

Board of Trustees Agenda Item

Board Meeting Date: December 6, 2010

Title of Item: Establish Procedures and Criteria for the Network Infrastructure Equipment Competitive Sealed Proposal Process

Background and Analysis:

Education Code section 81645 provides that the governing board of any community college district may contract with a party who has submitted one of **the three lowest responsible competitive proposals or competitive bids** for the acquisition, procurement, or maintenance of electronic data processing systems and equipment, electronic telecommunications equipment, supporting software, and related materials, goods, and services, in accordance with procedures and criteria established by the governing board.

Purchasing Services and ETS recommend that the Board adopt the following procedures and criteria which staff will use to conduct an invitation to bid process, also known as an ITB, for Network Infrastructure including initial implementation services, training, and maintenance & support. The procedures and criteria we recommend the Board adopt are:

1. Purchasing Services will legally advertise the ITB once a week for two weeks as required by the Public Contract Code. Purchasing Services will also post the RFP document online at <http://www.govbids.com/scripts/BAPS/public/OpenBids/SelectAgency.asp>. Proposers will be required to submit a written proposal to the District. The ITB document will specify the date and time by which responses must be submitted to the District. Late responses will not be accepted.
2. On the due date and time, Purchasing Services will open the responses so as to avoid disclosure of contents to competing offerors. This is a necessary practice during an invitation to bid proposal opening because during the evaluation process that follows the District may allow proposers to clarify or revise their proposals provided that all bidders are treated fairly and equitably. However, after Purchasing Services and ETS submit a recommendation for award to the Board of Trustees, Purchasing Services will notify all proposers of the District's intent to award a contract and the ITB file including all proposals will be open for public inspection at that time.
3. In order to identify the three lowest responsive and responsible qualified bidders, Purchasing Services and ETS will perform the following steps:
 - A. Step one: determine which vendors submitted responsive and responsible bids. To be responsive and responsible a proposal must:
 - Meet all the mandatory requirements that are stated in the ITB. This includes
 - Industry Standards Compliance: Telecommunications networks utilize formal telecommunications standards to physically interoperate. Without public agreements and the telecommunications standards that codify such agreements, wide-area voice and data communications would not be possible. Proprietary hardware and software limit available vendors who meet district mandatory requirements.
 - Mandatory Technical Requirements: Features and functions required to support the FHDA District telecommunications needs, including the replacement of the district

telephone system with Voice-Over-IP (VoIP).

- Maintenance & Support Requirements
 - Installation Services Requirements
 - Formal Training for ETS Staff
 - Have completed and signed all of the bid forms including, but not limited to:
 - Acknowledgement of their understanding and acceptance of the Test and Acceptance requirements: Test and Acceptance includes demonstration of installed equipment to perform the mandatory requirements and the purchased preferred requirements to industry standards. Until these are demonstrated, ETS will not accept the installation as approval for payment to the vendor for equipment and services rendered.
 - Bid Amendments, if any
 - Submitted Published Price Lists as required by the bid instructions
 - Signed the Bid response to the effect: " ...the foregoing bid is true and correct."
 - Signed the "Statement of Noncollusion"
 - Signed the "Certification of Nondiscrimination by Suppliers"
 - Completed "Bidder's References and Statement of Experience"
 - Have submitted a Voluntary Product Accessibility Template (VPAT)
 - Have submitted a completed "Declaration of Financial Condition"
 - Have submitted a letter from the Manufacturer that confirms that the bidder is an authorized Value Added Reseller (VAR), and that agrees that if the VAR loses its authorized VAR status after entering into a contract with the District pursuant to its bid proposal, the manufacturer will honor the prices and discounts offered by the former VAR in its response to the bid for the remaining term of the former VAR's contract with the District.
- B. Step two: Identify the lowest three bids based upon the Basic System Bid Price identified in the bid which includes equipment meeting the mandatory Standards Compliance and Technical requirements to be installed in phases 1, 2, & 3, spares, maintenance & support requirements, installation services, formal training, delivery fees, and sales tax.
- C. Step three: To determine which one of the three lowest responsive bidders offers the best value to the District and its colleges, the District will further evaluate the proposals based upon the following criteria:
- The bidder's presentation demonstrating its ability to meet the mandatory Standards Compliance and Technical Requirements.
 - Score based on compliance with Preferred Requirements: Preferred Requirements include technical requirements and network management systems that provide additional management, monitoring and reporting.
 - Cost of the Preferred Network Management Systems.
 - The maximum percentage cost increase per year for maintenance agreements after year ten.

- Total cost to the District
4. After ETS and Purchasing Services determine which bid proposal offers the best value to the District, Purchasing Services will submit a recommendation for award to the Board of Trustees for action in public session. At that time, Purchasing Services will also notify all bidders of the District's intent to award the Network Infrastructure contract.

The proposed competitive sealed proposal procedure and criteria has been reviewed and approved by the District legal counsel, John Shupe.

Recommendation: Approve the recommended competitive sealed proposal procedures and criteria for the selection of a vendor to provide network infrastructure equipment and services.

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Is backup provided?	No