

REQUEST FOR PROPOSALS

CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD

**NYS CONNECTALL MUNICIPAL INFRASTRUCTURE PROGRAM
CNYNET OPEN ACCESS FIBER NETWORK**

DESIGN, CONSTRUCTION MANAGEMENT, and OPERATION SERVICES

June 10, 2025

CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD
126 NORTH SALINA STREET, SUITE 200
SYRACUSE, NEW YORK 13202
www.cnyrpdb.org

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1.0 Purpose and Intent

The Central New York Regional Planning and Development Board (CNY RPDB), in partnership with CNYNET, Inc., is issuing this Request for Proposals (RFP) from qualified firms (consultant) with significant experience in planning, design, construction, and operations management of large-scale publicly sponsored community based open access fiberoptic broadband networks – www.cnyrpdb.org/CNYNET.

2.0 Background Information

The CNY RPDB is a public planning and development agency that was established in 1966 by Cayuga, Cortland, Madison, Onondaga, and Oswego Counties under the provisions of Article 12B of the New York State General Municipal Law for the purpose of assisting with the growth and development of communities in Central New York. CNYNET, Inc. is a non-profit local development formed by the CNY RPDB in 2025 to facilitate the improvement of broadband service in Central New York.

As part of its economic development program, the CNY RPDB has secured a \$26.1 million grant in 2025 through the NYS ConnectAll Office (CAO) Municipal Infrastructure Program (MIP) to underwrite the costs of constructing a 275-mile open access fiber network in Central New York. The network will be located primarily in Cayuga and Cortland County. As part of the CAO MIP application process, the CNY RPDB has completed general planning and preliminary design work for the project. The project schedule provides for the commencement of final design work in July 2025 and requires substantial completion of all project activities by December 31, 2026.

3.0 Scope of Work

The CNYNET project is a publicly sponsored and community-based open access network funded through the NYS CAO MIP. The project consists of the planning, design, construction, and operation of approximately 275 miles of fiber that will serve as a broadband middle mile network that will bring service to approximately 6,675 locations in Cayuga and Cortland Counties.

CNY RPDB is seeking proposals from qualified firms for a comprehensive suite of services in connection with the CNYNET project. These consulting services include completing a detailed review of the program design and regulations applicable to the NYS ConnectAll Municipal Infrastructure Program and the US Treasury Capital Project Funds program.

Once the program analysis is complete, the consultant must review and validate the preliminary network design (PND), field verify the PND, and complete the final network design. The consultant will also address all environmental reviews and permitting requirements, manage the pole application, permitting and licensing process, prepare the necessary bid documents and administer the construction bid and goods/services procurement process, manage the pole make ready and fiber construction process, certify project completion, administer a procurement process and negotiate a contract for services from a preferred vendor internet service provider (ISP), prepare a business operations and organizational plan for CNYNET, Inc., assist with the submission of all project reimbursement and project reporting requirements of the NYS CAO MIP program, and provide a range of general project management services required to successfully complete a project of this magnitude.

A. Design Tasks

- Finalize desktop design using pole owner data, preliminary design, in addition to loading data onto tablets for OSP field verification.
- Complete GPS and map details of all poles along route
- Complete final design for submission as required by regulatory parties, utilities, and the NYS CAO
- Complete OSP field work along the route to verify pole lines and identify the following:
 - OSP field work/details uploaded via tablet to design group standards (ESRI Required)
 - Areas for re-design due to heavy MR work
 - Railroad crossings for permit submissions
 - State roads for Perm 75 submissions
 - Aerial and underground design locations and routes
 - Identify and address complex make-ready locations (ability to identify and separate long lead-time MR poles for Make-ready submissions)
 - Complete any necessary design revisions - based on items discovered to avoid replacing too many poles, or to create less costly crossing for railroads, waterways or other geological features
- Complete environmental and permitting process and reviews
- Complete inside the building or inside hut design items related to racks, layout of racks, AC/power etc.
- Complete all drawings and design for Hut location (design documents need to support easement agreement, electrical, generators, jersey barriers to support full Hut construction management)
- Identify and record all network and field splice points, including FTTH demarcation.
- Create and update documents to support build, including as-builts and changes to design datasets.
- Review and develop plan/approach for conduit installation locations
- Use ESRI GIS design system to facilitate preliminary and final design
- Develop interactive GIS system map that document all as-built system facilities and customer serviceable locations throughout the network
- Provide certified Tier D and/or E Fabric License

B. Pole Make Ready Task:

- Apply for pole make ready permits (one touch or direct)
 - Utilizing information gathered during the design steps listed above, create pole applications for all power pole owners including National Grid and NYSEG

- Submit pole applications to all telecommunication owners.
- Manage pole application process through site tracker software tool
- Utilizing the National Grid Applicant Directed Design (ADD) process, request quotes from pre-approved design engineering companies
- Evaluate quotes from pole design engineering companies and make selections
- Manage make ready process
- Write bid specifications for make-ready surveys, evaluating bids, pre- and post-meetings.
- Request quotes from pre-approved MR construction contractors
- Meet with selected MR Construction Contractor on a weekly basis to track construction work
- Permit construction – underground and aerial
- MR management and pole licensing
- Underground permits creation and submission
- Permits, licenses and documentation for private easements
- Pathway permitting & ROW

C. Fiber Construction Management Task:

- Write and bid out fiber optic cable acquisitions, evaluate bids, with pre-post meetings
- Evaluate quotes from fiber construction contractors and make selection
- Bid out construction – assigning, manage and tracking of construction to multiple contractors
- Development and oversight of fiber construction bids
- Manage construction processes, including field inspections of construction partners
- Bid hut and equipment purchase and installation
- Construction oversight and management

D. Systems Operations Management Task:

- Prepare a systems operations and management plan for CNYNET
- Manage a procurement process for selecting a third-party preferred vendor internet service provider (ISP)
- Negotiate and implement a service contract with selected ISP
- Develop and implement a marketing program to ensure effective utilization of CNYNET OAN by community anchor institutions and ISPs.

E. General Project Management Task:

- Provide written reports on project status on a weekly basis
- Report, in conjunction with client, to CAO/ESD project team weekly meetings
- Maintain project monitoring, budgeting, schedule forecasting, and reporting throughout the development process
- Manage and attend CNY RPDB, county, and ConnectAll meetings
- Ensure the project is in compliance with all applicable regulations and guidelines required for the use of federal, state, and local state funds allocated for this project including those regulations applicable to county funding, the NYS ConnectAll Office MIP, and the US Treasury Capital Funds program.
- Meet all reporting and compliance requirements and present a sound plan for mitigating project risks such as costs and timeline implications for licensing, make-ready, and fiber construction
- Assist the CNY RPDB with any data submissions that may be required related to project planning, design, construction, service, performance, procurement and pricing, and grant management in furtherance of mandatory compliance monitoring required by the NYS CAO, including NYS CAO guidance detailing the specific method, format, and frequency of data reporting requirements and claims for reimbursement of project expenses.

4.0 Project Schedule

The overall project schedule is outlined below:

Issue the Request for Proposals	June 10, 2025
Proposal Submission Deadline	July 3, 2025
Consultant Selection	July 11, 2025
Contract Execution and Start Work	July 18, 2025
Project Completion	December 31, 2026

5.0 Submission Requirements

The CNY RPDB requests the following items from all respondents to this RFP:

- a. Complete and submit all forms including the Proposal Summary, Fee Proposal, and Certification/ Compliance forms.
- b. A formal written presentation of the qualifications of the consultant team including:
 - List of the officers, directors, or partners of the firm
 - List and resumes of the project manager and all project team members that will work on this assignment
 - List of any professionals not associated with the respondent to be used as sub-consultants on the project, their qualifications, resumes, and contribution to the project
 - A description of the consultant's current level of activity and the resources available to complete this project on schedule
 - A description of representative assignments completed by the consultant in the past five years. particularly those contracts that are relevant to this engagement
 - List of at least five clients served within the past five years who can be contacted as references, including the names of the individuals, addresses, telephone numbers, and email information
 - A copy of the most recent brochure for the consultant and any sub-consultant working on the project
- c. A formal written proposal and work plan that includes:
 - A statement the consultant has completed a review and has a clear understanding of the NYS CAO Municipal Infrastructure Program and the relevant components of the US Treasury Capital Projects Fund program.
 - A clear demonstration of the consultant's understanding of the scope of work outlined in this RFP
 - A clear demonstration and statement that the consultant has the necessary staff experience and resources available to complete the scope of work professionally and in accordance with the project completion date of December 31, 2026
 - A clear explanation of the firm's experience in planning and managing the development of large-scale publicly sponsored community based open access fiber optic networks.
 - Evidence of a record of performance by the firm to complete large-scale fiber projects on time and within budget

- A detailed explanation of the approach that will be used by the consultant for project design, permitting, procurement, construction management, operations planning, grants management, and the public engagement components of the project.
- The anticipated timetable, staff hours and assignments, and budget needed for the completion of each phase of the project
- A proposed organizational chart for the project, including the names and titles of all staff that will work on this assignment. Include with the organizational chart, the proposed staffing allocation (including support staff) that will be used to ensure the project tasks are accomplished in a timely manner
- Any other information that the respondent wishes to provide to assist the CNY RPDB in the consultant selection process

6.0 Schedule of Fees

The breakdown of all fees and the allocation of hours must be presented by task on the attached Fee Proposal Form

7.0 Proposal Evaluation and Selection

All responsive proposals will be evaluated by the CNY RPDB. The consultant selection will be based upon overall value as measured by technical qualifications and experience of the consultant, resources available to complete the assignment, presentation of a clear understanding and methodology for completing the assignment, and cost. Proposals that are found to be responsive will be reviewed and scored in accordance with the following criteria:

- Experience managing large-scale community based open-access broadband network design, permitting and licensing, construction, and system operations – 25 points
- Demonstration of sufficient staff resources and availability to complete each element of the scope of work on schedule – 25 points
- Demonstration of a clear understanding of the scope of work and presentation of a sound methodology to complete each task – 25 pts.
- Cost (itemized budget proposal explaining fee structure, reimbursable expenses, and items not included as part of the basic services fee) – 20 Points
- Demonstration of a clear understanding of the goals, objectives, and regulations governing the NYS CAO MIP program – 5 points

No oral presentations will be required as part of this request for proposal review process, however, respondents may be contacted directly by the CNY RPDB for additional information or for the clarification of any information presented.

8.0 Award and Contract

The CNY RPDB reserves the right to reject any or all proposals that are submitted in response to this RFP.

The CNY RPDB reserves the right to change the scope of work requested in this RFP during any phase of this project. Any change in the scope of work may result in a proportionate change in fee and project schedule. Any change in fee and schedule shall be negotiated to the mutual satisfaction of the CNY RPDB and the consultant and will be reflected in a written amendment to the contract documents that is executed by both parties.

Any expenses incurred by a consultant in the preparation of a proposal shall be borne by the submitting firm with the express understanding that the consultant shall not apply to the CNY RPDB for the reimbursement of any such expenses. The CNY RPDB shall not be responsible for the return of any proposals which have been submitted in response to this RFP and shall be free to dispose of any such submittals as it sees fit.

9.0 Compliance

This project is being funded, in part, by a grant the CNY RPDB has secured from the NYS ESD ConnectAll Municipal Infrastructure Program and the US Treasury Capital Projects Fund. All participants in this project must comply with all provisions of the NYS CAO MIP program and all other relevant federal, state, and local laws, regulations, and contract requirements as required by the CNY RPDB and funding agencies participating in this project.

The CNY RPDB, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and New York State Executive Law, affirmatively ensures that the contract will be awarded without discrimination on the grounds of race, creed, color, disability, marital status, age, sexual orientation or natural origin.

The consultant represents and warrants that neither it nor any of its directors, officers, members, partners or employees, have any interest nor shall they acquire any interest, directly or indirectly which would or may conflict in any manner or degree with the performance or rendering of the services provided. The consultant further represents and warrants that in the performance of these services no person having such interest or possible interest shall be employed by it and that no officer or employee of the CNY RPDB, nor any person whose salary is payable, in whole or in part, by the CNY RPDB, or any corporation, partnership, limited liability company or association in which such official, officer or employee is, directly or indirectly interested, shall have any such interest, direct or indirect, in this agreement or in the proceeds thereof.

For a breach or violation of such representations or warranties, the CNY RPDB shall have the right to cancel this RFP without liability, entitling the CNY RPDB to recover all monies paid hereunder and the consultant shall not make claim for, or be entitled to recover, any sum or sums otherwise due under this RFP. This remedy, if elected, shall not constitute the sole remedy afforded the CNY RPDB for such falsity or breach, nor shall it constitute a waiver of the CNY RPDB right to claim damages or otherwise refuse payment to or to take any other action provided for by law or pursuant to this RFP.

10.0 Other Conditions

Documents - All reports and documents submitted by the consultant under the provisions of this RFP shall be the property of the CNY RPDB.

Books and Records - In accordance with State and federal regulations, the consultant must maintain accurate books and financial records for all work done on this project for the term of the contract period and for six years from the expiration of contract. If requested, such records must be made available during this period to the CNY RPDB and the NYS CAO.

Payment - All payments will be made by the CNY RPDB to the Consultant in a timely manner. These payments shall be conditioned upon the completion, acceptance, and approval of all of the consultant's work by the CNY RPDB and the NYS CAO. As noted in this RFP, all Consultant work on this project must be completed by December 31, 2026.

Insurance – The Consultant will be required to carry and show evidence through a certificate of insurance that the following coverage is in place:

General Liability: \$1 million per occurrence; \$2 million aggregate; and \$ 5 million umbrella

Workers Compensation: New York State Statutory Requirements

Automobile: including owned, hired, and non-owned auto - \$1 million combined single

Professional Liability: \$1 million

The CNY RPDB must be named an additional insured on the consultant's general liability, automobile umbrella, and professional liability insurance policies.

The Consultant hereby certifies that the Consultant is not debarred or suspended from any federal, state, or local municipal government contracts and provides the same certification for any subcontractors retained by the Consultant to work on this project.

The parties hereby stipulate and certify that there is no member, officer, or employee forbidden by the law to be interested in this RFP and contract, directly or indirectly, who will benefit there from or who is party thereto.

The Consultant agrees that it shall not assign transfer, convey, or otherwise dispose of any work outlined in the RFP scope of work or its rights under this RFP, title or interest in and/or to the same nor any part thereof nor the power to execute such scope of work to any other person, company or corporation without the prior express written consent of the CNY RPDB.

It is understood by and between the parties hereto that any agreement executed as a result of this RFP shall be deemed executory only to the extent of NYS CAO grant funds provided to CNY RPDB and said monies appropriated and made available by CNY RPDB for the purpose of this RFP and no liability on account thereof shall be incurred by the CNYRPDB beyond monies actually appropriated and made available for the purpose hereof.

Procurement:

The consultant represents and warrants that no person or selling agent has been employed or retained by the consultant to solicit or secure this project upon an agreement or upon an understanding for a commission, percentage, a brokerage fee, contingent fee or any other compensation. The consultant further represents and warrants that no payment, gift or thing of value has been made, given or promised to obtain this or any other agreement between the parties. The consultant makes such representations and warranties to induce the CNY RPDB to enter into an agreement and the Board relies upon such representations and warranties in the execution hereof.

For a breach or violation of such representations or warranties, the CNY RPDB shall have the right to cancel this RFP/agreement without liability, entitling the Board to recover all monies paid hereunder and the consultant shall not make claim for, or be entitled to recover, any sum or sums otherwise due under this RFP/agreement. This remedy, if elected, shall not constitute the sole remedy afforded the CNY RPDB for such falsity or breach, nor shall it constitute a waiver of the CNY RPDB's right to claim damages or otherwise refuse payment to or to take any other action provided for by law or pursuant to this agreement.

Conflict of Interest:

The Consultant represents and warrants that neither it nor any of its directors, officers, members, partners or employees, have any interest nor shall they acquire any interest, directly or indirectly, which would or may conflict in any manner or degree with the performance or rendering of the services provided. The Consultant further represents and warrants that in the performance of this agreement no person having such interest or possible interest shall be employed by it and that no officer or employee of the CNY RPDB, nor any person whose salary is payable, in whole or in part, by the CNY RPDB, or any corporation, partnership, limited liability company or association in which such official, officer or employee is, directly or indirectly interested, shall have any such interest, direct or indirect, in this agreement or in the proceeds thereof.

For a breach or violation of such representations or warranties, the CNY RPDB shall have the right to annul this RFP/ agreement without liability, entitling the CNY RPDB to recover all monies paid hereunder and the consultant shall not make claim for, or be entitled to recover, any sum or sums otherwise due under this agreement. This remedy, if elected, shall not constitute the sole remedy afforded the CNY RPDB for such falsity or breach, nor shall it constitute a waiver of the CNY RPDB's right to claim damages or otherwise refuse payment to or to take any other action provided for by law or pursuant to this agreement.

Fair Practices:

The Consultant and each person signing on behalf of the consultant represents, warrants, and certifies under penalty of perjury, that to the best of their knowledge and belief:

The prices in this RFP/agreement have been arrived at independently by the Consultant without collusion, consultation, communication, or agreement with any other consultant or with any competitor as to any matter relating to such prices which has the effect of, or has as its purpose, restricting competition; and

Unless otherwise required by law, the prices which have been quoted in this proposal and on the proposal or quote submitted by the consultant have not been knowingly disclosed by the consultant prior to the communication of such quote to the CNY RPDB or the proposal opening directly or indirectly, to any other proposer or to any competitor; and

No attempt has been made or will be made by the consultant to induce any other person, partnership, corporation or entity to submit or not to submit a proposal or quote for the purpose of restricting competition.

11.0 Submission Procedures and Deadline

The deadline for the submission of a proposal is July 3, 2025 at 3:00 pm. The complete proposal must be submitted by email to dbottar@cnyrpdb.org as a PDF attachment with subject line **RFP Response – CNYNET.**

The CNY RPDB reserves the right to reject any and all proposals, for any reason, and reserves the right to re-solicit proposals in the event no response to the RFP is acceptable to the CNY RPDB.

12.0 Contact

The contact person for respondents to this RFP is:

David V. Bottar, Executive Director
Central New York Regional Planning and Development Board
126 N. Salina Street, Suite 200
Syracuse, New York 13202
315-422-8276 x1207
dbottar@cnyrpdb.org

13.0 Public Notice

NYS Contract Reporter

Category: Architectural, Engineering, and Land Surveying

Issue Date: 06/10/25

Telecommunications and broadband design and engineering consultant firm to assist the CNY RPDB and CNYNET, Inc. to develop plans and manage the construction of a 275-mile fiber network in Central New York under the provisions of the NYS ConnectAll Municipal Infrastructure Program.

Description:

The Central New York Regional Planning and Development Board (CNY RPDB), in partnership with CNYNET, Inc., is issuing this Request for Proposals (RFP) from qualified firms with significant experience in planning, design, construction, and operations of large-scale publicly sponsored community based open access fiber broadband networks. This RFP can be downloaded via the CNY RPDB's website at: www.cnyrpdb.org/CNYNET.

Proposal Due Date: July 3, 2025 at 3:00 pm

Contract Term: 16 months; July 2025-December 31, 2026

14.0 Request for Proposal Summary

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June 10, 2025

Consultant

Name: _____

Address: _____

Contact Person: _____

Phone/E-mail: _____

Federal ID #: _____

M/WBE Status: _____

Other Project Team Members

List by Firm: _____

Total Fee: _____

Date: _____

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REQUEST FOR PROPOSAL FEE FORM

June 10, 2025

Consultant: _____

<u>Tasks</u>	<u>Hours</u>	<u>Cost</u>
A. Final Planning and Design	_____	_____
B. Pole Make Ready Permitting and Construction	_____	_____
C. Fiber Permitting and Construction	_____	_____
D. Systems Operation Management	_____	_____
E. General Project Management	_____	_____
Totals:	_____	_____

Name /Title/Company: _____

Signature: _____ Date: _____

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Sexual Harassment Certification

June 10, 2025

Sexual Harassment Certification:

All consultants/contractors must certify compliance with recent amendments to state law concerning sexual harassment prevention in the workplace and training as a term and condition to all CNY RPDB contracts.

By signing this Certification, the Consultant/Contractor/Vendor certifies to the CNY RPDB:

1. That this Certification shall be considered part of its primary contract with the Board as if more fully set forth therein; and
2. That Contractor/Vendor are now and will be in compliance with sexual harassment prevention and training programs as are more fully set forth hereinbelow:

Terms Required by Law

Pursuant to New York Finance Law § 139-L, the Contractor/Vendor, by signing this Agreement, certifies that it: (i) has implemented a written policy addressing sexual harassment prevention in the workplace, and (ii) provides annual sexual harassment prevention training to all its employees.

Company:

Name/Title:

Date:

Authorized Signature: _____

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Non-Collusion Certification

June 10, 2025

Non-Collusion Certification:

General Municipal Law § 103-d

(a) By submission of this proposal, each consultant and each person signing on behalf of any consultant certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this proposal have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Proposer or with any competitor;

(2) Unless otherwise required by Law, the prices which have been quoted in this proposal have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by the Proposer prior to opening, directly or indirectly, to any other Proposer or to any competitor;

(3) No attempt has been made or will be made by the Proposer to induce any other person, partnership, or corporation to submit or not to submit a proposal for the purpose of restricting competition.

(b) A proposal shall not be considered for award nor shall any award be made where (a)-(1), (2) and (3) have not been complied with; provided however, that if in any case the consultant cannot make the foregoing certification, the consultant shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefore. Where (a)-(1), (2) and (3) have not been complied with, the proposal shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, department, agency or official thereof to which the proposal is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a Consultant (a) has published price lists, rates or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same time prices being proposed, does not constitute, without more, a disclosure within the meaning of paragraph (a) of this certification.

By submission of this proposal, the undersigned hereby affirms the truth of the foregoing certification under the penalties of perjury.

Company:

Name/Title:

Date:

Authorized Signature: _____

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Non-Collusion Certification

Corporate Resolution

June 10, 2025

RESOLUTION FOR CORPORATIONS ONLY:

Resolved that (individual) is authorized to sign and submit the Bid or RFP of this corporation for the following project:

CNYNET Broadband Consulting Services

and to include in such Bid or RFP the certificate as to non-collusion required by Section 103-D of the General Municipal Law as the act and deed of such corporation and for any inaccuracies or misstatements in such certificate this corporate responder shall be liable under the penalties of perjury, and is authorized to enter into the contract if awarded to this corporation:

The foregoing is a true and correct copy of the resolution adopted by
Corporation at a meeting of its Board of Directors held on the day of ,
, and is still in force on this day of , 2025.

Secretary

(Seal of Corporation)