



REQUEST FOR QUALIFICATIONS

seeking

PROJECT MANAGEMENT SERVICES

for

THE PUERTO RICO BROADBAND PROGRAM OF THE PUERTO RICO OFFICE OF MANAGEMENT AND BUDGET

RFQ Issuance Date: November 15th, 2024

RFQ Number: PRBP-2024-PRBIF-RFQ-004

RFQ Due Date: December 2nd, 2024

Please submit one (1) electronic copy to jorge.robert@smartisland.pr.gov
Documents will only be received electronically.
Hand delivery and postal mailed documents will not be accepted.

Point of Contact:

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Senior Manager

No telephone queries



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Please refrain from submitting materials that does not explicitly respond to the content and requirements of this RFQ



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I. Introduction and Background:

The Puerto Rico Office of Budget and Management (“OMB”) is an instrumentality of the Government of Puerto Rico (“GPR”) created under Act No. 147 of June 18, 1980, as amended (“Enabling Act”). OMB was mainly created to advise the Governor of Puerto Rico and the GPR’s agencies, instrumentalities, dependencies, public corporations, among other government entities (collectively, the “Component Units”) on budgetary, programmatic, administrative management subjects, as well as fiscal matters related to its ministerial duties, among other things. The Enabling Act empowers OMB’s Executive Director to contract the professional, technical, consulting, auditing, and other services deemed necessary for the execution of OMB’s ministerial duties.

On July 11, 2022, the Governor of Puerto Rico, Hon. Pedro R. Pierluisi, issued Executive Order No. 2022-040 (“Broadband Executive Order”), creating the Puerto Rico Broadband Program (hereinafter, the “PRBP”, or the “Program”); together with OMB and the GPR, the “Government Parties”), in response to Puerto Rico’s need for resilient, equitably distributed broadband infrastructure and the social support required to access it knowledgeably and safely. PRBP’s main purpose is to coordinate, authorize, and execute the disbursement of local and federal funds allocated to Puerto Rico for the construction of broadband infrastructure on the Island, among other endeavors. The Broadband Executive Order also created an Executive Committee mainly tasked with administering the Program, authorizing and supervising funds disbursed thereunder, among other tasks. Said executive order authorized the Executive Committee to procure the contracting of the necessary resources for the sound administration and operation of the PRBP through OMB, or any other duly empowered Commonwealth entity to do so. Afterwards, in accordance with the Broadband Executive Order, OMB enacted Administrative Order No. 005-2022 (“Administrative Order”) to operationalize the Program. For additional details of the PRBP, follow this link: <https://www.smartisland.pr.gov/en-us/sobre-nosotros>

II. The Five-Year Plan of Action; the Projects:

The Broadband Executive Order instructed OMB to create a Strategic Plan for the PRBP (the “Five-Year Plan of Action”), to ensure that funding allocated for broadband measures are used within the terms established to do so, ensure the prompt construction of the broadband infrastructure necessary to close the digital gap in Puerto Rico, establish the necessary controls to ensure the funds are used pursuant to applicable regulations, among other things. The Five-Year Plan of Action was published on August 12, 2023, copy of which can be found through this link: <https://docs.pr.gov/files/Broadband/Documentos/PRBB%20-%205YR%20Action%20Plan%20-%2008-12-2023.pdf>

Section 5: Implementation Plan of the Five-Year Plan of Action includes several initiatives and/or measures that the Government Parties will be pursuing accordingly (each and every one, the “Project”, and collectively, the “Projects”).



III. Objectives:

The Government Parties issue this Request for Qualifications (“RFQ”) pursuant to the Enabling Act, the Broadband Executive Order and/or the Administrative Order for the purposes specified hereunder.

Through this RFQ, the Government Parties intend to select and prequalify one or more duly competent Project Management Firms (“Respondents”) that can provide the PRBP the Services defined in **Section IV. Services; Scope of Work** of this RFQ. This RFQ seeks responses from Respondents capable of providing those Services and completing the corresponding tasks and/or those required hereunder, while developing a productive relationship with the Government Parties and other relevant stakeholders.

This RFQ does not commit nor obligate the Government Parties to award a contract nor to pay any costs incurred in the preparation of a response and/or proposal in connection to this RFQ. The Government Parties reserves the right to prequalify one or more Respondent(s), to accept or reject any or all submissions received as a result of this RFQ, to negotiate with any eligible Respondent(s) or to modify or cancel this RFQ in part or in its entirety. See **Section X. General Disclosures, Rights, Options and Disclaimers** of this RFQ for general disclosures, rights options and disclaimers applicable to this RFQ (collectively, the “Disclosures”).

Respondent(s) selected under this RFQ (“Selected Respondent”) will be required to be free of any real or perceived conflict of interest as defined herein and/or under the applicable laws and regulations of the GPR and/or those issued by the United States Federal Government (“US Government”), its agencies, instrumentalities and/or component units, to the extent applicable.

By submitting a response under this RFQ, each Respondent certifies that it fully understands, acknowledges, and accepts all the terms and conditions of this RFQ, and any amendments thereto, without any restriction whatsoever.

All Respondents must comply with the professional services contracting requirements set forth by the GPR, including, but not limited to, those levied by the Puerto Rico General Services Administration (“ASG”, for its Spanish acronym) pursuant to Act No. 73-2019, as amended, and regulations issued thereunder, including but not limited to: *Regulation on the Sole Registry of Bidders for the Government of Puerto Rico*, Regulation No. 9301E, issued on August 26, 2021, as it may be amended from time to time.

In general, the Selected Respondent shall:

- Diligently 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 RFQ and the contract that could be executed pursuant to this RFQ (the “Contract”);
- Assume sole responsibility for the complete effort required to provide the Services, as defined hereunder;



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- 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 and state regulations governing measures supported for the Program.

The primary objective of the Contract is for the Selected Respondent to closely work with the Government Parties and provide support by:

- Managing schedules, milestones, risks, costs, time, and quality effectively throughout the Project(s) lifecycle
- To ensure the Project(s) is delivered on time, within budget, and in accordance with quality requirements
- To provide effective communication management between relevant stakeholders
- To ensure compliance with local and federal regulations and specifications of the Project(s)
- Provide support to the PRBP's, Program Managers, in order to execute projects on a timely and effective way

IV. Services; Scope of Work:

Through this RFQ the Government Parties seek to potentially engage a duly qualified Project Management Firm (i.e., Selected Respondent) that can provide comprehensive project management services, as further defined hereunder. The Selected Respondent will be responsible for acting as project management support team ("PMST") working within the PRBP under the program managers for deployment and non-deployment projects involving the tasks listed hereunder, in alignment with the five process groups set forth by the Project Management Body of Knowledge ("PMBOK"): Initiating, Planning, Executing, Monitoring & Controlling, and Closing.

Specifically, Selected Respondent must demonstrate its ability to provide the following professional services for the Project(s); (collectively, the "Services", or the "Scope of Work"):

1. Initiation:

- Project Charter Development:** Assist in the creation of the Project(s) charter, including high-level Project(s) objectives, stakeholders, and strategic alignment of the Project(s).
- Stakeholder Identification:** Identify and assess key project stakeholders, including internal and external parties, and develop a stakeholder engagement plan.



2. Planning:

- a. **Project Management Plan:** Develop a comprehensive Project Management Plan (“PMP”), which includes scope, schedule, cost, quality, communications, risk, procurement, resource, and stakeholder management.
 - i. **Scope Management:** Define scope and establish Work Breakdown Structure (“WBS”) to detail project deliverables and work packages.
 - ii. **Schedule Management:** Create a detailed project schedule using tools like Gantt Charts, including milestones and deliverable timelines.
 - iii. **Cost Management:** Develop a cost management plan, including cost estimation, budgeting, and monitoring processes.
 - iv. **Quality Management:** Establish quality standards and processes to ensure deliverables meet project requirements.
 - v. **Risk Management:** Identify project risks, develop a risk management plan, including mitigation and contingency strategies.
 - vi. **Communication Plan:** Design a communication plan to ensure the timely and accurate flow of information to all stakeholders.
 - vii. **Procurement Plan:** Assist in developing the procurement strategy and manage the process for selecting contractors and vendors.
 - viii. **Resource Management:** Identify resource requirements and develop a resource management plan.

3. Executing:

- a. **Project Coordination:** Oversee daily project operations and ensure that the Project(s) team, contractors, and vendors adhere to the Project Plan.
- b. **Stakeholder Engagement:** Execute the stakeholder engagement & management plan to ensure active involvement and buy-in throughout the Project(s).
- c. **Quality Assurance:** Ensure that all Deliverables – as defined hereunder in **Section V. Deliverables** - and processes meet the established quality standards and expectations.
- d. **Contractor and Vendor Management:** Oversee the work of subcontractors and vendors to ensure they meet timelines, budget constraints, and quality standards applicable to the Project(s).



4. Monitoring & Controlling:

- a. **Progress Reporting:** Regularly track and report on the performance of the Project(s), including scope, schedule, and cost status.
- b. **Earned Value Management (“EVM”):** Implement EVM practices to measure the performance of the Project(s) and forecast completion dates and costs. The selected vendor will implement a robust system for monitoring and controlling project performance to ensure adherence to schedule and budget. While Earned Value Management (EVM) is a recognized and valuable technique for measuring project performance and forecasting completion dates and costs, the vendor may propose alternative or complementary methodologies, such as Lean Project Management, Critical Chain Project Management, or Scrum, providing a clear rationale for their selection and demonstrating how the chosen approach will effectively track progress, identify potential deviations, and enable proactive corrective actions.
- c. **Risk Monitoring:** Continuously monitor risks, reassess as necessary, and implement mitigation measures when triggered. The selected vendor will implement a comprehensive risk management process, encompassing systematic risk identification through diverse techniques, followed by thorough risk analysis using qualitative and quantitative methods to assess likelihood and impact. This analysis will inform the development of detailed risk response plans, including mitigation, transfer, avoidance, and acceptance strategies. A robust system for continuous risk monitoring and control will be established, featuring regular reviews of the risk register, tracking of triggers and indicators, and periodic risk assessments to ensure proactive identification and management of potential project risks, minimizing their impact and maximizing the likelihood of successful project delivery.
- d. **Quality Control:** Ensure that Project(s)’ deliverables meet quality standards through regular inspections and audits. The selected vendor will implement a robust quality management system that ensures project deliverables consistently meet the highest standards and adhere to all applicable federal and local funding regulations. This includes developing and implementing a Quality Management Plan (QMP) that outlines specific quality standards, processes, and documentation requirements. The vendor will integrate quality assurance practices throughout the entire project lifecycle, conduct regular inspections and audits, and maintain detailed records of all quality-related activities. By adhering to strict quality control measures and demonstrating transparent and accountable quality management practices, the vendor will ensure compliance with funding requirements, maximize program effectiveness, and achieve desired project outcomes while maintaining public trust in the responsible stewardship of public funds.



- e. **Change Management:** Establish and manage a change control process to handle scope, schedule, and cost adjustments. All changes must be documented and approved through a formal process.
- f. **Issue Tracking:** Implement an issue tracking system to manage and resolve any Project(s)' problems promptly.

5. Closing:

- a. **Project Closure:** Formally close out the project, ensuring that all Project(s) Deliverables – as defined hereunder in **Section V. Deliverables** - have been completed and accepted by the Government Parties and/or relevant stakeholders. If a Project cannot be completed within the contracted period, provide closeout process or guidance for later implementation.
- b. **Lessons Learned:** Conduct a post-project evaluation to capture lessons learned and best practices for future Project(s).
- c. **Final Documentation:** Ensure all Project(s)' documents (*e.g.*, contracts, reports, approvals, etc.) are compiled, reviewed, and archived for future reference.
- d. **Stakeholder Satisfaction:** Assess stakeholder satisfaction and address any concerns before closing the Project(s).

V. Deliverables

The Selected Respondent will be expected to provide the following outputs at different phases of the Project(s) lifecycle (collectively, the "Deliverables"):

- **Initiating Phase:**
 - Project(s) Charter
 - Statement of Work "SOW"
 - Stakeholder Register
- **Planning Phase:**
 - Detailed Project Management Plan (including subsidiary plans for scope, schedule, cost, risk, quality, communications, etc.)
 - Work Break Down Structure "WBS"
 - RACI & Resource Allocation Plan
 - Project(s) Schedule and Budget
 - Gant Chart
 - Financial Project Projections (Planned vs Actuals)



- **Executing Phase:**
 - Weekly/Monthly Status Reports
 - Stakeholder Engagement Reports
 - Quality Assurance Documentation
- **Monitoring & Controlling Phase:**
 - EVM Reports or any other reporting mechanisms that adhere to PMBoK best practices
 - Risk and Issue Logs
 - Change Requests and Approvals
- **Closing Phase:**
 - Final Project(s)' Report
 - Lessons Learned Documentation
 - Project(s)' Closeout Checklist
 - Final Project(s)' Documentation

Deliverables will be considered complete when they meet the following criteria: **(i)** all Deliverables are completed as per the Project Plan; **(ii)** Stakeholders sign-offs are obtained for each Project Phase; & **(iii)** The Project has been completed withing the agreed scope, schedule and budget.

In addition to the Deliverables, Respondents are expected to report and communicate to the Government Parties status updates of the Project and/or the Services through: **(i) Status Reports** - weekly or monthly reports will be provided to summarize the Project status, including scope, schedule, and cost performance, along with any identified risks, issues, or changes; and/or **(ii) Meetings** - regular meetings with stakeholders, contractors, and team members will be held, with minutes and action items documented and distributed.

VI. Qualifications:

Subject to the Disclaimers, set forth below are certain areas of expertise that the PRBP believes relevant in its evaluation and qualification of Respondents (collectively, the “Qualifications”):

- **PM/BA; PMP/CAPM:** as specified on Item (4) of Section VII of this RFQ at a minimum, one (1) of Selected Respondent’s Key Personnel must have the following:
 - certification or degree in project management from qualified undergraduate or graduate education institutions/programs
- **Project Management Professional (“PMP”) Certification:** as offered by the Project Management Institute (“PMI”).
 - Certified Associate in Project Management (“CAPM”): credential offered by the PMI



- **Project Planning:** ability to organize tasks, the resources needed to complete them, costs and schedules to perform the Services and/or provide the Deliverables.
- **Project Scheduling:** ability to organize project tasks from the start of the project to its completion.
- **Project Budgeting:** ability to include all project resources, from people to equipment and materials, as needed to execute the project.
- **Risk Management:** ability to identify, manage, resolve risks associated to unexpected events; and develop action plan to devise the impact of said risks.
- **Resource Management:** ability to source, schedule, and manager resources needed to execute the project, so that the right amount is on hand when needed; ability to develop a resource management plan.
- **Business Analysis:** ability to understand the needs of the Government Parties and relevant stakeholders, while defining how to meet said needs.
- **Team Management:** ability to perform actions, strategies and methods towards leading a more effective project team; ability to monitor the team and their workload to make sure they are working at capacity without being overburdened.
- **Leadership Skills:** ability to strengthen and guide a group of people to work together as a team and achieve common goals more effectively.
- **Stakeholder Management:** ability to maintain productive relationships with project stakeholders.
- **Interpersonal Skills:** ability to work with a wide range of people on a project.

VII. Submission Contents and Organization:

This section provides Respondents guidance for the submission requirements of this RFQ, subject to the Disclosures. The Government Parties expect submissions under this RFQ to provide enough information about Respondents to allow the evaluation and qualification of Respondents based on the criteria specified herein. Submissions under this RFQ must contain the following information listed herein, organized in the same order as listed (collectively, the “Statement of Qualifications”):

- 1) **Cover Letter:** The Cover Letter must be no more than one page and must be signed by the authorized Respondent representative. The Cover Letter must reference this RFQ and confirm that all elements of the RFQ have been read and understood and that the Respondent takes no exception to the materials provided.
- 2) **Firm Description:** Respondents must provide a brief overview of their firm’s experience (or practice areas, if solo practitioners) relevant to the Scope of Work, their primary areas of business and also identify any other practice areas and experience they have that may be helpful as potential legal counsel of the PRBP. Additionally, Respondents must identify specific transactions and/or endeavors that may be deemed relevant and describe any competitive advantages, or qualities that may differentiate you or your firm from other similar service



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providers. Respondents must indicate in this section if they are duly authorized and/or engaged in trade and business in the jurisdiction of the Commonwealth of Puerto Rico.

- 3) **Experience, Qualifications and Expertise:** Hereunder Respondents must provide a summary of the firm’s experience (or practice areas, if solo practitioners) relevant to the Scope of Work listed above. Respondents must also identify specific transactions that may be deemed relevant and describe any competitive advantages, or qualities that may differentiate them from other similar service providers.

- 4) **Availability of Resources:** Respondents must detail available personnel resources, emphasizing ‘*Key Personnel*’, and how quickly they can be deployed to render the Services requested under this RFQ (“Availability of Resources”). Respondents are encouraged to designate and proffer only those individuals they reasonably believe will be available for roles relevant to the Scope of Work. Specifically, Selected Respondent will be expected to assign a qualified Project Manager (“PM”) who is PMP certified and has relevant experience in managing similar Scope of Work. The PM’s key roles will include: (a) Project Manager – responsible for overall Project coordination, reporting and delivery; (b) Scheduler – responsible for maintaining the Project schedule and updating it regularly; (c) Risk Manager – responsible for identifying, assessing and mitigating risks; (d) Quality Manager – responsible for ensuring all Deliverables meet applicable quality standards; (e) Cost Controller – responsible of managing Project budgeting and cost control efforts. Respondents are advised that ‘*Key Personnel*’ changes must be notified and requested in writing to the Government Parties and will be subject to their approval. For purposes of this requirement, ‘*Key Personnel*’ is defined as those team members who will be assigned and perform the endeavors related to the Scope of Work, or a substantial portion of them. Given the interactions with certain Government Parties, at a minimum, fifty percent (50%) of the ‘*Key Personnel*’ must be completely fluent in both English and Spanish; all personnel should be fluent in English. Furthermore, at least one (1) of the ‘*Key Personnel*’ must have PMP and/or CAPAM certifications. Respondents are advised that ‘*Key Personnel*’ changes without the Government Parties’ prior written approval may result in disqualification or removal of the Selected Respondent. Also, a description of relevant experience and any history of working in the GPR must be included hereunder. The Government Parties encourage the inclusion of an organization chart of Respondent’s team, if applicable, with the designation of primary leadership and day-to-day professionals.

- 5) **Budget Breakdown:** As part of their submission under this RFQ, Respondents must provide an estimate, schedule or breakdown of their proposed fees (or rates) per hour for each individual (or group of individuals) that could be assigned to perform the Scope of Work required in this RFQ (the “Budget Breakdown”). Additionally, the Budget Breakdown must include detailed costs for resources, materials, and contingencies (to the extent applicable). Respondents should note that they are expected to manage and control their respective Budget Breakdowns, providing regular updated and justifications for any variances.

Hereunder, Respondents must (a) describe in detail the compensation structure to meet the Scope of Services specified; (b) describe in detail any fees or charges for travel, telephone calls,



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and any other expenses anticipated to be incurred, which shall be separately billed (NOTE: any compensation for such fees or expenses shall be at-cost, i.e., no margin, or additional fees shall be charged); and (c) describe in detail any discounts or downward adjustments that are available and the conditions for such discounts. Respondents are hereby encouraged to submit their respective Budget Breakdown on a hourly rate structure. To the extent applicable, Respondents must specify the rate increments for each professional who will or is expected to perform services outlined herein, and a not-to-exceed amount. Any expenses submitted to the Government Parties for payment or reimbursement under the Agreement must be consistent with the US Government’s General Services Administration Federal Travel Regulations (“FTR”) and the Defense Travel Management Office (“DTMO”) Joint Travel Regulations (“JTR”; together with the FTR and the DTMO, the “Expenditure Payment Regulations”). It shall be the responsibility of the Selected Proponent to ensure that claimed expenses under the Agreement comply with the applicable requirements set forth in the Expenditure Payment Regulations.

For illustrative purposes only, Respondents are encouraged to include the following information as part of their Budget Breakdown:

Id.	Key Person Name	Projected Hours	Hourly Rate	Projected Cost
1				
2				
3				
4				
Total Estimated Cost				

- 6) **Related Activities:** In order to allow PRBP to conduct an initial assessment of potential conflicts of interest, please provide a brief description of any work you have performed related to the Government Parties. Respondents must specify whether this activity is ongoing, and if not, when the prior assignment was concluded. In addition, PRBP may request additional information in the future.
- 7) **References:** Provide contact information for references for two (2) separate past assignments that are directly relevant to those anticipated by PRBP.
- 8) **Other Matters Deemed Relevant by Respondents:** Respondents may submit additional information they consider necessary and appropriate for the consideration of the Government Parties, relative to the requirements of this RFQ.

VIII. Submission Requirements:

Respondents must meet the requirements stated in this RFQ, including the Qualifications; however, any Respondent’s inability to satisfy all these areas will not disqualify any submission *ab initio*.

Interested Respondents shall answer this RFQ no later than **December 2nd, 2024** (“Due Date”). Responses may be delivered at any time, provided that said is delivered no later than the Due Date.



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The time of delivery shall be the time set forth in the electronic communication received by the PRBP. The Statement of Qualifications must be sent via email at jorge.robert@smartisland.pr.gov to the attention of Jorge I. Robert Andreu.

PRBP prefers that firms submit individual responses and not submit joint proposals. However, if you feel your firm, or group of firms, would only be able to fully respond to the RFQ by joining with other firms, then submit a joint response, including an explanation of why your firm, or group of firms, would not be able to assist PRBP through a sole response to the RFQ.

Any response to this RFQ that is delivered after the Due Date shall be considered late, rejected and returned unopened to the Respondent. The PRBP assumes no responsibility for deliveries made or attempted outside of the times specified above, late deliveries or the method of delivery chosen by the Respondents.

Responses shall be prepared in English. The Program shall not accept any response, nor did modification of a response delivered by telephonic, electronic or facsimile means, except as defined herein.

Responses shall be submitted electronically via e-mail to the addresses set forth on the first page of this RFQ.

IX. General Evaluation Criteria:

Subject to the Disclaimers, the Statement of Qualifications submitted hereunder ought to be evaluated considering the following criteria:

- Responsiveness to this RFQ, specifically the requirements specified herein.
- Proposed or suggested plan to assist the Program with the Scope of Work, along any relevant incidental support.
- Qualifications.
- Previous experience with relevant and/or similar Scope of Work.
- Respondents' description of at least two (2) similar engagements with endeavors contemplated in the Scope of Work specified herein.
- Ability to quickly deploy support or engage with the PRBP (i.e., Availability of Resources).
- Conflicts of interest review.
- Completeness, presentation, and quality of the Statement of Qualifications.
- The Budget Breakdown

Respondents must demonstrate that they possess all the technical capabilities that will assist the Program with the Scope of Work. Respondents must provide effective and substantive experience in the Scope of Works of this RFQ.

X. General Disclosures, Rights, Options and Disclaimers



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The issuance of this RFQ, submission of a response by any firm/team, and the acceptance of such response by the Program does not obligate the Government Parties. Legal obligations will only arise upon the execution of a formal Contract between the Government Parties and the Selected Respondent.

By responding to this RFQ, Respondents acknowledge and consent to the following conditions relative to the procurement process. The Program is not bound to accept any submission if Respondents do not meet this RFQ's requirements. Without limitation and in addition to other rights reserved by the Program in this RFQ, the Program 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 cancel this RFQ in whole or in part, at any time, with or without substitution of another RFQ if such cancellation is determined to be in the best interest of the Program.
- To supplement, amend, or otherwise modify this RFQ prior to the date of submission of the responses.
- To receive written questions concerning this RFQ from Respondents and to provide such questions, and PRBP's responses, to all Respondents that received a copy of the RFQ.
- To require additional information from one or more Respondents to supplement or clarify the information submitted.
- To conduct further investigations with respect to the qualifications and experience of each Respondent.
- To contact Respondents past clients in any of the projects or engagements referenced in the proposals to obtain direct information regarding Respondents performance in such engagements.
- To waive any defect or technicality in any submission received.
- To eliminate any Respondent that submits a nonconforming, non-responsive, incomplete, inadequate or conditional submission.
- To investigate the technical and financial qualifications of Respondents using sources in addition to what was included in the submission.

All costs and expenses incurred by Respondents in the preparation and delivery of a submission will be the sole responsibility of Respondents. The Program will not be liable for any amounts to any Respondent in any manner, under any circumstances, including without limitation, as a result of a cancelation of the RFQ process. Respondents cannot make any claims whatsoever for reimbursement from the Program for the costs and expenses associated with this RFQ process.

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

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



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One copy of each proposal will be retained for the Program’s files and will not be returned. If a Respondent considers that its proposal contains material that is confidential and/or proprietary, the Respondent must clearly note or mark each section of material as confidential and/or proprietary. The PRBP 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 Program does 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 Respondents to be thoroughly informed and familiar with the requirements of disclosure of public documents.

Furthermore, by responding to this RFQ, Respondents acknowledge and agree that the Program will not be responsible or liable in any way for any losses that the Respondent may suffer from the disclosure of information or materials to third parties. It is the responsibility of the Respondent, as the real party in interest, to object any disclosure and defend any action that may be necessary to protect its confidential information.

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