



**Broadband Market & Feasibility
Studies
RFP #2025-1**

West Hills Community College District

Business Services - Purchasing
275 Phelps Avenue | Coalinga, CA 93210
purchasing@whccd.edu

**REQUEST FOR PROPOSALS
FOR
Broadband Market & Feasibility Studies
RFP #2025-1**

Notice is hereby given that West Hills Community College District, acting by and through its Governing Board, hereinafter referred to as the District, will receive up to but no later than 2:00 p.m. **(PT) on January 24, 2025** sealed submittals for:

**Broadband Market & Feasibility Studies
RFP #2025-1**

Such submittals must be submitted in the format specified in the RFP, and received by the Purchasing Department at 275 Phelps Ave, Coalinga, CA 93210.

All documents and any addenda or notices related to this solicitation will be posted via the Districts Purchasing site: <https://westhillscollge.com/district/departments/business-services/purchasing/>.

Each submittal must conform and be responsive to this invitation. The District reserves the right to reject any and all Proposals, or parts of any Proposal, and to waive any irregularities or informalities in any Proposal. All inquiries must be submitted to Jeff Seed at jeffseed@whccd.edu by the date and time noted under RFP Timeline.

Publication Dates:
1st: December 11, 2024
2nd: December 18, 2024



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Broadband Market & Feasibility Studies RFP #2025-1

1. BACKGROUND AND PURPOSE

- 1.1. Background. West Hills Community College District (the “District”) is within the California Community College system in Fresno and Kings Counties.
- 1.2. Purpose. The District is seeking proposals for 1) a broadband market analysis and 2) a feasibility study from qualified contractors. The requirements of this RFP are set forth in this document in detail.

2. TIMELINE

The following table identifies the estimated dates/timeframe of this RFP. Please note the following key dates when preparing your responses:

RFP TIMELINE	DATE & TIME (PT)*
Proposal Advertisement Dates	1st: December 11, 2024 2nd: December 18, 2024
Pre-Proposal Conference via Zoom (Optional)	January 8, 2025 at 9:00 a.m.
Last Day for Bidders to submit questions	January 15, 2025 before 5:00 p.m.
Last day for District to Respond to questions	January 20, 2025 before 5:00 p.m.
DEADLINE FOR PROPOSAL SUBMISSIONS	January 24, 2025 at 2:00 p.m.
Public Opening & Reading of Proposals: West Hills Community College District Administration Building Lobby 275 Phelps Avenue, Coalinga, CA 93210	January 24, 2025 at 2:00 p.m.
Anticipated Board Approval	February 25, 2025
Anticipated Delivery	May 30, 2025 (market analysis) August 1, 2025 (feasibility study)

*Dates may change with or without notice

3. SUBMISSION, DOCUMENTS AND FORMAT OF PROPOSAL

- 3.1. Submission Deadline. Proposals must be received by, but **no later than 2:00 p.m. (PT), January 24, 2025**. Any changes to this RFP are invalid unless specifically modified by the District and issued as a separate addendum document. Should there be any questions as to changes to the content of this document, the District’s copy shall prevail.
- 3.2. Documents. This RFP may be obtained from the District by contacting the District’s Purchasing Department at: <https://westhillscollge.com/district/departments/business-services/purchasing/>. All documents and any addenda or notices related to this solicitation will be posted by the District on the Purchasing website. In the event this RFP or issued addenda is obtained through any means other than the District’s distribution, the District will not be responsible for the completeness, accuracy, or timeliness of the final RFP document.
- 3.3. Bidders Submittal of Proposal. Proposals will be submitted by (1) hard copy and (1) electronic pdf file (flash drive) in a sealed envelope identified as “RFP # 2025-1 – Broadband Market and Feasibility Studies”. With the Proposer’s name and address to:
West Hills Community College District



Broadband Market & Feasibility Studies RFP #2025-1

Attn: Purchasing Department
275 Phelps Avenue
Coalinga, CA 93210

EMAILED OR FAXED PROPOSALS WILL NOT BE ACCEPTED.

Proposals delivered other than the above stated means, or received after the scheduled submittal deadline, will be rejected and returned unopened (if hard copy submitted) to the Bidder. It is the Bidder's sole responsibility to ensure that its proposal, inclusive of any or all addendums, is received to the proper place at the proper time. Postmarks will not validate Proposals which arrive after the deadline date/time listed. The award shall be subject to final contract documents and specifications/scope of work between the District and selected Bidder.

- 3.4. Proposal Format/Content. Proposals under these specifications shall be submitted on the blank forms furnished herewith at the time and place stated in Section III. All blanks in the Proposal form must be appropriately filled in, and all proposed prices must be stated clearly and legibly in both words and numerals. All Proposals must be signed by the Bidder in permanent blue ink and submitted as specified in Section III. Mistakes may be crossed out and corrections made adjacent, however, each correction must be initialed by the person signing the Proposal. The submitted Proposal should be organized and indexed in the order below that ensures the District can easily review to effectively evaluate the Bidder's Proposal.
- 3.5. Proposal Content. The following is to be included in the Bidder's Proposal:
 - 3.5.1. **Letter of Interest:** The letter must contain the following:
 - 3.5.1.1. The Bidder's name, address, email, and telephone number.
 - 3.5.1.2. The name, title or position, email and telephone number of the individual authorized to bind the Bidder's business contractually; this person must sign the cover letter.
 - 3.5.1.3. The name, title, or position, email and telephone number of the primary contact and/or account administrator with whom the District is to communicate throughout the RFP Process.
 - 3.5.1.4. A statement expressing the Bidder's willingness to perform the services as described in this RFP.
 - 3.5.1.5. A statement indicating that all forms, certificates, and compliance requirements included in this RFP are completed and duly submitted in the Proposal response.
 - 3.5.1.6. A statement to the effect that the Proposal is firm and irrevocable offer, good for ninety (90) calendar days.
 - 3.5.1.7. The cover letter must contain a statement that the Bidder acknowledges that all documents submitted pursuant to this RFP process will become a matter of public record.
 - 3.5.2. **Submission of Experience and Approach**
 - EXPERIENCE
 - 3.5.2.1. Brief History of the Bidder including Bidder's organization size and structure; project management strategy; and experience and qualifications for similar type engagements.

- 3.5.2.2. Identify key staff and qualifications that demonstrate Bidder's ability to meet and deliver the requirements in this RFP.
- 3.5.2.3. Provide three (3) samples of work similar to the Scope of Work requested in this RFP.

APPROACH

- 3.5.2.4. Submit a work plan to accomplish the scope defined in the RFP. The work plan should include time estimates for each significant segment of the work and the staff level to be assigned.
- 3.5.2.5. Identify the methodology and approach for the market study.
- 3.5.2.6. Identify the methodology and approach for the feasibility study.
- 3.5.2.7. Describe in detail how the Bidder will provide services and fulfill the requirements and expectations in this RFP.
- 3.5.2.8. Bidders may recommend alternatives and/or additions within their proposal to the required deliverables, but must include a rationale for the recommendation.
- 3.5.3. **Costs and Work Hours:**
 - 3.5.3.1. Provide a cost proposal detailing the cost and allocation of resources in an organized manner, preferably as a table.
 - 3.5.3.2. For each key task required, identify the team member assigned by role, estimated hours and hourly rate.
 - 3.5.3.3. Provide itemized costs by deliverable including incidental expenses such as travel and other reimbursables for Parts 1 & 2 separately. Providing costs by deliverable will assist the District in assessing priorities should proposals exceed budget.
- 3.5.4. **Proposal Form (Exhibit A):** Bidders shall complete and submit the signed Proposal Form with a total cost for each study itemized, and a combined total cost for both parts of the project. These should match the figures provided in Section 3.5.3.3.
- 3.5.5. **Certificate of Non-Discrimination (Exhibit B):** The Bidder shall submit a Certification of Non-Discrimination. It is the policy of the District that in connection with all work performed under contracts, there be no discrimination against any prospective or active employee engaged in the work because of race, color, ancestry, national origin, religious creed, sex, age, or marital status. The Bidder agrees to comply with applicable federal and California laws, including, but not limited to, the California Fair Employment and Housing Act, beginning with Government Code section 12900 and Labor Code section 1735. In addition, the Bidder agrees to require like compliance by any subcontractors employed on the work by such Bidder.
- 3.5.6. **Non-Collusion Affidavit (Exhibit C):** Public Contract Code section 7106 requires Bidders to submit declaration of non-collusion with their Proposals. This form is included with the Proposal documents and must be signed and dated by the Bidder under penalty of perjury. Proposals submitted without the Non-Collusion Affidavit shall be deemed non-responsive and will not be considered.
- 3.5.7. **References (Exhibit D):** The Bidder shall complete and submit the References form with its Proposal. It is recommended to use references for clients associated with previous projects similar to this Scope of Work.
- 3.5.8. **Agreement to Terms and Conditions (Exhibit E):** Bidders shall complete and submit the Agreement to Terms and Conditions with its Proposal. Should the Bidder request edits to the Agreement for consideration, such requests must be clearly identified and submitted

with its Proposal. The District will consider such additional contractual terms and conditions as part of its evaluation process.

3.5.9. Additional Materials:

3.5.9.1. Bidders may include other materials that they feel may improve the quality of their Proposal submissions and/or are pertinent to this RFP.

4. EVALUATION OF PROPOSALS

4.1. Evaluation Process. The Proposal review process used to select qualified Bidders will be as follows:

4.1.1. The District will review and evaluate all Proposals received using criteria noted in the following section. Incomplete Proposals may be rejected as non-responsive.

4.1.2. For those Bidders deemed most qualified, further evaluation and interviews may be conducted as part of the final selection process.

4.1.3. The District anticipates the recommendation for award of the Contract will be to the Bidder receiving the highest total score from the Proposal as set forth in the Evaluation Criteria (Section 4.2). The District reserves the right to select the Bidder whose proposal and experience, in the District’s sole judgment, best meets the needs of the District.

4.2. Evaluation Criteria. Bidder’s submitting Proposals are advised that all responsive documents will be evaluated to determine each Bidder’s ability to best meet the needs of the District. The District’s evaluation will include, but is not limited to, a consideration of the following criteria:

Criteria	Points
Letter of Interest	10
Qualifications & Experience	20
Approach & Timeline	40
Rate/Fee Schedule	30

4.3. Selection and Award. The Bidder selected as first choice will be notified and asked to negotiate final terms of the contract. Contracts will be forwarded to the Board of Trustees for approval and authorization to proceed.

5. OTHER CONDITIONS AND REQUIREMENTS

4.1 Term of Agreement. Once the Vendor has received a notice to proceed, the Vendor shall deliver the completed Broadband Market Analysis as set forth in the Specifications for the District’s acceptance and approval, and if applicable, pending preceding findings as well as, with District’s input and approval, a Comprehensive Feasibility Study on or before August 1, 2025. This shall be called Contract Time. It is expressly understood that time is of the essence.

4.2 Opening and Posting of Proposals. A public reading and opening of Proposals will be held as noted in the timeline section of the RFP. Names of Bidder’s submitting Proposals will be available after the Proposal closing via the District’s Purchasing site:

<https://westhillscollge.com/district/departments/business-services/purchasing/>

It is the responsibility of the Bidder to verify that its Proposal has been received by the District prior to the opening date. Verification of receipt can be made by emailing meganvega@whccd.edu.

4.3 Addenda. Clarification or any other notice of a change in the RFP Documents will be issued only by the District and only in the form of a written Addendum available via the District’s

Purchasing site, <https://westhillscollge.com/district/departments/business-services/purchasing/>. Any other purported Addenda are void and unenforceable.

Bidder is responsible for ascertaining the disposition of all Addenda issued regardless of District notification and to acknowledge all Addenda in the electronically submitted Proposal prior to the Proposal closing. Copies of Addenda will be made available for inspection wherever RFP Documents are on file for inspection. Each Addendum will be numbered, dated, and identified with the Project number. Oral statements or any instructions in any form, other than Addendum as described above, shall be void and unenforceable. Addenda issued by the District and not noted as being acknowledged by Bidder as required in the Proposal Form, will result in the Proposal being deemed non-responsive.

- 4.4 Erasures, Inconsistent or Illegible Proposals. The Proposal submitted must not contain any erasures, interlineations, or other corrections unless each such correction creates no inconsistency and is suitably authenticated by affixing in the margin immediately opposite the correction the signature or signatures of the person or persons signing the Proposal. In the event of inconsistency between words and figures in the Proposal price, words shall control figures. In the event that the District determines that any Proposal is unintelligible, inconsistent, or ambiguous, the District may reject such Proposal as not being responsive to the Notice Inviting Proposals.
- 4.5 Examination of Contract Documents. Bidders shall thoroughly examine and be familiar with the Contract Documents and requirements. The failure or omission of any Bidder to receive or examine any Contract Documents, form, instrument, addendum, or other document shall not relieve any Bidder from obligations with respect to the Proposal or to the Purchase Agreement. The submission of a Proposal shall be taken as prima facie evidence of compliance with this section. Bidders shall not, at any time after submission of the Proposal, dispute, complain, or assert that there were any misunderstandings with regard to the Contract requirements.
- 4.6 Withdrawal of Proposals. Any Proposal may be withdrawn at any time prior to the scheduled closing time for receipt of Proposals. The Proposal security for Proposals withdrawn prior to the scheduled closing time for receipt of Proposals, in accordance with this paragraph, shall be returned upon demand therefor. No Bidder may withdraw any Proposal for a period of ninety (90) calendar days after the date set for the opening of Proposals.
- 4.7 Cancellation of Solicitation: The District may cancel this solicitation at any time.
- 4.8 Interpretation of Contract Documents/Pre-Proposal Clarification. If any prospective Bidder is in doubt as to the true meaning of any part of the Contract Documents, or finds discrepancies in, or omissions, a request for an interpretation or correction thereof, or question of any sort, may be submitted to the District via email to Jeff Seed at jeffseed@whccd.edu. The Bidder submitting the request shall be responsible for its prompt delivery. **Any interpretation or correction of the Contract Documents will only be made by Addendum duly issued, and a copy of such Addendum will be made available via the District's Purchasing site.** No person is authorized to make any oral interpretation of any provision in the Contract Documents, nor shall any oral interpretation be binding on the District. Please see "RFP Timeline" for specific deadline dates and times. Any correspondence sent other than as specified above, may not be received or responded to by the District.
- 4.9 Award of Contract. The District reserves the right to accept or reject any or all Proposals, either in whole or in part, or to waive any irregularities or informalities in any Proposals or in the RFP

- documents. In the event an award is made to Bidder, and such Bidder fails or refuses to execute the Purchase Agreement and provide the required documents within five (5) calendar days after award of the Contract to Bidder, the District may award the Contract to the next lowest responsible and responsive Bidder or release all Bidders.
- 4.10 Agreement. The form of Agreement, which the successful Bidder will be required to execute, is included in the RFP and should be carefully examined by Bidders. The Agreement will be executed in the following counterparts: the Agreement as shown in the sample herein; the RFP; the subsequent successful Proposal as accepted by the District, including all modifications thereof and duly incorporated therein; and the Purchase Order. All of the above documents are intended to cooperate and be complementary so that any instructions or requirements called for in one and not mentioned in the other, or vice versa, are to be executed the same as if mentioned in all said documents. The intention of the documents is to include (not limited to): all labor, materials, equipment and transportation necessary for the proper delivery of all services called for in any contract which may arise as a result of this RFP. Should Bidder request edits to the Agreement for consideration, such requests must be clearly identified and noted on Exhibit F and submitted at the time of Proposal. No additional terms and conditions will be accepted following receipt of Proposal, and the District will consider such additional contractual terms and conditions as part of its evaluation process.
- 4.11 Conflict of Interest/Restrictions on Lobbying and Contacts: For the period beginning on the date of the issuance of this RFP and ending on the date of the award of the contracts, no person or entity submitting a response to this RFP, nor any officer, employee, representative, agent, or consultant representing such a person or entity, shall contact through any means or engage in any discussion regarding this RFP, the evaluation or selection process/or the award of the contracts with any member of the District's Governing Board, selection members, or with any employee of the District except for clarifications and questions as described herein. Any such contact shall be grounds for disqualification of the Bidder.
- 4.12 Limitations: The District reserves the right to contract with any Bidder responding to this RFP. The District makes no representation that participation in the RFP process will lead to an award of contract or any consideration whatsoever. The District reserves the right to amend this RFP and the RFP process and to discontinue or re-open the RFP process at any time.
- 4.13 Right to Negotiate and/or Reject Proposal: Bidders understand that this RFP does not commit or obligate the District to accept any response submitted. The District reserves the right to accept or reject any or all of the responses, waive any irregularities, and to negotiate with selected Bidder(s) any price or provision, in part or in its entirety, whenever, in the sole opinion of the District, such action shall serve its best interests and those of the taxpaying public. The District further expressly reserves the right to postpone the Proposal opening date for its own convenience. Bidders are encouraged to submit their best prices in their Proposals, and the District intends to negotiate only with Bidders whose Proposal most closely meets the District's requirements at the lowest estimated cost. The Contract, if any is awarded, will go to the Bidder whose Proposal best meets the District's requirements and provides the greatest overall value to the District.
- 4.14 Preparation Expenses: The District shall in no event be responsible for the cost of preparing any Proposal in response to this RFP. The sole responsibility for compliance with the requirements of this RFP lies with each Bidder submitting a response. Each Bidder is solely responsible for costs in preparing a response to this RFP and any and all other activities associated with same.



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4.15 Confidential and Proprietary Information: All materials submitted relative to this RFP will be kept confidential until such time as an award is made or the RFP is cancelled. At such time, all materials submitted must be made available to the public. All information contained in Proposals submitted may be subject to the California Public Records Act (*California Government Code* Section 6250 et seq.), and information’s use and disclosure are governed by this Act. Any information deemed confidential or proprietary should be clearly identified by the Bidder as such. Such information may then be protected and treated with confidentiality to the extent permitted by state law.

6. SCOPE OF WORK

It is the intent of the District to assess the current broadband market within the project’s service area as well as the feasibility to deploy various broadband technologies. In support of this consideration, the District is seeking a 2-part proposal: 1) Market Study and 2) Feasibility Study. The Market Study will assist in informing the District in further pursuing the planning and design of the project. If applicable, the Feasibility Study will provide an estimation of costs associated with various methods of broadband deployment along with a recommended course of action, including a business model for service delivery, that will maximize the financial, social, and economic benefits to the Service Area. Execution of Part 2 will be contingent upon various factors including, but not limited to: preceding findings; funding; and District’s willingness and approval to continue the project.

The work covered in this section consists of furnishing all labor, material, and services to conduct a broadband market analysis and feasibility study as indicated in this Scope of Services. Delivery of the work described in this Scope of Services shall include, but not be limited to, the following Basic Services:

Part 1 - Broadband Market Study

Conduct a broadband market analysis of the RUBICON project service area (see Exhibit F for a map of the project boundaries), which includes adequate sampling necessary to determine existing broadband service offerings to the households within the cooperative’s proposed service area with a high level of confidence. This requires work with small communities, ranchos, water districts, and county Farm Bureaus to ensure adequate sampling and high participation rates for all service zones identified in the project.

Location	2024 Total Population	2024 Total Households
Trustee Area 1	19,013	4,837
Trustee Area 2	18,615	4,193
Trustee Area 3	19,668	4,225
Trustee Area 5	15,118	4,385
Trustee Area 6	15,030	3,790
Total	87,444	21,430
Source: Esri 2024 Total Households & Esri 2024 Total Population (ArcGIS Business Analyst)		

Specific deliverables related to the market analysis include:

Overall approach: The overall approach of the project will consist of the development of zones throughout the service area. Households should be grouped into service zones based on common factors and physical location. These zones will be used to divide up the service area to investigate each area independently and in aggregate of the service area. The unit of analysis for this market study should be adequately granular to ensure that differentiation in broadband availability can be identified between cities, towns, and outlying, rural areas.

1. Executive Summary
 - Overview of the study’s purpose, methodology, key findings, and recommendations.
2. Data Collection Methods (to include but not limited to)
 - Community survey design, data collection, and data analysis.
 1. WHCCD will assist in the distribution of surveys.
 - Crowdsourced data collection
 1. Provide mobile and web applications that allow community members to conduct speed tests to identify existing service providers and download and upload speeds.
 2. Provide instructions and documentation for the use of the crowdsource data platform in English and Spanish.
 3. WHCCD will assist in driving participation.
 - Incumbent ISP investigation to understand current offerings, pricing structures, and availability.
 - Incorporate public data sources including, but not limited to, existing fiber routes, planned fiber projects and routes, FCC coverage data, CPUC coverage data, and crowdsourced data.
3. Data Collection Report
 - Detailed documentation of data sources and methodologies used for collecting broadband availability and performance data, which includes a discussion of reliability and validity based on sampling.
 - Summary of data analysis and findings from each instrument and triangulated findings, including recommendations.
4. Service Area Maps
 - Maps showing the zones in which the service area is divided.
5. High-resolution, interactive digital maps showing current broadband coverage, including unserved and underserved areas.
 - The map layers should include, but are not limited to, the data sources specified above.
 - Map data should be provided in standard formats for use with GIS software and mapping software, as well as PDF exports in the final report.
6. Community Engagement Summary
 - Report on community engagement activities, including the number of surveys distributed and responses received.
7. Market Demand Analysis
 - Analysis of broadband demand in the target areas, including the number of households, businesses, and farms requiring service.
 - Assessment of current broadband adoption rates and potential market penetration.

8. Competitive Analysis
 - Identification of existing broadband providers and their market share.
 - Analysis of the competitive landscape and potential barriers to entry in each zone.
9. Final Market Analysis Report
 - Comprehensive report compiling all findings from the market analysis.

Part 2 - Broadband Feasibility Study

The overall intent of the feasibility study is to explore the total cost of ownership for the deployment of various broadband technologies to meet the coverage needs identified in the market analysis, considering the economic feasibility of various technologies along with the strengths, weaknesses, opportunities, threats the cooperative is expected to face.

Specific deliverables related to the feasibility study include:

1. Executive Summary
 - Overview of the study's purpose, methodology, key findings, and recommendations.
2. Technical Feasibility Report
 - Evaluation of different broadband technologies (i.e., fiber optics, fixed wireless) suitable for each zone identified in the market analysis that meets the FCC's current definition of broadband. This should include both the middle-mile and last-mile infrastructure. Various options should be explored and presented, such as partnerships with incumbent ISPs, existing and upcoming middle-mile projects, and the cooperative's building of new infrastructure.
 - Technical requirements and potential challenges for each technology option.
 - Overview of potential regulatory and legal challenges, along with recommendations for compliance.
3. Economic Feasibility Report
 - Cost-benefit analysis of proposed broadband expansions by zone identified in the market analysis.
 - Financial projections, including capital expenditure, operational costs, and potential revenue streams for the options presented.
4. SWOT Analysis
 - Detailed SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis for the proposed broadband Co-Op.
 1. An overall SWOT analysis should be conducted, along with individual analyses per zone identified in the market analysis.
5. Final Feasibility Study Report
 - Comprehensive report compiling all findings from the feasibility study.

Other Deliverables, Applicable to Parts 1 & 2

1. Meetings
 - a. Execute and lead an initial coordination meeting with District staff, steering committee members, consultants, and community stakeholders to overview the project and discuss/coordinate requirements.



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- b. Execute and lead a project kickoff meeting.
- c. Execute and lead regular stakeholder meetings
- 2. Presentations
 - a. Provide up to 4 presentations for informal or formal meetings including, but not limited to, the steering committee, District board, and community members.
- 3. Related Support
 - a. Be available to answer questions before and during the project via phone or teleconferencing call.
 - b. All meetings and presentations may, with District's approval, be executed by teleconferencing video calls via Zoom to minimize costs.

Combined Estimated Bid Value for Parts 1 & 2:

\$200,000



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SUBMITTAL CHECKLIST

This checklist is provided to assist in the preparation of Bidder's submission. It is only intended as a guide. Bidders are encouraged to use the following checklist when preparing their proposed Proposal:

- LETTER OF INTEREST (RFP Section 3.5.1)**
- SUBMISSION OF EXPERIENCE AND APPROACH (RFP Section 3.5.2)**
- COST AND WORK HOURS (RFP Section 3.5.3)**
- EXHIBIT A – PROPOSAL FORM**
- EXHIBIT B – CERTIFICATION OF NON-DISCRIMINATION**
- EXHIBIT C – NON-COLLUSION AFFIDAVIT**
- EXHIBIT D – REFERENCES**
- EXHIBIT E – AGREEMENT TO TERMS AND CONDITIONS**
- ADDITIONAL MATERIALS (Optional)**



EXHIBIT A – PROPOSAL FORM

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BIDDER NAME:

ADDRESS:

TELEPHONE:

Names of Authorized Representatives

EMAIL

1. BID PROPOSAL. The undersigned Bidder has read and understands all conditions and terms of this RFP, proposes and agrees to perform the Contract including, without limitation, providing and furnishing any and all of the labor, materials, tools, equipment and services necessary to perform all obligations under the Contract Documents and to complete the services requested for the rates indicated in this exhibit. Additionally, all costs included in proposals must be all-inclusive to include any outsourced or subcontracted work.

Market Study Total Proposal: \$
Feasibility Study Total Proposal: \$

TOTAL: \$

1.1 Acknowledgement of Bid Addenda. The Bidder confirms that this Bid Proposal incorporates and is inclusive of, all items or other matters contained in Bid Addenda, if any, issued by or on behalf of the District.

Addenda Nos. received, acknowledged and incorporated into this Proposal.

2. Documents Accompanying Bid Proposal Form (Exhibit A). The Bidder has submitted with this Bid Proposal (Exhibit A) the following required items:

- 2.1. LETTER OF INTEREST
2.2. SUBMSSION OF EXPERIENCE AND APPROACH
2.3. COST AND WORK HOURS
2.4. EXHIBIT B – CERTIFICATION OF NON-DISCRIMINATION
2.5. EXHIBIT C – NON-COLLUSION AFFIDAVIT
2.6. EXHIBIT D – REFERENCES



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2.7. EXHIBIT E – AGREEMENT TO TERMS AND CONDITIONS

The Bidder acknowledges that if this Bid Proposal and the foregoing documents are not fully in compliance with applicable requirements set forth in the RFP and in each of the foregoing documents, the Bid Proposal may be rejected as non-responsive.

- 3. If the Bidder submitting this Bid Proposal is awarded the Purchase Order after the Intent to Award Bid Notice is made, the undersigned Bidder will execute and deliver product to the District. Failure of the Bidder awarded the Contract to strictly comply with the Terms and Conditions of this RFP and the Purchase Order Terms and Conditions may result in the District’s rescinding the Purchase Order and award of the RFP. In such event, the District may, in its sole and exclusive discretion elect to award the Contract to the responsible Bidder submitting the next responsive Bid Proposal or to reject all Bid Proposals.
- 4. Acknowledgment and Confirmation. The undersigned Bidder acknowledges its receipt, review and understanding of the RFP, Scope of Work, Specifications and other Bid Documents pertaining to the proposed Work. The undersigned Bidder certifies that the Bid Documents are, in its opinion, adequate, feasible and complete for providing, performing and constructing the Work in a sound and suitable manner for the use specified and intended by the Bid Documents. The undersigned Bidder certifies that it has, or has available, all necessary equipment, personnel, materials, facilities and technical and financial ability to complete the Work for the amount bid herein within the Contract Time and in accordance with the Bid Documents.

BIDDER _____
(Type or print complete legal name of Bidder)

BY _____ **Date** _____
(Signature)

Name _____ **Title** _____
(Type or Print)



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EXHIBIT B – CERTIFICATE OF NON-DISCRIMINATION

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH PROPOSAL

Bidder hereby certifies in performing work or providing services for the District, there shall be no discrimination in its hiring or employment practices because of age, sex, race, color, ancestry, national origin, religious creed, physical or mental disability, medical condition, marital status, or sexual orientation, except as provided for in Section 12940 of the California Government Code. Bidder shall comply with applicable federal and California anti-discrimination laws, including but not limited to the California Fair Employment and Housing Act, beginning with Section 12900 of the California Government Code.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Non-Discrimination this _____ day of _____, ____.

BIDDER _____
(Type or print complete legal name of Bidder)

BY _____ **Date** _____
(Signature)

Name _____ **Title** _____
(Type or print)



EXHIBIT C – NON-COLLUSION AFFIDAVIT

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH PROPOSAL

_____, being first duly sworn, deposes and says that he or she is _____ of the party making the foregoing Proposal that the Proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Proposal is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham Proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham Proposal, or that anyone shall refrain from Bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Proposal price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the Proposal price, or of that of any other Bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the Proposal are true; and, further, that the Bidder has not, directly or indirectly, submitted his or her Proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, Proposal depository, or to any member or agent thereof to effectuate a collusive or sham Proposal.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

BIDDER _____ (Type or print complete legal name of Bidder)

BY _____ Date _____ (Signature)

Name _____ Title _____ (Type or print)



EXHIBIT D – REFERENCES

Bidder shall provide a minimum of three (3) verifiable references (preferably from a California public or private educational institution and/or California public agency). This list may include current and former clients (with reason for cancellation if applicable), with all references being able to fully comment on the Bidder’s related experience.

REFERENCE #1	
NAME	
ADDRESS	
CITY, STATE ZIP CODE	
TELEPHONE #	
CONTACT	
DATES OF SERVICE	
REFERENCE #2	
NAME	
ADDRESS	
CITY, STATE ZIP CODE	
TELEPHONE #	
CONTACT	
DATES OF SERVICE	
REFERENCE #3	
NAME	
ADDRESS	
CITY, STATE ZIP CODE	
TELEPHONE #	
CONTACT	
DATES OF SERVICE	



EXHIBIT E – AGREEMENT TO TERMS AND CONDITIONS

Each Bidder must state below whether it accepts the attached Agreement and its attachments (if any) (“Agreement”). Any exceptions must be included, if at all, with Bidder’s Proposal submission.

NOTE: Exceptions taken to terms and conditions may be a negative factor in evaluation of Bidder’s Proposal or disqualification.

Initial the Appropriate Choice, below:

_____Bidder accepts the form of Agreement without exception.

OR

_____Bidder proposes exceptions/modifications to the form of Agreement. If this choice is selected, Bidder shall include all of the following:

- 1. Summarize any and all exceptions to the Agreement.
2. Provide written explanation to substantiate each proposed exception/modification.

BIDDER _____ (Type or print complete legal name of Bidder)

BY _____ Date _____ (Signature)

Name _____ Title _____ (Type or print)

EXHIBIT F - Service Area Map

The scope of the market analysis and feasibility study includes WHCCD Trustee Areas (TA) 1, 2, 3, 5, & 6. **TA4 and TA7 are not part of the scope.** The TAs shown below do not necessarily represent the zones of the project, but they are intended to demonstrate the project’s overall boundaries. A PDF of this map can be obtained from [Trustee Area Maps | West Hills Community College District](https://westhillscollege.com/resources/its/files/2022_Trustee_Area_Boundaries.zip). A shape file of the district service area can be obtained here:

https://westhillscollege.com/resources/its/files/2022_Trustee_Area_Boundaries.zip

