

Board of Trustees Agenda Item

Board Meeting Date: August 6, 2012

Title of Item: Establish Procedures and Criteria for the De Anza College Campus Digital Television Subscription Services 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 De Anza College Technology Resources Group (TRG) Supervisor Mr. Marty Kahn recommend that the Board of Trustees adopt the following procedures and criteria which staff will apply to conduct a request for proposal process (also known as an RFP) for digital television subscription services including upfront service activation and a monthly rate for an initial five-years of service. The procedures and criteria we recommend the Board of Trustees adopt are:

1. Purchasing Services will legally advertise RFP #1585 for Digital Television Subscription Services 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 RFP 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 a request for proposal opening because during the evaluation process that follows the District may allow proposers to clarify or revise their proposals provided that all proposers are treated fairly and equitably. However, after Purchasing Services and TRG 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 RFP file including all proposals will be open for public inspection at that time.
3. In order to identify the lowest responsive and responsible qualified proposer, Purchasing Services and TRG will perform the following steps:

Step 1: For the RFP process:

- (a) Ensure that digital television subscription service provider's authorized representative signed-in and participated at the Mandatory Pre-RFP Conference. Non-attendance will render the Proposal of such digital television subscription service provider to be non-responsive.
- (b) Confirm that the digital television subscription service provider has completed, signed and submitted all of the required documents identified in Section 3.01 of the RFP.
- (c) Validate that the Total Cost of Services includes all the items described in Section 5.03 of the RFP.
- (d) Verify that the proposal submitted satisfies all the mandatory requirements that are stated in the RFP. The District will score these requirements on a pass/fail basis.

Step 2: District Purchasing Services may conduct reference checks and review the responses in

accordance with Exhibit R of the RFP. Failure to provide three references that meet or exceed the criteria identified may disqualify the proposer from further participation. The reference check results will be scored. Digital television subscription service providers, whose references meet or exceed the criteria identified in Exhibit R, will be eligible to go to Step 3.

Step 3: The District will identify the lowest responsive and responsible proposal based upon the **Total Cost of Services**. The Total Cost of Services for each proposal shall be calculated as the total cost of digital television subscription services combined with the cost estimate of the proposer's recommended upgrades and expansion to the existing infrastructure system.

The digital television subscription services identified in RFP #1585 will be funded from the TRG budget. The budget for the infrastructure upgrade project is between \$150,000 and \$200,000 and will be bid separately as a public project funded by Measure E. Additionally, the digital television subscription services identified in the RFP shall only begin after completion of the infrastructure upgrade project, if such contract is awarded by the Board of Trustees.

The proposed competitive sealed proposal procedure and evaluation criteria have been reviewed and approved by the District's legal counsel, John Shupe. Furthermore, a copy of the draft RFP #1585 is on file and available for review in the Purchasing Services Department.

Recommendation: Approve the recommended competitive sealed proposal procedures and criteria for the selection of a digital television subscription services provider pursuant to RFP #1585

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Is backup provided?	No