



Procurement, Contracts and Materials Management (PCMM)
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September 26, 2017

EMAIL ONLY

To: Level (3) Communications
Research and Education
Government Markets Group
10475 Park Meadows Drive
Lone Tree, CO 80124
Attn: Stan Aschenbrenner

RE: Notification of Intent to Award for Statewide Dark Fiber
Title: Indefeasible Right to Use and Facilities Agreement for Dark Fiber Statewide

Congratulations, your firm is one of four selected for negotiations of an Indefeasible Right to Use (“IRU”) #191249 and Facilities Agreement #191250 for Statewide Dark Fiber for Oregon State University. Please reference the IRU and Facilities Agreement numbers in all correspondence related to these agreements. Jon Dolan, Assistant Vice Provost, Infrastructure and Operations, Information Services or Oregon State University will be the Contract Administrator for the IRU and Facilities Agreement.

Please respond to this Intent to Award (“ITA”) before September 29th, 2017, stating your firm’s decision regarding this ITA. OSU will provide a draft IRU and Facilities Agreement for review when a confirmation of acceptance of this ITA is received from your firm.

Sincerely,

Ben Baggett
Procurement Contract Officer
Enclosure

cc: Jon Dolan, Tamara Gash, Heather Wyland

The Following Are Award Requirements for the Proposed IRU and Facilities Agreement:

The submittal requirements in this section apply only to Proposers that receive an Intent to Award notice following Oregon State University’s selection.

1. Certificates of Insurance

Selected Proposer(s) shall provide Certificates of Insurance to OSU for levels of insurance coverage shown in the final draft of the IRU prior to execution of the IRU. Selected Proposers that have current

Certificates of Insurance (with all required coverages and not project-specific) on file with Oregon State University will not be required to resubmit these.

2. COI Disclosure

If any disclosures are required that were not disclosed with the Proposal submittal (or that occurred or were discovered since the Proposal submittal), the selected Proposer shall complete and submit a signed COI Disclosure Form within 14 days of receipt of Intent to Award notice. The selected Proposer shall incorporate in each required COI Disclosure Form any COI disclosure information provided by its staff and attach the COI Disclosure Forms from each of its subcontractors (that have required disclosures per the OSU Conflict of Interest Guidelines), prior to such subcontractor providing any services under this award.

The OSU Conflict of Interest Guidelines and COI Disclosure Form are attached to this email.

If, following review of a Proposer's COI Disclosure Form(s), a Proposer selected for tentative award is determined to have a Conflict of Interest that cannot reasonably be mitigated to OSU's satisfaction; the tentative award to that Proposer may be withdrawn. At OSU's discretion, tentative award may then be made to another Proposer.

3. LIST OF SUBCONTRACTORS

Selected Proposer shall submit a list of subcontractors electronically in MS Word format including the following: Name of subcontractor firm, contact name, email, phone Number and discipline or type of work to be performed or services to be provided. List subcontractors, if any, proposed for use.

4. CONTRACTOR RESPONSIBILITY

Selected Proposer shall submit a signed **Responsibility Inquiry Form** within 14 business days of receipt of Intent to Award notice (see attached form for additional information regarding OSU's responsibility review). The form provided (as an electronic MS Word file) must be signed and may be submitted as hard copy or electronically via fax or email.

Proposer is responsible for any and all contractual matters, including performance of Services and the required deliverables finalized in the resulting Agreement(s) with OSU, whether Contractor, a subcontractor, or a representative of Contractor, produces them.

5. BUSINESS REGISTRY NUMBER/REGISTERED AGENT

If selected for award, Proposer must be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the IRU and Facilities Agreement. The selected Proposer shall submit a current Oregon Secretary of State business registry number (unless operating as your real and true name). See **process for obtaining a business registry number**. All Corporations and other business entities (domestic and foreign) must have a Registered Agent in Oregon. See requirements and exceptions regarding **Registered Agents**.

6. TAX ID NUMBER

The selected Proposer(s) shall provide their Taxpayer Identification Number (TIN) and backup withholding status on a completed **W-9 form** if either of the following apply:

- When requested by OSU (normally in an Intent to Award Notice), or
- When the backup withholding status or any other information of Proposer has changed since the last submitted W-9 form, if any.

No payment can be made until a properly completed W-9 is on file with OSU.