



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: A 15-210, **Version:** 1

- a. Approve and authorize the Contracts/Purchasing Officer to execute a Service Agreement with Comcast Cable Communications Management, LLC ,to provide the County with High Speed Digital Link Internet access for the period of July 8, 2015 through June 30, 2018 in an amount not to exceed \$20,960 per year, for a maximum total of \$62,880;
- b. Accept non-standard terms as recommended by the Director of Information Technology;
- c. Authorize the Contracts/Purchasing Officer to sign no more than three (3) future amendments providing for increases that total, cumulatively, no more than ten percent (10%) of the original maximum contract amount (\$6,288); and
- d. Authorize the Contracts/Purchasing Officer to sign extensions of the Service Agreement for up to two additional years of service, provided there is no significant change to the Agreement scope of services or to the approved non-standard terms.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts / Purchasing Officer to execute a Service Agreement with Comcast Cable Communications Management, LLC ,to provide the County with High Speed Digital Link Internet access for the period of July 8, 2015 through June 30, 2018 in an amount not to exceed \$20,960 per year, for a maximum total of \$62,880;
- b. Accept non-standard terms as recommended by the Director of Information Technology;
- c. Authorize the Contracts / Purchasing Officer to sign no more than three (3) future amendments providing for increases that total, cumulatively, no more than ten percent (10%) of the original maximum contract amount (\$6,288); and
- d. Authorize the Contracts / Purchasing Officer to sign extensions of the Service Agreement for up to two additional years of service, provided there is no significant change to the Agreement scope of services or to the approved non-standard terms.

SUMMARY/DISCUSSION:

The County is in the process of adding redundancy to the current high speed digital link internet access used by County staff. Comcast will be providing a second 100 mbps link in addition to the 500 mbps primary link provided by AT&T. The addition of the second link from a different internet service provider will provide redundancy in case of failure of the primary link, and thus will ensure continuity of critical County internet communications.

Comcast is the only other major reputable high speed Internet Service Provider in Monterey County and across the nation that can provide the redundant service cost-effectively. It is the recommendation of the Director of Information Technology that this Agreement be accepted despite non-standard provisions. The approval of the Board in allowing the Contracts / Purchasing Officer to execute amendments and extensions to this Agreement within the time period and cost increase limits 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 has reviewed the Comcast agreement and does not approve due to numerous non-standard

provisions. These include disclaimers of Comcast warranty regarding the performance of its goods and services, limitations on Comcast liability to County in the event of damage to County network equipment and operations; County indemnification of Comcast for specified types of harm; automatic renewal (evergreen) provisions; advance billing, late fees, and other non-standard payment provisions; and unacceptable dispute resolution provisions. Risk will not approve non-standard insurance and indemnity provisions.

FINANCING:

This requested expense has been included in the 2015-16 Approved Budget for the Information Technology Department, 1930, Unit 8436, Appropriation 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 30 days written notice prior to the ensuing service period.

Prepared by: Elizabeth Crooke, Management Analyst, 755-5108

Approved by:

Dianah Neff, Director of Information Technology
June 12, 2015

Attachments:

- a. Comcast Enterprise Services Master Services Agreement
- b. Comcast Enterprise Services First Amendment to Master Services Agreement
- c. Comcast Enterprise Services Sales Order Form
- d. Comcast Enterprise Services General Terms and Conditions
- e. Comcast Business Acceptable Use Policy
- f. Comcast High Speed Internet for Business Privacy Policy