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February 17, 2012

FY2012 WINDOW COUNTDOWN

Days to window close	32
Forms 470 filed to date	31,738
Forms 471 filed to date	6,907
Online Item 21 attachments filed to date	13,948

TIP OF THE WEEK: Be sure to post your FY2012 FCC Form 470 to the USAC website on or before February 21, 2012 (see below). If you post your form after that date, you will not have time to wait the required 28 days before submitting your FCC Form 471 by the close of the filing window on March 20.

Commitments for Funding Years 2011 and 2010

Funding Year 2011. USAC will release FY2011 Wave 35 Funding Commitment Decision Letters (FCDLs) February 21. This wave includes commitments for approved Priority 2 (Internal Connections and Basic Maintenance) requests at 90%. As of February 17, FY2011 commitments total over \$1.80 billion.

Funding Year 2010. USAC will release FY2010 Wave 86 FCDLs February 22. This wave can include commitments for approved Priority 2 services at all discount levels. As of February 17, FY2010 commitments total just under \$2.99 billion.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

FCC Form 470 Reminders

February 21, 2012 is the last day applicants can post an FCC Form 470 to the USAC website and still complete all the necessary actions to request discounted services before the filing window closes at 11:59 pm EDT on March 20. Following are some reminders gleaned from earlier SL News Briefs for the benefit of applicants that have waited until the last minute to post their forms.

What is the purpose of the FCC Form 470?

Applicants post an FCC Form 470 to the USAC website to describe the services they are seeking for the upcoming funding year – in this case, services that start on or after July 1, 2012. Service providers can then review the information on posted FCC Forms 470 and, if they are interested, submit bids in response to the information provided.

Why is Tuesday, February 21 the deadline for posting an FY2012 FCC Form 470?

You must wait 28 days after an FCC Form 470 is posted to the USAC website before you:

- Close your competitive bidding process.
- Evaluate the bids received and choose the most cost-effective bid to select your service provider.
- Sign a contract (if applicable).
- Sign and submit your FCC Form 471 to request discounts on eligible services.

If you post your FCC Form 470 on February 21, all of the above activities must be completed on March 20, the last day of the application filing window, to submit your requests for discounted services before the window closes. It is unlikely that USAC will be able to commit funds for FCC Forms 471 submitted after the filing window closes.

Am I required to issue a Request for Proposals (RFP) or similar bidding document?

If you are required by state or local competitive bidding rules and/or regulations to issue an RFP, then you must do so. Absent this requirement, you can include all pertinent information on your FCC Form 470 without issuing an RFP.

Keep in mind that space on the FCC Form 470 is limited and only certain information is required. If you have very specific bidding requirements, a large or complicated request for services, or other reason that necessitates a more extensive competitive bidding document, you may wish to issue an RFP to make that information clear and available to potential bidders.

If I issue an RFP, how long must it be available?

The RFP must be available for 28 days. Note that the RFP and the FCC Form 470 must be available for at least the same 28-day period. For example, if you post a Form 470 on February 21 and issue an RFP on February 28, you cannot close your competitive bidding process until March 27, 28 days after the RFP was issued.

What is an "open and fair" competitive bidding process?

An "open and fair" competitive bidding process means that, at a minimum:

- All bidders are treated the same.
- No bidder has advance knowledge of the project information in your competitive bid.
- There are no secrets in the process – such as information shared with one bidder but not with others.
- All bidders know what is required of them.

You should review the guidance in [Run an Open and Fair Competitive Bidding Process](#) on the USAC website for more information.

How much detail should I provide about the services sought?

You should provide sufficient detail for a potential bidder to understand the size and scope of your project and the services you are requesting so that he or she can submit a responsive bid. You may want to include a website address or other mechanism so that your answers to questions posed by one service provider are available to all other potential bidders.

Be careful not to limit yourself unnecessarily in the description of the services. For example, "high-speed Internet access" gives you more flexibility than "Internet access not to exceed 10 Mbps." If you specify an upper limit, you cannot increase your speed – even if the cost does not increase – during the funding year or for the life of the contract, if you sign one, without posting a new FCC Form 470 and opening a new competitive bidding process.

Am I required to respond to every email or phone call from a service provider?

You should be prepared to respond to requests for the information necessary for a service provider to submit a responsive bid. For example, if you indicated "district-wide telephone service," that is probably not enough information for a service provider to understand the scope of your needs.

You may have to evaluate whether an email or telephone call is generic in nature – for example, if it references services you did not request or does not acknowledge the existence of an RFP you issued – before you decide not to respond. For more information, refer to the [January 13 SL News Brief](#) and the [February 3 SL News Brief](#).

Why is the category of service I choose in Items 8, 9, 10, and/or 11 important?

You cannot receive discounted services in a particular category of service (Telecommunications Services, Internet Access, Internal Connections, or Basic Maintenance of Internal Connections) unless you have posted for those services **in that category of service** on an FCC Form 470.

If you are not sure of the correct category of service to use on the FCC Form 470, you should post in all applicable categories of service. For example:

- Telecommunications can be received in the categories of Telecommunications Services (if provided by an eligible telecommunications provider) or Internet Access. By posting in both categories on your FCC Form 470, you maximize your opportunity to receive responsive bids and still be able to post your chosen services in the correct category of service on your FCC Form 471.
- USAC may need to move your request from one category of service to another in order to comply with program rules. For example, if your request for [on-premise Priority 1 equipment](#) does not meet all of the necessary requirements, USAC will move your request to Internal Connections. If you did not also post your request in Internal Connections on an FCC Form 470, USAC will not be able to fund your request.

How do I evaluate the bids I receive?

You can use one or more bid evaluation criteria to evaluate your bids. The one criterion you must include – which also must be weighted more heavily than any other single criterion – is the price of the products and/or services that are eligible for E-rate discounts. You can find specific [information on bid evaluation](#) and a [sample bid evaluation matrix](#) on the USAC website.

Do I have to sign a contract?

You can receive services provided under tariff or on a month-to-month basis without signing a contract. Note that you are required to post an FCC Form 470 every year for these services.

You can also sign a contract. The contract can cover more than one year and/or can include voluntary extensions. As long as the services you desire for the upcoming funding year are covered by a multi-year contract or a contract for which you have already agreed with your service provider to exercise a voluntary extension, you can cite the establishing FCC Form 470 that led to the contract rather than posting a new FCC Form 470.

- You should verify that the contract or the extension covers the entire funding year. If not, you will need to post an FCC Form 470 for the services to be received for the period not covered by the contract or the extension.

Can a consultant help me with the competitive bidding process?

You can authorize a consultant – a non-employee of the entity applying for funding that assists in filling out the application materials for a fee – to assist you with the competitive bidding process. You should have a contract, letter of agency, or similar document with your consultant that explicitly states the actions that the consultant is authorized to take on your behalf.

Remember that consultants must obtain a Consultant Registration Number (CRN) and include the CRN on FCC Forms 470 and 471. For more information on CRNs, you can refer to the [October 28, 2011 SL News Brief](#).

Where can I get more information?

You can [submit a question](#) to the Client Service Bureau (CSB) or call CSB at 1-888-203-8100. **Note that CSB will be open on Monday, February 20, from 8:00 am to 8:00 pm EST should you have any last-minute questions.** You can also refer to the following:

- [FCC Form 470 Instructions](#).
- "Form 470: How to File Online" video tutorial on the [Schools and Libraries Video Tutorial webpage](#).
- [Open a Competitive Bidding Process](#) and related guidance documents on the USAC website (related documents are listed in the upper right-hand corner of each webpage).
- [Select the Most Cost-Effective Service Provider](#) and related guidance documents.

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