

**RESOLUTION ORDERING REQUEST FOR PROPOSALS FOR BROADBAND SERVICES IN ASHTABULA COUNTY, OHIO**

WHEREAS, the Ashtabula County Board of County Commissioners desires to order Request for Proposals for Broadband Services in Ashtabula County, Ohio; and

WHEREAS, two publications will be posted in the legal section of a newspaper with general circulation within the county on January 10 and January 17, 2024; now

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Ashtabula County, Ohio, that a proposal opening will be held on February 16, 2024 at 2:00 p.m. and received by the Board of Ashtabula County Commissioners and Lisa Hawkins, Clerk of the Board is hereby ordered to advertise in a newspaper of general circulation, via the internet at the Ashtabula County Website, <http://ashtabulacounty.us/bids> and to post notice of said proposal on the bulletin board as required by law.

**ASHTABULA COUNTY COMMISSIONERS  
CERTIFICATION PAGE**

**Resolution No. 2024-38**

**January 04, 2024**

**RESOLUTION ORDERING REQUEST FOR PROPOSALS FOR BROADBAND  
SERVICES IN ASHTABULA COUNTY, OHIO**

**Upon the motion of Kathryn Whittington, seconded by J. P. Ducro IV.**

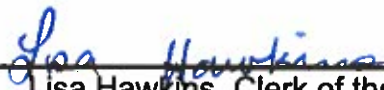
**VOTE:**

**Kathryn Whittington  
J. P. Ducro IV  
Casey R. Kozlowski**

**Aye  
Aye  
Aye**

**CERTIFICATE OF CLERK**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



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Lisa Hawkins, Clerk of the Board  
Board of County Commissioners  
Ashtabula County, Ohio

Ashtabula County, Ohio



REQUEST FOR PROPOSALS FOR  
BROADBAND SERVICES IN  
ASHTABULA COUNTY, OHIO

RFP Issue Date: January 4, 2024

RFP Response Due Date: February 16, 2024

# COVER PAGE

## REQUEST FOR PROPOSAL- BROADBAND SERVICES IN ASHTABULA COUNTY

ASHTABULA COUNTY, OHIO ASHTABULA COUNTY BOARD OF COMMISSIONERS OLD COURTHOUSE, 2 <sup>ND</sup> FLOOR 25 WEST JEFFERSON STREET JEFFERSON, OHIO 44047	RFP: BROADBAND SERVICES  Date: January 4, 2024  <b>Written questions should be directed to:                  Lisa Hawkins, Clerk of the Board                  llhawkins@ashtabulacounty.us</b>
<b>Return qualifications no later than:</b>  <b>Opening Date: February 16, 2024</b>  <b>Opening Time: 2:00 p.m.</b>	<b>Submit to:</b>  Ashtabula County Board of Commissioners Attn: Lisa Hawkins, Clerk of the Board Old Courthouse, 2 <sup>nd</sup> Floor 25 West Jefferson Street Jefferson, OH 44047

### Broadband Services in Ashtabula County, Ohio

To respond to this Request for Proposal (“RFP”) this Cover Sheet and all appropriate forms must be completed and submitted. The Ashtabula County Board of Commissioners is requesting that one (1) copy and one (1) flash drive be returned in response to this RFP.

<b>MUST BE SIGNED TO BE VALID</b>	
Company:	DATE:
MAILING ADDRESS:	PHONE:
CITY:	E-MAIL:
SSN OR FEDERAL TAX NO.:	TITLE OF AUTHORIZED REPRESENTATIVE:
AUTHORIZED SIGNATURE:	PRINTED NAME:
	DATE:

## LEGAL NOTICE FOR BROADBAND SERVICES RFP IN ASHTABULA COUNTY

Ashtabula County, Ohio is requesting sealed proposals for Broadband Services in Ashtabula County, Ohio (County) for broadband service from Internet Service Providers (ISP) to deliver broadband service in an unserved/underserved region of the County.

Said proposals are to be sent to the Ashtabula County Board of Commissioners, Attn: Lisa Hawkins, Clerk of the Board, 25 W. Jefferson St., Jefferson, OH 44047 no later than 2:00 p.m. on February 16, 2024.

This RFP reflects the commitment of the County to ensure high-speed broadband is available to as many local residents and businesses (collectively “premises”) as possible.

The purpose of the RFP is to seek innovative or traditional broadband solutions from one or more applicants proposing one or multiple solutions over all or portions of the County. From these RFP responses, the County will select the most advantageous Applicant(s) to finalize project details by creation and execution of a contract with the County.

This notice and proposal documents are available online on the Ashtabula County Website at: [www.ashtabulacounty.us/bids](http://www.ashtabulacounty.us/bids) and accessible by clicking the Bid Opportunities tab on the left side of the screen. To access project information, click on the appropriate RFP link.

All questions shall be in writing, addressed to Lisa Hawkins, Clerk of the Board and sent via email to: [llhawkins@ashtabulacounty.us](mailto:llhawkins@ashtabulacounty.us) by 12:00 p.m. on February 2, 2024.

This service contract will be funded through an Appalachian Regional Commission grant, Local Funds and Provider Funds, as applicable.

By order of the Board of County Commissioners, Ashtabula County, Ohio.

Kathryn Whittington, J. P. Ducro IV, Casey Kozlowski.

Lisa Hawkins, Clerk of the Board

Publish: Gazette Newspapers  
January 10 and January 17, 2024

## **REQUEST FOR PROPOSALS**

Ashtabula County, Ohio (County) is requesting sealed proposals for broadband service from Internet Service Providers (ISP) to deliver broadband service in an unserved/underserved region of the County. Broadband is a critical infrastructure component needed by all segments of the community: for business development; job creation; health care services, including telemedicine; and to help rural areas compete with more densely populated areas. The County will consider proposals that offer broadband services that meet the minimum threshold defined below for all or a part of the investment areas.

### **SECTION I. PROJECT OVERVIEW, PURPOSE AND OBJECTIVES**

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

1.1 Provide high-speed Service to Unserved and Underserved Premises. The County seeks to make available reliable, and affordable high-speed broadband services to as many premises in the County as possible, specifically to underserved or unserved households and businesses, defined as those not currently served by a connection that reliably delivers at least 50 Mbps download speed and 10 Mbps upload speed. The high-speed broadband services shall specifically provide a service designed to reliably meet or exceed a speed of 100 Mbps download and 100 Mbps upload; or in cases where the symmetrical 100/100 Mbps service is not practicable, provide a service designed to reliably meet or exceed 100 Mbps download and at least 20 Mbps upload speeds, and be scalable to a minimum of 100 Mbps download and 100 Mbps upload.

1.2 The purpose of the RFP is to seek innovative or traditional broadband solutions from one or more ISPs proposing one or multiple solutions to the service areas in the County. From these RFP responses, the County will select the best ISP(s), to finalize project details by creation and execution of a contract with the County. If the ISP is currently providing service in some areas of the County, the County requests that the ISP provide similar pricing and service tiers for data services in the newly served areas. This request for proposals does not constitute a contract for services performed or to be performed.

#### 1.3 RFP Schedule and Publication

The County intends the project be deployed in a continuous fashion commencing immediately upon contract execution. The RFP schedule is as follows:

RFP publication and website postdates: January 10, 2024 and January 17, 2024

Written ISP questions due: By (12:00 PM EST) – February 2, 2024

Written County responses shared with all known potential ISP responders: February 9, 2024

ISP RFP proposal due date: By 2:00 PM EST – February 16, 2024

County analysis and scoring complete: February 22, 2024

Notice of ISP Award: February 27, 2024

#### 1.4 Submittal Process

RFP responses must be complete and submitted using the formats, processes, and

timelines outlined in the RFP. Final RFP submittal information documents will only be accepted in paper format, submitted in a sealed envelope, with the required number of copies. The outside of the sealed envelope shall be marked with the identifier: Ashtabula County - Rural Broadband Coverage – 2024 RFP Response”

Responses received after the specified due date and time shall result in disqualification of the Applicant's RFP submittal and will not be accepted. All proposals submitted become the property of Ashtabula County. Facsimile, printed, electronically submitted, or telephoned proposals will not be considered.

#### 1.5 RFP Question and Answer Process

Written questions are the sole responsibility of the Applicant regarding inquiry about any requirement of this RFP that is not fully understood. RFP submitters must submit any technical or procedural questions related to the RFP in writing via email to the following e-mail address: llhawkins@ashtabulacounty.us

All questions related to the RFP must contain in the subject line of the e-mail the following identifier: “Ashtabula County - Rural Broadband Coverage – Questions”. All questions must be submitted by the Written Questions Due date specified in 1.3. The County reserves the right to directly contact the ISP (via e-mail or phone) to clarify questions received. All submitted questions will receive a written response with the resulting written communications containing questions and answers forwarded to all organizations receiving the original RFP.

## **SECTION II: PROJECT DESCRIPTION**

In June 2023, the Appalachian Regional Commission announced a new grant program named “Community Broadband as a Service”. The County has made a request to amend their Appalachian Regional Commission grant that was issued as a Construction grant.

With the new BaaS mechanism, the County is able to enter into long-term contracts with Internet Service Providers (ISPs) to make broadband or highspeed internet as a solution available to homes and businesses in the defined service area. Rather than the grantees soliciting the deployment of broadband infrastructure, the County procures broadband as a solution by subsidizing the availability of the service to the businesses and residences in the grant-approved geographical footprint. The County will not own broadband infrastructure or any of the assets in the network but must ensure that the competitively selected ISP offers reasonably affordable and non-discriminatory broadband services to eligible residences and businesses. The ISP will be selected through this procurement process. The County will enter into a long-term contract with an entity that can meet the requirements and technical specifications described below.

The County's investment area is generally defined as:

The County identified their target areas to include 14 townships in the southern county. The County estimates that the service contract would deliver high speed broadband connectivity to 2986 un/underserves properties in the south county.

The project area mapping is set forth in Appendix B.

#### Ashtabula County Financial Contribution

The County will provide a direct contribution to the project to the successful respondent under the terms and timelines specified in a negotiated contract. The financial contribution of the County is explicitly designed to compensate and adjust the overall project's financial metrics to acknowledge that the selected ISP respondent will be making available specific, pre-defined broadband products within the specified geographic areas of Ashtabula County.

The County funds include:

In October 2023, Ashtabula County was awarded an Appalachian Regional Commission broadband grant award in the amount of \$ 2,497,161 to be used as an incentive to have an ISP provide service to the investment area.

The funds would be distributed annually through receipt of an ISP invoice. The County is required by the ARC grant to distribute their funds over a seven-year period. The County intends to develop a payment schedule in the contract that pays higher percentages of the funds that aligns with the ISP providing documentation (addresses) of service connection availability to properties in the investment areas.

#### ISP's Financial Contribution

The remaining costs will be the responsibility of the ISP respondent. The financial contribution of the County is explicitly designed to compensate and adjust the overall project's financial metrics to acknowledge that the selected Applicant will be making available specific, pre-defined broadband products within the specified geographic areas of Ashtabula County.

Specifically, the ISP will perform the following functions:

The County will review RFP submissions and select the successful Internet Service Provider. The County and selected provider will negotiate and execute a 10-year agreement with the successful ISP.

#### Project Requirements.

The following section is intended to describe the network and product requirements associated with the Broadband service area.

This RFP does not dictate which technologies or solutions the ISP respondent should use to deliver its broadband service, but rather leaves it to the ISP to propose the technologies that are suitable for delivering the most robust broadband connections to our residents and businesses in the investment areas. The County desires the respondents to propose solutions that meet the following technical performance requirements:

- System designed to 99.9% uptime.
- Network backhaul capacity per station site must be 1 Gigabit per second (Gbps) minimum, but capable of scaling to accommodate the maximum customer capacity as designed. Total

Internet peering capacity must accommodate the aggregate backhaul bandwidth of all base stations be scalable if implementing a hub-and-spoke design.

- Latency: Service latency must not exceed 100 milliseconds (ms) round-trip time.
- All products proposed MAY NOT contain monthly data caps or bandwidth/speed reduction due to metered usage.
- If ISP has a technology or solution which does not meet the speed eligibility requirements of ARC but the technology or solution will reliably serve un/underserved premises with high-speed internet, Applicant is encouraged to submit a proposal which clearly identifies levels of services obtainable and the anticipated number of premises able to be served.
- ARC's financial assistance shall not be used to procure services, nor enter into a contract with a party, that uses covered telecommunications technology banned by Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. Law 115-232.
- ISP is required to provide a written overview of the technology (or technologies) they operate to achieve the requested connectivity and services.
- ISP must be able to guarantee network availability more than 99% of the time except for outages caused by the customer's equipment, fiber or wire cuts by third parties, downtime for planned maintenance occurring during non-business hours or other events that cannot be controlled by the provider. ISP shall provide a minimum mean time to restore of 4 hours of electronics and 6 hours for cable issues ISP shall guarantee monthly average uptime to be greater than 98% in the SLA. ISP shall provide both telephone and internet support access to open tickets for service issues. The ISP will provide details of the areas to be included, including locations of premises to be served and estimated route mileage.
- The County desires that the Broadband connections be completed prior to September 2024, preferably sooner, or by the negotiated date of the contract with the County. Within their RFP response, Applicants shall provide a proposed schedule for connectivity for the entire investment area(s).

### **SECTION III: PROJECT INVESTMENT AREAS**

The investment areas are set forth in Appendix B.

### **SECTION IV: PROPOSAL RESPONSES**

As a grantee of federal funds, the County must perform a risk analysis of the ISP to assess likelihood to succeed in providing reasonably affordable and reliable broadband service based on such factors as proximity of the BaaS footprint to current operations and experience operating at the scale sought by the County. The risk analysis should also include an assessment of the financial position of the ISP and its past performance at similar projects for the elements described in the previous paragraph.

The following will be considered the minimal contents of the proposal:

1. Provide a restatement of the goals, objectives, and project tasks to demonstrate the responder's understanding of the project and your approach to this project. Please reference the Project Description section in your responses.
2. Provide your background and experience in the following areas:

- a. Coverage Area: summarize your company's current service area footprint and estimated customer size, both residential and business.
  - b. Services: describe any direct experience and knowledge your company has in providing residential and business broadband services.
3. Provide the ISP's proposed investment area(s) connectivity schedule and any discuss any phasing.
4. ISP shall provide substantive information/documentation which illustrates its financial capabilities to deliver, operate, maintain and improve its proposed network over the long term.
5. Each respondent shall provide a minimum of three (3) references where similar projects have been completed. These projects should be similar in design and scope. Identify key personnel who will work with the County over the term of their agreement.
6. ISPs must submit a proposal for services which sets forth options for the greatest extent of broadband service either through fiber, wireless, or mixed coverage in the underserved investment areas (see Appendix B), clearly delineating the costs per option.
7. The Applicant must provide network architecture documentation. Network architecture should consider a redundant topology that provides resiliency in the network. While not every component of the network can be redundant, where feasible the ISP should take steps to make service offerings as resilient as possible.
8. Describe ISP's network expected availability for more than 99% of the time except for outages caused by the customer's equipment, fiber or wire cuts by third parties, downtime for planned maintenance occurring during non-business hours or other events that cannot be controlled by the provider.
9. Describe how the ISP would provide data that demonstrates the network's performance to the required standards. These standards will need to be met for services contracted. Speeds will be tested and proven as negotiated in the contract.

## **SECTION V: PROPOSAL EVALUATION**

The County will evaluate all proposals using the following criteria to conduct a best-value evaluation:

1. Experience and qualifications of the provider. (20 points)
2. A clear understanding of this project. (15 points)
3. Speed of services to be provided. (15 points)
4. Offering Affordable Connectivity Program service. (15 points)
5. Amount of the ISP investment i.e.: Cash, In-Kind Value (15 points)
6. Providing broadband service outside the proposed investment areas. (10 points)
7. Timeline to build out from notice to proceed. (10 points)

After evaluating all proposals, the local project partner team, comprised of County representatives, and a third-party consultant may choose to interview the top candidates.

Ashtabula County reserves the right to accept or reject any, and all proposals or to waive any irregularities and reserves the right to award one ISP per investment area or any combination thereof.

## **SECTION VI: Proposal Format and Submittal Procedure**

All proposals must be electronically generated in a format capable of being used by Ashtabula County. Respondents must submit one (1) printed paper copies of their proposal and one (1) Portable Document Format (PDF) version of all proposal materials saved on a USB flash drive to the office of the Ashtabula County Commissioners, Attn: Lisa Hawkins, Clerk of the Board at 25 West Jefferson St., Jefferson, Oh 44047.

Following the RFP Issue Date, Respondents may submit questions regarding this RFP at any time prior to **12:00pm Eastern on February 2, 2024** via electronic mail to the following address (the "County Authorized Representative"): Lisa Hawkins, Clerk of the Board at llhawkins@ashtabulacounty.us. Any individual who would like to receive future updates on this RFP must submit their name, organization, and email address to the County Authorized Representative by such deadline as well. Questions submitted to the Authorized Representative do not create exceptions to the terms and conditions of this RFP.

All questions submitted to, and answers provided by the County Authorized Representative shall be shared on or before **February 9, 2024** with those individuals who submitted their name, organization, and email address in accordance with the requirements above. Respondents shall not contact any person who is an employee, officer, elected official or agent of Ashtabula County with respect to this RFP, except for the Authorized Representative. The Ashtabula County Commissioners may disqualify any Respondent who makes such contact.

The deadline for Ashtabula County's receipt of a Respondent's proposal, in both the printed and PDF versions as outlined above, is February 16, **2024 on or before 2:00 p.m.** Respondents may submit their proposals any time prior to the above stated deadline. Failure to submit the required formats and number of copies by this deadline may be subject to disqualification from the RFP process. Ashtabula County shall bear no responsibility for submitting proposals on behalf of any Respondent. **No extensions shall be granted for responses to this RFP.** Each Respondent shall carefully examine the RFP and thoroughly familiarize themselves with all requirements prior to submitting a proposal to ensure that the proposal meets the intent and requirements. Before submitting a proposal, each Respondent shall be responsible for making all investigations and examinations necessary to ascertain conditions affecting the intent and requirements. Failure to make such investigations and examinations shall not relieve the Respondent from its obligation to comply, in every detail, with all RFP provisions and requirements.

It is the Ashtabula County Commissioners' intent to commence final negotiations with the Respondent deemed most advantageous to Ashtabula County and most likely to connect broadband to the most County locations (the "Awardee"). Ashtabula County reserves the right to conduct post-proposal discussions with any Respondent.

## **Section VII: Terms, Conditions, Limitations and Exceptions**

1. This RFP does not commit Ashtabula County to issue an award or to pay any costs incurred in the preparation of a proposal in response to this RFP.
2. The proposals will become part of Ashtabula County's official files without any obligation on Ashtabula County's part.
3. All proposals received and any or all supporting documentation are subject to the

State of Ohio Public Records Act and the provisions of Ohio Law. The County will use reasonable due diligence where lawful to protect materials clearly marked by any Respondent as "proprietary," "trade secret" or "confidential". General technology approach or business model information does not constitute "proprietary," "trade secret" or confidential information.

4. Respondent(s) shall not offer any gratuities, favors, or anything of monetary value to any official or employee of Ashtabula County.
5. Respondent(s) shall not collude in any manner, or engage in any practices, with any other Respondent(s) or Third Party, which may restrict or eliminate competition or otherwise restrain trade. This is not intended to preclude subcontracts and joint ventures for the purposes of: (1) responding to this RFP, or (2) establishing a project team with the required experience and/or capability to provide the services specified herein. Conversely, Ashtabula County can combine or consolidate proposals, or portions thereof, for the purposes mentioned herein.
6. All proposals submitted must be the original work product of the Respondent. The copying or paraphrasing of the work product of another Respondent is not permitted.
7. The RFP and the related responses of the selected Respondent may by reference become part of any formal agreement between the selected Respondent and Ashtabula County. Ashtabula County and the selected Respondent may negotiate a contract or contracts based on Ashtabula County templates in accordance with Uniform Guidance, 2 CFR 200.317-327 and the ARC grant. In the event an agreement cannot be reached with the selected Respondent, Ashtabula County reserves the right to select an alternative Respondent. The County reserves the right to negotiate with alternative Respondent(s) the exact terms and conditions of the contract.
8. Respondents, their authorized representatives, and their agents are responsible for obtaining, and will be deemed to have full knowledge of the conditions, requirements, and specifications of the RFP at the time a proposal is submitted to Ashtabula County.
9. Ashtabula County may terminate its review of a Respondent's proposal or an Awardees' performance under a contract in the event of a default by the Respondent or Awardee and a failure to cure such default after receiving notice of default from Ashtabula County. Default may result from the Respondent's or Awardee's failure to perform under the terms of the contract or from the Respondent or Awardee becoming insolvent, having a substantial portion of its assets assessed for the benefit of creditors, or having a receiver or trustee appointed.
10. Ashtabula County reserves the right to unilaterally disqualify any Respondent who in the County's opinion fails to provide information or data requested or who provides materially inaccurate or misleading information or data. Further, Ashtabula County reserves the right to unilaterally disqualify any Respondent based on any real or apparent conflict of interest that is disclosed by the proposal submitted or any other data or information available to Ashtabula County. This disqualification is at the sole discretion of Ashtabula County. By submission of a proposal hereunder, the

Respondent waives any right to object now, or at any future time, before anybody or agency, including but not limited to, Ashtabula County's elected officials, officers, agents, or employees, or any court, as to the exercise by Ashtabula County of such right to disqualify or as to any disqualification by reason of real or apparent conflict of interest determined by Ashtabula County.

11. Ashtabula County shall have the unilateral right to reject any Respondent RFP response including, but not limited to the following:
  - (a) Failure to submit the RFP response for the County to receive it by the deadline of **February 16, 2024**.
  - (b) Failure to submit the RFP response to the correct location.
  - (c) Failure to submit the RFP response in the prescribed formats and number of copies.
  - (d) Failure to include all requested information.
  - (e) Taking exception to the terms, conditions, and specifications herein.

**NOTE:** Any deviation/ omission from the preceding list may void a Respondent response.

The issuance of this RFP and the acceptance of a proposal does not constitute an agreement by County that any contract or other agreement will be entered into by Ashtabula County. The County expressly reserves the right to:

- (a) Reject any or all proposals.
- (b) Reissue the RFP.
- (c) Accept portions of individual or multiple RFP responses.
- (d) Request more information and/or clarification of proposals from any or all Respondents.
- (e) Waive immaterial defect(s) or informality(ies).

The foregoing granting of exclusive negotiation rights does not commit Ashtabula County to accept all or any of the terms of the proposal(s). Final terms of any agreement will be agreed upon during negotiations. Negotiations may be terminated at any time by Ashtabula County for failure to reach mutually acceptable terms.

12. Ashtabula County reserves the right to request clarification of any proposal after all proposals have been received.
13. Ashtabula County reserves the right to select elements from different individual proposals and to combine and consolidate them in any way that best serves Ashtabula County's interest. The County reserves the right to reduce the scope of the project and evaluate only the remaining elements from all proposals. Ashtabula County reserves the right to reject specific elements contained in all proposals and to complete the evaluation process based only on the remaining items.
14. Any disputes arising out of this agreement that result in litigation shall attorn to the jurisdiction of an appropriate court either state or federal, for Ashtabula County, Ohio.

15. This RFP, the responses thereto, and any awarded contract thereunder shall for all purposes be construed and enforced in accordance with the laws of the State of Ohio and the United States of America without regard to conflict of law principles. All Respondents shall comply with any and all applicable orders, rules or regulations of the Federal Communications Commission ("FCC"), Public Utilities Commission of Ohio ("PUCO"), and Federal and State law in submitting a response to this RFP, and during the term and in performance of any contract awarded as a result of this RFP. The ISP shall adhere to the federal requirements of the Appalachian Regional Commission in accepting an award under this RFP.
16. Entities submitting proposals must have the capacity to enter into a legally binding contract. All contract(s) amount(s), if any, resulting from this solicitation will be paid directly to the entity submitting accepted proposal(s). In any accepted proposal(s), to authorize payments directly to another third party upon contracting the proposing entity may be required to fully execute such proper payment authorization forms as acceptable to Ashtabula County.
17. All selected Respondents shall be required during the project to cooperate fully, and in any reasonable manner Ashtabula County by request, from appropriate County officials, officers, agents, employees, contractors, subcontractors and volunteers. Further, selected Respondents shall be required to coordinate their implementation(s) with any other County selected Respondent. If any problem or difficulty should arise regarding such attempts at cooperation and coordination, Ashtabula County shall be immediately informed and will determine the way the parties are to proceed.

## **SECTION VIII: OTHER REQUIREMENTS**

### Service requirements:

- a. Speed: Must provide Qualifying Broadband service, defined as no less than 100 Megabits per second (Mbps) download and no less than 20 Mbps upload. The delivered service should generally exceed 80% of the advertised download and upload speeds.
- b. Availability: Service outages must not exceed 48 hours in a given 365-day period (excluding force majeure occurrences).
- c. Latency: Service latency must not exceed 100 milliseconds (ms) round-trip time.
- d. Equal access: Service must not be subject to data caps, surcharges, or usage-based throttling, and must adhere to the same acceptable use policies that apply to all other broadband internet access service plans offered by the ISP to their subscribers.

e. Affordability: The service provider should participate in the Affordable Connectivity Program or any successor program or any other program that would promote service affordability to the subscribers in the BaaS service area. Broadband service prices should be reasonably affordable for the subscribers within the BaaS service area.

f. Eligibility: BaaS is only available in areas designated Unserved or Underserved by the applicable state broadband office or state broadband authority. Specifically, the BaaS area must be Unserved (<25/3) or Underserved (<100/20) and cannot have an existing federal, state, or local enforceable commitment for Qualifying Broadband service ( $\geq 100/20$ ).

g. The selected BaaS service provider will provide a list of BaaS-served addresses or Location Identifications (Broadband Location Maps) to designate the homes and businesses associated with the BaaS subsidy as part of an enforceable commitment to provide services that meet or exceed these technical requirements.

h. ISP must comply with all applicable federal, state, local laws in delivering the services to the grantee and the subscribers within the BaaS area.

**APPENDIX A**  
**ISP RESPONDENT PROPOSAL**

Company NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_

Please answer the questions below for project proposal.

**Project Area:**

- Number of customers to be served \_\_\_\_\_
- Speed of service to be provided \_\_\_\_\_
- Amount of ISP investment \_\_\_\_\_
- Consumer pricing of service \_\_\_\_\_
- Service outside target area      Yes\_\_\_No\_\_\_ Est #: \_\_\_\_\_

I, \_\_\_\_\_, an authorized representative of the above indicated firm, have reviewed, and understand the Broadband Service in \_\_\_\_\_ County's Request for Proposal, and I/we am/are prepared to provide the required services for the above costs.

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

**APPENDIX B**  
**INVESTMENT AREAS**

(Insert Maps)



**APPENDIX C**

**VENDOR AFFIDAVIT FORM**

**PROJECT NAME: Broadband Services in Ashtabula County**

**NON-DELINQUENCY OF PERSONAL PROPERTY TAXES:**

The undersigned, being duly sworn, if a contract is awarded you, states that we (the Vendor) are not charged at the time the bid was submitted with delinquent personal property taxes on the general tax list of personal property of any county in which you as a taxing district have territory and that we were not charged with delinquent property taxes on any such tax list. Nor do I have any debt owed to the State of Ohio.

**NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY:**

That we do not and shall not discriminate against any employee or applicant for employment because of race, religion, color, or national origin. If awarded the bid and/or contract under this proposal, said party shall take affirmative action to ensure that applicants are employed and that employees are treated, during employment, without regard to their race, religion, color, sex, or national origin. If successful as the lowest and best bidder under the foregoing proposal this party shall post non-discrimination notices in conspicuous places available to employees and applicants for employment setting forth the provisions of this affidavit. Furthermore, said party agrees to abide by the assurances found in Section 153.59 of the Ohio Revised Code in contract provisions with the owner if selected as the successful bidder by the Owner.

**NON-COLLUSION:**

That the bid being submitted is genuine and not collusive or sham; that we/I have not colluded, conspired, connived, or agreed, directly or indirectly, with any other bidder or person, to submit a sham bid, or refrain from bidding; have not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other bidder, to fix any overhead, profit or cost element of said bid price, or of that of any other bidder; to secure advantages against the County of Ashtabula or any person or persons interested in the proposed contract; that all statements contained in said proposal of bid are true, and that, such bidder has not, directly or indirectly submitted this bid, or the contents thereof, or divulged information or data relative thereto to any other potential information or date relative thereto to any other potential bidder. Further, Affiant affirms that no county employee has any financial interest in this company or the bid being submitted.

That we do hereby affirm the above statements to be true and in consideration of the award of the aforementioned contract, the above statements are incorporated in said contract as a covenant of the undersigned.

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

\_\_\_\_\_  
Company Tax I.D. Number

\_\_\_\_\_  
Bidder/Vendor Signature

\_\_\_\_\_  
Print Name & Title

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Date Commission Expires

**REPRESENTATIONS, ASSURANCES, AND CERTIFICATIONS**

1. Company Name: \_\_\_\_\_
2. Company Address: \_\_\_\_\_
3. Telephone Number: \_\_\_\_\_ FAX: \_\_\_\_\_
4. The name and telephone number of the person(s) who has the authority to submit Proposal:  
\_\_\_\_\_
5. The name and telephone number of the person(s) who has the authority to sign contracts:  
\_\_\_\_\_
6. The legal status of the Offeror's organization \_\_\_\_\_
7. Date of establishment/ incorporation: \_\_\_\_\_
8. Federal Employer Identification Number (FEIN): \_\_\_\_\_
9. Is the Offeror co-owned or controlled by a parent company? \_\_\_Yes \_\_\_No  
If yes, name of parent company: \_\_\_\_\_
10. Is the Offeror authorized/ licensed to do business in the state of Ohio? \_\_\_Yes \_\_\_No
11. Is the Offeror bound by Federal, State, or local Affirmative Action or Equal Employment Opportunity rules? \_\_\_Yes \_\_\_No  
If yes, has the company filed all required EEO reports to the necessary agencies? \_\_\_Yes \_\_\_No
12. The Offeror certifies that it is not debarred nor suspended under Federal and State rulings from receiving federal funds. \_\_\_Yes \_\_\_No
13. Does the company have current or future plans for a buyout or sale? \_\_\_Yes \_\_\_No
14. The Offeror certifies that it will not enter into contracts with subcontractors who are debarred or suspended from such transactions to complete work related to this RFP. \_\_\_Yes \_\_\_No
15. The Offeror certifies it is a drug-free work place? \_\_\_Yes \_\_\_No
16. The Offeror certifies it is not delinquent on any Federal debt? \_\_\_Yes \_\_\_No