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GOVERNOR



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**MINUTES**

Name of Organization: **Broadband Task Force**

Date and Time of Meeting: Monday, May 15, 2017 at 1:00 P.M.

Place of Meeting: Nevada State Library and Archives  
100 N. Stewart Street, Conference Room C (2<sup>nd</sup> Floor)  
Carson City, NV 89701

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- I. Call to Order/Roll Call  
Brian Mitchell, Governor's Office of Science, Innovation and Technology (OSIT)

Mr. Mitchell called the meeting to order at 1:04 p.m.

Members Present: Caleb Cage, Jeff Fontaine, Denise Inda, Randy Robison, Dr. Kim Vidoni, Randy Brown, Todd Radtke, Tom Neiva, Britta Kuhn

Members Excused: Kevin Judice, Scott Gutierrez, Shannon Rahming

Guests Present: Alan Medeiros, Lincoln County School District; Dan Slentz-Oasis Online; Andrew Clinger-Senior Advisor to Nevada Governor's Office; Kathleen Conaboy-Vice President, Government Affairs & Advocacy Group,

McDonald Carano; Brent Legg-Connected Nation: Lindsey Harmon-Connect Nevada

Staff Present: Brian Mitchell, Debra Petrelli

A quorum was declared.

II. Public Comment (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

Mr. Mitchell asked if there was any public comment. Dan Slentz, President and Owner of Oasis Online based out of Fallon, Nevada, commented that his firm has been doing education technology for the last thirteen or fourteen years. He said they currently manage the technology departments of four school districts in Nevada, to include Churchill, Lander, Storey and Esmerelda Counties. He said they recently entered into a contract with Battle Mountain General Hospital for consulting with their network. He pointed out he has worked with Dr. Kim Vidoni since she became the State Director of Education Technology. He said they have been talking about the broadband situation throughout the state, particularly education broadband and came up with many ideas on how to tackle the problem. He said approximately four or five years ago, SWITCH came on the scene and he was told SWITCH could help with broadband in education. He pointed out he and his company made every effort to work with SWITCH to resolve the problem, but things only went to the way-side and fizzled out. He said Dr. Vidoni recognized this and they went a new route with Connected Nation. He said the process was once again started with maps, phone calls and emails, and this time it did produce results. He said roadmap and partnerships were starting to be created and moving them in the right direction. He said this endeavor also stopped as well. He said now it appears they are back to square one starting over again with EducationSuperHighway. He said he hears from frustrated teachers who simply want to use the internet to teach students but are crippled by the most basic issue of simple reliability.

Mr. Medeiros, representing the Lyon County School District (LCSD), said he agrees with Mr. Slentz, and through efforts by Connected Nation and Connect Nevada, LCSD just now coming into fiber from SWITCH. He added they are currently looking at turning out 10 gig of connectivity on July 1, 2017 in Lyon County.

III. Welcome (for information only)  
Brian Mitchell, OSIT

Mr. Mitchell welcomed everyone to today's meeting.

IV. Feedback and Discussion on the Scope of Work for the OSIT Request for Proposals (RFP) (for information only)  
Brian Mitchell, OSIT

Mr. Mitchell said he had circulated a draft of the request for proposal (RFP) and asked whether anyone had questions or comments. He pointed out that OSIT had been working with the state purchasing department to get this RFP out. He said a template was used to put this document together and the bulk of the template is filling out the scope of work. He thanked those that had already submitted comments on the scope of work and the process being followed, which helped in crafting the document. He asked for feedback or comments.

Dr. Vidoni said she would like to hear the vision for what this document will accomplish and whether it is for the Nevada Connect Kids initiative. Mr. Mitchell responded this document is for the scope of work for the Broadband contract, which is within the OSIT budget. He said it lays out what the contractor needs to do and what their goals will be. Dr. Vidoni asked what end result was expected. Mr. Mitchell said the Governor has identified that he wants to increase the percentage of Nevadans who have access to broadband, increase the percent of schools and libraries that have broadband that meet benchmarks and also connect all rural hospitals, health clinics, and correction facilities to broadband by 2025. He said with respect to the Nevada Connect Kids initiative, progress towards those three goals has been made, specifically increasing the amount of E-rate funding applied for, increasing the percentage of funding requests, and making broader efforts in bringing increased broadband connectivity to all communities within the state. He pointed out that although this is a school focused effort, it does not exclude other community anchored institutions or others in the community. Dr. Vidoni asked if he is potentially looking at leveraging E-rate funding in order to connect those other entities. Mr. Mitchell responded that because there is a community-wide focus and through broader efforts, connecting communities without having a specific focus on E-rate would be the goal.

Mr. Radke asked whether there is a list by school districts, showing who is currently connected and who has applied for E-rate funding in order to help set benchmarks for this RFP. Mr. Mitchell replied that data was part of the Broadband Task Force Report from last year. He said since that report, OSIT has had continued conversations with school districts and there have been changes to the report. He added OSIT has continued to work with EducationSuperHighway who is also helping to obtain information in further drilling down what every school district in the state is applying for with regards to E-rate. He pointed out that one of the proposed deliverables in the RFP asks for a gap analysis and a solution assessment, which would further help in identifying those specific targets. Dr. Vidoni stated that data has been collected for approximately five years, including data from SWITCH, providing

a baseline, and Connected Nation was commissioned less than a year ago to conduct some studies as well. Mr. Radke asked how many locations are being looking at. He said in looking at E-rate funding, several school districts are already connected while others do not have enough broadband or need to expand their broadband for as few as five school districts. He asked whether a consultant would need to be hired for a year just to connect or expand those few school districts without broadband. He asked whether there is value in hiring a consultant for only a few school districts. Mr. Mitchell responded he believes there are more than five school districts that need to be targeted. He added there are schools within every school district that are not well connected. For example in Clark County, schools in Laughlin and Searchlight have limited connectivity or at least connectivity that could be improved. He said there is room for improvement in working with every school district over the next two years, and after that, the task force can re-evaluate and decide what the next course of action will be.

Mr. Fontaine asked if there is a way to quantify what OSIT is looking at in terms of increasing the scope of work and what the expectation is, as far as evaluating success of the contract. Mr. Mitchell responded that at this point there is no specific percentage increase required, because much depends upon the different factors outside of the contractor's control, for example the cooperation of an individual school district. There was disagreement with the characterization that increased percentage is quantitative, but rather it is quantitative based on a baseline. A discussion ensued regarding the 'Scope of Work' wording, "Bidders must provide a detailed work plan," which asks the bidder to produce that baseline based on the gap analysis.

Mr. Fontaine pointed out the discussion is on "scope of work", and asked what should be done as a state. Mr. Mitchell said this is not the actual scope of work that would end up in the contract, but rather the scope of work would be negotiated, and pointed out this document is only the bases for the RFP. He said rather than outlining every detail expectation, the bidder is asked to come up with their own plan and each bidder would be evaluated based on that information. He said at that point a discussion would ensue on specific information within the RFP, then a negotiation with the bidder would be based on that information. He added there is not much to respond to if everything is laid out in advance. He said the RFP will request that bidders outline their community engagement plan and how they will go about determining what the needs are.

Mr. Fontaine requested clarification whether this is only a Request for Information (RFI) and not the actual scope of work. Mr. Mitchell responded this document is basically the information that will go into the scope of work category within the state purchasing department template. This document will form the basis of how the bidder will respond. Mr. Fontaine asked, for these

types of services, whether the state initially requests an RFI before the scope of work is determined. Mr. Andrew Clinger, Senior Advisor to Governor Sandoval, replied it can be done either way. He added that he believes this document lays out the “why,” the “what,” and the goals and objectives in regard to what needs to be accomplished. He added the input Mr. Mitchell is looking for from this task force is the “how.” He pointed out there has been disagreement between members of this task force and others on the way OSIT is approaching the “how.” He pointed out the details may need to be worked out through the RFP process, including performance measures.

There was discussion on whether EducationSuperHighways has been helpful to those working in E-rate and connecting the schools. Mr. Medeiros commented that Lincoln County was lucky that SWITCH happened to come through their county several years ago on a grant received by the Nevada Hospital Association (NHA), but they still have Smith Valley without fiber, which is very remote with approximately 200 students. He said the leverage of the state is needed to come in on the E-rate side. He discussed their funding consisting of Categories 1 and 2 used for internal connections and internet funding, and a third category used for infrastructure. He said without SWITCH originally getting fiber to Lincoln County, they would not be where they are today. He commented that all districts need to be treated equally.

Dr. Vidoni commented that much of this work has been piecemeal and feels through state leadership a better job could be done at getting rural schools connected. She referred to the scope of work on the document and said the work has already been done on items 1 and 2 for the most part, only requiring possible updating. She added that Connect Nevada and Connected Nation have done this work. She said she believes it is a waste of time to go forward with an RFP when a partner is already in place that is ready, willing and able to pick it up and start on July 1, 2017. Brent Legg with Connected Nation, commented he agrees with Dr. Vidoni. He said Connected Nation has data at the school district-level based on a study conducted for the Department of Education from last year, as well as data for Washoe and Clark counties on a school-level. He said the way E-rate works, as applications are submitted, data is recorded out of Universal Service Administrative Co. (USAC) on connections that are paid for using E-rate funds and then reported at the district-level. He commented that in 15 rural Nevada counties, types and speed of the WAN internet connectivity is needed to get data for those counties. He suggested Connected Nation could have a really solid gap analysis within two to three weeks, which could be done under their existing contract with the state. He said he believes items 1 and 2 on the scope of work are redundant and believes the state is ready to move forward with an action plan to take the gap analysis and move to the next level. He said this would entail pursuing more E-rate funding, which requires having a plan in place for upgrading connections to all school sites based on the gap analysis. He added the Federal

Communications Commission (FCC) in their 2014 E-rate modernization orders set goals for both plan and internet access for all schools across the country. He said by the 2017- 2018 school year the internet access goal is 1 gigabit per 1,000 students, and the connection back from the individual school site to the district office should be 10 gigabits per 1,000 students for WAN. He said those are the benchmarks that every other state and school district in the county are pursuing. He commented that EducationSuperHighway is a great organization and they have set two measures; whether the school is on fiber, and whether the school meets the per student speed goal set up by the FCC. He said based on previous discussions, these should be the goals for Nevada as well. He pointed out that Connected Nation's contract does not expire until June 30, 2017, allowing plenty of time to complete the gap analysis. He said based on the middle-mile map already produced, all school sites have been mapped within the state and only require to be updated.

Mr. Radtke agreed with Mr. Legg and said many assessments have been done by the state. He said he believes there is plenty of data to make some core business decisions and what is missing is the strategy. He said he does not see a strategic roadmap of what is trying to be accomplished and does not feel comfortable in moving forward with an RFP. He added as a task force member he would hope for a really targeted proposal for broadband versus another RFP to do another assessment. He said he believes focusing on the assets the state already has is crucial. He said Nevada already has a lot of fiber in the ground and isolated networks for different purposes, which help to build the state infrastructure. He said it would be his preference to leverage the fiber swaps and build last-mile connections with fiber back to the existing Nevada System of Higher Education (NSHE) network for a more robust education network that is run and maintained as a state.

Mr. Legg said he agrees that the state, as a best practice and based on what other states are doing, using category 1 fiber special construction dollars under E-rate should pursue the foundation of building a state network for K-12. He added that as every new project is bid with a carrier, it forms the foundation that could turn into a common state network. He said SWITCH has those resources within the state to be able to serve essentially as the backbone of the network and the network operation center down the road. He suggested that if the state chooses to start everything new, it should be to build something that looks like Utah's network, which would include having fiber network engineering expertise to do the design and planning work before anything is bid, as well as E-rate experts that know how to take the fiber special construction program from category 1 and turn that into new fiber builds for these districts. He added that someone who does bidding and procurement professionally is needed, along with expertise to follow the E-rate regulations and make sure not to compromise state procurement law. He said next the process goes from design build to RFP, to funding request, to funding review,

followed by funding award. He said based on conversations with Dr. Vidoni over the last year, he believes the state is ready to start the designing and planning phase. Ms. Inda said, from NDOT's perspective, while there are some assets, NDOT is not a service provider, but has the staffing and resources. She said NDOT could not make any commitment in that direction because they do not have the ability to ensure systems are up and running at required levels. She said she would defer those types of responses to Enterprise IT Services, State of Nevada (EITS) and the Nevada System of Higher Education (NSHE), within the state. She added it would be good to hear their perspectives as well. NDOT is not running the same business or focusing on the same areas as other agencies.

Mr. Robison said what Mr. Radke said rang true to him based on his experience in Nevada. He said he believes the time for action is now. He added that information has been gathered for quite some time and there is a pretty good idea where the gaps are and it is time to start moving. He pointed out the \$2 million dollars in the budget is a good start. He said it is not going to solve the total problem, but he is unsure of where the RFP fits into the longer timeline, except that it would slow down whatever is already in motion at this point. He said he believes action needs to be taken now, with or without an RFP. He asked for clarification on the timeline in terms of the RFP process; i.e. approval, scope of work, short-term and long-term goals, and tangible and intangible items.

Mr. Mitchell responded that in recent meetings with various members of this task force, it was agreed that the time for action is now and to move forward. He said in the existing contract and in existing efforts there has not been a lot of work done on E-rate, and is not a part of the existing contract. He said, independent of that, he formed an agreement with EducationSuperhighway, which is a very knowledgeable, non-profit company that operates in over twenty states and have made available to Nevada an entire team of people, free of charge, who have been working with OSIT since December 2016. He added that EducationSuperhighway has also been working with Nevada school districts and have had conversations with others who are struggling with E-rate. He said a recent success was with Pershing County, wherein they filled out the E-rate forms wrong, which is the type of mistake that would typically reject an E-rate application, and happens frequently without this type of expertise. He said by finding the error, EducationSuperHighway was able to notify Pershing County and correct their form. He said in reference to Mr. Robison's question on timeline, Nevada is already moving on E-rate. He said Nevada is not waiting for the new fiscal year or new contract. The contract with EducationSuperHighway is simply a means to help OSIT in its mission to connect schools. He pointed out that EducationSuperHighway is very knowledgeable and have several network engineers on their team along with others that are helping with outreach. He said OSIT feels that any contractor

who comes in under this scope of work is going to come into an operation that is already running and not have to start over or build on what was done in the past. He said Nevada is looking at the future building of a state capacity that will exist after EducationSuperHighway has finished their work with Nevada. He said with regard to the RFP timeline, Nevada operates on the fiscal year throughout a biennium, operating in two-year contracts with anyone who contracts with the state. He pointed out it happens every two years and allows OSIT a time to reevaluate within a larger context, including the vision and goals, which have been laid out at the top of this document to connect schools, hospitals and communities. He said it is important to take the time to make sure Nevada is receiving what it is paying for. He pointed out the hope with this RFP process is to complete it by August 8, 2017, prior to the next Board of Examiners meeting, whether it is a new contractor or existing contractor, there will be no lost time as a result of going to the RFP. He said the specifics on what should be in this RFP is ultimately what is required. He said from this discussion, he believes someone who can hit the ground running and take advantage of any previous work that has already been done is needed. He pointed out it is also apparent there is a need to engage a variety of stakeholders, not just at the community-level but also at the state-level in making sure NDOT, NSHE and EITS are all on board.

Dr. Vidoni said she spoke with five school districts last week who had been contacted by EducationSuperHighways and was told that none of those school districts felt their services were useful. Mr. Neiva stated he agrees with Mr. Radke to not only build a state network for K-12 but rather K-20 and would be willing to work with OSIT. Mr. Fontaine asked whether this outlined scope of work will go out with the RFP. Mr. Mitchell replied it would go out with the RFP and once a winning bidder is identified there will be a more specific set of deliverables relating to each one of the categories, which may include a monthly report to OSIT or monthly meetings in each school district. He said much will depend on what each bidder proposes. He pointed out that bidders will propose their own version of how these tasks will be accomplished, then apply the scope of work based on what they propose. Mr. Radke asked who would be doing the reviewing of applicant RFPs. Mr. Mitchell responded that these RFP's will be reviewed by a committee setup by the state purchasing department.

- V. Public Comment (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

Ms. Lindsey Harmon with Connect Nevada, said Mr. Neiva and Mr. Radke made some good points, however some of the issues this group will face is how to deal with a network run by the state that uses leased services from providers. She said when this network is built and essentially operated by NSHE, they will have to also maintain and operate the network. She said she



believes a meeting between OSIT and NSHE is essential. She added another item missing is a cost allocation model for how E-rate services will be billed for services NSHE already uses. She said NSHE has been consistently losing out on additional funds to operate and engineer their network as a result of a lack of staff or help in support in billing for long-haul transport. She said it is not just about the last-mile connection, it is about supporting future network development and building out middle-mile in rural areas, which is the primary issue. She said it is also about making sure the backbone capacity is adequate, and urged the group to include within the RFP, how to transition the network from NDOT, NSHE and EITS, as well as how to cost allocate for long-haul transport.

Mr. Brent Legg with Connected nation, commented that he encourages the Broadband Task Force to seek guidance from Utah. He said their offer to provide assistance is very much on the table for no charge. He added they operate a state network of leased fiber connections with carriers and have been very successful. He pointed out they also are offering to potentially extend aspects of their network into Nevada and across the state line. Ms. Kuhn said it is important to remember Nevada is working within a limited budget, whereas Utah has some benefits that will not translate into Nevada, which ultimately would entail considerable planning.

VI. Adjournment

Brian Mitchell, OSIT

Mr. Mitchell adjourned the meeting at 2:00 P.M.