

**REQUEST FOR PARTICIPANTS
RIVCOCONNECT INITIATIVE FOR
DEPLOYMENT OF ADVANCED BROADBAND SYSTEMS**



**ISSUED BY
THE COUNTY OF RIVERSIDE, CALIFORNIA
IN CONJUNCTION WITH**

Release Date of RFP:	March 31, 2017
Proposer Conference:	April 20, 2017
Questions Regarding RFP Due:	May 19, 2017
Follow-Up Questions Due:	June 16, 2017
Response Due Date:	August 15, 2017

**Request for Participants
RIVCOconnect Initiative for Deployment of Advanced Broadband Systems**

County of Riverside, California

DATE ISSUED: March 31, 2017

TITLE: Request for Participants RIVCOconnect Initiative for Deployment of Advanced Broadband Systems.

DESCRIPTION: The County of Riverside, and the collaborating municipalities and Native American Tribes (tribes) within the County that have adopted supporting resolutions seek participation from qualified companies in an initiative to deploy advanced broadband systems in the County, with the goal of passing as many businesses and residences as possible with fiber, and promoting deployment of alternative technologies to provide broadband services in areas where it is not possible to do so.

DEADLINE FOR SUBMITTING PROPOSALS: Proposals must be received at the address shown below by August 15, 2017, 2:00 p.m. (Pacific Daylight Time).

PROPOSAL DELIVERY ADDRESS: RIVCOconnect, 3450 14th Street,
Riverside, CA 92501
Attn: David Littell

QUESTIONS: Questions related to this Request for Participation shall be submitted in writing via e-mail to David Littell at dlittell@rivco.org by the deadlines specified in the RFP, and with the subject heading specified in this RFP, and with the **subject heading RIVCOconnect**. Initial questions must be submitted no later than 12:00 p.m. (Pacific Daylight Time), **May 19, 2017**. Follow-up questions and questions based on inspection must be submitted no later than 12:00 p.m. (Pacific Daylight Time), **June 16, 2017**.

INSPECTIONS: Review of documents that require execution of a Confidentiality Agreement, and site inspections may be scheduled by submitting a request in writing via e-mail to David Littell

at dlittell@rivco.org with the subject heading RIVCOconnect Inspection by 12:00 p.m. (Pacific Daylight Time), **June 16, 2017**. Proposers may be required to execute an agreement for access to certain facilities. Please note that because questions about inspections or the documents will need to be submitted by the deadlines specified in the preceding paragraph, inspections/document reviews should be scheduled sooner rather than later.

NON-MANDATORY PROPOSERS' CONFERENCE: A non-mandatory Proposers' Conference will be held on **April 20, 2017**, 9:00 a.m. (Pacific Daylight Time) at the Riverside Room at RCIT, 3450 14th Street, Riverside, CA 92501. **All Proposers are encouraged to attend in person or telephonically at 888-390-8951, passcode 9395599#. In-person attendance is encouraged. The County cannot guarantee that those who do attend telephonically will be able to hear all presentations, questions or responses, or to see all presentations.**

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I.

INTRODUCTION

A. Overview of the RFP.

This **Request for Participants** is part of a County initiative to encourage the deployment of an advanced fiber-optic digital communications network so that every residence and business within the County – whether located within the unincorporated communities, municipalities or tribes – has access to world-class, high-speed broadband Internet access. We refer to the initiative, and the resulting infrastructure as **RIVCOconnect**, although the RIVCOconnect infrastructure could actually be comprised of multiple networks and constructed independently over time by many different network owners.

The goal of the RFP is to ensure that there is abundant broadband throughout the incorporated and unincorporated County. The County would prefer construction of fiber-optic networks that provide fiber optic connections directly to the home or business. The most advanced fiber networks in the United States provide fiber to the premises (FTTP), permitting the network owners (or service providers that lease capacity from the network owner) to provide virtually unlimited bandwidth upstream and downstream to end users.¹ However, there are now well-publicized tests underway to determine whether high speed services desired by end-users can be provided by passing homes and businesses with fiber, and then providing connections into homes wirelessly.² Moreover, given the size of the County, and population densities in the Eastern portion of the County, the County understands that it may not be economically or technically feasible to pass every home or business with fiber. For more remote areas, the County is interested in identifying partners who will work with it and the collaborating communities to develop alternative technologies that can be used to provide broadband services. The County seeks Proposals from entities³ who are willing to enter into agreements with the County and collaborating communities to deploy advanced broadband networks while also assisting the County and collaborating communities to address the digital divide.

More specifically, the County asks for Proposers to propose networks that will:

- Provide fiber-optic access to the Internet to homes and businesses (or to the curb outside a home or business combined with a wireless connection to the premises) via a network designed to deliver symmetrical speeds of 1 Gbps or higher to each residential unit, and to offer a business level of service at similar or higher speeds.
- Provide services, or targeted services to remote areas using alternative technologies. The County is working with educational institutions and will be prepared to work with an appropriate private partner to seek waivers for use of EBS

¹ Communities served by such networks were often referred to as “Gigabit Communities” – meaning a user could economically purchase a service that allowed users to download and upload information to the network at 1 Gbps in both directions.

² <https://www.wired.com/2016/08/google-wireless-faster-route-home/>

³ Respondents and prospective respondents to this RFP are referred to as Proposers.

frequencies to provide appropriate services to remote communities.

- Address the individuals and families not regularly accessing the Internet today due to cost, access, awareness, or equipment issues (an issue often referred to as the “digital divide”) through provision of a level of low-cost or free access to the Internet, and through services to targeted libraries, workforce development centers, community centers and social services training facilities which may also serve as “anchor tenants” for a selected Proposer.

To support this initiative the County is prepared to:

- Establish a single point of contact that will provide expedited handling of applications for construction of major communications projects in order to streamline and speed deployment of advanced communications infrastructure.
- Provide space on certain County property suitable for placement of hubs or “central offices” for a rate that could be as low as \$19.20 per sq. ft. per year. The County has identified over 180 sites throughout the County where about 1400 sq. ft. in total is available without the need for a conditional use permit or other discretionary authorization for placement of a precast one-story aggregation non-occupied building approximately 12’x30’ in size with surrounding space for access.
- Where permissible and feasible, lease access to the storm water drainage system rights-of-way to allow providers to minimize delays that may otherwise follow if providers were required to separately secure right-of-way. The County will assist providers in leveraging existing permits and licenses for drainage crossings of transportation elements for use as conduits for the fiber-optic network (again, where permissible and feasible.)
- Agree to conditions that will permit use of street lights and other right-of-way structures controlled by the County for placement of wireless facilities.
- Serve as an anchor tenant for the project, purchasing managed connections from selected Providers that are capable of providing an enterprise quality service at reasonable prices.
- Work with the selected Proposer or Proposers to jointly brand and promote the RIVCOconnect initiative and to coordinate with other County efforts to bridge the digital divide, in a way that should help enhance market opportunities for each selected Proposer.

In addition, and central to the concept of this RFP, the County will provide information and coordinate with other public and private entities so that it is faster, simpler and less costly to deploy broadband networks within the County. Among other things:

- Each of the collaborating communities and tribes is taking the same steps being taken by the County. Certain of the communities have fiber, conduit, and other

resources or structures that may be useful in deploying an advanced fiber optic network.

- The collaborating communities and tribes and the County will create cross-jurisdictional working groups that can meet with selected Proposers as part of the planning for the project, that will work to develop application forms that are useable across jurisdictions, and so that work can be coordinated with ongoing projects. The goal – as far as is possible – is to allow a Proposer to avoid the costs and delays that can arise where construction involves more than a single jurisdiction. A list of the collaborating communities and tribes involved in this RFP can be found at our website www.rivcoconnect.org/Partners.
- In addition to the collaborating communities and the tribes, the County has worked with Southern California Edison and with other entities to identify conduit, fiber and other resources that will be available to selected Proposers.

The County has developed a robust data base of useful resources to assist Proposers in developing meaningful Proposals, which database will be available at RivcoConnect.org, gis.rivcoit.org, and data.countyofriverside.us.

Because of the size of the County, the County recognizes that it is highly likely that some Proposers will want to limit the geographic scope of their proposal. However, in deciding which Proposers with which to negotiate, the breadth of the area served will be considered, particularly for Proposers who wish to take advantage of anchor tenancy opportunities, as there are management economies associated with obtaining services from a single entity. Potential Proposers may wish to partner with others to submit more comprehensive proposals.

The County will entertain demand-based Proposals, under which a Proposer offers to build out portions of its proposed service area based on the demand for paid services. Any Proposal taking this approach will need to be crafted in a way that ensures that advanced networks will be available in all parts of the area to be served, including low-income areas.

B. The Reasons for the Initiative.

High-speed, affordable Internet access is essential to the global competitiveness of both the County and nation. It drives job creation, promotes innovation, expands markets for American businesses, and supports improved education, health care and public safety.

Although California is home to a wellspring of innovation that has helped lead the growth and evolution of information technologies, the use of broadband by California residents is only approximately equivalent to the national average. Riverside County especially needs high-quality broadband to entice businesses seeking expansion opportunities, especially given its focus on sustainable growth. According to the California Department of Finance, the County's population grew from approximately 1.2 million in 1990 to approximately 2.19 million as of the 2010 census. Growth since 2000 has been most rapid, and driven largely by migration: inter-state migration, intra-state migration, and immigration. Growth in employment and housing has also been substantial. The County, well-positioned to support a greater population and to provide a home

for businesses, also recognizes that it must develop modern infrastructure to meet the requirements of businesses and residences and to be able to deliver services effectively throughout the County. This places a premium on deployment of smart technologies and infrastructure that will permit the County to pursue policies for sustainable growth.

Among the key benefits of broadband identified by the recent Broadband Opportunity Council report of the U.S. Department of Commerce and U.S. Department of Agriculture:

- Broadband enables greater civic participation, provides tools for open government and streamlines government processes.
- Broadband enables changes in how we access educational resources (especially for the underserved,) collaborate in the educational process, conduct research and continue to learn anytime, anywhere and at any pace.
- Broadband enables improved healthcare access, treatments and information.
- Broadband enables new business models, creates business efficiencies, drives job creation, and connects manufacturers and store-fronts to clients and partners worldwide.
- Broadband can also help bring communities together and improve public safety, reduce traffic and emissions, and make our transportation systems more resilient and efficient.
- Broadband provides a foundation for many of the advancements we will see across industry sectors in the coming years.

To be sure, there are several companies that offer broadband services to businesses and residences in the County today, and some providers even offer fiber to the home or business. But in many areas options are limited or prices for installation and monthly service are too high. In the eastern deserts and other rural parts of the County there are significant areas where there is no broadband access at all. Approximately 58% of the total population living without access to broadband reside in rural, unincorporated areas, including tribal communities. These Riverside County residents, numbering almost 100,000 in total, are the individuals most at risk of falling behind in the 21st Century world of information, the 21st Century economy, and occupy the have-not side of the Digital Divide.

One of the most troubling aspects of the Digital Divide is the so-called “homework gap.” Students, regardless of their educational level, increasingly require access to the Internet in order to complete and submit school projects, perform research, and increasingly use websites and email to communicate with parents. Many schools now distribute and expect students to use tablets and other electronic devices to perform work, but some students do not have the connections that enable the student to take full advantage of these devices. To help address the “homework gap,” Coachella Valley Unified School District – 80 per cent of whose students live in poverty – has deployed buses with Wi-Fi routers to provide mobile hot spots for students in the district’s most underserved communities.⁴ That innovative solution simply underscores the need for access to

⁴ <http://www.governing.com/columns/tech-talk/gov-school-buses-internet-broadband.html>
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ubiquitous and low-cost Internet in many parts of the County.

But even in areas of denser population, access to abundant broadband may be limited. The Inland Empire Plan identified at least one instance where a business relocated elsewhere because of the absence of adequate broadband resources. The difference in price and quality of services provided where residents and businesses have access to advanced broadband networks, and those where they do not is significant. At the simplest level, many residents in the County pay \$60 a month for broadband services that offer 60% of the download speeds and 5% of the upload speeds offered by the fiber network in Chattanooga, Tennessee for the same price – a gap that can be particularly important for home-based businesses. For \$10 more, the Chattanooga system offers an Internet service that performs at 17 times the download speed of the connection available to residents in Riverside County, and 250 times the upload speed. If the County encourages new entry and new investment, the financial and technological benefits will be sizeable.

While there are programs designed to encourage broadband deployment and allow schools and libraries to obtain less expensive access to the Internet, the United States has not fully developed a true Broadband Universal Service that can ensure that broadband Internet access is available to all citizens, as have other countries like Switzerland, Finland, Taiwan and Britain. As the world relies more and more on Internet-based communications for work, education, hiring, training, health care, and for daily interactions with each other and with government and other community institutions, it becomes more critical to address disparities in Internet availability. In the absence of a national plan to ensure Broadband Universal Service, it is important for the County to ensure, to the extent possible, that basic levels of broadband access are available to every resident and business, regardless of income, and that, to the extent possible, high-quality, high-speed access is available everywhere at reasonable prices.

C. The Goals and Challenges of the RIVCOconnect Initiative.

In light of the increasing importance of having available affordable, high-speed broadband services, RIVCOconnect has the following goals:

- *Ensure that every business and resident in Riverside County can access advanced communications networks that provide high-speed, high quality broadband connections to the Internet, where they live, work and play;*
- *Ensure that areas of the County that are currently underserved are promptly served;*
- *Ensure that the County is served by an open network, so no one is prevented or blocked from taking full advantage of the Internet's capabilities; and*
- *Ensure that every business and residence can enjoy the benefits of broadband, regardless of income or the area in which they reside.*

The County recognizes that these goals will not be easy to achieve. Barriers to the deployment of broadband include the very size, scale and topography of Riverside County. With 7,300 square miles, the County is larger than Connecticut and is nearly as large as New Jersey. In this century's first decade, the County's population grew to 2,189,641, a rate of 41.6% with no

slowdown of growth expected, particularly in the more urban areas of the County. Yet the eastern deserts are likely to remain sparsely populated, at least in large part. Additionally, under the status quo, any builder seeking to deploy broadband infrastructure must be prepared to plan for the cost and potential delay that may result from the need to obtain information from, and to deal with, over two dozen local governments (each engaged in separate processes of planning and governance,) as well as numerous special districts, tribes, and state and federal agencies. In addition, the communications marketplace is dominated by well-entrenched incumbents that can make competitive, expansive deployments risky for new entrants, or for smaller, existing companies that currently serve limited geographic or economic markets.

The free market has presumably led to the deployment of broadband networks where build-out makes economic sense under the status quo. While deployment can be expected to continue, it is our stated goal to ease further and more advanced deployment given the importance of broadband.

In order to encourage more rapid and widespread deployment than would occur absent any government action, governments may be able to influence the deployment decision by:

- Affecting the costs of entry and operation
- Reducing risks (by avoiding project delays, for example)
- Increasing revenue opportunities
- Increasing system benefits
- Creating new avenues for competitive entry, which will lead incumbents to improve their own networks.

As reflected in this RFP, the County and the collaborating communities and tribes are seeking to address each of these issues by:

- Making it faster and easier to enter the market by streamlining permitting both within individual jurisdictions, cross-jurisdictionally, and by creating points of contacts and working groups who can facilitate and guide providers through the process of deployment in Riverside County.
- Creating a database of resources that can be used in assessing the viability and feasibility of deployment (e.g., maps, information on public properties, buildings and structures that may be useful in deploying technology).
- Identifying a wide variety of assets that can be made available to Proposers.
- Offering to serve as an anchor tenant on a broadband system.
- Proposing to partner with private providers and educational institutions to address some of the most significant “digital divide” problems facing the County.

The County and the collaborating communities and tribes are willing to consider a wide range of options for deployment, and encourage providers to suggest practical solutions that can be implemented in a manner that achieves the goals of the project.

D. General Guidance to Proposers.

Proposers' submissions must be received by the County at the Response Delivery Address specified in this RFP no later than August 15, 2017, by 2:00 p.m. (Pacific Daylight Savings Time).

Proposers must submit: One (1) original cover letter and 5 (five) hard copies of the submission, and twelve (12) USB Flash Drives, each containing PDF version copies of the cover letter and submission. The County reserves the right to request additional hard copies and USB drives.

Proposers should read this RFP and linked attachments carefully. Proposers should carefully note the deadlines for submissions; the process for communicating with the County regarding the RFP, and the date and time for the Proposers' conference.

Proposals submitted in response to this RFP are subject to the Public Records Act, California Government Code Section 6250 et seq. If you claim that a portion of your submission contains information that you would like to protect from disclosure, you must so state in your Proposal cover letter, mark as confidential each page of the RFP response that is claimed to be confidential, and provide a redacted digital copy of the RFP response.

E. RFP Organization.

The RFP can be referred to as the "RIVCOconnect RFP," and is divided into 8 parts, including this **Section I**.

Section II contains the specifications for the networks the County seeks to have deployed through the initiative, and identifies minimum requirements that Proposers must satisfy.

Section III outlines the efforts of the County and collaborating communities and tribes to develop new approaches to streamlining large-scale deployment of communications facilities. The streamlining efforts are being implemented on a trial basis, in conjunction with this RIVCOconnect initiative. While companies that deploy large-scale communications projects that are not part of this initiative may be able to take advantage of these streamlining efforts, the County may choose not to continue these efforts unless there is a clear public benefit in doing so. These and other tools for streamlining deployment are described in the body of the RFP.

Section IV discusses the informational resources available to the Proposer. The County has developed a robust data base of available resources to assist the Proposer in the development of a meaningful Proposal.

Section V discusses the general submittal requirements for the Proposers.

Section VI discusses the required contents of the Proposals.

Section VII discusses the RFP evaluation process.

Section VIII discusses the Proposal protests.

II.

RIVCOconnect INITIATIVE

A. Request for Participation.

The County seeks Proposals from Proposers willing to provide advanced broadband infrastructure throughout the County of Riverside, in the unincorporated communities, the incorporated jurisdictions that are collaborating on this project, and within the lands of those tribes that are collaborating on this project. The specifications of the fiber-optic infrastructure that the County desires to be installed are described in this section. The County is not in any way foreclosing the provision of services to end users using wireless technologies, including millimeter wave technologies. (In fact, it recognizes that its low rainfall and humidity, the County may provide an ideal testbed for such technologies.) It recognizes that some of the assets available to Proposers under this RFP may be particularly useful as a way of providing wireless connections to the home from a fiber distribution system. But the goal is, as described in the specifications, to pass homes and businesses with fiber; to provide a fiber to the premises option; and to use alternative technologies where fiber is not feasible.

Joint Proposals are encouraged. Proposers may suggest changes to existing procedures or policies affecting network deployment, but the County is not promising to make changes proposed, or to enter into contractual conditions that prevent its ongoing exercise of its police powers.

The County expects that Proposers will propose fiber-optic networks whose design is similar to other communications systems already installed in the County. That is, we assume that any wireline system will consist of fiber-optic cables; neighborhood facilities that are similar to nodes or utility cabinets, particularly those installed for passive optical networks, and “central offices” that serve as hubs for the distribution network. We expect that if a proposal assumes use of wireless for the link from the distribution system to the home, the network will use devices that can be installed on poles, on light standards, on walls and on other existing infrastructure in a manner that is unobtrusive and does not significantly change the dimensions of existing structures near the installation. While submission of a Proposal for a network of a different design is not prohibited, the County cautions that its ability to make assets available and streamline processes will depend on the design of the system proposed. The County may not readily be able to support placement of a system that requires installation of facilities that are substantially larger than those considered typical, or that contain components that have environmental effects (excessive noise levels, heat output, and so on) or other effects substantially different than facilities commonly in place today.

As noted at the outset, notwithstanding the broad goals reflected in this RFP, the County recognizes that the geographic size and low population densities in the rural portions of the County will likely make it uneconomical to pass each and every home or residence with fiber. However, there is significant bandwidth available within the Educational Broadband Service (EBS) that may

be useable to provide broadband services to many of portions of the County. The County is willing to work with a selected Proposer to attempt to obtain a waiver that would permit use of those EBS frequencies to provide Internet services to students in the rural portions of the County if necessary. The County is also willing to consider other approaches that can provide services in underserved areas, and to work with Proposers in obtaining funding for those projects.

The County, along with the collaborating communities and tribes, cannot grant rights to use or access the facilities of other governmental entities and does not require provision of services that require such access. The RFP is not intended to require or to demand installation of facilities (or modification of existing facilities) in any natural open space or environmentally-sensitive area, scenic highway, at any hazardous waste site, or to require installation or modification in a manner that would affect an historical resource. The databases described in Part IV should permit Proposers to identify many areas where installation of facilities might raise special issues. During the course of construction, a provider will be expected to work with appropriate local, state and federal agencies, as required, and use best practices to minimize environmental impacts. The descriptions of desired networks and build-out areas that follow are subject to this limitation.

B. Specifications.

1. Eligible Proposer.

- a. A Proposer must be authorized to do business in the State of California. The entities that will own infrastructure in the public rights-of-way, or who will be responsible for ensuring that the installation or maintenance of that infrastructure complies with applicable laws either must hold a franchise or authorization from the State of California or the County and collaborating communities and tribes, or show that they are eligible to obtain such a franchise or authorization in time to move the project forward. Any franchisee will pay fees (such as franchise fees) that may be required by the franchise. A franchise issued under the Digital Infrastructure Video Competition Act of 2006, for example, requires a quarterly payment equal to 5% of gross revenues derived from the operation of the system to provide video and cable services.

While obtaining a certificate of convenience and necessity from the CPUC is relatively straightforward, it can require months. In evaluating a proposal, the County may consider whether a Proposer has taken the steps necessary to perform as proposed.

- b. A Proposer may be either a retail service provider, or an entity that will provide infrastructure and enter into agreements with retail service providers.

2. System Design.

- a. Fiber-optic.

- (1) The County seeks Proposals for a fiber-optic network that brings fiber-optic cable to, or near, the premises for businesses and residences within the County of Riverside. A provider who wishes to use Wi-Fi, or other wireless technologies (such as millimeter wave technologies) to bridge the distance between the curb and end user premises may do so, but will be expected to demonstrate that the system will have sufficient performance and expansion capabilities so that it can respond to demand for increased network capabilities, and either offer service levels comparable to those required for fiber-to-the-premises (FTTP) systems, or include a fiber option that permits the end user to obtain a fiber connection.
- (2) The County seeks a network that at a minimum:
 - (a) is designed so that the Internet can be accessed easily, reliably and without significant delay;
 - (b) supports Virtual Private Network (VPN) connections;
 - (c) supports secure transactions;
 - (d) for residences, includes a symmetrical service offering of at least 1 Gbps to each residential unit;
 - (e) for businesses, includes business-level services similar to those offered by fiber-optic systems operating in communities like Chattanooga, TN;
 - (f) includes Internet service offerings targeted to small businesses; and
 - (g) is designed so that services can be provided to multi-family dwelling unit buildings typically found in the County of Riverside.

b. Remote Areas.

- (1) The County seeks Proposals for networks – which may be fiber-optic, wireless, or use other technologies – that will deliver Internet access to mountain communities in the Western County and areas to the east of the San Gorgonio Pass, along I-10 (this does not foreclose the use of alternative technologies to serve areas with higher population density). As noted above, the County is willing to work with a provider to obtain waivers necessary to utilize EBS frequencies. Proposals that involve possible uses of EBS frequencies should be developed considering the FCC’s recent waivers for EBS use.

(2) Future Proofing.

The County seeks fiber-optic and wireless networks as described in B.2(a)(1) designed with a defined future upgrade path so the networks continue to provide access to the Internet consistent with the most advanced systems serving residential and business subscribers.

3. *Services Offered/Pricing.* (See also Digital Inclusion Plan below for discussion of free services requested). The County seeks Proposals showing:

- a. That broadband Internet access service will be available via the network. Proposers are free to propose other services subject to obtaining necessary authorizations, but need not do so.
- b. That unbundled broadband Internet access services will be available to residences and businesses at prices comparable to those offered for similar services in communities served by gigabit networks that offer or propose to offer services to the general public in a significant portion of a community. Currently, for example, a symmetrical 1 Gbps service is offered in Chattanooga, TN for about \$70/month and a similar service is offered in Kansas County, KS. The retail price commitment by the Proposer should be for at least two years after the initial turn-up of service.

4. *Minimum Service Territory.*

The County is not requiring providers to serve a minimum territory. It seeks Proposals that define a territory the Proposer will serve if selected, and that also defines what conditions, if any, must be met for the Proposer to expand services. As explained in more detail below, in deciding whether to accept a Proposal, the County will consider whether the Proposal will contribute to the goals of the RFP whether considered individually, or collectively with other proposals. The County will favor proposals that clearly include commitments to improve service to underserved areas.⁵

5. *Build-out.*

⁵ For purposes of this RFP, Proposers should treat census tracts where the reported average income is below \$50,000 as “underserved” or “low income.” Several studies have indicated that access to broadband varies significantly with income levels. U.S. Census Bureau, American Community Surveys, *Computer and Internet Use in the United States: 2013*, by Thom File and Camille Ryan (issued November 2014A CS-28) reports that 47 percent of households with income levels below \$25,000 report a high-speed Internet connection, and 67% of households with income between \$25,000-\$50,000 report having a high-speed connection. By contrast, at higher income levels, between 83-94% of all households report high-speed connections. That is only part of the story, as the report indicates treated high-speed connections as connections other than “dial-up.” A household that relied solely on smartphones would be treated as high-speed by this test. The report also indicated that lower income households tend to rely solely on mobile devices for Internet access.

- a. The County seeks Proposals that will result in build-out and provision of services within the Proposer’s defined service area within five years of reaching agreement with the County. Build-out periods will be extended where delays are due to factors beyond the control of the Proposer, including, but not limited to, the failure of County or collaborating communities or tribes to issue permits at a rate that would permit the build-out to be completed within that period.

- b. The County will accept Proposals that include “demand-based” models for build-out, and believes that a well-designed model may provide an effective path to deployment. However, any demand-based model must be designed in a way that does not have the effect of exacerbating the digital divide. Under one demand-based model, for example, communities are divided into geographic sections. The provider promises to build out to any section where the demand reaches a certain level. At least as initially implemented in some communities, that model led to very different results in higher income vs. lower income areas. The model also made it more difficult to obtain service in multi-family dwelling units as opposed to low-income units and did not initially take business demand into account. However, it appears to the County that these shortcomings could be addressed in a number of ways. For example, a Proposer could offer to link higher-demand and lower-demand areas to average demand across areas. Once minimum-demand targets are met in a higher-demand area, additional demand is effectively attributed to a lower-demand area. As another example, under a simple demand-based model, an area is considered qualified for build-out once a certain percentage of households indicate interest in the service. A Proposal could set a financial value on the “interest,” and allow that to be satisfied through grants, sponsorships, or through other means. Similarly, as a variation on a demand-based model, Proposals may include options under which build-out will occur if providers are guaranteed a specified amount to cover capital or operational costs. However, with any such proposal, it will be important for the Proposer to describe:
 - (1) A description of the manner in which the model would operate, and how it would address problems associated with application of a demand-based model in areas with high levels of short-term residents, low-income or low-adoption rates. This should include a specific description of the amount and nature of the support the Proposer may require before committing to build out.
 - (2) A description of the manner in which the demand-based model takes into account demand from the business community.
 - (3) An explanation of what role the County might be required to play in fostering demand, if any.

- (4) What the Proposer will do if the model, in fact, results in low take-rates or build-out commitments in underserved areas.
- (5) The time frame for seeking expressions of interest from all neighborhoods and the estimated time frame from demand targets being met to construction.

6. Digital Inclusion Plan.

As part of each Proposal, the County seeks a Digital Inclusion Plan designed to encourage adoption of broadband throughout the proposed service territory and designed to ensure that a minimum level of service is available to all residents in the proposed service territory.

- a. A Digital Inclusion Plan ideally would:
 - (1) Include offerings that provide free service without regard to the income of the user, so that the service is available without the need for a user to qualify for service;
 - (2) Provide support for a Digital Inclusion Plan for at least the period of any contract for use of County assets entered into pursuant to this RFP (not including assets which a Proposer is entitled to use as of right);
 - (3) Includes free service offerings that will be adjusted over time to reflect changes in the speeds required to use the Internet effectively;
 - (4) Addresses costs of installation in a manner that makes service accessible to low-income, transient populations; and
 - (5) Provide a high-speed option with data caps, so that users have the opportunity to experience the advantages of a true high-speed offering; the offering could then be throttled down to a lower level (e.g. 5 Mbps down and 1 Mbps up).
- b. While other approaches may be proposed in evaluating a Digital Inclusion Plan, the County will consider whether the plan is likely to deliver the benefits of connectivity to users, and thereby encourage adoption. Proposals that take advantage of Lifeline or Connect America funding are encouraged.
- c. The County seeks a Digital Inclusion Plan that includes provision of 1 Gbps symmetrical services to locations that may serve as community computer centers. A list of libraries and community centers, along with their locations, will be provided upon request, although a Proposer is not restricted to a Proposal for service to those specific locations.
- d. The County seeks Digital Inclusion Plans that include a strong component

for publicizing the availability of free service options and that provide for coordination with non-profit groups and the County in efforts to distribute equipment required to take advantage of those offerings and more advanced service offerings. As described in Part III.A.6, the County is willing to coordinate its distribution of 3,000 refurbished computers annually so that equipment is provided to potential users at the same time that the provider is turning up services in an area – to the extent that may be done without disrupting the County’s program. Proposers are also encouraged to partner with other non-profit organizations within the County that are working to address the digital divide. The County will consider working with a provider on public housing projects to the extent grants and funds are available.

- e. The County encourages submission of creative plans and Proposals and is willing to work with selected Proposers where appropriate to obtain grants for deployment of facilities or equipment to particular areas of the County. We note, for example, that there are portions of the County that would be eligible for RUS loans that may reduce costs of deployment.

7. Net Neutrality.

The County is strongly committed to promoting net neutrality, and expects each selected Proposer to agree to operate its network consistent with net neutrality as defined by applicable FCC regulations.

8. Support for Build-Out.

The County strongly prefers models that rely upon private financing and investment for build-out and operation. However, the County is willing to consider proposals that require some level of County support as a condition of build-out, so long as that support does in fact result in deployment of networks that provide a clear benefit to the public.

The support may include a minimum anchor tenancy payment. As part of any proposal for anchor tenancy, the Proposer should describe in detail the service it is willing to provide to County facilities, the timing for the service, the cost (one-time and recurring) and the minimum QoS standards the Proposer is willing to satisfy. The communications requirements of the County are discussed in Section III.A.6

III.

SUPPORT FOR RIVCOCONNECT INITIATIVE

A. Support from the County, Collaborating Communities and Tribes.

The County and collaborating communities and tribes are taking steps to encourage the private sector to deploy broadband generally, and is specifically proposing to provide access to

County assets to Proposers who are selected to participate in RIVCOconnect. These efforts fall into eight broad categories: (a) streamlining the process for permitting within individual jurisdictions and cross-jurisdictionally; (b) adoption of policies to encourage deployment of fiber in new developments; (c) creation of, and identification of databases that can speed deployment planning; (d) providing access to real property and structures (such as light poles or traffic signals) that may be useful for placement of equipment required for the network; (e) providing access to fiber and conduit; (f) serving as an anchor tenant for the network; (g) co-branding with the network; and (h) working with selected providers to obtain grants or other assistance for build-out.

1. Streamlining permitting processes for major telecommunications projects.

Many of the County's permitting processes are designed for construction affecting a few blocks or particular locations. However, rapid installation of large-scale communications networks will require coordination among a number of County departments and agencies in order to minimize impacts on the public. In addition, the sort of build-out envisioned by this RFP requires cross-jurisdictional cooperation to make rapid deployment of facilities less burdensome. As part of this project, the County is setting up a system that will result in coordinated management of the approvals/post-construction inspections for what will be a process that might normally require thousands of permits/applications across the County. In order to avoid potential conflicts with state or federal law, the expedited process would be available to any entity that was planning a multi-year broadband deployment project that will affect a significant portion of the County. It is envisioned that the process used would be similar to the process the County used when handling permitting requests in connection with the construction of the Verizon FiOS system. To implement this strategy:

- a. The RIVCOconnect group in the Riverside County Information Technology Department (RCIT) will serve as the single point of contact and departmental coordinator for this effort.
- b. The County has created a Broadband Deployment Group consisting of the Transportation and Land Management Agency (TLMA), County Counsel, Economic Development Agency (EDA) and the Executive Office. This entity will be responsible for:
 - (1) Developing rules for submission of bulk permit applications/traffic control plans, bulk and pre-approval of electrical/structural plans for facilities to minimize the number and complexity of the reviews required through the construction process;
 - (2) Meeting with a potential applicant at the start of the process to gain an understanding of the project, and to assist the applicant in understanding what permits will be required;
 - (3) Developing best practices for placement of aboveground facilities (e.g., sides of yards, backyard easements, and so on);

- (4) Recommending requirements for inspectors, both during and post-construction, as necessary to ensure work can be promptly inspected and corrected/approved; and
 - (5) Serving as the primary points of contact for the coordinator with their respective departments.
- c. The County has authorized use of a fee structure for approvals and inspections that recovers County costs on a project basis, and authorized the Broadband Deployment Group to take any steps necessary to implement that fee structure. For example, in connection with the FiOS build, the County charged for permitting based on the time required to review permits, and accepted permits on a neighborhood basis. By aggregation, the time required for approval and total cost should be reduced.
 - d. The County will entertain Proposals for alternative construction techniques that may reduce deployment time and costs. The County will consider pilot projects for microtrenching in residential neighborhoods, or for other construction techniques (e.g., microboring) that may reduce costs to the Proposer and minimize disruption or damages to the rights-of-way.
 - e. The County is not proposing to waive any regulation designed to ensure that a network is properly planned and installed. For example, the County will not waive applicable requirements for engineering stamps on permit applications, nor will it approve techniques that raise significant safety or environmental risks, or that endanger sites of historical or cultural importance.
 - f. The County has 28 incorporated municipalities, so any entity that wished to build a broadband network throughout the County would need to file for permits with at least 29 jurisdictions, as well as 12 tribal governments, the state and federal governments and special districts, depending on the location of the build. Even if the information sought by each jurisdiction was identical, the cost associated with filling out different forms may add significantly to costs and build-out delays. The RIVCOconnect coordinator has worked with and will continue to work with other collaborating communities and tribes as well as the local Councils of Government (WRCOG, CVAG) to encourage use of model standards for construction, permitting forms, and a consolidated list of the points of contact for each jurisdiction and for cross-jurisdictional issues (such as may arise should a facility located on County property also occupy space within an incorporated municipality). The effect of these efforts is to create an environment where, to the extent possible, a provider seeking to build will be able to treat the incorporated and unincorporated areas as if they were subject to the same permitting requirements, so that contractors

can “learn once” what is required to successfully apply and obtain permits. Each of the collaborating communities has committed to this process, and to creating a working group that can meet with Proposers at the beginning of project construction to identify possible issues raised by deployment plans; and to identify opportunities for pairing construction with other ongoing projects to reduce costs. This will lessen the burden of building a broadband network throughout the County.

- g. As part of the RIVCOconnect initiative, the County may also work with particular providers to test the viability of various techniques for deployment of communications facilities (micro-trenching and micro-tunneling, for example) on a pilot project basis.

2. *Encouraging deployment of fiber to the premises in new subdivisions and developments.*

In conjunction with the issuance of the RFP, the County adopted a Broadband Master Plan which provides that the “County will work to develop standards for deployment of conduit and handholds as part of new developments, as well as appropriate “Dig Once” standards that reduce the expense of deploying broadband infrastructure.” Moreover, as part of the Plan, the County intends to make available to developers lists of Proposers selected through this RFP, and the terms and conditions under which those entities would be willing to guarantee build-out to subdivisions within their service territory. We anticipate that by establishing a policy to encourage deployment, and creating a market place where developers can find companies that can provide advanced facilities within a new subdivision will create market opportunities that would not otherwise exist. Among other things, early in the development process, it may be possible to provide for assessments to help support improvements that will attach to properties within a development area.

3. *Providing access to advanced data bases to permit coordination and planning of construction.*

- a. The County will provide access to databases, and to information regarding the location of public assets that may be useful in construction of the RIVCOconnect infrastructure, and will be available at RivcoConnect.org, gis.rivcoit.org, and data.countyofriverside.us. That information is described in Part IV. Access to information regarding certain assets may require execution of a Confidentiality Agreement, and may require a Proposer to review information at a location designated by the County.
- b. The County will work with selected Proposers to coordinate deployment of their networks with other major County projects and identify routes that may add cost or delay to project construction as, for example, may occur if work on a proposed route conflicts with ongoing construction. This coordination should occur as part of the streamlined permitting process described below.

4. ***Providing access to County and collaborating community and Tribal properties for placement of equipment for the RIVCOconnect initiative pursuant to uniform contracts.***

a. **Real Property.** The County has thus far identified over 180 sites owned by the County or other agencies for which a license could be issued, without the need for a change in zoning classification, conditional use permit or any discretionary land use approvals, for use of approximately 1400 sq. ft. of land, and placement of an unoccupied, single-story, pre-fabricated structure. The sites could serve as hubs for construction of an advanced fiber-optic broadband network.

(1) The County's Open Data Portal provides detailed information regarding those sites. This can be found in Section IV, Item A. In addition, the County has listed other structures that it either owns or controls and that may be useable for placement of wireless devices.

(2) The precise location for placement of facilities and the shielding associated with placements on a particular site, and conditions required to secure and maintain sites in a safe condition or otherwise comply with applicable law will be determined on a site-specific basis, and in some cases, clearances may be required from other state and federal agencies. While the County and other agencies intend to provide property for a license, a Proposer will only have rights to use any particular property once a license is signed that specifically permits the use of that property.

(3) The general terms, conditions and consideration for use of site controlled by the County will be contained in a master license. Each license will be subject to such special conditions as may be required for particular locations, such as beautification conditions. The price for the fiber hut locations on properties controlled by the County could be as low as \$19.20 per sq. ft. per year (subject to final approval of the County Board of Supervisors) for a structure similar to that described in the specifications in this RFP. The County anticipates the license term will be at least five (5) years and no more than twenty (20) years, with a reasonable escalator.

(4) Subject to the conditions of the license and applicable local laws and policies, a Proposer may use the County-owned sites for other communication purposes not associated with the RIVCOconnect initiative. For example, a site could be used as an interconnection point with other carriers.

b. **Street lights and other vertical structures in the rights-of-way.** Maps showing the location of street light poles and other structures controlled by the County are available for download as described in Section IV.

As a general matter, the County seeks to recover fair market value from licensees of its property. In this RFP, it seeks that value in the form of a cash payment, but benefits can also be provided in-kind, particularly through support of a Digital Inclusion Plan. Generally, the prices for access to property are at market rate, but Proposers may propose a different rate that, combined with other benefits, provides a fair value to the County. Any license or lease for use of property would include standard County provisions that protect the County's assets.

Street light poles are not owned by the County, but County consent would be required before those poles could be altered to support wireless infrastructure. The County would require any person using street light poles to enter into a contract that ensures street light design is acceptable to the County, that street lighting is not impaired, and that all additional costs and risks associated with attachments to the street lights are borne by the entity using them. But for the street lights in the County, the payment for use of the street lights would be to the owner of the street lights.

Collaborating communities and tribes are willing to make similar structures available for use, on similar terms (or on terms required by applicable laws and regulations) although where the structures are owned by a particular community, the rent for use of the property would be owed to and set by those entities.

- c. **Buildings off the right-of-way.** The County controls buildings and associated property which could also be used to place wireless or fiber-optic network equipment. A listing of County-owned buildings is available for download as described in Section IV. To the extent it is feasible to do so, given differences or restrictions on particular properties, the County is willing to license space to selected Proposers pursuant to uniform agreements.

Collaborating communities and tribes similarly own buildings and structures off the right-of-way, and a list of those buildings will be made available.

- d. **Access to County Storm Water Drainage System for Installation of Conduit and Fiber.** The Riverside County Flood Control and Water Conservation District maintains most of the rights-of-way for the regional storm drain system. The County and District are willing to allow the storm drainage system rights-of-way to be used for fiber and conduit facilities installation for RIVCOconnect infrastructure where it is legally permissible and appropriate to do so.

Maps showing the location of storm drainage facilities will be available for review.

A Proposer who wishes to use the storm drainage system will be required to enter into a master agreement with the District, which will require submission of an application for attachments in particular segments. Particular attachments will be subject to review of the design and construction, for consistency and compatibility with primary site functions, and inspection of the facilities for safety and other issues based on the planned design of the facilities authorized at the site. Usage will also be subject to confirmation that there are no other restrictions on use. Some of the storm water drainage system is located in District-fee rights-of-way, but portions of the system traverse private property or other public properties pursuant to easements obtained and recorded with the property. Use of any portions of the system which traverse private property will require research to determine whether the scope of the storm drain easement can include the use for fiber and conduit installation, or would require the Proposer to obtain an amendment to permit such use.

Subject to agreement to other terms, and provided that the selected Proposer provides for appropriate in-kind benefits consistent with this RFP, space within the system will be leased at \$0.25 per linear foot (pending approval of rates by the County Board of Supervisors.)

5. *Leasing Dark Fiber or Conduit from Collaborating Communities and Tribes.*

Many entities within the County control varying degrees of fiber assets and may be willing to lease those facilities in bulk to winning Proposers. Separate leasing agreements at wholesale rates will be negotiated with the individual collaborating communities and/or tribes and the Proposer.

6. *Anchor Tenancy Opportunities.*

The County currently pays for broadband services provided to approximately 250 offices, and 31 departments or agencies at a total cost of \$3.9 million annually. It spends \$2.7 million for services at approximately 103 locations that require connections of 100 Mbps or greater. In addition, it pays for connections to approximately 147 locations that have connection speeds of less than 100 Mbps. It is the goal of the County to increase speeds at locations now served at 100 Mbps or higher to 1 Gbps up and downstream; and to increase the speed of connections to other locations to 100 Mbps upstream and downstream. Each site will connect back to the County of Riverside's Core Network (CorNET), which is an internally managed network with 99.99% reliability.

A list of the County locations and the service provided to the locations can be found at <https://data.countyofriverside.us>. To the extent that a build-out proposal requires some form of financial contribution, the responses should describe both the minimum financial support required, and what services (including quality of service guarantees) that could be provided to County offices in exchange for that support. The County generally requires a large enterprise level of service, with 99.99% reliability, and appropriate response times for network outages that allow for high priority responses to mission critical locations.

7. *Co-Branding Opportunities.*

Selected Proposers would be permitted to use the RIVCOconnect brand, subject to negotiated restrictions and limitations, in connection with the marketing of specified services. In addition, the County would work with selected Proposers to coordinate ongoing efforts by the County and non-profit groups to distribute Internet-enabled devices to lower-income communities with the Proposer's deployment of RIVCOconnect infrastructure.

8. *Ongoing Partnership.*

While the County has identified certain specific steps designed to speed deployment of advanced infrastructure, it will work with selected Proposers to identify and take advantage of other opportunities to speed broadband deployment. For example, the County may be willing to assist selected Proposers to apply for grants designed to secure deployment of broadband to low-income housing. Likewise, it may be willing to enter into exclusive agreements with selected Proposers for Wi-Fi services to County parks and similar areas.

B. Other Assets That May Be Available for Use.

As part of the development of this RFP, the County has identified other assets that may be useful to Proposers and that are owned by entities other than the County, the collaborating communities and tribes. The County's goal is to provide Proposers with a listing of available assets that can be used in evaluating deployment costs. In addition to the assets listed, there of course are other private and public institutions that may have assets of value to a potential Proposer (including state agencies, privately-owned utilities and other governmental agencies).

1. *Assets of Southern California Edison.*

Southern California Edison ("SCE") has indicated their support of the initiative and offered their infrastructure to be available for lease as well. To facilitate and expedite processing of applications for lease of this infrastructure, SCE has assigned a Single Point of Contact (SPOC) to receive and respond to requests for information. SCE serves most of Riverside County and has significant assets throughout the County.

Note that the assets available may provide a means for Proposers to more easily provide service within and outside of Riverside County.

a. *Vertical Assets*

SCE owns significant towers and vertical infrastructure within and surrounding the County that can facilitate meeting the County's coverage objectives.

The vertical assets include over 14,000 towers and steel poles, over 500,000

streetlights, as well as numerous SCE owned wooden utility poles that can be considered for attachment across its 50,000 mile service territory. Many of these poles are located within the County of Riverside and also have SCE's fiber optic cables attached along with nearby splice points that can be used to leverage the Fiber Network that is described below.

The street lights are available for use with the consent of the jurisdictions. Pole-access pricing depends upon the design used. Designs include structures where wireless facilities are hidden within random covers above the light structures.

Utility poles are available at regulated rates, but SCE is also willing to consider non-traditional contractual arrangements under which may permit Proposers to obtain access to communications spaces that is owned by SCE, and which may not be subject to the same procedures that apply for standard pole attachments.

b. Underground Infrastructure

SCE is primarily an overhead utility operator with a mix of assets being approximately 70% overhead and 30% underground across our service territory. This mix varies from area to area within the County.

SCE is able to evaluate, on a case-by-case basis and with proper approvals, where available conduit may exist to be leased by the potential bidders. These conduits can be considered for placement of new fiber cable by a potential bidder at a rate that is determined on a case-by-case basis, subject to a Conduit License Agreement.

The option being made available under this section is a discretionary process that is made available to potential carriers that may not have a CPCN with the CPUC. Carriers with a CPCN may also have options available to them via applicable CPUC regulations.

c. Property

SCE owns thousands of parcels within its 50,000 square mile service territory. Many of these parcels have available space that can be leased to a potential bidder.

The available parcels consists of SCE fee-owned rights-of-way, easement property available with underlying property owner consent, as well as over 890 substations, of which many lie within the County of Riverside Regional boundaries.

The parcels can be used for Fiber Huts or establishment of vertical structures, such as monopoles or lattice towers, but may require zoning approvals depending on the jurisdiction. Maps showing the approximate locations of these properties are available.

d. Fiber Optic Infrastructure

SCE owns and operates over 5000 route miles of fiber-optic cables. SCE would

make the fiber available for lease as Dark Fiber, or via a lit solution if so desired of if a desired route does not support a Dark Fiber solution. In addition to the fiber assets.

Proposers may also wish to consider the approximate location of SCE’s fiber and sites identified as potential locations for fiber optic hubs. Proposers may obtain access to more detailed information, including street-level detail on the fiber-optic routes, as well as the feasibility to lease any remaining capacity for a Dark Fiber solution, by executing SCE’s standard Confidential Reciprocal Non-Disclosure Agreement and submitting a request for information. SCE reserves the right to limit disclosures in particular cases as required to maintain the security of its information.

SCE Dark Fiber would be available for lease starting at \$230 per strand mile on a one year term and decrease depending on the total term of the lease, in accordance with the pricing table listed below. In the event capacity isn’t available on the selected route, SCE may elect to overbuild the cable so as to remain a potential cost-effective solution for the Selected Proposer. The incremental cost of this overbuild would be included as part of the standard pricing reflected below.

Term	DF Rate per Strand Mile
1 Year	\$ 230.00
2 Year	\$ 202.00
3 Year	\$ 173.00
5 Year	\$ 144.00
7 Year	\$ 115.00
10 Year	\$ 104.00
15 Year	\$ 98.00
20 Year	\$ 92.00
30 Year	\$ 92.00

A Proposer would be required to enter into a standard Dark Fiber lease with SCE. SCE will not require a minimum amount of assets to be leased. Any Proposer who seeks to enter into a lease will be evaluated based on their credit strength and adjustments to pricing may be made at that time.

Non-recurring costs (NRC) would be fiber construction for the “last mile” from existing SCE fiber to hubs or to other locations designated by the Proposer, such as an MPOE. Costs would vary depending on location. SCE would charge for this at cost with no markup for profit. If feasible and desired by the provider, the last mile fiber construction may be undertaken by the provider, provided that a specific demarcation point be established.

C. Ongoing Efforts

The County is committed to creating an environment in which selected Proposers may quickly enter and have a fair opportunity to succeed in the marketplace. To that end, in addition to the efforts described above, the County expects to provide additional information and opportunities to Proposers. A Proposer who has particular questions or suggestions regarding steps the County should take to encourage deployment of RIVCOconnect infrastructure may do so by raising those questions at the Proposers' Conference, or by submitting them in the form of questions as part of the initial requests submitted to the County in response to the RFP. The County will not entertain suggestions that raise safety risks, or that create risks for the environment, or sites of cultural or historical significance.

IV.

INFORMATIONAL RESOURCES AVAILABLE TO PROPOSER

In addition to the Exhibits to this RFP, the County maintains databases that will permit Proposers to identify the location of critical infrastructure, zoning area boundaries, sensitive environmental areas and other information that may help craft responses to this RFP. The information is primarily available at RivcoConnect.org, gis.rivcoit.org, and data.countryofriverside.us. The County may be able to create additional maps or overlays, and if particular overlays are desired, they may be requested by submitting questions to the email address as specified in this RFP. The County does not guarantee that it will be able to provide the information requested.

A. Potential Fiber Hub Locations.

<https://data.countyofriverside.us>

B. Storm Water Drainage Facilities.

rivco.permitrack.com

C. County-Owned Buildings/Properties.

<https://data.countyofriverside.us>

D. County Boundaries/Boundaries of Incorporated Municipalities and Tribes.

<https://data.countyofriverside.us>

E. Cities, Tribes, and Other Partnering Agencies

www.rivcoconnect.org/Partners

V.

GENERAL SUBMITTAL REQUIREMENTS

A. Submission Requirement.

EACH PROPOSER MUST SUBMIT: One (1) cover letter; Five (5) original Proposal hard copies, each signed in ink, and twelve (12) USB Flash Drives, each containing PDF version copies of the Proposal and cover letter (including all forms, attachments, appendices, and exhibits) to also include any alternative file types as necessary, to include XL files, Shape files, etc. Proposers' submissions must be received by the County at the Proposal Delivery Address specified in this RFP no later than August 15, 2017, 2:00 p.m. (Pacific Daylight Time). The County will not accept late Proposals.

All Proposals to this RFP must be mailed/delivered no later than the stated date and time to:

RIVCOconnect Initiative Project Team
3450 Fourteenth Street, Fourth Floor
Riverside, CA 92501
Attn: David Littell

B. Cover Letter.

Each Proposal should be accompanied by a cover letter limited to two pages that references the title of this RFP, contains a general statement of the purpose for submission, and includes the following detailed company information:

1. Full legal name of the Proposer;
2. Legal business status (individual, partnership, corporation, etc.), address, and telephone number of the Proposer;
3. If Proposer is a corporation, partnership, LLP, LLC, etc., the state under whose laws Proposer is organized. Otherwise, if Proposer is an individual, identify the state where Proposer is domiciled; and
4. Name, title, address and telephone number of the person or persons authorized to represent the Proposer in order to enter into negotiations with the County with respect to the RFP and any subsequent agreement with the County and participating communities and tribes regarding the RFP. The cover letter must also indicate any limitation of authority for any person named.

C. Written Submissions Format.

To be considered responsive, a Proposal must be submitted in typewritten English language. Numerical data shall use the dollar-foot-pound-second system of units of measurement except where specified. All applicable documents, including forms, attachments, appendices, and exhibits to this RFP, must be completed and returned with the Proposal.

Each page (excluding charts and drawings) shall be 8-1/2" x 11" in size, typed double-

spaced using a font no smaller than Arial 12 point. Letterhead stationery should not be used, except for the cover sheet.

Responses to this RFP shall be based on the material contained in the RFP, attachments, amendments, addenda, and other material published by the County relating to this RFP. The Proposer shall disregard any previous draft material and oral presentations that may have been obtained by the Proposer. **However, Proposers are encouraged to be creative, and to submit Proposals that address the goal of RIVCOconnect.**

Proposals shall be submitted in accordance with the requirements set in this RFP and shall constitute acknowledgement and acceptance of all terms and conditions set forth herein. Any costs for services shall be itemized in the Proposal. Exceptions to any of the terms and conditions set forth herein shall be itemized in the Proposal. Failure to do so will be construed as acceptance of all RFP provisions, requirements and specifications.

D. Accuracy and Completeness.

Falsification of any information may result in disqualification from the selection process, or in termination of any agreements related to the RFP, if discovered in the future. If a Proposer knowingly and willfully submits false performance or other data, the County reserves the right to reject the Proposer's Proposal. If it is determined that a Proposer was selected, or an agreement entered into as a result of false performance or other data submitted in response to this RFP, the County reserves the right to terminate the agreements with the Proposer.

E. Signature Requirements.

The Proposal and cover letter must be signed by a representative or officer of the Proposer and that representative shall be authorized to bind the Proposer to all provisions of the Proposal, and its subsequent implementation if a Proposer is selected to participate.

F. Confidential Information.

Refer to SECTION I, ITEM D.

G. Proposer Costs.

The County is not responsible for any costs incurred by the Proposer while preparing and submitting Proposals. All Proposers who respond to this RFP do so solely at their own expense. Proposals shall not include any such expenses as part of the proposed budget. The County will not provide parking, clerical, office/storage space, telephone services or reproduction services throughout the RFP process.

H. Entry into Agreement.

As discussed below, the County anticipates that it will enter into a Master Agreement or Memorandum of Understanding (referred to throughout as an Agreement) that sets out the understandings of the County and a selected Participant as to their respective obligations, and then a series of additional contracts through which a Participant would be provided access to the assets

it requires (like Street Lights) or through which anchor tenancy or other obligations would be defined. The nature of the agreements will necessarily depend on the assets that a particular Proposer requires, or the services it seeks to provide. Negotiation of the necessary agreements and contracts may begin immediately following the County's initial selection of Participants.

The County will be free of any obligation to reimburse any Proposer for expenses incurred or for work performed in anticipation or negotiation of the agreements or associated contracts.

No agreement or other contract awarded, pursuant to a Proposal submitted in response to this RFP, may be assigned either in whole, or in part, without first receiving written consent from the County. Any attempted assignment, either in whole, or in part, without such consent shall be null and void, and in such an event the County shall have the right, at its option and without penalty, to terminate the same.

I. Right of Rejection by County.

Notwithstanding any other provision of this RFP, the County reserves the right to reject any or all Proposals and to waive any informality in a Proposal when to do so would be to the advantage of the County and its taxpayers.

J. Proposal Errors.

Proposer is liable for all errors or omissions by Proposer in preparing the Proposal. Proposer will not be allowed to alter the Proposal document after the due date for submission, except as allowed by County. The County reserves the right at its sole discretion to waive irregularities contained in any Proposal.

K. Amendments to RFP.

The County reserves the right to issue addenda to this RFP which may add additional requirements.

L. Joint Proposals.

If the Proposal submitted is a joint Proposal, each entity participating in the Proposal is considered a Proposer, and the information and signatures required must be provided for each Proposer. Required certifications must be submitted for each Proposer.

M. Additional Information.

County may seek additional information from any Proposer at any time, and Proposers must respond promptly to requests for additional information, or the County may treat the Proposal as incomplete and afford it no further consideration.

VI.

CONTENT OF PROPOSALS

A. Submittal Requirements.

In addition to the cover letter specified in the preceding section, the submission should include a Proposal with a cover page clearly identifying that it is a response to this RFP. Each Proposal should contain the information required in this Section, in the order specified in this section. The submission of a Proposal is an affirmation that the Proposer or Proposers are prepared to perform as promised in the Proposal.

1. *Table of Contents.*

The Proposal shall have a table of contents that must identify the information set forth therein by sequential page number and section reference number.

2. *Executive Summary.*

The executive summary shall be placed after the table of contents and shall provide a summary description of the Proposal, including a description of the areas to be served, a basic description of the services that will be offered and how they will be offered (e.g., FTTP, wireless from the curb,); the timing for, and key conditions on completion of the proposed network (for example, if the Proposer's duty to build is based on demand or otherwise conditioned, the summary should say so); the cost, whether there will be costs to the County or to collaborating communities or tribes and what those costs will be; and a brief description of the Digital Inclusion Plan proposed. Because the County is **encouraging creative proposals**, the Executive Summary should explicitly explain why and how the Proposer believes the Proposal will help satisfy the goals of RIVCOconnect.

3. *Identification of Proposers.*

The information requested should be provided for each entity participating in the Proposal.

- a. Provide a certification signed on behalf of each entity participating in the Proposal by a person authorized to act on behalf of each Proposer that the information submitted in the Proposal and in the cover letter is true and correct. The signature should include the name, address, title, telephone number and email address of the signatory.

4. *Qualifications.*

- a. Franchise.
 - (1) Whether the Proposer claims to construct the system pursuant to a video service franchise for the State of California that covers the County of Riverside; under authority provided by a certificate from the State of California pursuant to Cal. Pub. Util. Code Section 1001 *et seq.*; or whether the Proposer will require a franchise or license to occupy the rights-of-way from the County of Riverside.

- (2) Whether the Proposer already holds the authorization (if so, the authorization should be provided) or would need to obtain the authorization.
- (3) Whether the Proposer has applied for the authorization, and if so, a copy of the application, the dockets through which the application is being considered, and the status of the application.

b. Financial.

- (1) Proposer shall provide validated evidence of its financial condition. The last three (3) years of CPA-certified annual reports or annual operating statements, and any interim statement supplement completed within the prior six (6) months, is one way of satisfying this requirement.
- (2) Identify the estimated total cost to build the network proposed in the Proposal; and to operate the network proposed (operation would include marketing costs).
- (3) State whether Proposer has available committed resources necessary to build the network and to operate it for the proposed build-out period plus one year, and if it does, identify those resources.
- (4) If the answer to Section VI.A.4.b(3) is “no,” describe Proposer’s plans for financing design, construction and operation of the network in sufficient detail so that the County may evaluate the likelihood that a Proposer will be able to perform as promised. To the extent that those plans depend on achieving certain penetration levels or revenue levels, please describe what penetration or revenue levels will be required during the build-out period plus one year, and explain why Proposer believes those levels are achievable.
- (5) The County, collaborating communities and tribes strongly favor proposals that do not require them to provide support for the project (except in connection with the purchase of services through an anchor tenancy arrangement). If the Proposer’s plans depend on financial support for the build-out or operation of the network from the County, collaborating communities or tribes, identify:
 - (a) What support is assumed or required. That information should be detailed.
 - (b) What services, if any, would be provided in return for that support (including, specifically, what anchor tenancy services the Proposer is prepared to provide).

- (c) Other benefits that would be provided to the County, collaborating communities or tribes in any form, e.g. revenue sharing, dedicated facilities, ownership or similar interests.
- (d) State with specific detail who would own the assets over the life of the facilities, and what would happen to assets in the event the Proposer fails to complete the project, or can no longer perform.

c. Technical.

- (1) Describe Proposer's experience in designing, constructing and operating a network of the type proposed.
- (2) Provide at least four references, preferably governmental entities, for projects that Proposer believes demonstrate its ability to technically perform as promised.
- (3) Identify and describe any projects on which Proposer has worked in the last five years which it believes show it is capable of building the network promised.
- (4) If Proposer has not actually deployed a network that it believes is comparable, it should demonstrate why it believes its Proposal is technically sound and financially feasible, and any significant technical assumptions underlying the Proposal.
- (5) Identify the persons who would be primarily responsible for supervision and performance of any agreement with the County and provide information regarding their experience and work history. If subcontractors are primarily responsible for performing the work required for any portion of the agreement, the information should be provided for the subcontractors.

5. ***Wholesale/Retail/Other.***

- a. Describe whether the Proposer will provide retail services, wholesale services, or ensure that services are available throughout the proposed service territory through some other means. The manner in which the Proposer will ensure services will be provided should be described in sufficient detail to permit the County to evaluate the soundness of the Proposal, and the factors upon which success of the Proposal depends.
- b. If the Proposer will not itself be the retail service provider, it should identify entities, if any, that have agreed to provide retail services over the network, and what service/area commitments have been made so that the

County is able to evaluate to what degree the Proposal will satisfy the goals of the RIVCOconnect initiative. In responding to the qualifications sections of this RFP, Proposer should include the qualifications of any entity that has agreed to provide retail services via the system.

6. *System Design.*

- a. Describe the general design and characteristics of the network that Proposer proposes to provide. The description should state clearly:
 - (1) Whether the Proposal is for FTTP. If it is FTTP in some cases but not all, it should describe the circumstances under which it will provide FTTP and those under which an alternative solution will be deployed.
 - (2) If the Proposal is not for FTTP, the Proposal should describe how service will be provided to end users, via what medium, and the characteristics of the offering. If services are to be provided via wireless connections describe the size, type and number of connections that would be required to provide the service proposed, and describe where the wireless facilities would need to be located.
 - (3) For Proposals in remote areas, to the extent not described in the response to the preceding sections, describe the alternative technologies proposed, what services would be provided and to whom, and any actions or agreements that may be required to permit the use of that technology. A Proposer who is interested in working with the County and educational institutions to seek a waiver for use of EBS frequencies is advised to review FCC decisions granting and denying waivers in preparing a proposal.
- b. State whether Proposer will offer fiber-optic services that satisfy the requirements of Section II.B.2.a. Describe the services that will be offered to satisfy those requirements and the prices at which those services will be offered.
- c. Identify any other fiber-optic services that Proposer will commit to provide and describe how those services will advance the goals of the RIVCOconnect initiative.
- d. To the extent that the prior responses reference minimum upload or download requirements, explain whether the proposed throughput is guaranteed, or “best efforts.” If not guaranteed, please explain what Proposer means by best efforts, the expected average performance of the network at peak use periods and whether any throughput level would be guaranteed.

- e. Identify whether there are any classes of service typically offered over FTTP networks that the proposed network will not support.
- f. Describe the limits given current technologies on the upstream and downstream capacity of the proposed network given the transport medium that will be utilized to provide services; the upgrade path for the network, and how Proposer will ensure that the network continues to provide access to the Internet consistent with the most advanced systems serving residential and business subscribers.

7. ***Services Offered/Pricing.***

- a. Describe the Internet access service that will be provided via the network.
- b. State whether Proposer is willing to make a price commitment consistent with Section II.B.3.
- c. State the period for which Proposer is willing to make that commitment.

8. ***Service Territory.***

- a. Identify the service territory that Proposer will serve, and unless the proposal is for the entire County, submit a map showing the geographic limits of the service territory and any areas within those boundaries that would be excluded from service. If service will be phased, or if extension to any area is contingent on success in serving another, please describe the phases and contingencies in detail.

9. ***Build-Out.***

- a. State the build-out period for the network and any conditions or limitations on the build-out obligation.
- b. If the Proposer proposes to tie build-out to a demand-based model, or some other metric (actual penetration, for example), it should describe the model it proposes in detail, and in particular explain how the model would apply in low-income areas of the County and what steps Proposer will take to ensure that the model can be applied in a way that enhances rather than detracts from digital inclusion. The explanation should at least provide the information described in Section II.B.5.b.

10. ***Digital Inclusion Plan.***

Describe Proposer’s Digital Inclusion Plan including specifically, what level of free services will be provided, to whom those services will be available, and how those services may be accessed. The “free service” discussion should address the issues raised by Section II.B.6.

11. *Net Neutrality.*

Describe the commitments Proposer is willing to make to net neutrality. If a Proposer is only willing to comply with applicable federal net neutrality regulations to the extent that those are upheld by the courts, it should so state. Otherwise, it should describe net neutrality principles to which it is willing to adhere.

12. *Use of County Assets.*

State whether the Proposal requires access to any of the County assets described in Part III, and if so, identify:

- a. What assets Proposer will require access to; and
- b. The Proposer must clearly state all terms and conditions that it will require in the Master Agreement, or otherwise related to this project.

13. *Forms, Exhibits and Affidavits.*

The Proposal must include required forms, exhibits or affidavits in accordance with this RFP.

VII.

THE RFP PROCESS/EVALUATION OF PROPOSALS

A. The Proposal Process, Communications with County, Inspections of Property.

The Proposal process consists of three discrete phases: (1) Open; (2) Evaluation and Recommendation; and (3) Negotiation and Execution of Agreements and contracts.

1. *Open Phase.*

During the “Open Phase,” that begins with issuance of this RFP and closes with the submission of Proposals, Proposers may communicate with the County in the following ways (in addition to responding to specific questions that the County may ask Proposer regarding its Proposal.)

- a. Through written questions. There are two opportunities for submitting written questions. The County will post questions received (via connect@rivco.org mailbox) and all responses on the Rivcoconnect.org website.
- b. Through inspections of facilities/confidential document review.

The dates, deadlines and processes for submission are set out on the cover page.

2. *Evaluation and Recommendation Phase.*

The Evaluation and Recommendation Phase commences upon submission of Proposals. It includes an evaluation period and a notice of award. Finalists may be asked to make oral presentations of their Proposal, or be asked to respond to written requests from the County with respect to the Proposal.

The Evaluation will be conducted by the Proposal Review Committee comprised of evaluators selected by the County. The County reserves the right to conduct such investigations as the County considers appropriate with respect to the qualifications of each Proposer and any information contained in its Proposal. All Proposals will be evaluated on the basis of the criteria listed below, which will serve as a basis to formulate the recommendation from the Proposal Review Committee.

The County will notify Proposers who are tentatively selected as Participants in the RIVCOconnect project.

The County may enter into agreements with multiple Proposers for any area, where the awards advance the RIVCOconnect initiative. Where a Proposal is submitted for an area that would not otherwise be served, County may select that Proposer as a Participant even if the Proposal ranks lower than Proposals for areas covered by multiple Proposals. Any cross-jurisdictional award would need to be approved by the affected jurisdictions.

3. Negotiation and Execution Phase.

Following notification, the negotiators selected by the County will enter into negotiations with selected Proposers. The County reserves the right to negotiate simultaneously with, and recommend final awards to, multiple Proposers who propose to serve the same, or overlapping, areas. For Proposals that are for areas entirely within the jurisdiction of an incorporated municipality or a tribe, the County will leave negotiations to that jurisdiction unless the jurisdiction requests otherwise.

The County anticipates that the result of the negotiation will be an Agreement or Memorandum of Understanding that defines the obligations of County and Participants in the RIVCOconnect project (referred to as the “Agreement” throughout this RFP). This Agreement would be a predicate to entry into other contracts that provide, for example (a) the access to property for purposes of construction of fiber huts; (b) agreements to purchase services; and so on. The number of contracts and the nature of the agreements required will necessarily depend on the Proposals received.

County reserves the right to determine at any time, including after negotiations, that it will not enter into Agreements or contracts with any Proposer. Because contracts may be cross-jurisdictional, a Proposer who enters into a contract with the County must be willing to enter into the identical contract (or a joint contract) with a jurisdiction affected by its Proposal.

B. Prohibition of Communications.

Proposers should not communicate with the County regarding this RFP, except as described above.

C. **Evaluation Criteria for RIVCOCONNECT Initiative.**

1. ***Evaluation Process and Criteria.***

The evaluation will occur in two steps. **Each Proposer must pass Level I in order to advance to Level II.** Level I is designed to select any and all “qualified firms” to be evaluated in Level II. Level I is considered “pass/fail.”

2. ***Level I – Financial, Technical and Legal Qualifications/Business Experience.***

- a. The RFP response must show that a Proposer is financially, technically and legally capable of building and operating the network proposed. In determining whether the showing has been made, the County will consider:
 - (1) The nature and security of the sources of funding;
 - (2) The financial, technical and legal qualifications provided in the RFP response;
 - (3) The Proposer’s experience in financing, constructing and operating systems similar to the system proposed;
 - (4) The Proposer’s references, and
 - (5) Any other factors the County determines to be appropriate.
- b. The RFP response must show that the Proposer can be relied upon to perform as determined by the County. The County may consider whether a Proposer, or Proposer’s principals, have had government contracts revoked for cause, or has otherwise engaged in activities that make it unlikely that the Proposer can be relied upon to perform.

3. ***Level II – Quality of Proposal for RIVCOconnect Initiative.***

In Level II, Proposals will be evaluated to identify those that best satisfy the goals of the RIVCOconnect initiative, considering the factors below. The criteria below are primarily of value to the County in determining which entities should be provided access to assets like County real property where Proposals seek access to the same assets and both cannot be accommodated; where Proposers both seek to provide service to the County as “anchor tenant,” or where Proposers require support from the County. The County will particularly favor proposals that serve underserved or unserved areas, or that contain proposals that include digital inclusion proposals that go beyond what the Proposer may already be obligated to provide by law or contract. Likewise, the County is less likely to select as a Participant an entity that simply promises to provide something it is already obligated by law or contract to provide.

Factors to be considered are as follows:

- a. Adequacy of Solution and Soundness of Approach including the following elements:
 - (1) Quality of network design and whether design is likely to support higher level throughputs than initially requested without substantial new street construction (that is, the ease with which network may be upgraded).
 - (2) The area served (and the relative contribution to RIVCOconnect coverage goals).
 - (3) Contingencies affecting deployment, and whether deployment plans are likely to result in deployment in low income areas (the County may consider, for example, whether a Proposal where build-out is based on demand is designed in a way that is likely to bypass lower-income neighborhoods).
 - (4) Whether Proposal is likely to increase competition in the provision of advanced broadband services.
 - (5) Price/level of services promised for residences.
 - (6) Price/level of services offered to businesses.
 - (7) Support required, nature of support required and services and benefits provided in return.
- b. Adequacy of Digital Inclusion Plan.
 - (1) Availability of free services (including areas served).
 - (2) Quality of free services proposed.
 - (3) Value of other benefits proposed (services to community centers and community partnership proposals to promote broadband adoption).
- c. Capabilities of Organization and Personnel
 - (1) The perceived level and degree of the Proposer's responsibility, motivation, dedication to a successful effort, and to the overall capabilities of the Proposer and the entities that will be providing service, including the Proposer, joint venturers and any subcontractor(s) or vendor(s).
 - (2) Proposer's history, financial stability, core competency, expected growth, and past performance on similar-sized projects.

- (3) The specific experience in the technical fields required to successfully implement the specific project and meet or exceed the requirements set forth in this RFP.
- d. Implementation Plan
 - (1) The speed of deployment.
 - (2) Prices/benefits offered to County, including prices/benefits offered for use of County property.
 - e. Any other factors the County determines to be appropriate.

A Proposal may be rejected if it contains contingencies or terms that are unacceptable to the County.

The County, at its option, may reject any and all Proposals submitted in response to this RFP, or waive any informality in a Proposal when to do so would be to the advantage of the County or its taxpayers.

The County will select Proposals that appear to be in its best overall interest. Therefore, cost will not be the only consideration in selecting Participants. Following selection, the County may begin negotiating with potential Participants, and reserve the rights to select additional Participants if those negotiations are unsuccessful, or to reverse its selection of a Participant if an agreement cannot be reached in a reasonable period of time.

All proposers will be provided notice of selection at the time the agreements, contracts, recommendations and reports are submitted to the first Brown Act body that will consider them.

D. Ownership of Data.

All data, including, but not limited to, e-mail, attachments, collaboration files, etc., migrated from or entered into Proposer's solution from the County or its authorized users, remains the sole property of the County. This data also includes archives, backed-up, current, or data stored by, or for, the County in any other form.

Ownership of the data will remain the sole property of the County, including, but not limited to, in the event the Proposer sells, reorganizes, or liquidates the business voluntarily or involuntarily. The County will also maintain ownership of said data under any other business condition in which a corporate reorganization transfers assets from Proposer's legal business name to another.

E. Compliance with Applicable Law.

Proposers will be required to comply with all applicable federal, State and local laws, ordinances and regulations, including but not limited to applicable provisions of the California Labor Code and prevailing wage requirements.

VIII.

PROPOSAL PROTESTS OR DISPUTES

Any protest or dispute (collectively referred to as “protest”) must be submitted to the County in writing no later than 10 calendar days after a notice of award is issued by the County. Failure to comply with this requirement shall constitute a waiver of the protesting party’s ability to pursue a claim against the County under the Government Code or any other legal right or remedy.

A protest shall be submitted to the following:

County Contracts Compliance Officer

2980 Washington Street

Riverside, CA 92504

With a copy of said protest to:

RIVCOconnect Project Team – Attn. David Littell

3450 Fourteenth Street

Riverside, CA 92501

A protest must include, at a minimum, the following:

- Name of the RFP;
- Name, address, telephone number and email of the protesting party;
- Name, address, telephone number and email of the person representing the protesting party;
- A detailed statement of the legal and factual grounds of the protest;
- The names of all County staff or representatives with knowledge of facts or issues related to the protest;
- Copies of relevant documents that support the protest, including reference to the relevant sections or the documents.

Following receipt of a protest, the County may require the protesting party to:

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- Submit additional information;
- Require an in-person meeting(s) between the County and the protesting party. The County may require that executive management from the protesting party with decision-making authority be present at the meeting(s);
- Comply with any additional requirement or information the County believes is reasonably needed to address the protest.

If the protest remains unresolved, the protesting party may request a hearing before the County Contracts Compliance Officer. The decision of the Contracts Compliance Officer shall be issued in writing and shall be final with respect to the protest.

The procedure stated in this section shall be the sole and exclusive remedy of any party making a protest related to this RFP.

