

SHOALWATER BAY INDIAN TRIBE BROADBAND FEASIBILITY STUDY REQUEST FOR PROPOSAL

INTRODUCTION

The Shoalwater Bay Indian Tribe, herein after referred to as the Tribe, is seeking proposals for a broadband feasibility and engineering study. The Tribe received grant funding in the amount of \$40,000 for this study from Althea’s People Centered Internet - Tribal Resource Center.

TIMELINE AND SUBMISSION INFORMATION

Submit Proposals Via Email To: solicitations@shoalwaterbay-nsn.gov
Subject Line: SBIT Broadband Feasibility Study 2022 Proposal

Release RFP.....Day 1 or March 21, 2022
Questions due to Tribe Day 21 or April 11, 2022
Tribe responses provided Day 30 or April 20, 2022
Proposals due.....Day 45 or May 5, 2022
Interviews, if necessary will occur on or prior toDay 60 or May 20, 2022
Approval of contract by Tribe Day 70 or May 30, 2022

NOTE: The above dates are subject to change at the discretion of the Tribe. Generic marketing or advertising materials not specific to your bid should not be included with your proposal.

For any questions on the bid and requirements, please contact solicitations@shoalwaterbay-nsn.gov by email only. All questions will be answered on the Tribe’s website. Questions will be accepted until April 11, 2022.

Closing/Opening Date and Time and Method of Solicitation:

1. Proposals will be accepted by email up to 4:30 pm Pacific time on May 5, 2022, late submissions will not be considered. All timely responses to this RFP will be considered. The Shoalwater Bay Indian Tribe reserves the right to reject any and all proposals including those proposals received after the closing date and time.
2. This RFP has been published through the Shoalwater Bay Indian Tribe website as well as local and national media.

Disputes: Protest must be in writing, within 14 days after the Request for Proposal has been awarded and the submitters notified, the protest must be on valid grounds, and the Tribal Administrator or an assignee will review the protest and make a determination, which will be final and cannot be appealed. To start the deadline for the protest claims, all submitters will be informed by certified mail their bid was not accepted.

PURPOSE

To provide the Tribe with the information needed to analyze, select and implement the best solutions to improve broadband connectivity across our entire reservation so that our network(s) are an asset for community and economic development. The Tribe recognizes reaching our goal may require a mix of technologies and phased build-out plans. Flexibility, ingenuity and innovation along with a cohesiveness in design will be necessary to reach the ultimate goal of digitally connecting the Tribe's entities through a world-class, next generation network.

OUR VISION:

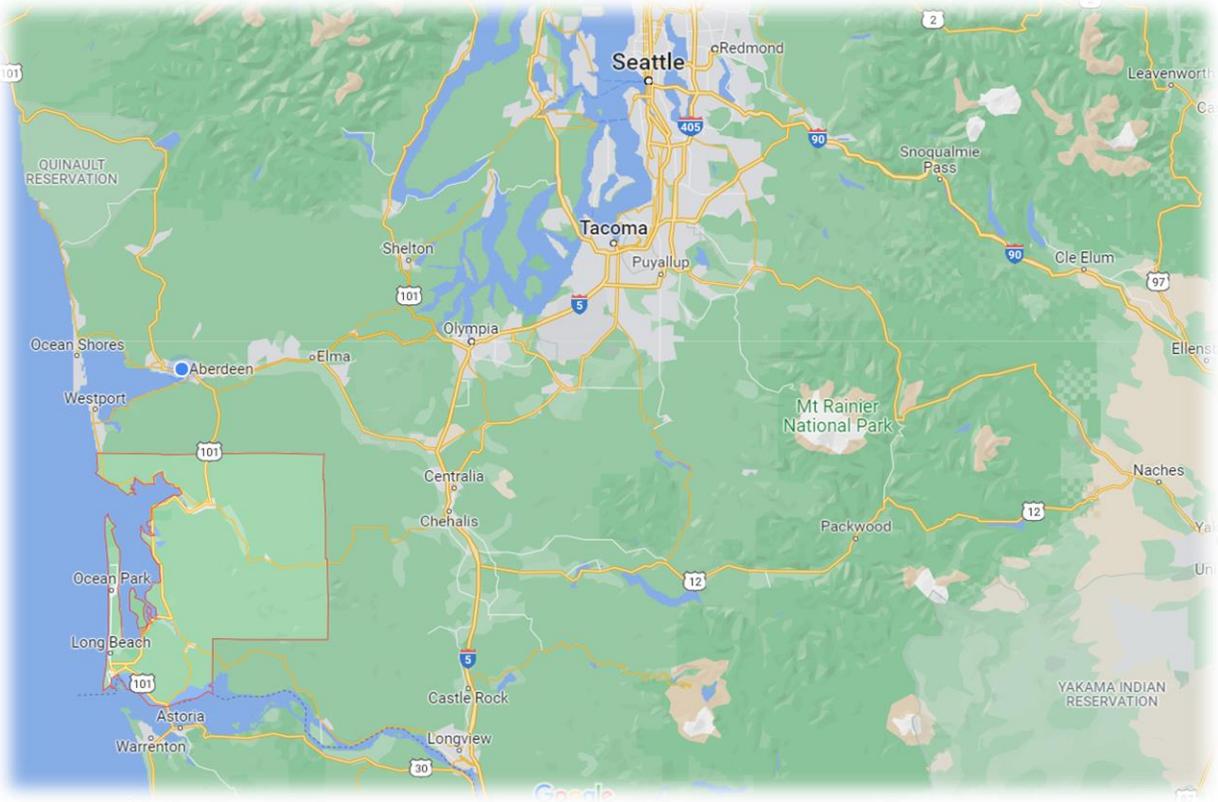
The Tribal Government, Enterprises, and residents will be able to use convenient, affordable world-class broadband networks that enable us to survive and thrive in our communities and across the globe.

To achieve this vision, we seek the best path to a ubiquitous broadband network that is ultimately scalable to one Gigabit to homes, businesses, and anchor institutions recognizing that this may require a 10 Gigabit backbone. We recognize that there are a variety of models that could be used to achieve our vision and we are open to all of them, including incenting private sector investment, engaging in a public-private partnership, forming a new cooperative or operating as a government utility.

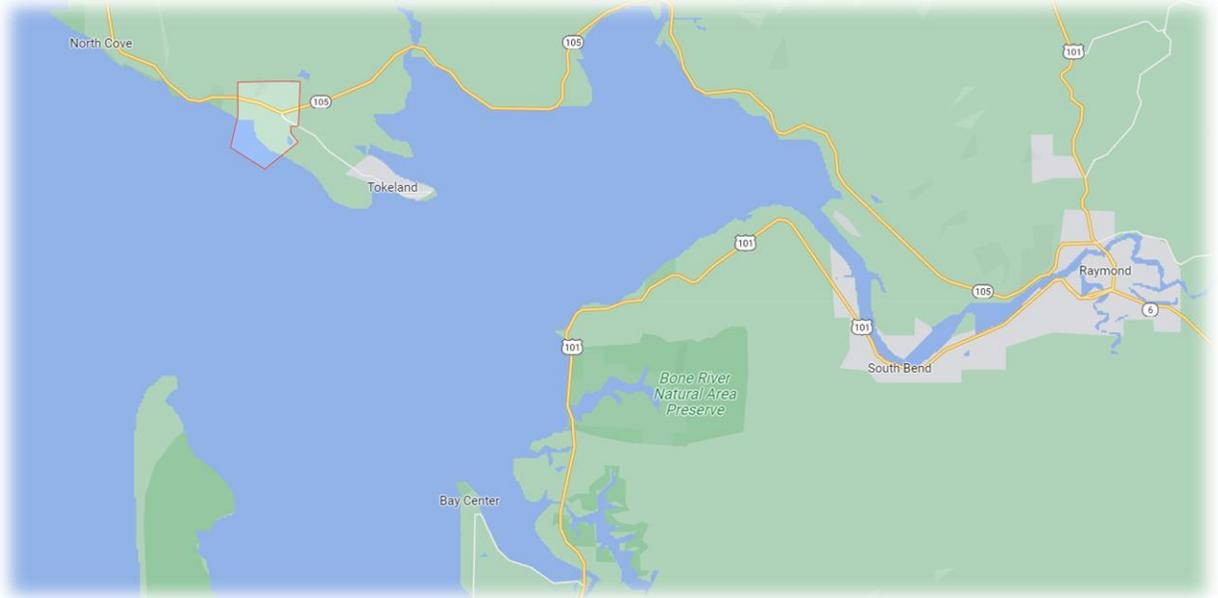
We expect this to be highly interactive and iterative process, with excellent and ongoing communications between the selected vendor and the Tribe so that at the end of the study process, the Tribe clearly understands the best alternatives for moving forward to achieve the vision.

DESCRIPTION OF SHOALWATER BAY INDIAN TRIBE

The Shoalwater Bay Indian Tribe, a federally recognized Indian Tribe, is located on .5 square mile of reservation land in Tokeland, Washington. The Tribe owns 5,071 acres of off reservation lands mainly adjacent to the reservation but some in the outer Tokeland peninsula area and other across the Pacific County bay areas. SBIT infrastructure includes residential housing, Casino, Tribal businesses, Community Center, Tribal Police/Emergency Management, Education Center, and Wellness Center, and is located at sea level on the Pacific Coast. The Tribal membership consists of 473 members and 109 Tribal community members who currently reside on the reservation. See maps below.



Above: Pacific County, WA Below: Shoalwater Bay Indian Reservation, Tokeland, WA



TRIBAL CONTRIBUTIONS TO THE FEASIBILITY STUDY PROJECT

To support the selected vendor, the Tribe will, at a minimum, provide the following:

- Recruitment of a project steering team
- Recruitment of focus group participants
- Access to Tribal GIS data
- Access to historical Tribal Permit Data
- Other public information as needed

SCOPE OF WORK/REPORTING REQUIREMENTS

This section outlines the study and report requirements.

Section A – Current assessment and market demand

- Review of the competitive environment
 - Complete an inventory of existing fiber networks within Tribal boundaries, including ownership and availability for use by other network providers.
 - Provide an overview of current broadband providers' services, pricing strategies and coverage area. To the extent possible, determine and analyze the investment and deployment plans of incumbent providers.
 - Map the location of existing fiber and broadband-related electronics and broadband speeds available by provider. This information should be provided in a format usable by the Tribe's GIS systems.
 - Provide an assessment of the services available to our existing and prospective businesses and how that impacts our economic development efforts.
- Provide a market study to establish a likely market penetration rate and clarify which benefits from a new countywide network might be most important to the residents and businesses. Include information from the following sources
 - Available market and census data
 - Local random sample reservation-wide survey of residents and businesses
 - Focus groups of key constituencies
 - Include a sample survey your firm has used for similar project and the resulting report as an appendix of your proposal

Section B – Technology options

- Determine the best technology path for our Tribe
 - What are the broadband capacities and considerations that are necessary now and in the future that will enable our Tribe to be economically competitive? What technologies can provide broadband services at those speeds?
 - What are the technologies best suited to the various areas of the Tribe based on geography and demographics?

- What opportunities exist to provide a protected-ring fiber network that would connect businesses and anchor institutions such as schools, libraries, hospitals, public safety, cities, institutions of higher education and community support organizations?
 - Options for services provision to include:
 - Mix of technologies and phased build out plans with multiple platforms scalable to 1 gigabit and include wireless, fiber, ARMER towers, cable, etc.
 - Options should include scenarios using what already exists within the Tribal boundaries, with a minimum service level of 150/150.
 - Business models and pro forma to be analyzed to include but not be limited to:
 - a) Build on existing networks: Options to combine or collaborate with existing providers to provide middle and last mile coverage to the underserved and unserved.
 - b) Create new networks:
 1. Open Access: The Tribe would finance and contract to build the network and invite other service providers to contract to deliver services over the network.
 2. Proprietary Network:
 - i. The Tribe would build and operate the network, with or without private sector operating partners.
 - ii. The Tribe would incent a private sector partner, including existing cooperatives, the creation of a new cooperative, or other entity to invest, build and operate a network by using development powers as necessary.
 3. Other options that might involve multiple local entities or other scenarios as contractor sees appropriate.
- Conduct pre-engineering study(s) at sufficient depth to estimate costs and approximate implementation timeframes for full network implementation.
 - This evaluation should include an assessment of all available mainstream high-speed technologies either alone or in combination and include an assessment and consideration of both Fiber to the Premise (FTTP) and wireless technologies. All parts, materials, and service proposed must be currently available on the market and in continuing production (no discontinued manufacturers or parts).
 - Assessment of primary and redundant backhaul connection options between local network and the Internet.
 - Define the proposed service area and create a conceptual fiber route and high level design to provide the greatest coverage, showing businesses and publicly owned facilities passed within ½ mile on both sides of the fiber route.
 - Use algorithmic tools to combine the map data with historical cost data to provide an estimated cost to offer scalable broadband service for all options identified. Costs will be calculated by service area and anticipated route miles to determine

capital costs for fiber optic mainline, access equipment, cell tower backhaul, routers, and switches. Costs should be all inclusive of any design, initial configuration and installation costs.

Section C – Partnership options

- Provide examples of who might be a prospective partner with a brief summary of how each relationship would function.
- What sectors, groups and individuals may help our Tribe achieve the broadband goals? Please identify synergies and sharing opportunities that exist with providers and customers to include but not limited to:
 - ISP Providers, Telecoms, Cooperatives, Statewide telecom networks, Government entities, NGO's, K-12 and higher education, including library systems, Healthcare providers and the industry and business community.

Section D – Financing and Legal Considerations

- Provide financing options to include, but not limited to general obligation bonds, revenue bond, public/private partnerships, USDA RUS, other state and federal funding and others where appropriate.
- Provide an assessment of legal requirements, risks and regulations relevant to the building or operation of a network and partnership arrangements.
- Prepare financial projections for at least two project scenarios as selected by the project steering team:
 - Options Identified
 - Operational Cash flow for expenditures
 - One Time and Recurring Capital Expenses
 - Business and technical expertise needed
 - Organizational support
 - Community Support

PROPOSED SCHEDULE

- All proposals due at 4:30 pm PST on May 5, 2022).
- Project implementation schedule and phasing - Please provide an estimated project timeline. Timeline should include:
 - Estimated project start and end dates.
 - Proposed date(s) for pre-project meeting with Tribe's feasibility study project committee.
 - Proposed dates for conducting a community presentation to collect public input and review preliminary findings.
 - Proposed date for presentation to Tribal Council. Tribal Council meetings are typically **Tuesdays at 9:30am.**

- Consultant will provide biweekly updates on progress during the work period, via either email, or phone calls, to the designated Tribal Representative and/or steering committee.
- Consultant will provide eight copies of final feasibility study along with a digital copy.

REQUEST FOR PROPOSALS

The following will be considered minimal content of the proposal. Limit proposal to 10 pages.

1. Provide a restatement of the goals, objectives, and project tasks to demonstrate the responder's view of the project and your approach to this project. Please reference the **Study/Report Requirements: Sections A – D** in your responses.
2. Provide on your background and experience in the following areas:
 - a. Network: Outline the direct knowledge and experience your company has regarding broadband solutions.
 - b. Financial: Describe direct experience and knowledge your company has creating and analyzing financial plans and models including capital requirements, operational pro formas, and financing options.
 - c. Regulatory/Legal: Describe any direct experience and knowledge your company has in analyzing and interpreting the regulatory and legal landscape and providing analysis and guidance on these issues as they pertain to the various options contained in the proposal.
 - d. Services: Describe any direct experience and knowledge your company has in providing community and business community analysis and guidance surrounding broadband services.
 - e. Project Management: Outline your company's direct knowledge and experience with structured project management.
 - f. Partnerships: Share your company's experience in working with state, local and tribal governments and public-private sector collaborations.
3. Conflicts of Interest: Provide any information on prospective conflicts of interests, including existing or financial relations with equipment vendors, ISPs or other firms.
4. References: Include at least three references from previous similar projects.
5. Identify key personnel who will conduct the project and provide detail of their training and work experience. No change in key personnel assigned to the project will be allowed without the approval of the local project team. Address experience in working with rural communities, schools and townships in regard to this type of study.

Note: Subcontractors working for the contractor must meet all the requirements of the Request for Proposal (RFP) and any contract between the contractor and the subcontractor must include all contract terms agreed to between the County and the successful contractor.

6. Detailed work plan to include:
 - a. Tasks to be accomplished and the budget hours to be expended for each task and subtask. (This will be used as a work plan and managing tool for basis of invoicing.)
 - b. Identify project timeline with deliverables and key milestones.
 - c. Provide detail regarding local involvement and services expected to complete the project. A minimum of 3 status meetings are to be contained in the work plan in addition to any data collection or input/review meetings.
 - d. Outline the project management approach that your company will employ to execute this project and identify individual(s) responsible for the various areas in the outline.
 - e. Identify areas of risk for the project based on the contractors detailed work plan and schedule for all aspects of the project including but not limited to financial, construction, legal, product availability, environmental and archaeological.
 - f. Provide detailed cost estimate of the study, including known project expenses, professional hourly rates and multipliers and estimated service/task hours with a "Not to Exceed" cap. Other ancillary expenses related to the completion of the study will be discussed on a case-by-case basis.
 - g. Commit to working closely with Steering Committee and County Board

EVALUATION CRITERIA

The local project team will evaluate all proposals using the following criteria to conduct a best value evaluation:

- Tribally owned
- Work experience within tribal reservations
- MBE, WBE, DBE owned
- Experience and qualifications of the vendor and personnel assigned to this project
- Clear understanding of this project
- Clear technical proficiency for the mix of technologies and cohesiveness of the network proposed
- Project work plan and timeline
- Work experience in small and rural communities
- Maximizing Scope of Work within the grant budget

After evaluating all proposals, the local project team may choose to interview the top candidates. After making a selection, the review team will submit their recommendation to the tribal committee for final approval to pursue a professional services agreement with the chosen candidate.

SELECTION

Selection of the consultant for this project will be based on the criteria noted above. Upon approval, the Tribe will enter into negotiations with the selected consultant to develop a

Professional Services Agreement and finalize the work plan including budget hours. Should the Tribe and the selected consultant fail to satisfactorily reach agreement to the work plan, including budget, the Tribe may enter into negotiations with the respondent judged second in the evaluation process, or the Tribe may re-advertise for proposals.

The Tribe reserves the right to reject any and all proposals regardless of merit.

Shoalwater Bay Indian Tribe's Qualified Tribal and/or MBE, WBE, DBE Preference

The entity or individual qualifies for Tribal and/or MBE, WBE, DBE preference if the following conditions are met:

If Native owned:

- The company must be at least fifty-one (51) percent Native owned;
- Native ownership is only established by a Member(s) of a US Federally recognized Native American Tribe, nation or band, which includes Members of Federally recognized Alaskan Native villages, communities, and corporations;
- The qualifying Member(s) must be an active participant(s) in the company (not just a figure head(s));
- The company must have appropriate business license(s) and company and/or staff must have appropriate certifications for specific field(s); and
- The company must have the requisite experience and staff expertise to complete the contract.

If MBE/WBE/DBE owned:

- Minority group members are United States citizens who are Asian-Indian, Asian-Pacific, Black, Hispanic and Native American. Ownership by minority individuals means the business is at least 51% owned by such individuals or, in the case of a publicly owned business, at least 51% of the stock is owned by one or more such individuals (i.e. the management and daily operations are controlled by those minority group members.)
- A Woman-Owned Business Enterprise (WBE) is defined as one that is at least 51% owned, operated and controlled on a daily basis by one or more female American citizens.
- DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.

Applicants seeking Tribal/and or MBE, WBE, DBE preference shall submit the following applicable documents during the procurement/bidding process:

- Documentation of membership by a US Federally recognized Native American Tribe,
- Nation or band, including member of federally recognized Alaskan Native villages, communities, and corporations and proof of at least 51 percent Native ownership
- Business license certifications, business structure documents (sole proprietor, partnership, incorporations, LLC), insurance and bonding capabilities.
- Tribe shall require all other necessary licensing documentation specific for the service provided

- (Industry Standard) Portfolios that include proof of the experiences and staff expertise in the specific field listed, resume of jobs completed, and references.
- Business plan that includes proof of the experience and staff expertise in the specific field, projected financials and references.
- Any other documentation or pertinent information required by the Tribe. The Tribe shall have sole discretion in determining other requirements under this policy.
- For compliance and enforcement purposes each entity seeking Tribal preference is required to maintain a separate UBI and Federal EIN number.
- Documentation certifying MBE, WBE, and/or DBE status.

Provisions

1. The selected consultant will be required to submit to and satisfactorily pass a background investigation.
2. The selected consultant will be required to provide professional indemnity insurance or a performance bond for coverage of 100% of the contract price.
4. If required, all parties must submit with their proposals a statement detailing their employment and training opportunities and their plan for providing preference to Indians. All contractors must observe the Shoalwater Bay Indian Tribe's preference policy.
5. The Shoalwater Bay Indian Tribe shall conduct all procurement transactions in a manner that provides fair, full and open competition.
6. The Shoalwater Bay Indian Tribe shall provide fair and equitable treatment for all persons or firms who are in the business of supplying goods and services.
7. The Shoalwater Bay Indian Tribe wish to assure that supplies, services, and construction are procured efficiently, effectively, and at the most favorable prices available.
8. The Shoalwater Bay Indian Tribe shall take reasonable affirmative steps to assure that DBE's, WBE's and MBE's are used when possible but without infringing on Indian preference where Indian preference is applicable.
9. The Shoalwater Bay Indian Tribe shall not use federal grantor funds to do business with any entity who is disbarred in accordance with the Federal Government Disbarment list.
10. Request for Proposals may be terminated by The Shoalwater Bay Indian Tribe at any time for cause.
11. Each party submitting a proposal is certifying that he/she has not colluded with any other person, firm or corporation in regard to securing the services being solicited.
12. No employee, Officer, or agent of the Shoalwater Bay Indian Tribe may solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontractors.
13. Negotiation: Provisions not addressed by this solicitation will be negotiated with the professional once a selection has been made.
14. Agreement: The selected professional will enter into an enforceable agreement that fully conforms to the contracting provisions pursuant to OMB 2 CFR 200. Copies of these requirements are online at <https://www.gpo.gov/fdsys/granule/CFR-2014-title2-vol1/CFR-2014-title2-vol1-sec200-320>