



REGION XI PLANNING & DEVELOPMENT COUNCIL

Brooke and Hancock Counties, West Virginia

Request for Proposals (RFP)

for

**Private Provider(s) to Deploy, Operate, and Maintain a
Broadband Internet Network Ensuring Brooke and Hancock
Counties Are Served by High-Speed Broadband**

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1. Introduction

This RFP reflects the commitment of Brooke-Hancock Regional Planning and Development Council (Council) to ensure high-speed broadband is available to all residents and businesses in both counties as possible. The Council recognizes some residents may already have access to high-speed service—from other providers—because they live in areas where it is technically feasible and cost-effective for local internet service providers (ISP). However, such service is not available everywhere in the two counties due to the high cost of construction and, with respect to wireless coverage, technical challenges related to wireless propagation. These hurdles include low-density development, long driveways, requirements for underground construction, tree cover, and topography. In short, ISPs cannot provide ubiquitous coverage and obtain a reasonable rate of return everywhere in Brooke and Hancock Counties.

The Council has decided to explore the potential for closing this broadband availability gap by offering a public-private partnership to subsidize private investments through the American Rescue Plan Act (ARPA) and the State of West Virginia ARPA Broadband Investment Plan. The program resources can be found at <https://broadband.wv.gov/>. In this RFP, the Council offers to provide a grant to one or more ISPs or other entities (Applicants) that commit to meeting the goals and conditions outlined in this RFP and in subsequent negotiations. The purpose of the grant will be to defray the cost of the infrastructure necessary to meet the requirements of the RFP which might include construction of fiber optics and conduit and/or poles to mount wireless facilities (Assets).

Through this RFP, the Council seeks proposals from applicants to build, operate, and maintain Assets to provide broadband service of a minimum 100 Mbps download and 20 Mbps upload (i.e., 100/20 service) throughout the counties to premises. The Council understands providing 100/20 service to 100 percent of premises in West Virginia may be infeasible for a range of reasons. The Council seeks proposals that come as close to ubiquitous service as possible. The Council encourages collaboration among Applicants as necessary to meet the goals of this RFP.

2. Service Areas

The Council seeks to close the broadband availability gap throughout Brooke and Hancock Counties (Counties) and understands the problem is primarily present in the low-density portions of the Counties. It will be the responsibility of the Applicant to document that its proposed buildout, together with its existing infrastructure (if any), results in the provision of a minimum 100/20 speeds to as many of the residences and businesses in the Counties as feasible.

A broadband development plan and associated network feasibility study were recently conducted for the Counties to support the development of broadband capabilities. This plan and study detail the demographics of the service area and are being used by the Council in support of this proposed infrastructure build. Applicants should review these documents to support their proposals. These documents can be viewed at [BHJ BROADBAND - BHJ-MPC \(bhjmpc.org\)](http://bhjmpc.org).

3. Goals and Desired Outcomes of This RFP

The following are the Council's requirements and goals under this RFP.

3.1 Provide a minimum 100/20 Service to Premises

The Council seeks to make available broadband services—defined as a minimum of 100 Mbps download/20 Mbps upload—to as many premises in the Counties as possible. If the Applicant is already providing service in some areas of the Counties, the Council requires that the Applicant provide the same pricing and service tiers for data services (100 Mbps download, 20 Mbps upload) over the Assets in the newly served areas, as in the currently served areas of the Council. Essentially, the Council seeks parity.

For the purposes of this RFP, Council defines "underserved" as premises unable to receive a minimum 100/20 service.

3.2 No Requirement for Video or Telephony Services

This RFP is intended to ensure delivery of robust broadband internet data services. The Council does not require Applicants to provide video or telephony service. While the selected Applicant(s) may choose to offer such services, these are not a requirement of this RFP.

3.3 No Monthly Data Limits

The Council seeks proposals from Applicants that commit to offer data services that do not place limitations, quotas, or caps on a user's total upload and download data capacity on a monthly basis.

3.4 Provide a Technical Overview of any Proposed Wireless Solution

If the applicant proposes a wireless solution for some or all of its deployment, the Applicant is required to describe the technologies and frequencies involved, provide a network design showing equipment locations, and document to the Council's satisfaction the proposed wireless solutions will meet the speed and service requirements of this RFP.

Any wireless deployment will be required to comply with applicable federal, state, and local standards and requirements. In particular, the Applicant will be required to comply with any current or future technical and aesthetic standards the municipalities may impose on wireless deployments, including, but not limited to the size, location, and aesthetics of proposed antennas and equipment cabinets.

3.5 Commit to Mutually-Agreed Enforcement Mechanism

An Applicant receiving county or state grant money must commit to a mutually-agreed enforcement mechanism. The Council expects the exact nature of this enforcement mechanism will be negotiated between the applicant and the Counties' attorney. For example, one enforcement mechanism could be that full ownership of fiber infrastructure built with county or state grant monies revert to the Counties, if the Applicant does not meet its commitments over a specified time period.

3.6 Commitment of ISP Funds and Assumption of Risk

The Council seeks bids from Applicants that will use and benefit from the public funding, will commit their own resources to the project, and will assume any financial risk over and above the public investment. The Council will consider all reasonable responses to this RFP and will evaluate responses based on the applicant's financial viability of the and willingness to meet the Council's requirements for an Applicant, as set forth in this RFP.

3.7 Sustainability

The Council seeks bids that demonstrate the Applicant's business model is tested, the Applicant has demonstrated experience operating an economically viable communications network over time, and the Applicant's business plan demonstrates long-term sustainability (including, for example, sufficient cash flow to ensure that network equipment can be refreshed and replaced consistent with industry norms).

4. Funding Availability

The Council will determine the best approaches for obtaining and offering grant funds. The Council requests the Applicant state what level of funding is required to achieve the goals of this RFP, and what amount the applicant will contribute. Importantly, the Council requires Applicants to attest that:

- They have explored all potential for federal or State grants that would support the deployment of this broadband infrastructure

The Council makes this requirement given the State of West Virginia has recently initiated a broadband grant program and many areas within the Counties may qualify. (The broadband grant program guidelines, selection criteria, application, and frequently asked questions will become available at <https://broadband.wv.gov/>. If other rounds of grant funding are eventually made available, the Applicant, if eligible, is required to make a new application for the new rounds and use any resulting grant funds before using any county funds.

5. Proposal Requirements

In no more than 20 pages (including appendices and attachments), the Council requests proposals detailing the following information from Applicants:

5.1 Funding Sought from Council

1. State the amount Applicant will contribute to the completion of the RFP Scope.
2. State the amount of grant funding sought from the Council to complete the RFP Scope.
3. Recommended timeframe for receipt of grant funding.

5.2 Technical Proposal

In this section of the proposal, please tell the Council how you will meet the technical requirements described above using the funds you seek from the Council. Among other questions, the Applicant should address the following:

1. Generate and provide a map of areas of Brooke and Hancock Counties and state the number and percentage of underserved premises.
2. State the number and percentage of premises that will receive 100/20 service and provide a map showing these premises.
3. If unable to provide service to all of the currently premises, state the reason why, provide a map showing which premises would remain underserved, and state what it would cost to serve these additional premises.
4. Describe the proposed approach to developing service for the network described above.
5. Describe the technologies and vendors you plan to use.
6. If wireless forms a component of your design, describe the approach that will be used for backhaul and how you will ensure your network has sufficient commodity internet bandwidth to meet the needs of your customers.
7. Describe the technological roadmap for increasing network performance over time.
8. Describe the plan to perform network maintenance on an ongoing and as-needed basis, including emergency maintenance.

9. If wireless is proposed, discuss the spectrum you propose to use, your access to that spectrum, and any interference concerns.

5.3 Exceptions

If you cannot meet any of the requirements of this RFP, please indicate the requirements to which you take exception and provide a detailed explanation of the exceptions.

5.4 Applicant's Technical Viability and Experience

Please provide a statement of experience discussing past performance, capabilities, and qualifications. Among other things, please address the following:

1. Identify other networks your firm (or the management team you propose here) has operated, as well as any network design and build experience; include the levels of broadband speed, technology type, availability and adoption among different categories of end-users, and unique capabilities or attributes.
2. Discuss relationships with other service providers, government, or non-profit entities you have undertaken, particularly any in which you provide service to rural unserved or underserved populations. Describe the nature of the projects and your firm's role.
3. Discuss your capabilities with regard to engineering and design of broadband systems. If you are proposing a wireless network, describe your experience deploying and operating wireless systems. Additionally, because delivery of residential broadband services differs significantly from delivery of commercial services, please illustrate your ability and describe your past experience designing and engineering a system capable of serving and supporting residential customers.
4. Discuss your capabilities regarding operation and maintenance of the proposed broadband technology. Overall operation, including routine and emergency maintenance, of the network will be crucial to its success. Please demonstrate through past experience your ability to operate and maintain all aspects of the network.
5. Provide example(s) of existing customer relationship management (CRM) system(s) that demonstrate your ability to deliver quality customer service.
6. Provide an example of a web customer interface your company has previously provided in a residential deployment.

5.5 Applicant's Financial Viability and Experience

Please provide an explanation of and data to demonstrate your financial capacity and capability to undertake this project. Documents including audited financial statements, bank statements, or SEC filings will be required prior to negotiation of contract. Committing to obtaining a Commercial Contract Surety Bond would be viewed favorably in the review process. If the proposal includes a wireless deployment, please include documentation detailing how the business plan includes funds for necessary equipment maintenance and periodic replacements.

5.6 Service and Pricing Proposal

The Council does not intend to dictate to potential Applicants what services to provide or at what price, so long as the Applicant is capable of providing a minimum 100 Mbps download, 20 Mbps upload service. Note that household affordability is considered in the Criteria for Selection.

1. Describe the service options planned over this network.
2. If the services vary across neighborhoods, please describe.
3. Please include discussion of any installation fees you plan to charge.

5.7 Timeline

Please include a proposed schedule for design, construction, and initiation of service. The timeline must detail key milestones and phasing plans.

6. Criteria for Selection

The Council will evaluate bids based on the following general criteria:

1. Magnitude of requested funding and cost-effectiveness of county and state funding with respect to how many premises can be served
2. Service levels proposed

3. Technology proposed, including the probable range of wireless signals (if relevant) and the formand adequacy of backhaul
4. Applicant’s financial viability and business plan
5. Proposed consumer pricing, including installation fee (if any)
6. Applicant’s technical capabilities and track record
7. Timeline/speed of anticipated deployment

The criteria will be weighted as follows:

Criteria	Evaluation Weight
Magnitude of requested funding and cost-effectiveness (i.e., percentage of currently underserved users to be served relative to the funding requested)	30 percent
Proposed service levels meet or exceed RFP requirements	15 percent
Technical proposal meets or exceeds RFP requirements	15 percent
Applicant’s financial viability and business plan	10 percent
Consumer pricing and affordability (including installation fee, if any)	10 percent
Technical capabilities and past performance (including management team capabilities)	10 percent
Timeframe/speed of deployment	10 percent

The Council reserves the right to reject any or all bids or portions thereof if, in the Council’s sole and absolute discretion, such action would be to the best advantage of the Council. The Council further reserves the right to waive technical defects in the bids and to accept the bid which, in the judgment of the Council, is in its best interest.

7. RFP Timeline and Deadlines

The following is the schedule for responding to this RFP. The schedule is subject to change at the discretion of the Council. All interested Applicants are to email correspondence related to this RFP - including a Letter of Intent due September 27th, 2021 - to Mrs. Adrienne Ward, Office Manager – Brooke Hancock Jefferson Metropolitan Planning Commission, at award@bhjmpc.org

RFP Released by Brooke Hancock Regional Council	Sept. 3, 2021
Deadline for Submitting Questions	Sept. 17, 2021
Council to Post Responses to Questions	Sept. 24, 2021
Deadline to Send Letter of Intent to Respond to RFP	Sept. 27, 2021
Deadline for Final Submission of Responses to This RFP	October 11, 2021

The Council anticipates it will enter negotiations with one or more selected Applicants following receipt of the responses to this RFP to determine the detailed terms of contracts with the selected Applicant(s) based on the responses to the RFP.

The Council thanks you in advance for your response and your interest in public-private collaboration to meet the broadband needs of its residents and businesses.