

Request for Proposals

Cable TV Franchise Renewal Services

RFP 11-08 ADMIN City of Pasco, Washington City of Richland, Washington

PROJECT SUMMARY

The Cities of Pasco and Richland both have existing, non-exclusive, television cable franchise agreements, which expire in 2013, with Charter Communications.

The cities are jointly seeking proposals from consultants, experienced in the field of cable communications and franchise renewals. In general, the consultant will be expected to:

1. Provide technical review of existing cable systems to determine compliance with the franchise agreements, applicable codes and best practices, assess system repair and capacity.
2. Provide guidance and assistance in surveying the community regarding the services provided by Charter, compliance with the franchise agreement, and identification of current and future community needs.
3. Provide expertise and assistance to the cities in preparation for and throughout franchise renewal negotiations including financial analysis, legal review and drafting of the franchise agreements and/or ordinances.

Some services may be conducted for the cities jointly, while other services may be provided for each individual City separately.

PROJECT BACKGROUND

The Cities of Pasco and Richland are located in south central Washington and comprise two of the three cities in the Tri-Cities SMSA. Richland, located in Benton County has a 2010 population of 48,580, while Pasco, located east of Richland across the Columbia River in Franklin County, has a 2010 population of 59,781.

Charter Communications is the cable franchise holder in both communities, having assumed assignment of the franchises from Falcon Cable in 1999.

PROPOSAL FORMAT

Prospective consultants shall clearly address all of the information requested herein. Since the written proposal will weigh heavily in the evaluation process, information submitted should be complete and make a convincing case that the consultant can perform high quality work within

schedule and budget constraints as demonstrated by previous work history. Prospective consultants are asked to:

1. Describe in depth the proposed strategy to be used in meeting the requirements of this RFP, including preparation of a work plan that outlines the work to be performed, how it will be carried out, who will be responsible for managing the work flow, and a schedule that presents a proposed timeline for completing the work. The work plan should address areas where a joint effort for both cities might be advantageous and areas where the work needed for the individual cities may require separate services.
2. Describe all resources the cities will be asked to provide in order to complete this project. City departments and staff will make every effort to provide access to available information.
3. Provide the professional resumes of all individuals who will be assigned to this project. The proposal should indicate the person who will serve as consultant's project manager.
4. Describe where the proposed work will be performed, including address and phone number.
5. Provide a description of prior work experiences that were similar to the project described in this RFP.
6. Provide a specific outline of the line item costs that will be incurred during the performance of each phase, including line item totals of consultant fees, subcontractor fees, and all other project costs and charges.

SCOPE OF WORK

The cities and their citizens are participants in the evolution of cable and telecommunications technologies and wish to ensure that their cable systems are ready for the future. Each City would like to ensure during the franchise negotiation process that all future needs of the City are considered and that its cable franchise ordinance is structured in a way that assures that a high-quality, innovative, and versatile cable system is constructed and kept current during the next franchise period.

The key requirements for consulting assistance include the following:

1. Evaluate Charter Communications' past performance, franchise compliance, and matters that may be in default.
2. Conduct a technical review to make sure that each cable system will be comparable with current and future technological systems, service developments and systems of cities of comparable size.
3. Review and make recommendations about requirements needed to upgrade the cable systems and services to state-of-the-art fiber.
4. Provide assistance with the franchise renewal negotiations with Charter, as well as preparation of cable franchise ordinances and agreements.
5. Provide financial analysis of franchise fee payment compliance.
6. Identify current and future community needs, cable and fiber (I-Net), incorporating public participation as required by the Federal Communications Act of 1934, as amended by the Cable Act of 1984.

7. Generally manage and guide the renewal process by working together with city personnel to complete Phase I and Phase II, meeting each City's needs, and assuring that the City as well as its citizens receive the best possible cable services as a result of the process and the new franchise agreement.
8. For the City of Richland, review past usage of the existing I-Net system including a break-down by category of user types. Make recommendations associated with future broadband system needs of the City including the needs of other public agencies, public educational intuitions, and hospitals operating in the Tri-Cities region. Include the possible use of broadband access as an economic driver for the City.

This project anticipates two phases:

Phase I:

Assist the cities in gathering and analyzing information to give the cities a preliminary sense of whether Charter has met all of its franchise obligations, and if so, how well; initiate needs assessment for a more comprehensive study; provide Franchise Renewal Report and recommendations, including the requirements for Phase II. Specific tasks that are anticipated:

- Provide education to participants in applicable cable law and in the specifics of the franchise renewal process.
- Collect, review, and analyze current franchise documents and other information from the cities and Charter.
- Assist in the design and conduct of surveys and/or interviews to assess current subscriber services and satisfaction levels in order to identify community needs and develop a plan to ensure that the citizens of the cities receive quality service at reasonable rates.
- Identify and make recommendations regarding Charter's responsiveness to consumer-related information, including installation, service repair, rates, and subscriber-requested programming.
- Identify the potential future uses of a cable communications system to include current trends and technological changes that have and will occur in the future in video, voice, and data, and assure that the cities will be in a position to take advantage of them.
- Conduct a technical and operational review to ensure that the cable systems are consistent and compatible with the latest developments in cable technology.
- Identify and provide for requirements necessary to ensure the systems undergo periodic technical reviews and upgrades.
- Undertake a franchise fee payment compliance review, if necessary.
- Assist in the design and conduct of a PEG access ascertainment survey to identify current PEG programming, services, and facilities in each City and provide for current and future PEG access needs and requirements.
- Conduct legal review of federal and other applicable legal obligations.
- Complete any additional information gathering and analysis of individual City needs and requirements.
- Draft Franchise Renewal Report for each City, containing the City's priorities, preferences, and requirements that will provide the basis and record to support the City's

“Request for Proposal” to Charter Communications. The report will include a draft regulatory ordinance and franchise agreement.

- Prepare each City for Phase II with guidelines for review of Charter’s Proposal response and franchise negotiations and instructions for meeting legal requirements before the City Council can approve or deny franchise.
- Meet with staff in each City to discuss results of Phase I and next steps for Phase II.

Phase II:

For each City, evaluate Charter’s proposal and prepare recommendations for City’s negotiations. Assist or take the lead in negotiations. Provide advice about public hearings as well as other proceedings before final approval or disapproval by each City Council. Provide recommended modifications to any ordinance relating to cable services and draft new franchise agreement with recommendations to each City’s governing body for adoption. Specific tasks that are anticipated:

- Evaluate Charter’s Proposal and make recommendations for City’s response to same.
- Participate, as needed, in discussions and planning with the City and negotiations with Charter.
- Advise City as to public participation and hearing requirements.
- Complete final franchise agreement and regulatory cable ordinance.
- Advise City on final approval or disapproval of franchise renewal, including applicable federal cable act and FCC requirements.

ESTIMATED TIME FRAMES

The following timetable outlines the anticipated schedule for the Request for Proposals and project work. The timing and the sequence of events resulting from this Request for Proposals may vary and shall ultimately be determined by the Cities.

<u>EVENT</u>	<u>ANTICIPATED DATES/TIMEFRAME</u>
Request for proposal issued	June 1, 2011
Deadline for submittal of questions	June 10, 2011
Proposals due	June 24, 2011, 5:00 pm PDT
Invitation to short-list vendors	July 6, 2011
Presentations by short-list vendors.....	July 20, 2011
Consultant contract signed	August 17, 2011
Begin Phase I	September 1, 2011
Complete Phase I.....	November 2011
Begin Phase II	December 1, 2011
Negotiations	January 2012 – June 2012
Agreement approved by staff and Charter	By July 1, 2012
City Council approval of new franchise agreement with Charter.....	No later than January 2013

REVISIONS TO RFP

The Cities reserve the right to modify this RFP and/or cancel or reissue this Request in whole or in part, prior to execution of a contract. In the event it becomes necessary to revise any part of the RFP, it shall be the responsibility of the interested firms to obtain a copy of the addendum. Addenda information will be available on the cities' web sites (www.ci.richland.wa.us/bids.aspx or www.pasco-wa.gov/bids.aspx).

EVALUATION OF PROPOSALS

Interested firms and individuals may obtain further information necessary to understand the required documentation by contacting Mike Charboneau, Richland Cable Communications Coordinator (509-942-7398 or mcharboneau@ci.richland.wa.us) or Jon Funfar, Pasco Communication Specialist (509-545-3485 or funfarj@pasco-wa.gov).

SUBMITTAL INFORMATION

Contractor/Vendor shall submit one signed original and two (2) copies of the proposal package. All proposals and accompanying documentation will become property of the City and will not be returned. Fax proposals or proposals submitted by e-mail are not acceptable.

Responses to this request are due at the City of Richland (addresses below) no later than 5:00 p.m. on June 24, 2011.

Mark in lower left hand of package:

Cable TV Franchise Renewal Services
RFP 11-08 ADMIN
Due Date 6/24/11
Time: 5:00 pm

Send to:

John Noble, Purchasing Manager
City of Richland
Purchasing Dept., MS-11
P. O. Box 190
2700 Duportail St. Building 100
Richland, WA 99352