

Title and Summary  
Request for Best Value Bid ("RFB"): No. FY13-0503  
RFBVB Title: Ethernet Services Agreement

RFB Publication:

As follows:

4/24/2013 [Http://www.orangeburgcounty.org/](http://www.orangeburgcounty.org/)  
4/24/2013 bulletin board, Basement, Admin Ctr.  
4/24/2013 <http://www.scbo.com>  
4/24/2013 <http://www.thetanddd.com>

RFB Composition:

RFB No. FY13-0503 is composed of the following:

- Title and Summary pages
- Code Articles of Acknowledgement
- Scope of Work
- Certified Bid Form
- Evaluation Criteria
- Certification of No Exceptions
- Certification of Preferences
- Addendum Acknowledgement

RFB Amendments:

If any, will be published/posted on the following:

- <http://www.orangeburgcounty.org>
- Bulletin board, Basement, Admin Center

Contracting Entity:

Orangeburg County, South Carolina ("Owner")

Owner Contacts:

Procurement Director  
Jannella Shuler  
Orangeburg County Procurement Office  
1437 Amelia St. ("Admin Center")  
Orangeburg SC 29115  
[jshuler@orangeburgcounty.org](mailto:jshuler@orangeburgcounty.org)

Project Engineer Contact  
Ethan Beeks  
Metts Engineering  
121 Bridge Street  
Branchville, S. C. 29432  
[ethan@wmetts.com](mailto:ethan@wmetts.com)

Pre-Submission of Bids:

- Questions: If vendors have questions, same shall be  
Directed to Project Engineer  
Mode of Communication via e-mail only  
No later than May 2, 2013 at 12:00 Noon

Bids:

- Submission Composition: Each submitted bid is required to be composed of the following, including fully completed and executed forms:
  - Certified Bid
  - Code and Articles Acknowledgment
  - Certification of No Exceptions
  - Certification of Preferences
  - Addendum Acknowledgment
- Submission Deadline: 10:00 a.m. on May 3, 2013
- Submission Location: 1437 Amelia Street County Admin. Center, Basement,  
Procurement Office, Orangeburg, S. C. 29115

Additional Information, Including Special Conditions

To the extent the Procurement Code requires the Procurement Director to take certain action regarding the evaluation of best value bids, recommendations, and award for this RFB, the Project Engineer shall be deemed to have the duties otherwise assigned to the Procurement Director.

Procurement Code Section 1-302.3.a. applies to this procurement. The funding agency's procurement requirements will govern the procurement in any instance in which those requirements conflict with the Orangeburg County Procurement Code. To the extent that is the case, this procurement is exempt from the conflicting provisions of the Orangeburg County Procurement Code.

Code and Articles Acknowledgement

Request for Bid FY13-0503 Ethernet Services Agreement

Articles 1 through 7 of the Code are incorporated by reference as if set forth verbatim in this RFQ. As stated in the Code, a submitting vendor agrees that the Code governs this procurement from RFQ to solicitation through completion of any resulting contract, including disputes, if any.

ACCESS TO CODE. On November 16, 2009, Orangeburg County Council, the governing body of Orangeburg County, repealed all aspects of its procurement policy and enacted the **Orangeburg County Procurement Code** (the "Code"). The Code may be accessed online without charge at <http://www.orangeburgcounty.org/Purchasing/code.html> A copy of the Code is available for review without charge at the Office of the Procurement Director. If neither of those options meets your needs, a hard-copy of the Code is also available for purchase at the Office of the Procurement Director.

Method of Source Selection.

Request for Bid

The undersigned vendor understands and agrees to be bound to the Code regarding all matters arising from the RFQ identified above.

\_\_\_\_\_  
Printed Vendor Name

\_\_\_\_\_  
Signature of Vendor's Authorized Agent

\_\_\_\_\_  
Printed Name of Vendor's Authorized Agent

\_\_\_\_\_  
Title with Vendor of Vendor's Authorized Agent

Certification of No Exceptions

Request for Bid FY13-0503 Ethernet Services Agreement

The Code requires vendors to give written notice with a submission if vendor will not accept a term of the Request for Proposal and the incorporated Code as a contract term. See Code §5-304-302. In connection with that requirement, a vendor must complete this certification and include it in its submission.

Vendor certifies the following regarding its bid:

1. Vendor AGREES to all of the terms of the Invitation to Bid (including the incorporated Code terms) and takes NO EXCEPTIONS:  Yes  No

2. Vendor does NOT AGREE to all of the terms of the Invitation to Bid (including the incorporated Code terms), and a COMPLETE LIST OF VENDOR'S EXCEPTIONS to same are listed and described below:

Yes  No

Identification Of Excepted Term	Description of vendor's substituted term	Vendor's Initials
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Exception 1:

Exception 2:

Exception 3:

Exception 4:

The undersigned vendor hereby certifies that the above-listed exceptions comprise the only exceptions vendor has to the Request for Proposal (including the incorporated Code terms). The undersigned vendor understands and agrees that if it is the successful vendor, its attempt to claim any exceptions other than those listed above, shall result in the County having the right to claim the bid security bond, retract the intent to award or award, award to another vendor, and suspend and/or debar the vendor.

\_\_\_\_\_  
Printed Vendor Name

\_\_\_\_\_  
Signature of Vendor's Authorized Agent

\_\_\_\_\_  
Printed Name of Vendor's Authorized Agent

\_\_\_\_\_  
Title with Vendor of Vendor's Authorized Agent

Addendum Acknowledgement

Request for Bid FY13-0503– Ethernet Services Agreement

Vendor acknowledges receipt of the follow Addendum to the above-described procurement, agrees that same is/are hereby incorporated and made a part of the above-described procurement as if the Addendum had been included in the original procurement documents:

Addendum No.	Addendum Date	Initials of Vendor's Authorized Agent
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_  
Printed Vendor Name

\_\_\_\_\_  
Signature of Vendor's Authorized Agent

\_\_\_\_\_  
Printed Name of Vendor's Authorized Agent

\_\_\_\_\_  
Title with Vendor of Vendor's Authorized Agent

Certification of Preference(s)

Request for Bid No. FY13-0503 (The Code authorizes specific preferences. See Article 3. If a vendor is qualified for one or more preferences and desires to exercise the preference(s), then the vendor must complete and submit this form with it proposal. If a vendor is either (1) not qualified for any preference OR (2) is qualified, but does not desire to exercise any preference, then the vendor does not need to complete or submit this form with its proposal.

Vendor is qualified for and desires to exercise the following preference(s) as vendor has marked, below:

Preference 1. Vendor is a resident of the State of South Carolina:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Preference 2. Vendor is a resident of Orangeburg County, SC:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Preference 3. Vendor is an MBE:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

The undersigned vendor hereby certifies that vendor is qualified for the preference(s) above to which the vendor has indicated "Yes". In addition, the undersigned vendor understands and agrees that if it is not qualified for a preference, but claims to be qualified for a preference on this form, the County shall have the right to suspend and/or debar the vendor in accordance with the Code.

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Printed Vendor Name

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Signature of Vendor's Authorized Agent

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Printed Name of Vendor's Authorized Agent

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Title with Vendor of Vendor's Authorized Agent

Certified Bid/Summary of Quantities (To Be Returned with Bid)  
Request for Bid FY13-0503 Ethernet Services Agreement

**ORANGEBURG COUNTY STIMULUS PROJECT**  
**5-03-2013**

TERM (YRS)	SPEED		
	100Mb	250Mb	500Mb
1			
3			
5			

By signature below, the submitting vendor certifies to Orangeburg County that:

1. The Total Proposed Amount, above, is inclusive of all costs, including labor, supervision, materials, supplies, transportation, permits, licenses, taxes or any other costs, incidental or otherwise, for complete and proper performance of the scope of work described in Request for Bid FY13-0503.
2. Vendor understands and agrees that, due to budget constraints, Orangeburg County reserves the right to adjust or amend the work requirements and/or negotiate with the lowest, most responsive, qualified, and responsible supplier in an effort to reach a cost that is fair, reasonable, and acceptable to both parties.
3. The foregoing proposal: contains prices that are firm for a minimum of 90 days from the date of opening; is made without prior understanding, agreement, or connection with any other submitting vendor; and is in all respects fair and without collusion or fraud.
4. Warranty. Seller warrants Products shall, under normal use and service, meet Seller’s published specifications and be free from defects in material and workmanship for a period of one (1) year from date of shipment. To make a claim under this warranty Buyer must notify Seller immediately after the Buyer discovers the defect and receive authorization to return the material to Seller. Seller’s sole and exclusive liability shall be, at its own discretion, to repair or replace defective material, either onsite or at the manufacturing location and ship it back to the Buyer, F.O.B. Customer location. This warranty does not include removal and reinstallation costs and does not apply to defects not caused by Seller, such as abuse, neglect, acts of nature, improper use, installation or alteration, or normal wear and tear. Seller’s warranty does not apply to items obtained via unapproved or secondary sources not serving as an authorized Seller agent.

\_\_\_\_\_  
Signature of Vendor’s Authorized Agent

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Printed Name of Vendor’s Authorized Agent

\_\_\_\_\_  
Title with Vendor of Vendor’s Authorized Agent

\_\_\_\_\_  
Printed Vendor Name

## SCOPE OF WORK

Request for Bid FY13-0503 Ethernet Services Agreement.

Vendor shall provide a proposal for dedicated resalable broadband data access. The bid list below must be answered in full and the proposal must be on the form included in the bid package. A delivery schedule shall also be included with the proposal.

### **1. INTERFACE**

- 1.1. Interface.** Bidder is requested to provide a Bi-directional 1 Gig connection.
- 1.2.** The bidder is to propose a meet point. All proposed available locations should be identified with GPS coordinate or nearest State Rd crossing.
- 1.3.** Interconnection locations should be accompanied with availability timeline.
- 1.4.** The bidder is requested to provide its proposed service level agreement.
- 1.5.** Proposal should include all necessary transport, access, interconnection fees, non-recurring equipment and monthly recurring fees.
- 1.6.** Proposal should be for unrestricted broadband access.

### **2. SERVICE AGREEMENT**

- 2.1.** The bidder is requested to provide the proposed Ethernet Service Agreement with all proposed terms and conditions.
- 2.2.** Proposals for one (1) year, two (2) year and three (3) year terms are requested.
- 2.3.** Proposals with committed bandwidth of 100Mbps, 250Mbps and 500Mbps are requested.

### **3. NETWORK PROTECTION AND QUALITY OF SERVICE**

- 3.1.** The bidder's response shall include the proposed service level agreement.
- 3.2.** The bidder's proposal shall describe the latency and jitter of the proposed Ethernet Services. The guaranteed network quality of service measurements (latency and jitter) and how the stats are delivered to Orangeburg County Broadband shall be outlined.
- 3.3.** Connection protection plan should be outlined. The Bidder should describe the available connection redundancy in the event of an outage. Identification of redundant connections and ring topologies is requested.



**3.4.** The Bidder will provide a single point of contact for Orangeburg County Broadband to report maintenance issues and trouble reports seven (7) Days a week, twenty-four (24) hours a day. A single 7X24 trouble reporting telephone number will be provided to Orangeburg County Broadband for each category of trouble situation being encountered

#### General Information

Any proposal offers as a result of the Request for Bid shall be binding for ninety (90) calendar days following the opening date. Any proposal determined to deviate from the provided form and provide material list will be deemed unresponsive and will be rejected.

## Evaluation Criteria

Request for Best Value Bid FY13-0503

Ethernet Services Agreement

If Orangeburg County decides to go forward with the procurement, the award shall be made to the vendor whose request for bid, it determines to be the most advantageous to the County taking into consideration the evaluation factors stated in this section. The following person is hereby designated as the County's designee, the Project Engineer to substitute for the Procurement Director in the evaluation and ranking duties. The factors to be considered in evaluating are as follows, and are listed in order of relative importance: (see note below)

Factors Assigned Weighting

1. Cost: 60%

2. Service Availability, proposed meet point & timeline, service protection & connection redundancy, proposed service level agreement, proposed latency & jitter, project interest, proposed terms & conditions: 40%

Note: The method of selection, Best Value bid, requires numerical weighting for each factor. See Code 5-303-7b