

**Town of Coeymans, New York
Request for Proposals (RFP)
for
Private Providers to Deploy, Operate, and Maintain a
High-Speed Broadband Internet Network for
Underserved Premises**

Contract No. 2022-01

Issued: April 7, 2022

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1. Introduction

This RFP reflects the commitment of the Coeymans Town Board to ensure high-speed broadband is available to underserved premises within the Town. The Town recognizes many residents already have access to high-speed service from Charter One Spectrum, Mid-Hudson Cable, State Telephone and Verizon, or other provider because they live in areas where it is technically feasible and cost-effective for local internet service providers (ISP) to provide it. However, high-speed broadband service is not available everywhere in the Coeymans due to the high costs associated with construction. These hurdles include low-density development, rights-of-way, underground construction, and topography. In short, ISPs cannot provide ubiquitous coverage and obtain a reasonable rate of return everywhere in the Town. This is particularly the case along Starr Road and Bushendorf Road ("Service Area").

The Town has decided to explore the potential for closing this broadband availability gap in the Service Area by offering a subsidy to qualified and committed private sector partners. In this RFP, the Town offers to provide a grant to one or more ISPs or other entities ("Applicants") that commit to meeting the goals and conditions outlined in this RFP and in subsequent negotiations. The purpose of the grant will be to defray the cost of the infrastructure necessary to meet the requirements of the RFP, which might include construction of fiber optic cables, conduit and/or poles to provide service ("Assets").

Through this RFP, the Town seeks proposals from Applicants to build, operate, and maintain Assets to provide internet service of at least 100 Mbps download and 10 Mbps upload (i.e., 100/10 service) in the Service Area. The Town welcomes the responses of incumbent ISPs, competitive providers, and non-profit institutions, cooperatives, and entities that are not traditional ISPs, and are interested in offering service under innovative business models. The Town encourages collaboration among Applicants as necessary to meet the goals of this RFP.

2. Service Area

The Service Area is Star Road and Bushendorf Road. The Town seeks to close the broadband availability gap in the Service Area, which includes the premises located at 805-817 Star Road and 90-250 Bushendorf Road. This is a low-density area of the Town in which ISPs have declined to extend coverage due to an inability to obtain a reasonable rate of return on the required capital investment. It will be the responsibility of the Applicants to more precisely define what premises within the Service Area are currently underserved and to document that its proposal will achieve the goals of this RFP, including that its existing infrastructure (if any) and proposed buildout will result in the provision of 100/10 speeds to as many of the underserved premises as feasible.

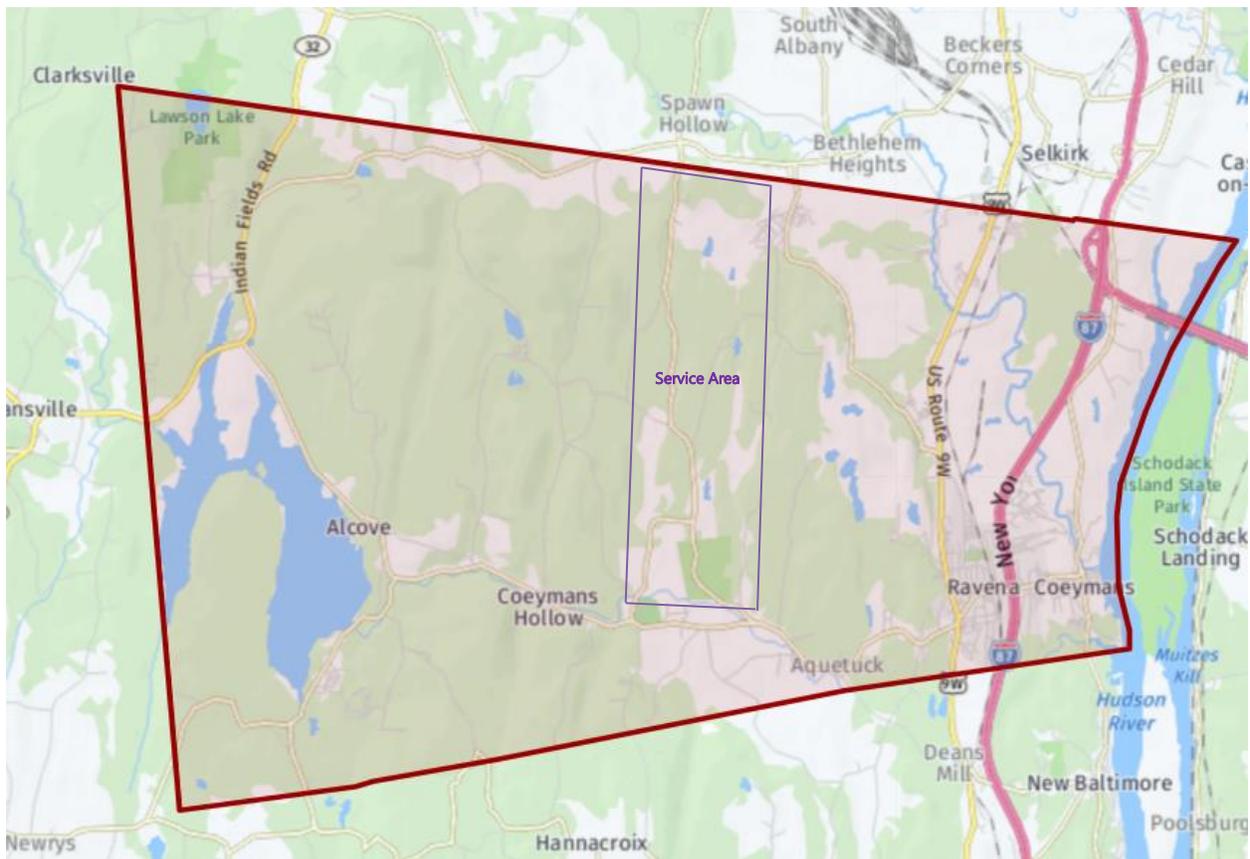


Figure 1: Service Area

3. Goals and Desired Outcomes of This RFP

The following are the Town’s requirements and goals under this RFP.

3.1 Provide 100/10 Service to Underserved Premises

The Town seeks to make available broadband services—defined as 100 Mbps download/10 Mbps upload—to as many premises in the Service Area as possible. If an Applicant is already providing service in some areas of the Town, the Town requires that the Applicant provide the same pricing and service tiers for data services (up to 100 Mbps download, 10 Mbps upload) over the Assets in the Service Area. Essentially, the Town seeks parity.

The Town seeks proposals and anticipates negotiations that will ensure the ownership and rights of use with respect to the assets built with its funds comply with all applicable laws. The Town and selected Applicant will work together to ensure that the contracts completed from this RFP process do not violate any state or federal laws or other applicable restrictions, including any that may relate to a town subsidizing privately-owned assets.

3.2 No Requirement for Video or Telephony Services

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

3.3 No Monthly Data Limits

The Town seeks proposals from Applicants that commit to offer data services that do not place limitations, quotas, or caps on a user’s total upload and download data capacity on a periodic basis (as do some current mobile and fixed broadband providers).

3.4 Devote Town Grant to Fiber Optic Infrastructure

The Town will provide grant monies for fiber cabling and associated conduit necessary for the fiber network construction, and/or for utility poles necessary for the mounting of facilities. It will be the selected Applicant’s responsibility to fund electronics, customer premises equipment (CPE), and any facilities used in deployments. The

Applicant will also be responsible for operating and maintaining the network in addition to providing high-speed (100/10) service.

3.5 Provide a Technical Overview of any Proposed Wireless Solution

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

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

3.6 Commit to Mutually Agreed Enforcement Mechanism

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

3.7 Commitment of ISP Funds and Assumption of Risk

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

3.8 Sustainability

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

4. Funding Availability

The Town has \$200,000 in grant funds available for this project. The Town requests that Applicants state what level of funding is required above any grant monies to achieve the goals of this RFP. Importantly, the Town requires Applicants to attest that:

- The ISP would not commit its own funds for the project in the absence of the grant monies available under this RFP; and
- The cost to fulfill this RFP exceeds the grant monies available from the Town.

5. Proposal Requirements

The Town requests the following information—in as much detail as is practicable—from Applicants:

5.1 Funding Sought from Town

State the amount of grant funding sought from the Town.

1. Amount sought for fiber, conduit, and pole deployment (funds to be disbursed to the Applicant)
2. Timeframe for receipt of the above amounts

5.2 Technical Proposal

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

1. Generate and provide a map of the Service Areas and state the number and percentage of underserved premises.
2. State the number and percentage of underserved premises that will receive 100/10 service, and provide a map showing these premises.
3. If unable to provide service to all of the currently underserved premises, state the reason why, provide a map showing which premises would remain underserved, and state what it would cost to serve these additional premises.
4. Describe the proposed approach to developing service for the network

described above.

5. Describe the technologies and vendors you plan to use.
6. If wireless forms a component of your design, describe the approach that will be used for backhaul and how you will ensure your network has sufficient commodity internet bandwidth to meet the needs of your customers.
7. Describe the technological roadmap for increasing network performance over time.
8. Describe the plan to perform network maintenance on an ongoing and as-needed basis.
9. If wireless is proposed, discuss the spectrum you propose to use, your access to that spectrum, and any interference concerns.

5.3 Exceptions

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

5.4 Applicant's Technical Viability and Experience

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

1. Identify other networks that you have operated, as well as any network design and build experience; include the levels of broadband speed, technology type, availability and adoption among different categories of end-users, and unique capabilities or attributes.
2. Discuss relationships with other service providers, government, or non-profit entities you have undertaken, particularly any in which you provide service to rural underserved or underserved populations. Describe the nature of the projects and your firm's role.
3. Discuss your capabilities with regard to engineering and design of broadband systems, including past experience with residential systems. If you are proposing a wireless network, describe your experience deploying and operating wireless systems.

4. Discuss your capabilities and ability through past experience to operate and maintain the proposed broadband technology, including routine and emergency maintenance of the network which is crucial to success.
5. Provide example(s) of existing customer relationship management (CRM) system(s) that demonstrate your ability to deliver quality customer service.
6. Provide an example of a web customer interface your company has previously provided in a residential deployment.

5.5 Applicant's Financial Viability and Experience

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

5.6 Service and Pricing Proposal

The Town does not intend to dictate to potential Applicants what services to provide or at what price, so long as the Applicant is capable of providing 100 Mbps download, 10 Mbps upload service.

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

5.7 Timeline

What is the proposed schedule for design, construction, and initiation of service? Please offer a timelinewith key milestones and phasing plans.

6. Criteria for Selection

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

1. Magnitude of requested funding and cost-effectiveness of the Town's

- funding with respect to how many premises can be served
2. Timeline/speed of anticipated deployment
 3. Service levels proposed
 4. Technology proposed, including the likely reach of wireless signals (if relevant) and the formand adequacy of backhaul
 5. Financial viability of Applicant and Applicant’s business plan
 6. Proposed consumer pricing, including installation fee (if any)
 7. Applicant’s technical capabilities and track record

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

7. RFP Timeline and Deadlines

The following is the schedule for responding to this RFP. The schedule is subject to change at the discretion of the Town. All interested Applicants are to email correspondence related to this RFP, to Candace McHugh, Town Clerk at townclerk@coeymans.org.

RFP Released by Town of Coeymans	April 7, 2022
Deadline for Responses to This RFP	April 27, 2022

The Town anticipates it will enter negotiations with one or more selected Applicants following receipt of the responses to this RFP to determine the detailed terms of contracts with the selected Applicant. The Town of Coeymans thanks you in advance for your response and your interest in public-private collaboration to meet the broadband needs of its residents and businesses.