



Questions asked by December 16, 2024 4:30pm AST:

Investing in Resilient Infrastructure: Desktop Study for the Development of a Submarine Communications Cable System in Puerto Rico Request for Proposals

Publication Date: December 23, 2024



Questions submitted:

Question 1.

- After reviewing the RFP we are very concerned that the timeframe for developing a detailed proposal in 3 weeks is not enough time to submit our ideal scenario to conduct the "Desktop Study" and at the end execute the design, construction and installation of an underwater cable segment. Our office as well as our Engineering Department Partners will be out of office for Holidays from 12/20 to 1/6.

Considering that this is a high risk and highly sensitive matter, we touched base and integrate various industry companies and had a Conference Call this morning with Geologists, Engineers ( Structural, Environmental ) and Communications Specialists and we all agree that it might take at least 90 days to complete a responsibly proper proposal and assessment for what it was requested to do in the RFP.

We kindly suggest evaluating the PRBP ( Smart Island Program ) timeframes and if you need a detailed explanation regarding how each phase will last within this process, we will submit any additional information that you might need.

Response 1

- A Time Extension to the Submission Deadline of 21 calendar days will be provided for the submission of proposals. The new RFP Timelines are as follows:

RFP Timeline		
Event	Date	Time (AST)
RFP Published on <a href="http://www.smartisland.pr.gov">www.smartisland.pr.gov</a>	December 4, 2024	4:30 PM
Deadline to Submit Questions via email at <a href="mailto:faq@smartisland.pr.gov">faq@smartisland.pr.gov</a>	December 16, 2024	4:30 PM
Responses to Questions Posted on <a href="http://www.smartisland.pr.gov">www.smartisland.pr.gov</a>	December 23, 2024	4:30 PM
Deadline to Submit Proposals via <a href="http://www.smartisland.pr.gov">www.smartisland.pr.gov</a> *	January 31, 2025	4:30 PM
Evaluations	February 3, 2025 – February 24, 2025	N/A
Notice of Award	February 28, 2025	4:30 PM

\*Please submit one (1) electronic copy through this RFP's posting page on [www.smartisland.pr.gov](http://www.smartisland.pr.gov). Please note that no submissions will be accepted until seven days after RFP publication.



## Question 2

- Will the Government exclude Industry competitors in future phases of this program if participating in this RFP in any shape or form, as a sub, partner, and if selected to do the Desktop study? That is, will participating in this RFP or receiving an award thereunder disqualify the awardee or participant from participating or receiving an award to execute the implementation of the selected route(s) that will result from the Desk Study?

## Response 2

- Currently, there is no expectation that the selected proponent for the Submarine Cable Desktop Study would be excluded from participating in future phases of work under the Submarine Cable Resiliency Program; however, proponents should expect that all outputs from the Desktop Study will be considered the intellectual property of the Puerto Rico Broadband Program to ensure a fair and open competitive procurement process for follow-on workstreams.

## Question 3

- Will the government include an Equitable Adjustment Clause in the awardee contract to cover any changes and amendments to the scope of work that the government may request after the contract is awarded?

## Response 3

- PRBP is unable to commit to specific clauses; however, PRBP will work with the awardee to determine contract terms that are suitable and deemed necessary.

## Question 4

- The period of Performance is 4 months to complete this complex study. Will the Government account and will adjust the schedule and/or the cost to complete based on unforeseeable delays beyond the control of the contractor such as natural disasters and/or any act of God?

## Response 4

- The impact of force majeure events on the Desktop Study PoP is expected to be evaluated on the details of the specific event in question.

## Question 5

- Will the Government extend the Period of Performance for delays caused by the government?



#### Response 5

- PRBP does not foresee any delays caused by the government; however, it will work with the successful proponent to agree to a detailed timeline and phasing of reports/outputs if unexpected delays or force majeure events arise.

#### Question 6

- Will the government extend the Period of Performance of the Study if the government makes constructive changes to the original scope of work agreed on the base contract?

#### Response 6

- If material changes occur, PRBP will work with the successful proponent to agree to a detailed timeline and phasing of reports/outputs commensurate with the material change; however, a four-month PoP is preferred.

#### Question 7

- When do the federally appropriated funds related to the Subsea cable program expire and is it subject to extension to support a realistic completion of Desktop Study and construction timeline?

#### Response 7

- Federal funds supporting the Submarine Cable Resiliency Program are currently expected to expire December 31, 2026. The U.S. Department of Treasury, which administers these funds, has not announced plans to extend the Period of Performance for the funds in question up to this date.

#### Question 8

- What type of contract does the Government intend to use? Cost Reimbursable, Firm Fixed Price, Hybrid contract, with Incentive Fee or Fixed Fee? Will the government share a model contract before Proposal submittal deadline?

#### Response 8

- In adherence to the doctrine of pacta sunt servanda, the Government intends to determine the type of contract based on the proposals received. The Government values flexibility in negotiating terms that will best meet the objectives of the Desktop Study. Industry best practices often favor contracts structured around task orders or deliverables. We encourage bidders to consider this approach when drafting their proposals. While we may provide a model contract for reference to facilitate understanding of our terms and conditions, it should be considered a guideline rather than a definitive format.



We are open to discussing variations that align with the project's goals—whether they involve Cost Reimbursable, Firm Fixed Price, Hybrid contracts with Incentive Fee or Fixed Fee.

#### Question 9

- What method of payment will the government use, for example, an electronic system like Wide Area Workflow? Requirements for registration?

#### Response 9

- PRBP will work with the successful proponent to set-up an electronic payment flow through Hacienda Virtual, the online portal of the Puerto Rico Department of Treasury.

#### Question 10

- The RFP does not address contractor payment and Billing Milestones. Is there a proposed billing schedule or is that included in the final negotiation after Applicant selection (section 5.3)? If bidders are to provide their own proposed billing schedule does that weigh into the scoring methodology and if so, how? For example:
  - a. 50% with submittal of work plan, 30% on issue of draft Desk Study 20% on delivery of Final Desk Study? Or,
  - b. Break this down by submittal of work plan 20%, Draft report 10% each for Route/site Visits/Marine/Permitting & Environmental, Final report 10% each for finals?
  - c. Are the terms negotiable?

#### Response 10

- See response to above for contractor payment details. Please see Section 4.4.2 in the RFP for details regarding how proponents should present proposal pricing structure. Proponents may provide their own proposed billing schedule. Please see Section 5.2 for how pricing factors into this RFP's scoring methodology.

#### Question 11

- Proposal is required to meet the page limit requirement for each section, but sections 4.3...2/3/4/6/8/& 9 do not specify page limits. Please clarify the requirement.

#### Response 11



- There are no page limits beyond those already defined for specific sections of the technical proposal. These include:
    - No more than four pages for executive summary
    - Ten pages for approach
    - Two pages for Key Personnel resumes
    - One page for resumes of additional resources supporting the work (e.g., subject matter experts that may be consulted on the work but would not be actively involved in analyses for and drafting of the Desktop Study).
    - One page per qualification (utilizing Form 2)
- proponents should utilize a necessary, reasonable, amount of space to express their position on the remaining sections of the technical proposal with no page limits specified.

#### Question 12

- It is always a concern that DTS site visits and interaction with interested parties will communicate a high value project “coming to town” and the price of real estate for potential CLS sites experiencing a surge in market value. Since this is a public notice activity, we need to understand how the government is managing that. Is the Government contemplating applying imminent domain legal means if necessary to implement recommended options? Does the government has options or first right of refusal on target properties, which we would need to know at the onset.

#### Response 12

- PRBP has not yet considered the acquisition options for new landing sites. Proponents should be prepared to give a reasonable estimate of the costs of acquiring these sites under different scenarios.

#### Question 13

- Section 4.3.3 requests the submission of the proposed team arrangements.
  - a. Will PRBP accept proponents that present Team Members’ respective capabilities, experience, etc but whose members (or some of them) may, after receiving an award and before signing the agreement, organize a JV/LLC for this project? If acceptable, members of the team who are anticipating using this structure would indicate this intention upfront in the Proposal and commit to support the newly created JV or LLC during the project execution.
  - b. As an alternative to the above, will PRBP accept a proposal to be submitted by a newly formed LLC (alone or with other companies as



Team Members) which new LLC is created solely for purposes of the project and whose owners are submitting their credentials as supporting the newly formed entity?

#### Response 13

- PRBP does not expect to apply any type of restriction on the type of teaming structure that proponents select to respond to this Desktop Study RFP opportunity (joint venture, limited liability corporation, etc.). However, proponents must ensure that the team proposed in their response to this RFP reflects the team that ultimately carries out the Desktop Study SoW.

#### Question 14

- Under Section 6.3, it is indicated that “Applicant 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.” When will PRBP make and notify that determination to the Proponent? Can it be made before notifying any award?
- d. Please confirm that all certifications listed under Section 6.4 will be required before signing the awarded contract, not to be presented with the Proposal.
- e. Since the certifications listed in Section 6.4 have to be submitted to ASG to be registered in the RUP, please confirm that submitting a valid and current RUP certification will be sufficient to comply with these requirements?
- f. Please confirm if before signing an awarded contract the awardee will be required to also have a SAM number.

#### Response 14

- Yes, the PRBP will make a determination regarding the confidentiality and proprietary status of the submitted materials prior to any award notification. Applicants will be informed of this determination before of the proposal evaluation process, ensuring that confidentiality concerns are addressed before the final award decision is made.
- To ensure the integrity of the selection process and avoid the selection of a proponent who may later be found ineligible due to lack of required certifications, including the RUP, all proponents must provide evidence of all certifications listed under Section 6.4 at the time of proposal submission. Additionally, to maintain compliance and streamline the contracting process, it is required that these certifications be verified as current just prior to the execution of the contract.
- No, submitting a valid and current RUP certification alone will not be sufficient to comply with all the requirements listed under Section 6.4. While the RUP



certification is a critical component, it does not cover all the specific certifications and documentation required by Section 6.4. Proponents must ensure that they meet all listed criteria and submit all necessary certifications as outlined in the RFP to be considered for the award.

- Yes, the SAM number will be required prior to any award in compliance with all applicable federal regulations and should be submitted at the time of proposal submission.

#### Question 15

- What is the Government's timeline to move into a construction phase after completion for the desktop study?

#### Response 15

- PRBP is targeting construction to begin in 2026. This timing is indicative and subject to change as additional details regarding the project come to light over the course of completing the Desktop Study, and other planning activities.

#### Question 16

- What is the projected need date to deliver solution to the Government after making the selection of system routes and landing stations? This affects ROM and projected costs based on the Desktop study.

#### Response 16

- Projected solution delivery dates are expected to solidify once Desktop Study outcomes are known. Proponents may consider a range of possible solution delivery dates and how ROM cost estimates would be impacted, if necessary.

#### Question 17

- What is the Government's estimated broadband capacity need for the next 20 years? This is crucial as it impacts proposed solutions.

#### Response 17

- While a twenty-year broadband capacity estimate is not available, proponents may refer to publicly available documents that speak to Puerto Rico's broadband strategy moving forward, such as the [Five Year Plan of Action](#), to inform the development of proponents' proposed solution/approach.

#### Question 18

- The RFP Scope is for a DTS following ICPC Recommendation 9 Guidelines, however there are references to elements which are not normally part of a DTS or





addressed by ICPC Recommendation #9, namely: REQUEST FOR CLARIFICATIONS:

- a. Section 3.1 Page 12 Paragraph 1 and elsewhere which discuss submarine cable system redundancy & reliability, “the DTS will help PRBP learn how to increase PR’s sub cable redundancy” but does not provide any criteria to meet. Are there specific requirements which define redundancy/resiliency or is the bidder to understand it to mean “alternate/alternative/more than one”?
- b. Section 3.2.1 last paragraph mentions that the Applicant should consider other potential landings including the continental U.S. and South America. This seems more like a project scoping and feasibility study rather than a DTS with site visits: there are numerous potential landings to investigate, with subsequent costs and travel which could multiply the cost of the DTS. Such project scoping analysis is not addressed in ICPC Recommendation #9, please provide further detail regarding the intent of the DTS.
- c. These elements discussed above are outside the scope of a typical DTS, not defined in the RFP or in ICPC Recommendation No. 9, Minimum Technical Requirements for a Desktop Study. These would normally be addressed with a Pre-DTS project scoping and feasibility study or workshop allowing the DTS to focus on a discrete list of targets and minimizing costs by eliminating non-viable options. . Are bidders to presume those tasks are outside the scope of the DTS RFP?

Response 18

- See the following Desktop Study scope clarifications:
  - The main goal of this desktop study is to address single point of failure concerns in PR’s submarine cable and landing site infrastructure. Proponents should explain how redundancy and resiliency are achieved through their proposed solution.
  - The intent of the desktop study is to follow ICPC Rec. #9, in addition to requirements identified by PRBP that are not part of ICPC Rec. #9.
  - The additional requirements that are mentioned in the RFP but fall outside of ICPC Rec. #9 (like ROM costs, identifying landing facilities, etc.) are within the scope of this Desktop Study. PRBP does not envision any additional pre-desktop study scoping to occur at this time.

Question 19

- Similarly, is there a target system availability that is required i.e., uptime to any single POP?



#### Response 19

- Section 3.1 in the Desktop Study RFP specifies that the landing station at Ponce is expected to be an Uptime Tier III certified landing site. No other targets have been specified for other sites. Proponents may consider a range of target system availabilities in their study and note their implications on the final recommended cable system routes and landing station selections.

#### Question 20

- Section 4.3.7 Resumes, paragraph 4 asks for resumes for the “following key personnel” but does not list who these are to be. Is it sufficient for the bidder to provide resumes for the planned project team leaders?

#### Response 20

- Proponents should provide resumes for Key Personnel, defined as team members who will complete the Scope of Work described in the Desktop Study RFP. This likely includes project team leaders, along with any other staff that will support the development of analyses and materials for the Desktop Study.

#### Question 21

- Section 1.3 Paragraph 1 mentions the “next 5 years” as the duration for deployment of broadband infrastructure projects. Is this an indication that project completion needs to be no later than 2029?

#### Response 21

- No, this is not an indication that project completion needs to occur by 2029. PRBP expects construction timing to reflect the PoP of federal funds used to support SCRIP (see Q7).

#### Question 22

- What is the Government System Availability required for the island? This impacts the scope of the desktop study and proposed solutions

#### Response 22

- PRBP is unable to specify the Government System Availability required for the island at this time. Proponents may consider how different levels of availability would impact Desktop Study scope and proposed solutions and describe the implications in their approach.



#### Question 23

- The DTS scope is about evaluating and considering alternatives for new construction submarine cable segments. However, some of this may be achieved using existing commercial infrastructure thru purchase of capacity. Please confirm that the scope does not include analysis of existing capacity in a “build vs lease” commercial analysis.

#### Response 23

- Commercial analysis of “build vs. lease” for determining existing capacity is not included in the Desktop Study RFP SoW. Exploration of existing capacity should be considered to the extent that it supports the core objectives of the Desktop Study, which is to identify additional cable routes, landing points, and landing sites that would increase the resiliency and redundancy of the system currently serving the island of Puerto Rico.

#### Question 24

- Does the Government have a minimum FP’s and initial capacity requirement as is essential to ensure seamless connectivity and effective data routing design? This is also needed to estimate the ROM system cost.

#### Response 24

- PRBP does not expect to specify minimum FP’s and/or initial capacity requirements. If relevant, proponents should address in their technical approach how these elements could impact ROM estimates of the system cost.

#### Question 25

- Please describe / clarify what is meant by the “financial outlook” to be included in the ROM system cost estimate.

#### Response 25

- “Financial outlook” describes how the ROM estimate is expected to be used to shape early understandings of the potential costs and financial implications associated with the selection of different route/landing station combinations.

#### Question 26

- Please confirm that the scope of the DTS and site visits ends at the prospective Cable Landing site (CLS) location for each landing in Figure 3 and does not extend inland to POPs or data centers.



#### Response 26

- PRBP does not anticipate that the proponent would assess how proposed cable routes, landing points, and sites interact with inland PoPs and data centers. The Desktop Study scope focuses on identifying optimal cable route, landing point, and landing site (station) combinations to increase system resiliency and redundancy on Puerto Rico.

#### Question 27

- Regarding the options for system configuration options beyond those in Figure 3 - please describe if or how the provision of options beyond those identified in Figure 3 benefit the scoring for the Applicant.

#### Response 27

- The provision of options is evaluated on their ability to avoid a single point of failure while considering engineering, financial, and commercial realities.

#### Question 28

- Cost Scoring is based on the lowest cost. Given that the RFP requests bidder to offer and price possible enhancements and route options, how does the evaluation adjust for overall pricing for scopes that are no longer the same across bidders?

#### Response 28

- As per Section 4.4.2, the budget breakdown can show any additional/optional fees related to possible enhancements or additional scope items. These optional services / scope items will not be scored in the core price evaluation.

#### Question 29

- Section 3.2.2 Availability & cost of landing site & Right of Way (RoW): Please confirm /Clarify that the ROM system budget should exclude cost of land, which is highly variable. Additionally, enquiries by the Applicant may preempt normal procurements or alter market conditions.

#### Response 29

- Per Q12, PRBP has not yet considered the acquisition options for new landing sites. Proponents should be prepared to give a reasonable estimate of costs relating to landing sites and RoW. To the extent that proponents wish to include additional information regarding land acquisition costs, they should feel free to do so but separated from permitting and RoW considerations.



### Question 30

- Considering the most recent major storm to hit Puerto Rico, is there an analysis and details for any issues or failures in the submarine networks which will be shared with the selected Applicant to aid in the DTS?

### Response 30

- PRBP does not anticipate that any additional information related to analysis and details of recent storms will be shared. Interested proponents may review existing analyses of this topic, such as: [Recovery Plan for the Communications and Information Technology Sector After Hurricanes Irma and Maria](#).

### Question 31

- Has the government identified one or more specific parcels of vacant land at each landing point in Figure 3 which will serve as the basis of the DTS? If not, will a local real estate professional or other person be assigned at commencement of the project with this responsibility or is that part of the DTS supplier's responsibility?

### Response 31

- PRBP is evaluating different segments and routes for the purpose of avoiding a single point of failure. Specificity around parcels of land will develop after the DTS and as it evaluates different project delivery methods / options for the SCRP.

### Question 32

- Other than for the site visit/survey, is there a requirement for any additional travel or meetings? If yes, please describe the scope, audience and participants expected. DTS Reporting: please confirm or provide details to substantiate the level of effort required:
  - a. Issue 1 draft for submitted electronically for government review/comment.
  - b. Virtual (or in person) meeting to review?
  - c. Update and issue DTS as Final

### Response 32

- Additional travel for desktop study related activities (including meetings) may occur. PRBP will coordinate with selected proponent if/when additional travel is needed.
- Regarding study reports, PRBP expects that proposal submissions would detail the proponent's approach to developing the Desktop Study and any auxiliary



materials. PRBP will work with the awarded proponent to confirm specific expectations for report creation. These expectations may include some combination of the components identified in this question (i.e., issue electronic drafts, virtual/in person-meeting to review drafts, etc.).

#### Question 33

- Regarding the 10MB limit on proposal – single pdf – this would be a challenge as DTSs are typically graphical heavy PDF's. Larger file sizes can be accommodated with cloud-based upload/download service. Is this acceptable?

#### Response 33

- Proponents should make all efforts to comply with the 10MB limit for Desktop Study RFP proposal submissions. Larger file sizes may be able to be accommodated. Proponents who cannot submit their proposal through the Smart Island Portal should notify PRBP through email at [faq@smartisland.pr.gov](mailto:faq@smartisland.pr.gov) to receive alternate instructions on how to submit their response.

#### Question 34

- REQUEST FOR CLARIFICATION, as the government states on page 12: "Applicants of this RFP are thus duly encouraged to provide suggestions for alternate cable routes and landing points." On page 13 the government states that: "The selected Applicant will, at a minimum, evaluate the potential route segments and landing station locations noted on Figure 3 (page 14). The Desktop Study should also consider and recommend other solutions that better improve system resiliency, if identified." Based on this dis government RFP:
  - a. Is the overall design of all the cables and the entire technical solution and topology open for modifications?
  - b. Can changes be made to the plan and the indications on the map that appear on page 14?
  - c. Are all the anchoring points mandatory, or is there flexibility in that aspect?
  - d. Industry experts are concerned about the sensibility of the current technical design and its lifecycle cost



### Response 34

- As stated in the RFP, the route segments and cable landing stations shown in Figure 3 must be evaluated, but the analysis of additional cable routes and landing points/stations is encouraged, but not mandatory. There is flexibility on routing and landing locations, as long as feasibility, redundancy and resiliency are achieved.