

# **LANE COUNCIL OF GOVERNMENTS**

REQUEST FOR PROPOSALS (RFP)

**PROJECT:**  
**Lane County Broadband Deployment Program Initiative**

Lane Council of Governments  
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## REQUEST FOR PROPOSALS

### Lane Council of Governments Lane County Broadband Deployment Program Initiative

<b>RFP ISSUE DATE:</b>	October 30, 2023
<b>RFP SUBMISSION DEADLINE:</b>	December 18, 2023
<b>RFP PRE-PROPOSAL MEETING:</b>	November 15, 2023, 3 PM (see Project Webpage for details)
<b>Submit to:</b>	<b>Jacob Callister</b>
<b>RFP Contact Name:</b>	Jacob Callister, Principal Planner
<b>Address:</b>	859 Willamette Street, Suite 500 Eugene, OR 97401
<b>Telephone:</b>	(541) 682-4114
<b>Email Address:</b>	<a href="mailto:jcallister@lco.org">jcallister@lco.org</a>
<b>Project Webpage:</b>	<a href="http://www.lco.org/lco_bdp_partnership">www.lco.org/lco_bdp_partnership</a>

Briefly, the purpose of this Request for Proposals (RFP) is to solicit proposals from private partners with experience providing “last mile” broadband internet service to local residents, to partner with LCOG to expand broadband internet access within Lane County. A more complete description of the project is contained in Section I. INTRODUCTION, below

#### General Instructions

Proposals properly submitted and received will be opened immediately following the time proposals are due, and a list of the names of persons submitting proposals will be promptly sent to all such proposers, along with such other information as the public officer considers appropriate at the time.

To be considered, proposals must be submitted electronically in accordance with all the following instructions:

1. Proposals must be submitted as an attachment to an email, submitted to the email address stated above,
2. The subject line of the email must clearly identify the submission as a response to this specific RFP,
3. Unless otherwise stated in the Proposal Requirements, proposal documents may be submitted in PDF format only; and
4. Proposals must not include .zip files, and cannot be more than 30 megabytes in size.

Interested parties may download a complete set of RFP documents from Lane Council of Governments at: [www.lcog.org/lcog\\_bdp\\_partnership](http://www.lcog.org/lcog_bdp_partnership). LCOG may issue an addendum to modify or add to the terms of the RFP, or to change the time or date for submission of proposals. Any such addendum will be posted and may be downloaded from the LCOG webpage in the same location where this RFP was posted. Each proposer is responsible to verify for itself if any addendum has been issued prior to submission of its proposal; LCOG is not responsible to notify individual prospective proposers of the issuance of an addendum. The requirements or clarifications contained in any addenda issued must be included in the proposals received and will become part of any resulting contract.

LCOG may reject any proposal not in compliance with all prescribed proposal procedures, requirements, rules, or laws, and may reject for good cause any and all proposals upon LCOG's finding that it is in the public interest to do so.

Additional instructions for preparation and submission of proposals are included below in Section X.  
ADDITIONAL INSTRUCTIONS FOR PROPOSERS.

## I. INTRODUCTION

LCOG, in partnership with Lane County, is seeking private and/or public sector partnership to assist in creating a shared vision, goals and tactics for constructing last mile broadband in areas of Lane County that are unserved or underserved by broadband internet, specifically through the State of Oregon's Broadband Development Program (BDP). BDP leverages ARPA Capital Projects dollars designed specifically for last-mile broadband infrastructure projects to reach communities that lack internet access with high-speed internet (100/20 Mbps), to directly enable and improve work, education, and health monitoring. LCOG's pursuit of partnership represents broader public interest in partnership with private internet service providers to achieve public broadband vision, goals and tactics (see Section II). Public entities in Lane County recognize the inherent benefits of such partnership, have seen and experienced, first-hand, positive outcomes from such partnership and also recognize the prioritization of public private partnership in upcoming federal and other funding opportunities. Prospective partners should not only be able to provide sustainable initiatives, but be community-oriented and willing to develop new broadband service or enhance existing service solutions for the betterment of the region.

The focus of this RFP is to identify service providers and other partners who are interested in working with LCOG to bring adequate, affordable, quality internet to Lane County residents and businesses. Partnerships developed through this RFP process will preserve public leverage and ensure the needs of the community are met through fair and clear service agreements. LCOG encourages potential Public Private Partners (PPP) respond.

## II. GOALS AND SCOPE

LCOG's Focus Geographies are presented in Section IV. They are areas that most align with local vision and goals (outlined below) as well as State (Federal) BDP funding eligibility. Primary among these requirements is the relative concentration of Unserved (less than 25/3 Mbps) or Underserved (less than 100/20mbps) Broadband Serviceable Locations (BSLs) (including any residences, businesses, public institutions, and educational institutions within the area. LCOG is seeking network solutions and business models that are innovative and that prepare the region for future technological innovations while serving today's needs for higher speeds, more complete coverage, and a wider range of choices for consumers.

### ***LCOG's specific goals for this initiative include :***

1. Broadband in Unserved and Underserved areas of Lane County that is reliable and resilient, delivering at least 100 MB symmetrical service speeds;
2. Establishment of partnerships between public entities and private providers which create high service quality (and state of the art technologies);
3. Provision of public leverage through connectivity with elements of open access;
4. Create a competitive advantage for the region with respect to broader tele-work, tele-health and tele-education opportunities;
5. Eventual equitable distribution of accessible and affordable broadband for Lane County residents;
6. Expanding public ownership of strategic strands to improve regional resiliency and competition; and
7. Potential modernization of existing infrastructure for future-proof capacity throughout Lane County with a focus on increasing services in rural areas.

## III. PUBLIC PARTNERSHIP OFFERINGS

In addition to providing a key leg of the PPP (Public-Private-Partnership) dynamic that most federal funders have prioritized, public partnership may also contribute valuable additional assistance in the form of:

- Project endorsement and promotion;
- Permitting and inspection assistance (including acting as a coordinating agent for efficiencies between

- partners);
- Help with identification of market demand ;
  - Right-of-Way access;
  - Reviewing local rules, regulations or requirements to decrease the cost to deploy or operate the Network;
  - Marketing assistance (including working directly with Vendors, local business leaders and community leaders to increase the revenue opportunities and lower the costs associated with constructing and operating the Network;
  - Potential matching funds/matching infrastructure (fiber);
  - In-kind staffing assistance;
  - Access to Broadband Serviceable Locations (BSL) data;
  - Grant writing and administration assistance;
  - Public/customer engagement support, public support documentation;
  - Public partner facilitation; and
  - Post-award federal reporting assistance.

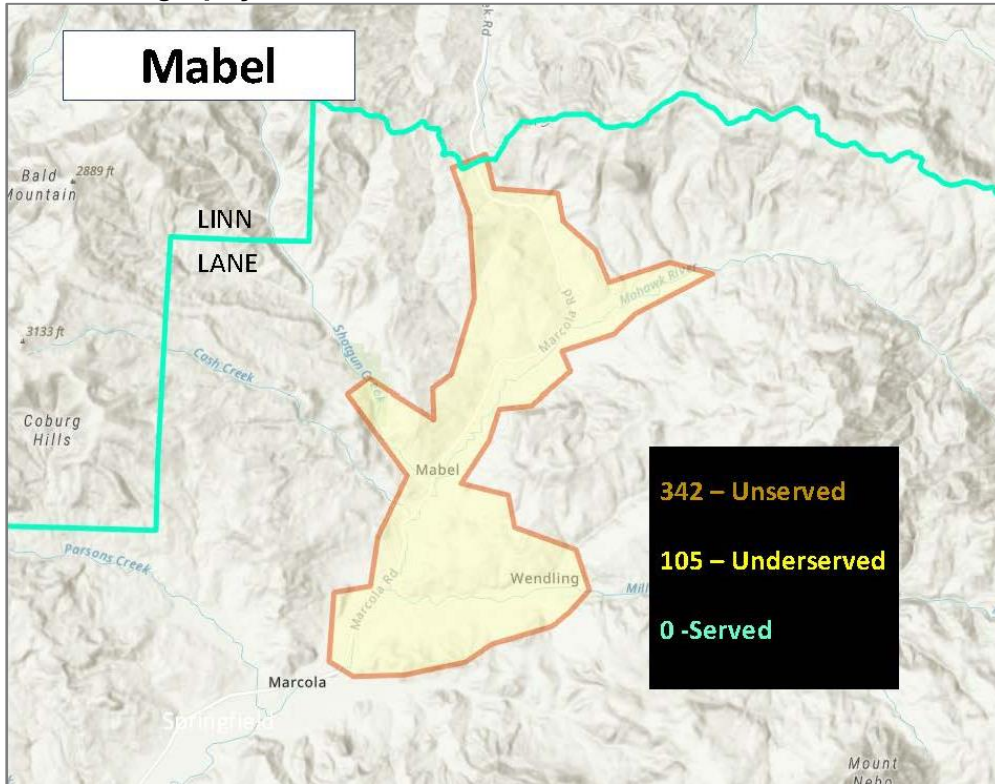
LCOG is optimistic about, and encouraged by, the funding set aside to improve broadband's quality, reach and accessibility in Oregon and look forward to working closely with a partner to contribute meaningfully to an impactful broadband deployment project in the County.

#### **IV. FOCUS GEOGRAPHIES**

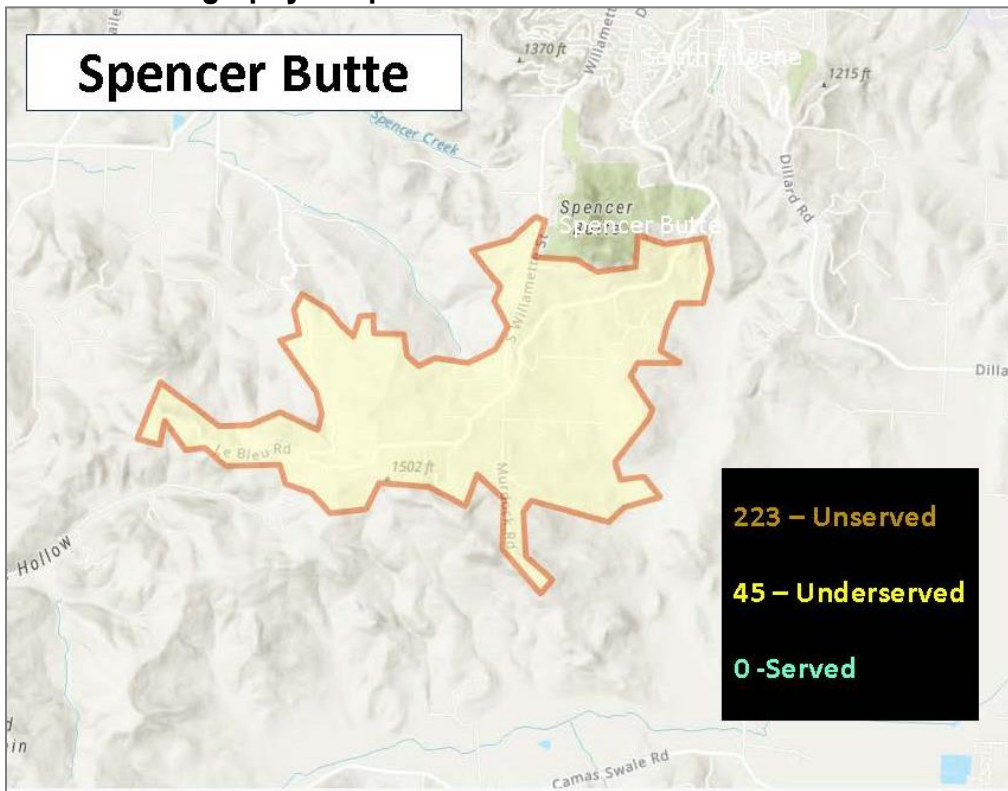
In preparation for an expected Notice of Funding for ARPA Capital Projects Fund from the Oregon Broadband Office in Q1 of 2024, LCOG has identified four project Focus Geographies. These areas were selected due to a combination of variables, but primarily because they have a higher concentration of underserved and unserved BSLs (Broadband Serviceable Locations). Other key reasons these areas have been identified include, their proximity to known public and private assets and their the lack of other overlapping federal broadband deployment awards (e.g. RDOF and ReConnect).

The Four Focus Geographies are presented on the following pages.

### Focus Geography 1: Mabel Area

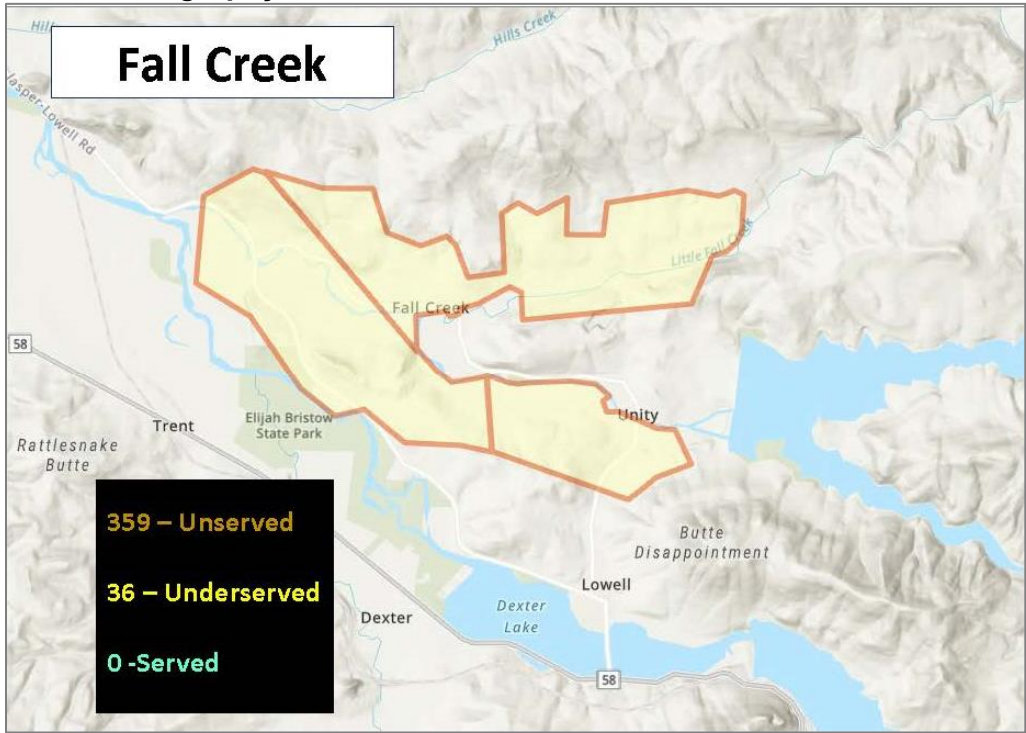


### Focus Geography 2: Spencer Butte

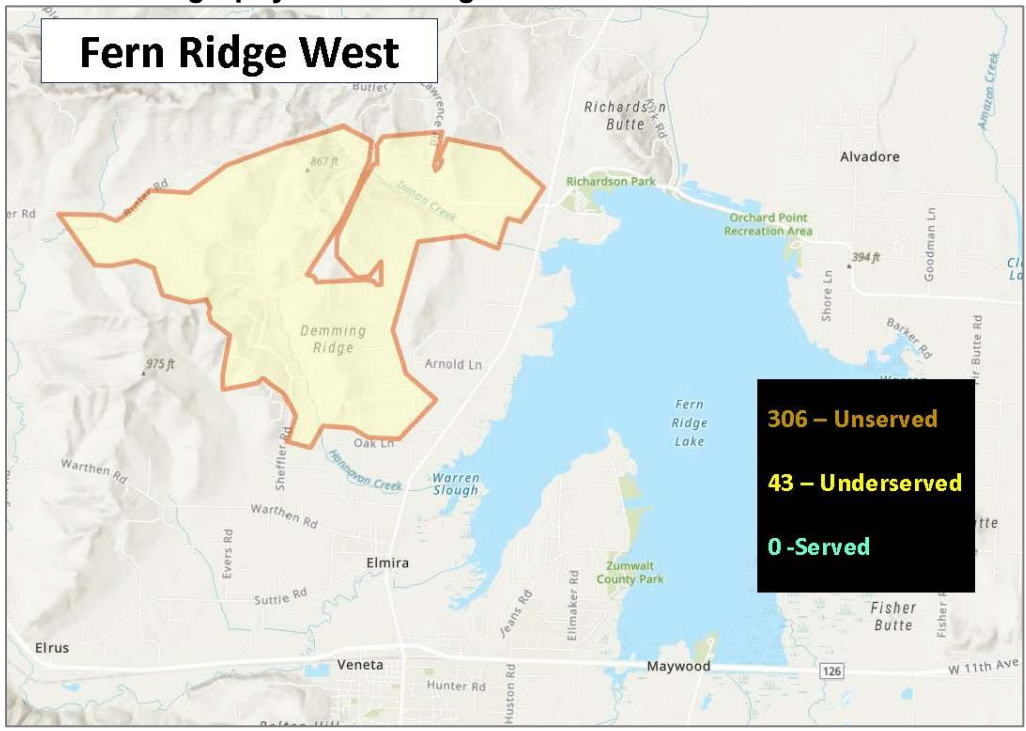




### Focus Geography 3: Fall Creek



### Focus Geography 4: Fern Ridge West



**V. TIMEFRAMES AND EVALUATION CRITERIA**

Actual project deployment will be held to the timelines of the ARPA program window, which currently requires project completion by end of 2026 (the program close date). Respondents should speak to their project readiness in their proposal, taking into consideration engineering and permitting needs, funding availability, workforce availability, availability of materials, and overall scope implementation parameters. Vendors that LCOG partners with will be expected to lead or participate substantively in the development of the ARPA Capital Projects (BDP) funding application process. This is anticipated to take place in Quarter 1 of 2024.

**Process and criteria for evaluation**

All information submitted by the submission deadline will be reviewed and evaluated. Proposals that lack sufficient information may cause LCOG to disqualify that vendor from consideration for partnership, but may also solicit follow up inquiry.

1. **EVALUATION PROCESS.** The selection process for this RFP will include these procedures:
  - a. Evaluation and scoring of initial proposals;
  - b. Identifying a short-list of the highest-ranked vendors;
  - c. Interviews and informational discussions with shortlisted vendors; and
  - d. Competitive negotiations with one or more shortlisted vendors, which will include scope of services, performance criteria, cost, and contract terms.

Notwithstanding the selection procedures identified above, LCOG reserves the right to terminate the evaluation process after completion of any procedural stage when, in LCOG’s sole opinion, further evaluation procedures are not required to identify the proposer whose offer will best suit the interests of the RFP.

2. **PROPOSAL SCORING.** LCOG will score the initial proposals according to the following key selection criteria:

	Criterion	Points
1.	Guaranteed ongoing benefit to the public, including elements of open access (required)	20
2.	Services/solution to be offered (reliability, affordability and speed). Specifically: Cost of service, and tiers of service, Standard hookup fee, Cost for long driveways, Balance of wired vs wireless service (share map).	20
3.	Extent to which the proposal aligns with state scoring on BDP (ARPA) applications, such as number of BSLs served and cost per BSL passing.	15
4.	Financial Stability (Feasibility of vendor(s) financial response)	15
5.	Technical quality of design and support plan (how the vendor proposes to design, construct, finance, maintain, support, upgrade, and operate the network). Extent to which future-proofed technologies/materials such as fiber are deployed throughout the project.	10
6.	Experience of project team in high-speed network design and operation	10
7.	Managerial Experience	10
	<b>Total Possible Points</b>	<b>100</b>



3. **SHORTLIST DETERMINATION.** After the initial proposals have been scored, more than one proposer may be invited to proceed to the further stages of evaluation identified in item 1 above.
4. **NUMBER OF CONTRACTS.** Depending upon the nature and scope of the proposals received, LCOG reserves the right to award more than one contract for work within the scope of this RFP.

Further consideration shall be given to the following:

#### ***Provider Solutions***

Although County partners are particularly interested in solutions for the four Focus Geographies identified, projects do not need to be limited to the focus geographies (as currently mapped). Proposers are encouraged to add informed nuances and propose similar, but not identical strategies. This could include different spatial variations of the same general areas, combinations of the geographies, or other areas altogether.

Key variables for proposed adjustment to the Focus Geographies will include:

- Concentration of unserved and underserved BSLs and the cost per passing implications of any adjustment or proposed new geography;
- Strategic project alignment. For example, an ISP with an adjacent RDOF or ReConnect award may propose to add their award to a Focus Geography, adding BSLs to the project and increasing the overall efficiency and impact of the project; and
- The compelling nature of project readiness for any proposed adjustment.

Vendors are encouraged to propose solutions that provide coverage over one or more of the Focus Geographies. If a vendor chooses to propose for a area less than the whole Focus Geography, the vendor must provide details as to the specific service area(s) for which it is proposing, including technologies proposed and explanation of assets most needed to make the solution feasible. LCOG may make its own and other public dark fiber and other assets available through a number of different strategies, including but not limited to IRUs, leases, and revenue sharing. Responders are encouraged to submit other strategies for consideration.

Responses should also include details on proposed roll out schedules. Vendors shall include the use of maps or other diagrams as necessary to sufficiently allow LCOG to review the vendor's solution. Vendors should describe by proposed service area the last-mile services to be provided, including capabilities expected to be available to the entities within the proposed area of service. The service area is defined as the geographic area within which the proposed network solution will be deployed. Services to be provided are defined as the type, level, and capacities of the services that the vendors anticipate providing to end customers (e.g. 25 x 5 Mbps fixed wireless, 100 x 100 Mbps FTTH, etc.).

Provider solutions must include elements of open access. This requirement could be met a number of ways, but a dedication of dark fiber to LCOG, or another approved public entity is the preferred means mechanism for addressing the region's open access goals.

#### ***Vendor Qualifications***

To support responses to key selection criteria 4 through 7, vendors should provide evidence of the following in their responses:

1. *Experience in high-speed network design and operation.* Vendors should highlight similar network

systems that it has designed, constructed, and operated, including project name, location, size, technology used, and names and phone numbers for reference contacts. Also, the response should indicate whether each system is owned by the vendors or another entity. Any experience in partnering with public entities should be noted.

2. *Financial stability.* Vendors should submit the two most recent annual audited financial statements to permit analysis of financial resources.
3. *Staff technical and managerial experience.* Vendors should include a statement of experience and resumes of key members that would be involved in a project.

In addition to the above criteria, the evaluation team will examine the extent to which each response meets the criteria below, which are not listed in order of importance. The evaluation team will then undertake a comparative assessment of all responses and determine which responses should be selected for further analysis and negotiation. These additional criteria include:

1. The nature, scope, and impact of any legislative and/or regulatory changes (state or local) that are necessary to facilitate the response; and
2. The extent to which the response departs from the RFP and from LCOG's proposed terms;

## **VI. PROJECT PROPOSAL EXPECTATIONS**

LCOG shall review and award, at its own discretion, a contract or contracts to vendors whose responses best accommodate the various project requirements. LCOG reserves the right to negotiate partnerships and award contracts to more than one responder and refuse any response or contract without obligation to any vendor offering or submitting information. LCOG reserves the right to cancel, suspend, and/or discontinue any joint proposal which is not awarded State ARPA Capital Projects funds.

## **VII. PROPOSAL DEADLINE**

All proposals must be received no later than the RFP Submission Deadline (Page 2) for consideration in the project proposal selection process. Responses received after the deadline will not be considered. Responses must be submitted electronically, or via priority or certified mail, to the addresses listed on Page 2 of this RFP.

## **VIII. PROPOSAL SUBMISSION INFORMATION**

All proposals and resumes received in proper form will be evaluated by a committee composed of LCOG's public partners.

The following is a list of information that the Vendor should include in their proposal submission:

1. Vendor's name(s).
2. Vendor's address.
3. Vendor's contact information (and preferred method of communication).
4. Legal form of vendor (e.g. sole proprietor, partnership, corporation).

5. Vendor's Federal Employee Identification Number (FEIN).  
Evidence of legal authority to conduct business in Oregon (e.g. business license number).
6. Vendors response(s) to Section V.
7. A completed and executed Proposer Statement and Certifications form (Attached).
8. A statement of any exceptions taken to the requirements of this RFP.
9. Vendor reference to acknowledgements in Section IX.

**Format Requirements.** The proposal submitted must be in compliance with the following guidelines:

- Be in the order and numbering requested;
- Be submitted in the form and within the limitations stated Page 2 of this RFP;
- Contain primary text and headings in not less than 10 point type (with smaller text acceptable in notes, graphs, requested tables, and images); and
- Be limited to **25 pages**, nominal 8.5" x 11" size. Pages used for a cover letter (which may not exceed two pages), section dividers, resumes, and exceptions are not included in the page limit.

## IX. ACKNOWLEDGMENTS

### *Elements of Open Access/Public Benefit*

Lane Council of Governments and its public broadband partners hold their project/partnership support contingent upon securing elements of "open access" connectivity. LCOG defines "open access" as Infrastructure that can be accessed by any entity. Most ideally, open access in this project would come in the form of some percentage of dedicated fiber optic strands and other support infrastructure, including conduits, vault access, etc. LCOG will negotiate elements of open access and public benefit with selected private partner(s).

### *Construction*

The initial concept is for LCOG to support what will be a private sector project, hence vendors are expected to be responsible for all costs of construction of fiber or other assets as needed in Focus Geographies where need/demand exists but no current asset is available. These fees will be negotiated between the vendors and LCOG as necessary. Projects utilizing Oregon's Broadband Deployment Program award funds will be subject to prevailing wage laws (BOLI and Davis Bacon). All construction must follow all legal requirements including but not limited to prevailing wage requirements and competitive bidding, if applicable.

### *Availability of Fiber*

LCOG will make fiber and other assets available through a number of different strategies, including but not limited to IRUs, leases, and revenue sharing. Responders are encouraged to submit other strategies for consideration. Review and acceptance will be the sole responsibility of LCOG.

### *Rights of Way*

Construction and installation of equipment in the state, local, and independently owned rights of way will be subject to the applicable requirements and ordinances governing ROW and easements. Vendor(s) will be responsible for securing all needed rights-of-way, easements, franchise agreements, etc. needed to implement proposed

solutions.

The LCOG's regional partners may allow vendors to have access to necessary rights-of-way on property owned by LCOG's regional partners and property on which it has an easement and authority to allow such access. Requested access will be reviewed and negotiated in accordance with the applicable requirements or ordinances.

#### *Vendor Relationship*

The relationship between the vendor and LCOG shall be that of a vendor. LCOG shall share no liability of the vendor's cost structures and/or services provided unless identified, negotiated, and agreed to up front by all parties in writing. Unless otherwise negotiated, approved, and documented by LCOG, the vendors selected shall bear all capital costs of the solutions proposed and implemented by said vendor, including but not limited to design, engineering, construction, and equipment costs for the networks up to the end-user drop points or network interface devices. In addition, vendors will bear all operating and maintenance costs, including insurance costs and relevant taxes. Vendor(s) should also demonstrate a clear and continuous upgrade path for the networks and their ability to meet future consumer demand and service departments.

## **X. ADDITIONAL INSTRUCTIONS FOR PROPOSERS**

### **1. Preparation and Submission of Proposals**

- 1.1 Proposal Preparation.** Proposers are responsible to read and understand all portions of the solicitation documents, including attachments and addenda, if any, and to include all requirements in their proposals. To be responsive, proposals must be made in writing, and address the background, information, questions, criteria, and requests for information contained in the RFP. Proposals must be submitted in the required form and containing all required documents and responses, be signed by the proposer or its authorized representative, and submitted in the manner and number described in the Invitation to Submit Proposals.
- 1.2 Proposals Subject to Oregon Public Records Law.** Proposals submitted in response to this RFP become public records under Oregon law and, following contract award, will be subject to disclosure to any person or organization that submits a public records request. Proposers are required to acknowledge that any proposal may be disclosed in its entirety to any person or organization making a records request, except for such information as may be exempt from disclosure under the law.

Each proposer must clearly identify all information included in its proposal that is claimed to be exempt from disclosure. If LCOG receives a records request covering information the bidder believes is covered by an applicable public records exemption, it is the proposer's responsibility to defend and indemnify LCOG for any costs associated with establishing such an exemption.

- 1.3 Proposal Submission.** Proposals must be received by the time and date stated for receipt in the Invitation to Submit Proposals. To be considered, proposals must be submitted in the form and manner stated in the Invitation for Proposals, complete with a Proposer's Statements & Certifications Form signed by the proposer or its authorized representative, responses to all criteria and requirements included in the RFP, other documents required to be submitted, if any, and contain the number of copies required.

By submitting a proposal, proposer acknowledges that the proposer has read and understands the terms and conditions applicable to this RFP, and accepts and agrees to be bound by the terms and conditions of the contract, including the obligation to perform the scope of work and meet the

performance standards.

- 1.4 Correction, Withdrawal, and Late Submissions.** A proposer may withdraw its proposal at any time prior to the deadline set for receipt of proposals, by email to the person identified for receipt of proposals, and may submit a new sealed proposal in the manner stated in the Invitation to Submit Proposals. LCOG will not consider proposals received after the time and date indicated for receipt of proposals. A proposer may not modify its proposal after it has been deposited with the public officer, other than to address minor informalities, unless the proposal is withdrawn and resubmitted as described above.

## 2. Clarification or Protests of Solicitation Documents

- 2.1 Clarifications.** If a proposer finds discrepancies or omissions in the RFP documents, or is in doubt as to their meaning, the proposer must immediately notify the public officer designated for receipt of proposals or other person identified for submission of questions.

If the public officer believes a clarification is necessary, an addendum will be issued in writing not less than 48 hours prior to the deadline for receipt of proposals, and available on the LCOG webpage listed above. The addendum may postpone the date for submission of proposals. The requirements or clarifications contained in any addenda so issued must be included in the proposals received and will become part of any resulting contract.

The apparent silence of the solicitation documents regarding any detail, or the apparent omission from the RFP of a detailed description concerning any point, means that only the best commercial or professional practice, material, or workmanship is to be used.

- 2.2 Protest of Solicitation Documents.** A prospective proposer may protest the competitive selection process or provisions in the RFP documents if the prospective proposer believes the solicitation process is contrary to law or that a solicitation document is unnecessarily restrictive, legally flawed, or improperly specifies a brand name pursuant to the requirements of ORS 279B.405(2). Any written protest must be submitted to the public officer identified for receipt of proposals in the Invitation to Submit Proposals not less than 10 days prior to the deadline for submission of proposals.

LCOG will consider the protest if the protest is timely filed and contains all the following items:

- Sufficient information to identify the solicitation that is the subject of the protest;
- The grounds that demonstrate how the procurement process is contrary to law or how the solicitation document is unnecessarily restrictive, is legally flawed or improperly specifies a brand name;
- Evidence or supporting documentation that supports the grounds on which the protest is based; and
- The protest must state the changes to the procurement process or the solicitation document that the prospective proposer believes will remedy the conditions upon which the protest is based.

If the protest meets these requirements, LCOG will consider the protest and issue a decision in writing. If the protest does not meet these requirements, LCOG will promptly notify the prospective proposer that the protest is untimely or that the protest failed to meet these requirements and give the reasons for the failure. LCOG will issue its decision on the protest not less than 3 business days before proposals are due, unless a written determination is made by the LCOG that

circumstances exist that justify a shorter time limit.

### 3. Opening of Proposals

- 3.1 Proposals Held Until Time for Opening.** LCOG will not examine any proposal prior to opening. The public officer designated for receipt of proposals may, as time allows, verify that the response document(s) attached to a submission was received intact, and may, but is not required to, notify a proposer that an emailed submission was received in a defective form.
- 3.2 Late Submissions.** Any proposal or modification received after the designated deadline will not be opened or considered.
- 3.3 Inspection of Proposals Submitted.** The proposals submitted will be open to public inspection after the issuance of notice of intent to award, with the exception of any information covered by an exemption to disclosure.

### 4. Proposal Evaluation and Award

- 4.1 Responsiveness.** Proposals will be reviewed by the public officer for responsiveness to the minimum requirements established by the RFP, which include at a minimum, but are not limited to:
- Submission of a completed Proposer Statements & Certifications Form in the form included as Attachment A.
  - Compliance with proposal procedures and public contracting laws.
  - Application of any applicable preferences for goods and services that have been manufactured, produced or performed in Oregon (ORS 279A.120), resident bidders (ORS 279A.120), recycled materials (ORS 279A.125), or printing performed within the State (ORS 282.210).
- 4.2 Proposal Evaluation.** LCOG will make the contract award based on the responsiveness of the actual proposals received to the requirements established in this RFP, considering qualifications, experience, resources, proposed services, proposers' past record of performance for LCOG, and other factors identified in the RFP, as well as responses received from references, interviews, and follow-up questions, if any.

Each proposal will be evaluated by the evaluation committee on the basis of the process and scoring established in Section V. Based upon evaluation of the submitted proposals, the evaluation committee may choose to conduct interviews with two or more proposers with the highest-scored proposals. Interviews may include a presentation by the proposer and questions regarding the proposal and services to be provided. Specific criteria for selection interviews, if any, will be distributed at the time interviews are scheduled.

In evaluating the proposals and selecting a contractor, LCOG reserves the rights to:

- Reject any and all proposals,
- Issue subsequent Requests for Proposals for the same or similar goods or services,
- Not award a contract for the requested services,
- Waive any irregularities or informalities,
- Accept the proposal which LCOG deems to be the most beneficial to the public and LCOG,
- Negotiate with any proposer to further amend, modify, redefine or delineate its proposal,
- Negotiate and accept, without re-advertising, the proposal of the next-highest scored proposer, in the event that a contract cannot be successfully negotiated with the selected proposer, which



may occur prior to the time a final recommendation for award is made for executive approval, and

- Further question any proposer to substantiate claims of experience, background knowledge, and ability.

- 4.3 Mistakes in Proposals.** Minor informalities may be waived. Mistakes discovered after opening where the intended correct statement or amount is clearly evident or properly substantiated may be corrected. Where the intended correct statement or amount is not clearly evident or cannot be substantiated by accompanying documents, and where the statement or amount is material to determining compliance with the minimum requirements of the RFP, the proposal may not be accepted. LCOG reserves the right to waive technical defects, discrepancies and minor irregularities, and to not award a contract when it finds such action to be in the public interest.
- 4.4 Notice of Award.** LCOG will provide written notice of its intent to award to a given proposer or proposers at least 7 days before the award, unless LCOG determines that a shorter notice period is more practicable. Unless otherwise stated in the RFP documents, the Notice of Intent to Award will be given by posting the notice on the LCOG webpage in the same location as the RFP posting.
- 4.5 Protest of Intent to Award.** Any proposer that submitted a proposal for the RFP and is not recommended for award may protest LCOG's recommendation for award. To be considered, the protesting proposer must be eligible to be awarded the contract in the event that the protest is successful. Determination on protests will be made by the LCOG decision maker. To be considered, a protest must be submitted in writing and received within 7 calendar days after the Notice of Intent to Award is posted, and must contain the grounds for the protest.
- 4.6 Rejection of Proposals.** If all proposals are rejected, new proposals may be called for in a new solicitation, or the proposals received may be considered with an opportunity for supplemental submission from those proposers that submitted proposals, if LCOG finds that it is unlikely that re-advertising would lead to greater competition. The public officer is delegated the authority to reject all proposals, prepare findings of best interests, and provide written notice of rejection of all proposals.