

**PHILADELPHIA ELECTRICAL & TECHNICAL CHARTER HIGH
SCHOOL
1420-22 CHESTNUT STREET
PHILADELPHIA, PA 19102
BID #: YR120001**

Sealed bids for the services listed herein will be received in the PHILADELPHIA ELECTRICAL & TECHNICAL CHARTER HIGH SCHOOL (PE&TCHS) Administration Office, located at 1420-22 CHESTNUT STREET, PHILADELPHIA, PA 19102 - ATTN: MR. WILLIAM CARBERRY until 9:00 A.M., January 6th 2009 and will be opened at 11:00 the same day in the Administration Building Conference Room. Respondents are invited to attend the bid opening however no bid modifications will be permitted...only clarifications pertaining to submitted responses or defining deliverables within the RFP.

1. **Four (4) copies** of the submitted proposal for this bid inquiry are to be filled out, **signed with original signatures** where noted and returned to PE&TCHS. **ALL SUBMITTED PROPOSALS MUST BE IN INDIVIDUAL 3-RING BINDERS WITH ALL ENCLOSED MATERIAL DRILLED AND INSERTED ACCORDINGLY ALONG WITH THE ORIGINALLY SIGNED AND DATED BID RESPONSE SHEETS.**
2. All bids shall be returned in sealed envelopes and addressed to PE&TCHS at the address stated above. **Please show the bid number (BID # YR120001:) on the outside of the envelope.**
3. The Bidder is responsible for ensuring that the Bid documents, inside a sealed envelope, are received **via registered mail** prior to 9:00 A.M. on the date of the Bid Opening stated above. Delivering that Bid document to a PE&TCHS employee, even if a signature is obtained, **is not** sufficient to meet the requirements of this Bid Condition. PE&TCHS is not responsible for the failure of any of its employees or any mail delivery service to receive this bid document prior to the time and date for the public opening of this Bid.
4. Bids shall be submitted on this Bid form which must be signed by a duly authorized agent or officer of the Company making the bid. **Absence of original signature of person duly authorized to sign for the Company submitting this bid document will automatically leave this bid null and void.**
5. Prices quoted must include all costs for delivery of requested services including any and all installation, support and engineering charges.
6. Not more than one alternate service may be quoted on any single item of the bid. Description and pricing for any such alternate/hybrid/migration solutions must be typed in on the back side of this document and be accompanied with a valid signature from the submitting vendor.
7. The Technology Support Staff /Resources group shall have full power and authority to reject any and all bids furnished which in their opinion, are not in strict compliance and conformity with the requirements of the specifications. The decision of said group shall be final, conclusive, and without challenge.
8. PE&TCHS reserves the right to reject any or all bids, and to accept or reject any item or group of items, for which bid is submitted.
9. Upon identification of the lowest bid for identified services and installations (if warranted) the successful bidder will be notified in writing. It should be noted that awarding of this bid will commit the respondent to their quoted pricing for the entire period of time required for the SLD to notify PE&TCHS of e-rate funding. Once notified of funding PE&TCHS will immediately commence with deploying said services.

The undersigned, as authorized representatives of the identified company listed below, hereby propose and agree to provide the originators of this Bid process any/all of the items/services to which a cost has been submitted. This proposal is subject to all terms of the specifications, bid conditions and instructions outlined herein, where we hereby agree to provide such item/s as awarded to us. This bid is only valid when completed with an original signature of a properly authorized representative of the submitting company.

Company Name: _____

Signature: _____

Printed Name: _____

Phone Number: _____ E-mail: _____

**BID SPECIFICATIONS
FOR
HIGH-SPEED INTERNET ACCESS**

PE&TCHS IS SEEKING A MULTI-YEAR CONTRACT FOR INTERNET ACCESS SERVICE AND DELIVERY OF SAID SERVICE TO A SINGLE IDENTIFIED SITE. THE SERVICE CONTRACT WILL EXTEND FROM A PERIOD RANGING FROM JULY 1ST, 2009 THROUGH JUNE 30TH, 2012. PE&TCHS RESERVES THE RIGHT TO EXTEND THE CONTRACT ON A MTM BASIS IF SO NEEDED OR CANCEL SERVICES AT ANY TIME WITHOUT PENALTY. THE SERVICE WILL COMMENSE SOMETIME AFTER JULY 1ST, 2009 AND WILL/MAY COORESPOND WITH RECEIPT OF THE SLD FUNDING LETTER FOR THE SERVICES.

ANY QUESTIONS PERTAINING TO THIS BID PROCESS SHOULD BE DIRECTED TO:

**MR. WILLIAM CARBERRY
PHILADELPHIA ELECTRICAL & TECHNICAL CHARTER HIGH SCHOOL
1420-22 CHESTNUT STREET
PHILADELPHIA, PA 19102
BCARBERRY@PETCHS.ORG**

ANY/ALL TECHNICAL QUESTIONS SHOULD BE E-MAILED TO:
REMY@INTELAGENTRESOURCES.COM

IT SHOULD BE NOTED THAT ORIGINAL SIGNATURES ARE REQUIRED AT THE BOTTOM OF EACH PAGE IN THIS BID WHEN THE APPROPRIATE SIGNATURE LINES ARE PROVIDED. FAILURE TO PROVIDE THESE SIGNATURES AS INSTRUCTED WILL VOID THE ENTIRE BID RESPONSE FOR THAT PARTICULAR RESPONDENT.

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ADDITIONAL BID CONDITIONS:

1. BID CONTRACT ITEMS/CONDITIONS:
 - A. IF THE BID RESPONDENT WOULD REQUIRE A RESPONDENT'S DOCUMENT TO BE SIGNED AND EXECUTED BY PE&TCHS UPON AWARD OF THIS BID THEN **FOUR (4) COPIES OF SAID DOCUMENT, WITH ALL REQUIRED RESPONDENT SIGNATURES, MUST BE SUBMITTED WITH THIS BID DOCUMENT AND CORRESPONDING RESPONDENT PROPOSAL. PLEASE NOTE THAT THIS SIGNED AND DATED BID CONTRACT DOCUMENT WHEN ACCOMPANIED BY THE SCHOOL'S SIGNED ACCEPTANCE LETTER WILL BE THE CONTRACT OF RECORD FOR THE IDENTIFIED SERVICES. NO OTHER DOCUMENTS AND/OR ADDED LANGUAGE WILL SUPERCEDE THIS CONTRACT DOCUMENT PROCESS.**
 - B. NO CONTRACT LANGUAGE MAY BE INSERTED OR CONTAINED WITHIN THE RESPONDENT'S ADDITIONAL DOCUMENT/S THAT REFERS TO ANY ISSUES, PROVISIONS OR ADDITIONAL ITEMS NOT SPECIFICALLY DETAILED WITHIN THIS BID DOCUMENT.
 - C. NO CONTRACT LANGUAGE MAY BE INSERTED INTO OR CONTAINED WITHIN THE RESPONDENT'S ADDITIONAL DOCUMENT/S THAT WOULD CONFLICT WITH THE FEDERAL E-RATE PROGRAM'S ELIGIBILITY REQUIREMENTS AND/OR GUIDELINES AS DEFINED BY THE SCHOOLS AND LIBRARIES DIVISION (SLD).
 - D. NO CONTRACT LANGUAGE MAY BE INSERTED INTO OR CONTAINED WITHIN THE RESPONDENT'S ADDITIONAL DOCUMENT/S THAT WOULD REPLACE OR MAKE INVALID ANY STATEMENT OR CONDITION OUTLINED WITHIN THIS BID CONTRACT DOCUMENT.
2. LIABILITY FOR TERMINATION OF SERVICES:
 - A. THERE SHALL BE NO LIABILITY LEVERAGED AGAINST PE&TCHS FOR TERMINATION OF SERVICES TO ANY BUILDING THAT IS CLOSED OR IN SITUATIONS WHERE THE BUILDING LEASE BECOMES NULL OR VOIDED.
 - B. THERE WILL BE NO LIABILITY FOR TERMINATION OR REDUCTION OF SERVICE AT ANY ACTIVE EDUCATIONAL FACILITY OTHER THAN A MINIMAL CHARGE FOR RE-ENGINEERING AND EQUIPMENT DIFFERENTIAL.

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ADDITIONAL BID CONDITIONS: (CONTINUED)

- C. IN THE EVENT THAT PE&TCHS MUST DISCONTINUE INTERNET ACCESS SERVICE DUE TO BUDGET ISSUES AND/OR E-RATE CHANGES THERE SHALL BE NO TERMINATION LIABILITY IMPOSED UPON PE&TCHS SO LONG AS PE&TCHS DOES NOT ENTER INTO AGREEMENT WITH A DIFFERENT PROVIDER FOR COMPETITIVE SERVICE/S.
 - D. PE&TCHS RESERVES THE RIGHT TO CANCEL SERVICES AT ANY TIME WITH A 30-DAY WRITTEN NOTICE FOR INSUFFICIENT, INCONSISTENT OR OTHERWISE DEEMED SERVICES AND/OR SUPPORT. ALL ATTEMPTS TO RESOLVE ANY ISSUES (SERVICE, SUPPORT, INVOICING, ETC.) WILL BE MADE BEFORE EXERCISING THIS RIGHT.
3. ANY RESPONDENT WISHING TO SUBMIT A PROPOSAL TO THIS BID DOCUMENT MUST BE WILLING TO PARTICIPATE IN THE FEDERAL COMMUNICATIONS COMMISSION'S (FCC) UNIVERSAL SERVICE ORDER AS DETAILED IN THE TELECOMMUNICATIONS ACT OF 1996. PE&TCHS WILL BE SUBMITTING FUNDING REQUESTS FOR ALL ELIGIBLE SERVICES TO THE SLD AND UPON VERIFICATION OF FUNDING WILL EXPECT THE AWARDED RESPONDENT TO PARTICIPATE IN THE PROGRAM.
4. THE LEVEL OF PARTICAPATION FROM THE RESPONDENT WILL INCLUDE THE FOLLOWING:
- A. PROVIDE DISCOUNTED BILLING...WHEREAS PE&TCHS WILL BE INVOICED DIRECTLY FOR ITS "FAIR-SHARE" PORTION OF ELIGIBLE SERVICES WHILE THE RESPONDENT DIRECTLY INVOICES THE E-RATE PROGRAM FOR THE REMAINING PORTION (To be determined on a yearly basis).
 - B. THE RESPONDENT MUST HAVE AN ACTIVE/VALID SPIN NUMBER AND PROVIDE IT BELOW. **FAILURE TO PROVIDE SPIN NUMBER WILL VOID THE RESPONDENT'S PROPOSAL.**

SPIN #: _____

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ADDITIONAL BID CONDITIONS: (CONTINUED)

- C. THE RESPONDENT MUST NOTE BELOW IF THEY ARE/WERE LISTED ON THE FCC "RED-LIGHT" STATUS LIST OR SELECTIVE REVIEW LIST. **FAILURE TO ANSWER THE QUESTION BELOW WILL VOID THE RESPONDENT'S PROPOSAL.**

RESPONDENT ON SLD FCC "RED-LIGHT" STATUS OR SELECTIVE REVIEW LIST?

YES or **NO**

(Please indicate either "YES" or "NO")

- D. THE SUCCESSFUL VENDOR MUST IDENTIFY TO PE&TCHS IN WRITING, E-MAIL AND VIA VOICE WHEN/IF THEY SHOULD HAPPEN TO BECOME ENGAGED IN ANY SLD INVESTIGATIONS WHICH MAY RESULT IN EXTENDED DELAYS OF SERVICE FUNDING AWARDS.
- E. SHOULD THE SUCCESSFUL VENDOR BECOME RED-LIGHTED BY THE FCC OR BECOME ENGAGED IN OTHER SLD INVESTIGATIONS RESULTING IN EXTENDED DELAYS OF SERVICE FUNDING AWARDS PE&TCHS SHALL HAVE THE RIGHT TO TERMINATE THE CONTRACT AND SELECT ANOTHER VENDOR WITHOUT PENALTY OR COSTS
5. CONTRACT REDUCTION/MODIFICATION:
- A. THE AWARDED RESPONDENT MUST COMMIT TO A REDUCTION IN THE COST OF THE PER-SITE LEASED SERVICES AND/OR INTERNET ACCESS SERVICES IN THE EVENT THAT COMMERCIAL LEASE RATES FOR SIMILAR SERVICES DROP BELOW THE CONTRACTED RATE OF THIS CONTRACT AT ANY TIME DURING THE LIFE OF THE CONTRACT.
- B. IF, DURING THE COURSE OF THE CONTRACT, IMPROVEMENTS IN TECHNOLOGY PROVIDE FOR HIGHER BANDWIDTH AT REDUCED COSTS PE&TCHS RESERVES THE RIGHT TO FORGO REDUCED BILLING (AS STATED IN 5. A.) AND ACCEPT THE FASTER SERVICE AT A RATE EQUAL TO THE SERVICE RATES BEING PAID VIA THE CONTRACT FOR THE ORIGINAL SERVICE LEVELS.

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ADDITIONAL BID CONDITIONS: (CONTINUED)

6. BIDS WILL NOT BE CONSIDERED FROM "RESELLERS" OF DATA NETWORK ACCESS OR INTERNET ACCESS THAT DO NOT OWN AND/OR OPERATE AND MANAGE THE PHYSICAL CONNECTIONS FOR EACH SITE (CURRENT AND FUTURE) WITH THE ABILITY FOR REAL-TIME MONITORING AND 24X7X365 MAINTENANCE OF THE BIDDER'S NETWORK AND CORRESPONDING SERVICES TO THE DISTRICT.

7. PE&TCHS WILL CONSIDER HYBRID NETWORKS OR ALTERNATE TECHNOLOGIES AS A VIABLE MIGRATION PATH TO OBTAIN THE IDENTIFIED END CONNECTIVITY AND SERVICES AS LONG AS THE SERVICE COST IS EQUAL TO OR LESS THAN THE QUOTED FINAL PRICING AND THE VENDOR SUPPLIES ALL REQUIRED INTERACTIVE EQUIPMENT AT NO ADDITIONAL COSTS TO PE&TCHS. SERVICE HANDOFF MUST BE VIA AN RJ45 ETHERNET PORT.

8. THE LOCATION OF TERMINATION FROM THE RESPONDENT WILL BE AT THE FOLLOWING SITE:
 - A. PHILADELPHIA ELECTRICAL & TECHNICAL CHARTER HIGH SCHOOL
1420-22 CHESTNUT STREET
PHILADELPHIA, PA 19102

9. AS A FINAL NOTE OF VENDOR RESPONSIBILITY IT SHOULD BE UNDERSTOOD THAT IT IS THE VENDOR'S RESPONSIBILITY TO NOTIFY THE SCHOOL DIRECTLY VIA E-MAIL AND PHONE CALL OF ANY ANTICIPATED AND/OR IDENTIFIED EXTENDED SERVICE OUTAGES. VENDOR WILL BE HELD RESPONSIBLE FOR ANY COSTS INHERITED BY THE SCHOOL DUE TO EXTENDED SERVICE OUTAGE.

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