

# **REQUEST FOR PROPOSALS**

seeking

## **BROADBAND INFRASTRUCTURE GRANT ADMINISTRATOR SERVICES**

for

### **The Puerto Rico Fiscal Agency and Financial Advisory Authority**

**RFP Deadline: Wednesday, November 11<sup>th</sup>, 2020**

[www.aafaf.pr.gov](http://www.aafaf.pr.gov)

**October 21<sup>st</sup>, 2020**



**GOVERNMENT OF PUERTO RICO**  
Puerto Rico Fiscal Agency and Financial  
Advisory Authority

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## REQUEST FOR PROPOSALS

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) is seeking proposals from duly qualified firms to assist AAFAF, and the Government of Puerto Rico (“Government”; together with AAFAF the “Government Parties”) to provide professional services (“Grant Administrator Services”), as further defined in [Section 1.3] and [Section 2.1] of this request for proposals (“RFP”).

This RFP seeks responses from firms capable of providing and delivering Grant Administrator Services as described in this RFP, (“Proponents”). Proponents should demonstrate their capacity to complete the required tasks and develop a productive relationship with the Government Parties and the relevant stakeholders.

This RFP does not commit nor obligate the Government Parties to award a contract nor to pay any costs incurred in the preparation of a proposal in response to this request. The Government Parties reserve the right to award contracts to more than one qualified firm, to accept or reject any or all proposals received as a result of this RFP, to negotiate with any qualified firm or to modify or cancel the RFP in part or in its entirety. See Section 4.1 for further disclaimers and reservation of rights by the Government Parties.

The proponent selected under this e (the “Selected Proponent”) will be required to be free of any real or perceived conflict of interest.

**RFP Due Date: Wednesday, November 11<sup>th</sup>, 2020 at 5:00 PM (Atlantic Standard Time)**

**Please submit one (1) electronic copy to the following email address:**

**(Electronic copies via email)**

[rfp@aafaf.pr.gov](mailto:rfp@aafaf.pr.gov)

**Please refrain from submitting general marketing materials that do not explicitly respond to the content and questions contained in this RFP**



# 1 INTRODUCTION

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## 1.1 Puerto Rico Fiscal Agency and Financial Advisory Authority

AAFAF is an independent public corporation and governmental instrumentality with separate legal existence, fiscal and administrative autonomy, and independence from the Government. Pursuant to Act No. 2 of 2017 (“Organic Act”), AAFAF was created, among other things, to act as fiscal agent, financial advisor and reporting agent of the Government, its agencies, instrumentalities, subdivisions, public corporations and/or municipalities, including Covered Entities as defined under the Puerto Rico Oversight, Management and Economic Stability Act of 2016, Public Law No. 114-187, 130 Stat. 549 (“PROMESA”), and to assist said entities in confronting the grave fiscal and economic emergency that Puerto Rico is currently experiencing. AAFAF has assumed the majority of the fiscal agency and financial advisory responsibilities previously performed by the Government Development Bank for Puerto Rico.

In light of its Organic Act, AAFAF is the agency responsible to coordinate the Government’s sustainable use of resources, while presenting a global and coordinated view of the Government’s capital needs. As such, AAFAF has authority to monitor compliance with the budget certifications approved under PROMESA and to review matters such as, but not limited to, contracts, transactions and regulations of agencies and instrumentalities of the Government. The Organic Act authorizes AAFAF to enter into professional services agreements that are necessary or convenient to assist in the proper execution of its ministerial duties.

## 1.2 Certified Fiscal Plan and Budget

PROMESA was enacted, among other things, to provide a mechanism to manage the Government’s - and certain other public corporations and instrumentalities considered as Covered Entities thereunder - revenues and expenditures, and to restructure their respective obligations. For these purposes, PROMESA established the Financial Oversight and Management Board for Puerto Rico (“FOMB”), as further defined herein.

PROMESA established a procedure for the Government and/or Covered Entities to develop and submit to the FOMB a fiscal plan and budget for certain fiscal year(s), for the FOMB’s review, comments, approval and certification; for certifications purposes, subsequently the FOMB may proceed within the purviews of PROMESA. Once a fiscal plan and budget are certified, PROMESA also provides procedures to monitor compliance accordingly. On May 27, 2020, the FOMB certified the Government’s fiscal plan for Fiscal Year 2020-2021; subsequently, on June 30, 2020, the corresponding budget for Fiscal Year 2020-2021 was certified (collectively referred to as the “Certified Fiscal Plan & Budget” or the “Fiscal Plan”).

FOMB is tasked with providing oversight and support to implementation of key measures under the Fiscal Plan, including the Broadband Infrastructure Measure (defined in the following Section 1.3).

## 1.3 Broadband Infrastructure Measure

Part III of the Certified Fiscal Plan & Budget includes several measures directed towards furthering a multi-year strategic investment program that improves government services, increases competitiveness and creates growth conditions that can benefit the people of Puerto Rico. These measures have become more significant with the onset of the COVID-19 pandemic and the resulting economic damage. FOMB has worked closely with the Government of Puerto Rico to act decisively to mitigate the effects of the sudden economic shock caused by the COVID-19 pandemic. These initial FY2020 investments have included: Digitalization of Individualized Education Programs (IEP) (~\$25,000), Enabling distance learning in the public education system (~\$255 million), Capital



improvements in public hospitals (~\$158 million), Telehealth infrastructure (~\$5 million), amongst others.

Particularly, Section 7.1 of the Certified Fiscal Plan & Budget outlines a measure that encourages the Government to accelerate growth in broadband access, expand resident adoption and use of online resources throughout Puerto Rico, incentivize private sector investments in broadband build-out and improve access to faster speed offerings (“Broadband Infrastructure Measure”).

Broadband provides numerous socio-economic benefits to communities and individuals, including improving labor market outcomes by enabling remote education, increasing business productivity, providing access to better health care and enhancing civic participation through better access to information.

In Puerto Rico, while there was some expansion in broadband deployment between the years 2011-2014, critical broadband infrastructure gaps still exist, particularly in rural areas of Puerto Rico. Broadband adoption figures across Puerto Rico also reveal a persistent gap in access among certain demographic groups. Broadband non-adopters in Puerto Rico are generally low-income groups, senior citizens, people with disabilities and/or individuals with less education, which mirrors demographic trends on the US mainland and elsewhere. These gaps have possibly widened since Hurricane Maria, particularly in the mountainous region of Puerto Rico, where topography has hindered replacement of damaged infrastructure.

The Certified Fiscal Plan & Budget aims to improve overall broadband infrastructure throughout Puerto Rico and to provide enhanced opportunities for the people of Puerto Rico through better and more equal access to education, healthcare, and information.

#### **1.4 Broadband Infrastructure Fund**

In order for the Government to suitably execute the Broadband Infrastructure Measure, the Certified Fiscal Plan & Budget allocates certain monies (\$400 million) in Fiscal Year 2020-2021 to be used over the course of three years; these monies (the “Broadband Infrastructure Fund” or the “Funds”) are intended to support expansion efforts in unserved and underserved areas through grants (“Grants”) that fund a portion of the deployment costs in these communities.

The Certified Fiscal Plan & Budget requires AAFAF to conduct a transparent and competitive procurement process, as supported, reviewed and approved by the FOMB - to be completed on or before December 1st, 2020 - in order to select a grant program administrator (the “Grant Administrator” or the “Grant Program Administrator”).

The Grant Administrator will undertake a baseline assessment of the existing state of broadband provision in Puerto Rico, define an efficient grant program based on this assessment of needs and capacity, plan and conduct a competitive process to distribute Grants among providers of broadband services, and ensure transparency and accountability by developing and launching a monitoring and evaluation framework to ensure that grantees are providing the service they were funded to deliver while gathering the necessary data to evaluate the program’s progress toward defined goals (the “Strategic Broadband Grant Program” or “Grant Program”).

Funds for the Grant Program have been appropriated, and will be held until disbursed by the *Departamento de Hacienda de Puerto Rico* in a restricted and separate bank account with the sole purpose to advance and fund the Grant Program’s payments to the Grant Administrator will be contingent on compliance with the Scope of Work set forth in this RFP, with any modifications to be approved in writing by AAFAF (with copy to the FOMB) and reflected in the Grant Administration Agreement (as defined in Section 2.1).

Disbursement of Funds will be made only after FOMB approval of the Grant Administration Agreement (“GAA,” defined in Section 2.1).

## **1.5 Broadband Infrastructure Assessment**

In 2011, the Puerto Rico Broadband Taskforce (the “Taskforce”), a public-private partnership of broadband stakeholders, was formed with the primary goal of ascertaining the size and scope of the digital divide in Puerto Rico and identifying strategies to close it. The Taskforce members included, amongst others, the Chief Information Officer of Puerto Rico, the President of the Telecommunications Regulatory Board, and the Internet Society of Puerto Rico, as well as telecommunication providers, K-12 and higher education stakeholders, healthcare professionals, local government, and grassroots community and private sector groups.

In 2012, the Taskforce completed the [Puerto Rico Broadband Strategic Plan](#), which addressed both demand and supply-side challenges with three inter-related policy goals: access to networks, adoption of broadband, and utilization of broadband solutions. As a starting point, the strategic plan assessed the size and scope of the digital divide across Puerto Rico by commissioning a mapping initiative to develop an inventory of available broadband infrastructure across Puerto Rico<sup>1</sup>, as well as research to survey and analyze adoption and usage trends across the residential and business sectors in Puerto Rico. Following the assessment, the strategic plan adopted specific recommendations for actionable strategies designed to achieve its goals.

Following the Puerto Rico Broadband Strategic Plan, the Taskforce created the 2015 Puerto Rico Broadband Strategic Assessment, titled [The Gigabit Island Plan](#), which aimed to continue moving the broadband capacity goals forward and set new goals that would provide Puerto Rico residents, businesses, and public institutions with access to broadband speeds of one (1) gigabit per second. The Gigabit Island Plan was built on a 2014 assessment that evaluated the state of broadband in Puerto Rico, examined strategies to accelerate broadband expansion across Puerto Rico and enabled the establishment of the gigabit network connectivity goals for increased household coverage, network speeds and capacity. This marked the last assessment of broadband in Puerto Rico to date.

## **1.6 Broadband Programs in Puerto Rico**

Access to healthcare and education is critical and these earlier plans emphasize and support that digital access is fundamental. During the COVID-19 pandemic, internet access has become even more important to residents’ livelihoods. Across the US, telemedicine is becoming more widespread as a way to deliver health services safely. As public and private school systems alike move to distance learning models, students who do not have access to reliable, high speed internet are unable to participate – and therefore fall farther behind.

In recent years, federal resources and programs have been developed in recognition of these pressing needs, the broader health, educational and economic implications on unserved and underserved communities and, as a result, the essentiality of expanding broadband access equitably. Certain programs target public-private efforts to encourage infrastructure deployment, while others offer assistance to make broadband services more affordable at the user level. (Some programs received supplemental appropriations through the Coronavirus Aid, Relief, and Economic Security (“CARES Act”)) The following serve as examples of such programs:

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<sup>1</sup> <https://www.connectpr.org/>



- The Federal Communications Commission (“FCC”) has approved funding to expand, improve and harden mobile broadband networks in Puerto Rico. Through actions taken in the immediate aftermath of Hurricanes Irma and Maria as well as Stage 1 of the *Uniendo* a Puerto Rico Fund, the Commission provided millions in universal service funding to carriers providing fixed and mobile broadband service in Puerto Rico. Additional high-cost support for fixed voice and broadband services will be awarded separately through a competitive process. In Stage 2, the FCC has authorized \$233.9 million to three carriers serving Puerto Rico. This includes approximately \$59.5 million, the first universal service funding awarded in the US targeted specifically for 5G deployment.
- The FCC E-Rate program provides discounts to eligible schools and libraries to obtain affordable broadband access and other services and its Rural Health Care (“RHC”) program supports rural healthcare providers through discounts for telecommunications services and broadband.
- The U.S. Department of Agriculture (“USDA”) has programs that offer more than \$700 million per year for modern broadband e-Connectivity in rural communities. USDA plans to add additional funding with at least \$600 million for expanding rural broadband infrastructure in unserved rural areas and tribal lands. Additionally, The Rural Economic Development Loan and Grant program provides funding for rural projects through local utility organizations and the Rural Development - Distance Learning Telemedicine (“DLT”) Grant Program that helps rural communities connect overcoming the effects of remoteness.
- The National Telecommunications and Information Administration’s (“NTIA”) Broadband USA serves as a strategic advisor to US communities that want to expand their broadband capacity and promote digital inclusion.

Currently in Puerto Rico the digital divide persists, therefore it is vital that these resources and others are leveraged strategically to mobilize a successful broadband expansion.

Building on these federal efforts and Puerto Rico’s earlier plans, and in partnership with the Government Parties, the Federal Government and public and private stakeholders, the Grant Administrator must collaborate to map, assess and evaluate various opportunities for broadband expansion in Puerto Rico (see Scope of Work). The Grant Administrator will have to integrate this information and create a grant program that best delivers improved digital access for Puerto Rico, potentially incorporating mechanisms to leverage other sources of funding. Maintaining up-to-date broadband inventory maps and technology adoption trends will enable a better understanding of the Puerto Rican broadband market, will define infrastructure needs in underserved regions, will inform public policy at the federal and local levels, and will ensure funds are deployed based on need.





## 2 DESCRIPTION OF THE ENGAGEMENT

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### 2.1 Description of Proposed Contracting Opportunity

AAFAF intends, through this procurement, to enter into a Grant Administration Agreement (“GAA”) that will result in best-value completion of all the elements of the Project. Specimen of the GAA will be shared publicly through Addendum to this RFP before the RFP Deadline.

In general, the GAA will set forth the terms of the Grant Administrator compensation, which will be subject to a maximum payment curve.

The Proponent understands and acknowledges that the GAA, or any amendment to the GAA shall be approved by FOMB.

### 2.2 Further Contract Conditions

The contents of the proposal prepared by the Selected Proponent, with any amendment approved by AAFAF, will become part of the GAA that will be executed with such Proponent as a result of this RFP process and FOMB review and approval.

The final GAA will include those clauses required when contracting services similar to those procured under this RFP and those included in contracts with the Government, such as contractual provisions requiring:

- Original certifications evidencing that the Proponent has complied with its responsibility in the filing of tax returns and payment of its taxes, including sale and use tax as applicable, to the Commonwealth of Puerto Rico, to the Federal Government, and to the state or jurisdiction where its base of operations resides.
- Commercial Registration Certification, issued by the Department of Treasury.
- Certification of Compliance issued by the Child Support Administration (“ASUME”). Corporations must file their request for said certification with the Employer Unit of ASUME. The same indicates that the employer complies with the orders issued in his name as employer to retain the salary of employees as a result of amounts owed for child support.
- Sworn statement, signed by the President or chief executive authorized to represent the Proponent, indicating that the Proponent, its subsidiaries, affiliates and/or parent companies, and their respective shareholders, directors, partners, officers, executives, or principals have neither been convicted nor has probable cause for their arrest been found against any of them, nor are they being investigated under any administrative, judicial or legislative procedure, whether within or outside of Puerto Rico, as a result of any crime constituting fraud, embezzlement or misappropriation of public funds, as provided in Act No. 2 of January 4, 2018, as amended, or any other legal provision penalizing crimes against the treasury and the public trust, and that the person signing the statement has not been investigated, arrested, convicted, or found guilty or sentenced as a result of said criminal conduct.
- Certification of Employer Registration and of Debt with Respect of Unemployment Insurance and Disability Insurance issued by the Workplace Safety Bureau, Tax Division, Collection Unit of the Department of Labor and Human Resources. The same shall indicate that the Proponent does not have a debt with the Disability Insurance and Unemployment



Insurance Programs. If the Proponent is not an employer, it shall indicate that the Proponent is not registered as an Employer and therefore does not have any debt.

- Certification of Employer Registration and of Debt in Respect of Driver's Insurance issued by the Persons with Non-Occupational Disabilities and Driver's Insurance Bureau of the Department of Labor and Human Resources. The same shall indicate that the Proponent does not have a debt with the Non-Occupational Disability Insurance and Driver's Insurance Programs. If the Proponent is not an employer, it shall indicate that the Proponent is not registered as an Employer and therefore does not have any debt.
- No debt Certification and copy of current policy issued by the State Insurance Fund.
- Certification of Existence or Certification of Authorization to do business in Puerto Rico. The Certification of Existence indicates that the applicant is incorporated under the laws of Puerto Rico and is issued by Puerto Rico's State Department. The Certification of authorization to do business in Puerto Rico applies to foreign companies. It indicates that the applicant is authorized to do business in Puerto Rico and is issued by the Puerto Rico State Department. The certification indicates the date of issuance and authorization to do business in Puerto Rico.
- The Proponent agrees to maintain books, records and other documents relating to the GAA and any Grantee contracts adequate to demonstrate implementation of its responsibilities under the GAA, including the selection of Grantees, receipt and approval of Grantee reporting requirements and approval or disapproval Grantee disbursements. Such books, records and other documents shall be separately maintained for a period of three (3) years after the date of the close of the GAA term. The Proponent shall afford AAFAF and FOMB or its authorized representatives the opportunity at reasonable times to review or audit such books, records and other documents relating to the GAA, Grantee contracts, and Grantee monitoring.

All certifications (including those of all Team Members) must be current, that is, issued within thirty (30) days from the date the Selected Proponent executes the contract with the Government Parties.

The Selected Proponent will be contractually required to abide by the laws of Puerto Rico as governing laws under the agreement. Any disputes must be resolved accordingly. Exclusive venue shall be the courts of Puerto Rico.

The Government Parties shall reserve the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given at least thirty (30) days prior to such proposed termination date.

Furthermore, Selected Proponent shall:

- Work with the Government Parties and any other personnel on all matters that may arise in connection with the engagement as per the terms of this RFP and the contract to be executed between the parties;
- Assume sole responsibility for the complete effort required to provide the services;
- Refrain from assigning, transferring, conveying, or otherwise disposing of the contract, or its rights, titles or interest therein, or its power to execute such agreement, to any other person, firm, partnership, company or corporation without the prior consent and approval in writing of the Government Parties; and



- Comply with applicable federal, state, Commonwealth and foreign laws and regulations governing projects initiated or supported by the Government of Puerto Rico.
- The term of the GAA will be for three years since the Execution Date, with the possibility of two 1-year extensions. The Grant Administrator, or any successor entity, shall advise FOMB as to the status of the Project at least one (1) time per year over the course of the contract (including any extensions) and for a period of three (3) years after completion of the Grant Administrator Services.

## 2.3 Grant Administrator Fees

Payments to the Grant Administrator will be provided monthly in the amounts based on the payment mechanism described in the GAA, which shall not to exceed \$2,000,000.00 per Fiscal Year, unless additional consideration is proposed by the Selected Proponent and approved by the Government Parties and FOMB. It is expected that the payment mechanism will be based on *time and material* fees, themselves based on actual cost of resources and expenses, which should be described in the Financial Proposal. Accordingly, cost will not be a factor in the evaluation criteria, but (i) the Proponent's budget breakdown will be evaluated for its reasonableness as it relates to the Proponent's Technical Approach; and (ii) the Proponent's rates and budget will be approved upon execution of the GAA. Upon detailed evaluation of technical proposals by the Evaluation Committee, the Government Parties shall select one firm, the Selected Proponent, for contract negotiations, including final approval of the Proponent's rates and budget (as described in Proponent's Section B of the Financial Proposal).

The funding provided under the GAA shall be used to fund the costs of the contract between AAFAF and the Selected Proponent to perform the Scope of Work, including procurement and retention of any additional professional services required to perform the Scope of Work.

## 2.4 Project Objectives

The following objectives have been developed for the Grant Administrator:

- Produce and publish an updated Puerto Rico Broadband Strategic Assessment, and establish a system for continual updates, data analysis and maintenance.
- Develop a transparent Grant allocation process and solicited proposal mechanism with the goal of providing funding to support broadband deployment in unserved and underserved areas throughout Puerto Rico at capacities and speeds to meet user needs and spur economic growth and access to education and telehealth.
- Establish enduring public policy and partnerships with public (federal and local) and private Puerto Rico broadband stakeholders to ensure broadband expansion, long-term commitment and accountability among stakeholders to maintain quality service levels.
- Leverage Federal Government support for broadband expansion and providing planning support to broadband providers that can benefit from FCC, NTIA and other federal funding opportunities.
- Work with a reconstituted Broadband Infrastructure Taskforce to streamline construction permitting and planning and to sustainably leverage existing public assets, such as poles, ducts, conduits, and rights-of-ways, to incentivize private broadband investments.
- Implement high quality compliance and financial management standards, and Grant monitoring capabilities.



## 2.5 Scope of Work

The Government Parties are seeking proposals from firms to provide Grant Administrator Services. Specifically, the Grant Administrator Services will include, but are not limited, to the following four key areas:

- Broadband Assessment Services and Project Structuring
- Grant Administration Services
- Technology and Policy Services
- Collaborating with Government Parties

The Proponent must demonstrate that it possesses all grant administration, technology and policy capabilities to successfully execute the Services. The Proponent can be composed of a Lead Team Member (as defined in 5.1.1) and one or more Team Members (as defined herein). In areas where the Lead Team Member does not currently have the in-house capacity to carry out the Scope of Work as detailed in the following sub-sections, it is understood that the Lead Team Member, will either team with other firms, subcontract other firms or persons, and/or retain professional services (e.g. legal, technical, or financial advisors; collectively the “Team Members”) as required to fulfill the Scope of Work.

### 2.5.1 Broadband Assessment Services

The Grant Administrator will be responsible for conducting a baseline assessment of broadband availability in Puerto Rico as well as coordinating ongoing monitoring of changes in broadband coverage due to Grant projects as well as outside infrastructure investments. The Grant Administrator will also be responsible for publishing and updating the assessment results in the form of a publicly-accessible Puerto Rico broadband access map. AAFAF currently anticipates that the Grant Administrator’s Broadband Assessment Services will include, but are not limited to, the following:

- Update the 2015 Puerto Rico Broadband Strategic Assessment, including assessment of current levels of broadband service provision across Puerto Rico (including outreach to service providers, ground-truthing of results, and georeferencing of information).
- Publish a publicly-available, user-friendly digital map of the results of the baseline assessment, including establishing protocols and agreements for continual updating of data to reflect up-to-date coverage and establishing procedures for data provision from Grant projects.
- Identify and prioritize key broadband needs across Puerto Rico based on the results of the baseline assessment, particularly related to unserved or under-served (i) K-12 schools, (ii) anchor institutions (including hospitals, schools, and government buildings), (iii) socio-economically disadvantaged areas, and (iv) rural areas.
- Assess potential environmental challenges and/or vulnerability of the current and potential broadband network in order to determine key goals for the sustainability and resiliency of the network.
- Analyze and incorporate data collected from Grant projects pursuant to grant monitoring and data sharing agreements.



- Establish and record standard operating procedures to ensure continuity of Broadband Assessment Services.
- Based on the results of the Assessment, identify and map coverage provided by existing broadband suppliers in Puerto Rico, identifying providers by technology type provided, business model, and operating structure.
- Identify existing backbone and right of way infrastructure that can be leveraged to expand services (e.g. State or municipal ROW, utility poles, existing public or private conduit or fiber).
- Identify key regional gaps in service provision to identify target areas for network expansion.
- Based on industry expertise and the results of the Assessment, identify preferred solutions to bring connectivity to target service areas, providing geographically-specific recommendations for technology type, discussing feasible operating models, and identifying key constraints/phasing required (i.e. fiber backbone installation as a prerequisite to last-mile connectivity).
- Identify logical regional groupings for potential Grant projects, identifying preferred project scope, size, and phasing (e.g. phasing for separate backbone, middle-mile, and last-mile projects; likely service boundaries for individual providers; feasible technology types, etc.). What are the boundaries of these areas? What technologies are being targeted? What is the expected scope of the project?).

## 2.5.2 Grant Administration Services

The Grant Administrator will be directly responsible for administering a grant program to support the build-out of infrastructure to improve broadband access in unserved and underserved areas of Puerto Rico. AAFAF currently anticipates that the Grant Administrator's Grant Administration Services will include, but are not limited to, the following:

- Develop high-level goals and strategic criteria for the Grant program based on the updated Broadband Assessment, existing strategic plans and service levels. Goals should identify key target areas, key anchor institutions, permitted/preferred technology types, permitted/preferred operating and business models, minimum and maximum grant sizes, disbursement schedules, and desired level of service.
- Support the Government Parties in the establishment of a committee, including the development of its rules, bylaws and procedures, which will oversee and provide guidance to the Grant Administrator as it relates to the Grant Administration Services and ultimately approval of any Grants to be awarded by the Grant Administrator (the "Grant Committee"). The Grant Committee members shall be designated following the same parameters as those for the Evaluation Committee, as further defined in Section 7.1 below.
- Develop and revise (as needed) a standardized, transparent, and user-friendly Grant application process, including development of the Grant application. The application process should include both financial (e.g. amount of subsidy required) and socio-economic (e.g. number of anchor institutions served, number of people or businesses served, income level or serviced region) metrics, and should include procurement and



contracting mechanisms to encourage competition and incentivize grantees/providers to leverage additional public and private funds.

- Formulate and establish clear, standardized Grant management procedures to ensure ongoing regulatory compliance, monitoring and performance management in accordance with the Government Parties' specific regulations and FOMB review and approval. Procedures should include a robust monitoring and evaluation plan based on key performance indicators as well as a damages regime for non-compliance, and should be appropriately structured to allow for milestone and/or service level-based disbursement.
- Develop a template contract for selected Grantees, specifying (as applicable) key terms including contract length, performance standards, construction and service rollout schedules, permitted ownership structure(s), competitive access requirements, regulatory compliance requirements, environmental controls, grant reporting and data sharing requirements, monitoring and oversight procedures, and hand-back provisions. Given that the finalized template contract will require FOMB approval, review and revision from the FOMB should be incorporated at this stage.
- Lead marketing and outreach to attract eligible Grant applicants, in partnership with the Government Parties and/or the Grant Committee.
- Establish a process for receipt and evaluation of Grant applications, including both financial evaluation of proposed projects as well as non-financial evaluation based on alignment with established goals and evaluation criteria.
- Administer the Grant application process, including but not limited to: (i) registration procedures, (ii) establishment and administration of a centralized electronic data room of all applications, (iii) assistance in eligibility determinations and approval process, (iv) evaluation of Grant applications based on determined qualitative and quantitative metrics; (v) ensuring that Grant applicants are fully capable and qualified to perform the described work and have obtained all requisite licenses and permits to perform such obligations, and (vi) ensuring regulatory, legal, and environmental compliance of proposed Grant projects.
- Develop a performance-based disbursement plan and support the Government Parties in disbursing funds to selected Grantees pursuant to the Grant Committee's established guidelines and regulations applicable to the Grant Program, as well as any disbursement guidelines established by the Grant Administrator. Disbursement of Grant Funds will be made only after FOMB approval of the GAA. Any work performed by the Grantees or any subcontractor in connection with the Grant program prior to FOMB's approval of the Contract will be at the Grantee's risk.
- Lead the contracting process for selected Grantees based on the established template contract, including (i) finalizing technically sound and enforceable performance standards, (ii) finalizing realistic schedules for required rollout of Grantee projects, including, as applicable, timing of construction milestone payments and binding performance targets for each phase, (iii) finalizing an integrated monitoring and disbursement regime to incentivize Grantees to meet performance standards in accordance with the established schedule, (iv) acting as counterpart to Grantee contracts, (v) leading contract negotiations, and (vi) establishing training and hand-off procedures for oversight, monitoring, and disbursement roles at the close of the Grant Administrator contract term.





- Support the Government and/or the Grant Committee in providing advisory and permitting support services to grant recipients throughout the design, implementation and operations of their broadband build-outs.
- Conduct and coordinate ongoing monitoring of Grantee projects to ensure contract and regulatory compliance, including levying of established penalties for non-compliance with construction and service milestones. Conduct handoff procedures for performance-based disbursement agreements as established in Grant contracts, including, as necessary, technical training and legal transfer of oversight responsibility to the successor entity.
- Monitor ongoing Grants reporting, data collection and other accountability measures to ensure that funded projects deliver the promised services (key performance indicators) as well as evaluate overall progress towards identified goals. The Grant Administrator, and any successor entities, shall advise FOMB as to the status of funded projects at least one (1) time per year after Grantee selection is completed and for a period of at least three (3) years after completion of the Grantee selection.
- Develop dashboards and/or reports illustrating key results and progress towards identified goals.
- Retain all records, documents, and communications of any kind (including electronic disk or print form) that relates in any manner to grant awards and project procurement and performance.
- Support the Government Parties in the establishment of Grant Administration closeout procedures and execute Grant Administration closeout.

### 2.5.3 Technology and Policy Services

- Work with a Broadband Infrastructure Taskforce composed of Puerto Rico industry experts to develop recommendations regarding streamlining of construction permitting and planning; sustainable leveraging of existing public assets, such as poles, ducts, conduits, and rights-of-ways; and incentivizing of private broadband investments. In the case that the Broadband Infrastructure Taskforce is not reconstituted, the Grant Administrator can create a Broadband Infrastructure Advisory Committee of Puerto Rico industry experts that will provide recommendations as described herein.
- Based on the Broadband Assessment, industry standards and Proponent experience, develop technology-specific inputs to (i) Grant program goals and criteria (i.e. standards for capacity and speeds, preferred/permitted technology types) and (ii) the template Grant contract, (i.e. contract lifetimes based on useful life/technology refreshment periods, right-of-way allocations).
- Based on the defined goals, determine an approach to support expanded broadband coverage and adequate capacity and speeds in K-12 Schools and other community anchor institutions, such as higher education and healthcare institutions.
- Provide technology-specific inputs to the Grant management procedures, including development of quality control standards and required insurance regime.



- Develop industry-based performance standards for service rollout and support in establishment of a realistic construction and service rollout schedule for incorporation into the Grantee template contract.
- Maintain technical capabilities that allow the Grant Administrator to evaluate and assess grant applications based on technology drivers including, but not limited to: (i) technology selection (Broadband Assessment data indicators, cost comparisons, practicality of adoption, connection points, user needs, technology refresh, innovation specific to deployment environment, resiliency); (ii) review of technical designs; (iii) review of operating structure and business model proposals, (iv) flexibility and resiliency of proposed models.
- Lead services related to supporting permitting, securing right-of-way and environmental controls.
- Lead technical aspects of ongoing monitoring and evaluation, including monitoring installation and testing service provision.
- Provide advisory services to the Government Parties and/or the Grant Committee regarding different types of procurement models, permitting and securing of right-of-way, main business models currently in place or proposed, key gaps in the current state of broadband service provision, advantages and disadvantages of proposed operating and infrastructure models for broadband service expansion, technology innovation, and implementation of fiber regional backbone or last-mile connectivity infrastructure.

#### **2.5.4 Collaboration with Government Parties and other Third Parties**

- In collaboration with the Government Parties and broadband and telecommunications stakeholders, work to streamline constructing permitting and planning and to leverage existing public assets (e.g. poles, ducts, conduits, and right-of-way) for broadband provision.
- In partnership with the Government Parties, Federal Government and public and private stakeholders, collaborate to assess and map current coverage and prioritize various opportunities for broadband expansion in unserved and underserved areas.
- Collaborate with the Government Parties to develop hand-off procedures or assist in establishment of a permanent institution to continue and maintain Broadband Assessment Services.
- Leverage Federal resources and support for broadband expansion, including but not limited to those identified in Section 1.4 above, by working to provide timely information and strategic planning support to broadband providers that can leverage funding opportunities provided by the FCC, USDA, NTIA and others.





### 3 DESCRIPTION OF THE PROCUREMENT PROCESS

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#### 3.1 Procurement Process

AAFAF reserves the right, at its sole discretion, to modify the following procurement process to comply with applicable law or to address the best interests of AAFAF and the Commonwealth of Puerto Rico, including canceling the procurement.

AAFAF will evaluate the proposals it receives in response to this RFP and intends to select a preferred proposer (“Selected Proponent”) that is eligible to perform the Services according to criteria generally outlined herein.

#### 3.2 Schedule

A summary schedule of the major activities associated with the procurement process is presented below, through the completion of this RFP process. The post-proposal schedule may vary from the schedule indicated below. In such case, Proponents shall be notified to their email of record.

Date	Activity
October 21 <sup>st</sup> , 2020	Issue RFP
November 4 <sup>th</sup> , 2020	Last date for submission of questions or requests for clarifications to the RFP
November 4 <sup>th</sup> , 2020**	Last addendum to RFP issued
November 11 <sup>th</sup> , 2020	Proposals due to the AAFAF
November 24 <sup>th</sup> , 2020**	Complete evaluation of Proposals and Issue notices to Selected Proponent

\*\*Subject to change.

#### 3.3 Communications Protocol

The Government Parties are committed to a fair, open process for interested parties to receive information about the competitive solicitation process. As such, communications shall be conducted in accordance with this RFP.

No interpretation or clarification of the meaning of any part of the RFP will be made orally by the Government Parties to any potential Proponent. All questions and communications concerning this procurement process must be directed in writing to the Government Parties, via email (contact person and email address shown below), no later than the date specified in the RFP schedule.



All questions concerning this RFP should be directed ***IN WRITING*** to:

**Puerto Rico Fiscal Agency and Financial Advisory Authority**

**Attention: Manuel J. González, Esq.**

**Fiscal Agency Director**

**[manuel.gonzalez@aafaf.pr.gov](mailto:manuel.gonzalez@aafaf.pr.gov)**

Where appropriate, responses to formal questions will be distributed by email to all proponents on our record as having received a copy of this RFP. In each case, the Government Parties will determine whether a response is appropriate or necessary.

### **3.4 Conflicts of Interest**

By submitting their respective proposals, proponents acknowledge that in the event they are selected under this RFP, potential services rendered thereunder are to be provided exhibiting complete loyalty towards the Government Parties, including, but not limited to, having no adverse interest to the Government Parties.

Consequently, as part of the contracting process, selected proponents shall certify that they are not currently aware of any relationship that would create a conflict of interest with the Government Parties, or those parties in interest, according to the applicable Government's contracting requirements.



## 4 PROPOSAL SUBMITTAL REQUIREMENTS

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### 4.1 General

AAFAF expects Proposals submitted in response to this RFP to provide enough information about the requested items so as to allow AAFAF to evaluate, competitively rank and select a Selected Proponent based on the criteria set forth herein. Except for original documents expressly required in Section 6.1.1. that exists in a different language, Proposals shall be submitted exclusively in the English language, inclusive of English units of measure and cost terms in United States of America dollar denominations.

### 4.2 Format

All proposals must meet the requirements stated in this RFP.

#### 4.2.1 Digital Copy

Each responding Proponent shall submit digital copies of its Technical and Financial Proposals in two separate, searchable Adobe Acrobat PDF documents, bookmarked for ease of navigation. The Proponent's name must be clearly marked on the name of each file. The files shall be labeled, respectively "Broadband Grant Administrator [Name of Team] Proposal Technical.pdf" and "Broadband Grant Administrator [Name of Team] Proposal\_Financial.pdf".

None of the digital files shall contain any files other than the aforementioned files. Individual electronic files may not exceed 10 MB without prior AAFAF approval.

#### 4.2.2 General Format Requirements

Proposals must be set up on 8-1/2" x 11" sized pages, with hard copies submitted on white paper and bound. Double-sided printing is encouraged. 11" x 17" pages are allowed for schematics, maps, organizational charts, drawings, tables and schedules. However, narrative text cannot be included on such 11" x 17" pages, except for brief captions necessary to title or describe graphics. Any other narrative text included on an 11" x 17" page may be disregarded by AAFAF. Each 11" x 17" page will be counted as a single page. Printed lines may be single-spaced. Insofar as is practical or economical, all paper stock used shall be composed of recycled materials.

Forms shall not be modified other than to include requested information. If AAFAF issues any Addenda to the RFP that do not change a form except for noting the Addendum number and date in the footer, AAFAF will accept an earlier version of the form so long as the earlier version of the form submitted with the Proposal is otherwise the most up-to-date version of the form.

The Proposal (as described in Sections 5 and 6) shall have all pages numbered consecutively within each section of the Proposal, other than required forms which shall be individually numbered, including any 11" x 17" pages and must conform to the page limitations identified in [Sections 5 and 6] of this Proposal.

The Proposal must be presented in Arial (not Arial Narrow), 12-point font, including in diagrams, organizational charts and other such graphics.

Standard corporate brochures, awards and marketing materials shall not be included in the Proposal, and AAFAF does not commit to review any materials included in a Proposal that are not specifically required by the RFP.



### 4.3 Contents and Organization

Proponents must organize their Proposal in the order set forth in Sections 5 and 6. Each section may be subdivided as needed; dividers do not count as pages subject to page limitations noted herein, but content on any dividers will not be evaluated.

Figure 1. Proposal Organization

Section of Proposal		Maximum Number of Pages Allowed	Applicable Form	Firm or Person Responsible for Completing Form
<b>Volume 1 – Technical Proposal</b>				
Section A – General	A.1 Transmittal Letter	N/A	Form-1	Proponent
	A.2 Executive Summary	3	NFP <sup>2</sup>	Proponent
Section B – Proponent Information	B.1 Proponent Information	N/A	Form-2	Proponent
	B.2 Proponent Team Members Information	N/A	Form-2	Team Members
Section C – Certification and Legal Qualifications	C.1 Non-Collusion Affidavit	N/A	Appendix I	Proponent, Team Members
	C.2 Eligibility Affidavit	N/A	Appendix II	Proponent, Team Members
	C.3 Certification	N/A	Appendix III	Proponent, Team Members
Section D – Proponent Description	D.1 Team Structure	3 (including any figures)	NFP	Proponent
	D.2 Grant Administration Experience		NFP	
	D.3 Technology & Policy Experience			
Section E – Qualifications	E.1 Grant Administration Qualifications - Summary of Projects	N/A	Form-3	Proponent
	E.2 Grant Administration Qualifications - Project Narratives	3	Form-4	
	E.3 Technology Qualifications - Summary of Projects	N/A	Form-5	

<sup>2</sup> No form provided; the required information is described in Section 5 and 6



Section of Proposal		Maximum Number of Pages Allowed	Applicable Form	Firm or Person Responsible for Completing Form
	E.4 Technology Qualifications - Project Narratives	3	Form-6	
	E.5 Proponent References	N/A	Form-7	
Section F – Statement of Technical Approach	F.1 Organization Structure	10 (including any figures)	NFP	Proponent
	F.2 Summary of Approach		NFP	
	F.3 Work Plan		NFP	
	F.4 Local engagement approach		NFP	
	F.5 Compliance and transparency approach		NFP	
	F.6 Approach to Project risks		NFP	
	F.7 Improvements and modifications		NFP	
Section G – Key Personnel	G.1 Resumes and signed Statements of Availability	N/A	NFP	Proponent
	G.2 Key Personnel References	N/A	Form-8	

Section of Proposal		Maximum Number of Pages Allowed	Applicable Form	Firm or Person Responsible for Completing Form
<b>Volume 2 – Financial Proposal</b>				
	Financial Statements	N/A	NFP <sup>3</sup>	Proponent

<sup>3</sup> No form provided; the required information is described in Section 6.1



Section of Proposal		Maximum Number of Pages Allowed	Applicable Form	Firm or Person Responsible for Completing Form
Section A – Financial Capacity	Material Changes in Financial Condition	N/A	NFP <sup>4</sup>	Proponent
Section B – Budget Breakdown	Budget Breakdown	N/A	NFP <sup>5</sup>	Proponent

#### 4.4 Proposal Submittal Requirements

All questions concerning this RFP should be directed ***IN WRITING*** to:

**Puerto Rico Fiscal Agency and Financial Advisory Authority**  
**Attention: Manuel J. González, Esq.**

**Fiscal Agency Director**

[manuel.gonzalez@aafaf.pr.gov](mailto:manuel.gonzalez@aafaf.pr.gov)

The Proposal shall be submitted electronically via e-mail to the addresses set forth below:

[rfp@aafaf.pr.gov](mailto:rfp@aafaf.pr.gov)

The subject on the electronic submittal shall read as follows:

#### **Proposal for the Broadband Infrastructure Grant Administrator Services**

The proposal shall be submitted no later than **Wednesday, November 11<sup>th</sup>, 2020, 5:00 PM,**  
**Atlantic Standard Time** (“Proposal Due Date”).

Any Proposal that is delivered after the Proposal Due Date shall be considered late, rejected and returned unopened to the proponent. The Government Parties assume no responsibility for deliveries made or attempted outside of the times specified above, late deliveries or the method of delivery chosen by the Proponent.

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<sup>4</sup> No form provided; the required information is described in Section 6.1.1

<sup>5</sup> No form provided; the required information is described in Section 6.2



**PROPOSALS SHALL BE VALID FOR A PERIOD OF NINETY (90) DAYS AFTER THE PROPOSAL DUE DATE.**

The Proposal shall be prepared in English. All fees shall be quoted in United States dollars. The Government Parties shall not accept any proposal or modification of a Proposal delivered by telephonic, electronic or facsimile means, except as provided herein.



## 5 TECHNICAL PROPOSAL

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The Proposal shall contain the following:

### 5.1 Section A – General

#### 5.1.1 Transmittal Letter

A duly authorized official of the Proponent or Lead Team Member must execute the transmittal letter on **Form-1**. For Proponents that are joint ventures, partnerships, limited liability companies or other associations, the transmittal letter shall have appended to it letters on the letterhead stationery of each Team Member, executed by authorized officials of each Team Member, stating that representations, statements and commitments made by the a lead Team Member (the “Lead Team Member”) on behalf of the Team Member’s firm have been authorized by such Team Member, are correct, and accurately represent the role of the Team Member’s firm in the Proponent team.

#### 5.1.2 Executive Summary

An Executive Summary, not exceeding [five] pages. The Executive Summary shall be written in a nontechnical style and shall contain sufficient information for reviewers with both technical and nontechnical backgrounds to become familiar with the Proponent’s Proposal and its ability to satisfy the financial and technical requirements of the Project.

### 5.2 Section B – Proponent Information

#### 5.2.1 Proponent Information

Submit completed and executed **Form-2** on behalf of the Proponent.

#### 5.2.2 Team Members Information

If Proponent is a joint venture or newly formed entity, complete a separate **Form-2** for each member of or partner in such joint venture or newly formed entity.

Lead Team Member and Team Members are advised that **Form-2** may be released to the public and media.

### 5.3 Section C – Certification and Legal Qualifications

#### 5.3.1 Non-Collusion Affidavit

Submit a completed Appendix I Non-Collusion Affidavit.

#### 5.3.2 Eligibility Affidavit

Submit a completed Appendix II Eligibility Affidavit.

#### 5.3.3 Certification

Appendix III (Certification) completed and executed on behalf of each of the following: the Proponent and each Team Member. If the Proponent or a Team Member is a joint venture or newly formed entity, complete a separate Appendix III for each member of or partner in such joint venture or newly formed entity.

### 5.4 Section D – Proponent Description and Experience

This section requests an introduction of the Proponent, description of its Team Members and any teaming arrangements, and information detailing the Proponent’s experience to establish its expertise across the service areas described in the Scope of Work. The Proponent must demonstrate





that it possesses all grant administration, technology and policy capabilities to successfully execute the Services. The Proponent must show effective and substantive experience relative to proposed Scope of Work. Proponents are expected to display strong leadership, accountability, continuity and the willingness to work with a broad range of entities, both within the public and private sectors. Hence, the Proponent must demonstrate it has a staff and/or a team of experienced professionals and a dynamic collaborators network that include a broad range of private and government organizations. It is in the spirit of such capabilities that Proponent shall discuss its experience herein.

#### **5.4.1 Team Structure**

Provide an introduction to the Proponent, Lead Team Member and Team Members (if applicable), and describe any teaming and sub-contracting arrangements, existing or anticipated, including any technical, legal, and financial advisors/consultants that the Proponent anticipates retaining to assist in performance of the Grant Administration Services (or such other support anticipated to be required during the term of the agreement).

#### **5.4.2 Grant Administration Experience**

- Provide a brief overview of the Proponent's experience in planning, launching and administering large grant programs.
- Provide a brief overview of the Proponent's experience in procuring, managing and coordinating technical, financial, and legal advisors to manage grant programs involving technically complex scopes.
- Describe the Proponent's capability and experience in grant administration as applicable under the requirements and standards outlined by the Office of Management and Budget, 2 CFR Chapter II, Parts 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- Describe any needs assessment and/or stakeholder engagement processes undertaken by the Proponent in prior experience in a grant administrator capacity, including engagement with the unserved or underserved communities as discussed in the RFP.
- Describe the Proponent's capability and experience in drafting and administration of complex and technically detailed contracts.
- Demonstrate the Proponent has a dynamic collaborators network that includes a broad range of private and government organizations relevant to the scope of work and to implementing the Grant Administration Services.

#### **5.4.3 Technology & Policy Experience**

- Provide a brief overview of the Proponent's experience in developing, promoting and/or fostering innovative and technology-driven solutions that generate high economic impact and reduce the digital divide.
- Describe the Proponent's experience in developing policies that promote technology-driven solutions to reduce the digital divide and generate economic impact.
- Provide a description of the Proponent's experience in procuring, managing, coordinating and leading technical teams (including technical, financial, and legal advisors) to manage technology-driven grant programs involving technology centered scopes.
- Describe any needs assessment and/or stakeholder engagement processes undertaken by the Proponent in prior experience in a technologically innovative capacity, including engagement with the unserved or underserved communities as discussed in this RFP.



- Demonstrate the Proponent has a dynamic collaborators network that include a broad range of private and government organizations relevant to the scope of work and implementing a technology centered grant program.
- Describe the Proponent's capability and experience coordinating and negotiating with a large number of public and private-sector stakeholders.

For broadband technical elements, the Proponent may refer to the individual experience of Key Personnel and additional resources at organizations other than the Proponent or teaming entities.

## **5.5 Section E - Qualifications**

### **5.5.1 Grant Administration Qualifications**

#### **5.5.1.1 Summary of Projects - Grant Administration Qualifications**

Submit a completed **Form-3** - Provide a summary of Grant Administration Experience with a maximum of five (5) projects per Proponent in compliance with the instructions and requirements set forth in **Form-3**.

#### **5.5.1.2 Project Narratives - Grant Administration Qualifications**

Submit detailed project narratives using **Form-4** - Provide project narratives detailing Grant Administration Experience, including a minimum of one (1) and maximum of three (3) projects per Proponent in compliance with the instructions and requirements set forth in **Form-4**.

For each project narrative, provide a reference contact using the Proponent Reference **Form-7**.

### **5.5.2 Technology Qualifications**

#### **5.5.2.1 Summary of Project - Technology Qualifications**

Submit a completed **Form-5** - Provide a summary of Technology Experience with a maximum of five (5) projects per Proponent in compliance with the instructions and requirements set forth in **Form-5**.

For broadband technical elements, the Proponent may refer to the individual experience of Key Personnel at organizations other than the Proponent or teaming entities.

#### **5.5.2.2 Project Narratives - Technology Qualifications**

Submit detailed project narratives using **Form-6** - Provide project narratives detailing Technology Experience including a minimum of one (1) and maximum of three (3) projects per Proponent in compliance with the instructions and requirements set forth in **Form-6**.

For broadband technical elements, the Proponent may refer to the individual experience of Key Personnel at organizations other than the Proponent or teaming entities.

For each project narrative, provide a reference contact using the Proponent Reference **Form-7**.

### **5.5.3 Proponent References**

In accordance with Project Narrative sections 5.5.2.1 and 5.5.4.1 above submit a completed **Form-7**.

Proponent are prohibited from using references from individuals the following List of Excluded References in **Appendix-IV**.

## **5.6 Section F - Technical Approach**

Provide a narrative statement, not to exceed [10] pages, detailing the Proponent's technical approach to the Project and outlining a proposed work plan to fulfill the Scope of Work (Section 2.5).



Proponent's narrative statement shall include:

#### **5.6.1 Organization Structure**

- Provide an organizational chart indicating the Key Personnel and the relationship between their respective roles.
- Note structure for communication with the Government Parties, AAFAF and Grant Committee.
- Indicate reporting structure with the grant applicants and Grantees.
- Provide any additional personnel expected to be contracted or subcontracted if the Proponent is selected and indicate reporting structure.
- Note Key Personnel's previous experience (if any) working together in such roles.

#### **5.6.2 Summary of Approach**

- Describe the Proponent's understanding of the various challenges faced by the unserved, underserved and rural communities in Puerto Rico as a result of limited broadband access. Define key challenges in the provision of broadband services and how these can most effectively be addressed through the design and rollout of the Broadband Infrastructure Measure.
- Provide a description of the Proponent's understanding of Puerto Rico's telecommunications ecosystem, including (i) main business models currently in place or proposed, (ii) current state of broadband service provision, including key gaps, (iii) advantages and disadvantages of potential operating and infrastructural models for broadband service expansion, including public vs. private ownership, lease structures and wireless vs. FTTP provision.
- Provide a high-level summary of how the Proponent will achieve the goals, objectives, tasks, and deliverables outlined in the Scope of Services for this RFP. Specifically address how the Proponent will effectively communicate with the Government Parties with regard to governance and organizational procedures for tasks identified in the Scope of Work.
- Provide a brief summary of how the integration and coordination of Proponent team capabilities described in Section 5.6.1: Organization Structure will facilitate the satisfactory fulfillment of the Scope of Work.

#### **5.6.3 Work Plan**

- Provide a detailed Work Plan indicating how the Proponent will execute the project Scope of Work and meet the objectives stated in this RFP. The work plan shall include, at a minimum, a detailed list and description of (i) primary workstreams and work phases, (ii) key deliverables for each phase, (iii) key activities for each phase, and (iv) projected touch points for collaboration with Government Parties and/or the Grant Committee. As a high-level example, phasing and key activities for the Scope of Work could follow the outline below. Improvements to and divergence from the proposed outline in order to better fulfill the Scope of Work are permitted and encouraged.

*Year 1: Assessment & Setup of Grant Administration system*

- Conduct baseline broadband assessment and set key targets
- Develop Grant application and attendant processes as described in the Scope of Work
- Conduct market outreach and local stakeholder engagement



#### *Year 2: Grant application process*

- Launch and conduct Grant application process
- Evaluate, select and contract Grant projects
- Develop disbursement schedule and support disbursement of Grant funding

#### *Year 3: Infrastructure buildout launch and Grant Administration Closeout*

- Launch buildout for selected Grant projects
- Conduct baseline monitoring; develop and hand off long-term monitoring plan
- Support disbursement of Grant funding; develop and hand off long-term disbursement plan
- Develop and hand off long-term disbursement plan
- Execute Grant Administration closeout
- Parallel workstreams, as well as critical path dependencies, should be indicated and the Proponent's approach to managing multiple and/or interdependent workstreams discussed.
- Indicate workstreams or activities for which respective Team Members (if applicable) are expected to be primarily responsible. *(All services expected to be required to deliver the Scope of Work described in this RFP are payable through the Grant Administrator fee)*
- Indicate and discuss any proposed divergence from the RFP timeline.
- The Work Plan should be detailed on at least a quarterly basis.
- Discuss turnover of Grant Administration responsibility to the Government Parties at the close of the contract term, including (as applicable) proposed term extension options.

#### **5.6.4 Local engagement approach**

- The Government Parties have the objective of fostering the participation of Local Parties in the provision of professional services and local expertise. Explain Proponent's approach to developing grantee requirements to facilitate partnerships with local parties and community stakeholders
- Describe Proponent's approach to stakeholder engagement, including community engagement and local stakeholder partnerships (including but not limited to anchor institutions throughout Puerto Rico)

#### **5.6.5 Compliance and transparency approach**

- Describe Proponent's approach to ensuring overall financial and legal compliance and transparency
- Describe Proponents' approach to ensuring environmental protection and project resiliency

#### **5.6.6 Approach to Project Risks**

- Identify and describe key project risks at each phase of each proposed workstream throughout the project timeline
- Demonstrate Proponent's understanding of and approach to managing the identified Project risks and potential solutions to address the risks



### 5.6.7 Improvements and modifications

- Improvements and modifications to the activities specified in the Scope of Work are permitted; however, please discuss any proposed revisions and include justification for the proposed changes
- Identify any gaps in the information provided in this RFP and/or publicly available that would require additional information or outreach by the Proponent, and provide a summary of a proposed plan for identifying and rectifying any information gaps should the Proponent be engaged for this scope.

## 5.7 Section G – Key Personnel

### 5.7.1 Resumes

- Provide a resume of not more than two (2) pages for each of the following Key Personnel, and
- Provide a resume of not more than one (1) page for each of the Additional Resources proposed (as applicable)

<b>Key Personnel</b> (Shall be committed to the project on a full-time basis)		
<b>Position</b>	<b>Role</b>	<b>Minimum Requirements</b>
<b>Grants Administration Lead</b>	Shall be responsible for the execution of the Grant Administration Services.	Must have a minimum of 10 years of experience in leading the administration of grant programs including the management of at least one (1) program with an annual value in excess of \$10,000,000. Must have experience in managing technical, legal and financial advisors/consultants.
<b>Technology Lead*</b>	Shall be responsible for the execution of the Broadband Technology Implementation services including the Broadband Mapping Assessment.	Must have a minimum of 10 years of experience in leading/advising design and implementation of large technology-centered programs including the management of at least one (1) project involving an assessment in a territory with a population of at least one (1) million inhabitants Must have experience in managing technical, legal and financial advisors/consultants.



*\*It is understood and permitted that the Proponent may not have one of the Key Personnel on staff at the time of submittal. In the case that the Proponent plans to contract one of the Key Personnel only if selected, this should be indicated. The Statement of Availability must be signed by the proposed candidate in either case.*

#### **5.7.1.1 Resume Specifications**

Each resume must specify the following:

- The role that each person will fulfill for the project as Key Personnel or Additional Resource
- An overview of relevant experience, demonstrating how such experience will add value to the execution of the Grant Administration Services
- Language skills

#### **The Grants Administration Lead resume shall:**

- Demonstrate a minimum of ten (10) years of experience in leading the administration of grant programs including the management of at least one (1) program with an annual value in excess of \$10,000,000.
- Indicate and describe any needs assessment and community engagement processes undertaken in prior experience in a grant administration capacity including engagement with underserved communities
- Demonstrate experience in managing technical, legal and financial advisors/consultants

#### **The Technology Lead resume shall:**

- Demonstrate a minimum of ten (10) years of experience in leading/advising design and implementation of large technology-centered programs including the management of at least one (1) project involving an assessment in a territory with a population of at least one (1) million inhabitants
- Indicate and describe experience related to (i) assessment of baseline telecommunications or technology service provision, (ii) implementation of technical services, including negotiations with large national or global partner(s)/ counterparty(ies) and technology service providers, (iii) experience with different types of procurement models, (iv) experience monitoring installation and testing service provision, (v) services related to permitting and securing right-of-way, and (vi) any experience in implementing or advising on the implementation of telecommunications infrastructure
- Indicate and describe any needs assessment and community engagement processes undertaken in prior experience in implementing a technology-centered program, including engagement with underserved communities
- Demonstrate experience in managing technical, legal and financial advisors/consultants

#### **5.7.1.2 Availability of Resources**

Proponents are urged to designate and proffer only those individuals they reasonably believe will be available for a given role. Proponents are advised that Selected Proponent personnel changes must be requested in writing and will be subject to the Government Parties' approval. Key Personnel changes without the Government Parties' prior approval may result in disqualification or removal of the Selected Proponent.



Each resume submitted is required to sign and attach to the end of the resume the following Statement of Availability:

STATEMENT OF AVAILABILITY		
<p>I, the undersigned, certify that to the best of my knowledge and belief, this resume correctly describes myself, my qualifications, and my experience, and I am available and willing to undertake the assignment in case of an award. I understand that any misstatement or misrepresentation described herein may lead to my disqualification or dismissal, and/or sanctions.</p> <p>Further, I certify that I have been informed of the inclusion of my resume in this Proposal to provide Fund Administration Services. I confirm that I will be available and willing to carry out the assignment for which my resume has been submitted in accordance with the implementation arrangements and schedule set out in the Agreement.</p>		
<hr/>		
Name	Signature	Date (Month/Day/Year)

### 5.7.2 Key Personnel References

Provide Key Personnel references using **Form-8** as described below:

- Three (3) references must be supplied for each of the Key Personnel, and one (1) reference must be supplied for each other Additional Resource (if applicable), in each case from projects during the past five (5) years; where a Key Personnel has only worked on two (2) or less projects during the past five (5) years, the Proponent shall (i) affirmatively state that the Key Personnel has only worked on two or less projects during the past five (5) years, (ii) include references from each such project and (iii) include references from projects before such five (5) year period such that the total number of references is three (3).
- References shall be provided by previous clients with whom the Key Personnel or Additional Resources (if applicable) have worked, and shall include the reference's name, position, company or agency, and current contact details (including current address, email and telephone).
- Proponents are requested to verify the accuracy of the references' contact details and are advised that if the contact details are not correct, the Government Parties may elect to exclude the experience represented by such reference in determining the Key Personnel's qualifications.
- Key Personnel are prohibited from using references from individuals on the List of Excluded References in **Appendix-IV**.





## 6 FINANCIAL PROPOSAL

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The Financial Proposal shall contain the following:

### 6.1 Section A - Financial Capacity

#### 6.1.1 Financial Statements

The Proponent and each Proponent Team Member, if any, must provide financial statements for the three (3) most recent completed fiscal years, showing how it manages its resources and demonstrating that it has the financial capability to carry out the Grant Administration Services, as determined by AAFAF.

Information for each organization should include a cover sheet identifying the name of the organization and its role as Proponent or Team Member (if applicable).

Financial statement information must include:

- Opinion Letter (Auditor's Report)
- Balance Sheet
- Income Statement
- Statement of Changes in Cash Flow
- Footnotes

In addition, financial statements must meet the following requirements:

- GAAP/IFRS – Financial statements must be prepared in accordance with U.S. Generally Accepted Accounting Principles ("U.S. GAAP") or International Financial Reporting Standards ("IFRS").
- U.S. Dollars – Financial statements must be provided in U.S. dollars. If financial statements are not available in U.S. dollars, the Proponent and Team Members, must include summaries of the income statements and balance sheets for the applicable time periods converted to U.S. dollars by a certified public accountant.
- Audited – Financial statements must be audited by an independent party qualified to render audit opinions (e.g., a certified public accountant). If audited financials are not available, the Proposal shall include unaudited financial statements for such entity, certified as true, correct and accurate by the chief financial officer ("CFO"), treasurer or equivalent officer of the entity.
- English – Financial statement information must be prepared in English. If audited financial statements are prepared in a language other than English, translations of all financial statement information must be provided with the original financial statement information.

#### 6.1.2 Material Changes in Financial Condition

Information regarding any material changes in the financial condition of Proponent and each Team Member (if applicable) during its respective past three (3) fiscal years and anticipated for the next reporting period, must be provided. If no material change has occurred and none is pending, the Proponent and Team Member, as applicable, shall provide a signed letter from its CFO, treasurer or equivalent officer so certifying. The letter must be dated not earlier than seven calendar days prior to the proposal Due Date.





At the discretion of AAFAF, any failure to disclose a prior or pending material change may result in disqualification from further participation in the selection process. In instances where a material change has occurred, or is anticipated, the affected entity shall provide a statement describing each material change in detail, the likelihood that the developments will continue during the period of performance of the Project, and the projected full extent of the changes likely to be experienced in the periods ahead.

References to the notes in the financial statements are not sufficient to address the requirement to discuss the impact of material changes.

Where a material change will have a negative impact, the affected entity shall also provide a discussion of measures that would be undertaken to insulate the Project from any recent material changes, and those currently in progress or reasonably anticipated in the future.

Set forth below is a representative list of events intended to provide examples of what AAFAF considers a material change in financial condition. This list is intended to be indicative only.

List of Representative Material Changes:

- An event of default or bankruptcy involving the affected entity.
- A change in credit rating (if applicable) for the affected entity.
- Inability to meet conditions of loan or debt covenants by the affected entity.
- The affected entity either: (i) the financial statements indicate that expenses and losses exceed income (i.e. negative net income excluding earnings from non-controlling interests); (ii) incurred a net operating loss (i.e. negative income before taxes, or negative earnings before taxes); or (iii) sustained negative cash flows from operating activities; in at least one of the last three fiscal periods, the affected entity shall provide a discussion of measures that will be undertaken to make the entity profitable in the future and an estimate of when the entity will be profitable.
- Other events known to the affected entity, or parent organization of the affected entity which represents a material change in financial condition over the past three years or may be pending for the next reporting period.

## **6.2 Section B - Budget Breakdown**

- Provide a full explanation of the pricing structure, as well as sufficient information regarding performance metrics built into this structure.
- Proponents should also show a breakdown of their fees depending on sections of the engagement or the fees for conducting specific tasks. Include a breakdown of (i) Grant Administration fees, (ii) Technical Advisory/Consultant fees, and (iii) any additional consultant fees anticipated
- Based on the Work Plan described in Section 5.6.3, provide an estimated budget for each of the [three (3)] years specified in the scope, outlining the cost breakdown and fee structure anticipated to fulfill the RFP scope, including both Grant Administration activities as well as any technical, financial, legal or other additional advisory services that the Proponent will plan to procure.



## 7 EVALUATION PROCESS AND CRITERIA

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### 7.1 Evaluation Committee

The Government Parties have appointed a committee to review and evaluate all the proposals submitted in accordance with the RFP, (the “Evaluation Committee”) The Evaluation Committee shall have five (5) members including : two (2) AAFAF representatives, one (1) PRITS representative, and two (2) Government representatives from other relevant agencies or offices as selected by the Government Parties. The Evaluation Committee shall also have one (1) ex-officio and non-voting member from the FOMB.

All proposals, evaluations and the content of any discussions shall be kept strictly confidential throughout the evaluation and award process. Only the Executive Director of the Government Parties, FOMB, members of the Evaluation Committee, consultants, attorneys and employees of the Government Parties approved by the above and with a legitimate need to know, shall have access to the proposals and the evaluation results. The Evaluation Committee shall obtain technical and legal support from Government Parties’ employees, consultants and attorneys, as needed. The contract shall be awarded to the Proponent whose Proposal is found to be technically sufficient, acceptable and most advantageous to the Government Parties and FOMB as per the Fiscal Plan.

The Government Parties, by means of the Evaluation Committee, may request a Proponent to clarify a proposal in the event that ambiguities or uncertainties are presented in the proposal or to obtain more information necessary for the Evaluation Committee to make a comprehensive evaluation.

The Government Parties may enter into simultaneous or subsequent negotiations with Proponents to determine the Selected Proponent. The Government Parties reserve the right to interview key personnel of the Proponent before the award of the contract. The Government Parties reserve the right to conduct discussions with each and every proponent and to request that proponents submit a revised experience and technical proposal and/or financial proposal.

The Evaluation Committee shall report its findings and make its recommendations to the Government Parties. The Government Parties, however, may accept the recommendation of the Evaluation Committee, award the contract to another Proponent or Proponents, or exercise any of the rights reserved by the Government Parties.

Proposals that are not disqualified will be evaluated as to their the substantive material, provided however that, in addition to the rights reserved in this Section 7.1, the Government Parties reserve the right to waive any defect or technicality in any proposals received, and modify or postpone or terminate the RFP process in its entirety or with respect to any proponent, at any time, for any reason or no reason.

### 7.2 Responsiveness

The Evaluation Committee shall first review and determine if each Proposal completed all requirements as to format and content.

Each Proposal will be reviewed for:

- Conformance to the RFP instructions regarding organization and format; and
- Responsiveness to the requirements set forth in this RFP.

Those Proposals not responsive to this RFP may be excluded from further consideration, and the Proponent will be so advised. The Government Parties may also exclude from consideration any Proponent whose Proposal contains a material misrepresentation.



A Proposal from any Proponent that fails to pass Government Parties' determination regarding no conflict of interest (as per Section 3.4) , shall be deemed unacceptable and unresponsive, and shall be disqualified without further evaluation.

### **7.3 Interviews**

Oral interviews may be conducted with Proponents to aid in the selection of a preferred proposer or to clarify or expand upon specific items included in the proposals.

### **7.4 Selection**

Proposals will be evaluated by the Government Parties taking into consideration the following factors:

- Experience - Technical capabilities in grant administration and technology rollout (capacity to plan, launch, and manage a significant grant portfolio; expertise in contracting; capacity to evaluate technically and operationally complex proposals; capability to coordinate and negotiate with a large number of public and private-sector stakeholders).
- Qualifications - Experience with similar projects and proven track record in grant administration and technology roll-out.
- Technical Approach - Approach to the engagement (e.g. initial work plan and services proposal, effective fiduciary compliance department, integration and coordination of the multiple service providers, organization of team and functions, etc.); reasonableness, timeliness and staffing of resources (i.e. capability to establish and administer the Grant Administration Services in an accelerated schedule, and with the dedicated resources); reasonableness of Proponent's budget breakdown (Financial Proposal Section B Budget Breakdown) as it relates to its capacity to deliver the Scope of Work, timeliness and staffing of its resources, as described in the Technical Approach.
- Key Personnel – Experience with similar projects, proven track record and qualifications; capability to coordinate and negotiate with a large number of public and private-sector stakeholders; and technical capabilities in grant administration and technology (as appropriate).
- Interviews - Oral interviews may be conducted with Proponents to clarify or expand upon specific items included in the Proposals.



The Evaluation Criteria for this RFP will be as follows:

<b>Evaluation Criteria</b>	<b>Technical Proposal Submittal Sections</b>	<b>Weighting</b>
<b>Experience</b>	<b>Section D</b>	<b>[20%]</b>
Grant Administration Experience	Section D.2	[10%]
Technology & Policy Experience	Section D.3	[10%]
<b>Qualifications</b>	<b>Section E</b>	<b>[15%]</b>
Grant Administration Qualifications	Section E.1	[7.5%]
Technology & Policy Qualifications	Section E.2	[7.5%]
<b>Technical Approach</b>	<b>Section F</b>	<b>[30%]</b>
Summary of Approach	Section F.2	[10%]
Work Plan	Section F.3	[10%]
Local Engagement Approach	Section F.4	[5%]
Other elements of Approach	Sections F.1, F.5 - F.7	[5%]
<b>Key Personnel</b>	<b>Section G</b>	<b>[20%]</b>
Grant Administration Lead	Sections G.1, G.2	[15%]
Technology Lead	Sections G.1, G.2	[5%]
<b>Interviews</b>		<b>[5%]</b>
<b>TOTAL</b>		<b>100%</b>



## 8 DISCLOSURES

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### 8.1 General Disclosures, Rights, Options and Disclaimers

The issuance of this RFP, submission of a response by any firm/team, and the acceptance of such response by the Government Parties does not obligate the Government Parties. Proponent shall only be bound by its proposal for the period of 60 days required in this RFP. Legal obligations will only arise upon the execution of a formal agreement between the Government Parties and the selected firm/team.

By responding to this RFP, proponents acknowledge and consent to the following conditions relative to the procurement process. The Government Parties are not bound to accept any proposals if proponents do not meet the Government Parties' requirements. Without limitation and in addition to other rights reserved by the Government Parties in this RFP, the Government Parties reserve and hold, at their sole discretion, the following rights and options:

- To accept or reject any and all submittals, in whole or in part.
- To discuss, with any or all proponents, different or additional terms to those included in this RFP or received in any response.
- To cancel this RFP in whole or in part, at any time, with or without substitution of another RFP if such cancellation is determined to be in the best interest of the Government Parties.
- To supplement, amend, or otherwise modify this RFP prior to the date of submission of the proposals.
- To receive written questions concerning this RFP from Proponents and to provide such questions, and Government Parties responses, to all Proponents that received a copy of the RFP.
- To require additional information from one or more Proponents to supplement or clarify the proposals submitted.
- To conduct further investigations with respect to the qualifications and experience of each Proponent.
- To visit and contact the proponent's client in any of the projects or engagements referenced in the proposals to obtain direct information regarding proponent's performance in such engagements.
- To waive any defect or technicality in any proposals received.
- To eliminate any proponents that submits a nonconforming, non-responsive, incomplete, inadequate or conditional proposal.
- To investigate the technical and financial qualifications of proponents using sources in addition to what was included in the proposals.

All costs and expenses incurred by the proponents in the preparation and delivery of a proposal will be the sole responsibility of the proponents. The Government Parties will not be liable for any amounts to any proponent in any manner, under any circumstances, including without limitation, as a result of a cancelation of the RFP process. The proponents cannot make any claims whatsoever for reimbursement from the Government Parties for the costs and expenses associated with the process.

Proponents should submit their best proposals initially, since negotiations may not take place.



The laws of Puerto Rico shall govern this RFP process. Any disputes relating to this RFP must be resolved accordingly. Exclusive venue for a judicial challenge is the Appeals Court of Puerto Rico as provided for by the laws of Puerto Rico.

## **8.2 Accuracy of RFP and Related Documents**

The Government Parties assume no responsibility for the completeness or the accuracy of specified technical and background information presented in this RFP, or otherwise distributed or made available during this RFP process. Without limiting the generality of the foregoing, the Government Parties will not be bound by or be responsible for any explanation or interpretation of the RFP documents other than those given by it in writing. In no event may a proponent to this RFP rely on any oral statement by the Government Parties' agents, advisors, or consultants.

## **8.3 Confidential or Proprietary Information**

One copy of each proposal will be retained for the Government Parties' files and will not be returned. If a proponent considers that its proposal contains material that is confidential and/or proprietary, the proponent must clearly note or mark each section of material as confidential and/or proprietary. The Government Parties will determine whether such material meets the requirements for an exemption from disclosure. If so, that information will not be disclosed pursuant to a request for public documents. If the Government Parties do not consider such material to meet the requirements for exemption from disclosure, the material will be made available to the public, regardless of the notation or markings. It is the responsibility of proponents to be thoroughly informed and familiar with the requirements of disclosure of public documents.

- 1) Furthermore, by responding to this RFP, proponents acknowledge and agree that the Government Parties will not be responsible or liable in any way for any losses that the proponent may suffer from the disclosure of information or materials to third parties. It is the responsibility of the proponent, as the real party in interest, to object any disclosure and defend any action that may be necessary to protect its confidential information.



## 9 APPENDIXES



## Appendix I – Non-Collusion Affidavit

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### NON-COLLUSION AFFIDAVIT

I, \_\_\_\_\_, of legal age and resident of \_\_\_\_\_, certify for myself and for my organization \_\_\_\_\_, under oath and subject to the consequences and penalties or perjury, that to the best of my knowledge and belief:

i. The fees presented in this proposal have been arrived at independently without collusion, consultation, communication, or agreement with any other proponent or with any competitor for the purpose of restricting competition.

ii. No attempt has been made or will be made by myself or any member of my organization or associates to induce any other person or organization to submit or not to submit a proposal for the Project, or otherwise take any action in restraint of free competitive proposals for the Project.

\_\_\_\_\_  
Proponent Contact Signature

\_\_\_\_\_  
Proponent Contact Name and Title

AFFIDAVIT NO. \_\_\_\_\_

Sworn and subscribed before me by \_\_\_\_\_, of the personal circumstances set forth above, personally known to me, in \_\_\_\_\_, Puerto Rico, on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

*Note: Providing false information may result in immediate disqualification of proponent criminal prosecution or administrative sanctions.*





## Appendix II – Eligibility Affidavit

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### ELIGIBILITY AFFIDAVIT

I, \_\_\_\_\_ (Proponent Contact), of legal age, civil status: \_\_\_\_\_, profession: \_\_\_\_\_ and a resident of \_\_\_\_\_ (City, State), in my capacity as \_\_\_\_\_ (officer) of \_\_\_\_\_ (the “Proponent”), do hereby certify under penalty of perjury, that, except as noted below, the Proponent and Proponent’s owners, shareholders, partners, directors, officers, principals and managers (“Proponent’s Related Parties”):

- a. are not currently under suspension, debarment, voluntary exclusion or determination of ineligibility by any state or federal court of agency;
- b. have not been suspended, debarred, voluntarily excluded or determined ineligible by any state or federal court or agency within the past three (3) years;
- c. do not have a proposed debarment pending;
- d. will not use any subcontractors who are so debarred;
- e. have not been convicted or plead guilty in federal or state court, for the commission of misappropriation; extortion; construction fraud; fraud in the delivery of goods; undue intervention in public procurement processes; bribery; offer to bribe; undue influence; crimes against public funds; or preparation, presentation, possession or transfer of forged documents. The prohibition set forth herein shall also apply to convictions for other crimes equivalent to those of the above stated crimes;
- f. are not under investigation in federal, state, foreign or local jurisdictions, at any legislative, judicial or administrative level for the alleged commission of the abovementioned crimes; and
- g. I am a duly authorized representative of the Proponent and the Proponent Related Parties, with knowledge and authority to execute this sworn statement.

Exceptions to the above are set forth in an attachment to this Appendix II, providing the name of the initiating agency, number of the complaint, names of all parties and dates of action.

\_\_\_\_\_  
Proponent Contact Signature    Proponent Contact Name and Title

AFFIDAVIT NO. \_\_\_\_\_

Sworn and subscribed before me by \_\_\_\_\_, of the personal circumstances set forth above, personally known to me, in \_\_\_\_\_, Puerto Rico, on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

*Note: Providing false information may result in immediate disqualification of Proponent criminal prosecution or administrative sanctions.*



## Appendix III – Certification

### CERTIFICATION

Name of Proponent: \_\_\_\_\_

Name of Firm (if a member of a team): \_\_\_\_\_

The term “affiliate” as used in this certification includes parent company(ies), subsidiaries, organizations under common ownership, joint ventures, partners, and other financially liable parties for that entity.

- (1) Has the firm or any affiliate or any **current** officer thereof, been indicted or convicted of bid (i.e., fraud, bribery, collusion, conspiracy, antitrust, etc.) or other contract related crimes or violations or any other felony or serious misdemeanor within the past five years?

☐ Yes ☐ No

If yes, please explain:

- (2) Has the firm or any affiliate ever sought protection under any provision of any bankruptcy act?

☐ Yes ☐ No

If yes, please explain:

- (3) Has the firm or any affiliate ever been disqualified, removed, debarred or suspended from performing work for the federal government, any state or local government, or any foreign governmental entity?

☐ Yes ☐ No

If yes, please explain:

- (4) Has the firm or any affiliate ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or other material misrepresentation to a public entity?

☐ Yes ☐ No

If yes, as to each such inquiry, state the name of the public agency, the date of the inquiry, the grounds on which the public agency based the inquiry, and the result of the inquiry.

- (5) Within the last five years, has any grant administration services or related services provided or managed by the firm or any affiliate involved repeated or multiple failures to comply with [xxx] rules, regulations, or requirements during the term of service?

☐ Yes ☐ No

If yes, please identify the firm or affiliate and the project(s), provide an explanation of the circumstances, and provide client contact information, including e-mail and current telephone number.

- (6) Within the last ten years, has the firm or any affiliate been found, adjudicated or determined by any federal or state court or agency (including, but not limited to, the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs and any applicable governmental agency of Puerto Rico) to have violated any laws or Executive Orders relating to employment discrimination or affirmative action, including but not limited to Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. Sections 2000 et seq.); the Equal Pay Act (29 U.S.C. Section 206(d)); and any applicable or similar law of Puerto Rico?



☐ Yes ☐ No

If yes, please explain:

- (7) Within the last ten years, has the firm or any affiliate been found, adjudicated, or determined by any state court, state administrative agency, including, but not limited to, the Department of Labor of Puerto Rico (or its equivalent), federal court or federal agency, to have violated or failed to comply with any law or regulation of the United States or any state governing prevailing wages (including but not limited to payment for health and welfare, pension, vacation, travel time, subsistence, apprenticeship or other training, or other fringe benefits) or overtime compensation?

☐ Yes ☐ No

If yes, please explain:

- (8) Has the firm or any affiliate been determined, pursuant to a final determination in a court of law, arbitration proceeding or other dispute resolution proceeding, to be liable for a material breach of contract during the last five years with respect to a grant administration program?

☐ Yes ☐ No

If yes, please identify (for each instance) the entity determined liable and the project name, provide an explanation of the circumstances and provide client contact information, including email address and telephone number.

- (9) Has the firm or any affiliate been terminated for cause during the last five years with respect to a grant administration program?

☐ Yes ☐ No

If yes, please identify (for each instance) the entity terminated for cause and the program name, provide an explanation of the circumstances and provide owner contact information, including email address and telephone number.

- (10) Has the firm or any affiliate been involved in any arbitration, litigation, dispute review board or other dispute resolution proceeding occurring during the last ten years involving an amount in excess of \$500,000 related to performance on a grant administration program?

☐ Yes ☐ No

If yes, please provide a brief description (including the resolution) of each qualifying arbitration, litigation, dispute review board or other dispute resolution proceeding. For each instance, identify the counter parties' representative with a current email address and telephone number.

- (11) With respect to each of Questions 1-11 above, if not previously answered or included in a prior response on this form, is any proceeding, claim, matter, suit, indictment, etc. currently pending against the firm or any affiliate that could result in the firm or affiliate being found liable, guilty or in violation of the matters referenced in Questions 1-11 above and/or subject to debarment, suspension, removal or disqualification by the federal government, any state or local government, or any foreign governmental entity?

☐ Yes ☐ No

If yes, please explain and provide the information requested as to such similar items set forth in Questions 1-11 above.



Under penalty of perjury, I certify that the foregoing is true and correct, and that I am the firm's Official Representative:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## 10 FORMS



**FORM-1**  
**TRANSMITTAL LETTER****Instructions:**

- a) The Proponent's Authorized Representative must sign the Transmittal Letter on behalf of the Respondent.
- b) An authorized representative of each teaming entity must sign the certification set out at the end of the Transmittal Letter.
- c) All signature blocks on this Form may be modified to properly reflect the authority of the person signing.

**Transmittal Letter**

Respondent Name: \_\_\_\_\_

SOQ Submission Date: \_\_\_\_\_

[Recipient Name]

[Recipient Address]

**1. Introduction**

[Proponent Name] ("Proponent") submits this Proposal (this "Proposal") in response to the Request for Proposals dated as of [October 21<sup>st</sup>, 2020]. Capitalized terms not otherwise defined in this Proposal shall have the meanings given in the RFP.

**2. Enclosures**

Enclosed, and together forming this Proposal, are the following:

<b>Technical Proposal</b>	
Section A – General	Transmittal Letter
	Executive Summary
Section B – Proponent Information	Proponent Information
	Proponent Team Members Information
Section C – Certification and Legal Qualifications	Non-Collusion Affidavit
	Eligibility Affidavit
	Certification
Section D – Proponent Description	Team Structure
	Grant Administration Experience
	Technology & Policy Experience
Section E - Qualifications	Grant Administration Qualifications - Summary of Projects
	Grant Administration Qualifications - Project Narratives



Technical Proposal	
	Technology Qualifications - Summary of Projects
	Technology Qualifications - Project Narratives
	Proponent References
Section F – Statement of Technical Approach	Technical Approach
	Organization Structure
	Schedule
Section G – Key Personnel	Resumes and signed Statements of Availability
	Key Personnel References

Financial Proposal	
Section A – Financial Capacity	Financial Statements
	Material Changes in Financial Condition
Section B – Budget Breakdown	Budget Breakdown

### 3. Acknowledgements, Representations and Warranties

Proponent represents and warrants that it has read the RFP, including any amendments, and agrees to comply with the contents and terms of the RFP.

Proponent understands that the Government Parties are not bound to shortlist any Respondent and may reject each Proposal received.

Proponent further understands that, except as provided in the RFP, all costs and expenses incurred by it in preparing this Proposal and participating in the Project procurement process will be borne solely by the Proponent.

Respondent agrees that the Government Parties will not be responsible for any errors, omissions, inaccuracies or incomplete statements in the RFP.

### 4. Governing Law

This SOQ shall be governed by and construed in all respects according to the laws of the Puerto Rico.

### 5. Authorized Representative

Authorized Representative of Proponent: \_\_\_\_\_

Authorized Representative's contact information, including title, firm name, telephone number, facsimile number and email address:

\_\_\_\_\_

By executing this form the Proponent confirms that the representative named above is authorized to act as agent on behalf of the Proponent and each of the teaming entities, as applicable.

Proponent's business address:





(No.) (Street)

(Floor or Suite)

(City)

(State or Province)

(ZIP or Postal Code)

(Country)

State or Country of Incorporation/Formation/Organization:

*[Insert appropriate signature block from the following]*

Sample signature block for corporation or limited liability company:

*[Insert Proponent's name]*

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Sample signature block for partnership or joint venture:

*[Insert Proponent's name]*

By: *[Insert general partner's or members name]*

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

*[Add signatures of additional general partners or members as appropriate]*

Sample signature block for attorney in fact:

*[Insert Proponent's name]*

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Attorney in Fact

## 6. Teaming Entities

Under penalty of perjury, each of the undersigned, certifies on behalf of the entity for which he or she signs that:

- a) The Proponent's Authorized Representative named above is authorized by the relevant entity to sign this Transmittal Letter on behalf of the Proponent; and
- b) The representations, certifications, statements, disclosures, authorizations and commitments made, and information contained, in the Proposal (including all Forms) in respect of such entity have been authorized by such entity, and is or are correct, complete and not materially misleading; and



- c) He or she is authorized to act on behalf of the entity for which he or she signs and acknowledges that the Government Parties are relying on his or her representation to this effect:

*[Role of team member]*

*[Teaming entity name]*

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_



## Form-2      Proponent Information

### FORM-2 PROPOSER INFORMATION

Name of Proponent:		
Team Member Firm:		
Year Established:		
Organization's Leadership (Executive Director/ CEO/Chairman):	Name:	
	Email:	
	Telephone Number:	
Headquarters Address:		
Address of Office Performing Work (If different from Headquarters):		
Proponent Contact Details (if someone other than Organizations Leadership)		
Name of contact:		
Title:		
Address:		
Telephone:		
Email:		
Federal Tax ID No. (if applicable):		
North American Industry Classification Code:		
Business Organization (check one):		
<input type="checkbox"/> Corporation, <input type="checkbox"/> Unincorporated Association, <input type="checkbox"/> Partnership, <input type="checkbox"/> Foundation, or <input type="checkbox"/> Other (Describe): _____		
Not-for-profit Status:		
<p>If the Proponent is responding as a team - a Consortium, Partnership, Joint Venture or Limited Liability Company - state the type of arrangement and structure between the firms, indicate the name and role of each member firm in the space below. Indicate which firm is the Lead Team Member. Complete a separate Information form (<b>Form-2</b>) for each member firm and attach it to the Proposal.</p>		
Team Arrangement and Structure:		



<u>Name of Member Firms</u>	<u>Role</u>
Under penalty of perjury, I certify that the foregoing is true and correct, and that I am the firm's Official Representative:	
By:	Print Name:
Title:	Date:
[Please make additional copies of this form as needed.]	



### Form-3 Summary of Projects - Grant Administration Qualifications Form

#### SUMMARY OF PROJECT - GRANT ADMINISTRATION QUALIFICATIONS FORM-3

ONLY PROPOSER MEMBER(S) PROVIDING GRANT ADMINISTRATION SERVICES SHOULD COMPLETE THIS GRANT ADMINISTRATION QUALIFICATION FORM

#### INSTRUCTIONS:

- 2) List the experience of the Proponent member providing Grant Administration Services.
- 3) List no more than five (5) projects in FORM-2 per Proponent. AAFAF will not consider any projects listed above this cap.

PROPOER NAME	PROJECT NAME	CLIENT NAME	LOCATION AND SECTOR	GRANT VALUE MANAGED (ANNUAL) (US\$m)	START/END DATES	PROPOSER ROLE (1)	PERCENTAGE OF RESPONSIBILITY
Example Entry: Non-profit.org	K-12 Grants Administration	AAFAF	Puerto Rico, Education	\$100m	Start Date: 07/01/15 End Date: 12/31/19	Grant Administrator: Administered Funds to K-12 schools	% of Work: 100%
1.							
2.							
3.							
4.							
5.							

(1) Provide the role and a brief summary of the role the company played



**PROJECT NARRATIVE - GRANT ADMINISTRATION QUALIFICATIONS FORM**

**INSTRUCTIONS:**

- 1) Using **Form-4** below, provide a narrative description for no less than one (1) and no more than three (3) of the projects listed in **Form-3** that are most relevant to the RFP scope of work and best indicate the Proponent's Grant Administration qualifications and experience.
- 2) Please provide AT LEAST one (1) project with an annual grant value managed greater than \$10 million.
- 3) [Please provide AT LEAST one (1) project located in Puerto Rico]
- 4) The project narrative description must include:
  - a) The responding entity's role in this project, (i) the nature of the grant management arrangement, (ii) the grant allocation methodology applied and (iii) any monitoring procedures created and/or implemented.
  - b) For each project, (as applicable), (i) what technical, legal and/or financial technical expertise was integrated in the grant management process, (ii) how teaming entities were organized, and (iii) the proposer's role in managing and/or coordinating technical, legal and/or financial advisors.
  - c) For each project, the intent of the program, any challenges and the outcome/results.
  - d) The name(s) of key personnel and additional resources proposed in response to this RFP that participated in each project and the functions they performed.
  - e) For each project narrative, please provide a reference contact (including name, title, organization, address, e-mail, telephone number) using the proposer reference form (**Form-6**) below.



**FORM-4**

## PROJECT NARRATIVES - GRANT ADMINISTRATION QUALIFICATIONS

CLIENT NAME:	PROJECT NAME:	
PROPOSER NAME:	LOCATION:	SECTOR:
GRANT VALUE MANAGED (ANNUAL) (US\$m):	START DATE:	END DATE:
NARRATIVE DESCRIPTION OF PROJECT AS PER INSTRUCTION NUMBER 3) a-d (above):		

## Form-5 Summary of Projects – Technology Qualifications Form

### SUMMARY OF PROJECT - TECHNOLOGY QUALIFICATIONS FORM-5

ONLY PROPOSER MEMBER(S) PROVIDING TECHNOLOGY ADVISORY SERVICES SHOULD COMPLETE THIS TECHNOLOGY ADVISORY QUALIFICATIONS FORM

#### INSTRUCTIONS:

- 1) List the experience of the Proponent member providing Technology Advisory Services.
- 2) List no more than five (5) projects in FORM-3 per Proponent. AAFAF will not consider any projects listed above this cap.

PROPOSER NAME	PROJECT NAME	CLIENT NAME	LOCATION AND POPULATION OF AERA SERVED	PROJECT VALUE (US\$m)	START/END DATES	TECHNOLOGY DEPLOYED	PROPOSER ROLE (1)	PERCENTAGE OF RESPONSIBILITY
Example Entry: Technology Advisory Association	Autonomous Vehicle Assessment	DOT	Puerto Rico, ~3.2m	\$1.2m	Start Date: 07/01/15 End Date: 12/31/19	Radar and 5g Pilot	Technology Assessment Lead: Designed and executed the assessment.	% of Work: 80% (Partner Company-X 20%)
1.								
2.								
3.								
4.								
5.								

(1) Provide the role and a brief summary of the role the company played





**TECHNOLOGY QUALIFICATIONS PROJECT NARRATIVES FORM**

**INSTRUCTIONS:**

- 1) Using **Form-6** below, provide a narrative description for no less than one (1) and no more than three (3) of the projects listed in **Form-5** that are most relevant to the RFP scope of work and best indicate the Proponent's Technology Advisory qualifications and experience.
- 2) Please provide AT LEAST one (1) project involving an assessment in a territory with a population of at least one (1) million inhabitants.
- 3) Each project narrative description must include:
  - a) The responding entity's role in this project, how the project was funded, the project operational structure, whether the project involved provision of internet, broadband or technology-centered services, and whether the project involved provision of subsidized services
  - b) The technical nature of the grant management arrangement, the facilitation of technology advisory and/or technically innovative methodology applied and any monitoring procedures created and/or implemented specific to technology centered grant program implementation.
  - c) How the services provided related to an (i) assessment of baseline service provision, (ii) implementation of technical services, including negotiations with large national or global partner(s)/counterparties and technology service providers, (iii) experience with different types of procurement models, (iv) experience monitoring installation and testing service provision, (v) services related to permitting and securing right-of-way, and (VI) experience related to FCC or applicable regulatory agencies and regulations
  - d) A description of any relevant experience in implementing or advising on the implementation of telecommunications infrastructure
  - e) Describe (as applicable) (i) what technical and/or financial technical expertise was integrated in the grant management process, (ii) how teaming entities were organized, and (iii) the Proponent's role in managing and/or coordinating technical and/or financial consultants.
  - f) The intent of the program, any challenges and the outcome/results.
  - g) Name Key Personnel and Additional Resources proposed in response to this RFP that participated in each project and the functions they performed.
  - h) For each project narrative, please provide a reference contact (including Name, Title, Organization, Address, E-mail, Telephone Number) using the Proponent Reference Form (**Form-6**) below.



**FORM-6**  
**TECHNOLOGY QUALIFICATIONS PROJECT NARRATIVES**

<b>CLIENT NAME:</b>	<b>PROJECT NAME:</b>	
<b>PROPOSER NAME:</b>	<b>LOCATION:</b>	<b>POPULATION:</b>
<b>PROJECT VALUE (US\$m):</b>	<b>START DATE:</b>	<b>END DATE:</b>
<b>NARRATIVE DESCRIPTION OF PROJECT AS PER INSTRUCTION NUMBER 3) a-g (above):</b>  <div style="height: 500px; border: 1px solid black;"></div>		



**Form-7      Proponent References Form****FORM-7****PROPOSER REFERENCES FORM**

Proponent References	
REFERENCE 1	
Proponent (or Team Member, as applicable)	
Name of the project on which the reference hired or worked with the referee	
Name of reference	
Reference's title/position	
Reference's organization	
Reference's office phone and/or cell numbers (2)	
Reference E-mail address	
Reference's address	
REFERENCE 2	
Proponent (or Team Member, as applicable)	
Name of the project on which the reference hired or worked with the referee	
Name of reference	
Reference's title/position	
Reference's organization	
Reference's office phone and/or cell numbers (2)	
Reference E-mail address	
Reference's address	
REFERENCE 3	
Proponent (or Team Member, as applicable)	
Name of the project on which the reference hired or worked with the referee	
Name of reference	
Reference's title/position	
Reference's organization	
Reference's office phone and/or cell numbers (2)	
Reference E-mail address	
Reference's address	
REFERENCE 4	
Proponent (or Team Member, as applicable)	



Name of the project on which the reference hired or worked with the referee	
Name of reference	
Reference's title/position	
Reference's organization	
Reference's office phone and/or cell numbers (2)	
Reference E-mail address	
Reference's address	
<b>REFERENCE 5</b>	
Proponent (or Team Member, as applicable)	
Name of the project on which the reference hired or worked with the referee	
Name of reference	
Reference's title/position	
Reference's organization	
Reference's office phone and/or cell numbers (2)	
Reference E-mail address	
Reference's address	

Notes:

(2) For international phone numbers, include the full dialing code for calling from the United States.



## Form-8 Key Personnel References Form

### FORM-8

#### KEY PERSONNEL REFERENCES FORM

References for Key Personnel and Additional Resources	
<b>Name and Role of Key Personnel or Additional Resource:</b>	
<b>REFERENCE 1</b>	
Name of the project on which the reference worked with the individual (1)	
Name of reference	
Reference's organization	
Reference's title/position	
Reference's office phone and/or cell numbers (2)	
Reference's address and email	
<b>REFERENCE 2</b>	
Name of the project on which the reference worked with the individual (1)	
Name of reference	
Reference's organization	
Reference's title/position	
Reference's office phone and/or cell numbers (2)	
Reference's address and email	
<b>REFERENCE 3</b>	
Name of the project on which the reference worked with the individual (1)	
Name of reference	
Reference's organization	
Reference's title/position	
Reference's office phone and/or cell numbers (2)	
Reference's address and email	

**Notes:**

- (1) This reference must meet the requirements of Section 3.2.1 in the RFP
- (2) For international phone numbers, include the full dialing code for calling from the United States.

