

**COMMONWEALTH OF VIRGINIA
STANDARD CONTRACT**

Contract Number: 214-14-ResNet

This contract entered into this 6th day of December 2013 by Shentel Cable Television, LLC hereinafter called the "Contractor" and Commonwealth of Virginia, Longwood University hereinafter called the "Purchasing Agency."

WITNESSETH that the Contractor and the Purchasing Agency, in consideration of the mutual covenants, promises and agreements herein contained, agree as follows:

SCOPE OF CONTRACT: The Contractor shall provide the services to the Purchasing Agency as set forth in the Contract Documents.

PERIOD OF PERFORMANCE: From January 1, 2014 through December 31, 2018.

The contract documents shall consist of:

- (1) This signed form;
- (2) The following portions of the Request for Proposals dated September 6, 2013
 - (a) The Statement of Needs,
 - (b) The General Terms and Conditions,
 - (c) The Special Terms and Conditions together with any negotiated modifications of those Special Terms and Conditions,
 - (d) Addendum 1, dated September 23, 2013,
 - (e) Addendum 2, dated September 24, 2013, and
- (3) The Contractor's Proposal dated October 3, 2013 and the attached negotiated modifications to the Proposal, all of which documents are incorporated herein.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

CONTRACTOR:

BY: 

Title: Christopher E. French
(Print or Type Name and Title)

Date: 12/16/13

PURCHASING AGENCY:

BY: 

Title: P. Kenneth Copeland, Jr.
Vice President for Administration and Finance

Date: 12/18/13

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

eVA BUSINESS-TO-GOVERNMENT VENDOR REGISTRATION, CONTRACTS, AND ORDERS: The eVA Internet electronic procurement solution, website portal www.eVA.virginia.gov, streamlines and automates government purchasing activities in the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet eprocurement solution by completing the free eVA Vendor Registration. All bidders or offerors must register in eVA and pay the Vendor Transaction Fees specified below; failure to register will result in the bid/proposal being rejected.

Vendor transaction fees are determined by the date the original purchase order is issued and the current fees are as follows:

- a. For orders issued July 1, 2011 thru December 31, 2013, the Vendor Transaction Fee is:
 - (i) DMBE-certified Small Businesses: 0.75%, capped at \$500 per order.
 - (ii) Businesses that are not DMBE-certified Small Businesses: 0.75%, capped at \$1,500 per order.
- b. For orders issued January 1, 2014 and after, the Vendor Transaction Fee is:
 - (i) DMBE-certified Small Businesses: 1%, capped at \$500 per order.
 - (ii) Businesses that are not DMBE-certified Small Businesses: 1%, capped at \$1,500 per order.

For orders issued prior to July 1, 2011 the vendor transaction fees can be found at www.eVA.virginia.gov.

The specified vendor transaction fee will be invoiced, by the Commonwealth of Virginia Department of General Services, approximately 30 days after the corresponding purchase order is issued and payable 30 days after the invoice date. Any adjustments (increases/decreases) will be handled through purchase order changes.

NEGOTIATION POINTS

RFP#214-14-ResNet

Residential Network Subscription Services

Negotiations conducted Thursday, December 5, 2013 at 9:00 a.m. in Coyner Hall, Room 202A.

Representing Shentel:

Tom Whitaker, Vice President, Operations
Debbie Jones, Account Representative

Representing Longwood:

Ken Copeland, Vice President for Administration and Finance
Penny Howard, Chief Information Officer
Mark Kendrick, Director of Communications and
Technology Services
Debbie Cooper, Buyer Specialist/Contracts Administrator

The following negotiation points were provided to Shentel in advance of negotiations being conducted. Shentel's responses are in **bold text**.

1. Longwood University will be awarding a 5-year contract for Residential Network Subscription Services with a contract review on the anniversary date each year. Is this acceptable to Shentel?

Yes, Shentel will review the contract every year with the University.

2. Longwood University is removing the DAS requirement from the contract. Is this acceptable to Shentel?

Yes.

3. Will Shentel offer Longwood University a 5-year contract price equal to 75% of the 10-year prices offered in your proposal?

The most recent pricing to the University is our best and final price for the services requested. This pricing is reflected in the totals provided below.

4. Longwood University requests Shentel provide pricing as follows:

CATV – all main campus and off campus locations (5 years) (\$3.00 fixed rate, \$5.00 variable programming rate)	<u>\$1,138,080.00 (2371x\$8x60)</u>
Internet – all main campus and off campus locations (5 years) (10MB Internet service and Wifi overlay)	<u>\$3,534,480.00 (3273x\$14+\$4x60)</u>
Total Bundled Services (5 years)	<u>\$4,672,920.00</u>

5. Longwood University requests 10MB per student. Is this acceptable to Shentel?

Yes.

The following points were mutually agreed to during negotiations:

1. Because of the uncertainty of the future of CATV, Longwood and Shentel agreed to a change to an opt-in format any time during the life of the contract.
2. Due to port counts decreasing when a building is taken offline, Longwood and Shentel agreed that monthly billings will be adjusted to allow for reductions in port counts.
3. Longwood and Shentel agreed on a contract start date of January 1, 2014.