



## Legislation Text

File #: 0583-2012, Version: 1

**BACKGROUND:** This ordinance is to modify a previous ordinance (1694-2009) in order to align the expiration dates of five (5) Universal Term Contracts with AT&T with the expiration dates as agreed to in the contracts. This ordinance also modifies one of those contracts (FL004567) with AT&T in order to carry out the contract as originally planned. It was intended that FL004567 would implement a new long distance billing system (AT&T Business Network - "ABN") that would benefit the City. However, the new system was never implemented. New language in the contract has been agreed to by both parties, and the contract must be modified in order to put the agreement into effect and implement the ABN. This ordinance authorizes the Finance and Management Director to modify FL004567 so it can be implemented accordingly.

**1. Amount of additional funds:** No additional funds are necessary to modify the ordinances or the pending option contract.

**2. Reason additional needs were not foreseen:** It was just recently discovered that the expiration dates in the ordinance and the contracts were not the same. And the City has been in negotiations with AT&T in order to get FL004567 pricing clarified.

**3. Reason other procurement processes not used:** The same exact product is required as originally bid in these contracts. No lower pricing/more attractive terms and conditions are anticipated through rebidding at this time.

**4. How cost was determined:** Terms and conditions are in accordance with the original agreement. It is anticipated that costs may go down once the contract pricing is clarified.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

**FISCAL IMPACT:** No additional monies are required to modify the previous ordinance or the option contract. Each agency must set aside their own funding for their estimated expenditures.

In order to maintain an uninterrupted supply of services to City agencies using Universal Term Contracts and open Purchase Orders, this ordinance is being submitted as an emergency.

To modify ordinance 1694-2009 in order to amend the expiration dates of the contracts with AT&T the ordinance authorized, and to authorize the Finance and Management Director to modify the Long Distance contract with AT&T so the contract can be implemented by the City as originally planned; and to declare an emergency.

**WHEREAS,** the Finance/Purchasing Office established contracts FL004566, FL004567, FL004568, FL004569 and FL004570 for the purchase of various telephone and data services with AT&T; and Ordinance 1694-2009 authorized these contracts; and

**WHEREAS,** it was recently discovered that the expiration dates in the ordinance are not the same as the expiration dates agreed to by the parties in the contracts; and it is necessary to amend the previous ordinance in order to align the expiration dates; and

**WHEREAS,** FL004567 for the purchase of Long Distance Services with AT&T was never implemented as originally intended; and it is necessary to modify FL004567 in order to clarify the contract and implement the contract as originally intended; and

**WHEREAS,** an emergency exists in the usual daily operation of the Finance/Purchasing Office in that it is immediately necessary to modify Ordinance 1694-2009 and FL004567 with AT&T., thereby preserving the public health, peace,

property, safety, and welfare, now, therefore,

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

**SECTION 1.** That Ordinance 1694-2009 is modified to change the expiration dates in the ordinance to March 31, 2013, with the option to extend the contracts for two (2) additional eighteen (18) month periods for FL004566, FL004567, FL004568, FL004569 and FL004570, as reflected in the contracts and agreed to by both parties.

**SECTION 2.** That the Finance and Management Director is hereby authorized to modify FL004567 for the purchase of Long Distance Services with AT&T to reflect the original intention of the parties, so the AT&T Business Network long distance contract can be fully implemented.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.