



**STATE OF WEST VIRGINIA & DEPARTMENT OF  
EDUCATION**

2019 WASHINGTON ST. E  
CHARLESTON WV, 25305-0130

# Lightspeed Content Filtering Solution

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Response to RFQ # EDD392953

Proposal Provided by:  
Matt Killian  
Sr. Account Manager  
BorderLAN Security

950 Boardwalk #300  
San Marcos, CA 92078  
760-736-8100 ext. 508  
[matt@borderlan.com](mailto:matt@borderlan.com)

**6/13/2013**

Includes:

- About BorderLAN and Executive Summary (Pages i and ii)
- Request for Quotation Page (required)
- 2.1.1 Section II Technical Requirements Response
- 2 References with a customer reference letter
- Addendum Acknowledgement Form
- Purchasing Affidavit
- Vendor Preference Certificate
- Women Owned Business Application
- Signature Pages Executed

06/12/13 09:10:55 AM  
West Virginia Purchasing Division





## About BorderLAN

BorderLAN is a provider of various Network Security products and services to K-12 institutions throughout the US. Since inception in 2005, BorderLAN has successfully acquired over 1000 customers nationwide. Success can be attributed to a model that favors long-term customer relationships with K12 schools.

BorderLAN offers a consultative approach to addressing the specific needs and requirements of our customers, ensuring a professional and hassle-free experience. Our customers expect the lowest prices, excellent customer service and quick, responsive technical support.

## Executive Summary

BorderLAN Inc. has reviewed in great detail your bid and requirements. It is our recommendation as experts in content filtering, learning enhancement, mobile device management and network security that in response to your RFQ EDD392953 we represent:



BorderLAN Security, a top partner of Lightspeed Systems, is best qualified to deliver a solution that meets or exceeds the product, support and service requirements of WV State and Department of Education

**Product overview** - The **Lightspeed content filtering solution** with Rocket Appliances was initially designed and continues to be developed specifically for K12 education. By catering exclusively to education, Lightspeed can focus on helping customers address industry-specific challenges.

REQUEST FOR QUOTATION  
 EDD392953 Internet Filtering and Reporting Solution

Pricing Page

Exhibit "A"

Item	Vendor Description	Quantity	Unit Cost	Total Cost
Annual software cost for Filtering Servers.* <i>Vendor to specify quantity</i>				No cost
Annual software cost for Reporting Servers.* <i>Vendor to specify quantity</i>				No cost
Annual License for filtering of client computers on K-12 network.		280,000	\$0.68	\$190,400
Annual License for mobile computers. (see note 1 below.)		10,000		No cost
Technical support and upgrades/updates for filtering solution		1 year		No cost
One Day onsite training, 6 hours. Charleston WV (see note 2 below)		1 day		No cost
Onsite installation, Charleston and Morgantown, WV (see note 2 below)		4 days		No cost
Filtering Servers (if required)* <i>Vendor is to specify quantity</i>	Lightspeed Systems Bottle Rocket	10	\$1,000.00	\$10,000.00
Reporting Servers (if required)* <i>Vendor is to specify quantity</i>	Lightspeed Systems Bottle Rocket	10	\$1,000.00	\$10,000.00
Other Hardware (if required)* <i>Vendor is to specify quantity</i>	Lightspeed Systems Load Balancer	2	\$60,000.00	\$120,000.00
Hourly rate for custom system modifications		20 hours		No cost
<b>Grand Total</b>				<b>\$330,400.00</b>

REQUEST FOR QUOTATION  
EDD392953 Internet Filtering and Reporting Solution

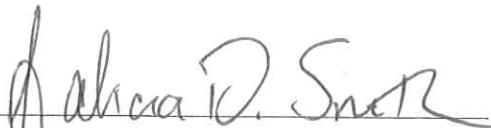
**Note 1:** A mobile computer requires special client software that will force the computer to be filtered even when it is disconnected from the K-12 network and connected to any other network which provides Internet access. If there is no price difference for mobile computers, enter the same unit cost as for computers on the K-12 network.

**Note 2:** Costs for training and installation, configuration and testing **must** be inclusive of all incidental costs. Travel expenses, training materials and other reimbursable expenses will not be paid separately. The distance between Charleston and Morgantown WV is approximately 180 miles.

**Item Pricing:**

This worksheet is for vendors to identify items, quantities and provide prices. The vendor should indicate "No Cost" or "N/A" in the appropriate cells or blanks of the cost worksheet for which there are no separate or applicable costs. Any cost area that is left blank will be assumed to be "No Cost." The vendor may add notes to explain or clarify the bid.

\* Vendor is encouraged to provide unit pricing for each of these items. However, it shall be the responsibility of the vendor to determine sufficient quantities needed for the scope of work outlined in the RFQ. For example, the quantity of servers needed to provide coverage for the WVDE's network may be set at one for vendor A, but be determined to be 5 by vendor B, due to design efficiencies.

Signature:  Date: June 11, 2013

Company Name: BorderLAN Inc

Address: 950 Boardwalk #300, San Marcos CA 92078 | \_\_\_\_\_

Phone: 760.736.8100

Fax: 860.736.8100

Email: falcia@borderlan.com



The technical responses have been provided by BorderLAN in conjunction with the Manufacturer (Lightspeed Systems).

### **2.1.1 Section II- Technical Requirements**

The vendor bid must provide an Internet filtering solution capable of filtering 200,000 total computers in a network consisting of two POPs with 280,000 users. The solution must be configured to support 100,000 client computers and 140,000 users using 10 gigabits/see of bandwidth at each POP.

The proposed Lightspeed solution is capable of filtering more than 200,000 workstations, more than 280,000 users, and 10 gigabits of bandwidth at each POP.

The vendor must provide evidence of at least on current, successful installation of the Internet filtering solution in a network configuration servicing 100,000 computers and 140,000 users with 10 gigabits/second of Internet bandwidth. This evidence must include details regarding the size and scope of the successful project(s) as well as contact name(s) and phone number(s) for customer(s) where the successful Internet filtering solution was implemented. The vendor must submit a memo from the successful customer (on customer's letterhead, dated and signed) describing the size and scope of the successful project, as well as any issues (if any) and how they were resolved.

We have installations at several large schools and consortiums, including the state of Wyoming; Kent Council in the United Kingdom; and San Diego Unified School District. Please see the included case study on san Diego Unified School District.

The filtering solution must be a POP based installation capable of providing a level of service appropriate for an Internet Service Provider (ISP); a filtering solution which involves the installation of filtering software or hardware within school districts or individual schools is not acceptable.

The proposed Lightspeed solution is configurable to meet the needs of the state of West Virginia, and can be installed as a POP-based solution.

The vendor must provide Internet filtering and reporting application software and all necessary supporting software including, but not limited to, operating system and database software.

The proposed Lightspeed solution includes all the hardware and software required to exceed the state's requirements.

The Internet filtering solution must meet the requirements of this RFQ using servers/appliances provided by the vendor or when installed on the WVDE owned equipment identified in Section I – Current Environment.

The proposed Lightspeed solution includes vendor-provided, proprietary Lightspeed Systems Rocket appliances.

The WVDE will provide server hardware, equipment racks, networking components and cabling as specified in Section I – Current Environment.  
The proposed Lightspeed solution will work in this environment.

The filtering solution must support gigabit speed, copper based, Ethernet network interfaces.  
The proposed Lightspeed solution will work in this environment.

The filtering solution must not exceed a total of 12 servers or appliances at each POP.  
The proposed Lightspeed solution will work in this environment and will not exceed 12 appliances at each POP.

The total of all hardware components of the filtering solution for each POP must be rack mountable and not occupy more than 24 units of rack space (about 48") at each POP site. The equipment must operate on 110-120 Volts AC power.  
The proposed Lightspeed solution will work in this environment.

In the event the winning bid does not meet the requirements of the RFQ when installed on vendor provided server/appliances or on the existing equipment identified in Section I- Current Environment, the vendor must provide additional servers and any other associated installation, shipping, labor and configuration expenses at no cost to the WVDE or the contract will be immediately terminated.  
We comply with this requirement.

There must be no requirement for any configuration changes of any networking equipment or computers that are connected to the private WV K-12 network at the school districts or individual schools.  
We comply with this requirement.

The filtering solution must provide client software which can be installed on mobile computers that will enforce the same filtering parameters whether a mobile computer is connected to the WV K-12 network or connected by wired or wireless networking to the Internet via any other Internet service provider. The client software must not be a VPN (virtual private networking) or similar type of client and must not rely on a web browser setting such as proxy server configuration.

The proposed Lightspeed solution provides cross-platform filtering for mobile devices, so matter what network or internet connection they are on. This does not require use of a VPN.

The filtering solution must have the capability to filter based on the IP address of the client computer and not require user authentication.

The proposed Lightspeed solution can filter based on IP.

The filtering solution must have the capability to be integrated with unified authentication systems such as LDAP and Active Directory service.



The proposed Lightspeed solution can integrate with authentication systems, including Active Directory and LDAP.

The Internet filtering solution must be engineered and operate with redundancy such that the failure of one server or appliance at a POP will not reduce the capability to provide filtering for 100,000 computer and 140,000 users at 10 gigabits/see of throughput.

The proposed Lightspeed solution will be configured to provide full redundancy.

### **2.1.2 Internet Filtering**

The filtering solution must provide a web based interface for all management and configuration tasks which can be performed by WVDE.

The proposed Lightspeed solution provides a web-based management interface.

The filtering solution must have the capability to be configured to block Internet access in the event of the failure of the filtering solution at a POP so that unfiltered Internet access is prevented.

The proposed Lightspeed solution can be configured to block Internet access in the event of a failure.

The Internet filtering solution provided as a result of the RFQ must be verified by the vendor to meet the requirements of the Children's Internet Protection Act (CIPA) (refer to <http://www.fee.gov/guides/childrens-internet-protection-act>) and the West Virginia Board of Education Policy 2460 which is available online at <http://wvde.state.wv.us/policies/policy.php?p=2460&alt=1>.

Specifically, CIPA states that technology protection measures (filtering solutions) must block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors. The filtering solution must block access to this CIPA specified content.

CIPA also states that schools receiving E-Rate must monitor the online activities of minors. Therefore, the Internet filtering solution must include the ability to configure logging of all allowed and blocked Internet requests.

The proposed Lightspeed solution is fully CIPA compliant. It blocks access to CIPA specified content; it provides monitoring and reporting on the Internet activity of minors; and it even includes a feature to help teach students about appropriate social networking and digital citizenship (a latest addition to CIPA requirements).

The filtering solution must be verified by the vendor to comply with the Children's Online Privacy Protection Act (COPPA) (refer to <http://www.ftc.gov/ogc/coppa1.htm>). The filtering process must not require the collection of any personal information from any users under the age of 13.

The proposed Lightspeed solution is fully COPPA compliant.





The filtering solution must provide the capability for the WVDE to selectively enable filtering of content based on categories of web sites or individual web sites using the http and https protocols.

Yes, The proposed Lightspeed solution can granularly allow/block web sites by categories or individual URLs, using either HHTP or HTTPS protocols.

The vendor must include all categories that the offers on the product. The vendor must not offer a reduced number of categories in an attempt to reduce costs by providing only the categories that are identified in this RFQ.

The proposed Lightspeed solution always includes our full database of billions of URLs organized into education-specific categories.

The vendor must provide, but is not limited to, the pre-populated categories of the following classification or equivalent classifications of content on web sites:

- Pornography
- Obscenity
- Dating (including sites for the purpose of establishing personal relationships)
- Gambling
- Criminal Activities (sites that condone or provide instructions for criminal activity)
- Illegal Drugs (sites that condone or provide instructions for illegal drug use, manufacturing and distribution)
- Anonymous Proxies (Anonymizers to bypass filtering or hide the true source of Internet activity)
- Computer crimes, cracking and hacking (sites that condone or provide instructions for these activities)
- Malicious code (sites that contain, distribute, or execute malicious code such as malware, viruses, root kits, bots, etc or retrieve information from computers that are infected with malicious code)
- Instant messaging sites
- Peer to peer (P2P sites)
- Phishing (fraudulent sites that imitate authentic sites, often to lure people into submitting personal or financial information.)
- Hate, racism, discrimination (sites that condone or encourage violence against or suppression of any minorities or grouping based on race, religion, sexual orientation, ethnicity or any other social grouping characteristic)

The proposed Lightspeed solution includes those categories, and many more.

The filtering solution must have the capability to allow or deny access to any individual web site, URL, or IP address whether or not it is included in any vendor provided category.

The proposed Lightspeed solution can be configured with custom allow/block lists to impose filtering policies regardless of our database categorization.

The filtering solution must have the capability to permit the WVDE to create unlimited additional custom categories.





An unlimited number of custom categories is supported.

The filtering solution must have the capability to permit the use of "regular expressions" (includes wild-card characters and other variables to specify complex text strings) when creating custom allow or deny lists of URL web addresses or search terms.  
Yes, wildcards can be used to create URL Pattern lists to allow or block access to certain sites.

The filtering solution must have the capability to block traffic related to peer-to-peer file sharing protocols.  
Yes, the Lightspeed Rocket Web Filter has the option to block any P2P protocol traffic.

The filtering solution must have the capability to enforce the "safe searching" mode of Google, Bing and Yahoo search engines, regardless of the settings chosen by an end user while accessing those search engines.  
The Lightspeed Rocket Web Filter can enforce safe search options on Google and Bing web searches as well as image search results from those search providers.

The filtering solution must provide capabilities to create manageable client groups based on IP address ranges and assign names to those groups.  
This can be achieved with our Tiered Administration feature in the Web Filter. This allows each group to be managed individually.

The capability must exist to delegate management of groups by creating additional administrators with restricted rights who can be assigned to manage filtering parameters for specific groups.  
Yes, administrators can be assigned to individual Tiers, or to the entire Root Tier structure of the web filter.  
The filtering solution must provide for customizable, granular permissions so that additional administrator/user accounts can be tailored on a user by user basis to match the rights of a user to the tasks that a user needs to perform.  
Additional users can be given limited rights to the system in our Tiered Administration. Additionally we have a number of features that limit the need for this access such as automated reporting and Web Zones.

The filtering solution must have the capability to selectively display WVDE customized "site blocked" pages based on the client group and/or the categorization for the blocked web site.  
Yes, the Lightspeed Rocket Web Filter allows you to customize the Access Page based on policy assignment, which is tied to group membership.

The filtering solution must have the capability to selectively display WVDE customized "informational" pages based on the client group and/or the categorization of web sites to which access is allowed.

Informational pages can be customized by both the client group and the categorization of the site.

The filtering solution must have the capability to be configured to only perform filtering of outgoing requests and to perform no filtering of incoming traffic.

The Lightspeed Rocket Web Filter can be configured to only filter the traffic that is being generated by the district.

The product offered by the vendor must perform Internet filtering primarily by comparing outgoing requests to a database of categorized URLs and IP addresses to determine whether an attempt to access a site on the Internet is to be blocked or permitted.

This is exactly how the Lightspeed Rocket Web Filter is designed to operate.

Any other Internet filtering methods of the filtering solution, such as “on the fly” evaluation of incoming content, must be able to be selectively disabled at the option of the WVDE.

All “on the fly” evaluation features in The Lightspeed Rocket Web Filter can be selectively disabled.

The filtering solution must provide a web based display of status and performance graphs for all components of the filtering solution.

The Lightspeed Rocket Web Filter Dashboard shows statistics for traffic being passed, total sessions, filtered sessions, Parent/Child sync, Recent Search Queries, and CPU, Memory, and Disk utilization.

The filtering solution must have the capability for the WVDE to set customized filtering policies based on the time of day and the day of the week for individual IP addresses and/or groups of client IP addresses.

The Lightspeed Rocket Web Filter includes “Advanced Rule Sets” which are Day / Time based policies.

The Internet filtering solution must not masquerade, spoof or change the source IP address of the computers on the K-12 network. The source IP address of the client computer must be passed to the PIX firewall.

The Lightspeed Rocket Web Filter is a Transparent Bridge network device, thus, all traffic is passed to the firewall in an unmodified state.

The Internet filtering and reporting servers must operate on and report on the 10.0.0.0 private network IP addresses of the WVDE K-12 network.

Yes, the solution meets those requirements.

The filtering solution must have a synchronization capability. Synchronization means that when the WVDE makes a filtering configuration change using the web management tool, that change will be distributed to all of the filtering servers at both POPs. That change distribution must take effect automatically within 5 minutes after



the act of saving the configuration change, or be accomplished manually with no more than 5 mouse clicks after the configuration change is saved.

The Lightspeed Rocket Web Filter offers a Parent/Child synchronization model, which allows administrators to make a change on a parent device, and have that change immediately be propagated out to the child filtering devices. There is no further need for intervention to make these changes happen.

### **2.1.3 Internet Use Reporting**

The filtering solution must provide a web-based reporting application and a minimum of one terabyte of log file storage at each POP.

Yes, the Lightspeed Rocket Web Filter ships with 1TB of storage space built in for reports, but you can also utilize any iSCSI capable storage device to move report retention off the appliance if desired.

The filtering solution must provide a method for the WVDE to download log files in a generic text format for analysis and archival storage.

Yes, all reports can be exported to generic text format.

Complete details of web browsing activity must be stored in log files and must include, at a minimum, the complete URL, date and time and IP address of the client computer.

Yes, The proposed Lightspeed solution can provide full URL detail.

All end user functions of the reporting application must be accessible via a web interface.

Yes, all reporting is accessible via the web-based interface.

The reporting solution must provide the capability to create reports based on specific IP address, web site address, date and time of day.

Yes, the Lightspeed Rocket Web Filter allows you to create reports based on any of these criteria by applying filters.

The reporting capabilities must include the ability to schedule aggregate reports of web site accesses by categories, ranges of IP addresses and time periods.

Yes, the Lightspeed Rocket Web Filter allows scheduled running of ANY report in the system.

The reporting capabilities must include the ability to create "on demand" custom reports on selected client IP addresses, specific URLs and time periods.

Yes, the Lightspeed Rocket Web Filter allows you to create custom reports at any time which can then be accessed quickly through a favorites section of the reporting interface.

### **2.1.4 Invoicing**



The costs for software and the annual licensing for Internet filtering shall be invoiced upon delivery and acceptance by the WVDE. The technical support costs are payable in arrears according to the state of West Virginia terms of payment and shall be invoiced not more than one time per month.”

### **2.1.5 Vendor Requirements**

The vendor is solely responsible for all work performed under the contract and for all services offered and products to be delivered under the terms of this contract.

If the successful vendor is not the direct source, the vendor must provide documentation of being an authorized reseller to provide the equipment, filtering updates, maintenance and technical support. This documentation must be provided upon request from Agency.

BorderLAN In conjunction with Lightspeed will supply Onsite assistance for successful deployment. All support necessary to ensure a successful deployment is included in the cost of this Bid.

### **2.1.6 Service Requirements**

The vendor must provide modification or replacement of software that fails to perform according to be specifications. The vendor also must provide any software upgrades, at no cost to the WVDE, that are necessary during the term of the contract in order to continue to meet the Internet filtering capabilities specified. This requirement includes replacement, at no cost to the WVDE, which may be necessary due to possible end-of-life designation by the manufacturer.

The WVDE network staff will provide and maintain WVDE provided servers, associated networking hardware and wiring. The WVDE network engineers will be responsible for load balancing network traffic to the servers of the filtering solutions. The WVDE will be responsible for purchasing additional servers and network hardware when necessary to accommodate increases in bandwidth or increases in the number of clients to be filtered.

The filtering solution installation, configuration and testing at both the Charleston and Morgantown POP sites must be completed by the vendor within 20 days after the award of the contract. The vendor is responsible for any transportation, and lodging costs of the installer, as well as for any freight or shipping charges for equipment.

The Internet filtering solution must support the bandwidth requirements of 10 gigabits/sec and 100,000 client computers/ 140,000 users at each one of the two POPs as identified in the specifications in Section II-Technical Requirements.

The vendor understands that technical support includes verifying that all hardware and/or software remains operational in the event of WVDE modification, replacement or upgrade of any servers or network configurations that impact the functioning of the filtering solution. These costs are to be included in the line item for technical support on the cost page.

Toll-free telephone and e-mail technical support must be available 7:00 AM to 5:00 PM Monday through Friday, Eastern Time (GMT -0500) for designated WVDE networking staff. Any costs associated with this requirement are to be included in the line item for technical support on the cost page.



The vendor must provide a function that permits any user of the WV K-12 network to submit a web site to be reviewed and appropriately categorized by the vendor. This function allows the vendor to receive feedback with the intent of improving delivery of services or product functionality.

**2.1.7 Vendor Response**

The vendor shall complete the Cost Worksheet.  
The vendor must provide evidence of at least on current, successful installation of the Internet filtering solution in a network configuration servicing 100,000 or more computers/ 140,000 users with 10 gigabits/second or more on Internet bandwidth. The following table shall be used in the vendors response.

Project Name	Contact name and phone number	# of computers filtered	# of users supported	Internet bandwidth
San Diego Unified School District	Barbara Allen, 619-668-8635	120,000	140,000	10 GB
Erie 1 BOCES	Ron Ternowski, 716-821-7049	120,000	213,000	6 GB

END OF RESPONSE



**San Diego Unified**  
SCHOOL DISTRICT

**Darryl LaGace**  
Chief Information and Technology Officer  
Integrated Technology Support Services  
P - 619.260.5473  
F - 619.725.7497  
dlagace@sandi.net

2/13/2011

To Whom It May Concern,

I understand you are considering Lightspeed Systems as a provider of network solutions and filtering for your district. I am happy to share my experience with you. I have been using Lightspeed Systems at San Diego Unified School District since 2008. Before that, I used Lightspeed solutions at another district; because I liked the product and the company, when I switched districts I chose to bring Lightspeed in as well. The size and complexity of the San Diego Unified network meant we faced some new challenges—but the Lightspeed solution and team have met them every step of the way.

As I'm sure you know, with complex network infrastructures and high throughput volumes, a standard off-the-shelf filtering solution just isn't adequate. The Lightspeed High-Capacity filtering appliance, coupled with a team of knowledgeable, dedicated support engineers who go out of their way to help, have given me and the district a highly functional, fast solution for web filtering and mobile filtering—with additional features that benefit me, such as tiered administration, reporting, and granular policy control; and that benefit my users, such as a safe YouTube video library. Not only did the Lightspeed engineers come to my site to assist with my initial install, they also worked closely with me every step of the way as I upgraded my network infrastructure and implemented new solutions. They even created new product features based on my requests.

The San Diego Unified School District has 65,000 workstations and is in the midst of a 30,000 netbook roll-out and has traffic greater than 1Gb throughput/day. The Lightspeed 10Gb High-Capacity Web Filtering appliance easily handles my traffic, and gives me the scalability my district needs as we continue to grow. On top of the quality product, the Lightspeed team has provided an amazing level of support and service at a local level.

I do not hesitate to recommend Lightspeed Systems to your district.

Sincerely,

**Darryl LaGace**  
Chief Information and Technology Officer  
San Diego Unified School District





BorderLAN Inc.  
950 Boardwalk # 300  
San Marcos, CA 92078  
www.borderlan.com  
760.736.8100

6/11/2013

WV Purchasing  
2019 Washington St. E  
Charleston WV 25305

Vendor Certification of Small Women Owned Business and Disclosure

We have completed and are applying for a Small Women Owned Business status with your State. Our business entity is majority owned 51% or more by a Women and our status complies with the provisions outlined in West Virginia Code 5A-59. BorderLAN Inc., which I own is a California Corporation, and is currently registered and approved as a Small Business women owned in California.

Sincerely,

Falcia Smith  
CFO/CEO  
falcia@borderlan.com

Date 6/11/13



STATE OF WEST VIRGINIA - PURCHASING DIVISION

**VENDOR REGISTRATION AND DISCLOSURE STATEMENT  
AND SMALL, WOMEN-, AND MINORITY-OWNED BUSINESS  
CERTIFICATION APPLICATION**

Before a vendor is eligible to sell goods and/or services to the State of West Virginia, the *West Virginia Code* §5A-3-12 requires all vendors to have on file with the West Virginia Purchasing Division a completed Vendor Registration and Disclosure Statement. Vendors supplying sole source goods or services to West Virginia state agencies, or competitive purchases of \$1,000 or less annually are required to complete the Vendor Registration and Disclosure Statement (WV-1A form). If the amount for competitive purchases exceed \$1,000 in any one year, a \$125.00 annual fee is required. Payment of the annual fee includes access to the weekly *West Virginia Purchasing Bulletin* that advertises purchases expected to exceed \$25,000 which is available online at <http://www.state.wv.us/admin/purchase/newbul.htm>. Please complete Part I of this form in its ENTIRETY and return to the state agency listed below for their completion of Part II. The agency will forward this form to the West Virginia Purchasing Division for processing. Incomplete forms will not be processed and will be returned to the vendor. Please return all correspondence to:

STATE AGENCY: West Virginia Department of Administration

ADDRESS: 2019 Washington Street East

CITY, STATE, ZIP: Charleston, WV 25305-0130

Whenever a change occurs in the information submitted, such change shall be reported immediately in the same manner as required in the original disclosure statement (*West Virginia Code* §5A-3-12). Vendors doing business with the State of West Virginia are expected to abide by the *Vendor Code of Conduct* available online at <http://www.state.wv.us/admin/purchase/vrc/vendorconduct.pdf>.

**Privacy Notice:** The Purchasing Division is required to collect certain information as stated in *West Virginia Code* §5A-3-12, other applicable sections of the *West Virginia Code*, the Vendor Registration and Disclosure Statement forms, and other documents to facilitate the state bidding and contract administration processes. This information is stored in a secure environment, but unless specifically protected under state law, any information provided may be inspected by or disclosed to the public.

Vendors are also required to be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or other state agencies or political subdivisions. Failure to do so may result in delay of or disqualification from a contract award, pursuant to *West Virginia Code of State Rules* §148-1-6.1.7. If you have any questions concerning this *Vendor Registration and Disclosure Statement*, please contact the Purchasing Division at (304) 558-2311.

PLEASE TYPE OR CLEARLY PRINT ALL INFORMATION

Part 1: To Be Completed by the Vendor and Returned to the State Agency Listed Above

1. Legal Name of Company/Individual BorderLAN Inc.  
Bidding Address 950 Boardwalk #300  
San Marcos CA , 92078  
City/State/Zip Falicia Smith  
Contact Person 7607368100 8607368100  
Telephone Number Fax Number

## VENDOR REGISTRATION AND DISCLOSURE STATEMENT AND SMALL, WOMEN-, AND MINORITY-OWNED BUSINESS CERTIFICATION APPLICATION

PLEASE TYPE OR CLEARLY PRINT ALL INFORMATION  
To Be Completed by the Vendor and Returned to the Purchasing Division

2. Vendor Classified As:

- |  |   |
|--|---|
| <input type="checkbox"/> Individual<br><input type="checkbox"/> Sole Proprietor<br><input type="checkbox"/> Non-Profit Organization<br><input checked="" type="checkbox"/> Corporation<br><input type="checkbox"/> Governmental Entity | <input type="checkbox"/> Estate/Trust<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Limited Liability Company (LLC)<br><i>[Enter tax classification: D=Disregarded Entity; C=Corporation; P=Partnership] ____</i><br><input type="checkbox"/> Other (Explain) _____ |
|--|---|

3. If you have a Federal Employer's Identification Number, enter it. All partnerships, corporations, or companies with employees must have a FEIN.

FEIN

If you do not have a FEIN, please enter Social Security Number below.

SSN

4. (A) *Small, Women-Owned, Minority-Owned Businesses*

**West Virginia Code** §5A-3-59 establishes a procurement certification program in West Virginia for small, women-, and minority-owned businesses. Requirements related to the certification program are provided in the **West Virginia Code of State Rules** §148-2-1 et seq. Note that this certification provides nonresident vendors preference that is equivalent to competing resident (West Virginia) vendors that have applied for resident vendor preference, in accordance with **West Virginia Code** §5A-3-37. This certification may assist resident small, women-, and minority-owned businesses when soliciting business in other states.

**Certification of Status** (Check all those which apply)

- Minority-owned Business** [1] means a business concern that is at least fifty-one percent owned by one or more minority individuals or in the case of a corporation, partnership, or limited liability company or other entity, at least fifty-one percent of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more minority individuals and both the management and daily business operations are controlled by one or more minority individuals.
  - A "minority individual" means an individual who is a citizen of the United States or a noncitizen who is in full compliance with United States immigration law and who satisfies one or more of the following definitions:
    - **African American** means a person having origins in any of the original peoples of Africa and who is regarded as such by the community of which this person claims to be a part.
    - **Asian American** means a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands, including, but not limited to, Japan, China, Vietnam, Samoa, Laos, Cambodia, Taiwan, Northern Mariana, the Philippines, a U.S. territory of the Pacific, India, Pakistan, Bangladesh, or Sri Lanka and who is regarded as such by the community of which this person claims to be a part.

# VENDOR REGISTRATION AND DISCLOSURE STATEMENT AND SMALL, WOMEN-, AND MINORITY-OWNED BUSINESS CERTIFICATION APPLICATION

PLEASE TYPE OR CLEARLY PRINT ALL INFORMATION  
To Be Completed by the Vendor and Returned to the Purchasing Division

- Hispanic American** means a person having origins in any of the Spanish-speaking peoples of Mexico, South or Central America, or the Caribbean Islands or other Spanish or Portuguese cultures and who is regarded as such by the community of which this person claims to be a part.
- Native American** means a person having origins in any of the original peoples of North America and who is regarded as such by the community of which this person claims to be a part or who is recognized by a tribal organization.
- Small Business [2]** means a business, independently owned or operated by one or more persons who are citizens of the United States or noncitizens who are in full compliance with United States immigration law, which, together with affiliates, has two hundred fifty or fewer employees, or average annual gross receipts of \$10 million or less averaged over the previous three years.
- Women-owned Business [3]** means a business concern that is at least fifty-one percent owned by one or more women who are citizens of the United States or noncitizens who are in full compliance with United States immigration law, or in the case of a corporation, partnership or limited liability company or other entity, at least fifty-one percent of the equity ownership interest is owned by one or more women who are citizens of the United States or noncitizens who are in full compliance with United States immigration law, and both the management and daily business operations are controlled by one or more women who are citizens of the United States or noncitizens who are in full compliance with United States immigration law.

## (B) Other Federal Designations

Additionally, by providing the following information, I represent that this enterprise is a small business as defined by the **Code of Federal Regulations**, Title 13, Part 121, as appended - which contains detailed industry definitions and related procedures - and/or the characteristics of the enterprise's control, operation and/or ownership are accurately reflected in the information provided. *Check all that apply.*

- Disabled Small Business Ownership [4]
- Veteran Small Business Ownership [5]

- 
5. Are you registering as a new vendor with the Purchasing Division?  No  Yes
- 
6. Are you updating the information previously submitted?  No  Yes
- 
7. Do you wish to receive access to the *West Virginia Purchasing Bulletin*?  No  Yes

*If so, please include a check or money order in the amount of \$125.00, payable to the State of West Virginia.*

**VENDOR REGISTRATION AND DISCLOSURE STATEMENT AND SMALL, WOMEN-, AND MINORITY-OWNED BUSINESS CERTIFICATION APPLICATION**

PLEASE TYPE OR CLEARLY PRINT ALL INFORMATION  
To Be Completed by the Vendor and Returned to the Purchasing Division

8. Are you completing this form to register a branch/division/subsidiary?  No  Yes  
If yes, please list the parent company's name, address, and FEIN.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

FEIN: \_\_\_\_\_

9. Has the vendor done business under another name? If so, list the name and address under which the business was conducted.

Name	Street Address, City, and State
------	---------------------------------

_____	_____
-------	-------

10. List the name, title, city and state of residence for all owners/officers.

If the vendor is an **individual**, list his or her name and city and state of residence, and, if he or she has associates or partners sharing in his or her business, list their names and city and state of residence. If the vendor is a **firm**, list the name and city and state of residence of each member, partner or associate of the firm. If the vendor is a **corporation** created under the laws of this state or authorized to do business in this state, list the names and city and state of residence of the president, vice president, secretary, treasurer and general manager, if any, of the corporation; and the names and city and state of residence of each stockholder of the corporation owning or holding at least ten percent of the capital stock thereof. Attach an additional sheet if space is needed.

Name	Position	City and State of Residence
Falicia Smith	CFO / CEO	San Marcos CA
Craig Smith	President	San Marcos CA

If the vendor has only one owner/officer, list the name, position, and city and state of residence above and please initial here: \_\_\_\_\_

11. List the name and telephone number of one or more banking institutions to serve as reference for the vendor.

Tel 760.432.5398 Wells Fargo

760.445.3275 (cell) Wells Fargo

12. What is the latest Dun & Bradstreet number and rating on the vendor (if available)? 626513654 Excellent

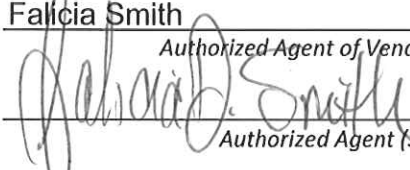
**VENDOR REGISTRATION AND DISCLOSURE STATEMENT AND SMALL, WOMEN-, AND MINORITY-OWNED BUSINESS CERTIFICATION APPLICATION**

PLEASE TYPE OR CLEARLY PRINT ALL INFORMATION  
To Be Completed by the Vendor and Returned to the Purchasing Division

13. Is the vendor acting as an agent for some other individual, firm or corporation? If yes, attach statement of the principal authorizing such representation.  No  Yes

By signing below and submitting this form, the vendor certifies and acknowledges that: 1) it has obtained all licenses, certifications, and authorizations necessary to lawfully conduct business in the state of West Virginia; and 2) that the assertions made by completing this form and delivering it to the Purchasing Division are accurate and true in accordance with the applicable law and rules. As authorized agent of the vendor named herein, I do solemnly swear that the above information is true and complete, in accordance with *West Virginia Code* §5A-3-12(e).

In the event that the vendor is applying for certification as a small, women-, or minority-owned business, the vendor's signature below further certifies that: 1) the state in which the vendor has its headquarters or principal place of business does not deny a like certification to a West Virginia based small, women-owned, or minority-owned business; 2) the state in which the vendor has its headquarters or principal place of business does not provide a preference to small, women-owned, or minority-owned firms that is unavailable to West Virginia based businesses; and, 3) that it has read and understands this form, along with the law and rules governing certification as a small, women-owned, or minority-owned business.

Falicia Smith  
 \_\_\_\_\_  
 Authorized Agent of Vendor (Print Name)  
  
 \_\_\_\_\_  
 Authorized Agent (Signature)  
 CFO CEO  
 \_\_\_\_\_  
 Title  
 6/11/13  
 \_\_\_\_\_  
 Date

<b>PURCHASING DIVISION USE ONLY</b>	
Vendor ID:	_____
Action:	_____
Date:	_____
Entered by:	_____

**Part II: FOR STATE USE ONLY - To Be Completed by State Agency and Returned to Purchasing Division**

1. Please provide a brief, but concise description of the goods and/or services the vendor is providing and the exemption code, if applicable.

2. Are the goods and/or services provided by this vendor competitive in nature?  No  Yes

3. Will the goods and/or services provided by this vendor exceed \$1,000?  No  Yes

State Agency Procurement Officer Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Telephone No. \_\_\_\_\_ FAX No. \_\_\_\_\_

Return to: WV Purchasing Division Vendor Registration 2019 Washington Street, East P.O. Box 50130 Charleston, WV 25305-0130
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Attachment  
PO# EDD392953

This agreement constitutes the entire agreement between the parties, and there are no other terms and conditions applicable to the licenses granted hereunder.

Agreed

John D. Font 6/11/13  
Signature                      Date

CEO / CEO  
Title

BorderLAN Inc  
Company Name

\_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Agency/Division



State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1. Application is made for 2.5% resident vendor preference for the reason checked:

- Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,

2. Application is made for 2.5% resident vendor preference for the reason checked:

Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

3. Application is made for 2.5% resident vendor preference for the reason checked:

Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

4. Application is made for 5% resident vendor preference for the reason checked:

Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,

5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,

6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.

Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: BorderLAN Inc

Signed: [Signature]

Date: 6/11/13

Title: CFO/CEO



RFQ No. EDD392953

STATE OF WEST VIRGINIA  
Purchasing Division  
**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

**DEFINITIONS:**

**"Debt"** means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"Related party"** means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: BordersLAN Inc

Authorized Signature: [Signature] Date: 6/11/13

State of \_\_\_\_\_

County of \_\_\_\_\_, to-wit:

Taken, subscribed, and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My Commission expires \_\_\_\_\_, 20\_\_.

**AFFIX SEAL HERE**

**NOTARY PUBLIC** \_\_\_\_\_

*Purchasing Affidavit (Revised 07/01/2012)*

SEE ATTACHMENT



# CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)  
 See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_

Signature of Document Signer No. 1 \_\_\_\_\_ Signature of Document Signer No. 2 (if any) \_\_\_\_\_

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this

11<sup>th</sup> day of June, 2013, by  
Date Month Year

(1) Craig Smith,  
Name of Signer

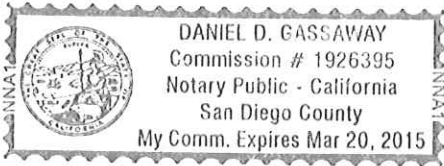
proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (X)

(and

(2) \_\_\_\_\_,  
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature \_\_\_\_\_  
Signature of Notary Public



Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Further Description of Any Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER #1  
Top of thumb here

RIGHT THUMBPRINT  
OF SIGNER #2  
Top of thumb here



**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.:** EDD392953

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input type="checkbox"/> Addendum No. 2            | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3            | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5            | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Border LAN Inc  
 Company  
Salvador D. Smith  
 Authorized Signature  
6/11/13  
 Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

BorderLAN Inc  
(Company)

Falicia D Smith  
(Authorized Signature)

Falicia Smith CFO/CEO  
(Representative Name, Title)

760.736.8100      FAX 860.736.8100  
(Phone Number)                      (Fax Number)

6/11/13  
(Date)