



## Legislation Details (With Text)

**File #:** 1904-2024      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/24/2024      **In control:** Finance & Governance Committee

**On agenda:** 7/22/2024      **Final action:** 7/24/2024

**Title:** To authorize the Director of the Department of Technology to renew an agreement with Columbus Fibernet LLC for fiber optic cable maintenance services; and to authorize the expenditure of \$85,890.81 from the Information Services Operating fund. (\$85,890.81)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CFN\_CityofColumbus\_Yr15\_Estimate, 2. 1904-2024EXP

Date	Ver.	Action By	Action	Result
7/24/2024	1	CITY CLERK	Attest	
7/23/2024	1	MAYOR	Signed	
7/22/2024	1	COUNCIL PRESIDENT	Signed	
7/22/2024	1	Columbus City Council	Approved	Pass
7/15/2024	1	Columbus City Council	Read for the First Time	

This ordinance authorizes the Director of the Department of Technology to renew an agreement with Columbus Fibernet LLC for fiber optic cable maintenance services in the amount of \$85,890.81, with a coverage term period from October 21, 2024 through October 20, 2025 for the CFN fiber duct system, in support of the City’s fiber optic infrastructure. The original agreement (EL010409) and (EL011025) was authorized by ordinances 1296-2009, passed October 5, 2009, and 1327-2010, passed October 4, 2010. These ordinances authorized the city to acquire a portion of the conduit system known as Fibernet, which at that time consisted of one point nine inch (1.9") duct with ninety six (96) strand single mode installed fiber. This ordinance authorizes year fifteen (15) of a twenty (20) year agreement, authorized by above-mentioned 1296-2009. At the time of purchase, maintenance fees were waived for a period of five years. Starting in 2015, however, contract terms for scheduled annual maintenance (with an annual maintenance fee) was authorized. These terms are as follows:

“Section 9.1 references: "Scheduled Maintenance Seller shall use commercially reasonable methods to maintain the Property in a secure and good condition. Such routine maintenance (“Scheduled Maintenance”) shall include, but is not limited to, locating and marking the Property and pumping, venting, air quality testing, and proofing the Property when necessary. Buyer shall pay to Seller for Seller’s services under this Section 9.1, an amount equal to \$0.19 (cents) a year per foot of conduit owned by Buyer (the “Maintenance Fee”) for the period commencing 5 years from the Closing date and continuing thereafter for a period of 12 months (“Initial Term”). The first 5 years of this contract the fees will be waived. After the Initial Term expires, the Maintenance Fee shall increase annually by the change in CPI. This fee shall continue for so long as Seller is providing Scheduled Maintenance services to Buyer hereunder. Such payments are due up front on the first day of each anniversary of the Closing date.”

The aforementioned original agreement was most recently renewed on July 31, 2023 with passage of Ordinance 2147-2023, authorizing the required annual maintenance for the period of October 21, 2023 through October 20, 2024.

The City owns fiber optic cabling in various strand count quantities throughout the City. The above-described services are

needed to regularly inspect and maintain these assets, and provide fiber optic cable maintenance services in the event of unforeseen damage to the fiber network. This agreement provides labor, equipment, and materials needed to ensure reliable operation of the City's fiber network.

This Ordinance also authorizes the expenditure of \$85,890.81 for the above-described purpose.

**CONTRACT COMPLIANCE**

The contract compliance number for Columbus Fibernet LLC (CFN) is CC005936 and expired 8/30/2023. Columbus Fibernet LLC will have an active contract compliance number before the contract is executed.

**FISCAL IMPACT**

Funds for the above-described services are budgeted and available in the Information Services Operating fund.

To authorize the Director of the Department of Technology to renew an agreement with Columbus Fibernet LLC for fiber optic cable maintenance services; and to authorize the expenditure of \$85,890.81 from the Information Services Operating fund. (\$85,890.81)

**WHEREAS**, the City owns fiber optic cabling in various strand count quantities that need to be regularly inspected and maintained; and

**WHEREAS**, the city entered into a twenty-year agreement (EL010409) and (EL011025), authorized by ordinances 1296-2009, passed October 5, 2009 and 1327-2010, passed October 4, 2010, in which it acquired a portion of the conduit system known as Fibernet; and

**WHEREAS**, at the time of the aforementioned purchase, maintenance fees were waived for a period of five years but starting in 2015, contract terms for scheduled maintenance and an annual maintenance fee was authorized; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Technology to renew an agreement with Columbus Fibernet LLC, for fiber optic cable maintenance services for the CFN fiber duct system in support of the City's fiber optic infrastructure, in the amount of \$85,890.81 with a coverage term starting October 21, 2024 and ending on October 20, 2025; and

**WHEREAS**, it is necessary to authorize the Technology Director to renew an agreement with Columbus Fibernet, LLC (CFN) for fiber optic cable maintenance services for the CFN fiber duct system in support of the City's fiber optic infrastructure for the preservation of the public health, peace, property and safety;

**NOW, THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of the Department of Technology be, and hereby is, authorized to renew an agreement with Columbus Fibernet, LLC (CFN) for fiber optic cable maintenance services for the CFN fiber duct system in support of the City's fiber optic infrastructure in the amount of \$85,890.81, for a period of one year, beginning on October 21, 2024 and ending on October 20, 2025.

**SECTION 2.** That the expenditure of \$85,890.81 or so much thereof as may be necessary is hereby authorized to be expended as follows in the attachment to this ordinance. **(Please see attachment 1904-2024EXP)**

**SECTION 3:** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 4:** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.