



Request for Proposal (RFP)

**Engineering Design, Environmental Assessment, and
Project Management Services for
Middle Mile Routes in Missouri & Oklahoma**

For

**Bluebird's NTIA Projects partially funded by the Middle Mile
Broadband Infrastructure Grant (MMG) Program**

**Proposals will be received until April 4, 2024,
11:59 pm (CT).**

Issued by:

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Bluebird Network, LLC

Street Address: 800 NW Chipman Road, Suite 5750, Lee's Summit, MO 64063

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Summary

Bluebird Network, LLC, and its affiliates and subsidiaries (“Bluebird”) have been a leading transport network and internet provider in the Midwest for over 20 years. They currently realize \$70 million in annual revenue and deploy more than 500 miles of fiber annually. Bluebird’s network spans eleven states: Missouri, Illinois, Iowa, Kansas, Oklahoma, Tennessee, Kentucky, Nebraska, Indiana, Wisconsin, and Arkansas. Bluebird is a wholly owned subsidiary of MIP IV MidWest Fiber Parent, LLC, which is ultimately owned by Macquarie Infrastructure Partners (MIP).

On June 16, 2023, the US Department of Commerce’s National Telecommunications and Information Administration (NTIA) awarded Bluebird two Middle Mile Broadband Infrastructure grants. Funding for this program was enabled by the Build Back Better legislation signed into federal law in December 2021. This grant will fund the engineering and construction of two separate routes in Missouri (a 26.4 million dollar award) and Oklahoma (a 14.5 million dollar award).

These projects will extend middle-mile infrastructure to unserved and underserved areas and promote broadband connection resiliency by creating alternative network connection paths, increasing redundancy and resiliency, and increasing competition in this rural area. These projects will also reduce costs and spur the rapid deployment of last-mile services in rural areas. These routes have the potential to grow and strengthen fixed wireless and cellular connectivity, including advancements in new wireless technologies that are not supported by other means than fiber. The middle-mile route will contain at least multiple conduits and at least 288 fiber strands to be designed. The Missouri and Oklahoma routes will have a series of Point of Presence (POP) locations to be designed and ample handholes uniformly placed along the corridors. POP-to-POP segments must not exceed 80km fiber distance. For the RFP purposes, the proposed routes include Grant Match Funded segments and Non-Grant Match Funded segments by state. The Non-Grant Funded segments are required to complete the design's integrity and are clearly shown on the accompanying route map documents.

Counties impacted by the Oklahoma Route (164 miles): Craig, Creek, Delaware, Mayes, Osage, Ottawa, Rogers, Tulsa, and Wagoner in Oklahoma. McDonald, Jasper, and Newton in Missouri. The route contains two segments: 1) Joplin, MO to Chouteau, and 2) Chouteau to Tulsa.

Counties impacted by the Missouri Route (330 miles): Barton, Callaway, Camden, Christian, Cole, Crawford, Dallas, Franklin, Gasconade, Greene, Jasper, Laclede, Lawrence, Maries, Newton, Osage, Phelps, Polk, Pulaski, Washington, and Webster. The route contains only one route segment. The route includes four segments: 1) Jefferson City to Washington, 2) Washington to Rolla, 3) Rolla to Strafford, and 4) Springfield to Carthage.

Through additional investments the route will facilitate direct fiber connections to community

colleges, libraries, schools, health and safety facilities, and other community anchor institutions (CAI) along these construction routes.

NTIA Match Grant Funded Sections – The information above identifies detail regarding the summary of the grant match portion of the fiber routes. It is imperative all NTIA Federal Middle Mile requirements and responsibilities, as noted in this RFP, are followed.

Non-Grant Match Funded Sections – Non-Grant Match Funded sections will include Bluebird existing fiber and/or new sections required for complete implementation. These sections are included as segments of the larger Grant Match Funded sections however identified as a subset and are represented as such on the Map by color code. In the Non-Grant Match Funded sections your bid response should follow BAU in Engineering Design and Environmental activities.

Technical Overview of Components for Construction Projects

Fiber: Bluebird utilizes industry-standard fiber optic cables with Corning SMF-28e+ fiber in all routes; Corning SMF-28e+ fiber is a comprehensive single-mode fiber for metro and access networks. ITU-T Recommendation G.652.D-compliant and fully backward-compatible with legacy standard single-mode fibers. SMF-28e+ fiber allows access networks in many markets to deliver increased bandwidth directly to their customers in middle-mile networks and is also suitable for fiber-to-the-home (FTTH) networks.

Aerial: The Missouri route may incorporate aerial fiber construction on one of the route segments (Jefferson City to Washington) to accelerate the build-out. The design will need to conform to pole and make-ready construction standards under two different scenarios: 1) Bluebird constructing and owning its utility poles, and 2) utilizing existing poles along the route (retained firm(s) to identify pole owners and researching pole attachment agreements).

Conduit: Bluebird utilizes industry-standard conduit meeting the SDR-11 standard for telecom purposes. SDR-11 conduit has standards for wall thickness and pressure to ensure the integrity of conduit during placement and has a long-lived structural integrity to protect fiber optic cable. Complete contents of the installation package to be determined (TBD).

Equipment: Bluebird utilizes a stable and consistent group of vendors for optical/electrical equipment. Bluebird has an embedded base of chassis in the existing Bluebird network, and all vendors continue to support legacy and new products. Each vendor system/chassis varies across the market, route, and POP to deliver the required services, routed across the Bluebird network, or presented for handoff to an end user.

Request for Proposal (RFP) – Engineering Design, and Project Management Services

This Request for Proposal (RFP) is for identifying a qualified firm(s) to provide a comprehensive approach with engineering/design, permitting, coordination of environmental assessments along with securing the associated clearances, project management, construction oversight by verifying with on-site monitoring and compliance of

the construction project meets the planned requirements and communicate regularly with Bluebird about detected non-conformities about the construction of 494 miles of middle-mile fiber infrastructure in Missouri (330 miles) and Oklahoma (164 miles). The respondent will be expected to include supporting material / demonstrating its ability to serve Bluebird with the required services in a timely fashion. Specific use cases and references of similar projects are required for consideration. This RFP aims to obtain relevant information, credentials, qualifications, and experience from interested firms to assist Bluebird in selecting an engineering firm for the Projects.

Of Note: Bluebird will accept proposals from firms specializing in Environmental Services and Assessments only. Bluebird asks firms to complete the required components listed below but to answer the 'Not Applicable' sections for the ones that do not apply.

Bluebird has made electronic files that show the funded and unfunded routes in Missouri and Oklahoma available to interested firms. In addition, Bluebird will provide the proposed timelines for each route submitted with their NTIA grant applications. These files are accessible with this RFP.

RFP activities defined:

Engineering / Design Services – Activities associated with creating the final design of the funded routes by a Firm with a licensed Professional Engineer(s) (P.E.) on staff and registered within Missouri and Oklahoma. The final design will be utilized to create the as-built documents that contractors and vendors need to perform construction and procurement-related tasks associated with these two project areas. The selected Firm will work closely with the Bluebird Engineering and Outside Plant Teams to generate a revised cost estimate to reflect the current market and labor pricing. In addition, the Firm will develop a comprehensive bill of materials (BOM) listing all the components, parts, equipment, materials, and labor required to meet the designed specifications for the routes.

Permitting – Activities associated with securing the required permits issued by a private entity (e.g., railroads), local, and federal authorities to grant Bluebird the authority to construct middle-mile facilities along the proposed routes.

The awarded Engineering firm(s) will work closely with MoDOT & ODOT Engineers throughout the process to overcome any items such as congested corridors and identified areas of shallow rock conditions. Bluebird requests respondents within their estimate to include at least every other week briefing calls with each of the transportation departments to facilitate a collaborative relationship in working through design specifications, modifications, and potential variances needed to finalize as-builts. Bluebird has received some guidance from MoDOT and can share this guidance upon request.

Coordination of Environmental Assessments - Activities associated with ensuring the projects comply with National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.), National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.), Endangered Species Act (ESA) (16 U.S.C. §§1531-1544 et seq.) and other applicable environmental statutes, regulations, and Executive Orders by preparing for the request.

Activities associated with ensuring the grant match funded projects comply with 2 CFR Part 200 and the National Environmental Policy Act (NEPA) by preparing for the request of Categorical Exclusions (CATEX) and environmental permitting services. The Firm (or subcontracted firm) must be able to perform and coordinate with Bluebird, NTIA staff, Missouri and Oklahoma State Historic Preservation Offices (SHPO), the Missouri Department of Transportation (MoDOT), and the Oklahoma Department of Transportation (ODOT) for review and official determinations. The associated subordinate deliverables for each route include a NEPA Compliance Recommendation, a Biological Assessment (threatened, endangered, and candidate species), an Environmental Assessment (cultural resources, paleontological survey review, tribal impact, wetland, stormwater, etc.), General Environmental Permitting Coordination (preparation and submission of environmental permits, and Project Support (team meetings, environmental activities, and implement mitigation measures if needed). Bluebird anticipates these project routes will receive a CATEX designation, but our team requires the expertise to research, document, and officially secure the CATEX. NTIA CATEX guidance is provided in Appendix D.

Note: Non-Grant Match funded sections, as noted in this RFP and on the KMZ map, will follow business as usual (BAU) environment assessment.

Project Management / Construction Oversight – Activities associated with assisting the Bluebird Team in mobilizing the construction project by providing complete project management support, including meetings, coordination, project administration, scheduling, and budgeting. To be more specific, the project can be classified within three distinct areas (pre-construction, construction, and post-construction):

- Pre-construction includes QAQC, the final design and staking process, preparing as-builts for securing contractors and vendors and assisting in the selection of a contractor(s) and vendor(s). Establishing the reporting and documentation needed from the selected firm and future contractor(s) and vendor(s) for Bluebird to meet NTIA reporting requirements (Annual, Bi-annual, quarterly Federal Financial Report, and Environmental & Historic Preservation Compliance Reports), validation the selected firm(s) can demonstrate compliance with federal and state labor and employment laws, supply information for reporting purposes demonstrating the technical and operational capability to carry out the project with a skilled and credentialed workforce, and demonstrate the selected firm(s) are investing in developing a skilled and diverse workforce. This will be a part of the onboarding

process for the selected entities prior to the launch of construction.

- Construction includes the launch of the construction project, contractor and vendor management to meet established timelines agreed upon with Bluebird, on-site services to support Bluebird and the Contractor to ensure installation is completed per design/engineering plans, inspection of the work performed, establishing a regular communication structure to provide a continuous status report and challenges being faced in the field and mitigate issues as they arise with the selected Contractor and vendors.
- Post-construction includes supplying the Bluebird Team with the entire electronic set of as-built drawings and corresponding files, the testing and inspecting of final work being performed along the route, facilitating the process of turning up the system and hand-off to Bluebird and hosting the post-mortem meeting with the principals to initiate the close-out activities required of Bluebird and NTIA.

Delivery Timeline Detail

Contracted Firm(s) will be responsible for meeting the deadline established for the following deliverables. Bluebird will entertain alternative timelines with respondent proposals along with the justification for providing such:

- Final design of each route:
 - Missouri: August 20, 2024
 - Oklahoma: August 20, 2024
- Environmental Assessments and submissions for clearances for each route:
 - Missouri: August 22, 2024
 - Oklahoma: August 22, 2024
- Permits submitted for each route:
 - Missouri: September 30, 2024
 - Oklahoma: September 30, 2024
- Project Management Execution Plan for each route:
 - Missouri: September 30, 2024
 - Oklahoma: September 30, 2024

Question/Inquiry Process

All inquiries and questions related to this RFP must be sent by Friday, March 22, 2024, by 11:59 p.m. CT and directed via email to:

Bluebird NTIA Middle Mile RFP Project Team
Email: BluebirdRFP@bluebirdnetwork.com

To maintain fairness to all bidders, any attempts to contact Bluebird staff regarding this RFP outside of this specifically provided email vehicle will be grounds for Bluebird to reject your submission.

To assist prospective bidders, Bluebird will host a dedicated webpage on the company's website to answer submitted questions, which will be updated daily until 11:59pm CT, March 22, 2024. Visit <https://bluebirdnetwork.com/open-request-for-proposals/>

Selection Process

Bluebird will review the proposals based solely on a Best Value Selection process, scoring each proposal as outlined in the Qualifications Evaluation Criteria later in the RFP. Bluebird will select a Firm (s) whose proposal(s) have the highest scoring by the Selection Committee - reflecting those proposals that best meet the requirements outlined in this RFP and whose proposals are determined to be most advantageous to the program goals. Bluebird will then begin negotiations with the Firm(s). If Bluebird cannot finalize negotiations successfully with the selected Firm(s), the next highest-ranking Firm(s) will be contacted, and negotiations will begin. The process will continue until a mutually agreeable Purchase Order is finalized between Bluebird and the selected Firm(s).

Proposal Requirements

1. Proposals should be organized in the same sequence as this RFP, with responses referencing the appropriate corresponding RFP item(s). Firms should respond to each item at the level of detail at which each is presented or list a variance with a particular item, propose alternate terms, and, as applicable, supply any supportive detail. Responses not conforming to the proper format or failure to respond to any items in this RFP may result in a firm's disqualification and/or rejection of the proposal at the discretion of Bluebird.

2. If not already, the Firm will need to become a Bluebird Approved Vendor to expedite matters if the Firm(s) are to be selected as the winning vendor. The Firm will need to complete and submit the following documents (forms to be provided in electronic format) with their submission:

- Contractor Safety Pre-Qualification Form,
- W-9,
- ACH Request Form,
- Certificate of Insurance (COI),
- Submit Two Years of Audited Financial Statements (must include Balance Sheet and Profit & Loss Statement) and
- Submit at least three credit references (these can be different or the same references requested for past work).

3. Where the Firm is requested to supply information, include that information in the body of the proposal or reference that it is an attachment.

4. A duly authorized officer or agent of the Firm must sign the proposal. Proposals that are not

signed are not considered valid. When partnering takes place and multiple Firms join together to present a proposal, a signature by a duly authorized officer or agent of each entity is required on the proposal. However, one entity should be designated as the lead entity. The lead entity will be the contracting firm responsible for subcontracting with their other partners.

5. All questions and inquiries regarding this RFP should be submitted via email to BluebirdRFP@bluebirdnetwork.com

6. Proposals are to be submitted in electronic format to BluebirdRFP@bluebirdnetwork.com

Other submission forms will not be accepted, nor will proposals be submitted directly to individual staff members other than what is listed above.

7. Bluebird will not pay for any information requested herein, nor is it liable for any costs incurred by any Firm in responding to this RFP. All proposals submitted become the property of Bluebird.

8. A Firm may withdraw its proposal before the RFP response deadline. Proposals received after the deadline will not be considered. Proposals will be reviewed internally at Bluebird's convenience.

9. The proposal and cost submissions constitute an offer by the Firm to do business with Bluebird. If a Purchase Order is submitted to a Firm, Bluebird, at its option, may incorporate all or parts of a Firm's proposal. Any answers and information contained within that proposal shall become part of the successful Firm's and Bluebird's final agreement.

10. Any information released either verbally or in writing before the release of this RFP shall be deemed preliminary and not binding upon Bluebird in any manner.

11. Notwithstanding any other provision of this RFP, Bluebird expressly reserves the right to:

- Conduct discussions with any or all Firms for clarification of proposals;
- Waive, or decline to waive, any insignificant defect or informality in any proposal or proposal procedures;
- Accept, reject, or negotiate any or all proposals or the terms of any proposal, or any parts thereof, to obtain the best and final offer;
- Cancel or amend this RFP or issue other requests for proposals;
- Select a Firm(s) based on Bluebird's analysis and evaluation of proposals submitted. Bluebird reserves the right to request presentations of proposals if Bluebird feels further information is appropriate to the decision-making process.
- Select no proposals at all.
- Cancel a contingent award if a Firm fails to negotiate in good faith and execute definitive written documents necessary to effectuate the transactions contemplated in a manner consistent with the project's timeline and within fifteen (15) days from the contingent award date.

12. Bluebird reserves the right to use any concepts presented in any proposal to obtain the most beneficial and effective path to achieving its desired goals for the project. Selection or rejection of proposals shall not affect this right. All proposals will be evaluated, and with additional consideration to the Firm(s) who demonstrates the best ability to satisfy the scope of work in the most timely and efficient manner possible.

13. By submittal of a proposal, a Firm attests to have read, understood, and agreed to all requirements, terms, and conditions in this RFP, including any attachments, exhibits, and appendices.

14. Proposals responding to this RFP shall not be tied to any potential or future arrangements.

15. A firm and any subcontractor must be properly licensed and registered as required by the State of Missouri and Oklahoma to complete the scope of work in this RFP. Each Firm requires proper license and registration before submitting a bid. If the firm is bidding on engineering and design services, please submit a licensed professional engineer's credentials for each state. The proposal submission will be construed as evidence that such an examination has been made, and no subsequent allowance will be made on behalf of the Firm for any error or negligence.

16. Firms must identify any conflict of interest arising from providing services to Bluebird. Bluebird reserves the right:

- to disqualify any Firm or reject any proposal at any time solely because a real or perceived legal or policy conflict of interest is presented;
- to require the Firm to take any action or supply information necessary to remove the conflict or
- to terminate any Purchase Order arising from this solicitation if any such relationship would constitute or have the potential to create a real or perceived conflict of interest that cannot be resolved to Bluebird's satisfaction.

17. Bluebird will make payments under the Purchase Order on no more than a monthly basis, and the final payment will be made within 30 days after satisfactory completion and acceptance of the materials by Bluebird.

18. The firm must coordinate with other Federal, State (Missouri and Oklahoma), and local authorities to demonstrate compliance with other applicable environmental laws and regulations.

Closing Date

The proposals shall be received no later than 11:59 p.m. (CT) on April 4, 2024.

Late proposals and those that do not adhere to the process for non-binding cost submissions will not be accepted.

The following timetable outlines the anticipated schedule for the RFP and Purchase Order

process; however, the timing and the sequence of events resulting from this RFP may vary. These dates are estimates.

Anticipated Events Dates

- RFP Advertised and Issued: Thursday, February 29, 2023
- Final Questions to be Submitted by 11:59p.m. (CT): March 22, 2024
- Proposals Due by 11:59 p.m. (CT): April 4, 2024
- RFP Evaluations Completed: April 22, 2024
- Contingent Award Notices and Contract sent by April 26, 2024
- Contract Agreement Executed – May 10, 2024
- Purchase Order Finalization: Within ten days of the signed Agreement.
- Purchase Orders Submission Start Date: May 20, 2024

Response Form and Procedures

Proposal Format

To aid in the evaluation of material service proposals, Bluebird requires that proposals follow this outline:

1. Cover Letter: Indicate your firm's interest in the project and highlight your proposal's key points.
2. Firm Overview: Include company history, number of employees by discipline, company locations, location of office where this project will be managed, length of time your firm has provided similar services, and other relevant information. Bluebird requires the selected Firm to be licensed to do business in Missouri and Oklahoma, including Professional Engineers (P.E.). Indicate whether the firm is a party to any pending or active litigation. If so, please describe the circumstances entailed.
3. Project Approach: Provide a detailed narrative and proposed schedule describing your specific approach and your ability to meet the needs of this Project. Outline your understanding of the Project and identify critical issues based on your Firm's experience. Include your methodology regarding Programming, Design Services, Technology Platforms utilized (Of Note: Bluebird uses an ArcGIS-based platform for internal operations and dashboards), Cost Control, Schedule Control, Communications Plan (internal and external), and high-quality Engineering.

4. Summary of Proposed Project Costs: Please complete the tables provided in Appendix A for each line item listed (Engineering Design, Environmental Assessment, Permitting, and Project Management and Construction Oversight).

5. References: Please provide at least three (3) references where your organization has provided design, engineering, project management, and environmental assessments similar to our request. Please include the name, address, phone number, and email address for each reference and a description of the work and dates completed.

5. Small, Minority, and Disadvantaged Businesses:

Contracting with Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Area Firms Pursuant to 2 CFR § 200.321, the Recipient and its sub-recipients must take all necessary affirmative steps (as described in [2 CFR § 200.321](#)) to ensure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. See page 11 of this RFP for instructions on including this information in your proposal.

Under the Socioeconomic and Location Considerations section of this RFP, Firms are to identify the extent to which Small Businesses (SBs), Veteran-Owned Small Businesses (VOSBs), Service-Disabled Veteran-Owned Small Businesses (SDVOSBs), HUBZone Small Businesses, Small Disadvantaged Businesses (SDBs) Woman-Owned Small Businesses (WOSBs), Minority-Owned Businesses (MOBs), or Local Businesses (LBs) would be utilized in the performance of this proposed contract.

A small business is defined in accordance with the Small Business Administration’s size regulation [13 CFR 121.201](#). In addition, as defined by the North American Industry Classification System (NAICS) code applicable to this RFP, the offeror’s participation as a SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, MOB or LB is to be identified in the Socioeconomic and Location Considerations section of this RFP, and DBE participation will be considered in evaluating the Socioeconomic Considerations and Location as an evaluation factor.

6. Value Add: Firms should include any “value-added” solutions in response to this RFP. Solutions will be evaluated for feasibility and benefits to the program goals of this project. If the value-added solution is deemed feasible and beneficial, it will be considered in evaluating the Socioeconomic Considerations, Location, and Value-Added evaluation factors.

7. Financial Statements: Include information about your financial stability, any pending lawsuits or legal actions against your company, and contact information for your financial institution. Include your coverage for general liability, workers' compensation, professional liability, and errors & omissions insurance. Bluebird requires a minimum of \$1,000,000 in liability insurance.

8. Other Current Projects: Indicate your client workload and any other projects your team is committed to, including project time frames. If you have any project that may cause a conflict of interest or could otherwise hinder your proposed timeframes, please describe those projects and how your firm manages multiple client priorities.

Qualifications Evaluation Criteria

The Bluebird evaluation team will assess each route by the submitted proposal and rank, on a per-route basis according to the following point system:

Category	Maximum Points
General Qualifications: Quality of response to RFP, experience, lead-time, company history, background, and financial stability of entity responding. Failure to meet certain requirements outlined in this RFP can result in deducting points under this category.	20
Reputation and Quality of Work: Includes experience and/or references with like-kind entities.	30
Pricing: Proposed pricing, delivery, and payment terms.	40
Value-Add: The firm proposes opportunities to address the many needs of projects of this size, scale, and scope.	10
Total Possible Points:	100

All requested information in the Proposal Format section must be included in your response. Bluebird reserves the right to reject any proposals and to enter into a Purchase Order agreement with the Firm selected by Bluebird.

Firms are solely responsible for their own expenses in preparing and submitting a Proposal. If Bluebird elects to reject all proposals, Bluebird will not be liable to any firm for any claims, whether for costs or damages, incurred by the respondent in preparing and submitting a proposal. Although notification will be provided to Firms whose Proposals are not accepted, further debriefing information will not be made available.

General Terms and Conditions -- Professional Services and the Purchase Order

Any award (contingent or as set forth in an Agreement) resulting from this RFP is automatically canceled if federal funds under MMBG are not appropriated or otherwise made available to support the commencement or continuation of performance under the MMBG.

Compliance with Laws

The Firm must, in the performance of work under the Purchase Order, fully comply with all applicable federal, state (Missouri and Oklahoma), or local laws, rules, and regulations, including, but not limited to, the Middle Mile Broadband Grant (MMBG), the Notice of Funding Opportunity

(NOFO), 74 Fed. Reg. 33,106, and all other applicable guidelines. Any subletting or subcontracting by the Firm obligates the subcontractors to these same provisions. See Appendix C for more details.

Supplier Bond and Liability Insurance

Within ten (10) days of a final Purchase Order, the Firm shall obtain and maintain a bond from a surety that must be licensed, authorized, and admitted to doing business in the State of Missouri and Oklahoma and must be a U.S. Treasury listed surety company reasonably acceptable to the Owner. The bond shall remain in effect for at least one year after the final payment date from the Owner. The Firm shall bear the cost of the premiums for such bonds. The supplier bond shall be the same amount as the value of the resulting Purchase Order under this RFP. It shall entitle Bluebird to call upon the surety to complete the Purchase Order in one of two ways: (1) the surety and Bluebird can choose a new Firm to complete the Purchase Order, and the surety pays the costs, or (2) Bluebird alone chooses to terminate the Purchase Order by selecting another Firm. In any event, the surety's obligations to perform and complete the performance under the Purchase Order shall remain in full force and effect.

At their cost and expense, firms shall maintain industry-standard insurance—a certificate of Insurance to be submitted with the Firms submission.

No Gifts and Gratuities Policy

Bluebird's Code of Ethics has a strictly enforced requirement that Bluebird and its staff are prohibited from accepting any favors or gratuities from contractors, potential contractors, sub-agreement parties, or anyone who could be involved in any aspect of its business.

Socioeconomic and Location Considerations

Following are points to consider when preparing your Socioeconomic and Location information:

All Firms are to provide:

1. All Firms, including DBEs SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB, or LB Firms, are to address the following when completing your proposal:
 - A. Names: provide the names of the DBE SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB, or LB planned to participate in the procurement of materials. Bluebird will evaluate the extent to which your proposal identifies DBEs SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB, or LB planned to participate in the instant procurement.
 - B. Services: provide a list of services planned to be supplied by the DBE, SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB or LB. This list should correspond to the DBEs, SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB, or LB named above. Bluebird will evaluate the extent to which your proposal details the services planned to be performed by these for instant procurement.

C. Estimated DBE, SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB or LB Total Dollars. Provide the estimated total contract dollars estimated to be furnished by the contractor to these entities. This amount is the estimated total amount of the entire contract. Your proposal should also include the total contract amount to be performed by all businesses. These two figures will be used to arrive at the total contract percentage that will be completed by these entities (DBEs, SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB or LB).

DBEs, SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB, or LB contract dollars, divided by total contract dollars, equals the percentage of the contract to be performed by these entities. Bluebird will evaluate the extent of participation of these entities in terms of the total contract amount's value.

2. **Note:** If applicable, Firms should include your efforts when addressing the names, services, and estimated total dollars planned to be provided by DBEs, SB, VOSB, SDVOSB, HUBZone SB, SDB, WOSB, HBCU/MI, MOB or LB.

Appendix A – Proposed Project Costs

Missouri Route Cost Estimate

Line Item	Description	Cost	% of Project	Comments
1	Engineering & Design Total		%	
	Design Draft, Field Staking, & Route Cost Estimate			
	Final Design & Route Cost Estimate			
	Construction Ready Design & Route Cost Estimate			
2	Environmental Total		%	
	Environmental Assessment			
	Prepare and submit clearances.			
	Coordination			
3	Permitting Total		%	
	Federal Permitting			
	State Permitting			
	Private Permitting			
	Easement Determination & Filing			
4	Project Administration		%	

	Construction Management & Coordination			
	On-Site Construction Oversight			
	Inspection			
	Total		100%	
*Firms must submit a standard rate sheet for key positions anticipated to work on this project.				

Missouri Cost by Route Segment

Route Segment	Cost
Jefferson City to Washington	\$
Washington to Rolla	\$
Rolla to Strafford	\$
Springfield to Carthage	\$
Total (Must match total above)	\$

Oklahoma Route Cost Estimate

Task	Description	Cost	% of Project	Comments
1	Engineering & Design Total		%	
	Design Draft & Route Cost Estimate			
	Final Design & Route Cost Estimate			
	Construction Ready Design & Route Cost Estimate			
2	Environmental Total		%	
	Assessment			
	Prepare and submit clearances.			
	Coordination			
3	Permitting Total		%	
	Federal Permitting			
	State Permitting			
	Private Permitting			
	Easement Determination & Filing			
4	Project Administration		%	

	Construction Management & Coordination			
	On-Site Construction Oversight			
	Inspection			
	Total		100%	
*Firms must submit a standard rate sheet for key positions anticipated to work on this project.				

Oklahoma Cost by Route Segment

Route Segment	Cost	% of Project
Joplin MO to Chouteau	\$	%
Chouteau to Tulsa	\$	%
Total (Must match total above)	\$	100%

Appendix B – Design National Standards

Firms proposing services must have the ability to present engineering and designs that conform to the national standards defined below:

NATIONAL ELECTRICAL CODE, NFPA 70

The National Fire Protection Association has sponsored the National Electrical Code (NEC) since 1911. The original Code was developed in 1897 because of the united efforts of various insurance, electrical, architectural, and allied interests. The NEC aims to safeguard persons and property from hazards arising from electricity use.

The NEC provides the minimum code requirements for electrical safety. In telecommunications distribution design, the NEC must be used in concert with the ANSI/EIA/TIA standards identified below to ensure the telecommunications infrastructure's performance.

ANSI/TIA/EIA STANDARDS

The Telecommunications Industry Association/Electronics Industry Association (TIA/EIA) engineering standards and publications are designed to serve the public interest by eliminating misunderstandings between manufacturers and purchasers. The standards facilitate the interchangeability and improvement of products and assist the purchaser in selecting and obtaining the proper product for their needs.

The TIA/EIA Standards are updated every five years. Due to the rapid changes in the telecommunications and electronics industries, TIA/EIA publishes periodic Telecommunications Systems Bulletins (TSB), which provide additional guidance on certain technical issues that must be addressed before the next scheduled revision of the standards. The information contained in TSBs is usually incorporated into the applicable standard during the next standards revision.

TIA/EIA adopts standards and publications in accordance with the American National Standards Institute (ANSI) patent policy. The TIA website is: <http://www.tiaonline.org/>

FIBER OPTIC TEST STANDARDS, TIA/EIA-526 (SERIES)

The TIA/EIA-455 series and its appendices provide uniform test procedures for testing the fiber optic components intended for or forming a part of optical communications and data transmission systems. This series contains standard test procedures for optical fibers, cables, transducers, and connecting and terminating devices.

CUSTOMER-OWNED OUTSIDE PLANT (OSP), ANSI/TIA/EIA-758

The ANSI/TIA/EIA-758 provides industry standards for designing and constructing customer-owned OSP infrastructure. Unless specified otherwise by one of the cities, the fiber network should be designed and built to comply with ANSI/TIA/EIA-758.

NATIONAL ELECTRIC SAFETY CODE

The NESC sets the ground rules for the practical safeguarding of persons during the installation, operation, or maintenance of electric supply & communication lines & associated equipment. It contains the basic provisions considered necessary for the safety of employees & the public under the specified conditions. The NESC remains a stronghold in the U.S. electrical industry & communications fields and is the authority on safety requirements for power, telephone, cable TV, & railroad signal systems.

Appendix C - Compliance with Laws and Regulations

Fair Labor Standards & Practices

Applicants must have a demonstrated record of and plans to comply with federal labor and employment laws where applicable. This will help ensure that projects are carried out in accordance with the law and assist NTIA in providing that a prospective supplier is capable of carrying out the activities in a competent manner in compliance with all applicable federal, State, and local laws, and promote the effective and efficient completion of high-quality middle mile broadband infrastructure projects by ensuring a reliable supply of skilled workers and minimizing disruptive and costly delays.

For NTIA to evaluate an applicant's demonstrated record of and plans to comply with federal labor and employment laws, each applicant must provide the following:

1. Information on their record of compliance with federal labor and employment laws, as well as the records of any other entities participating in the project, including contractors and subcontractors. This information must include, at a minimum, information on these entities' compliance with federal labor and employment laws on broadband deployment projects in the last three years. For example, the applicant should provide data on its historical use of contracting and subcontracting arrangements, including staffing plans and at least one example of each contractor and subcontractor's past performance in a similar project.
2. A certification from an Officer/Director-level employee (or equivalent) of the applicant evidencing consistent past compliance with federal labor and employment laws by the applicant and contractors and subcontractors.
3. Written disclosure of any instances in which the applicant, contractors, or subcontractors have been found to have violated laws such as the Occupational Safety and Health Act, the Fair Labor Standards Act, or any other applicable labor and employment laws for the preceding three years.
4. A written plan to ensure compliance with federal labor and employment laws. These plans must address, at a minimum, how the applicant will ensure compliance in its own labor and employment practices, as well as that of its contractors and subcontractors, including (1) information on applicable wage scales and wage and overtime payment practices for each class of employees expected to be involved directly in the physical construction of the broadband network and (2) how the applicant will ensure the implementation of workplace safety committees that are authorized to raise health and safety concerns in connection with the delivery of deployment projects. An effective plan for compliance with federal labor and employment laws can include an applicant's binding commitment to strong labor standards and protections for the project workforce (including contractors and subcontractors), which have:
 - Using a directly employed workforce, as opposed to a subcontracted workforce;
 - Paying prevailing wages and benefits to workers, including compliance with Davis-Bacon

and Service Contract Act requirements, where applicable, and collecting the required certified payrolls;

- Using project labor agreements (i.e., pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project);
- Use of local hire provisions;
- Commitments to union neutrality;
- Use of labor peace agreements;
- Use of an appropriately skilled workforce (e.g., through Registered Apprenticeships or other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded);
- Use of an appropriately credentialed workforce (i.e., satisfying requirements for appropriate and relevant pre-existing occupational training, certification, and licensure); and
- Taking steps to prevent the misclassification of workers.

Compliance with NEPA

Firms offering services must have the ability to facilitate (or subcontract with capable firm(s) that can) compliance with The National Environmental Policy Act of 1969 (NEPA). The selected firm must prepare and process the required environmental assessments, categorical exclusions, and general environmental permitting needed for the Missouri and Oklahoma projects.

Excerpt from NTIA Environment Guidance and provided in totality as an attachment to this RFP:

*The National Environmental Policy Act of 1969 (NEPA) created an environmental protection program for the United States and its territories. NEPA requires federal agencies to consider the effects of their actions on the environment, identify reasonable alternatives, and consider the input of interested parties and the public. The NEPA process is intended to help agencies make informed decisions based on understanding environmental consequences and take actions that protect, restore, and enhance the environment. **It is important to note that ALL federal actions are subject to NEPA analysis**¹. Federal actions tend to fall within one of five categories: 1) rulemaking, 2) planning, 3) funding, 4) proposing/construction, and 5) licensing, permitting, or approval. These actions range from administrative to physical ground disturbance and include various levels of federal oversight and responsibilities; however, all will require some level of NEPA review and decision/determination.*

To comply with NEPA as it applies to National Telecommunications and Information Administration (NTIA) grants, NTIA may utilize the Department of Commerce's categorical exclusions (CATEX or CE)². A CE does not exempt a proposed project from NEPA review; it is one form of environmental review under NEPA. A CE may be applied to a proposed project after NTIA has carefully reviewed and determined that the proposed project fits within the category of actions encompassed by the CE. In making this determination, the decision maker must also consider whether environmental considerations apply,

which can indicate that a normally excluded action might have a significant environmental effect. Thus, a CE does not eliminate environmental review of a proposed project but reduces paperwork and delay and allows NTIA to efficiently focus its resources on proposed actions with the potential for significant environmental effects.

It is highly recommended that the proposed project information and associated environmental analysis provided to NTIA for the proposed project should be completed by an environmental consultant with experience and familiarity with this type of work. Additionally, the grant holder, the principal investigator, the principal engineer, or other member of the grantee's organization who has sufficient knowledge of the proposed project should be involved in providing and verifying this information.

Prevailing Wage Rates

The NTIA Middle Mile Program NOFO removed the federal requirement for prevailing wage requirements under the "Davis-Bacon Act" (40 USC 276(a)). Currently, the states of Oklahoma and Missouri do not require these provisions. The selected Firm will be required to complete NTIA Workforce Reports and submit them to Bluebird for inclusion in our reports to NTIA. The report form is provided in the RFP electronics documents folder.

Whistleblower Protection under the Recovery Act

The Department of Commerce Financial Assistance Standard Terms and Conditions are incorporated into every NTIA grant award. Section F.05 of these Terms and Conditions states that each award is subject to the whistleblower protections afforded by 41 U.S.C. § 4712 (Enhancement of contractor protection from reprisal for disclosure of certain information).

Generally, this law provides that an employee or contractor (including subcontractors and personal services contractors) of a non-Federal entity may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body information that the employee reasonably believes is evidence of gross mismanagement of a Federal award, sub-award, or a contract under a Federal award or sub-award, a gross waste of Federal funds, an abuse of authority relating to a Federal award or sub-award or agreement under a Federal award or sub-award, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal award, sub-award, or contract under a Federal award or sub-award.

Non-Federal entities and contractors under Federal awards and subawards must inform their employees in writing of the rights and remedies provided under 41 U.S.C. § 4712 in the predominant native language of the workforce.

A person who believes they have been the subject of retaliation for protected whistleblowing can contact the Department of Commerce, Office of Inspector General Hotline, as indicated at <https://www.oig.doc.gov/Pages/Hotline.aspx>, or the U.S. Office of Special Counsel, toll-free at 1- 800-872-9855.

Posters and additional information can be downloaded from the following website: [Office of Inspector General \(doc.gov\)](#).

Build America, Buy America Requirements – Impacts on Engineering & Design Activities

Pursuant to the Infrastructure Investment and Jobs Act, 2021, Pub. L. No. 117-58, 135 Stat. 429 (Nov. 15, 2021) (IIJA), including the Build America, Buy America Act, Pub. L. No. 117-58, §§ 70901-52 (BABA), as well as guidance provided by Memorandum for Heads of Executive Departments and Agencies, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure, Executive Office of the President, Office of Management and Budget (April 18, 2022) (OMB M-22-11), non-Federal entities that receive a federal financial assistance award from the U.S. Department of Commerce (DoC) are hereby notified that none of the funds provided under this award may be used for a Middle Mile (MM) infrastructure project unless all of the optic glass, fiber optic cable, and optical fiber used in the project is produced in the United States unless a DOC-approved BABA waiver applies. The Buy America domestic content procurement preference only applies to fiber optic glass and fiber optic cable consumed in, incorporated into, or affixed to an MM infrastructure project. As applicable, the requirements of this subsection must be included in all sub-awards and contracts, including all warranties and purchase orders for work or products pursuant to this program.

Note that BABA only applies to “non-Federal entities” receiving Federal financial assistance for an infrastructure project under Section 70912(4) of the Infrastructure Act. As elaborated in OMB M-22-11, under the definition in 2 CFR § 200.1, “non-Federal entities” means “States, local governments, territories, Indian tribes, Institutions of Higher Education (IHE), and nonprofit organizations.”¹ OMB M-22-11 goes on to explain that “for-profit organizations are not considered non-Federal entities” for the guidance. Thus, these BABA requirements only apply to MMG recipients that are non-Federal entities and do not apply to recipients that are for-profit organizations. Whether BABA applies to a specific subrecipient, or subcontractor depends on whether BABA applies to the primary tier recipient. (I.e., if the recipient is a non-Federal entity, BABA applies to that award and all subrecipients and subcontractors under that award.)

Certification Regarding Debarment

All submissions are subject to subpart C of 2 CFR part 180, “OMB Guidelines to Agencies on Government Debarment and Suspension (Non-procurement).”

By submission of its proposal, [bidder/vendor] certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency. If selected, [bidder/vendor] shall provide immediate written notice if it learns that its certification was erroneous when submitted or has become erroneous because of changed circumstances. Otherwise, it agrees to comply with 2 C.F.R. Parts 180, 1200, and 1326 requirements.

In addition, [bidder/vendor] for a lower tier covered transaction for a sub-award, contract, or subcontract greater than \$100,000 of Federal funds is subject to 15 CFR part 28, “New Restrictions on Lobbying.” Firms should familiarize themselves with these provisions, including the certification requirement. Therefore, bidders for a lower tier covered transaction must include a Form CD-512,

“Certification Regarding Lobbying-Lower Tier Covered Transactions,” completed without modification.

Prevention of Waste, Fraud, and Abuse

Recipients must monitor award activities for common fraud schemes, including but not limited to:

- false claims for materials and labor;
- bribes related to the acquisition of materials and labor;
- product substitution;
- mismarking or mislabeling on products and materials; and
- time and materials overcharging.

Should a Recipient detect any fraud schemes or other suspicious activity, the grant recipient must contact its assigned NTIA Federal Program Officer and the Department of Commerce, Office of Inspector General Hotline, as indicated at the link below, as soon as possible.

<https://www.oig.doc.gov/Pages/Contact-Us.aspx>

Appendix D: Bluebird's Terms & Conditions

All awards are contingent upon a successfully negotiated and signed agreement. For bidders proposing construction services, Bluebird provides interested bidders with our standard Master Construction Services Agreement (MCSA) which can be found at the Bluebird RFP website. For bidders proposing other types of service, your firm must be able to abide by substantially similar terms in an applicable agreement including our Professional Services Agreement (PSA) found at Bluebird RFP website. Please take this into consideration before submitting a proposal.

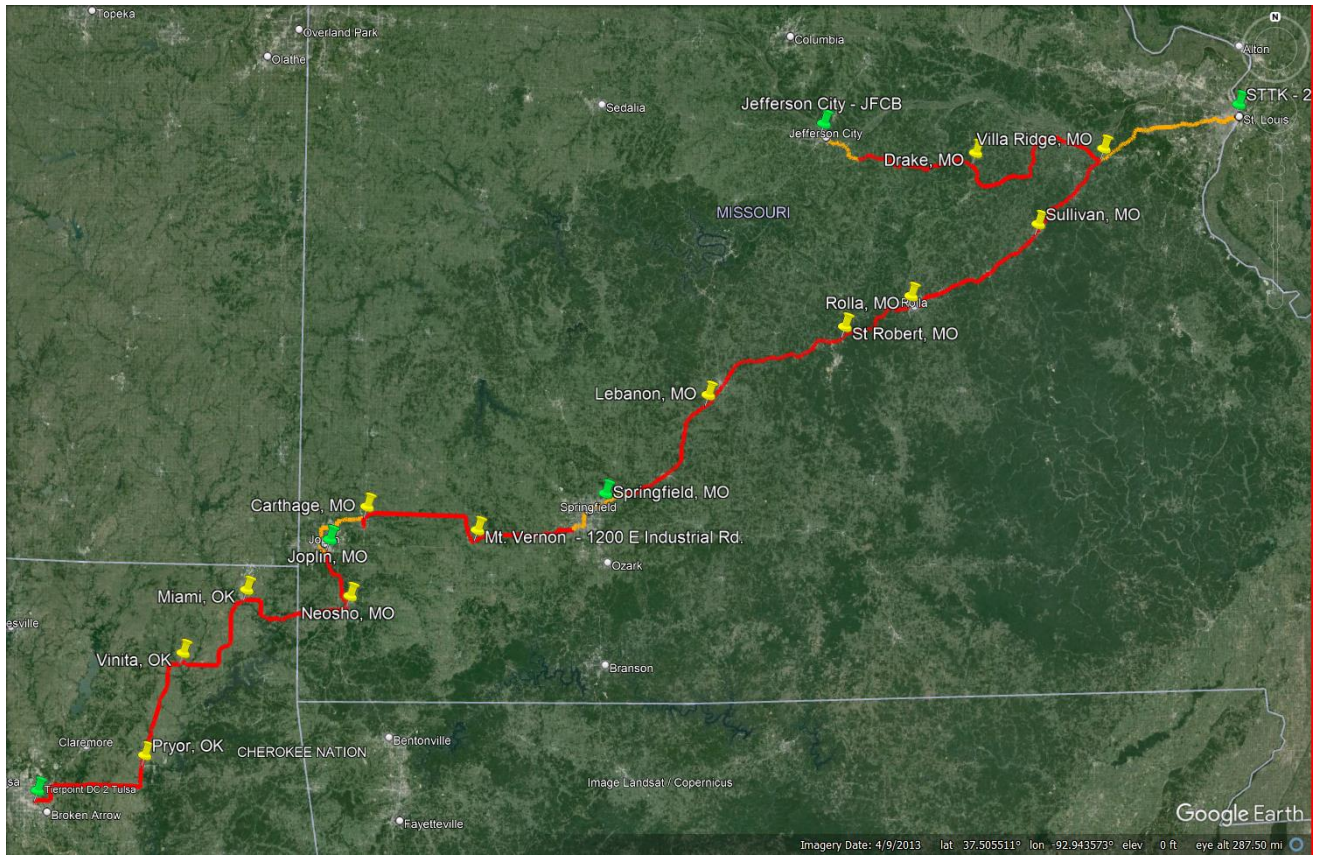
Note Separate Bluebird documents mentioned above are available for download at:

Appendix E: Bluebird Route Maps

Google Earth KMZ: Google Earth KMZ files are located for download at:
<https://bluebirdnetwork.com/open-request-for-proposals/>

These files can be used to detail evaluation and proposal development.

Google Earth map picture: located below is the same information as KMZ files in a picture format to review map and legend for preliminary review.



BBN NTIA Grant Build Highlights - St. Louis to Tulsa				
Segment ID	A Loc POP	B Loc POP	Estimated Span Length	Notes:
1	St Louis	Villa Ridge	74.6 km	Non Grant 74.6km; All New Construction; 100% underground; New Villa Ridge POP loc flexible
2	Villa Ridge	Sullivan	49.4 km	Grant Route 49.4km; 100% underground; New Sullivan POP loc flexible
3	Sullivan	Rolla	70.3 km	Grant Route 70.3km; 100% underground; New Rolla POP loc flexible
4	Rolla	St. Robert	39.0 km	Grant Route 39km; 100% underground; New St. Robert POP loc flexible
5	St. Robert	Lebanon	77.4 km	Grant Route 77.4km; 100% underground; New Lebanon POP loc flexible
6a, b	Lebanon	Springfield (BBU)	71.4 km	6a. Grant Route 57.7km; 100% underground; 6b. Non Grant Strafford to BBU 13.7km must overbuild along existing path
7a, b	Springfield (BBU)	Mt Vernon	71.7 km	7a. Non Grant Springfield Metro Overbuild 22.9km; 7b. Grant Route 48.8km; 100% Underground; Must intercept existing POP at Mount Vernon; POP location needs to be upsized for new POP package at Mt Vernon
8	Mt Vernon	Carthage	66.0 km	Grant Route 66km; 100% underground; Must intercept existing BBN fiber at Carthage; Carthage POP loc flexible
9	Carthage	Joplin	35.0 km	Non Grant 35km; 100% underground; Tenant fibers to bypass BBN Joplin POP; BBN fibers terminate at BBN Joplin; Diversity from Neosho Route at BBN Joplin POP
10	Joplin	Neosho	29.8 km	Grant Route 29.8km; 100% Underground; Neosho POP loc flexible
11	Neosho	Miami	55.5 km	Grant Route 55.5km; 100% Underground; Miami POP loc flexible
12	Miami	Vinita	52.7 km	Grant Route 52.7km; 100% Underground; Vinita POP loc flexible
13	Vinita	Pryor DC	52.4 km	Grant Route 52.4km; 100% Underground; Pryor DC POP loc flexible
14	Pryor DC	Tulsa DC2	64.6 km	Grant Route 64.6km; 100% Underground; POP inside Tierpoint DC
15	Villa Ridge	Drake	84.1 km	Grant Route 84.1km; aerial or underground; must intercept existing BBN fiber at Washington; Drake POP loc flexible
16a, b, c	Drake	Jefferson City	81.6 km	16a. Grant Portion 56.7km - new const. aerial or underground; 16b. Non Grant 16.49km from Exist duct to E side MO River - new const. aerial or underground; 16c. Pull 8.4km fiber in exist duct