

Mayor and Council Communication

DATE: 09/15/20

M&C FILE NUMBER: M&C 20-0655

LOG NAME: 13PCITYWIDE MOBILITY SERVICES ITS SC

SUBJECT

(ALL) Ratify Expenditures of \$1,761,779.26 and Authorize the Execution of Non-Exclusive Purchase Agreements with Verizon Wireless Services, LLC, AT&T Corporation, Sprint Solutions, Inc., for Broadband Access Services and Hardware Using Cooperative Contracts in an Annual Amount of \$4,020,000.00

RECOMMENDATION:

It is recommended that the City Council:

1. Ratify expenditures of \$1,761,779.26 incurred by the Information Technology Services Department for broadband access services and hardware; and
2. Authorize non-exclusive purchase agreements with Verizon Wireless, LLC, AT&T Corporation, Sprint Solutions, Inc., and for broadband access services and hardware using State of Texas Department of Information Resources Cooperative Contracts in an annual amount of \$4,020,000.00.

DISCUSSION:

The City currently utilizes over 7,000 lines of service to include cell phones, mobile wi-fi (mifis), air cards, and other wireless types for communication connectivity. These services provide staff with mobility, improving efficiencies, productivity and customer service. As the City grows and municipal services become higher in demand, the City has seen an increase in wireless use. The spending authority authorized by the M&C will allow for 5% growth from current spending.

The previous Mayor and Council Communication (M&C P-11929) was approved on September 13, 2016 and authorized an annual authority of \$600,000.00 with Verizon Wireless Services, LLC (Verizon Wireless). Following this approval, costs, data requirements, and general usage across the City's growing work force has increased. From April 28, 2018 to April 27, 2019, an amount of \$1,519,805.78 was paid to Verizon Wireless. From April 28, 2019 to April 27, 2020, an amount of \$1,441,973.48 was paid to Verizon Wireless. Staff requests that Council ratify expenditures in the amount of \$1,761,779.26 incurred since April 28, 2018. Payments made to Verizon Wireless after April 27, 2020 will be counted against the first year's authorized spending authority approved through this M&C.

Going forward Staff will be taking preventative measures by monitoring expenditures and setting limits within the ERP Purchasing system and credit limits will be placed on all procurement credit cards used to pay for services provided by Verizon Wireless, AT&T Corporation and Sprint Solutions, Inc.

This Mayor and Council Communication seeks to replace M&Cs P-11960 and P-11929. The M&Cs authorizing agreements for broadband access services were previously executed separately, per vendor. This limited the flexibility of departments and their option to switch providers. The Information Technology Solutions Department (ITS) will use these purchase agreements to provide competitively priced, wireless broadband vendor options for staff.

The vendors and associated cooperative contracts are as follows:

VENDOR	CONTRACT INFORMATION	CONTRACT EXPIRATION DATE
Cellco Partnership d/b/a Verizon Wireless	DIR-TSO-3415	April 27, 2021
AT&T Corporation	DIR-TEX-AN-NG-CTSA-005	July 1, 2021
Sprint Solutions, Inc.	DIR-TO-3432	March 9, 2021

PRICE ANALYSIS – The Texas Department of Information Resources (DIR) cooperative contracts offers discounted pricing. Staff reviewed the pricing and found it to be fair and reasonable.

COOPERATIVE PURCHASE - State law provides that a local government purchasing an item under a Cooperative Purchasing Agreement

satisfies state law requiring that the local government seek competitive bids for purchase of the item. The Texas Department of Information Resources (DIR) contracts have been competitively bid to increase and simplify the purchasing power of government entities across the State of Texas.

M/WBE OFFICE - A MBE/SBE goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

SUCCESSOR CONTRACTS - To facilitate planning and budgeting, staff would prefer to have annual agreements that align with the Fiscal Year. However, DIR agreements are out of alignment with the City's Fiscal Year and the current terms will expire on the dates included above. In order for these agreements to align with the City's Fiscal Year, adoption of this Mayor and Council Communication (M&C) technically authorizes (i) a series of purchase agreements, each of which will align to a term of the DIR agreement to ensure legal authority exists for the contract, and (ii) an annual spend amount, future years of which would be subject to City Council appropriation. In the event that a cooperative agreement is not renewed, staff would cease purchasing at the end of the last purchase agreement coinciding with the valid cooperative agreements. If the City Council were to not appropriate funds for a future year, staff would stop making purchases when the last appropriation expires, regardless of whether the then-current purchase agreement has expired. If the DIR contracts are extended, this M&C authorizes the City to purchase similar equipment and supplies under the extended contracts. If DIR contracts are not extended, but DIR executes new cooperative contracts with substantially similar terms, this M&C authorizes the City to purchase the equipment and supplies under the new DIR contracts.

ADMINISTRATIVE CHANGE ORDER - An administrative change order or increase may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

AGREEMENT TERM - Upon City Council's approval, these agreements will commence upon execution and continue in accordance with the terms and conditions of the respective cooperative contracts or applicable successive contracts for the same services.

RENEWAL OPTIONS - These agreements may be renewed per the conditions established in the contract between the DIR and the individual vendor. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligation during the renewal term.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current operating budget, as previously appropriated, in the General Fund to support the approval of the above recommendation and execution of the purchase agreement. Prior to any expenditure being incurred, the Information Technology Solutions Department has the responsibility to validate the availability of funds.

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