Schools and Libraries
NEWS BRIEF

February 8, 2013

FY2013 WINDOW COUNTDOWN

Days to window close	**34**
FCC Forms 470 filed to date	**30,357**
FCC Forms 471 filed to date	**6,180**
Online Item 21 attachments filed to date	**12,890**

TIP OF THE WEEK: Be sure to post your FY2013 FCC Form 470 to the USAC website on or before February 14, 2013 (see below). Applicants that post FCC Forms 470 after this date will not be able to meet the 28-day waiting period requirements and then submit FCC Forms 471 before the March 14 window close deadline.

Commitments for Funding Years 2012 and 2011

Funding Year 2012. USAC will release FY2012 Wave 30 Funding Commitment Decision Letters (FCDLs) February 12. This wave includes commitments for approved Priority 2 (Internal Connections and Basic Maintenance) requests at 90% and denials at 89% and below. As of February 8, FY2012 commitments total over $1.83 billion.

Funding Year 2011. USAC will release FY2011 Wave 80 FCDLs February 13. This wave includes commitments for approved Priority 2 requests at 88% and above and denials at 87% and below. As of February 8, FY2011 commitments total over $2.51 billion.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's Automated Search of Commitments tool.

Service Provider Training Announced

Each year, USAC conducts two training sessions in the spring targeted for service providers and eight training sessions in the fall targeted for applicants. The two spring 2013 service provider trainings will be held on the following dates and locations:

- Tuesday, May 7 at the Renaissance Concourse Atlanta Airport Hotel, Atlanta, Georgia.
- Thursday, May 9 at the Westin Los Angeles Airport Hotel, Los Angeles, California.

To register for the training and to find information on hotel reservations, refer to the Trainings & Outreach page on the USAC website.

FCC Form 470 Reminders

Next Thursday, February 14, is the last day applicants can post an FCC Form 470 to the USAC website and still complete all the necessary actions to request discounted services before the filing window closes at 11:59 pm EDT on March 14. Following are some reminders gleaned from earlier SL News Briefs for the benefit of applicants that have waited until the last minute to post their forms.

What is the purpose of the FCC Form 470?

Applicants post an FCC Form 470 to the USAC website to describe the services they are seeking for the upcoming funding year – in this case, services that start on or after July 1, 2013. Service providers can then review the information on posted FCC Forms 470 and, if they are interested, submit bids in response to the information provided.

Why is Thursday, February 14 the deadline for posting an FY2013 FCC Form 470?

You must wait at least 28 days after an FCC Form 470 is posted to the USAC website before you:

- Evaluate the bids you have received and choose the most cost-effective bid to select your service provider.
- Sign a contract (if applicable).
- Sign and submit your FCC Form 471 to request discounts on eligible services.

If you post your FCC Form 470 on February 14, all of the above activities must be completed on March 14, the last day of the application filing window. Note that it is unlikely that funding will be sufficient to make commitments for funding requests on FCC Forms 471 submitted after the filing window closes.

Am I required to issue a Request for Proposal (RFP) or similar bidding document?

If you are required by state or local competitive bidding rules and/or regulations to issue an RFP, then you must do so. Absent this requirement, you can include all pertinent information on your FCC Form 470 without issuing an RFP.

Keep in mind that space on the FCC Form 470 is limited. If you have very specific bidding requirements, a large or complicated request for services, or other reason that necessitates a more extensive competitive bidding document, you may wish to issue an RFP to make that information clear and available to potential bidders.

If I issue an RFP, how long must it be available?

The RFP must be available for at least 28 days. Note that the RFP and the FCC Form 470 must remain available during the SAME 28-day period. For example, if you post an FCC Form 470 on February 14 and issue an RFP on February 28, you must wait at least 28 days after February 28 before you perform the activities described above.

What is an "open and fair" competitive bidding process?

An "open and fair" competitive bidding process means that, at a minimum:

- All bidders are treated the same.
- No bidder has advance knowledge of the project information in your competitive bid.
- There are no secrets in the process – such as information shared with one bidder but not with others.
- All bidders know what is required of them.

You should review the guidance in Competitive Bidding on the USAC website for more information.

How much detail should I provide about the services sought?

You should provide sufficient detail for a potential bidder to understand the size and scope of your project and the services you are requesting so that he or she can submit a responsive bid. You may want to include a website address or other mechanism so that answers to any questions you receive are available to all potential bidders.

Be careful not to limit yourself unnecessarily in the description of the services. For example, "high-speed Internet access" gives you more flexibility than "Internet access not to exceed 10 Mbps." If you specify an upper limit, you cannot increase your speed – even if the cost does not increase – during the funding year or for the life of the contract, if you sign one, without posting a new FCC Form 470 and opening a new competitive bidding process.

Also, starting with FY2013, you cannot specify makes and model numbers from a specific manufacturer without adding the words "or equivalent." After you close your competitive bidding process, you must evaluate all bids received, including those that provide an equivalent solution.

Am I required to respond to every email or phone call from a service provider?

You should be prepared to respond to requests for the information necessary for a service provider to submit a responsive bid. For example, if you indicated "district-wide telephone service," that is probably not enough information for a service provider to understand the scope of your needs.

You may have to evaluate whether an email or telephone call is generic in nature – for example, if it references services you did not request or does not acknowledge the existence of an RFP you issued – before you decide not to respond. For more information, refer to the January 11 SL News Brief.

Why is the category of service I choose in Items 8, 9, 10, and/or 11 important?

In general, you cannot receive discounted services in a particular category of service (Telecommunications Services, Internet Access, Internal Connections, or Basic Maintenance of Internal Connections) unless you have posted for those services **in that category of service** on an FCC Form 470. However, starting with FY2013, you can list Priority 1 services in either Telecommunications Services or Internet Access on the FCC Form 470.

If you are not sure of the correct category of service to use on the FCC Form 470, you should post in all applicable categories of service. As an example, in some cases, USAC may need to move your request from one category of service to another in order to comply with program rules. For example, if your request for on-premise Priority 1 equipment does not meet all of the necessary requirements, USAC will move your request to Priority 2 Internal Connections. If you did not also post your request in Internal Connections on an FCC Form 470, USAC will not be able to fund your request.

How do I evaluate the bids I receive?

You can use one or more bid evaluation criteria to evaluate your bids. The one criterion you must include – which also must be weighted more heavily than any other single criterion – is the price of the products and/or services that are eligible for E-rate discounts. You can find specific information on constructing an

[evaluation](#) and a [sample bid evaluation matrix](#) on the USAC website.

Do I have to sign a contract?

You can receive services provided under tariff or on a month-to-month basis without signing a contract. Note that you are required to post an FCC Form 470 every year for these services.

You can also sign a contract. The contract can cover more than one year and/or can include voluntary extensions. As long as the services you desire for the upcoming funding year are covered by a multi-year contract or a contract for which you have already agreed with your service provider to exercise a voluntary extension, you can cite the establishing FCC Form 470 that led to the contract rather than posting a new FCC Form 470.

- You should verify that the contract or the extension covers the entire funding year. If not, you will need to post an FCC Form 470 for the services to be received for the period not covered by the contract or the extension.

Can a consultant help me with the competitive bidding process?

You can authorize a consultant – a non-employee of the entity applying for funding that assists in filling out the application materials for a fee – to assist you with the competitive bidding process. You should have a contract, letter of agency, or similar document with your consultant that explicitly states the actions that the consultant is authorized to take on your behalf.

Remember that consultants must obtain a [Consultant Registration Number (CRN)](#) and include the CRN on FCC Forms 470 and 471.

Where can I get more information?

You can [submit a question](#) to the Client Service Bureau (CSB) or call CSB at 1-888-203-8100. You can also refer to the following:

- [FCC Form 470 Instructions](#).
- "Form 470: How to File Online" video tutorial on the [Schools and Libraries Video Tutorial webpage](#).
- [Competitive Bidding](#) and related guidance documents on the USAC website. (Related documents are listed at the top of each webpage and hyperlinked as appropriate in the page text.)
- [Selecting Service Providers](#) and related guidance documents.