

**REQUEST FOR PROPOSAL (RFP)**  
**For the Development of the Broadband Roadmap for the Lummi Nation**

The Lummi Economic Development Department is issuing a Request for Proposal (RFP) to develop and update the Lummi Nation’s Community Broadband Roadmap. This RFP is issued to respond to a recent grant award from the Community Economic Revitalization Board (CERB), State of Washington. The Lummi Economic Development Department seeks qualified vendors to develop a comprehensive Lummi Community Broadband Roadmap. We will receive proposals via email up to **4:00PM on Saturday, April 06, 2019**, at which time opening will be closed.

**Proposal instructions and specifications**

# TABLE OF CONTENTS

- A. Scope of Services
- B. Duration
- C. Compensation schedule
- D. Proposal process
- E. Proposal submission
- F. General specifications
- G. Requirements from Consultant
- H. Interviews
- I. Evaluation Criteria
- J. Contract Award
- K. Services & Consultant Responsibilities

Subject to the terms and conditions set forth in the proposal and general specifications forms enclosed herein.

## **Attachments**

- [LIBC Resolution #2016-093](#) - LIBC Procurement Policy
- [LIBC Resolution #2018-078](#) – Authorizing Development and Submittal of CERB Grant Applications for Rural Broadband Planning to develop a formal Lummi Nation Broadband Development and Implementation Plan, aka Lummi Broadband Roadmap.

## **Appendix A**

- [LIBC Resolution #2004-147](#) – Affirmation of LIBC Policy Prohibiting Full-Time LIBC Employees from serving as Independent Contractors to the LIBC and its subordinate entities
- [LIBC Resolution #1996-93](#) – Any person who owes a debt to the Lummi Nation, or any of its entities, shall be disqualified until satisfactory arrangements have been made
- Indian Preference Requirements
- Insurance
- Governing Law
- Confidentiality
- Independent Contractor
- Sub-Contracting
- Bid Protest and Procedures
- Gratuities, kickbacks and use of confidential information
- Conflict of Interest

## **A. SCOPE OF SERVICES**

The Lummi Economic Development Department is soliciting proposals to develop a Lummi Nation Community Broadband Roadmap. The Lummi Indian Business Council considers it in the best public interest of our Lummi Nation residents to support Broadband infrastructure for: (1) driving job creation, promote innovation and expand markets for local businesses, (2) serving the ongoing needs of local education systems, health care systems, public safety systems, industries and businesses for governmental operations and citizens, and (3) improve the accessibility for underserved and unserved communities and populations on our Lummi Indian reservation.

LIBC will consider proposals from single vendors or from multiple vendors working as a team, though a prime contractor is highly desired in the case of the latter. The ideal vendor will have excellent technical and analytic depth, must be highly effective communicators, particularly in translating technical concepts to non-technical audiences. LIBC prefers firms with experience working with tribal governments.

Beyond developing a Community Broadband Roadmap, is to help identify new opportunities for partnerships and collaborations that can spur additional businesses, programs and economic growth. Expanding broadband to unserved and underserved areas, unlocking a range of opportunities for residents, including better job prospects, access to education and health care resources, and discounts on goods and services.

The elements of the work to be done under this RFP are as follows:

### **1. Community Facilitation**

- Create, facilitate and communicate with the Lummi Community Broadband Team.
- Help organize and facilitate three (3) Stakeholder Community Meetings that includes public input on establishing community goals for a broadband plan.

### **2. Project Focus**

- Define local broadband needs and goals for the Lummi Indian Reservation.
- Identify services providers, mapping existing networks, both public and private.
- Inventory existing broadband infrastructure assets within the community.
- Assess the demand for broadband from individuals, businesses, schools, first responders, and medical facilities.
- Conduct needs assessment interviews within local community and affected stakeholder groups; government, public safety, schools, health care, casino and businesses.
- Include a gap analysis defining the additional broadband infrastructure necessary to meet the identified goals.
- Include one or more potential network designs, cost estimates, operating models and business models.
- Include an assessment of municipal procedures, policies, rules and ordinances that impact or influence broadband infrastructure deployment.

### **3. Digital Inclusion**

- Affordable Internet -Description of how the community will address providing affordable internet options.

- Affordable Equipment – Description of how the community will expand the availability of affordable equipment to low-income residents.
- Digital Literacy Training – Description of how the tribe will teach people to use technology.
- Public Computer Access -Description of how community will increase public computer access locations.

#### **4. Create a Vision Statement**

- Status of Vision Statement
- The statement should describe the role broadband would play in the community's future.
- Explain how this effort conforms to other planning documents/published visioning efforts on other issues in your community.

#### **5. Financial Commitment and Budget**

- Develop a budget for the plan aligned to significant project plan milestones, costs and tasks.
  - ✓ Submit Pro Forma Income Statement and Expenses.
  - ✓ Income Statement
  - ✓ Balance Sheet
  - ✓ Cash Flow
- Identify potential sources of funding for the broadband infrastructure.
- Include letters of commitment from any Internet Service Providers.

#### **6. Identify Key Documents/Existing Efforts**

- Does the municipality or region use broadband to deliver municipal services? (Describe the services, and how broadband is used to deliver these services)
- Is there local or regional economic development plans in which broadband could play a role? (If so, provide a list of these documents)
- Are there any on-going community projects focusing on the digital divide or information technology (public access through schools or libraries, training, improving access to broadband, etc.?)
- Identify key data to track
- Identify metrics needed to track the information
- Identify reporting methods and the project schedule.

#### **7. Identify potential Community Anchor Institutions and Businesses**

- Provide a list of potential community anchor institutions\*.
- Provide a list of businesses\*\* that could benefit from lower cost, higher bandwidth, and/or improved reliability of broadband.
- Including the level of broadband improvements needed by the business to become and/or remain competitive and/or expand markets.

#### **8. Economic Impact**

- Identify economic benefits due to the expansion of services. Estimate the cost of construction for each phase. What permitting, construction and right-of-way is needed?
- What will be the impact to local businesses and job creation?
- What is the potential impact to first responders in our rural areas?
- What is the benefit of the Lummi Nation owning it's own ISP? Estimate the cost.

**9. Development of a Management/Marketing Plan**

- Define (or refine) the broadband plan.
- Complete Readiness Self-Assessment
- Evaluate how the project would benefit health and safety for the community.
- Evaluate how this project would benefit education access (for all ages).
- Identify and define the unserved or underserved community
- Project the revenues and expenses of the proposed fiber optic network.
- Identify loan re-payment models and potential fee structures needed to pay back those loans.
- Create financial models that consider varying operational expenses and revenue streams to determine the Return on Investment (ROI) for capital outlay, in addition to likelihood of operational sustainability and potential to reinvest profit into growth.

**10. Assist drafting next step RFP**

- Request for proposal (RFP) for implementation and construction

\* *Community Anchor Institutions definitions: includes facilities such as libraries, township halls, fire and police stations, city halls, county buildings, state facilities, public safety locations, hospitals and nursing homes, and educational institutions.*

\*\* *Business definitions: all business types; includes farms & home-based businesses, and work-at-home/telecommuter use of broadband.*

**B. DURATION**

The resulted contract shall begin after a commencement letter is issued and the contract will end on the last “due date” given on the grant applications schedule attached.

**C. COMPENSATION SCHEDULE**

Compensation is non-negotiable and will be invoiced per the schedule below.

- \$XX,XXX set contract total
- The salary will be paid every month, according to the LIBC Accounting Department’s A/P schedule, based on the amount of hours worked per month and reported. Contractor will report what was worked on for the 1-month duration to assure work is being conducted and submit an invoice to the Economic Development Department. Contractor will be paid the following Friday after the work month for that time is performed and reported.
- A mileage rate (GSA per diem rate) for use of a personal automobile in performance of approved authorized services. Prior approval is required. A regular work location is not considered reimbursable mileage.
- All reasonable expenses shall be reimbursed assuming same have been authorized prior to being incurred and with the provision of appropriate receipts. Receipts are required for reimbursement of materials and supplies, equipment rentals, travel and incidentals.

**D. PROPOSAL PROCESS**

1. Request for Proposal Issued..... April 02, 2019
2. Proposals Due..... April 06, 2019
3. Interviews..... The week of April 09-12, 2019
4. Notice of Selection..... The week of April 15, 2019
5. Contract Execution..... The week of April 15, 2019
6. Begin Work..... When commencement letter is issued

7. Project Completion: TBD

**E. PROPOSAL SUBMISSION**

Proposals must be submitted electronically by 4:00pm, Saturday April 6, 2019.

Lummi Economic Development Department

[TeresaT@lummi-nsn.gov](mailto:TeresaT@lummi-nsn.gov)

(360) 312-2454

**When submitting a proposal write “Lummi Broadband Roadmap Planning” in the subject line**

Hand delivery of proposals will be accepted and a full submission of a hand delivered RFP will be stamped with the date and time the packet is given to Teresa Taylor, Project Manager, Economic Development Department, located at the Lummi Tribal Administration, 2665 Kwina Road, Bellingham, WA. Any proposal received at 4:01pm or after on Saturday, April 6, 2019 will not be accepted under any circumstances. Any emailed submissions will be emailed back to the consultant unopened. Please direct all questions to Teresa Taylor (360) 312-2454.

**F. GENERAL SPECIFICATION**

The scope of this feasibility study will be limited to develop a Lummi Nation Community Broadband Roadmap. The Lummi Indian Business Committee considers it in the best public interest of our Lummi Nation residents to support Broadband infrastructure for: (1) driving job creation, promote innovation and expand markets for local businesses, (2) serving the ongoing needs of local education systems, health care systems, public safety systems, industries and businesses for governmental operations and citizens, and (3) improve the accessibility for underserved and unserved communities and populations on our Lummi Indian reservation.

The purpose of applying for the 2018 CERB Planning Grant, beyond developing a Community Broadband Roadmap, is to help identify new opportunities for partnerships and collaborations that can spur additional businesses, programs and economic growth. Expanding broadband to unserved and underserved areas, unlocking a range of opportunities for residents, including better job prospects, access to education and health care resources, and discounts on goods and services.

**G. REQUIREMENTS FROM CONSULTANTS**

- [LIBC Resolution #2016-093](#) - LIBC Procurement Policy
- [LIBC Resolution #2004-147](#) – Affirmation of LIBC Policy Prohibiting Full-Time LIBC Employees from serving as Independent Contractors to the LIBC and its subordinate entities
- [LIBC Resolution #1996-93](#) – Any person who owes a debt to the Lummi Nation, or any of its entities, shall be disqualified until satisfactory arrangements have been made

**H. INTERVIEWS**

Interviews will be scheduled with selected prospective consultant **the week of April 9<sup>th</sup>-12<sup>th</sup>, 2019** to permit further evaluation and to allow the Lummi Economic Development Department to inquire further into the consultants experience on similar projects, willingness to work closely with the Lummi Funding Department staff thorough understanding of the various aspects of the project, ability to maintain a tight schedule and complete the project on time, within budget and other pertinent matters.

**I. EVALUATION CRITERIAS**

The Lummi Indian Business Council Proposals will be evaluated and scored by the LIBC in its sole discretion based on the following criteria:

- Qualifications and Experience (50 points)
  - ✓ Describe similar projects completed by your team, and/or segments of your team, in the last 5 years, demonstrating thorough knowledge of the work items listed above
  - ✓ List various recent projects of similar scale that display the range of solutions your firm or team has selected along with explanations of why that solution was employed.
  - ✓ Demonstrate your team’s knowledge and experience working with tribal governments
  - ✓ Demonstrate your team’s experience coordinating input from multiple project stake holders to identify a solution to serve all interested parties.
  
- Description of Approach and Completion (40 points)
  - ✓ Describe the appropriate process needed to evaluate the project sites, plan solutions, and ensure the developed plan meets the needs of all stakeholders
  - ✓ Describe the appropriate process needed to evaluate various approaches to management models, financing models and economic impacts.
  - ✓ Describe the appropriate approach process needed to manage multiple policies and permitting processes.
  - ✓ Estimate time line to complete the project
  
- Demonstrate Capability to Perform Services and Bid for Project (10 points)
  - ✓ List references that would attest to the expertise of the company and the assigned personnel.
  - ✓ Provide a price bid to complete the project.
  - ✓ Strategy’s fit with the LIBC values and operations

Consultant will prepare a feasibility report that includes capacity-building and job creation options for LIBC decision-makers consideration and implementation.

Statement of Non-Commitment Issuance of this RFP does not commit the LIBC to award a contract or to pay any costs incurred in preparation of proposals responding to the RFP. LIBC reserves the right to reject any or all proposals and re-advertise. All proposals become the property of the LIBC.

#### **J. CONTRACT AWARD**

All aspects of the evaluation criteria will be taken into consideration in awarding the contracts. Awards will be made to the consultant that best meet the Lummi Economic Development Department’s needs and requirements and in accordance to the LIBC’s Procurement Policy.

#### **K. SERVICES AND CONSULTANT RESPONSIBILITIES**

##### **Funding development process:**

1. Meet with Funding Specialist Supervisor for assignment of funding bundle and to discuss scope, timelines, and subject matter experts for each funding application submission.
2. Meet with subject matter experts to discuss application specifics including but not limited to, point of contact, use of funds, funding goal, content support, content review, and application timelines.
3. Develop draft work product.

4. Meet with Funding Specialist Supervisor and subject matter experts to review draft content.
5. Written approval of content is provided by the Funding Specialist Supervisor.
6. In collaboration with the Funding Development Department, complete all necessary forms such as the 424-A.
7. The Funding Specialist Supervisor in conjunction with the subject matter expert will determine if the application is satisfactory for submission. If not satisfactory, no submission is made.
8. If satisfactory, the Funding Specialist Supervisor will submit the funding application via grants.gov or whichever means required in the funding announcement.

#### **Funding Development Department Responsibilities:**

The Funding Development Department will provide the consultant with the following:

1. Subject matter experts.
2. Background information on the Lummi Nation, including maps, photos, etc.
3. Legal name, federal ID number, other unique data, and signatures required to complete federal forms.
4. Meeting space for discussions with subject matter experts and work in progress.
5. Physical file storage.

#### **Attachments**

1. [LIBC Resolution #2016-093](#) – LIBC Procurement Policy
2. [LIBC Resolution #2018-078](#) – Authorizing Development and Submittal of CERB Grant Applications for Rural Broadband Planning to develop a formal Lummi Nation Broadband Development and Implementation Plan, aka Lummi Broadband Roadmap.

#### **Appendix A**

##### **1. [LIBC Resolution #2004-147](#)**

The Lummi Indian Business Council policy prohibiting Full-Time LIBC employees from serving as independent contractors to the Lummi Indian Business Council and its subordinate entities. A consultant will not qualify to submit a solicitation if the individual is an employee of the Lummi Indian Business Council or any of its subordinate entities. Furthermore while on contract the consultant shall not accept any employment within the Lummi Indian Business Council or its subordinate entities during the duration of the contract.

##### **2. [LIBC Resolution #1996-093](#)**

LIBC policy that any person who owes a debt or accounts receivable to the Lummi Indian Nation, or any of its entities shall be disqualified from accepting any terms of employment with, or appointment to any position with the Tribe or any of its entities, until satisfactory arrangements have been made, in writing, to either pay the full amount owed, or to pay a reasonable amount on periodic basis in installments. The Lummi Funding Development Department will not accept a proposal if the consultant has an unresolved or outstanding debt to the Lummi Nation.

##### **3. Lummi/Indian preference requirements, Veteran preference**

The LIBC promotes the goals of tribal self-sufficiency by employing enrolled members of the Lummi Nation and enrolled Native Americans of other federally recognized Indian tribes at all tribal organizations/entities.

- Preference shall be first given to any enrolled Lummi member owned entities.
- Preference shall be given to the greatest extent feasible to other Indian-owned entities
- Eligibility
  - Enrolled member of a Federally recognized Indian Tribe
  - The enrolled member must own or control 51% of the entity
- Certification provided by the consultant- supporting evidence
- Evaluation of Indian Preference. In the case of unrestricted solicitations, 15% of the total number of available rating points shall be reserved for Indian Preference, and up to an additional 10% rating points for proposals that include training and employment of Indians. A maximum of 5% of the lowest bid shall be calculated and applied as an allowance for bids from a Lummi-owned entity. In the absence of a Lummi-owned entity, the allowance shall comply with the unrestricted solicitation matrix as stated in the LIBC Procurement Policies.
- Veterans who have been honorably discharged or are current members of the armed forces, the reserves of the National Guard shall receive preference in hiring. Documentation of an honorable discharge or current membership must be provided at the time of application.

#### **4. Insurance**

- In order to conduct business with the Lummi Nation, all vendors must carry and provide evidence of Standard Insurance Coverage applicable to that vendor.
- The Standard Insurance Coverage is the insurance requirements and limits as defined by the Office of the Treasurer
- The Procurement Manager, in consultation with the Treasurer and the Reservation Attorney, may waive or accept less than the Standard Insurance Coverage.

#### **5. Governing Law**

The sovereign immunity of the Lummi Nation, the LIBC and its officers, employees and agents shall remain in full force.

#### **6. Confidentiality**

The consultant will be required to sign a confidentiality agreement. In the course that the consultant is awarded the contract and completes the contract, the consultant can name the Lummi Indian Business Council as their client but will not disclose any information or data the consultant had access to while under contract with the Lummi Nation.

#### **7. Independent Contractor**

- The consultants under contract will serve as independent contractor and not employee of the Lummi Indian Business Council.
- No computer will be provided by the Lummi Indian Business Council to complete grant application submissions or any of the consultant's responsibilities.
- The Lummi Indian Business Council/Lummi Funding department will not provide the consultant any coverage of worker's compensation, health benefits, general or professional liability coverage.
- The Lummi Indian Business Council will only pay the awarded consultant for services provided no additional expenses such as phone bill or gas reimbursement.

#### **8. Sub-contracting**

The consultant will not sub-contract any part of this solicitation out to a third party. If another contract is required the Lummi Funding department will be responsible.

**9. Bid protest and procedures**

Any protest filed under this RFP must follow the policy and procedures as stated in the LIBC Procurement policies.

**10. Gratuities, kickbacks and use of confidential information**

- No employee of the Lummi Indian Business Council shall be admitted to any share of or part of this contract, or to any benefit that may arise from this contract.
- No LIBC officer, employee or agent shall accept gratuities, favors or anything with a monetary value from contractors, potential contractor, or parties to subcontracts.
- No LIBC officer, employee or agents shall knowingly use confidential information for actual or anticipated personal or family gain.

**11. Conflict of interest**

No LIBC officer, employee or agent shall participate directly or indirectly in the selection or award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in an entity selected for award is held by:

A relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, half-brother, half-sister, grandfather, grandmother, grandson and granddaughter) of the employee, officer or agent involved in making the award.