by reference. Furthermore, the successful bidder shall comply with the Employment Discrimination Act, EDA 344.040, 344.050 as amended. Efforts to recruit minority-owned and women-owned enterprise should be documented and available upon request.
 - a. Material Safety Data Sheets should be submitted for all chemicals.
4. The scoring of this proposal **is not** subject to reciprocal preference for Kentucky resident bidders.

G. Bonds

1. Bid bonds, performance bonds, and payment bonds as prescribed by KRS 45A.430, 435, 440 are required for any bids/proposals that exceed \$99,999. Each bid, or the combination of submitted bids, over \$99,999 must be accompanied by a 5% bid bond of the grand total of the bid. The bid bond of the successful bidder will be retained until a performance bond has been executed and approved, after which the bid bond will be returned. The successful bidder will be required to post a performance bond in the amount of 100% of the bid if awarded a contract over \$99,999. Bonding and surety requirements may vary by project/commodity. Please contact Owner for more information.

H. Reserved Rights

1. Campbell County Fiscal Court reserves the right to reject any or all bids, including without limitations the right to reject any or all nonconforming, non-responsive, incomplete, unbalanced, or conditional bids, to waive formalities, and to reject the bid of any Bidder if CCFC believes that it would not be in the best interest of Campbell County Fiscal Court to make an award to that Bidder. CCFC also reserves the right to negotiate with the apparent qualified Bidder to such an extent as may be determined by Campbell County Fiscal Court.
2. CCFC reserves the right of renewal for any service and maintenance contracts that may be needed for a minimum of two (2) one (1) year periods.

3. In the event the successful bidder fails to commence substantial work on the project within three (3) months and the County does not waive this requirement, the County shall have the option to reject the bid and to void the contract, and in such event to either accept the next lowest and best bidder or to negotiate with the best qualified bidder
4. In the event the successful bidder fails to complete the project by the completion date, and the County has not waived this requirement in writing, the County shall receive from the bidder (or withhold from the bidder, at its option) liquidated damages of 1% per project per calendar day.
5. All the terms and conditions of these instructions to bidders and the specifications for this project shall constitute, the part of, and incorporate into, the contract between the County and the successful bidder.

I. Award

It is the intent of Campbell County Fiscal Court to award a contract to the lowest responsible bidder meeting specifications. CCFC reserves the right to determine the lowest responsible bid/offer in any way determined to be in the best interests of Campbell County. Award will be based on the following factors (where applicable): (a) adherence to all conditions and requirements of the bid/proposal specifications; (b) price; (c) qualifications of the bidder, including past performance, financial responsibility, general reputation, experience, service capabilities, and facilities; (d) delivery or completion date; (e) product appearance, workmanship, finish, taste, feel, overall quality, and results of product testing; (f) maintenance costs and warranty provisions; and (g) repurchase or residual value.

J. COVID-19 Bidding Procedures

1. Campbell County Fiscal Court requires those who are unwell or unvaccinated for Covid-19 to wear a mask when visiting our facilities until June 11, 2021 per state mandates.

III. Bid Specifications – Request for Proposals Campbell County Broadband Project

A. General Information

- a. Campbell County Fiscal Court is seeking proposals from bidders to construct and provide high speed broadband (defined as 1 GBPS or one gigabyte per second or more) to areas of the County currently unserved or underserved by high speed broadband (less than 1 GBPS).
- b. One gigabyte per second has been selected as the standard for high speed broadband goals in Campbell County to assure full future capacity for healthcare, education, and economic development needs.

B. Project Overview/Desired Scope

- a. Bidder develop and construct a system that will provide broadband throughout Campbell County (fiber to premises preferred) with a minimum speed of 1 GBPS.
- b. The proposed system should establish Campbell County as one of the most connected broadband communities in the Commonwealth of Kentucky and the United States.
- c. The proposed system should be able to be implemented as expediently and professionally as possible without compromising the integrity of the project. A detailed proposal with an aggressive but realistic timeline is desired.
 - i. Timeline is a key detail of this project and major goal. The ability to meet this project goal should be reflected in submitted responses.
 - ii. Responses will be evaluated for evidence of bidder ability to meet the project goal to provide 1 GBPS in Campbell County pursuant to the scoring criteria listed in this RFP.
 - iii. The identified bidder will move forward with negotiations to enter into an agreement with Campbell County to begin implementation of the project.
- d. The County expects the bidder to provide a full “turnkey” solution for the project including but not limited to:
 - i. Design, engineering, procurement, permitting, construction, operation, maintenance and repair, and regulatory compliance
 - ii. Solution should be adaptable for future growth and technology
 - iii. Solution should be consistent with the project goals listed in this request including the provision of 1 GBPS or more broadband.
- e. Interested bidders may be asked to provide a formal presentation to the Campbell County Fiscal Court or selection committee highlighting the bidder’s ability to meet the goals and objectives of the project as well as any additional information relevant to consideration that may include, but is not limited to:
 - i. General fiber infrastructure proposal, with an emphasis on fiber to the premises.
 - ii. Proposed project timeline for design, construction, and end user subscription; and
 - iii. Financing structure
- f. The bidder with the proposal judged to be most qualified will be engaged in negotiation to define the scope of work and terms for project implementation.
 - i. Note: Wireless, unlicensed, or fixed licensed is not a suitable sole option for long-term sustainability for meeting Campbell County broadband needs. However, providing wireless offerings in conjunction with a core hardline service connection may be considered.

C. RFP Response Required Elements

- a. All bidders must submit a response in proposal form that outlines

- i. Infrastructure design
 - ii. Project timeline
 - iii. Construction
 - iv. End user subscription
 - v. Objectives
 - vi. Value to the project
 - b. Responses will be used to evaluate bidder fit for the project.
- D. Evaluation Team and RFP Scoring Criteria
 - a. The Campbell County Broadband Committee will evaluate the responses submitted on the following criteria to determine the finalist(s):
 - i. Relevant Experience and qualifications (25 points)
 - ii. Ability to Meet/Exceed Project Goals (25 points)
 - 1. General fiber infrastructure proposal with emphasis on fiber to the premises
 - iii. Proposed project timeline for design, construction, and end user subscription (20 points)
 - iv. Financing structure/Private Funding (15 points)
 - v. References (15 points)
 - b. The Campbell County Broadband Committee may, at their discretion, request any or all respondents to clarify information presented in the submittal.
 - c. A formal presentation by finalists may be required.
 - d. Final contract or agreement shall be subject to approval by Campbell County Fiscal Court.
 - e. The County may in whole or part accept or reject for any reason all proposals; re-advertise the request for proposals (RFP); postpone or cancel at any time the RFP process, waive any informalities or irregularities in the process; and negotiate with any party or request additional information if desired.
- E. Intellectual Property, Confidentiality and Open Records
 - a. Campbell County Fiscal Court will not pay for any information requested and all responses submitted become the property of Campbell County Fiscal Court. Responses will not be returned and may be subject to state open records statutes.
 - b. Proprietary or confidential information in responses must be clearly labeled "CONFIDENTIAL INFORMATION" and the bidder must state the basis for the claim to be handled as confidential.
 - i. To the extent permitted by law, the county will treat such information as confidential and will not disclose it to a third party without prior notice and authorization.
- F. Questions/Contact Information
 - a. All inquiries concerning this Request for Proposals should be submitted in writing via email by 2:00 PM on Thursday, June 17, 2021 to:
 - i. Laura Lewis, Business Analyst, LLewis@campbellcountyky.gov
 - b. Answers to any questions submitted will be posted on the CampbellCountyKY.gov website under Business-Opportunities & Bids by 5:00PM on June 20, 2021.
 - c. Questions must include the requestor's name, address, email address, telephone number, and the bidder being represented.
- G. Addenda
 - a. Responses to questions will be issued in the form of an Addendum by Business Analyst, Laura Lewis. It is the responsibility of the bidder to ensure that their proposal is inclusive of all Addenda. Failure to acknowledge all Addenda may result in rejection of a proposal.

IV. Bid Price Sheet

- A. A standard pricing sheet does not apply to this request for proposals. Pricing should be included in the proposal document based on the content of the submission.

V. Authentication of Bid and Affidavit of Non-collusion and Non-conflict of Interest

I hereby swear (or affirm) under the penalty for false swearing as provided by KRS 432.170: That I am the bidder (if the bidder is an individual, a partner (if the bidder is a partnership) or an officer or employee of the bidding corporation having authority to sign on its behalf (if the bidder is a corporation);

That the attached bid or bids covering Campbell County Fiscal Court, has been arrived at by the bidder independently and have been submitted without collusion with, and without any agreement, understanding or planned common course of action with any other vendor or materials, supplies, equipment or services described in the invitation to bid, designed to limit independent bidding or competition;

That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids and will not be communicated to any such person prior to the official opening of the bid or bids;

That the bidder is legally entitled to enter into the contracts with the Campbell County Fiscal Court and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of KRS 164.390, 16.092, 61,096 and 42.990; and

(Applicable to corporations only) That as a foreign corporation we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State _____ or, That as a domestic corporation we are in good standing with the Secretary of State, Commonwealth of Kentucky _____. (Check the statement applicable.

That I have fully informed myself regarding the accuracy of the statements made in this affidavit.

NOTICE

Any agreement of collusion among bidders or prospective bidders which restrains, tend to restrain, or is reasonably calculated to restrain completion by agreement to bid at a fixed price, or to refrain from bidding or otherwise, is prohibited. The provision of KRS 355.080 and 305.000 which permit the regulation of resale price by contract do not apply to sales to the State, no sales to Local Governments.

Any person who violates any provisions of Kentucky Revised Statue 42.076 shall be guilty of a felony and shall be punished by a fine not less than five thousand dollars nor more than ten thousand dollars, or be imprisoned not less than one year no more than five years, or both such fine and imprisonment. Any firm, Corporation or association which violates any of the provision of KRS 42.076 shall, upon conviction, be fined not less than ten thousand dollars no more than twenty thousand dollars.

In submitting this bid on the Bid Price Sheet, it is expressly agreed that upon proper acceptance by the Campbell County Fiscal Court of any or all items bid, a contract shall hereby be created with respect to the items accepted.

Signed by: _____ Date _____

Firm/Company _____

Address _____

Phone _____

VI. References/List of Relevant Work

1. Attach additional sheets if necessary

Project:	
Client:	
Contact Name:	
Phone Number:	
Email:	
Description of Work Performed:	
Project:	
Client:	
Contact Name:	
Phone Number:	
Email:	
Description of Work Performed:	
Project:	
Client:	
Contact Name:	
Phone Number:	
Email:	
Description of Work Performed:	