



Legislation Text

File #: 1706-2020, Version: 1

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 \$72,229.80, with a coverage term period from October 21, 2020 through October 20, 2021 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 for the sale for fiber and underground conduit with Columbus Fibernet, LLC, to acquire a portion of the conduit system known as Fibernet. The agreement was most recently renewed via ordinance 1442-2019 passed July 29th, 2019. The portion of the conduit system that was purchased consisted of one (1) point nine inch (1.9") duct with ninety-six (96) strand single mode fiber installed therein.

At the time of purchase, maintenance fees were waived for a period of five years. Starting in 2015, contract terms for scheduled maintenance and an annual maintenance fee was authorized. The terms of the contract are identified below.

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 City owns approximately 600 miles of fiber optic cabling in various strand count quantities throughout the City. 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.

CONTRACT COMPLIANCE:

Vendor: Columbus Fibernet LLC (CFN); CC#: 31-1762185; Expiration Date: 07/08/2021
(DAX No. #: 005936)

FISCAL IMPACT:

In fiscal years 2018 and 2019, \$69,829.36 and \$71,170.85 was expended to renew the Columbus Fibernet LLC contract, respectively. This ordinance authorizes the expenditure of \$72,229.80 to renew the aforementioned contract in 2020. This amount is budgeted and available in the the Department of Technology, Information Services Division, Information Services Operating Fund.

To authorize the Director of the Department of Technology 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; and to authorize the expenditure of \$72,229.80 from the Department of Technology, Information Services Division, Information Services Operating Fund. (\$72,229.80)

WHEREAS, the original agreement (EL010409) and (EL011025) was authorized by ordinance 1296-2009, passed October 5, 2009 and by ordinance 1327-2010, passed October 4, 2010 for sale of fiber and underground conduit with

Columbus Fibernet, LLC, to acquire 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, the City owns approximately 600 miles of fiber optic cabling in various strand count quantities that need to be regularly inspected and maintained; and

WHEREAS, this legislation authorizes 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 \$72,229.80 with a coverage term period from October 21, 2020 through October 20, 2021; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Technology 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, safety and welfare; 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 \$72,229.80 with a coverage term period from October 21, 2020 through October 20, 2021.

SECTION 2: That the expenditure of \$72,229.80 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 1706-2020 EXP):**

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