

Resilient Power and Hardening of Telecommunications Facilities Across Puerto Rico - Round 2

REQUEST FOR PROPOSALS

RFP Number: PRBP-2023-PRBIF-01-003

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I. Introduction

The Puerto Rico Broadband Program (“PRBP”) of the Puerto Rico Office of Management and Budget (“OMB”) was created pursuant to Executive Order No. EO-2022-040 (“Broadband Program Executive Order”)¹, for the purposes set forth thereunder, including the coordination, authorization, and execution of the disbursement of local and federal funds allocated to Puerto Rico for broadband programs, among other things.

On May 11, 2023, the PRBP issued a Request for Proposals titled ‘*Resilient Power and Hardening of Telecommunications Facilities Across Puerto Rico – Phase 1*’ (“RFP-Round-1”)², with a closing date of June 2, 2023. Thereafter, on September 18, 2023 the PRBP awarded the RFP-Round-1 to certain firm(s), according to the parameters established therein.

Through this request for proposals (“RFP-Round-2”) the PRBP is seeking responses from qualified vendors (“Applicants”), as they meet the requirements set forth in **Section V** of this RFP-Round-2, to design and implement resilient power systems and hardened infrastructure solutions for telecommunications facilities in Puerto Rico, including security infrastructure for key telecommunications sites, to address the Scope of Work defined in **Section IV** of this RFP-Round-2 (“Program”). The Program’s main goal is to facilitate reliable, resilient power and hardened infrastructure to key telecommunications facilities to minimize the loss of internet and telecommunications connectivity to Puerto Ricans. This RFP – Round-2 is intended for “shovel ready” projects that can be implemented expeditiously.

Telecommunications infrastructure in Puerto Rico faces significant challenges due to frequent storms and commercial electrical grid reliability. Maintaining broadband connectivity during storms is of the utmost importance. When disasters strike, the people of Puerto Rico need to stay connected to obtain critical information and emergency services. A reliable broadband connection can make all the difference in ensuring the safety and well-being of those affected by these events. It is crucial to prioritize the development of resilient power and hardened infrastructure that can withstand these challenges and keep our communities connected, informed, and safe.

Through this RFP-Round 2, the PRBP seeks innovative solutions that can support more resilient and redundant networks that can withstand future storms and electrical grid outages, ultimately improving the overall quality of internet connectivity of Puerto Ricans – especially in times of disaster.

The PRBP solicits interested Applicants to submit their responses to this RFP-Round 2, which should include details on the use of funds, as well as any innovative solutions for the Program, if awarded by the PRBP. If an Applicant is selected under this RFP-Round 2, the PRBP will contact the appropriate Applicants to communicate any further information required, to the extent needed.

The deadline for this RFP is December 22, 2023. Please send any queries via email to FAQ@smartisland.pr.gov. The subject on the electronic submission shall read as follows: ‘*Re – Resilient Power and Hardening of Telecommunications Facilities Across Puerto Rico, Round 2*’.

¹ Issued on July 11, 2022.

² Copy of which can be found accessing the following link: [docs.pr.gov/files/Broadband/RFP/PRBP-2023-PRIF-01-002/Smart%20Island%20Resilient%20Power%20and%20Hardening%20RFP%20-%20Final%20\(R2\).pdf](https://docs.pr.gov/files/Broadband/RFP/PRBP-2023-PRIF-01-002/Smart%20Island%20Resilient%20Power%20and%20Hardening%20RFP%20-%20Final%20(R2).pdf)

II. Funding Mechanism

Funding for this Program is available from the local Puerto Rico Broadband Infrastructure Fund, (“PRBIF”), which complements existing federally funded programs to accelerate growth and support expansion efforts in broadband access and expand the use of online resources for the Municipalities residents, and should help overcome barriers to broadband expansion, ensure that all residents, businesses, and public institutions in Puerto Rico benefit from this capability, and ensure that critical public institutions (i.e., schools, hospitals, libraries) can remain connected. The PRBP is administering ~\$15 million of PRBIF under this RFP-Round-2 funding to selected Applicants.

This Program does not require matching funds.

III. Funding Disbursement

Funding will be disbursed to selected Applicants based on their annual gross income generated from the sale of telecommunications services in Puerto Rico, including mobile services, , for the calendar or fiscal year ended on 2022 (“CY-2022”), as reported in Applicant’s income tax filling(s), as officially reported to the Puerto Rico Treasury Department (i.e., ‘*Departamento de Hacienda*’; “PRTD”) and/or their audited financial statements. Funding available to Applicants will be inversely proportional to their gross income generated from the sale of telecommunications services. The amount of funding available to each Applicant will also be dependent on the number of proposals submitted and/or approved by PRBP, on available PRIBF for the Program, proposal’s alignment with the public policies set forth in the Broadband Program Executive Order and or the Five Year Plan of Action created thereunder³.

If an Applicant’s income tax filings does not differentiate or separate revenue from the sale of telecommunications services, including mobile services, Applicants must include audited financial statements where these amounts can be identified and validated. If audited financial statements do not include this detail, Applicants must then submit their unaudited financial statements that include revenue from the sale of telecommunications services in Puerto Rico for CY-2022, dully certified and notarized by an Applicant’s officer. This certification must be submitted along with the response to this RFP-Round-2.

No single Applicant will be able to receive more than one third of the total Round 2 funding available.

IV. Scope of Work

Applicants shall provide a detailed description of their Program proposals on a per-site basis. Applicants will be provided a program workbook spreadsheet (“Program Workbook”) to facilitate their response, and additional documents can be uploaded to further support their responses. Proposals must address the following matters related to the Program (“Scope of Work”):

³ Copy of which can be found following this link: docs.pr.gov/files/Broadband/Documentos/PRBB%20-%205YR%20Action%20Plan%20-%202008-12-2023.pdf

- Details on the design and installation of resilient power and infrastructure hardening solutions that can provide uninterrupted power to telecommunication facilities.
- Details on the design and installation of an automatic resilient power system with automatic failover when the primary power supply fails.
- Details on the provision of adequate fuel storage and distribution systems that can provide fuel for resilient power systems with a minimum capacity of ten (10) days of continuous operations.
- Details on the implementation and operation of monitoring and control systems that can remotely monitor the performance of the power infrastructure and detect any issues before they cause service disruptions.
- Details on the development and execution of training for Applicant's technical staff on the operation and maintenance of the resilient power infrastructure.
- Details on the design and implementation of telecommunications site security infrastructure.
- Details on how Applicant would provide the PRBP with documentation and reporting on the progress of the project, including regular updates on the design, implementation, and testing phases.
- Details of Applicants' network infrastructure and footprint of coverage area that will be hardened.
- Provide location and additional details of the infrastructure hardening.

V. Requirements

Applicants must meet the following requirements:

- Comply with the applicable requirements set forth by the Puerto Rico General Services Administration ("ASG", for its Spanish acronym) pursuant to Act No. 73-2019, as amended, such as the certifications levied by Regulation No. 9230E, Regulation No. 9301E, and/or Regulation No. 9302E.
- Have a registered and active status with the Puerto Rico Department of State.
- Have a minimum of three (3) years of incorporated status, along with the corresponding '*Good Standing Certificate*'.
- Certificate of Filing of Tax Returns from the PRTD, for the last five (5) (i.e., tax years: 2018, 2019, 2020, 2021 & 2022). Companies registered less than 5 years will need to have all filings up to date.
- Certificate of No Tax Debt from the PRTD.
- Registry with the Puerto Rico Telecommunications Bureau (i.e., 'Negociado de Telecomunicaciones de Puerto Rico; "NET"), if currently not, Applicants must then provide proof of registration process with the NET.
- Registration with Puerto Rico Innovation and Technology Service office ("PRITS") in the Technology Provider Registry.
- Duly completed Program Workbook.
- Upload to PRBP's website the required documents as attachments with proposals.
- Applicant's projects will need to be completed within eighteen (18) months.

- Applicants that are retail internet service providers to residential customers must be participants in the Federal Communications Commission's Affordable Connectivity Program ("ACP"). Applicants that do not provide retail service to residential customers do not have to participate in the ACP.

In addition to the foregoing requirements, in the event a grant and/or agreement is executed pursuant to this RFP-Round-2, Applicants must comply with all contracting requirements set forth by the PRBP and/or the Government of Puerto Rico.

VI. Proposal Submission

Applicants should submit their responses to the smartisland.pr.gov website, including the following:

- Certified financial statements showing CY-2022 revenue from telecommunications services, including mobile services, in Puerto Rico.
 - Certification of Applicant's unaudited financial statements signed by an officer of the company.
- A site-by-site list of locations that will receive resilient power and/or hardened infrastructure (entered into the supplied Program Workbook).
- A detailed technical proposal that outlines the design, implementation, and testing phases of the Program.
- A detailed project plan for the Program, including timelines and milestones.
- A cost breakdown that includes all expenses, such as materials, labor, and any additional costs related to the proposal (entered into the supplied Program Workbook).
- References from previous clients, including their contact information (as attachments).
- Required documents under this RFP-Round-2 as attachments to their proposals.
- Additional supporting documentation shall be added to the proposals as uploaded attachments. Applicants should also upload any geographical information system ("GIS") information that would be helpful to describe how Applicants will address the Scope of Work, particularly path layers for any undergrounded cabling.

VII. Response Evaluation

Responses to this RFP-Round-2 will be evaluated based on the following criteria ("Evaluation Criteria"):

- Compliance with the requirements outlined in this RFP-Round-2.
- Technical approach and design of the resilient power and hardened infrastructure systems for the Program
- Reliability and resilience of the proposed solution for the Scope of Work.
- Cost-effectiveness of said proposed solution.
- Experience and qualifications of the Applicant and its team.
- References from previous clients and/or working relationships.

VIII. Selection Process

An evaluation committee appointed by the PRBP (“Evaluation Committee”) will review the proposals and evaluate them based on the Evaluation Criteria. The Evaluation Committee and/or PRBP reserves the right to request additional information from Applicants on an as-needed basis during the evaluation process. Following this, the PRBP may enter into negotiations with Applicants to expand or contract the scope of work and adjust the grant amount accordingly.

IX. Project Prioritization

As part of the selection process, the OMB will prioritize proposals that would facilitate resilient and redundant infrastructure to multiple Internet Service Providers (“ISP”). For illustrative purposes only, a proposal for resilient and redundant power infrastructure from a tower owner that would be made available to all ISP tenants of a particular tower, at a reasonable cost, will be prioritized over proposals from individual ISP tenants at the same tower location. Similarly, proposals for resilient and redundant infrastructure at colocation facilities that would be made available to all ISP tenants of that colocation facility, at a reasonable cost, will be prioritized over proposals from individual tenants of that colocation facility.

The PRBP may prioritize applications from qualified Applicants that did not receive funding in Round 1 of this program.

X. Eligible Expenses

If granted an award, Applicants may utilize grant funds to cover the following costs and/or expenditures (“Eligible Expenses”):

- Purchase or upgrade of equipment designed to provide resilient power.
- Purchase or upgrade of equipment designed to provide hardened infrastructure.
- Purchase or upgrade of electrical equipment designed to assist in disaster response recovery.
- Undergrounding of existing aerial infrastructure, including fiber and electrical, to improve resilient and redundant infrastructure.
- Design and engineering of resilient power systems and hardened infrastructure.
- Labor for the installation of resilient power systems and hardened infrastructure.
- Materials and labor for telecommunications site security systems.
- Other incurred expenses as approved by the PRBP.

While funding is available for hardened infrastructure such as undergrounding aerial cabling, due to the cost of underground construction, proposals related to redundant power systems will be prioritized above proposals for hardened infrastructure such as undergrounding. If funds are available after all related power proposals are allocated, all underground conduit will be subject to a joint trench agreement between Applicant and the Commonwealth.

XI. Ineligible Expenses

The following costs and/or expenditures are ineligible for grant funding under the Program (“Ineligible Expenses”):

- Internal administrative activities.
- Fundraising activities.
- Computers or office equipment.
- Software, such as management or accounting software.
- Vehicles.
- Equipment owned or leased by the customer, including routers and modems, and any other costs beyond the network interface point.
- Operating expenses.
- Expenses incurred prior to the date of the grant award contract execution by all parties.
- Leases of less than one year.
- Acquisition of any spectrum licenses.
- Payment of interest or principal on outstanding debt instruments, or other debt service costs.
- Fees or issuance costs associated with the issuance of new debt.
- Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding.

XII. Timeline

The following is the proposed timeline for this project:

- Review (rolling-basis) of responses begin: December 4, 2023
- Proposal submission deadline: December 22, 2023
- Vendor selection and notification (begins): January 30, 2024

XIII. Reservation of Rights

The PRBP reserves the right to award to accept or reject any or all proposals received as a result of this RFP-Round-2, to negotiate with any eligible respondent or to modify or cancel this RFP-Round-2 in part or in its entirety. This RFP-Round-2 does not commit nor obligate the PRBP to award any contract nor to pay any costs incurred in the preparation of a response and/or proposal in connection with this RFP-Round-2. By submitting their respective proposals, respondents acknowledge, agree, and guarantee to the PRBP strict observance and compliance with the applicable requirements, including but not limited to those included in this RFP-Round-2, to the extent applicable.