



**LUZERNE COUNTY COMMUNITY COLLEGE
REQUEST FOR PROPOSAL
LEASE AND/OR SALE OF RADIO FREQUENCIES**

Section I. INTRODUCTION

Luzerne County Community College is seeking proposals from qualified Companies/Individuals to provide a proposal to lease and/or purchase radio frequencies. This document is a Request for Proposal (RFP) for the services described below and does not obligate LCCC to accept responses from eligible Companies/Individuals. The RFP establishes minimum requirements a Company/Individual must meet in order to be eligible for consideration as well as information to be included in the Company's/Individual's proposal.

Carefully examine the specifications, conditions and limitations. The selection of the successful Company/Individual will be made based on LCCC's evaluation and determination of the relative ability of each Company/Individual to deliver quality service in a cost-effective manner. The following specific criteria will be evaluated and must be addressed in the proposal:

- 1 Company/Individual History and Organization
- 2 Cost Proposal and Invoicing
- 3 Insurance
- 4 References

LCCC is not obligated to accept the highest proposal and reserves the right to reject any and all proposals or amend the scope of the project. All of the Companies/Individuals must be duly licensed or otherwise have the ability to perform work in accordance with all governing local authorities and to the satisfaction of those authorities.

Notice of the Purchasing and Conflict of Interest Policies in place at Luzerne County Community College ("LCCC"):

Each owner/operator/individual/officer submitting a proposal or for whom a proposal is being submitted on behalf of the owner (each being referred to as a "Provider") to LCCC certifies that he/she/they are not a spouse, child, parent, brother/sister (each being referred to as an "Immediate Family Member") of any LCCC employee or Board of Trustee member at LCCC who owns more than a one (1%) percent ownership interest in the Provider/Provider's business.

If the Provider is an Immediate Family Member, according to College Policy and Procedure, disclosure must be made, and LCCC may decline entering into a business relationship with the Provider. Disclosure shall be made in writing at the time of submitting the proposal to the Director of Purchasing.

Violations of any of the policies or procedures may result in rejection of the proposal. Additionally, LCCC may have the right to recover damages suffered by LCCC in obtaining an alternative proposal, which damages may include, but are not limited to, consequential damages and reasonable attorney's fees.

Copies of these policies and procedures are available from LCCC upon request.

Under the Right To Know Law, the College is required to post to the PA Treasury Website all documents (BPO, PO, contract or agreement) for transactions valued at \$5,000.00 and above.

Luzerne County Community College does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs or activities. For a complete copy of the LCCC non-discrimination policy, contact the Human Resources Office at 800-377-5222, extension 7235. Inquiries may be directed to the Title IX Coordinator, John Sedlak, Dean of Human Resources, LCCC, 1333 South Prospect Street, Nanticoke, Pennsylvania, 800-377-5222 extension 7234 (jsedlak@luzerne.edu). Direct inquiries related

to accessibility services for students to the Section 504 Coordinator, Rosana Reyes, Dean of Student Development and Enrollment Management, LCCC, 1333 South Prospect Street, Nanticoke, Pennsylvania, 800-377-5222 extension 7423 (rreyes@luzerne.edu).

Section II. SUBMISSION OF PROPOSALS

Responses to this RFP are due by NOON on December 4, 2019. Late submittals will be rejected. All proposals are to be sealed, labeled with the subject of the proposal, and addressed to:

Luzerne County Community College
Purchasing Director, Mr. Len Olzinski
1333 S. Prospect Street
Nanticoke, PA 18634
Phone: 570-740-0370

The proposal submission may be mailed or delivered to the above address. Any questions regarding this RFP may be addressed to Thomas J. McHugh, Chair, Communication Arts Dept. at 570-740-0630 or tmchugh@luzerne.edu.

Section III. CONTRACT TERM

The term of this contract shall be for a no less than 15 years (renewable) or sale pending Federal Communication Commission (FCC) Approval, commencing on effective date of FCC final Ruling on its July Report and Order.

Section IV. SCOPE OF SERVICES

Luzerne County Community College (LCCC) is the owner of Educational Broadband Service (EBS) Station WNC566, a group of 4 frequencies located in the 2.5GHz EBS Spectrum. LCCC would like to enter into an agreement to lease the FCC license listed above and also offer the right to purchase the License in the future, following the effective date of FCC rules adopted on July 10, 2019, expected to become effective in 2020. The lease will provide appropriate provisions to comply with the FCC's current rules during the period between FCC approval of the arrangement and the date the new rules become effective. Compensation offered for a Lease/Sale Agreement will be a total fixed payment based on a standard MHz/pop scenario, including a substantial, non-refundable up-front payment and monthly lease payments commensurate with frequency value. The option to exercise the right to purchase the license will be required within the first three years after FCC Rule adoption. If not interested in purchasing the frequencies, the interested bidder will propose a monthly lease fee, with an escalator percentage built in on a yearly basis. The Lessee will then be able to utilize the frequencies over the period of the lease, with an option to renew for a like period of time.

V. INSTRUCTIONS

Responding Companies/Individuals must address the following subjects in their proposal:

1. Company/Individual History and Organization

Provide a brief history including brief biographical information regarding the personnel who would be directly responsible for the service.

2. Cost Proposal and Invoicing

Provide rates and any and all associated fees corresponding with the services described in Section IV.

3. Insurance (Companies/Contractors only, does not apply to individuals)

The successful provider shall carry and maintain, with respect to any work or service to be performed at LCCC facilities, insurance written by a responsible insurance carrier, to provide for the following:

- Workers' Compensation as required by applicable statute and Employer's Liability Insurance.
- Commercial General Liability Insurance in the amount of \$1,000,000 listing the College as additional insured
- Automobile Liability
- Include a copy of Certificate of Insurance including limits with the response.

4. References

Provide at least three (3) client references whose facilities are comparable in size and profile to Luzerne County Community College. Include company name, address, contact person and contact number.

Luzerne County Community College, 1333 South Prospect Street, Nanticoke, PA 18634-3899 Telephone: 570-740-0200 or 800-377-5222

Luzerne County Community College would like thank you in advance for your interest in participating in this request for proposal. If for some reason you are unable to submit a proposal to the College, please let us know the reason why so you will remain on our active bidders list for the future. Fax to 570-740-0525.

You can also e-mail your reason for non-participation to lolzinski@luzerne.edu so that we can keep it in our file.

Subject:PA Act 153 - Background Clearance Requirement

Act 153 – The Pennsylvania state legislature sought to strengthen protections for children in the PA Child Protective Services Law. The law went into effect on December 31, 2014 and now requires colleges and universities to obtain background clearances for any individual having routine interaction with children at the college or in a college-sponsored program, activity, or service. This requirement applies to college employees, volunteers, independent contractors, and students. This law requires mandatory reporting of suspected child abuse directly to the PA Department of Human Resources.

All Contractors will be required to obtain the three (3) mandatory background clearances: 1) PA Criminal Background, 2) PA Child Abuse History, and 3) FBI Cogent Clearance Fingerprinting.

These clearances must be provided for all contractor representatives/employees who will be on the campus of Luzerne County Community College to perform the work awarded. If you are unable obtain these state required background checks, you will be ineligible to perform work at the

College.

Below are the following required clearances and instructions to obtain them.

1. **Act 34 - PA Criminal Background** (On-line)

Results are usually instantaneous. Make sure you hit “yes” to get a copy.

Provide copy to the Human Resources Office

<https://epatch.state.pa.us/>

Cost \$22

2. **Act 151 - PA Child Abuse History** (On-line)

Results are mailed or can be viewed and printed at the website.

Provide the original clearance document to the Human Resources Office.

Attached for your reference is a file which contains directions on navigating through the website.

Google Chrome - <https://www.compass.state.pa.us/cwis>

Cost \$8

3. **Act 114 - FBI Fingerprinting** - Identogo (On-line)

Register on-line by selecting Digital Fingerprinting. Enter the Service Code 1KG756. Submit your registration number to the Human Resources Office.

<https://www.identogo.com/locations/pennsylvania>

Estimated cost - \$22.60