



INVEST NEWARK

**Invest Newark
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REQUEST FOR QUALIFICATIONS (RFQ)

Municipal Fiber Infrastructure and Broadband Provision Services

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PROJECT OVERVIEW

Invest Newark issues this Request for Qualifications (RFQ) and invites qualified, highly experienced firms (“vendor”) to submit responses for providing strategy, assessment, asset management, and provision of high-capacity broadband services over fiber and fixed wireless services to municipal, residential and commercial users utilizing the existing City of Newark (“City” or “city”) fiber optic network infrastructure. The City is dedicated to ensuring the highest standards of fiber network connectivity, performance, and reliability for our community. Our vision is to engage a service provider that brings not only expertise but also a commitment to ensuring the ongoing integrity of our network.

The requested services are crucial for supporting:

Maintenance of Outside Plant - The City’s Outside Plant (OSP) consisting of fiber optic cable, fiber splice enclosures, fiber termination panels, conduits, manholes, handholes, pole attachments, and associated infrastructure in and around the city of Newark. This infrastructure includes approximately 40 miles of fiber cable. Key aspects of this management partnership will be the provider’s ability to develop the City’s fiber infrastructure management strategy and to direct the work of field service contractors to address emergency repairs, perform inspections and maintenance, and execute necessary relocations of infrastructure.

Municipal Operations - The city of Newark leverages a portion of the existing fiber network for internal municipal operations, which includes broadband service to city facilities such as City Hall, recreation centers, police stations, fire stations, community facilities and others . They also operate public safety’s network, Traffic Signals and common area Wi-Fi in areas of the City. The vendor would be expected to serve as the internet service provider for the city and coordinate with City staff on the operations, maintenance, networking, troubleshooting, customers’ service and all other aspects of the existing suite of services operating on the municipal network.

Newark Fiber Operations – Invest Newark, the economic development agency of Newark leases 24 strands of fiber across the city’s fiber network and operates a municipal network under the brand of ‘Newark Fiber’ to residents and businesses. The vendor would be required to maintain service to these customers and expand services to new areas leveraging, in part or in whole, the current fiber infrastructure. This would include operations, maintenance, networking, troubleshooting, billing, customer service and all aspects of operating the Newark Fiber network. Newark Fiber currently services:

- 85 Non-City Commercial or Residential Buildings
- 180 Individual customers
- Averaging 25 new commercial business customers a year
- Estimated 27,000 residents served
- Total revenue of the entirety of the system is ~ \$1,000,000

Broadband Expansion - The city envisions working together with a vendor who will bring capital and operational expertise to deliver on the goal of affordable high-speed broadband offered to every home and business in the city. The vendor may own middle and last mile fiber in the city already or be a new entrant. The city is open to negotiating terms but

expects respondents to leverage existing city backbone and last mile infrastructure and to work with the city on closing the digital divide expeditiously.

The City needs a vendor that will be responsive, initiate and manage repairs to the infrastructure as quickly as is reasonably feasible. Time is of the essence for any repairs needed to maintain network functionality.

The City seeks to establish a one (1) year contract with the selected vendor, with option for one (1) year renewals up to a maximum of seven (7) years, based on performance and mutual written agreement.

The following information is provided to assist respondents in understanding the direction and intentions of the City in procuring the services included in this RFQ.

GENERAL BACKGROUND

Newark is the largest city in the state of New Jersey and the county seat of Essex; it is the 64th largest city in the United States. Approximately 8 miles west of Manhattan, Newark offers residents a relatively easy commute into the city while taking advantage of the more affordable housing options. It bustles with industry and economic activity, with busy interstates, large office buildings and industrial sites that line the highways. Port Newark is the largest shipping container terminal on the East Coast. The city hosts world-class universities and research institutions Rutgers University – Newark, the New Jersey Institute of Technology, and Seton Hall University School of Law—and is beloved for its cultural and sports venues, such as the New Jersey Performing Arts Center, and the Prudential Center. Newark International Airport (EWR) is one of the three major airports that serve the NYC metropolitan area

Invest Newark is the city of Newark’s Economic Development Corporation. Our organization propels the City’s strong and diverse economy, builds vibrant communities, and creates opportunities for all Newarkers. Invest Newark supports small, women and minority-owned businesses, invests in world-class internet service, spurs real estate development and executes economic development activities to produce and sustain economic growth, generate jobs and create wealth for the citizens of Newark.

Invest Newark operate Newark Fiber, an initiative bringing high-speed, low-cost internet service to many parts of Newark. Fast and reliable internet is crucial to empowering traditionally disenfranchised communities – that is why we have extended service to underserved businesses and to public housing through partnerships. Not only is Newark Fiber bridging the city’s digital divide, but it is also creating a national model for providing high-speed internet to communities in need.

BROADBAND VISION

Invest Newark acknowledges that broadband is a critical service for quality of life, on par with roads, water, sewer, and electricity. Every home, business, nonprofit organization, government entity, and place of education should have the opportunity to connect affordably, easily, and securely.

The city intends to empower residents and local businesses to be economy producers, not just consumers of network information and data services. Further, we intend to provide our stakeholders with the broadband capacity, affordability, and local, regional, and national connectivity they need to compete successfully in the global marketplace.

To achieve this vision, we are seeking to work with the successful respondent(s) to deliver:

- **Increased competition:** This partnership will further the competitive landscape within the city for broadband product offerings.
- **Citywide access:** The partnership will pursue the goal of providing the infrastructure to enable every home, business, and public or private institution the opportunity to access affordable, high-speed broadband connection to the internet. We understand that ubiquitous access may seem implausible for some providers, and we are prepared to work with the successful respondent(s) to make this an attainable goal. The immediate goal is to hand over operations, maintenance and service provision on the existing City of Newark and Newark Fiber network.
- **Equitable, accessible, and inclusive:** The partnership will create an opportunity for all residents and businesses to have affordable access to high-quality internet service. The network should be built everywhere with no “cherry picking”—building to the most traditionally affluent areas of a community where there is a higher likelihood of obtaining subscribers willing to pay for service. Residents with low-income and those in affordable housing developments are particularly vulnerable, and broadband is important to level the playing field around education, job training, and access to employment and medical care.
- **Net-neutrality:** The partnership, with the goal of delivering equitable and inclusive service, will deliver a competitive, unfettered data offering that does not impose caps or usage limits on one use of data over another. All application providers (data, voice, video, cloud services) will be equally able to provide their services.
- **Future-oriented:** The partnership will accommodate and assume ever-changing technology and consider ways to evolve services to meet the city’s future needs in addition to today’s needs.
- **Consumer privacy:** The partnership will prioritize the importance of consumer privacy with accountability measures.
- **Timely deployment:** The city envisions significant progress toward an operational network in one to two years with commitments from providers, community stakeholders, and regional partners, and a shared common vision to make internet bandwidth of 1 Gbps or more available to all residents, workers, and visitors.

CATEGORIES OF OSP

The City’s OSP includes fiber optic cable, fiber splice enclosures, fiber termination panels, conduits, manholes, handholes, pole attachments, fixed wireless and associated infrastructure in four categories:

1. **City – Utilized** - OSP owned and managed by the City and used exclusively for City operations. About 30% of this infrastructure has been constructed since 2020. Fiber cable strand counts range from 12 to 288 in various routes.
2. **Newark Fiber Leased** - OSP owned and managed by the City and used by the City and Invest Newark under contractual agreement, e.g. other parties using City fiber strands, other parties using City conduits.

3. **Newark Fiber Owned** – OSP owned and managed by Invest Newark and its partners for the provision of commercial broadband services.

Detailed geographic information for the City’s OSP network, including .kmz files, along with equipment lists will be provided to an respondents upon request.

OSP Scale Metrics

OSP categories 1–3:

- Underground and aerial fiber cable: 31.5 miles
- Fiber splice enclosures: 52

All mileage in this RFQ is approximate.

TERMS

Mandatory Terms

- *Ownership* - City to maintain full asset ownership
- *Maintenance* - Vendor shall be solely responsible for all costs associated with repair, maintenance, and operation of the entire network infrastructure and must manage field service teams in accordance with industry standards.
 - Coordination with the City on fiber asset management, redevelopment, expansion and project priorities will be required.
- *Insurance* - Vendor must maintain appropriate insurance coverage for the network infrastructure
- *Affordability* - Vendor to provide affordable service to residents and businesses as defined by the Invest Newark as being \$50/month for gigabit services to market rate residents and no more than \$30/month for low-income residents as previously defined under the federal Affordable Connectivity Program for income qualification criteria,
 - *Please Note:* The city is open to alternative arrangements, so long as that arrangement includes the respondent providing benefits to low income Newarkers commensurate with Affordable Connectivity Program at a comparable scope and scale and that is predictable, places no or few conditions on the beneficiaries (other than qualifying incomes), and which will result in such persons receiving substantially the same speeds and levels of service of other customers.
- *Use of fiber network* - The respondent must use the network assets primarily (minimum 80% of capacity) for providing internet service to residences and businesses; and any additional services or uses (e.g. not for other telecom services like B2B circuits, etc.) must be approved in writing by Invest Newark and must not impair or interfere with the primary residential and business internet service objectives.
- *Municipal Operations* - Vendor to provide the City of Newark with the level of internet service, responsiveness, networking and other services as currently provided by OIT
- *Revenue* - Vendor may monetize the network beyond current methods subject to prior written approval from Invest Newark. Any new revenue streams must align with the City's broadband vision and affordable access goals. Invest Newark shall be entitled to a percentage share of revenue from new monetization methods, to be negotiated in the final agreement.
- *Other Terms* - There may be additional contract terms the city deems mandatory (e.g., certain insurance terms)

Negotiable Terms

- *Lease Rate & Pricing* - Lease rates for fiber optic strands and/or empty conduit in the city's backbone installation.
 - The use of additional strands beyond the minimum must include plans to light and utilize the fiber over the term of the lease.
- *Coverage*. Coverage targets and/or guarantees that increase the city's high speed internet coverage, such as:
 - As a percentage of the city (e.g., 95% FTTP) with limited exceptions, e.g., access, legal, geographic.
 - Covering specific under-served areas.
 - How these targets or guarantees will be measured.
 - By a set deadline, e.g., by the end of 2026.
 - By infrastructure type (home, business, public facilities, private institutions)
- *Speeds*. Minimum speed offerings and/or symmetrical service.
- *Construction Schedule*. Alignment with city and state road resurfacing schedules and with utility projects, where applicable.
- *Underserved Area Collaboration*. Plans to collaborate with Newark Housing Authority and other affordable housing operators to ensure full coverage where possible.
- *Public Wi-Fi Access*. Plans to operate the existing public Wi-Fi facilities and expand them as requested by the City
- *Security and Data Protection*. Auditing mechanisms made available to the city for ensuring cybersecurity, data protection, and/or net neutrality principles.
- *Service Level Terms*. Service level agreements for business and/or residential customers.
 - Please Note: While the city wants to ensure that core services level terms are guaranteed, reliably and adequately, it does not wish to unnecessarily restrict alterations nor restrict respondents from making periodic changes to their terms.
- *Technology*. The type and level of technology to be used, including any terms that will ensure future proofing of the network technology or other means for upgrading the technology.
- *Shared construction coordination*. During installation of certain distribution fiber routes, collaboration with the city to share construction for mutual benefit (e.g. installing additional conduit at city cost for non-competing services).

ELIGIBLE RESPONDANTS

Respondents should be able to deliver on the Community Broadband Vision and Scope of Services in this RFQ. Recommended respondents include, but are not limited to:

- ***Internet Service Providers (ISPs)***: Those currently operating in Newark and potential new market entrants, including entities that are not traditional internet service providers but are interested in offering service under innovative business models.
- ***Managed Service Providers (MSPs)***: Those who operate networks and provide service to residents and businesses by leveraging existing internet infrastructure or partner with construction entities to build networks.
- ***Broadband Infrastructure Builders***: Entities that construct and/or deploy open-access broadband infrastructure assets.
- ***Broadband Infrastructure Owners***: Entities that own, operate, or hold last mile or middle mile fiber infrastructure.

SCOPE OF SERVICES

The Scope of Services is provided to explain and elaborate upon the work. The City and the selected respondent will negotiate a “Statement of Work” to govern the services within 45 days of selection. The City anticipates that the Statement of Work will incorporate sections of this Scope of Services, portions or all of the selected service provider’s response, and additional protections, safeguards, or understandings that will govern the relationship. If agreement cannot be reached within 45 days, Invest Newark reserves the right to terminate negotiations and proceed with an alternate respondent.

1. Maintenance of Outside Plant - Repair and Maintenance Tasks

a. OSP Assessment

Respondents will use existing City GIS data, other City documentation, limited field inspection, and consultation with City staff to assess and report on the current state of the City’s OSP as well as the City’s practices around documentation, fiber management, maintenance, repair, relocation, and locating. This assessment must include all categories of OSP described in the Project Overview above. Respondents will recommend actions and changes to maximize OSP reliability and longevity. This assessment should also include prioritization of recommendations and estimated costs.

Respondents who wish to view the City’s broadband infrastructure in more detail prior to proposing must complete and submit the Nondisclosure Agreement (third exhibit). Upon receipt, the City will remit additional maps and files depicting more fully the location of City broadband infrastructure.

b. Strategy

Respondents will lead and collaborate with City staff to develop fiber infrastructure strategic plans using industry best practices and vendor experience:

- Emergency response plan – Runbook of responsibilities and actions for responding to unplanned loss of service events.
- Relocation response plan – Project management templates for successful relocation projects with timelines, role descriptions, responsibility matrix, and other best practices tailored to the City’s permitting environment.
- Preventative maintenance plan – Schedule of inspection, reporting, cleaning, and other maintenance tasks that will maximize the reliability and longevity of the City’s OSP.

c. Infrastructure Management and Support

Respondents will provide management and support services on an ongoing basis including:

- Intake requests by City staff when repairs, maintenance, inspection, relocation, or other related in-scope activities are required. This includes receiving and responding to emergency requests 24 hours a day, seven (7) days a week, 365 days a year, with defined response time of 2 hours for critical outages, 4 hours for major incidents, and 24 hours for routine matters. Failure to meet these response times may result in penalties as defined in the final agreement.

- Provide directly or manage field service contractors responsible for completing tasks related to OSP. This includes confirming availability, engaging their services, tracking progress, escalating issues, updating the request and City staff with progress details, acknowledging completion, confirming resumption of services when applicable, tracking cost estimates and actuals, and supporting City invoice and/or purchase order processing and reconciliation.
 - If managing vendors, Consult with City staff in developing a procurement strategy for and evaluation of potential field services contractors with which the vendor can form continuing services agreements for roles such as conduit installation and repair, boring, trenching, fiber cable installation, and fiber splicing. This includes participating in the drafting of requests for response, contractor selection, drafting of agreements, and contracting, where applicable.
- Support City staff executing the plans described in the b. Strategy task section. This includes facilitating and participating in retrospectives for major events as requested by the City and updates to the plans identified in the b. Strategy task section after major events or upon request.
- Design services, project management, and construction management services for discretionary additions, moves, and changes to the City OSP at the City's request. Including management of construction and installation providers contracted with the city.

2. Network Operations - Provision of high-capacity broadband services

a. Municipal Operations

We are looking for a partner that will operate the existing network, as described in Section I above to ensure all current services operating over the City's fiber infrastructure continue operating, including but not limited to city facilities such as City Hall, recreation centers, police stations, fire stations, community facilities, public safety's network, Traffic and Signals and common area Wi-Fi in areas of the City. The vendor would be expected to serve as the internet service provider for the city and maintain the operations, maintenance, networking, troubleshooting, customers' service and all other aspects of the existing suite of services operating on the municipal network.

b. Newark Fiber Operations

Additionally, as mentioned in Section I above, the city of Newark, in partnership with Invest Newark, the economic development agency of Newark operates an existing municipal network under the brand of Newark Fiber. Newark Fiber connects nearly 100 buildings, thousands of residential and hundreds of commercial customers currently. The vendor will be required to maintain service to these customers and expand services to new areas leveraging, in part or in whole, the current fiber infrastructure. This would include operations, maintenance, networking, troubleshooting, billing, customer service and all aspects of operating the Newark Fiber network.

c. Broadband Expansion

In addition to maintaining service to existing operations on the municipal, and Newark Fiber networks, respondent may leverage the entirety of the fiber network to provide additional high-capacity broadband services to residents and businesses directly as an ISP and/or through agreements with other partners via an open access network or other types of agreements, pending City's approval, which will not be unreasonably withheld. Any revenue sharing arrangements must be explicitly defined in the final agreement.

Construction Terms

The successful respondent(s) will be responsible for obtaining all permits or other governmental approvals, including satisfying all permitting requirements and conditions, at cost to the respondent. For the city, this includes compliance with the building codes, street permits, PSEG coordination, and police outside employment, among others. Invest Newark shall not be liable for any delays or costs associated with permit acquisition.

3. Recommended Other Services

Respondents may include additional value-added services they recommended to achieve the goals of this RFQ. These may include management of utility locating services for responding to utility locating requests received from 811 for the City's underground OSP. Respondents should include a description of the service and price information for any optional value-added services. Mandatory additional services not identified in these requirements must be included in their response and will be used to evaluate the response.

DELIVERABLES

1. Infrastructure – Repair and Maintenance
 - a. OSP current state assessment.
 - b. Emergency response plan.
 - c. Relocation response plan.
 - d. Preventative maintenance plan.
 - e. Procurement strategy for continuing services agreements with a roster of qualified field services contractors.
2. Network Operations - Provision of high-capacity broadband services over fiber and fixed wireless
 - a. Operations of existing municipal and Newark Fiber network plan
 - b. Network expansion and operations plan
 - c. Sub-contractor/ open access plan (if proposed)

RESPONSE REQUIREMENTS

The response must contain all of the following information, in the same sequence as presented below. Each response should be straightforward and as concise as possible to satisfy the requirements of this RFQ. Please limit the length of response sections to the maximum pages noted.

AARON MEYERSON

at ameyerson@investnewark.org and newarkfiber@investnewark.org

or

Chief Innovation Economy Officer and Director of Broadband

111 Mulberry Street, Suite LL

Newark, NJ 07102

ATTN: Newark Fiber RFQ

1. Cover Letter - Limit the cover letter to one (1) page maximum

A cover letter explaining the most critical reasons your company should be considered for the project. Include the City RFQ number.

2. Project Approach – Limit section to five (5) pages maximum

Using the Scope of Work section, provide a concise explanation of the company’s ability to perform required work. Please include the following:

- Brief company description that highlights qualifications of your company, years in business, and the reasons your services and company are best suited to meet the City requirements for this engagement.
- Brief narrative description of the Submitter’s plan for the Scope of Services

3. Recent Service and Current Contacts for Reference Checks – Limit to three (3) pages maximum

- Must be within the past five (5) years.
- Describe the service, general scope, dates of service, and its relevance.
- Include service contact person(s) plus relevant phone numbers for reference checks.

4. Service Team – Descriptions and Resumes – No Page Limit

- Project team information. Provide brief background on experience specific to this service. Include a staffing plan with qualifications of individual staff members that will be assigned to any contract, including the role they will fill in the delivery of services and hourly rates for each staff member.

5. Cost Response – No page Limit

Please provide details on your proposed methods of financial stability for the scope of work. This may include monetization strategy, desired lease fees, revenues models, required guaranteed income, cost offsetting measures, funding mechanisms for network maintenance, or any others.

Please provide details on cost for each scope of services and where relevant, end user pricing for Newark residents and businesses.

6. Project Schedule – No page Limit

Submitters must submit a Project schedule, detailing the duration (in number of days or weeks) and dates for key milestones beginning at initial selection through completion of various projects. Submitters must identify the anticipated time required for each service requested.

7. Questions – No page Limit

Given this is a Request for Qualifications, we welcome questions and feedback on the scope of services, goals and overall project. If you have questions or suggestions on best to achieve the goals set forth above, we welcome the opportunity to discuss.

EVALUATION AND SELECTION

All RFQ submittals will be reviewed using the following evaluation and selection criteria:

By use of numerical and narrative scoring techniques, RFQ submittals will be evaluated by the City of Newark OIT and Invest Newark staff against the factors specified below. Shown in parentheses next to each criterion is the maximum number of points that can be awarded by the evaluator based on a 100-point scale.

A minimum score of 75 points should typically be obtained for a vendor to proceed in discussions, however Invest Newark reserves the right to modify this threshold at its sole discretion.

- RFQ Application: Complete Package (10 points)
- Proposed Scope of Services and Ability (40 points)
- Experience over last 3 years (15 points)
- References and Past Clients (10 points)
- Cost - Overall firm fee schedule competitive in the industry (25 points)

As part of the selection process for the most qualified applicants, Invest Newark may require finalists to interview to further explain their submittals. If such interviews are conducted, the presentations will also be factored into the final scores. However, applicants are advised that selection may be made without interviews or further discussion. Invest Newark reserves the right to employ price preferences and/or bonus points for MWBE, Veteran and/or Local Businesses in conformity with applicable law. Invest Newark reserves the right to reject any or all submittals and to waive any irregularities or informalities in the submittals received. In the event of any such rejection, Invest Newark shall not be liable for any costs incurred by the applicant in connection with the preparation and submittal of the RFQ.

PROCESS CLARIFICATIONS

Statement of Non-Commitment

- Issuance of this RFQ does not commit the City of Newark or Invest Newark to award a contract or to pay costs incurred in the preparation of responses responding to the RFQ.
- City of Newark and Invest Newark reserves the right to reject any or all responses and re-advertise.
- City of Newark and Invest Newark may reject any or all submissions as it deems in its best interest.
- City of Newark and Invest Newark reserves the right to waive any irregularities or technicalities in responses when it deems the public interest will be served.
- The successful firm(s) must enter into a contract with City of Newark and/or Invest Newark, which will specify requirements for indemnification, insurance, and other applicable policies. Failure to agree to the City's or Invest Newark's terms and conditions, including but not limited to insurance requirements and indemnification provisions, may result in disqualification or termination of negotiations.

Clarifications. For avoidance of doubt, Invest Newark reserves the right to seek out clarification on responses, including, by way of example and not limitation, response pricing, payment structures, construction timing, construction methods, or any other matter relevant to the criteria. The decision to seek out clarification remains solely vested with the city and nothing in this paragraph requires that the city seek out clarification on any matter. Respondents cannot assume the city will seek clarification on any matter.

Withdrawal of Responses. A respondent may, without prejudice, withdraw any response at any time prior to the response due date, provided such withdrawal is submitted in writing to Invest Newark. Any costs associated with the preparation and withdrawal of the response shall be borne solely by the respondent.

Notice to Proceed. The City and/or Invest Newark, in their sole discretion may review the qualifications and responses received through this process and may choose to proceed with negotiating a contract with a vendor for the services described, pending further discussion and interviews with the vendor. Neither submission of a response nor participation in interviews creates any right or expectation of contract award. No follow-up requests for information, qualifications, or responses are guaranteed to be released. The City and/or Invest Newark reserves the right to proceed or not proceed with selecting a vendor for services at its own discretion, with or without notice.

NO AWARD IS FINAL UNLESS AND UNTIL THERE IS A FULLY EXECUTED CONTRACT BETWEEN THE CITY AND/OR INVEST NEWARK AND THE SUCCESSFUL RESPONDANT. If, for any reason whatsoever and in Invest Newark's sole discretion, the negotiations with the apparent successful respondent who satisfies all applicable requirements are unsuccessful, the City and/or Invest Newark may terminate those negotiations immediately and without liability, and begin negotiations with a different respondent in order to contract with the respondent that best meets the needs of the City or Invest Newark.
