



OPENCape

Creating Regional Broadband Opportunities

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REQUEST FOR QUOTATIONS

SURETY BONDS

RFQ # 2011-02-002

CLOSING DATE AND TIME
February 15, 2011 4:00PM

Mail To:
OpenCape Corporation
P.O. Box 762
West Barnstable, MA 02668

or Deliver To:
OpenCape Corporation
3225 Main Street
Barnstable, MA 02630

www.opencape.com

Submit hard copy to above address in sealed envelope with RFQ Number, Closing date, and Bidder's name marked clearly on the outside. Submit an electronic copy in Adobe Acrobat via email to Allyson Pocknett at apocknett@opencape.com Please reference RFQ # in the subject line.

OpenCape seeks quotations from qualified providers for surety bonding or irrevocable letters of credit to be provided by OpenCape Corporation to utility telephone pole owners and underground conduit owners as a requirement for attaching OpenCape's fiber optic cables on their assets.

The surety bonds or irrevocable letters of credit must be in the following amounts for the companies indicated:

Requirement	Amount
Verizon New England Poles	\$500,000
Verizon New England Conduit	\$250,000
NSTAR Poles	\$500,000
National Grid Massachusetts Electric Company	\$56,000
TOTAL	\$1,306,000

Background

The non-profit 501(c)3 OpenCape Corporation (OpenCape) is a very small company of only three employees that will rely on a selected contractor to construct the OpenCape Network on its behalf. The construction project value is approximately \$24 million. The project timeline runs through Spring 2013 with the majority of work to occur in mid-late 2011 through 2012.

OpenCape was awarded a \$32 million Broadband Technology Opportunity Program (BTOP) grant by the National Telecommunications and Information Administration (NTIA) from American Recovery and Reinvestment Act (ARRA) stimulus funds on February 28, 2010. The \$32 million BTOP grant will be combined with matching funds totaling \$8 million from the Commonwealth of Massachusetts, private companies, and Barnstable County to construct a comprehensive middle mile communications network to support the economic, educational, public safety and governmental needs of the southeast Massachusetts region.

The OpenCape system will consist of a core fiber backbone on Cape Cod with extensions to two major regional network connection centers in Providence, RI and Brockton, MA, numerous fiber optic laterals extending off of the backbone, a high capacity optical transport system, a microwave radio overlay, a 700 Mhz mobile public safety radio system, and a regional collocation center (see Figure 1: OpenCape System). All of these elements combine to provide a robust, high capacity comprehensive communications infrastructure. The OpenCape regional collocation center will serve as the focal point of network operations and provide leased collocation space for public and private organizations in the region.

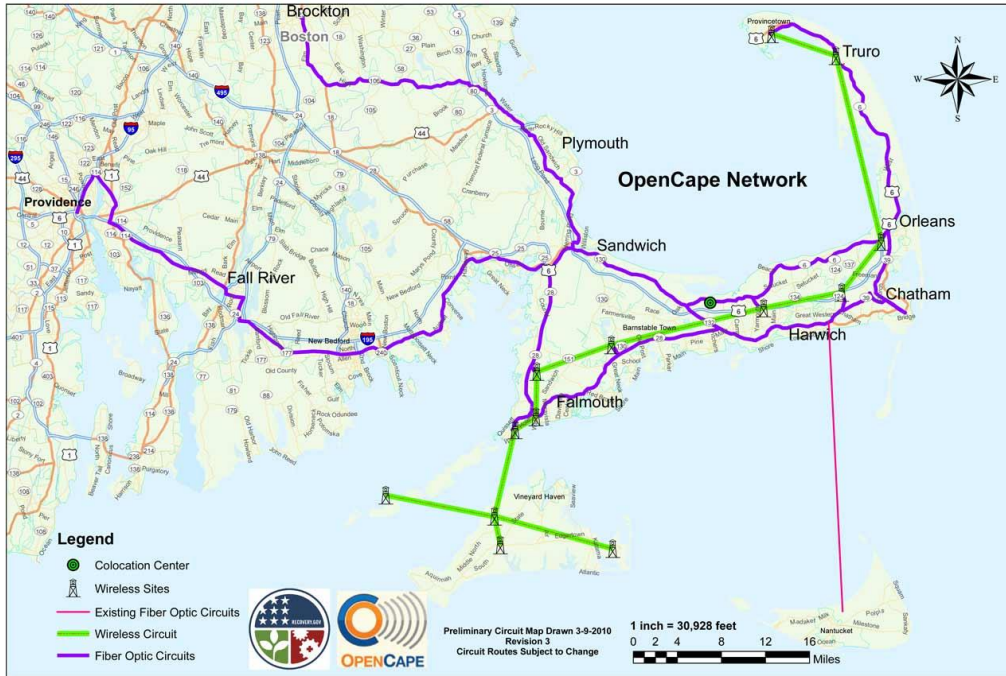


Figure 1: OpenCape System

The OpenCape system has the following general characteristics:

- Nearly 300 miles of new fiber backbone construction
- Nearly 50 miles of new fiber lateral construction
- High strand counts of 144 strands across the vast majority of the network with higher or lesser counts as necessary in specific segments
- A regional area network for municipal governments
- A public safety microwave backup system

The core fiber backbone will be constructed as two interconnected 144 strand fiber rings covering most of Cape Cod with backbone extensions to Provincetown, Woods Hole, Brockton, and Providence. Splice points and service loops will be installed in appropriate numbers and locations along each segment to provide connection points to major government, education, research, education, and economic centers.

The Cape Cod Canal will be crossed in two geographically separated locations to minimize the chance that Cape Cod will be cut off from network services. OpenCape will cross the canal at the Railroad Bridge at the south end of the Cape Cod Canal and via a directional bore underneath the Canal at the north end. These crossings remain subject to final permitting by the Army Corps of Engineers. An alternative crossing at the north end of the canal shall be via existing conduit on the Sagamore Bridge.

The third major extension will be a 72 fiber strand cable run from the fiber backbone core of the OpenCape system in Orleans up the length of the outer Cape to Provincetown.

The microwave wireless component of the OpenCape system is integral to, but designed to operate independently of the fiber network. It will serve primarily as an emergency backup for the fiber optic system, with a priority toward supporting public safety and public service activities.

The antennas will largely be mounted on water towers in order to increase survivability. This part of the network is key to the overall survivability of the communications infrastructure on the Cape due to the region's exposure to severe storms with high-winds and flooding.

Network Build

OpenCape relies on private contractors to perform the necessary work to complete the network.

OpenCape awarded a contract for the field survey, licensing and permitting, and engineering of the outside plant fiber to UC Synergetic of Mansfield, MA in December, 2010.

OpenCape issued an RFP for "Best Value Network Design and Build, and Network Operation of the OpenCape Fiber-optic and Microwave Network in Southeast Massachusetts" in October 2010 and selected Cape Net LLC as the successful respondent. OpenCape is currently negotiating a contract with Cape Net LLC.

The construction of the network is a \$24 million project. The bulk of the work associated with the project is the installation of fiber optic cable along existing right of way on utility poles and in underground conduit largely owned by NSTAR, National Grid, and Verizon. Pursuant to written agreements entered into or to be entered into with NSTAR, National Grid and Verizon, OpenCape is required to provide surety bonds or irrevocable letters of credit in the amounts set forth herein.

The system is planned to be completed and operational by Spring 2013.

The Process for Evaluating RFQ Responses

Responses will be evaluated on the degree to which they help OpenCape meet the specific requirements of this RFQ.

Proposals will be evaluated on the assumption that the RFQ response offers the Respondent's most favorable terms to OpenCape. Notwithstanding any other provision of this RFQ, OpenCape expressly reserves the right to negotiate with any Respondent, using the Respondent's RFQ response as a basis for obtaining best and final offers prior to contracting for services.

Right of Evaluation

Once proposals are submitted and reviewed by OpenCape, OpenCape may select a short list of firms to interview. After the interview process, OpenCape will select a successful Respondent and begin negotiations to finalize a contract for services. Notwithstanding any other provision of this RFQ, OpenCape expressly reserves the right to:

1. Conduct discussions with any or all Respondents for the purpose of clarification of proposals;
2. Waive, or decline to waive, any insignificant defect or informality in any proposal or proposal procedures;
3. Accept, reject, or negotiate any or all proposals or the terms of any proposal, or any parts thereof, for the purpose of obtaining the best and final offer;
4. Cancel or amend this RFQ or issue other requests for proposals;
5. Select a Respondent based on OpenCape's analysis and evaluation of quotations submitted.
6. To request presentations of proposals if OpenCape feels further information is appropriate to the decision-making process.
7. Select no proposals at all, and
8. Select more than one Respondent.

Proposal Format

1. Cover Letter: Indicate your firm's interest. Include company name, address, contact name, email, and phone. Describe your company, its background, and experience in the area of surety bonding and/or issuing irrevocable letters of credit. Please indicate if your company is a small or disadvantaged business.
2. Provide quotation using the following table:

Requirement	Bond Amount	Price
Verizon New England Poles	\$500,000	
Verizon New England Conduit	\$250,000	
NSTAR Poles	\$500,000	
National Grid Massachusetts Electric Company	\$56,000	
TOTAL	\$1,306,000	

3. Describe terms and conditions associated with the bonding and payment terms.
4. Complete the Officer Certification and Acceptance Form

Officer Certification and Acceptance Form

1. Is your organization in compliance with all of its obligations under all bank lending and other credit (e.g., equipment leases) arrangements and has it been in compliance with these requirements during the past 12 months?
 Yes No
2. During the past 5 years has your organization filed for bankruptcy or has any Principal (more than 5% stockholder or other type of ownership) or officer been an officer or Principal of another firm that filed for or been the subject of any bankruptcy or insolvency proceeding?
 Yes No
3. Is your organization current in all of its obligations to federal, state and local taxing authorities?
 Yes No
4. Is your organization a party in any litigation proceeding or threatened litigation which could result in a material adverse effect on the organization?
 Yes No
5. Has your organization or any officer or Principal been convicted in any criminal proceeding (other than minor traffic and other non-felony offenses) during the past 5 years or currently the subject of any similar criminal proceeding?
 Yes No
6. Is your organization involved in any material dispute with any federal, state or local regulatory authority or been involved in any such material dispute during the past five years?
 Yes No
7. Are your organization's financial statements audited?
 Yes No
8. If so, have you received a "going concern" opinion from such audit firm during the past three years?
 Yes No
9. Are more than 25% of your revenues derived from any single customer?
 Yes No
10. Did your organization have positive net income in each of the two most recent fiscal years?
 Yes No
11. Do your organization's tangible current assets (current assets less goodwill) exceed its current liabilities?
 Yes No

If you have answered 'Yes' to questions 2, 4, 5, 6, 7(b), or 8, please explain.

If you have answered 'No' to questions 1, 3, 7(a), 9, or 10, please explain.

Attach additional sheets if necessary.

I certify that I have the authority to bind the Respondent indicated below to the specific terms and conditions imposed in this RFQ and offered in this bid proposal, that all of the foregoing answers and all statements contained in any explanation are complete, true and correct, and that by my signature on this document I specifically agree to all of the waivers, restrictions and requirements of this RFQ as conditions precedent to submitting this proposal. I further state that in making this bid proposal that the Respondent has not consulted with others for the purpose of restricting competition or violating State or Federal anti-trust laws and has not knowingly made any false statements in this proposal.

Authorized Signature:

Printed Name:

Title:

Telephone:

Fax Number:

E-Mail:

Business Name:

Address:

Federal ID Number: