

**Network, Wireless, Voice, and
Wavelength Division Multiplexing
Hardware and Related Services
Request for Proposal
Addendum #1
May 22, 2014**

The purpose of this Addendum is to present changes to section(s) with the Network, Wireless, Voice, and Wavelength Division Multiplexing Hardware and Related Services Request for Proposal (RFP) dated April 21, 2014. All other terms and conditions of the original RFP are unchanged. Please check MHEC's public website at <http://mhec.org/rfps> daily. Email solicitation contact Nathan Sorensen at nathans@mhec.org for questions concerning this addendum and RFP.

Section U. Provider(s) Selection shall be deleted in its entirety and replaced with the following (new information **bold-underlined**, deleted information in ~~strikethrough~~):

All proposals received on or before the deadline date of submission will be forwarded to each Subcommittee member. The Subcommittee will conduct its evaluations of responses based upon its assessment of the quality and comprehensiveness of the Prospective Provider's responses to the criteria set forth in the RFP. During this initial evaluation time, the Subcommittee may, at its option, initiate discussions with Prospective Providers who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. The Prospective Providers shall not initiate discussion. The Subcommittee reserves the right to waive or modify any informalities, irregularities or inconsistencies in the responses received. Following initial evaluations, Finalists will be selected. Each Prospective Provider Finalist may be invited to give a presentation on and discuss their response.

The Subcommittee will evaluate each response based on the extent to which the proposal:

<u>Criteria</u>	<u>Weight</u>
1. Expressed understanding of the proposal objectives, requirements, and qualifications.	<u>Pass/Fail</u>
2. Meets the Functional Specifications of one or more of the following categories (each category will be evaluated separately):	<u>30%</u>
Category 1: Network Equipment and Services	
Category 2: Wireless Equipment and Services	
Category 3: Voice and Services	
Category 4: Wavelength Division Multiplexing and Services	
3. Shows willingness to explore solutions beyond a standard purchase agreement.	<u>30%</u>
4. Displays innovation.	<u>30%</u>
5. Completeness, thoroughness and detail of response as reflected by the proposal's discussion and coverage of all elements of this RFP.	<u>10%</u>

Award(s) may be granted to the highest scoring responsive and responsible proposer(s). Alternatively, the highest scoring proposer or proposers may be requested to submit best and final offers. Upon completion of the evaluation process, the Subcommittee will recommend one or more Prospective Providers to the Compact, and the Compact will establish an agreement with the recommended Provider(s). Once an agreement(s) is successfully consummated, the Compact will so notify all providers who responded to the RFP. The Compact reserves the right to not recommend any Prospective Providers to the Compact, and the Compact reserves the right not to enter into an agreement with a recommended Provider at its own discretion.

After the Master Price Agreement(s) are executed, all proposals and documents pertaining to the proposals will be open to the public. If the Prospective Provider submits information in response to this RFP that it believes to be trade secret materials as defined by the laws of the MHEC member states, the Prospective Provider must:

- a. clearly mark all trade secret materials in its response at the time the response is submitted
- b. include a statement with its response justifying with specificity the trade secret designation for each item, and
- c. defend any action seeking release of the materials it believes to be a trade secret, and indemnify and hold harmless MHEC, its Commissioners, agents and employees, from any judgments awarded against MHEC in favor of the party requesting the materials, and any and all costs connected with the defense. This indemnification survives MHEC's award of a contract. In submitting a response to this RFP, the Prospective Provider agrees that this indemnification survives as long as the trade secret materials are in possession of MHEC.

In the event a request is made for information which the Prospective Provider has identified as trade secret, MHEC agrees to notify Prospective Provider of said request and provide its determination as to whether disclosure is legally required, in addition to anticipated disclosure dates, if any, and to allow the Prospective Provider an opportunity, in its discretion and at its sole expense, to seek a protective order or otherwise protect the confidentiality of the information.