

Request for Proposal (RFP)

For

Engineering Design Services and Environmental Assessment for MCNC Golden LEAF North Carolina Rural Broadband Initiative

**Proposals will be received until October 4, 2010
at 5:00 pm (EST)**

Issued by:

Patricia L. Moody
Chief Financial Officer
MCNC

Street Address Delivery: 3021 E. Cornwallis Road, Durham, NC 27709

Mailing Address Delivery: P.O. Box 12889, Research Triangle Park, NC 27709

Issued: September 9, 2010

Summary

MCNC is a private, not-for-profit 501(c)(3) company based in Research Triangle Park, North Carolina. MCNC is the operator of the North Carolina Research and Education Network (NCREN), the backbone Intranet and Internet network for K-20 public education in the state.

On August 18th, 2010, MCNC was awarded a grant by the US Department of Commerce's National Telecommunications and Information Administration's (NTIA) Broadband Technologies Opportunities Program (BTOP). The BTOP program was created as part of the American Recovery and Reinvestment Act of 2009 (ARRA). This is MCNC's second award under the BTOP program. The purpose of MCNC's second grant will be to fund the engineering and construction of a middle mile infrastructure and direct fiber connections to community colleges, libraries, schools, health and safety facilities and other community anchor institutions in 69 of the most rural, economically disadvantaged counties in North Carolina. While MCNC is the prime recipient of the second round award, it received significant matching funding from the North Carolina based Golden LEAF Foundation and, ERC Broadband, a non-profit network operator in Western North Carolina, will act as a sub-recipient. In recognition of the Golden LEAF Foundation's significant contribution, the project has been named the Golden LEAF Rural Broadband Initiative (GLRBI).

MCNC has successfully managed its round 1 BTOP award, announced on January 20th, which includes a 400+ middle mile fiber optic plant build through 37 mainly rural North Carolina Counties in the project's construction phase. The lessons learned from the round 1 BTOP award have impacted the preparation of this document and will impact the selection process outlined herein.

RFP – Outside Plant (OSP) Engineering Services and Environmental Assessment

This Request for Proposal (RFP) is for identifying an appropriate Vendor(s) to provide outside plant engineering and an environmental assessment relating to the construction of middle mile fiber infrastructure and direct fiber connections to community colleges, libraries, schools, health and safety facilities and other community anchor institutions. The RFP identifies specific fiber routes that are encompassed by the GLRBI. The GLRBI bridges the prosperity gap by delivering broadband infrastructure to much of rural North Carolina. The GLRBI addresses the gap by building both middle mile infrastructure and direct connections to Community Anchor Institutions (CAIs) in the rural northeastern (east of Henderson and Rocky Mount), northwestern (Asheville to Boone), north central (east of Sparta to Henderson), south central (Charlotte to Wilmington), and Graham County portions of North Carolina. Respondents have the opportunity to provide engineering and environmental assessment for either individual or all routes as long as the response provided is exhaustive for each service area. In no case will a response be considered for only a partial route in any area or for partial services (re: engineering only or environmental only) for a whole route. Respondents are required to submit a separate pricing proposal for each route in the event they would like to be considered for an award for any individual geographic area should MCNC choose to divide up the project and issue separate awards.

MCNC has secured letters of support from the North Carolina Department of Transportation, the North Carolina Department of Environment and Natural Resources and the North Carolina Department of Cultural Resources for this project. Therefore, the selected Vendor should consider these key entities briefed and supportive of the overall project.

Nominally, the entire route should be engineered for placement of one conduit two inches in diameter with subducts, with placement of a single 48 count single mode fiber in one of the subducts.

The selected Vendor must demonstrate its ability to propose a design solution that minimizes environmental impact and to complete an environmental assessment. The Vendor will be expected to include resumes of staff that will work on the project and are knowledgeable about relevant environmental regulations and have experience designing solutions that avoid areas of potential impact. At least one of these staff members should meet the Secretary of the Interior's Professional Qualification Standards to meet historic preservation requirements, as defined by the National Park Service in 36 CFR Part 61. See http://www.nps.gov/history/hps/fapa_110.htm. This staffing requirement can be through a qualified subcontractor working closely with the Vendor if this is the most timely and efficient solution. Should there be any environmental findings, the Vendor is expected to work with the relevant permitting entities to quickly acquire any necessary permits. Furthermore, a proposed engineered route that requires an environmental impact statement to be prepared will fail to meet the minimum requirements of this RFP. The selected Vendor must be capable of providing alternative routes that may be selected to minimize environmental impact.

While MCNC has planned for a solution where the fiber is buried underground in conduit, there may be areas where a direct buried fiber cable or aerial construction is more cost effective. The design could be modified to accommodate such alternatives. MCNC and its partners are aware of those factors, and would work with the selected Vendor to assess the cost value of such a proposed design change. The route maps, available at <https://www.mcnc.org/btop/btop2-route-maps.html>, show proposed connectivity points and possible routing of the fiber cable. These routes are not considered final. The NTIA has indicated a willingness to accept route changes within the scope of the award to accommodate cost considerations and aforementioned environmental ameliorations. MCNC would rely on the expertise of the selected Vendor to identify changes to the proposed route that may be more cost effective and feasible to provide connectivity to MCNC's end points. MCNC is responsible for making all final decisions as to the chosen routes.

Full route descriptions are included at the end of this RFP following the General Terms and Conditions section.

Question/Inquiry Process

All inquiries and questions related to this RFP must be directed IN WRITING via email to:

BTOP RFP Review Committee

MCNC

Email: bttop2-engineering-rfp@mcnc.org

To maintain fairness to all bidders, any attempts to contact MCNC staff regarding this RFP outside of this specifically provided email vehicle will be grounds for MCNC to reject your submission. All questions will be considered to be public and released with appropriate answers to <https://www.mcnc.org/btop/btop2-rfp/engineering-questions.html> within 48 business hours of receipt.

The last date for questions will be 4:00 pm Eastern Time on Thursday September 23, 2010.

Selection Process

MCNC will review the proposals based solely on a modified **Qualifications Based Selection** or QBS process. MCNC will select two proposals (subject to proposal to segment responses) for the interview process based on QBS principles and specific responses to RFP questions. When the two proposals are chosen for interview, the non-binding cost submissions, delivered under separate cover (see Proposal Requirements paragraph 6) from these two potential Vendors will be opened and reviewed. During the interview stage, non-binding cost estimates will be discussed. After the interview process, MCNC will select a Vendor(s) for the segments to be awarded as a finalist(s), and begin negotiations with the Vendor(s). If MCNC cannot finalize negotiations successfully with the selected Vendor(s), the next highest-ranking Vendor(s) will be contacted and negotiations will begin. The process will continue until a mutually agreeable contract is finalized between MCNC and the selected Vendor(s).

Proposal Requirements

1. Proposals should be organized in the same sequence as this RFP with responses referencing the appropriate corresponding RFP item(s). Vendors should respond to each item at the level of detail at which each is presented or list a variance with a particular item and propose alternate terms and, as applicable, supply any supportive detail. Responses not conforming to the proper format or failure to respond to any and all items in this RFP may result in a Vendor's disqualification and/or rejection of the proposal, at the discretion of MCNC.
2. Where the Vendor is requested to supply information, include that information in the body of the proposal, or reference that it is an attachment.
3. A duly authorized officer or agent of the Vendor must sign the proposal. Proposals that are not signed are not considered valid. In the case where partnering takes place, and

multiple Vendors join together to present a proposal, a signature by a duly authorized officer or agent of each entity is required on the proposal, though one entity should be designated the lead entity. The lead entity will be the contracting Vendor who will be responsible for subcontracting with their other partners.

4. All questions and inquiries regarding this RFP should be submitted via email to bt02-engineering-rfp@mcnc.org. Questions asked after the questions deadline stated in this RFP will not be answered.
5. Non-pricing related proposal requirements are preferred to be submitted in electronic format sent via email attachment, however proposals saved on CDs, thumb drives, or paper copies will be accepted. Two (2) copies are required for any proposal submitted in hard copy format. Faxed or telephone proposals will not be accepted. Vendors assume the risk of the methods of dispatch or delivery chosen. Office hours for receipt of mailed or expressed proposals are: Monday through Friday, 8:00 am - 5:00 pm (EDT). Proposals submitted via mail or express delivery should be addressed as follows:

Street Address for express deliveries:

MCNC
Attn: Patricia Moody
Chief Financial Officer
3021 E. Cornwallis Road
Durham, NC 27709

Mailing Address/Electronic Mail:

MCNC
Attn: Patricia Moody
Chief Financial Officer
P.O. Box 12889
Research Triangle Park, NC 27709
pmoody@mcnc.org

The non-binding cost submissions should be sent under separate cover, via express mail, to the addresses listed above. The non-binding cost submissions should be placed in a separate sealed envelope inside the express mail envelope.

6. After the initial proposal review and narrowing to the final two respondents, the non-binding cost submissions for the final two proposals will be opened and evaluated. The assumption will be that the proposed costs are a Vendor's most favorable terms. Notwithstanding any other provision of this RFP, MCNC expressly reserves the right to negotiate with any Vendor, using the proposal submitted as a basis, for the purpose of obtaining a best and final offer.
7. MCNC will not pay for any information requested herein, nor is it liable for any costs incurred by any Vendor in responding to this RFP. All proposals submitted become the property of MCNC; they will not be returned and may be subject to the Freedom of Information Act and/or the North Carolina Public Records Act. Pricing and other information that is an integral part of the proposal cannot be considered confidential after an award has been made.

8. A Vendor may withdraw its proposal prior to the RFP response deadline. Proposals received after the deadline will not be considered. Proposals will be opened and reviewed internally at the convenience of MCNC.
9. The proposal and non-binding cost submissions constitute an offer by the Vendor to do business with MCNC. In the event a contract is awarded to a Vendor, MCNC, at its option, may incorporate all or parts of a Vendor's proposal and any or all answers and information contained within that proposal shall become part of the final agreement between the successful Vendor and MCNC. Should a Vendor be awarded the contract by MCNC, the Vendor agrees to execute the contract provided in conjunction with this RFP as modified for the proposal specifics within 10 days of the award. Review the Engineering contract at <https://www.mcnc.org/sites/default/files/Engineering-Design-and-Environmental-Assessment-Agreement.pdf>.
10. Any information released either verbally or in writing prior to the release of this RFP shall be deemed preliminary and not binding upon MCNC in any manner.
11. Vendors must submit audited financial statements for the past two (2) years (or equivalent data) in order to demonstrate the financial capability to provide the required services.
12. Notwithstanding any other provision of this RFP, MCNC expressly reserves the right to:
 1. Conduct discussions with any or all Vendors for the purpose of clarification of proposals;
 2. Waive, or decline to waive, any insignificant defect or informality in any proposal or proposal procedures;
 3. Accept, reject, or negotiate any or all proposals or the terms of any proposal, or any parts thereof, for the purpose of obtaining the best and final offer;
 4. Cancel or amend this RFP or issue other requests for proposals;
 5. Select a Vendor or Vendors based on MCNC's analysis and evaluation of proposals submitted. MCNC reserves the right to request presentations of proposals if MCNC feels further information is appropriate to the decision-making process.
 6. Select no proposals at all.
13. MCNC reserves the right to use any and all concepts presented in any proposal to obtain the most beneficial and effective path to achieving its desired goals for the project. Selection or rejection of proposals shall not affect this right. All proposals will be evaluated and, at MCNC's discretion, an award made to the Vendor(s) who demonstrates the best ability to satisfy the scope of work in the most timely and efficient manner possible.
14. By submittal of a proposal, a Vendor attests to have read, understood, and agreed to all requirements, terms, and conditions in this RFP, including any and all attachments, exhibits, and appendices.

15. Proposals responding to this Solicitation shall not be tied to any potential or future arrangements.
16. A Vendor and any subcontractor must be properly licensed and registered as required by the State of North Carolina necessary to complete the scope of work contained in this RFP including appropriate licensure with the North Carolina Board of Examiners for Engineers and Surveyors. Proper license and registration is required by each Vendor before submitting a bid. Each Vendor may, before submitting a proposal, examine the site to determine the extent of work involved and the conditions under which the work would be performed. The submission of a proposal will be construed as evidence that such an examination has been made, and no subsequent allowance will be made in this regard on behalf of the Vendor for any error or negligence on its part.
17. Vendors must identify any conflict of interest that may arise from providing services to MCNC. MCNC reserves the right:
 - A) to disqualify any Vendor or reject any proposal at any time solely on the grounds that a real or perceived legal or policy conflict of interest is presented;
 - B) to require the Vendor to take any action or supply information necessary to remove the conflict; or
 - C) to terminate any contract arising from this solicitation if any such relationship would constitute or have potential to create a real or perceived conflict of interest that cannot be resolved to MCNC's satisfaction.
18. Payments under the contract will be made by MCNC on no more than a monthly basis and final payment within 30 days after satisfactory completion and acceptance by MCNC of the work.
19. The Vendor is expected to provide project management of this effort and report progress weekly (or bi-weekly) against a submitted project timeline and project plan in an acceptable format.

Closing Date

The proposals and separate non-binding cost submissions shall be sent or delivered no later than 5:00 pm EST on October 4, 2010 to the following:

Patricia L. Moody
Chief Financial Officer
MCNC

Street Address Delivery: 3021 E. Cornwallis Road, Durham, NC 27709

Mailing Address Delivery: P.O. Box 12889, Research Triangle Park, NC 27709

Electronic Delivery: pmoody@mcnc.org

Please remember that the non-binding cost submissions should be delivered via express mail and sealed in a separate envelope inside the express mail box or envelope.

Late proposals and those that do not adhere to the process for non-binding cost submissions will not be accepted and, at MCNC's discretion, may be returned to the proposer unopened.

The following timetable outlines the anticipated schedule for the RFP and Contract process. The timing and the sequence of events resulting from this RFP may vary.

Event Anticipated Dates

- **RFP Advertised and issued: September 9, 2010**
- **Proposals Due: October 4, 2010.**
- **Non binding cost proposals submitted by express mail due: October 4, 2010**
- **RFP Evaluation Completed by: October 11, 2010.**
- **Interviews with short-listed firms no later than: October 18, 2010.**
- **Award and Letter of Intent for Contract no later than: October 21, 2010.**
- **Engineering Firm(s) Begin Work no later than: October 21, 2010.**
- **Contract finalized no later than October 31, 2010 (or within 10 days of the award).**
- **Environmental Assessment draft for internal MCNC review to be completed no later than January 19, 2011**
- **Environmental Assessment for submission to NTIA, incorporating any MCNC change requests, to be completed no later than January 31, 2011 (failure to meet this delivery date will lead to contract termination)**
- **Subsequent Environmental Assessment modifications should be completed, if needed, to satisfy any revisions requested by NTIA and in order to successfully obtain a Finding Of No Significant Impact (FONSI). (Date TBD as this depends on NTIA)**
- **Drawings to be completed by March 1, 2011**

RESPONSE FORM AND PROCEDURES

Proposal Format

To aid in the evaluation of engineering service proposals, MCNC requires that proposals follow this outline:

1. Cover Letter: Indicate your firm's interest in the project and highlight key points of your proposal.

2. Vendor Overview: Include company history, number of employees by discipline, company locations, location of office where this project will be managed, length of time your firm has provided similar services, and other relevant information. Also, indicate the systems you utilize to produce outside plant engineering designs (AutoCAD, Microstation, Mapcom M5, or others). MCNC requires the selected Vendor to be licensed to do business in the state of North Carolina.

3. Proposed Project Team: Include an organizational chart and resumes of key project team members, including their role in this project. Identify who the primary manager for this project will be within your organization and ensure their resume provides their qualifications for this role. Vendor must provide indication of a licensed PE on staff or advise as to access to such. Vendor must also have appropriate staff with the means to secure private easements (if needed) and potential land for regeneration sites. Vendor must also provide resumes for staff qualified to complete the environmental assessment including at least one who meets the Secretary of the Interior's Professional Qualification Standards to meet historic preservation requirements, as defined by the National Park Service in 36 CFR Part 61.

See http://www.nps.gov/history/hps/fapa_110.htm.

4. Experience: Indicate your experience with planning and design of fiber optic outside plant networks, including buried and aerial deployments. Show your experience with designing and managing implementation on long haul, regional and metropolitan fiber optic networks. Also outline your experience with right-of-way and environmental permitting. Document your experience completing environmental assessments including work with state and federal agencies covering NEPA and historical preservation requirements (including wetlands; floodplains; brownfields; water quality; endangered species/critical habitats; historical resources; and tribal concerns.)

5. Proposed Services & Project Approach: Please define, in significant detail, how your firm will accomplish the seven (7) major tasks described below. Also, identify any innovative design techniques you have utilized on past projects that have helped reduce design times, or improved quality of your services.

6. References: Please provide a minimum of three (3) references where your firm and your proposed project team have provided outside plant engineering services. Please include the name, address, phone number, and email address for each reference as well as a description of work and dates completed

7. Small, Minority, and Local Businesses: Vendors are to identify the extent to which Small Businesses (SBs), Veteran-Owned Small Businesses (VOSBs), Service-Disabled Veteran-Owned Small Businesses (SDVOSBs), HUBZone Small Businesses, Small Disadvantaged Businesses (SDBs) Woman-Owned Small Businesses (WOSBs), Historically Black Colleges/Universities or Minority Institutions (HBCU/MIs), Minority-Owned Businesses (MOBs), or Local (North Carolina) Businesses (LBs) would be utilized in the performance of this proposed contract. For small businesses, as defined by the North American Industry Classification System (NAICS) code applicable to this RFP, NAICS code 541330 - Engineering Services, and HBCU/MI, MOB or LB the offeror's own participation as a SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB,

HBCU/MI, MOB or LB is to be identified, and will be considered in evaluating the Socioeconomic Considerations, Location, and Value Added evaluation factor.

A. All Vendors are to provide:

- (1) The names of SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB who would participate in the proposed contract, identifying specific components to be produced or services to be performed by them, and
- (2) The estimated total dollars of such work and percentage of the total estimated proposed services provided by these vendors.

8. Value Add: Vendors should include any “value added” solutions in their response to this RFP. These solutions will be evaluated for feasibility and benefits to Program goals. In the event that value added solution is deemed feasible and beneficial, it will be considered in evaluating the Socioeconomic Considerations, Location, and Value Added evaluation factor.

9. Time Schedule: Indicate your proposed timetable, based upon the scope of work, and your experience with other telecommunications outside plant engineering projects. Include a timeline of key deliverables.

10. Financial Statements: Include information related to your financial stability, including audited financial statements over the past two (2) years, any pending lawsuits or legal actions against your company, and contact information for your financial institution. Include your coverage for general liability, workers compensation, professional liability and errors & omissions insurances. MCNC requires a minimum of \$1,000,000 in professional liability insurance.

11. Other Current Projects: Indicate your existing client workload and what other projects your team is committed to, including project time frames. If you have any project that may cause a conflict of interest or could otherwise hinder your proposed timeframes, please describe those projects and how your firm manages multiple client priorities.

The instructions on the preparation and delivery of the non-binding cost submissions are:

1. Price Breakdown: In a sealed labeled envelope, submitted separately from the proposal and sent via express mail, provide a price breakdown of all components of your charges, i.e., design per foot, permit fee, and hourly rate of project management relative to each of the three consolidated sections in the chart. Per foot and hourly rates will be used for pricing change orders.

2. Summary of Proposed Project Costs: In the same sealed labeled envelope, complete a chart, similar to the format shown below, showing proposed project costs:

Segment	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7
Graham							N/A
Sparta-Henderson							N/A
Henderson-Elizabeth City							N/A
Elizabeth City-Rocky Mount							
Outer Banks Loop							
Charlotte-Wilmington							N/A
Rockingham-Raleigh							N/A
Northwestern (ERC Area)							N/A
BTOP1-East Laterals							N/A
BTOP1-West Laterals							N/A

3. Price: Finally in the same sealed labeled envelope, Vendors are required to submit a separate pricing proposal for each route if they would like to be considered for an award for the northeastern, northwestern, north central and/or south central NC routes. Vendors that would only like to be considered for one route should only include a pricing proposal for that route.

NOTE: The above items 1, 2, and 3 are to be placed in a sealed envelope inside the express mail envelope and expressed mailed to:

Street Address for express deliveries:

MCNC

Attn: Patricia Moody

Chief Financial Officer

3021 E. Cornwallis Road

Durham, NC 27709

Qualifications Evaluation Criteria

The MCNC evaluation team will assess each submitted proposal and rank the proposal according to the following point system:

Quality of response to proposed services:	20
Experience of project team:	20
Socioeconomic considerations, location, and value added:	20
References:	10
Vendor experience with ROW/permits and environmental:	20
Financial stability of firm to support scope of work	10
Total Possible Points:	100

NOTE: Non-binding cost submissions will not be evaluated until the final two vendors are selected based on qualifications.

All requested information in the Proposal Format section must be included in your response. MCNC reserves the right to reject any and all proposals, and to enter into contract negotiations with the Vendor selected by MCNC.

Vendors are solely responsible for their own expenses in preparing and submitting a Proposal, and for subsequent contract negotiations with MCNC. If MCNC elects to reject all proposals, MCNC will not be liable to any firm for any claims, whether for costs or damages, incurred by the respondent in preparing and submitting a proposal.

Although notification will be provided to Vendors whose Proposals are not accepted, further debriefing information will not be made available.

Scope of Work

This project calls for advice in the planning, design, construction bid management, and quality control of fiber optic outside plant facilities. MCNC will not require the Vendor to produce network design for electronics. The design of electronics, node location power requirements, cabinet specifications, etc. are beyond the scope of this RFP and will be addressed under a separate Request for Proposal(s).

For the purposes of this RFP, the Vendor will focus strictly on advising MCNC in the design for outside plant fiber optic facilities, which will include route design, splice locations, specifications for termination shelves, and construction requirements. MCNC has identified seven (7) key tasks that will be required of the selected engineering firm.

Task 1: Development of Environmental Assessment

The Vendor shall complete the required Environmental Assessment (see Additional Materials section of this document for link to NTIA guidance on format). This assessment requires an analysis of environmental findings in each of several areas, an analysis of potential alternatives and the justification for the selected alternative. The Environmental Assessment must be completed in conjunction with the engineering so that engineering decisions can be made that result in a Finding of No Significant Impact (FONSI). The selected Vendor will be expected to include resumes of staff that will work on the project and are knowledgeable about relevant environmental regulations and have experience designing solutions that avoid areas of potential impact. If the State Historic Preservation Office (SHPO) determines that an archaeological survey is necessary, the Vendor must have the staff and tools available to conduct the archaeological survey in compliance with the U.S. Department of the Interior's standards for archeology. See http://www.nps.gov/history/local-law/arch_stnds_9.htm for more information. If an archaeological survey is required, MCNC requires an estimate of that cost, but it should not be included in the bid. This could be a qualified subcontractor to the Vendor.

This task includes any and all steps required to result in a FONSI, including but not limited to:

- Satisfying the award's Special Award Condition (SAC) Section 10 entitled Environmental Assessment SAC (See <https://www.mcnc.org/sites/default/files/mcnc-environmental-assessment-sac.pdf>)
- Ensure successful completion of the National Historic Preservation Act (NHPA) Section 106 consultation (initiated by NTIA)
- Provide information directly to a SHPO or a Tribal History Preservation Office (THPO), if requested by the Department of Commerce (DOC)
 - Work directly with SHPO after NTIA initiates consultation
 - Work with Tribes / THPOs after NTIA initiates consultation and the THPO/Tribes agree to work directly with the recipients
- Ensure successful completion of informal Endangered Species Act (ESA) Section 7 in consultation with US Fish and Wildlife Service (FWS) district staff
- Scoping documents submitted to the North Carolina Environmental Clearinghouse, as needed
- Coordinate with other Federal, State, and local authorities to demonstrate compliance with other applicable environmental laws and regulations
- Obtain any required permits, authorizations, and letters from appropriate governmental authorities necessary to obtain the FONSI
- Document all associated correspondence for sharing with the NTIA and inclusion within appendices to the Environmental Assessment
- In cooperation with MCNC, communicate with NTIA representatives as needed to facilitate successful completion of an Environmental Assessment resulting in a FONSI

Task 1 must be completed by January 31, 2011 as determination of the route is identified and formal engineering related to task 2 has commenced.

Task 2: Right-of-Way and Permit Applications and Engineering of Proposed Route

In conjunction with completion of Task 1, the Vendor shall be able to supply engineering routes and other mapping data in a shapefile. The design document package should be complete such that MCNC and its contractors can clearly administer the construction of the route. The decision as to the actual location of the proposed route will be made by MCNC. MCNC reserves the right to select which approach is to be ultimately engineered by the Vendor. MCNC reserves the right to request alternate engineered routes even where the proposed route does not have an environmental impact.

The Vendor shall manage the permit process with the various entities, under the direction of MCNC, and localities for the northeastern, northwestern, north central and south central NC Routes. Due to the project timing MCNC requests that the selected Vendor, in conjunction with MCNC, obtain the required permits as proactively as possible within the scope of when MCNC intends to commence construction for each segment so as to avoid the requirement to reapply should they expire. The list of possible permitting and rights of way issues include, but are not limited to the following:

North Carolina Department of Transportation (for state and county rights of way)
U.S. Department of Transportation, Federal Highway Administration, Railroad,
U.S. Department of Agriculture, U.S. Forest Service (for route(s) impacting National Forests)
North Carolina Department of Environment and Natural Resources, and private easement agreements as required.

The selected Vendor must demonstrate its ability to design a solution that minimizes environmental impact. A solution that requires an environmental impact statement to be prepared will fail to meet the minimum requirements of this RFP. Should there be any environmental findings, and MCNC is willing to accept the proposed solution, or otherwise required permits, the selected Vendor will be expected to work with the relevant permitting departments or entities to quickly acquire any necessary permits. The work activities in Task 2 are open to budgetary negotiation with MCNC. Proposals should include conservative best estimates, including any assumptions arriving at the proposed estimate. In many cases, it is difficult to estimate the level of effort required to complete Task 2, since the final design route is unknown at the beginning of the project. The Vendor shall identify all costs expected to be incurred in the development of this task.

Task 2 must be completed by March 1, 2011

Task 3: Developing Engineered Drawings and Bid Specifications for Outside Plant (OSP) Fiber Network

The selected Vendor shall be required to develop engineered drawings to MCNC for MCNC approved routes and specifications for the construction of the outside plant fiber optic facilities. These specifications must follow accepted outside plant engineering practice and be certified by a professional engineer.

The selected Vendor shall be responsible for attending pre-design meetings with the technical project team, which includes MCNC's Vice President for Network Infrastructure Initiatives, Chief Financial Officer, and other key staff to identify route selections, connectivity points, and any issues related to construction of the fiber optic facilities (aerial or buried). The meetings will be held in MCNC's office or via teleconference. The MCNC project manager shall conduct these meetings. The selected Vendor shall be responsible for producing computerized maps (AutoCAD compatible in 11x17 format). Drawing scale is to be 1 inch = 100 feet.

The selected Vendor shall produce an electronic copy of the bid package (drawings and specifications in PDF format) as well as a hard copy. The Vendor shall advise the MCNC team members in advertising the project through construction clearinghouses and other contractor resources for soliciting construction bids on the fiber optic construction. The Vendor shall recommend terms and conditions, contractor requirements, scope of work, maps, and all other items it believes are necessary to produce a comprehensive bid package. MCNC is responsible for preparing the comprehensive bid package and will make all final decisions as to what items (terms and conditions, maps, etc.) will be included in the bid package.

The steps identified above related to Task 3 must be completed by March 1, 2011. The Vendor will be responsible for providing one (1) electronic copy of as-built drawings at the conclusion of Task 6, as well as three (3) hard copies of as-built maps (11x17) to MCNC by July 31, 2013.

Task 4: Review & Evaluate Construction Bid Responses

The Vendor shall be responsible for providing advice on potential responses to contractor questions submitted during the bid process and advise on any addenda or changes that MCNC believes need to be made to the bid package. The Vendor shall also provide advice to MCNC team members that are responsible for reviewing submitted contractor bids, i.e., evaluation of bids.

Task 4 will have rolling due dates based on the approach that MCNC puts this function to bid with first RFP for priority segments expected to begin no later than April 1, 2011 and be completed in full by January 15, 2012 to allow for completion of the full project by August 1, 2013.

Task 5: Inspection services for OSP construction

The Vendor shall provide a pricing option for full-time inspection services for construction efforts on the routes. This work includes inspectors maintaining weekly logs and field notes on the contractor's construction progress and to confirm that the construction contractor is building the route as engineered, while following all standard construction practices in doing so. The Vendor will be expected to notify MCNC of any major issues related to the construction. The Vendor shall provide weekly written progress reports (via email attachments) on construction activities and general issues related to construction of the fiber optic network. MCNC, the selected Vendor (serving in an advisory capacity only), and the contractor, shall hold monthly construction meetings to review work progress, invoicing requirements, issues to resolve, etc. The Vendor will be responsible for testing of the fiber after installation. MCNC will reserve the right to conduct random inspections of contractors working in the field to insure the installation is being done according to specifications and common installation practices.

MCNC reserves the right to not award work related to Task 5.

Task 6: Project management services for OSP construction

The Vendor shall provide a pricing option for full-time project management services for construction efforts on the routes. This work includes working with MCNC to develop time lines around all construction activities, logistics planning, materials ordering, etc. The Vendor will be expected to notify MCNC of any major issues related to the construction as it coordinates these efforts between MCNC, the construction contractors, materials suppliers, and the Vendor. The Vendor shall provide weekly written progress reports (via email attachments) on construction activities and general issues related to construction of the fiber optic network. MCNC, the selected Vendor (serving in an advisory capacity only), and the contractor, shall hold monthly construction meetings to review work progress, invoicing requirements, issues to resolve, etc.

MCNC reserves the right to not award work related to Task 6.

Task 7: Inspection of Existing APEC Conduit

The Vendor shall provide an assessment to MCNC of the usability for and placement of fiber in conduit MCNC has obtained from Albemarle Pamlico Economic Development Corporation (APEC) in northeastern North Carolina and, in addition, an estimate for the amount of repair needed to place the conduit in service. Vendor will work with MCNC and Patterson and Wilder in the assessment of this conduit shown in a map depicted on the website at <https://www.mcnc.org/btop/btop2-route-maps.html>.

MCNC reserves the right to not award work related to Task 7.

General Terms and Conditions -- Professional Services Contracts

An award resulting from this RFP is automatically canceled if federal funds under ARRA are not appropriated or otherwise made available to support the contract's commencement or continuation of performance.

Compliance with Laws

The Vendor must, in performance of work under the contract, fully comply with all applicable federal, state, or local laws, rules and regulations, including, but not limited to, ARRA, the Notice of Funding Opportunity, 74 Fed. Reg. 33,106, and all other applicable guidelines. Any subletting or subcontracting by the Vendor subjects subcontractors to these same provisions.

Buy American Requirement

To the extent applicable, the Vendor shall comply with the requirements of ARRA § 1605, as implemented by 2 CFR Part 176 Subpart B unless BTOP waives the application of this provision (limited waiver found at 74 Fed. Reg. 33,112)

Prevailing Wage Rates and Labor Standards

1. To the extent applicable, the Vendor shall pay all laborers and mechanics employed by Vendor on the Project not less than the prevailing wage determined under the "Davis-Bacon Act" (40 USC 276(a)) for similar work in the civil subdivision for which the laborers and mechanics perform the work. In addition, to the extent applicable, the Vendor shall pay all laborers and mechanics overtime compensation in accordance with the provisions of the "Contract Work Hours and Safety Standards Act" (40 USC 327-333).

2. The Vendor shall comply with all regulations issued pursuant to the above-

referenced Acts and with all applicable federal and state laws and regulations.

Whistleblower Protection under the Recovery Act

The Vendor shall comply with the Whistleblower Protection requirements of the American Recovery and Reinvestment Act (Recovery Act), Section 553 of the Division A, Title XV, Public Law 111-5 (for more information, see <http://www.recovery.gov>) which provides protection for employees of any other non-federal employers including employees of state and local governments, contractors, subcontractors, recipients and any other non-federal employers receiving Recovery Act fund recipients, making specified disclosures relating to possible fraud, waste, or abuse of Recovery Act funds. The Act requires any non-federal employer receiving Recovery Act funds to post a notice of the rights and remedies provided under the Act. The Parties shall post notice of employees rights and remedies for whistleblower protections provided under section 1553 of the American Recovery and Reinvestment Act of 2009 (Pub.L.111-5) and shall include this notice requirement in all contracts and subrecipients, contractors and subcontractors. All Parties are reminded that the Office of the Inspection General will verify the appropriate place of this poster as part of any field work conducted. Failure to display the poster may result in an audit finding. The poster can be downloaded from the following website: <http://www.oig.doc.gov/recovery/whistleblower.html>.

Performance Bond or Professional Liability Insurance

The Vendor shall purchase a performance bond from a surety licensed to do business in the State of North Carolina or provide MCNC with proof of professional liability insurance. The performance bond or the professional liability insurance policy shall be in the same amount as the award value of the resulting contract under this RFP and shall entitle MCNC to call upon the surety to complete the contract in one of two ways: (1) the surety and MCNC can choose a new Vendor to complete the contract and the surety pays the costs; or (2) MCNC alone chooses to terminate the contract by selecting another Vendor and the surety pays the costs.

New Hire and Retained Full Time Equivalents

Awardees will be required to provide new hire and retained full time equivalents on a quarterly basis within six (6) calendar days subsequent to the end of the quarter.

No Gifts and Gratuities Policy

MCNC's Code of Ethics policy has a strictly enforced requirement that MCNC and its staff are prohibited from accepting any favors or gratuities from contractors, potential contractors, sub-agreement parties, or from anyone that could potentially be involved in any aspect of MCNC's business.

Additional Material

Vendors are encouraged to review the following material prior to submitting their proposals.

- MCNC's BTOP Round 2 Web pages: <https://www.mcnc.org/btop/btop2.html>
- Executive summary of MCNC's federal grant application:
<http://www.ntia.doc.gov/broadbandgrants/applications/summaries/4218.pdf>
- Application Fact Sheet:
<http://www.ntia.doc.gov/broadbandgrants/applications/factsheets/4218FS.pdf>
- Tribes Served: <http://www.ntia.doc.gov/broadbandgrants/applications/tribes/4218TS.pdf>
- Documents linked to from the NTIA Environmental Compliance section at
<http://www2.ntia.doc.gov/compliance#environmental>
- Environmental Assessment (EA) Guidance for BTOP Award Recipients:
http://www2.ntia.doc.gov/files/btop_environmental_assessment_guidance_08_24_2010_v1_4.pdf
- Respondents may also find it useful to review Environmental Assessments from other BTOP projects that have successfully attained a Finding Of No Significant Impact (FONSI). The following link should display links to prior BTOP awards that have received a FONSI: <http://www2.ntia.doc.gov/search/node/fonsi>. Following the link to an award, you will see an "Environmental Documents" section that links to that award's FONSI, as well as (in many cases) to a PDF of that award's Environmental Assessment.
- On August 26, 2010, MCNC received notification that its Round 1 BTOP award has also received a FONSI. At the time of the release of this RFP, MCNC's BTOP Round 1 EA and FONSI have not yet been posted on the NTIA web site, however MCNC expects this posting soon, and when posted it is likely to be posted at this link
<http://www2.ntia.doc.gov/grantees/MCNC>. Respondents may wish to check this link for updates.
- In case NTIA hasn't posted the documents yet, MCNC's BTOP Round 1 Environmental Assessment and FONSI have also been posted on MCNC's web site. These examples can be accessed from the page <https://www.mcnc.org/btop/btop1.html>.

Socioeconomic and Location Considerations

Following are points to consider when preparing your Socioeconomic and Location information:

1. As addressed in RESPONSE FORM AND PROCEDURES, paragraph 9, above, all Vendors, including SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB

Vendors, are to address the following when completing your proposal:

- A. SB Names: provide the names of the SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB planned to participate in the instant procurement. MCNC will evaluate the extent to which your proposal identifies SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB planned to participate in the instant procurement.
- B. SB Products and/or Services: provide a list of products and/or services planned to be supplied by the SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB for the instant procurement. This list should correspond to the various SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB “named” above. MCNC will evaluate the extent to which your proposal details the products and /or services planned to be performed by SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB for the instant procurement.
- C. Estimated SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB Total Dollars: provide the estimated total contract dollars planned to be furnished by the SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB named in your proposal. This amount is an estimated total amount of the entire contract. Your proposal should also include the total contract amount to be performed by all businesses. Those two figures will be used to arrive at the “total contract percentage” that will be performed by the various SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB; SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB total contract dollars, divided by total contract dollars, equals the percentage of contract to be performed by SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB. The MCNC will evaluate the extent of participation of all SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB in terms of the value of the total contract amount.

2. Note: SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB Vendors should include your own efforts when addressing the names, products and/or services and estimated total dollars planned to be provided by SB, VOSB, SDVOSB, HUBZONE SB, SDB, WOSB, HBCU/MI, MOB or LB.

CERTIFICATION REGARDING DEBARMENT

All proposals must be accompanied by a CD-512 Certifications Regarding Debarment, Suspension Ineligibility and Voluntary Exclusion-lower Tier Covered Transactions and Lobbying signed by an authorized representative. The CD-512 has been available with the other RFP materials located on the website and available upon registration confirmation at https://www.mcnc.org/sites/default/files/CD-512_Debarment_Suspension.pdf.

Route Descriptions

As noted previously in this RFP, respondents are required to submit a separate pricing proposal for each route in the event they would like to be considered for an award for any individual geographic area should MCNC choose to divide up the project and issue separate awards. The following routes have been identified, and they are described in further detail below and maps are depicted on the website at <https://www.mcnc.org/btop/btop2-route-maps.html>:

- Graham
- Sparta-Henderson
- Henderson-Elizabeth City
- Elizabeth City-Rocky Mount
- Outer Banks Loop
- Charlotte-Wilmington
- Rockingham-Raleigh
- Northwestern-ERC
- BTOP2-Funded Laterals to BTOP1-Funded East and BTOP1 West Routes

The proposed map routes referenced below are available on the website at <https://www.mcnc.org/btop/btop2-route-maps.html>.

The CAI listings referenced below are available on the website at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Graham

Beginning at US129 and Knight Street in Robbinsville. Proceeding along US129/Tapoco Road. Turn right on County Road 1247/Meadow Branch Road toward County Rd 1246/Rhymers Ferry Road. End at Santeelah Power House. The approximate mileage of the route pending formal engineering has been estimated to be 19 miles. The EA prepared should address the possibility of location of a prefabricated telecommunications hut at Tri-County Community College in Robbinsville.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Sparta-Henderson

The proposed route begins in Sparta at 115 Atwood Street and ends in Henderson, NC at a location to be identified by the engineering firm. In Henderson the selected firm will be expected to assist MCNC in identification of an appropriate location for land acquisition for placement of a prefabricated telecommunications hut within close proximity of existing MCNC fiber assets contained in the Level3 Raleigh, NC to Washington, DC fiber route. This location should be near the vicinity of the intersection of US1 and Newton Dairy Road and the Level3 splice point. This location will also serve as the point where the Elizabeth City to Henderson route terminates as well.

The route under consideration leaves Sparta on Highway 18 through Alleghany County, entering Surry County, continuing on route 89 in Surry County and Stokes County. The route shifts to US311 south of Danbury, NC in Stokes County, heading east on NC704, ultimately getting to US158 near Reidsville in Rockingham County. The route continues to follow US158 through Rockingham, Caswell, Person, and Vance Counties before ending in Henderson, NC. The mileage of the route pending formal engineering has been estimated to be approximately 225 miles.

The route must be engineered to run directly through Surry Community College in Dobson, NC, Rockingham Community College in Reidsville, NC, and Piedmont Community College in Roxboro, NC. The EA prepared should address the possibility of location of a prefabricated telecommunications hut at each of these locations as well as the location to be determined in Henderson, NC referenced above.

In addition, all Community Anchor Institutions identified must have single threaded laterals engineered and associated environmental assessment work from the main route identified above, as well as a route engineered from the Level3 splice point near the intersection referenced above. All laterals are estimated to be less than 5 miles off the proposed route.

The CAI listing for this region can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Henderson-Elizabeth City

The proposed route will leave Henderson at the same location identified to terminate the Sparta to Henderson route.

The route will leave Henderson passing by Leslie Perry Memorial Library heading toward Warrenton on Old Warrenton Road and Dr. Martin Luther King Jr. Blvd. to enter Warren County. In Warrenton the route should pass by the Warren County Public Library. The route should follow business Hwy158 leaving Warrenton, eventually hitting Hwy158 bypass as it leaves Warren County. As the route enters Halifax County on Hwy158, the route should pass through Littleton, by the Public Library, on its way to Weldon. In Weldon, the route must pass through Halifax Community College. As the route enters Northampton County it stays on Hwy158, passing through Jackson. Continuing on Hwy158 through Northampton County, as the route enters Hertford County, it must exit Hwy158 to route toward Chowan College. After passing Chowan College, the route takes NC11 south toward Roanoke-Chowan Community College, and must pass by it. Continuing past the Community College in to Ahoskie, the route passes Ahoskie Public Library, returning north out of town on US13, which eventually merges back in to Hwy158 before leaving Hertford County. Entering Gates County, the route stays on Hwy158, eventually taking NC37 to Gatesville pass the Gates County Library, returning to Hwy158 as it leaves Gates County entering Pasquotank. The routes stay on Hwy158 toward Elizabeth City state University and must terminate at 1704 Weeksville Road at the University.

The mileage of the route pending formal engineering has been estimated to be approximately 150 miles.

The route must be engineered to route directly through Halifax Community College in Weldon NC, Roanoke-Chowan Community College in Ahoskie, NC, and Elizabeth City State University in Elizabeth City. The EA prepared should address the possibility of location of a prefabricated telecommunications hut at each of these locations as well as the location to be determined in Henderson, NC referenced above.

In addition, all Community Anchor Institutions identified must have a single threaded lateral engineered and associated environmental assessment work from the main route identified above. All laterals are estimated to be less than 5 miles off the proposed route.

The CAI listing for this region can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Elizabeth City-Rocky Mount

The route is intended to leverage previously constructed conduit installed by APEC between Elizabeth City and Edenton. Along this portion of the route, the task for the engineering firm will be to validate the suitable use of this conduit for placement of fiber optic cable.

In Elizabeth City at the terminating point of the conduit, the route must be engineered to end up at Elizabeth City State University at 1704 Weeksville Road. In Edenton, the route will once again be fully engineered routing by College of the Albemarle. Leaving Chowan County on Highway 17, entering in to Bertie County, traveling on US17/13 to Williamston. The route leaves Williamston on NC 125, merging to NC142 through Martin County. As the route enters Edgecombe County it remains on NC142, passes the Edgecombe County Memorial Library, Edgecombe Community College ending at 100 Goldleaf in Rocky Mount. From 100 Goldleaf Drive, a redundant ring must be engineered through 2460 Curtis Ellis Drive and by 301 N. Winstead Avenue. The mileage of the route pending formal engineering has been estimated to be approximately 100 miles. Approximately 26 miles of existing conduit need to be validated.

The route must be engineered to route directly through Elizabeth City State University in Elizabeth City, Martin Community College in Williamston, NC, and 2460 Curtis Ellis Drive in Rocky Mount. The EA prepared should address the possibility of location of a prefabricated telecommunications hut at each of these locations as well as the location to be determined in Henderson, NC.

In addition, all Community Anchor Institutions in this entire region identified must have a single threaded lateral engineered and associated environmental assessment work from the main route identified above. All laterals are estimated to be less than 5 miles off the proposed route.

The CAI listing for this region can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Outer Banks Loop

Leaving Elizabeth City State University, the route follows US158 out of Pasquotank County, through Camden County and in to Currituck County. In Barco, the route is intended to leverage previously constructed conduit installed by APEC between Elizabeth City and Edenton. Along this portion of the route, the task for the engineering firm will be to validate the suitable use of this conduit for placement of fiber optic cable. The conduit exists all the way from Barco to Point Harbor. At Point Harbor, engineering of the route once again commences along Hwy158 along the coast toward Roanoke Island. On Roanoke Island, the route must pass by 850 NC 345, Manteo, NC 27954 before returning back west along Hwy64 in to Tyrrell County where engineering will end at Columbia. At this point, the route is intended to leverage previously constructed conduit installed by APEC between Columbia and Williamston, with the end point of the engineering Martin Community College at 1161 Kehukee Park Road in Williamston. The mileage of the route pending formal engineering has been estimated to be approximately 127 miles. Approximately 82 miles of existing conduit need to be validated.

Along this route the path must pass through Elizabeth City State University and Martin Community College. In addition, the selected firm will be expected to assist MCNC in identification of an appropriate location for land acquisition for placement of a prefabricated telecommunications hut in the Kitty Hawk, Roanoke Island, and Columbia areas of the route.

In addition, all Community Anchor Institutions in this entire region identified must have a single threaded lateral engineered and associated environmental assessment work from the main route identified above. All laterals are estimated to be less than 5 miles off the proposed route.

The CAI listing for this region can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Charlotte-Wilmington

The Charlotte-Wilmington route begins in Charlotte at 125 N. Myers Street and ends at 3255 Burnt Mill Road in Wilmington, NC. The route under consideration traverses US Hwy 74 leaving Charlotte, continuing on US Hwy 74 until meeting with State Road 211 South in Columbus County, intersecting with Hwy 17 in Columbus County, before entering Wilmington, NC and ending at Burnt Mill Road. The mileage of the route pending formal engineering has been estimated to be approximately 239 miles.

The route must be engineered to route directly through South Piedmont Community College in Polkton, NC, Richmond Community College in Hamlet, University of North Carolina at Pembroke in Lumberton, and Southeast Community College in Whiteville. The EA prepared should address the possibility of location of a prefabricated telecommunications hut at each of these locations.

In addition, all Community Anchor Institutions identified must have a single threaded lateral engineered and associated environmental assessment work from the main route identified above with an additional ring construction between 3255 Burnt Mill Road and UNC –Wilmington and assessment of a telecommunications hut engineered for placement at UNC-Wilmington. All laterals are estimated to be less than 5 miles off the proposed route.

The CAI listing for this region can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Rockingham-Raleigh

The route leaves Richmond Community College in Hamlet, heading north on NC177. The route travels NC177 until merging with US1, 15/501, and must pass through Central Carolina Community College in Sanford and Wake Tech Community College at 9101 Fayetteville Road in Raleigh. The selected engineering firm is required to help MCNC identify a suitable location for carrier neutral collocation in downtown Raleigh in the proximity of 115 West Street and engineer a fiber ring from this location to 115 West Street. The mileage of the route pending formal engineering has been estimated to be approximately 103 miles.

The EA prepared should address the possibility of location of a prefabricated telecommunications hut at Central Carolina Community College and Wake Tech Community College.

In addition, all Community Anchor Institutions identified must have a single threaded lateral engineered and associated environmental assessment work from the main route identified above. All laterals are estimated to be less than 5 miles off the proposed route.

The CAI listing for this region can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Please download the map for this region at <https://www.mcnc.org/btop/btop2-route-maps.html>.

Northwestern-ERC

Nebo to Spruce Pine:

Starting at Nebo at the junction of US70 and Harmony Grove Road, proceed west along US70 into Marion, turning north on 6th C St, west on Lamar St, Southwest on E Oak St, north on Azalea St, northwest on Robert St, northwest on Fleming Ave continuing on Airport Rd to turn west on Holly St to US221/NC226. Follow US221/NC226 north to where US221 and NC226 diverge. Continue on NC226 north to Little Switzerland. Remaining south of the Blue Ridge Parkway, follow NC226 to Lynn Gap Road and proceed north to cross the Blue Ridge Parkway. Continue on Lynn Gap and Dale Road back to NC226 and remain on NC226 until it reaches

US18 in Spruce Pine. Proceed west to the ERC fiber located at the corner of US19E and Greenwood Road. The mileage of the route pending formal engineering has been estimated to be approximately 25 miles.

Spruce Pine to Tynecastle:

From the Junction of NC226 and US19E in Spruce Pine proceed north on Highland Ave and turn east on Locust St/Oak Ave until you again reach 19E off Ward St. Build a spur off Oak Ave on Altapass Highway to Blue Ridge Regional Hospital. Continue northeast on US19E into Avery County and turn east on NC194 (3 Mile Highway). Follow NC194 to its intersection with US221 (Linville Falls Highway) until the roads split. Remain on NC194 (Millers Gap Highway) until 194 reaches Newland. In Newland, a spur will be built from NC194 and Linville St north on NC194/Cranberry St to the County School office at Vale Road. The main path continues from the aforementioned intersection east and southeast on NC181 (Linville St) to Avery County High School Road where a spur will continue south to the Middle and High Schools. The main path continues east on NC181 to Linville and proceeds north on NC105 to Tynecastle and ends at the intersection of NC184/NC105. The mileage of the route pending formal engineering has been estimated to be approximately 45 miles.

Madison County:

Beginning at the French Broad substation at Clarks Chapel Road proceed east and north on the Mars Hill Highway crossing US19/US23 to Stockton Road. Cross US19/US23 again to Long Ridge road and proceed north to South Main Street. Continue on Main Street until it turns east and crosses US19/US23 at Old California Creek Road. Follow US19E to end at the intersection of NC1540. The approximate mileage of the route pending formal engineering has been estimated to be 9 miles.

Buncombe County:

Engineer the most economical route from the existing ERC Broadband network in Asheville/Buncombe County to the City's twelve Fire Stations. The mileage of the routes pending formal engineering has been estimated to be approximately 25 miles.

Within the northwestern-ERC areas, all community anchor institutions identified at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf> must have a single threaded lateral engineered and associated environmental assessment work from the main route identified above.

MCNC reserves the right to not award the Buncombe County engineering as this work may be completed in-house by ERC, but will require a coordinated Environmental Assessment performed based on the engineering work ERC would conduct.

BTOP2-Funded Laterals to BTOP1-Funded East and BTOP1 West Routes

In addition, as part of the BTOP Round 2 effort described by this RFP, all Community Anchor Institutions identified must have a single threaded lateral engineered and associated environmental assessment work from the main routes related to MCNC's round 1 southeastern and western middle mile routes. Specifically an engineered route between 1160 Advent Circle, Lenoir, NC 28607 and MCNC's round 1 route starting at approximately the intersection of Virginia Avenue and Hwy 18 in Lenoir.

The CAI listing can be found at <https://www.mcnc.org/sites/default/files/BTOP2-CAI-list.pdf>.

Chosen Vendor(s) shall be expected to coordinate with BTOP round 1 contractors, to optimize construction where possible among these laterals funded by BTOP round 2 award with the BTOP Round 1 funded middle mile construction where they intersect.

FAQ-Relative Questions from Round 1 Engineering RFP that have Relevance

Questions Received and Responses

Question: We have one area of question at this time which pertains to Task 1, Pg 12. Here it references the need to have an employee/sub-contractor, which is listed with the Department of the Interior. Might you have a list of sub-contractors who meet this criterion, or perhaps a clearer description of what "Listed" means, and whom to contact at the Department to locate individuals with this qualification.

Answer: MCNC revises the RFP to read "If the State Historic Preservation Office determines that an archaeological survey is necessary, the vendor must have staff able to do the archaeological survey who meet the Department of Interior standards for archeology" See http://www.nps.gov/history/local-law/arch_stnds_9.htm for more information"

Question: Please provide further clarification of whether MCNC will consider a Turn Key proposal that includes Engineering, Environmental Assessment, and the Construction for the project.

Answer: No. MCNC will be conducting the RFP process on an open bidding basis by independent contract service subject matters. Joint or turn-key proposals involving multiple contract service subject matters the itemized cost of which are contingent on MCNC award regarding all proposed service matters is deemed by MCNC to be inconsistent with an open bidding process.

Question: On page on the Summary, it states; "MCNC has secured endorsements from the North Carolina Department of Transportation, the North Carolina Department of Environmental and Natural Resources and the North Carolina Department of Cultural Resources for these projects. Therefore, the selected Vendor should consider these key entities briefed and supportive of the proposed route for construction." Does this indicate a willingness to consider Interstates and Limited Access Highways as potential route solutions? Have these type corridors been considered?

Answer: We have expressed desire to the DOT about consideration along key stretches of highway within North Carolina that will aid in construction and they have indicated willingness to consider those requests as we move in to the engineering phase. At this time there is no commitment, please anticipate normal processing.

Question: On page 12, Task Two States; "...The decision as to the actual location of the proposed route will be made by MCNC." Please describe this in more detail. Will MCNC select the side of road, distance to edge of pavement, bore lengths, right of way clearing, etc? Will the vendor then be required to verify and stake the selected route in the field?

Answer: MCNC expects the firm to provide engineered routes as typical to industry standards and best practices. Where for example environmental implications trigger alternatives, MCNC reserves the right to select which approach is to be ultimately engineered by the firm. Furthermore, MCNC reserves the right to request alternate engineered routes even where the proposed route does not have an environmental impact.

Question: Can we obtain the list of vendors that requested the RFP for Engineering Design Services and Environmental Assessment?

Answer: MCNC will be maintaining the confidentiality of the vendor database to the degree legally possible.

Question: NCDOT has telecommunications design standards for telecommunications projects they construct in their right-of-way. Do the plans prepared for this project have to conform to those design standards?

Answer: Yes.

Question: The RFP identifies proposed routes and with starting and terminating points. Will work be required within the identified terminal points (e.g. building entries, interior cable termination points, interior cable routing, building modifications, etc.) or will the design of the cable call for termination of the cable in a junction box exterior to the facility?

Answer: Yes, for the purposes of this RFP, where entrances are identified and required, the expectation will be to work with the local owning entity, which may be MCNC or one of its partners, on entrance facility engineering.

Question: Page #10, item 5: "Vendor must provide indication of a licensed PE on staff or advise as to access to such." Will the final construction plans and specifications be required to be prepared under the direction of a PE and signed and sealed?

Answer: Yes

Question: Page #12, Task 2, Right-of-Way Permit Applications and Engineering of Proposed Route a: How much detail should the plans prepared for ROW permit applications contain?

Answer a: The level of detail must be sufficient to acquire all permits.

b: The RFP states "The work activities in Task 2 are open to budgetary negotiation with MCNC. In many cases, it is difficult to estimate the level of effort required to complete Task 2, since the final design route is unknown at the beginning of the task." *Is it acceptable to submit a fee range for this task?*

Answer b: Proposals should include conservative best estimates, not a range. Please include any assumptions driving that estimate.

c: Will NCDOT issue a statewide blanket permit for work within its right-of-way? Or will ROW permits be required from each DOT Division the project traverses? Has the NCDOT agreed to an expedited review of the ROW permit applications in order to make the August 1 schedule? Does the schedule assume the permit applications are submitted by August 1 or the applications are approved by August 1?

Answer c: MCNC does not have a blanket permit. Please assume standard processing such that all are received by the due date identified in the RFP.

Question: Page #13, Task 3, Developing Bid Specifications for Outside Plant (OSP) Fiber Network. The RFP states "The selected Vendor shall be responsible for attending pre-design meetings with the technical team and our partners...." *For submitters to estimate the level of effort (and fee) could you provide an estimate of the number of meetings that will be held and the possible locations of those meetings?*

Answer: Meetings will be held in MCNC's offices or via teleconference. Please assume five two hour meetings.

Question: If signal regeneration facilities are required on the route, will the designer be responsible for obtaining electrical power? Obtaining power service on a controlled access facility can be a challenge. It would be helpful to know the potential locations of regeneration sites, if the active side of the system has been designed.

Answer: We expect the firm to design and identify the specifications for electrical power as required and needed at those locations that have been identified as hut locations.

Question: Is it an appropriate assumption to make that this project will be constructed by a licensed electrical contractor?

Answer: Project will be constructed by vendors licensed to do this type of construction activity in North Carolina.

Question: Can we bid on the inspection services only?

Answer: No.

Question: On page 8 of the RFP it states, "... begin negotiations with the Vendor(s) to finalize a contract for professional engineering services." Can MCNC please provide their definition of Professional Engineering Services?

Answer: Professional Engineering Services are intended to be the services requested in this RFP.

Question: On Page 7, line 16, it states "A Vendor must be properly licensed and registered as required by the State of North Carolina..." Does this apply to any sub-contractors the vendor might choose?

Answer: Yes.

Question: In considering the costs to support Task 3 & 4 can you provide an estimate of how the construction projects will be bid out? I.e. how many separate contracts and route lengths of each, how many estimated bidders, etc..

Answer: MCNC reserves the option to award all are parts depending on the contractor and their ability to meet time lines.

Question: The RFP states that the Vendor must comply with all applicable federal, state and local laws. In North Carolina, professional engineering services are subject to the provisions of NC statutes chapter 89C for individuals and chapter 55B for corporations. Under these statutes, it is unlawful for an individual or corporation to provide or offer to provide professional engineering services unless they are registered with the North Carolina Board of Engineers and Land Surveyors at the time that these services are offered or provided. Will a proposal from an individual or corporation which is not in compliance with these statutes be accepted?

Answer: Offerors must comply with NC statutes to the extent applicable. Offerors that do not comply with all applicable federal, state and local laws will not be considered for award. Note: all licensing/registration and conformity with applicable law will be required at bid, upon award, and during the rendition of the services in the resulting contract.

Question: RE: Page 10, Item 5; Should the fees charged by a licensed PE simply be treated as a pass through cost without a value added, so as not to add to the overall value of the bid? In other words, we do not believe it would be prudent to include in the bid, an amount for a service which may not be required. Should the service be required, then the cost for that service would simply be passed on to MCNC without markup.

Answer: The profession engineering fees will be required, please include in your proposal.

Question: In regard to the Answer to Question # 2, should the cost for the individual required "If the State Historic Preservation Office determines that an archaeological survey is necessary..." simply be treated as a pass through cost without a value added, so as not to add to the overall value of the bid? In other words, we do not believe it would be prudent to include in the bid, an amount for a service which may not be required. Should the service be required, then the cost for that service would simply be passed on to MCNC without markup.

Answer: Please provide an estimate for these costs but do not include in the bid total.

Question: Reporting Requirements. It is our experience with projects funded by the American Recovery and Reinvestment Act require a detailed level of reporting above that typically required for federally funded projects. Will MCNC be responsible for all of those reporting requirements, or will the selected firm be responsible for compiling portions of the reports?

Answer: MCNC anticipates that the award made under this RFP will create prime recipient (MCNC)-vendor (awardee) relationship. Generally, only prime recipients and 1st-tier sub-recipients have federal reporting requirements under ARRA, while vendors do not. When offerors prepare their proposals they should assume this prime recipient-vendor relationship. If upon award it is determined that the awardee is in fact a sub-recipient and not a vendor, an adjustment will be allowed for the additional scope of work being added (e.g., reporting requirements).

Question: Does MCNC have any existing Joint Use agreements with the local utility service providers, allowing the occasional aerial placement of facilities in the event of Railroad and stream crossings?

Answer: No.

Question: In the engineering and design, is the Vendor to determine the materials and manufactures used, i.e.: Hand Holes, Splice Cases, Inner Duct, Fiber Optic Cable. Also is there to be a locatable tracer wire included in the design, or will that be in the makeup of MCNC's choice of FO cable?

Answer: The engineering and design responsibilities will not include the materials determination, but recommendations will be accepted. Tracer wire will not be required as current specs call for armored cable.

Question: RE: Page 8 Item 20; Does Project Management include PM of the construction phase?

Answer: Yes.

Question: Will MCNC verify that all firms, including subcontractors, submitting responses have current licenses prior to accepting their bid responses for review?

Answer: Yes, licenses will be verified.

Question: Is MCNC certified to provide telecommunications in North Carolina as a Competitive Local Exchange Carrier or as another type of entity?

Answer: MCNC's not certified to provide telecommunications service as a CLEC.

Question: Does MCNC have Pole Attachment and Conduit agreements with any of the power and telephone companies that might be required for any aerial portions of the route? Will MCNC or the Vendor be responsible for negotiating any required agreements? Some power and telephone companies only allow CLECs and cable companies to establish agreements with them for pole attachments.

Answer: MCNC and the awarded firm will share responsibility for negotiating and obtaining any required pole attachment agreements.

Question: Is any of the route along a state highway with an active highway project, or a project that will be active during the period of engineering and construction? If so, has any coordination been done with the NCDOT and the contractor(s)?

Answer: It is unknown at this time whether there are any active highway projects on our projected routes. We will require the awarded firm to help MCNC in mitigation of this with DOT.

Question: If towns, counties or cities require a Franchise Agreement or Utility Right-of-Way Master Agreement, will MCNC or the Vendor be responsible for negotiating the agreement?

Answer: MCNC will be responsible for negotiating these agreements.

Question: Task 6 - If MCNC does not award quality control to Vendor, will the Vendor be responsible for as-built drawings? If so, will redlines be provided to Vendor? If quality control is not awarded, how will changes to the design during construction be managed and compensated?

Answer: MCNC will provide the red lines to engineering to provide final as-builts.

Question: Has MCNC discussed the possibility for bridge attachments with NCDOT? If so, what was their response?

Answer: MCNC has discussed the potential for bridge attachment. No decision has been made and DOT will work with MCNC on a case by case basis regarding this.

Question: Will MCNC lease duct space from ILECs?

Answer: If it is available for a reasonable price, MCNC would consider that option.

Question: On the 11"x17" sheets, what drawing scale will MCNC be requiring for the Construction Drawings and Final As-builts?

Answer: 1 inch = 100 feet.

Question: Item 11 on page 6 of the RFP states "Vendors must submit audited financial statements (or equivalent data)". What is considered as equivalent data?

Answer: Two years of prior tax returns plus two years of income statements and balance sheets (accounting firm compilations if available).

Question: Can you clarify the expected level of detail, in paragraph 2, for the AutoCAD compatible maps the vendor would be accountable for? Is the vendor expected to act more as a scribe and contributor to discussions with MCNC, than being accountable for actual engineering analysis in the production of these materials? Meaning, it is assumed actual engineering analysis including individual site visits, is not within the scope of this project bid creation activity?

Answer: The vendor should expect to produce drawings to the level of detail that will allow construction contractors to place the fiber optic system in the ground with minimal risk to other utilities, structures, etc in the area with appropriate DOT and public rights of ways clearly noted. The vendor is responsible for identifying potential impediments to construction and suggest alternative routes to MCNC who will make the final decision on the routes. After the final route decision is made, the vendor will produce engineering drawings. Actual engineering analysis is expected in the scope of this RFP.

Question: Can you clarify if MCNC is responsible for preparing the comprehensive bid package, what is meant by the first line in paragraph 3 that states "the selected Vendor shall produce an electronic copy of the bid package"?

Answer: MCNC will be releasing the bid package jointly developed by MCNC and the engineering firm. The vendor should expect their draft construction RFP to be delivered in an electronic form (i.e. via email or flash drive in a in its native format). The July 1, 2010 deadline is for completion of the package, not release and evaluation. Please clarify your concern in the last question via an additional email.

Question: Originally your responded to Question 48 that you require the 11"x17" construction and as built drawings at a scale of 1"=1mile. Is that correct? That does not allow for any level of detail per drawing (I.e. stationing, road crossings, etc.). Please review.

Answer: The level of detail should be sufficient to complete the construction without difficulty. More detail is acceptable as required.

Question: Will the selected engineering firm be required to make detailed field measurements of the proposed cable path which includes location and measurements of the following:

- 1. Hand hole locations**
- 2. Pedestal locations**
- 3. Pole height and class**
- 4. Pole span distance**
- 5. Pole replacements**
- 6. Guying/Anchors**
- 7. Strand grounding**
- 8. Make Ready Work**
- 9. Road crossing bore details**
- 10. Directional boring distances**
- 11. Cable splicing locations**
- 12. Link loss budgets**
- 13. Etc.**

Answer: Yes.

Question: Will the selected engineering firm be required to provide detailed CAD construction prints depicting the items listed in the previous question

Answer: Yes.

Question: In regards to item # 11 on page 6 of the RFP. It states that audited financial statements for the past two (2) years (or equivalent data) must be submitted in order to demonstrate financial capability to provide the required services. In the case where partnering takes place among multiple vendors, are all team partners required to submit audited financial statements or only the lead partner?

Answer: All parties anticipated as being named parties on the contract should provide audited financial statements.

Question: Are permit fees (railroad, highway, CAMA, etc) pass thru fees or are they to be included in the bid pricing?

Answer: Provide pricing but do not include in the total.

Question: Will you provide a copy of the RFP in word format so that respondents might answer directly following the question/section?

Answer: We will not be providing a copy in Word format.

Question: Is rock probing required?

Answer: No.

Question: Are we required to use "Prevailing Wages" for any engineering personnel on this project?

Answer: The vendor must be in compliance with the Davis-Bacon Act to extent it is applicable.

Question: Are all the design drawings to be stamped by a Professional Engineer?

Answer: Yes.

Question: Should the final cadding of the red-lined drawings be included in our engineering price?

Answer: Yes.

Question: Since MCNC doesn't have any pole line agreements at present, can we assume that the route will be design for underground placement.

Answer: Currently the plan is for underground placement.

Question: In lieu of two years of income statements and balance sheets, can a privately held firm submit consolidated revenue and expense numbers without detail? Could you provide an example of an acceptable format that would satisfy the financial reporting requirement for a privately held firm?

Answer: MCNC needs to be able to assess the financial health of the company with which it will choose to do business. Evidence of fiscal health other than the previously prescribed materials can be provided, but if insufficient, may jeopardize an award.

Question: Is there any special CAD program that MCNC wants drawings on?

Answer: MCNC would prefer Georeferenced (ArcGIS).