



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 22-23, 2022

To: Chairman and Members, Hawaiian Homes Commission

Thru: Tyler Iokepa Gomes, Deputy to the Chairman. 

From: Niniau Kawaihae, Special Assistant 

Subject: Ratification of Expanded Scope of Work for the Memorandum of Agreement with Amerind Critical Infrastructure Related to Tribal Broadband Connectivity Program and 2.5 GHz Licenses and Approval of Additional Expenditures Related to the Expanded Scope of Work

Recommended Action

That the Hawaiian Homes Commission Ratify the Expanded Scope of Work for the Memorandum of Agreement (“MOA”) with Amerind Critical Infrastructure (“ACI”) Related to Tribal Broadband Connectivity Program (“TCP”) and 2.5 GHz and Approve Expenditures Related to the Expanded Scope of Work.

Discussion

The Memorandum of Agreement’s Expanded Scope of Work (attached as Exhibit A) provides for:

- technical network planning and design;
- technical network implementation and sustainability; and,
- technical support for broadband funding applications.

This submittal focuses on Commission authorization to pay for services rendered as a part of the expanded Scope of Work and is eligible for reimbursement under the Notice of Funding Opportunity for the TCP under the Consolidated Appropriations Acts 2020.

Total estimated additional Scope of Work project cost is \$125,000 for a one-year term of agreement (August 19, 2021 – August 19, 2022).

Total Additional Scope of Work Project Costs \$125,000.00

The Hawaiian Homes Commission approved the budget amendment on February 17, 2021 (attached as Exhibit B) which authorized the Memorandum of Agreement (“MOA”) with Amerind Critical Infrastructure (“ACI”) in the amount of \$805,000.00. Sources of funding for DHHL’s activities under the Tribal Broadband Connectivity Program include two set asides under the CAA and the Investment, Infrastructure & Jobs Act 2022 totaling

no less than \$90 million.

Staff recommendation is to ratify the expanded scope of work and authorize the additional expenditures related to the expanded scope of work. No additional DHHL funds are required at this time as the National Telecommunications and Information Administration (“NTIA”) has confirmed with DHHL that any costs associated with planning, design, etc. of broadband activities outlined in the Tribal Broadband Connectivity Program and conducted after June 2, 2021, will be eligible for reimbursement. As of this date, DHHL has expended \$278,125.03 under its existing MOA with ACI, which the Commission approved in February of 2021.

Therefore, to proceed in meeting our federal requirements as a result of the pending \$90 million in federal grants and the licensing of 2.5 GHz wireless broadband spectrum on our lands with respect to both expediency and minimum operating standards, staff respectfully requests approval of the recommended motion as stated above.

STATEMENT OF WORK #2

1. Technical network planning and design

- a. Perform tasks and develop technical documents, requirements, and tangible deliverables in key areas of network design, development, deployment, and related oversight support, for the Department of Hawaiian Home Lands (DHHL).
- b. Develop network designs and plans -- with an emphasis on Native ownership, sovereignty, and independence -- that address key features, non-exclusively including: interoperability, reliability, robustness, performance, network, value for money, future-proof modular upgradability, ease of maintenance, longevity, security, and autonomy from vendor dominance/incumbency.
- c. Design effective, simple, low-cost, and easy to maintain local broadband infrastructure and carrier-grade networks to meet the needs of Hawaiian Home Land communities, from last mile to backhaul design.
- d. Carry out on-the-ground analysis and planning in the course of network designs.
- e. Develop concise, comprehensive, and easy-to-understand maps illustrating the design of individual 2.5 GHz community networks (consistent with the five (5) 2.5 GHz spectrum licenses awarded to DHHL as part of the FCC's Tribal Priority Window), use of other spectrum platforms, and/or fiber to the premises networks, as appropriate.
- f. Serve as the technical needs partner and team member in DHHL homestead and community meetings and engagements, and meetings and engagements with other entities involved in network planning design and coordination, such as local and regional carriers and departments within the government of the State of Hawaii.

2. Technical network implementation and sustainability

- a. Perform tasks and provide written and visual material input to a plan(s) to create and maintain long-term network independence and autonomy including, for example:
 - i. Technical instruction manuals for maintenance of the DHHL network.
 - ii. Professional development plans for in-house expertise in the maintenance, repair, and upgrade of the network.
 - iii. Plans for and participation in start-up training and/or "train the trainer" types of events for Native Hawaiian community institutions.

3. Technical support for broadband funding applications

- a. Perform tasks as a technical partner in the development of broadband funding applications for the benefit of DHHL's Native Hawaiian Beneficiaries Lands and Native Hawaiians, such as the National Telecommunications and Information Administration's Tribal Broadband Connectivity Grant Program, the Treasury Department's American Rescue Plan Act of 2021 funding, and other state and federal broadband and infrastructure funding programs.

- b. Develop technical exhibits and attachments, such as maps, and graphs, illustrating DHHL's network design in an easy to comprehend format.
- c. Develop technical language for narrative, budget, and other relevant portions of grant and other funding applications.

PAYMENT

Payment shall be made to AMERIND, consistent with the provisions of Section 2 of the MOA between the Parties, which was executed by their duly authorized officials effective as of January 1, 2021. For AMERIND's services provided pursuant to this Statement of Work #2, DHHL agrees to pay over a one (1) year term, commencing on the effective date of Statement of Work #2, a sum not to exceed \$125,000 as follows:


<u>Year</u>	<u>Amount Due</u>
1	\$ 120,000
Travel (Not to exceed)	\$ 5,000
TOTAL:	\$ 125,000


AUTHORIZATION

Upon the signatures of the Parties below, this Statement of Work #2 shall be effective as of August 19, 2021.

By:  08/20/21
Date
William J. Aila, Jr., Chairman
Hawaiian Homes Commission

Approved as to form:

By:  08/20/21
Date
Deputy Attorney General
State of Hawaii

By:  08/20/21
Date
Irene M. Flannery
AMERIND Critical Infrastructure

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

February 16-17, 2020

To: Chairman and Members, Hawaiian Homes Commission
From: Tyler Iokepa Gomes, Deputy to the Chairman
Subject: C-5 Approval of Budget Amendment to Cover Implementation of Memorandum of Agreement with Amerind Critical Infrastructure Related to Tribal Broadband Connectivity Program and 2.5 GHz Licenses

Recommended Action

That the Hawaiian Homes Commission approve the Budget Amendment to Cover Implementation of Memorandum of Agreement (“MOA”) with Amerind Critical Infrastructure (“ACI”) Related to Tribal Broadband Connectivity Program and 2.5 GHz.

Discussion

The Memorandum of Agreement and the expected outcomes and deliverables from this collaboration are discussed in greater detail in Item C-4 on this agenda. This submittal focuses on approval of the funding to pay for services rendered as a part of the MOA.

Total estimated project cost is \$805,000 for a five-year term of agreement. See below for the cost breakdown:

Year 1 -	\$357,500.00
Year 2 -	\$357,500.00
Year 3 -	\$ 10,000.00
Year 4 -	\$ 5,000.00
Year 5 -	\$ 5,000.00
Travel (not to exceed)	\$ 70,000.00
Total Project Costs	\$805,000.00

Staff recommendation is to fund this cost through a reallocation of already budgeted funds. No additional funds are required. Progress on the Department’s activities expected for FY 2020-21 and funded with the FY 2020-21 DHHL budget has been hampered as a result of the pandemic and its resulting shutdowns, restrictions, and hiring freezes. Therefore, spending has not occurred as rapidly as anticipated leaving resources available to allocate to this project.

The shift in funding that is recommended is outlined below in Table 1.

EXHIBIT B

Table 1

Existing Funds Available for MOA (Source: Operating Fund Account – Trust Funds)			
Cost Center	Object Code	Amount	Notes:
Chairman’s Office (OCH)	7110-Fee for Service	\$125,000	For Other Professional Services

Shift From: (Source: Operating Fund Account - Trust Funds):			
Cost Center	Object Code	Amount	Notes:
Planning	7110-Fee for Service	\$400,000	Not enough time remains in current fiscal year to procure services for Water Systems Rate Study and Ag Water Systems/Studies. Include in next year’s budget.
LMD	7110-Fee for Services	\$225,000	Remaining \$1.7 million in LMD’s budget for Fee for Service object code is enough to fund activities planned for remainder of fiscal year.
Chairman’s Office (OCH)	7700 Motor Vehicles & Machinery	\$100,000	Purchases can be delayed until FY 2021-22
TOTAL		\$725,000	

Shift To: (Source: Operating Fund Account - Trust Funds):			
Cost Center	Object Code	Amount	Notes:
Chairman’s Office (OCH)	7110-Fee for Service	\$725,000	

New Total Available for MOA (Source: Operating Fund Account – Trust Funds)			
Cost Center	Object Code	Amount	Notes:
Chairman’s Office (OCH)	7110-Fee for Service	\$850,000	For Other Professional Services

Staff will explore whether any expenditures made under this MOA are eligible for reimbursement with federal resources provided to DHHL to improve access to broadband for our beneficiaries.

After strategic planning and design completion, should there be remaining federal funds or the availability of additional federal funds, DHHL and ACI will have prepared a list of infrastructural and construction costs to utilize any remaining funds or submit request for additional funds.

Therefore, to proceed in meeting our federal requirements as a result of both the pending \$30 million in federal grants and the licensing of 2.5 GHz wireless broadband spectrum on our lands with respect to both expediency and minimum operating standards, staff respectfully requests approval of the recommended motion as stated above.