

capacity and be billed based on average usage. This has allowed for consistent rates and reliable Internet connectivity during each Agreement period during the expansion of reliance on reliable Internet connectivity of county departments for their business needs.

The proposed renewal of the Verizon Business Service Agreement continues to provide to the County of Monterey a discount on the current Verizon rates and the discount of 67% will apply throughout the term of the Agreement. The current Verizon Agreement provides 30 Megabits Per Second (Mbps) for our primary port and 18 Mbps for our secondary port. Due to the increased usage by county departments and their individual business needs, coupled with the discounted pricing provided by Verizon for this renewal, the proposed new Verizon Business Service Agreement allows the primary port bandwidth to be upgraded to 100 Mbps and the secondary port bandwidth to be upgraded to 40 Mbps with future ability to expand and continue to secure the significant discounted rates. The proposed Agreement allows for the upgrade of the bandwidth at the same current rate excluding taxes, surcharges, and tariffs which is not determined by Verizon. This will also accommodate the increase in Internet usage by county departments as they continue to implement applications which are hosted outside of the county network.

In order to maintain the reduced rates with an established vendor with the County since 2006, it is the recommendation of the Director of Information Technology, that this Agreement be accepted despite non-standard provisions including late payment charges. The County has used this service since 2004 with similar terms without incurring any liability or financial consequence. Changing Internet services providers would take an extensive amount of time, cost, and labor, and further modifying this Agreement subjects the County to a significant increase in cost of service. The approval of the Board in allowing the Contracts/Purchasing Officer to execute Amendments and extensions to this Agreement within the period specified will allow flexibility for ITD to accommodate the business needs of the departments and ensure seamless computing as expanded Internet connectivity continues to grow.

OTHER AGENCY INVOLVEMENT:

County Counsel and Risk Management do not approve the indeterminable terms, the right of the Provider to change terms, and also the non-standard provisions in the Agreement, including those related to assignment, arbitrations, indemnification, and lack of insurance requirements. In addition, the Auditor/Controller's Office does not approve the late payment provisions. The Agreement is on file with the Clerk of the Board.

FINANCING:

The funds for payment of this Agreement have been included in the FY 2012-13 Adopted Budget for the Information Technology Department, ITD 1930, Unit 8137, Appropriations Unit INF002. Transactions relating to future fiscal years will be included in each respective Recommended Budget. Should funding be reduced and/or terminated, the County may terminate this Agreement by giving thirty (30) days written notice of such action to Verizon.

Prepared by: Sarah House, Management Analyst, 755-5108

Approved by:

Dianah Neff, Director of Information Technology
Dated: April 23, 2013

Attachments: Agreement