



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
DEV1224

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

WV DEVELOPMENT OFFICE
 ADMINISTRATION
 BUILDING 6, ROOM 645
 1900 KANAWHA BOULEVARD, EAST
 CHARLESTON, WV
 25305-0311 304-558-0350

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
11/14/2011				

BID OPENING DATE: 11/29/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM IS ISSUED TO:						
1) PROVIDE THE ATTACHED TECHNICAL QUESTIONS & ANSWERS.						
2) CHANGE THE BID OPENING DATE AND TIME.						
BID OPENING DATE CHANGED TO: 11/29/2011.						
BID OPENING TIME: 1:30 PM.						
***** END ADDENDUM NO. 1 *****						
0001	1	LS		961-20		
CONSULTING SERVICES						
REQUEST FOR PROPOSAL (RFP)						
THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY,						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.html and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
15. **LICENSING:** Vendors must 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, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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<p>THE WEST VIRGINIA DEVELOPMENT OFFICE IS SEEKING PROPOSALS FROM QUALIFIED CONSULTANTS TO PROVIDE CONSULTING SERVICES AND INDPENENDANT ANALYSIS OF THE STATE'S CURRENT BROADBAND INFRASTRUCTURE PER THE ATTACHED SPECIFICATIONS.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VOA FAX AT 304-558-4115 DEADLINE FOR ALL TECHNICAL QUESTIONS IS 11/03/2011 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE</p>						

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<p>ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY</p>						

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ELECTRONIC MEDIUM SUCH AS CD-ROM. REV. 05/26/2009 NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: 44 RFQ. NO.: DEV1224 BID OPENING DATE: 11/22/2011 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: -----						

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CONTACT PERSON (PLEASE PRINT CLEARLY):						

***** THIS IS THE END OF RFQ DEV1224 ***** TOTAL: _____						

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RESPONSE TO TECHNICAL QUESTIONS RELATING TO RFQ DEV1224

2.3.1.3 Advisory, assessment and program support for state and federal regulatory, federal funding programs, and Universal Service Fund reforms including an assessment of where existing Federal and State funding is underutilized as evidenced by verifiable delivered work product pertaining to same.

- o A company may not have any evidence to respond to this requirement, is this a key requirement for this bid?

Response: Yes. It is expected that each vendor be able to show previous experience in each area for which the vendor is claiming to have experience or expertise. Each vendor will be scored based on its qualifications and experience in the listed areas.

2.3.3 Strategic Communications – Initiating public awareness campaigns to include promotions of standards and best practices.

- o Does a lack of response to a particular item preclude the award of the entire bid? Is the RFQ “all or nothing?”

Response: The WVDO currently expects to make a single award. Each vendor proposal will be scored based on the vendor’s shown qualifications and experience in the listed areas.

2.4.2 Goal/Objective 2: An assessment of federal programs and policies, including those at the National Telecommunications and Information Administration, the Federal Communications Commission and the U.S. Department of Agriculture that will impact the state and its broadband plans.

- o What are the identified programs and policies to be assessed?

Response: Any programs or policies inherent in the mission and activities of the National Telecommunications and Information Administration and any programs or policies inherent in the missions and activities of the Federal Communications Commission and the U.S. Department of Agriculture connected to the development and adoption of broadband technologies.

- o How many of the programs and policies are to be included?

Response: Please see above response.

2.4.4. Goal/ Objective 4: An analysis of the Universal Service Fund as it relates to West Virginia’s current community of service providers and in anticipation of forthcoming changes at the federal level/initiation of the Connect America Fund to include potential

impact on West Virginia's citizens of the forthcoming changes and solutions to lessen any anticipated impact.

- Who are the current West Virginia community of service providers?

Response: See the below link to the West Virginia Public Service Commission website.

http://www.psc.state.wv.us/Universal_Service/default.htm

- What are the types of West Virginia citizens and the service providers that they employ?

Response: The demographics of the citizens of West Virginia as relates to broadband will be revealed by the work performed by the successful vendor.

- What are the relevant, forthcoming changes to the Connect America Fund?

Response: The FCC has recently decided to initiate the Connect America Fund. The effort is focused on underwriting the cost of building and operating high-speed Internet where it is too sparsely populated to justify corporate or private investment. It is anticipated that \$500 million of the \$4.5 billion annual fund will go to a "mobility fund" to help build mobile broadband networks in geographic areas unable to garner corporate or private investment.

2.4.5. Goal/Objective 5: A review and analysis and report of findings focused on the current State broadband map with regard to national standards, best practices, levels of granularity and inclusion of all current broadband technologies being offered in West Virginia (wire line, wireless, fiber, satellite) in an effort to monitor, assess, and influence broadband infrastructure deployment, affordability and sustainability moving forward.

- Are the wire line, wireless, fiber, and satellite technologies the only ones under consideration?

Response: All current broadband technologies should be considered. The primary focus will include wire line, wireless, fiber and satellite technologies.

- What are the anticipated methods of monitoring, assessing and deploying broadband related services?

Response: The anticipated methods of monitoring, assessing and deploying broadband related services are to be determined, in part, via the work to be done by the successful vendor as a result of this RFP.

- What are the assessment criteria being considered?

Response: The criteria to be considered are to be determined, in part, via the work to be done by the successful vendor as a result of this RFP.

2.4.7. Goal/Objective 7: An analysis of opportunities to leverage additional funding with State-based resources around the development, deployment and adoption of broadband technologies to include specific market opportunities and technical assistance around addressing any identified opportunities.

- Are there any current, identified opportunities to leverage additional funding with State-based resources?

Response: Not at this time.

- Are there any current, identified specific marketing opportunities?

Response: Opportunities will evolve as project develops by the successful vendor.

- Is RFP DEV1224 to provide an advisory role on the stated goals/objectives 2.4.1 to 2.4.8, or is it to fully undertake and execute on all stated goals/objectives?

Response: The intended purpose of the RFP is to identify a vendor with the capabilities to provide consultancy services and analysis of the State's current broadband infrastructure, policies, and opportunities given the requirements listed in the RFP.

- Is there an incumbent to this effort?

Response: There is none specific to this RFP.

- Does the state plan on requiring oral presentations?

Response: The WVDO does plan on inviting qualified vendors to participate in oral presentations; however, a time and place have yet to be determined.

- On page 10, paragraph 3.4.1, states that the RFP shall be submitted to the Purchasing division, 2019 Washington Street, East, PO 50130. On the cover page, the ship to address is different. Which address should the proposals be delivered to?

Response: See Page 4 of the RFP.

- On page 16, under Attachment A: Vendor Response Sheet, there is a requirement for a list of three projects under 2.3.1 and the subtasks. It is our

assumption that the same references can be used to demonstrate multiple sub bullets and that the bidders may respond with three projects (or more) but that a total of 15 sample projects are not required.

Response: The WVDO is not requiring a total of 15 different projects that demonstrate a vendor's qualifications and experience. References may be used to satisfy sub-bullets.

- o When does the state expect to make an award?

Response: The WVDO expects an aggressive timeline of review and determination of award. Currently, the WVDO anticipates making award as close to January 1, 2012 as possible.

- o Upon award, how will the State task and authorize work from the success bidder?

Response: The WV Secretary of Commerce or designee will assign specific tasks and the cost to perform these tasks, as well as a completion date with the successful vendor.

- o Based on the proposal format set forth in Section 3.3 (page 9), it appears that our response to Attachment A (pages 16-18) should all be presented under a single tab. However, the Attachment requests a great deal of information (e.g., firm qualifications, staff qualifications, references, copies of certifications, and response to the project goals and objectives). For ease of the Evaluation Team's review, would it be acceptable to break out our response to Attachment a under separate sub-tabs in the following format:

Tab 1: Firm Qualifications (including a response to 2.31 through 2.3.3)

Response: Yes.

- o Attachment A, Section 2.3.1 contains five sub-sections (2.3.1.1 through 2.3.1.5), all of which appear to be requesting the same information. Please confirm you are only seeking a minimum of three projects to support our experience providing industry and policy analysis, state and federal funding analysis, and strategic planning support.

Response: The WVDO is seeking a minimum of three projects for each sub-section. A vendor may use a single project to illustrate qualifications and experience in more than one sub-section.

- Attachment A, Section 2.3.2 requires at least one reference associated with specialized broadband mapping. Based on our review of the scope of services sought by the State, it does not appear that broadband mapping is a part of this project. Please clarify the request for broadband mapping expertise.

Response: With regard to Section 2.3.2 "Specialized Broadband Mapping," the WVDO is seeking a vendor that is able to demonstrate the ability to assist the State with meeting the standards outlined by the NTIA for broadband-related mapping. All vendor-submitted qualifications and experience around broadband-related mapping will be taken into consideration.

- Attachment A, Section 2.3.2 requires at least one reference associated with completion of a public awareness campaign. Based on our review of the scope of services sought by the State, it does not appear that strategic communications is part of this project. Please clarify the request for strategic communications expertise.

Response: With regard to Section 2.3.2 "Strategic Communications," the WVDO is seeking a vendor that is able to demonstrate the ability to assist the State with designing, implementing and measuring a public awareness campaign focused generally on increasing broadband adoption rates among WV-based businesses and the State's diversified citizenry.

- Since Attachment B does not contain any Mandatory Specifications, please confirm that this form is still required.

Response: Each vendor submitting a proposal should complete Attachment B to acknowledge that they fully reviewed the RFP.