

## A. Introduction

The Midwestern Higher Education Compact (Compact), through its governing body, the Midwestern Higher Education Commission (MHEC or the Commission), is joining the University of Nebraska in competitively soliciting proposals for the purchase and maintenance of Alcatel-Lucent Enterprise Network Equipment. Upon final award and execution of a contract with the University of Nebraska (Contract), the successful Bidder shall enter into an addendum to the Contract (Addendum). The Addendum terms and conditions are attached as Exhibit B. MHEC reserves the right to add additional terms and conditions and modify the scope of the Contract in the Addendum. MHEC also reserves the right to reject all proposals and not enter into an Addendum with the successful Bidder should, in MHEC's sole discretion, the successful Bidder fail to meet MHEC's needs. MHEC will not be liable for any costs incurred by respondents in preparation and production of a proposal or the costs of any services performed prior to contract award.

## B. The Midwestern Higher Education Compact

The Midwestern Higher Education Compact was established in 1991 through a common statute enacted into law by each of the 12 Midwestern member states (Illinois-Illinois Statute: Chapter 45 ILCS 155, Indiana-Indiana Statute: Chapter IC 21-28-3-3, Iowa-Iowa Statute: Chapter 261D.2, Kansas-Kansas Statute: Chapter 72-60b01, Michigan-Michigan Statute: Section 390.1531, Minnesota-Minnesota Statute: Section 135A.20, Missouri-Missouri Statute: Section 173.700, Nebraska-Nebraska Statute: Section 85-1301, North Dakota-North Dakota Statute: Chapter 15 - 10.2, Ohio-Ohio Statute: Chapter 3333.40, South Dakota-South Dakota Statute: Chapter 13-53C--, and Wisconsin-Wisconsin Statute: Chapter 14.90) The purpose of the Compact is to promote higher education through interstate cooperation and resource sharing.

A 60-member Commission composed of five delegates from each state who are appointed by their respective Governors, House Speakers and Senate Presidents governs the Compact. The statute establishing the Compact makes the Commission an instrumentality of the Compact's twelve member states and confers upon it very broad authority to enact solutions and enter into agreements on behalf of the member states. Once a state enacts the necessary legislation to become a member of the Compact, all of the public and private non-profit colleges, universities, community colleges and technical colleges in the state are eligible to participate in the solutions established by the Commission, including purchasing under MHEC agreements. The Commission receives its primary financial support from member state appropriations, from foundations having special interests in specific solutions, and from administrative service fees.

The primary constituents served by the Midwestern Higher Education Compact are the approximately 1000 public and private non-profit institutions in the member states whose combined enrollments total over four (4) million students. In addition, where appropriate, state government agencies and local school districts are also invited to participate in MHEC solutions.

One of the Compact's top priorities is to establish public-private relationships to improve services to higher education, and reduce administrative costs for both providers and institutions. Since 1991, the Compact has engaged in several highly successful initiatives in cooperation with leading corporations. These relationships have been quite innovative, and have produced financial benefits for all of the involved parties. Beyond excellent pricing and terms, MHEC agreements deliver a primary benefit to institutions and vendors by avoiding the time and expense of the RFP process since MHEC has already completed the RFP and awarded the contract on behalf of all institutions in the twelve states.

### C. Eligible Organizations

All public and private non-profit colleges, universities, community colleges, technical colleges and higher education agencies in MHEC's 12 Midwestern member states shall be eligible to participate in any Contract Addendum entered into between MHEC and successful Bidder.

Additionally, because MHEC is an instrumentality of state government for each of the Compact's 12 member states, participation may be offered to any of the following entities if agreeable by all parties:

- K-12 schools and districts, including public libraries;
- cities, counties, and local subdivisions;
- state agencies;

At a minimum the successful Bidder shall be certified to do business in each of the Compact's twelve member states and the proposed offering shall be made available for all eligible organizations in those twelve states.

MHEC makes no guarantee that any eligible organization or number of eligible organizations will utilize any contract and/or addendum resulting from this solicitation process. Each Eligible Organization will determine whether or not utilization of the contract and /or addendum is in its best interest.