

NO. 22 - 0 4 7 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF SELECTING AND
APPROVING OF THE FIRMS FOR THE
AMERICAN RESCUE PLAN (ARP)
CATEGORY BROADBAND (OTHER)
(5.21) P5211 RFP

RESOLUTION

WHEREAS, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington is a class A county duly organized and existing; and,

WHEREAS, pursuant to the provisions of RCW 36.01.030, the powers of Spokane County can only be exercised through the Board of County Commissioners of Spokane County, Washington (“Board” or “Board of County Commissioners”); and,

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board has the care of County property and the management of County funds and business; and,

WHEREAS, the Board has adopted an initial resolution allocating American Rescue Plan (ARP) funds provided to the County of Spokane to combat the challenges to local governments and local economies, and such allocation of funds were to be performed by way of resolution; and,

WHEREAS, the County published a Request for Proposal (“RFP”) P5211 on June 13, 2022 seeking Broadband (Other) projects, under ARP category 5.21, consistent with broadband services projects eligible for ARP Act purposes of necessary investments in broadband infrastructure to address the challenges with access, affordability and reliability through construction or modernization; and,

WHEREAS, the time for submission of RFPs expired on July 6, 2022, and the County has received and reviewed RFPs from qualified entities; and

WHEREAS, responsive RFPs were received from firms and entities for the following purposes: Comcast for development and implementation of hybrid fiber coax technology broadband services in Chattaroy, Spokane County, Washington; Ptera for development and implementation of mixed fiber and wireless broadband services to the areas of Fairfield, Four Lakes, Medical Lake, Rockford, Spangle and Waverly, Spokane County, Washington; and, Ziply for the development and implementation of mixed fiber and wireless broadband services to the areas of Fairfield, Latah, Rockford and Spangle, Spokane County, Washington. The submitted proposals which were evaluated by the ARP Selection Team comprised of Jeffery McMorris, Spokane County Community Engagement & Public Policy Advisor; Ariane Schmidt, Spokane County ARP Portfolio & Program; F. Dayle Andersen, Deputy Spokane County Prosecutor; and Shawn Domitrovich, Spokane County IT Systems Manager - Infrastructure, Subject Matter Expert in accordance with Spokane County ARP solicitation, selection and allocation policy as advised by the contracted vendor Clifton Larson Allen (CLA). Based on the above subcommittees’

statements of qualifications, scope of work, budget and proforma, outcome and metric reporting commitment to performance data, and materials provided to the County, the above submittees' proposals were deemed the most highly qualified projects; and,

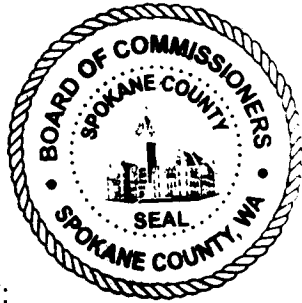
WHEREAS, having previously authorized \$3,000,000.00 from funds received by way of the ARP funds in possession of the County, and having identified additional projects that are both qualified and valuable projects within the ARP Broadband (Other) Expense category, the total expense for the recommended projects are within the amount of funds previously allocated under prior resolutions (22-0153 and 22-0268); and,

WHEREAS, per RESOLUTION NO. 2022-0153 and all approved amendments, Spokane County allocates ten percent (10%) as de minimus indirect costs as provided in 2 CFR 200.414 to total \$260,000.00 for this ARP category allocation.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Spokane County, pursuant to the provisions of RCW 36.32.120(6), the Proposals submitted by Comcast and Ptera present valuable broadband projects consistent with the type of projects promoted by ARP funding and such works will assist in addressing the necessary investments in broadband infrastructure to address the challenges with access, affordability and reliability through construction or modernization with project completion occurring before end of 2026; wherefore:

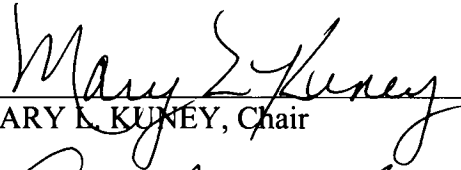
1. ARP Portfolio & Program Management is authorized to negotiate a proposed scope of work, fee and written agreement with:
 - a) Comcast in an amount not to exceed \$2,500,000.00; and,
 - b) Ptera in an amount not to exceed \$100,000.00 representing a match of funds for broadband development as authorized by the City of Medical Lake (\$100,000.00)
2. This selection and award does not constitute contract(s) with the entities of firms; and
3. ARP Portfolio & Program Management is authorized to negotiate on behalf of Spokane County and at other than public meeting, any agreements, change orders, annual term renewals or any other document(s) necessary to complete these projects, whether the values of such documents in the aggregate, or incrementally, and notwithstanding any limitation of value to the contrary in County Code Chapter 1.04; and
4. Either the Chairman of the Board, majority of the Board, Chief Executive Officer or Chief Budget Officer, is hereby authorized to execute, at other than an open meeting, any and all documents to implement this award as well as any subsequent amendments.
5. Each and every recital set forth hereinabove is adopted as Findings of Fact in support of this award.

PASSED AND ADOPTED this 19th day of July 2022.



ATTEST:

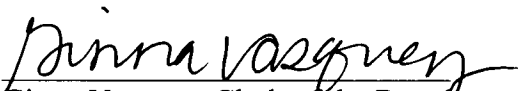
BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON



MARY L. KUNEY, Chair



AL FRENCH, Vice-Chair



Ginna Vasquez, Clerk of the Board



JOSH KERNS, Commissioner

Submit to Clerk of the Board with accompanying paperwork (Resolutions, Agreements, etc.)

AGENDA SHEET

SUBMITTING DEPARTMENT: Commissioners

CONTACT PERSON: Ariane Schmidt

PHONE NUMBER: (509) 477-2625

CHECK TYPE OF MEETING BELOW: **BELOW FOR CLERK'S USE ONLY:**

Regular Session Agenda

Clerk's Resolution No.

22-0474

Approved:

Majority/Unanimous

Denied:

Majority/Unanimous

Renews/Amends No.

Public Works No.

Purchasing Dept. No.

AGENDA TITLE: IN THE MATTER OF SELECTING AND APPROVING THE FIRM(S) FOR THE AMERICAN RESCUE PLAN (ARP) CATEGORY BROADBAND OTHER (5.21) P5211ARP REQUEST FOR PROPOSAL (RFP)

BACKGROUND: (Attach separate sheet(s) if necessary):

FISCAL IMPACT (Amount & source of funds):

\$ 2,950,000
ARP Allocation in
Broadband Other

REQUESTED BOARD ACTION: Approve

This Item will need to be codified in the Spokane County Code: No