30-1

Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	June 26, 2012	[] Consent [] Public Hearing	[x] Regular [] Workshop
Department:			
•	Information Sy: Information Sy		,

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a ninety (90) day extension to the existing AT&T "Volume & Term Agreement" (R2009-1055). This will allow the County to continue receiving the current contract and tariff rates along with the contract discounts (21%) as staff finalizes the terms and conditions of a new AT&T Agreement.

Summary: To obtain the best possible pricing, ISS has contracted with an outside firm to assist in negotiating a new agreement with AT&T. Extensive evaluation is required to assess recent telecommunications offerings and plan for new technologies, such as the voice over IP (VoIP) phone system. These efforts will extend the timeframe for negotiating the new agreement beyond the current contract end date of June 30, 2012. <u>Countywide</u> (PFK)

Background and Justification: The County currently spends approximately \$5.3 million annually on this AT&T agreement. ISS has contracted with the Baller & Herbst Law Firm to assist in identifying target 'best rates' for the myriad of telecommunication services required by Board departments and the constitutional officers. Baller & Herbst was selected based on their specific experience in assisting other state and local governments in telecommunications contracts and projects. The negotiations with AT&T have proved to be extensive and time-consuming. This extension will allow the County to continue to receive the existing contractual rates and discounts until negotiations are completed.

Attachments:

1. Ninety (90) day extension to the AT&T Volume and Term Agreement (3 originals)

Recommended by:	Steve (Bordelon	6-19-2012	
	Department Director	Date	
Approved by: .	ga	6/21/12	
ripproved by.	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Capital Expenditures Operating Costs	\$1,320,000	0	0	0	0 0
External Revenues Program Inc (County) In-Kind Match (County)	<u>0</u> <u>0</u>	$\frac{\underline{0}}{\underline{0}}$	$\frac{\underline{0}}{\underline{0}}$	$\frac{\underline{0}}{\underline{0}}$	$\frac{\underline{0}}{\underline{0}}$
NET FISCAL IMPACT	<u>\$1,320,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# Additional FTE Positions (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Is Item Included in Current Budget	Yes _	X No_			

Budget Account Number: Various

Budget account numbers for the AT&T services procured under this Agreement are many and varied. These service costs are invoiced to all County agencies through an automated billing program.

B. Recommended Sources of Funds / Summary of Fiscal Impact

C. Department Fiscal Review:	10861 CASSAL 6/19/12
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III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. & Contract	An J. June 6/21/12
WIS-12 OFMBCO	Contract Administration
B. Legal Sufficiency: 6/2/12 Assistant County Attorney	
C: Other Department Review:	·
Department Director	

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

20120613-6894

AT&T MA Reference No. FL09-3606-UA133405UA Regulated V&T Pricing Schedule FL09-3606-10 Amendment

AMENDMENT TO VOLUME & TERM AGREEMENT

This Amendment is to the Volume & Term Agreement FL09-3606-10 (Palm Beach County Reference R-2009-1055), entered into between AT&T Florida ("AT&T") and Palm Beach County ("Customer") on June 16, 2009.

- A. Customer and AT&T agree to extend the Term of the Volume & Term Agreement for three (3) additional months.
- B. The Baseline, Annual Revenue Commitment, Reward Level and Reward Eligible Services for Contract Year Four are listed in Revised Appendix 1 to the Volume & Term Agreement, which is attached.
- C. The Effective Date of this Amendment shall be July 1, 2012, the first day of Contract Year Four.
- D. The "Expiration Date" of the Volume & Term Agreement shall be September 30, 2012 at 11:59 p.m.
- E. AT&T shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least three (3) years after completion or termination of this Agreement. The County shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at AT&T's place of business, upon reasonable notice.

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 – 2-440, as may be amended. The Inspector General's authority includes, but is not limited to, the power to review past, present and proposed County contracts/agreements, transactions, accounts and records, to require the production of such records, and to audit, investigate, monitor, and inspect the activities of AT&T, its officers, agents, employees, and lobbyists in order to ensure compliance with contract/agreement requirements and detect corruption and fraud.

Failure to cooperate with the Inspector General or interference or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 – 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

F. This offer shall be valid until June 29, 2012.

Except for the foregoing, the remaining terms and conditions of the Volume & Term Agreement remain fully executable between AT&T and Customer.

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PROPRIETARY – Not For Disclosure Outside of AT&T Except With Written Permission Rev 12/06

Fh2750 1-UABTN4 06.01.12; 06.14.12

AT&T MA Reference No. FL09-3606-UA133405UA Regulated V&T Pricing Schedule FL09-3606-10 Amendment

ATTEST: Sharon R. Bock, Clerk & Comptroller	Palm Beach County, By Its Board of County Commissioners
By: Deputy Clerk	By:Shelley Vana, Chair
(SEAL)	
APPROVED AS TO FORM AND	APPROVED AS TO TERMS
LEGAL SUFFICIENCY	CONDITIONS
By: County Attarney ISS	By: Steve Bordelon, Director,
AT&T Florida	
ATTEST:	
By: Contract Manager Lisa Kemnitz (type name and title) 06-14-2012	By: (type name and title)
Reviewed and Approved for Execution	n.
By:	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	
By:	
2	of 3

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Fh2750 1-UABTN4 06.01.12; 06.14.12

AT&T MA Reference No. FL09-3606-UA133405UA Regulated V&T Pricing Schedule FL09-3606-10 Amendment

Appendix 1

Customer: Palm Beach County
 Term: 3 months (39 months total)

Volume and Term Provisions

B. C. D.	Annual Revenue Commitment: (90% of Baseline) Baseline Reward Level A 21.0% Growth Percentage Annual Growth Incentive Award Reward Eligible Services	\$6,788,040.00 \$7,542,267.00 Not Applicable Not Applicable	multiplied by 3/12 multiplied by 3/12	
	A	Alarm & Control Cl		
	A	Dir. White Page Svo	os	
	A	Bus Plus/Bus Choic	e	
	A	Business ISDN		
	A	Touchstar		
	A	Tie Lines		
	A	Megalink		
	A	Analog Data Service	e '	
	\mathbf{A}	SMARTRing IAS S	PA Ded Ring	
	A	Messaging CNS Features		
	A	Voice GD Non-Data		
	A	Non List/Non Published Sves		
	A	Enhanced Callerid ((ST-UP)	
	A	Metro Ethernet		
	A	$\overline{\mathrm{DID}}$		
	\mathbf{A}	Flat Rate PBX Trun		
	A	NARS-Megalink Cl	hannel Service	
	A	Custom Calling		
	A	BellSouth Centrex		
	A	BellSouth Channeli	zed Trunks	
	A	Prestige		
	A	Off Prem EXT (OP)	•	
	A	FCO & FX Services	9	
	A	Remote Call Fwd		
	Å .	Flat Rate Business		
	A	SMARTPath	•	
	A	Frame Relay		
	A	Megalink Channel		
	A	Synchronet		
	A	FlexServ	•	

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