



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#14-0391

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: April 1, 2014

TITLE: Motion to approve the purchase of communications services - \$137,873

Recommendation

It is recommended that the City Commission approve the Comcast Enterprise Services Master Services Agreement No. FL-294274-dkeen (Agreement) in substantially the form attached to purchase communications services from Comcast Cable Communications Management, LLC (Comcast) in an annual amount estimated not to exceed \$137,873.

Background

As part of the City's franchise agreement with Comcast, an institutional network (INET) was constructed by Comcast and funded via a pass through to the local cable subscribers. The INET is a private network of fibers connecting the four major network "hub" sites; City Hall, Police Headquarters, Public Services, Emergency Operations Center (EOC) and thirty other City buildings for the purpose of voice, video and data communications between those buildings. Over the years many City buildings were added to the INET and there are currently 42 remote connections.

Initially the INET saved the City approximately \$200,000 annually by eliminating leased data lines from BellSouth.

In 2007, the Florida Legislature passed the Consumer Choice Act. This legislation transferred the authority to issue cable television franchises from local governments to the State of Florida Department of State. All franchise agreements existing at the time of passage of the law in 2007 remained in place until their expiration. When the franchise agreement between the City and Comcast expired, Comcast continued to allow our fiber communication connections to the INET.

For the time being, Comcast has agreed to allow the existing INET connections to remain, however no additional sites may be added. Additional sites will be incorporated via a Comcast Metro Ethernet service. Staff has negotiated the proposed agreement with pricing better than what is currently provided by the State of Florida Department of Management Services via the MyFloridaNet (MFN) Metro Ethernet service

arrangement. Additionally, there are some City buildings connected via legacy and extremely slow communications technologies such as Digital Subscriber Line (DSL) and Frame Relay. Staff is recommending the migration of all existing communications networks to the Comcast service. This will allow the City to migrate from all the various communications technologies to one unified communications network. This network is capable of adequately supporting not only communications for computer and telephone, but also free WiFi, Internet and video communications between City buildings.

The Comcast Metro Ethernet communications network will:

- Create one unified communications network in addition to the INET.
- Provide more capacity, scalability and redundancy to the EOC.
- Provide more efficient support, management and expansion of the network for employees to work in multiple office locations.
- Provide additional Internet communications capacity.
- Replace the legacy Frame Relay communications services used at some Police sub-stations.

Currently, the Information Technology Services Department uses the State of Florida Department of Management Services via the SUNCOM service arrangement (MyFlorida.Net) for communications services because the State regularly seeks open competitive bidding for these services. Also because over 1,400 state and local government agencies are involved, the volume discounts allow us to obtain these services for significantly less than if we were to issue our own competitive bid request.

Due to the uniqueness of this project and the major structural renovations that would be needed to use any other company, this purchase will be made pursuant to Section 2-173 of the Code of Ordinances of the City of Fort Lauderdale, Florida regarding proprietary purchases.

Proprietary item or service means any item or service essential to the day-to-day operation of the city government and when time is of the essence. Proprietary item or service also means any other item or service which, in the judgment of the city manager, is not readily available from more than one (1) supplier, manufacturer or person. Proprietary may, when so determined by the city manager, be applied to any other material and services that are in their nature unique and/or not readily subject to competition or whereby specifications cannot clearly be drawn or when time is of the essence.

An estimated annual savings of \$50,512.08 will be achieved once the existing SUNCOM lines are migrated over to the Comcast service. In addition, the value of the 42 remaining buildings connected to the fiber optic INET (and its associated high bandwidth) cannot be compared to any network connections currently available. The estimated cost to move all of the City's current INET communication connections over to

SUNCOM (which would be necessary without this agreement) would be \$6,279,850.08 annually.

Neither Comcast nor the City could agree on reciprocal indemnification language. The City's Risk Manager (Guy Hine) reviewed the agreement and advised that a lack of indemnification language would not expose the City to any unnecessary risk. Also, language in the agreement states that the City's initial and ongoing delivery of services may be subject to credit approval. Comcast may require the City to make a deposit (an amount not to exceed an estimated two month charge for the services) as a provision for continuation of the services.

Resource Impact

There is a fiscal impact to the City in the amount of \$137,873

<i>Funds available as of March 20, 2014</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	OBJECT CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Object Code)	AVAILABLE BALANCE (Object Code)	PURCHASE AMOUNT
581-ITS020102-3628	Voice/Data Communications	Utilities Communications and Mail/ Telephone/Cable TV	\$985,308	\$680,784	\$137,873
PURCHASE TOTAL ►					\$137,873

Strategic Connections:

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Internal Support Cylinder of Excellence, specifically advancing:

- **Goal 11:** Be a well-trained, innovative, and neighbor-centric workforce that builds community.
- **Objective 4:** Provide a reliable and progressive technology infrastructure

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We are United.*

Attachment:

Exhibit 1 - Comcast Enterprise Services Master Services Agreement No. FL-294274-dkeen

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