



REQUEST FOR INFORMATION
DESIGN, BUILD, FINANCE, AND OPERATE
SHELBY COUNTY BROADBAND NETWORK
EXPANSION THROUGH
PUBLIC-PRIVATE PARTNERSHIP AGREEMENT

RFI ISSUE DATE: May 10, 2024

RFI RESPONSE DEADLINE: June 7, 2024

I. INTRODUCTION

A. Statement of Intent and Project Overview

In accordance with IC 5-23-4.5, the Shelby County Commissioners (the “**County**”) invite any and all qualified parties (individually referred to as “**Respondent**” and collectively referred to as “**Respondents**”) to submit responses to this Request for Information (“**RFI**”) regarding an approach to designing, constructing, financing, operating, maintaining, and/or transferring a development of an extension of broadband services further described below (the “**Project**”) under a public-private partnership (“**P3**”). The purpose and intent of this Project is to increase the availability of high-speed broadband service to underserved or unserved households and businesses within Shelby County with the end goal of serving all of Shelby County.

In a response to this RFI, the County seeks to learn how the Respondent’s approach will further the County’s goals of ensuring that residents, businesses, and visitors to its community have access to market-leading broadband services. The County is prepared to consider a variety of business models that may share technological and operational responsibilities and financial risk between the potential partner and the County in innovative ways. The County encourages Respondents to share their expertise, which may be used to shape the direction and form of this potential initiative. Respondents may work together to respond to this RFI. The County is open to creative solutions that will maximize private investment, as well as state and federal broadband funding, while providing reliable and high-quality services to meet its citizens’ needs.

The County welcomes the responses of all prospective third parties interested in acting as a partner, and the County will review responses based on the Respondents’ experience, how well the responses address the County’s objectives, how the proposal balances and shares risks and rewards, and other factors. Following the evaluation of responses, the County may issue a request for more detail relating to the County-initiated Project, cancel, or delay its plans to extend broadband services throughout the County or choose another direction that is deemed in the County’s best interest. Responding to this RFI is not a guarantee of a contract award. Further, there is no guarantee an RFP will be developed as a result of this RFI. The County reserves the right to withdraw the RFI or any subsequent RFP, or to decline to award a contract.

Prospective Respondents that anticipate responding to this RFI shall indicate their intention as soon as possible and **before May 24, 2024**, by providing contact information via e-mail to the representative of the County listed below. All questions or requests for information regarding this RFI should be directed only to the representative of the County as listed below. **Please DO NOT contact any officials or related parties of the County.**

The County is not responsible for costs or damages incurred by Respondents, members of a Respondent, subcontractors, or other interested parties in connection with the solicitation process, including but not limited to costs associated with preparing responses, qualifications, and proposals and participating in any conferences, oral presentations, or negotiations.

B. Scope, Goals, and Objectives of the Project

This RFI reflects the commitment of the County to ensure high-speed broadband is available to as many underserved or unserved residents and businesses throughout Shelby County to further economic development. The successful Internet Service Provider or other organization responding to this RFI will be expected to propose a network that meets the eligibility requirements set forth in ARPA. Successful Respondent(s) will demonstrate a clear and achievable plan to deliver high-speed, reliable, and affordable broadband communications services in Shelby County. This RFI is the first step in a procurement process which encourages Respondents to offer innovative and creative plans to complete the Project. Through this public-private partnership, the County seeks (1) creativity in design and execution; (2) innovative approaches to delivery and financing; and (3) an expedient and integrated design and construction timeline that will create the greatest value for the County's citizens.

C. Overview of Procurement Process

This RFI requests prospective Respondents to formally express their interest in bidding on the development of the project. The County will consider all types of financial models available under Indiana law, including Indiana Code § 5-23, that share the financial risk, along with the to be agreed upon technical and operational responsibilities, between the selected partner(s) and the County. The County encourages creative financial solutions that will maximize private investments, as well as state and federal broadband funding. Section II summarizes the general Project Specifications, and Section IV contains the contents and required and desired Project attributes. It is the intent of the County after receipt of the responses to this RFI to issue an RFP for award of a Public Private Agreement to a developer to partner with the County in providing high-speed broadband services to the residents of Shelby County.

The County will review responses to this RFI to determine Respondents' experience, expertise, proposed approach, and creative ideas to achieving the project. In addition to submitted materials, the County will meet with selected Respondents to discuss approach and emphasized requirements of the project. The information gathered from this process will inform the future preparation of a Request for Proposal to Award a Public Private Agreement.

II. PROJECT SPECIFICATIONS

The County seeks Respondents' creative ideas and innovations as part of this RFI. The general aspects of the Project which Respondents should take into consideration are as follows:

A. Shelby County Economic Development, Workforce, and Broadband Commitment

Shelby County is poised for economic growth and development, with a strong foundation in manufacturing, healthcare, and logistics, that potential bidders for infrastructure projects should

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consider. The County has seen significant investment in recent years, with new businesses and industries in emerging and existing ones expanding. As of recent estimates in 2023, Shelby County has a population of approximately 44,991 residents, and 63.3% of the population is engaged in the labor force. The County's strategic location contributes to active interstate trade, particularly with neighboring states like Illinois, Ohio, and Michigan. With respect to educational infrastructure, Shelby County schools and educational services employ a substantial number of the workforce, indicating a community investment in educational development. The County's economic strategies aim to bolster these sectors further, making it an appealing prospect for businesses looking to invest in infrastructure projects.

The County is designated as an official Broadband Ready Community, which was created as a tool to encourage broadband development throughout Indiana. This designation means that County has taken steps to reduce barriers to broadband infrastructure investment, with the end goal of developing a strategic plan for the most cost-effective broadband expansion, ensuring that every resident has the opportunity to access high-speed internet.

B. Available Financial Incentive

The County acknowledges that creating adequate broadband in the unserved and underserved areas would likely require a private enterprise to invest capital and operational expense in advance of demonstrated, adequate market demand for the defined products. As such, the County has earmarked funds for purposes of investing in the Project consistent with its needs and goals to catalyze a broadband solution with qualified and committed partners. The award may be granted to one provider in full or distributed among multiple applicants that commit to meeting the goals and conditions outlined in any subsequent RFP and in attendant negotiations. The purpose of the funding will be to defray the cost of the infrastructure necessary to meet the requirements of the RFP. The County has an expedited permitting process for broadband builds and will provide resources to assist with the project's success.

C. Desired Broadband Solution

The County seeks to make available high-speed broadband services to as many underserved or unserved households and businesses in the County as possible. The network is intended to support remote learning, remote workers, telehealth, precision agriculture, and advanced manufacturing to bolster the county's economic growth.

The high-speed broadband services shall specifically provide a service designed to reliably meet, or exceed, a symmetrical speed of 100 Mbps download and 100 Mbps upload; or in cases where the symmetrical 100/100 Mbps service is not practicable, provide a service designed to reliably meet or exceed 100 Mbps download and at least 20 Mbps upload speeds, as defined by the Federal Communications Commission's definition of "minimum broadband speed," and be scalable to a minimum of 100 Mbps download and 100 Mbps upload.

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The County is technology agnostic. Both wireless and wireline solutions will be considered, but any awards made must consider guidelines for broadband infrastructure as required under ARPA. Additionally, the County requires the following:

- Universal coverage across an Applicant's identified project geography;
- Delivery of desired levels of broadband services at affordable price points; and
- Systems to ensure reliable service uptime with consideration of environmental factors.

The project intends to use local funds in addition to ARPA funds that are available. The ability of an Applicant's proposal to meet all ARPA requirements is important, but not essential to a Respondent's involvement in the Project. However, at the RFP stage, the Respondent must clearly and thoroughly define any proposed solutions or technical alternatives which may not meet the eligibility requirements of ARPA due to constraints with geography, topography, or excessive costs, but will expand high-speed internet to un/underserved premises.

D. Desired Service Locations

The ultimate goal of the project is coverage for all of Shelby County. The County understands providing broadband service to every premises within the Project Area will be challenging for a variety of reasons and may require additional projects or funding to accomplish; however, the County wishes to collaborate with the successful Respondent to determine appropriate staging and prioritization of the Project, with particular importance placed on underserved or unserved premises. The County seeks proposals that state clearly how many premises will be covered and at what levels of service. When evaluating proposals, the county will view favorably those that maximize the number of passings the solution would reach. Proposals not fully covering the primary service area are encouraged to include a paragraph describing requirements to expand their broadband solution to the entire primary service area.

Please see the below map of the proposed Project Area. Additional maps and county GIS layers will be made available in the data room upon request.

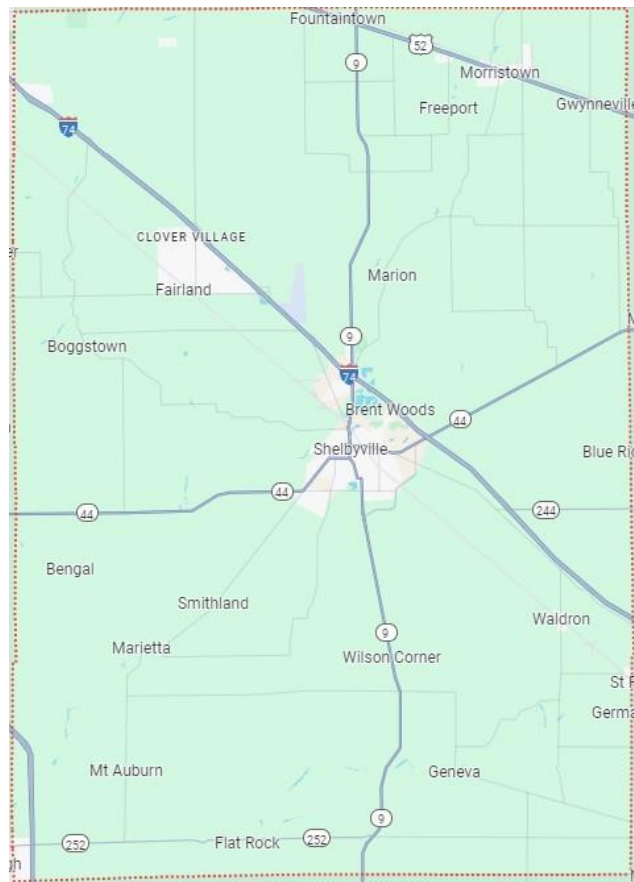
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Proposed Project Area



III. RFI PROCEDURE

A. RFI Response Deadline

Final RFI submissions must be received by the County as provided below by **4:00 PM EDT on June 7, 2024** (the “**Submission Deadline**”). Only complete RFI Responses delivered on or before the Submission Deadline will be accepted by the County. RFI Responses delivered after the Submission Deadline may be rejected and returned unopened to the Respondent.

All RFI Responses shall be delivered as an **electronic PDF** to the following person via e-mail:

Greg Lannan
glannan@buildbw.com

Please DO NOT contact any officials or related parties of the County.

B. Inquires

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Following the RFI issue date, Respondents may make inquiries regarding this RFI at any time prior to the Submission Deadline to:

Greg Lannan
glannan@buildbw.com

C. Response Format

Please submit a PDF document of no more than twenty (20) pages that contains the information requested in this RFI.

D. Data Room

A data room has been set up with additional information and studies regarding the County's broadband needs. Upon receipt of an RFI Notice of Interest from a Respondent, access to these materials will be provided to Respondent for review in preparation of their response.

E. Virtual Respondent Meetings

Upon submission of Intent to Submit, Respondent will be contacted for scheduling of a virtual meeting on June 18, 2024, or June 20, 2024, to discuss approach and insights into approach for the Project that Respondent would like to share with the County to inform preparation of the subsequent RFP. The available slots on these days will be scheduled on a first come basis.

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IV. Anticipated Procurement Schedule

KEY NEXT STEP	EXPECTED TIMING
RFI Issued	May 10, 2024
RFI Notice of Interest Due	May 24, 2024
RFI Responses Due	June 11, 2024
Discussions with Respondents (virtual)	June 18, 2024, and June 20, 2024
RFP Issued	Expected July 2024
Deadline for Questions regarding the RFP	15 days after RFP release
Deadline for County’s response to Questions/ Clarifications	7 days after RFP release
RFP Responses Due	30 days after RFP release
Sign Confidentiality Agreements with Qualified Respondents	Mid-August 2024
Anticipated Negotiation with Responsible Respondents	September 2024
Best and Final Proposals Due to County	TBD
Project Agreement Award Hearing	October-November 2024

This estimated schedule is for illustration purposes only and should not be construed as binding; except that all RFI Responses shall be submitted **on or before 4 p.m. on June 11, 2024**. This estimated schedule is subject to change, and a final version will be included in the RFP.

V. CONTENT OF RFI RESPONSE

The Respondent shall provide a brief background on the submitting team and its managerial and technical experience as background for discussions. The Respondent shall then dedicate the majority of its submission to potential approaches to achieving the stated goals of the County to expand the availability of high-speed broadband throughout Shelby County to serve its citizens.

This is an RFI, and as such, the response may include any additional information or comment that you consider relevant, including but not limited to illustrations, tables, charts, graphics, or exhibits.

The RFI should address the following required outcomes which the County desires:

- Minimum speeds of 100/20 mbps to end users
- Meet ARPA requirements
- Fiber service feed (not be dependent on a wireless backhaul system)
- Improved wireless or other solutions for remaining areas of county
- Plan and solution for continued expansion of network

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The RFI should also address scenarios for the provision of the following possible outcomes for the residents of the County. This list is not all-exhaustive, and it is not a requirement to address every scenario:

- A service product for under-resourced subscribers
- Speeds of 1gbps symmetrical
- Availability of additional services beyond broadband (i.e., phone, cellular services, streaming services, public Wi-Fi, etc.)
- No connections fees within 1,500 feet of fiber/road
- County controlled or ownership of portion fiber asset for governmental and economic development use
- A digital inclusion program
- Additional last-mile advantages
- Service to community anchor institutions within the County

VI. CONFIDENTIAL INFORMATION

If the Respondent should include any confidential information, this section shall include any confidential and proprietary information that the Respondent claims should be exempt from public disclosure. Respondent is solely responsible for reviewing the Act, Indiana’s Public Records Act, and applicable law requiring disclosure. Under no circumstances will the County be responsible or liable to Respondent/Developer or any other party as a result of disclosing materials that it determines, in its sole discretion, is not protected by the Act and/or Indiana’s Public Records Act, including, without limitation, materials marked “Confidential”.

VII. DISCLAIMER

THIS IS A REQUEST FOR INFORMATION ONLY. This RFI is issued solely for information and planning purposes – it does not constitute a Request for Proposal (“RFP”) or a promise to issue an RFP in the future. The County may intend to award a contract on the basis of this RFI. Failure to respond to this RFI does not preclude participation in any future RFP, if any issued.

Although “proposal,” “response,” “Respondent,” and “offeror” are used in this RFI, your response will be treated as information only and does not constitute a formal proposal. The County is not responsible for costs or damages incurred by Respondents, members of a Respondent, subcontractors, or other interested parties in connection with the solicitation process, including but not limited to costs associated with preparing responses, qualifications, and proposals and participating in any conferences, oral presentations, or negotiations.