

**ERIENET LOCAL DEVELOPMENT  
CORPORATION  
REQUEST FOR PROPOSALS (RFP)  
PROPOSALS FOR SALES, MARKETING, AND  
OPERATIONS SUPPORT SERVICES**

**RFP #2022-045VF**

**RFP DATE: NOVEMBER 30, 2022  
DUE DATE: December 21, 2022**

**ERIENET LDC  
EDWARD A. RATH COUNTY OFFICE BUILDING  
95 FRANKLIN STREET  
BUFFALO, NEW YORK 14202  
10<sup>TH</sup> FLOOR**

**INQUIRIES AND PROPOSALS SHOULD BE DIRECTED TO:**

**Courtney Scordato: [ErieNetLDC@erie.gov](mailto:ErieNetLDC@erie.gov)**

# REQUEST FOR PROPOSALS

## ERIENET LOCAL DEVELOPMENT CORPORATION REQUEST FOR PROPOSALS (RFP) FOR SALES, MARKETING, AND OPERATIONS SUPPORT SERVICES

### 1. GENERAL INFORMATION

ErieNet Local Development Corporation, hereinafter referred to as “ErieNet” or “the Corporation,” is seeking proposals for sales, marketing, and operations support services. ErieNet’s operations include the development of a middle-mile broadband fiber optic network in Erie County.

The intent of this Request for Proposals (RFP) is to award a contract to the responsible firm whose qualifications, and other factors considered, are the most advantageous to ErieNet.

ErieNet was formed as a Local Development Corporation in the State of New York. The mission of ErieNet is to deliver affordable broadband access to unserved areas; improve services in underserved communities; and enable world-class broadband investment and deployment countywide. Through the development of a state-of the-art fiber optic network, ErieNet will enhance economic development opportunities, promote better quality of life for Erie County residents, and position Erie County as a globally competitive community.

### 2. PROCUREMENT METHOD & AWARD

This contract will be awarded in accordance with the Competitive Proposal procurement methods per ErieNet’s Procurement Policy. The intent of this RFP is to award a contract to the responsible firm that, qualifications and other factors considered, is most advantageous to ErieNet, based on the opinion of ErieNet’s Board of Directors. Only ErieNet is in the position to determine its own best interest; therefore, ErieNet shall be the sole and final judge in determining the quality and appropriateness of candidates.

### 3. RESPONDENTS

#### A. Submission instructions:

##### 1. Schedule.

RFP Advertisement	November 30, 2022
RFP Questions Due	December 8, 2022
RFP Questions Response Due	December 12, 2022
RFP Due Date	December 21, 2022

Proposals must be submitted no later than 4:00 pm on November 21, 2022.

2. **Inquiries.** Inquiries concerning this RFP should be sent to:

Courtney Scordato  
Erie County Dept. of Environment & Planning  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, New York 14202  
[ErieNetLDC@erie.gov](mailto:ErieNetLDC@erie.gov)

3. **Conditions of Proposal.** All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Offeror and will not be reimbursed by ErieNet.
4. **Instructions to Prospective Contractors.** Your proposal should be addressed as follows:

Courtney Scordato  
Erie County Dept. of Environment & Planning  
95 Franklin Street, 10<sup>th</sup> Floor  
Buffalo, New York 14202  
[ErieNetLDC@erie.gov](mailto:ErieNetLDC@erie.gov)

*\*\*It is important that the Offeror's proposal be submitted in a sealed envelope clearly marked in the lower left-hand corner with the following information:*

**Request for Proposal  
[TIME] [DATE]**

**SEALED PROPOSAL for Sales, Marketing, and Operations Support Services**

Failure to do so may result in premature disclosure of your proposal. It is the responsibility of the Offeror to ensure that the proposal is received by ErieNet, by the date and time specified above. Late proposals will not be considered.

5. **Right to Reject.** ErieNet reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.
6. **Small and/or Minority-Owned Businesses.** Efforts will be made by ErieNet to utilize small businesses and women- and/or minority-owned businesses.
7. **Notification of Award.** It is expected that a decision selecting the successful Firm will be made within three (3) weeks of the closing date for the receipt of proposals. Upon conclusion of final negotiations with the successful Offeror, all Offerors submitting

proposals in response to this RFP will be informed, in writing, of the name of the successful consultant.

#### **4. PURPOSE**

ErieNet is seeking a qualified firm to provide Sales, Marketing, and Operations Support Services to represent the Corporation. The firm will provide services to the Corporation, its Board and staff throughout the term of the engagement, which is expected to be for a period of three (3) years.

The purpose of this RFP is to obtain meaningful, competitive proposals so the Corporation may select a firm that best meets its needs and requirements in managing its day-to-day operations and executing elements of its business plan. As ErieNet transitions from design and construction to operation of its fiber optic network, it is seeking to build and maintain a client base, including municipalities and those in the telecommunications, healthcare, and education industries.

The ideal consultant will have technical knowledge of the requirements for the buildout of broadband infrastructure, relevant experience creating and executing sales and marketing plans in the telecommunications industry, and experience providing operations management services to assist with the day-to-day operations of an organization in the telecommunications industry.

Prior to submitting a proposal, Offerors, at their own expense, must secure any personnel and licenses required to perform the scope of work. Proposals should also identify any other methods or strategies not identified in this RFP, but that the Offeror may deem necessary to include in their response.

#### **5. SCOPE OF SERVICES**

The Consultant shall provide a detailed Work Plan in the Proposal demonstrating comprehension of the objectives and scope of services to be provided in response to the RFP. The Work Plan must clearly describe in detail the Consultant's approach to timely performance of all services required by the RFP and must include the Firm's staff assigned to complete the services.

##### **A. Scope of Services:**

1. Operations Management Services – The Consultant will perform the duties typically performed by a Chief Operating Officer, including, without limitation:
  - a. The Consultant will assign a designated representative to act as the primary point of contact for the execution of this scope of services and the general operations of ErieNet.
  - b. Creating and overseeing processes and customer interactions;
  - c. Assisting the Executive Director in budget development, forecasting, and reporting;
  - d. Support for filing all federal, state and local regulatory filings including, without limitation, Public Service Commission (PSC) and Federal Communications

- Commission (FCC) filings on ErieNet's behalf, and ErieNet's annual submissions of USAC (E\*RATE and healthcare) and related filings;
  - e. Developing and executing plans and procedures to achieve annual budget and sales targets;
  - f. Making sure customer experiences are positive;
  - g. Ensuring that installations are completed on time and within budget;
  - h. Ensuring that ErieNet adheres to Service Level Agreements (SLAs);
  - i. Executing key strategic initiatives defined by the Executive Director and the Board;
  - j. Assisting in the preparation of reports and tariffs;
  - k. Coordinating with the ErieNet accountant to verify and provide supporting documentation for invoicing;
  - l. Interfacing with the PSC as necessary; and
  - m. Defining and recommending specific tools required for successful ErieNet operations.
2. Sales and Operations Administration – The sales function is responsible for attaining ErieNet revenue objectives as established by ErieNet. The Consultant will market, sell, and support ErieNet in acquiring new and retaining existing customers and to execute contracts for lease or IRU of ErieNet fiber. The Consultant will:
- a. Generate sales and will respond to leads from potential customers, both enterprise level and carrier-based, via phone calls, mailings, public seminars, vendor shows and face to face meetings as necessary;
  - b. Determine customer needs and propose ErieNet-based solutions compliant with Board directives and policies;
  - c. Negotiate master and service agreements with customers, subject to ErieNet approval;
  - d. Administer customer contracts including creation and modifications as necessary, subject to ErieNet approval;
  - e. Work with ErieNet's accountant to track billing data records and correlate invoiced non-recurring costs with expenses;
  - f. Address customer inquiries regarding their invoices and coordinate directly with the ErieNet leadership, including accountant, COO, and Executive Director as required; and
  - g. Provide activity-based reporting, identify and measure key performance indexes.
3. Marketing Services – The marketing function will be responsible for assisting ErieNet in the creation and execution of a marketing plan. The marketing plan will establish the ErieNet brand and promote ErieNet's competitive advantages to enable it to gain a foothold in the broadband marketplace. The Consultant's marketing services will include, but not be limited to:
- a. Branding;
  - b. Professional design and production of digital and conventional advertising;
  - c. Creation of client-specific promotional materials as necessary;
  - d. Media/press relations;
  - e. Strategic social media marketing; and

- f. Effective media messaging, planning, and purchasing.
- 4. Administration
  - a. Perform contract maintenance, contract modification, and administer functions such as notice of completion development and project close-out;
  - b. Address customer inquiries regarding its invoices; and
  - c. Perform other duties as necessary.
- 5. Customer Services (24/7 Customer Support) – The Consultant will act as ErieNet’s 24/7 customer service center (CSC). The CSC will:
  - a. Respond to outages and service troubles by providing ErieNet a 24/7 customer support number;
  - b. Greet customers as ErieNet, open a ticket in the ticketing system;
  - c. Log call information such as customer name, contact information, date and time of call, and customer issue or request;
  - d. Route calls to the appropriate business entity or fix agent for resolution;
  - e. Be accountable for ensuring the business entity or fix agent is clearly aware of the customer, issue, and time the ticket was opened;
  - f. Follow up or escalate according to established procedures as necessary;
  - g. Notify the Executive Director of any customer complaints about the Consultant or ErieNet and forward to the Executive Director such customer complaints; and
  - h. Perform other duties as assigned or as necessary.
- 6. Pre-Sales Design Services – The Consultant’s services will include, but not be limited to:
  - a. Bring solutions and provide cost estimates and timeframes to sales based upon client requests;
  - b. Perform field or desktop surveys as necessary;
  - c. Determine make ready construction, splicing and building entrance costs;
  - d. Create preliminary design drawing documents;
  - e. Prepare cost estimates with make ready and construction time requirements; and
  - f. Communicate with ErieNet’s Design and Construction Engineering consultant as necessary to facilitate seamless transition of drawings from preliminary design to final design package.
- 7. Network Operations – The Consultant will provide technical support to carrier and enterprise customers to work through degraded service issues and outages, providing 24/7 monitoring and maintenance of ErieNet’s network. The Consultant’s services will include, but not be limited to:
  - a. Respond to service degradation issues or outages through alarms generated by the fiber monitoring system or by trouble calls from the CSC;
  - b. Record and track service outage data including outage start and end time, cause and remedy and mean time to repair;
  - c. Provide technical support to carrier and enterprise customers;
  - d. Work through degraded service issues and outages;
  - e. Isolate the location of the trouble;

- f. Perform a field visit to assess the nature of the trouble as required;
  - g. Coordinate the dispatch of the appropriate fix agent;
  - h. Complete the ErieNet damage report as necessary;
  - i. Manage the successful and timely correction of the trouble;
  - j. Obtain confirmation from the customer that the problem has been remedied;
  - k. Close out the case of trouble;
  - l. Perform service outage post mortem and create post mortem report; and
  - m. Promptly notify the Executive Director of any third-party subcontractor issues, including, without limitation, subcontractor(s) failure to timely or accurately perform its duties; and
  - n. Perform other duties as assigned or as necessary.
8. Reporting Requirements – The Consultant will be expected to keep ErieNet, its Board, and Executive Director generally apprised as to the status of the Consultant’s actions and its management of ErieNet assets. This may include, but not be limited to:
- a. Submission of quarterly reports to the Executive Director disclosing all activities, including sales activity, complaints, outages, repair times, and other reports as determined by the Executive Director.
  - b. Notify Executive Director of any subcontractor’s failure to timely or accurately perform its duties; and
  - c. Perform other duties as assigned or deemed necessary by the Executive Director.

## **6. PROPOSAL CONTENTS**

The Offeror, in its proposal, shall, at a minimum, include the following:

### **A. Experience**

The Offeror should describe its experience, including the names, addresses, contact persons, and telephone numbers of at least three clients, preferably including clients similar to ErieNet. Experience should include the following categories:

- 1. Experience working with a telecommunications provider to assist in management of its day-to-day operations.
- 2. Experience implementing sales and marketing plans within the telecommunications industry, ideally with a focus on broadband networks.

### **B. Organization, Size, Structure, of the Firm**

The Offeror should describe its organization, size, structure, and office location(s). Indicate, if appropriate, if the firm is a small or minority/owned business. Also include a copy of Equal Opportunity/Affirmative Action Policy, if the firm has one.

### **C. Qualifications**

The Offeror must demonstrate the capability to perform the above stated services in accordance with ErieNet. This will include, but not be limited to the following:

1. Experience working with organizations of a similar nature, particularly those providing broadband services;
2. Management of day-to-day operations of a broadband network;
3. Experience preparing and executing marketing plans for a broadband network or similar organization;
4. Budget management, forecasting, and reporting required of similar organizations;
5. Experience communicating with and reporting to a similarly structured organization and Board of Directors; and
6. Experience interfacing with any and all regulatory agencies pertinent to the operation of a broadband network.

### **D. Price**

The Offeror's proposed price should include:

1. Information on the hourly billing rates of each staff member assigned to ErieNet including any charges for expenses, if any;
2. A monthly fixed rate for operations services; and
3. A commission rate for sales services.

*\*\* ErieNet reserves the right to negotiate with the Offeror on the structure of the billing and/or retainer fee.*

### **E. Conflict of Interest**

The Offeror must describe any existing or potential conflicts of interest or any conflicts which might arise and provide assurance that there are no unresolved conflicts of interest between Offeror and the Corporation. In addition to disclosing any prior representation of the Corporation, any Boards of Directors, or any municipality located in Erie County, the Offeror should disclose matters where they have previously been adverse to the Corporation, any representation before the Corporation or any offices, bodies or boards associated therewith or thereunder, as well as any other matters that could impact a conflict analysis for this potential client.



## **F. Proposal Evaluation**

- 1. Submission of Proposals.** All proposals shall include an original and three copies.
- 2. Evaluation Procedure and Criteria.** ErieNet's Executive Director and/or Board of Directors and appropriate staff will review proposals and make recommendations to the Board of Directors for final approval. The Executive Director and/or Board of Directors may request a meeting with some qualified Offerors prior to final selection. Proposals will be reviewed in accordance with the following criteria:
  - a. Experience and Performance of Firm
  - b. Related Project Type Experience
  - c. Staff Experience/Qualifications
  - d. Local Presence of Firm
  - e. Percentage of Proposed M/WBE Participation
  - f. Understanding of ErieNet's Program and Intent
  - g. Understanding of Work to be Done
  - h. Organization and Scheduling
  - i. Other Factors

## **G. Insurance Requirements**

**Professional/Malpractice Liability Insurance.** The declaration page from the Contractor's general liability insurance policy, showing accounting staff is bonded against theft or mismanagement of funds, will be required prior to entering into a Services Agreement with ErieNet. Contractors should attach this to their Proposal or affirm that they will provide it upon awarding the work.

Contractors shall be required to secure, at their expense, a professional liability insurance policy with contractual liability insurance. The insurance shall be in the minimum amounts of \$1M per claim and \$1M as the aggregate of liability. A certificate of insurance showing your General Liability insurance policy will also be required in the amount of \$1M per claim and \$2M total along with Auto and Worker's Compensation coverage. Both policies shall name the Corporation as additional insured. The Corporation also requires the declarations page from your General Liability policy which shows the endorsement that the ErieNet is indeed an additional insured.

Notwithstanding any terms, conditions or provisions, in any other writing between the Parties, the Offeror hereby agrees to effectuate the naming of the Corporation as unrestricted additional insured on the Offeror's insurance policies, with the exception of Worker's Compensation.

A copy of the certificate shall be supplied to ErieNet after award of contract, but well prior to execution of contract. The certificates shall be issued to ErieNet with a provision that in the event the policies are either cancelled or diminished, at least 30 days prior notice thereof shall be given to ErieNet. Any subcontractor of the prime contractor shall be required to provide adequate insurances prior to commencement of work.