

STATE OF TEXAS

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COUNTY OF BEXAR

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FIFTH AMENDMENT TO
THE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND
AT&T CORP. FOR COMMUNICATIONS PRODUCTS AND SERVICES AT
CUSTOMER SPECIFIC PRICING

WHEREAS, on May 21, 2009, the San Antonio City Council passed Ordinance No. 2009-05-21-0432 approving the terms and conditions of an Agreement between the City of San Antonio and AT&T Corp. for Communications Products and Services at Customer Specific Pricing (the “Master Contract”); and

WHEREAS, the initial three year term of the Master Contract expires on June 30, 2012; and

WHEREAS, the contract term was extended for an additional two years on June 30, 2012; and

WHEREAS, the contract term was extended for an additional two years on June 30, 2014 and now expires on June 30, 2016; and

WHEREAS, Section 5.3 of the Master Contract authorizes the City’s Chief Technology Officer to extend the term of the Master Contract for two periods of two years each upon a determination that such an extension is in the best interest of the City; and

WHEREAS, Section 5.3 authorizes the City and AT&T Corp. to negotiate mutually acceptable terms for extension of the Master Contract;

NOW THEREFORE, following good faith negotiations, the Chief Technology Officer finds that it is in the best interest of the City to extend the term of the Master Contract for the first of a potential two extension periods, and the parties agree to the following amendments to the Master Contract:

1. The Master Contract (AT&T Contract #133356UA) is extended for a one year term beginning July 1, 2016 and ending June 30, 2017.
2. **EXHIBIT H, AT&T BUSINESS NETWORK PRICING SCHEDULE Contract #20090521-0496 (ABN LD)**

- A. Section 2 “PRICING SCHEDULE TERM AND EFFECTIVE DATES” is extended for one additional years as follows:

Pricing Schedule Term	Term Start Date
8 years which commenced on July 1, 2009	First day of first full billing cycle following installation of ABN Service

<u>Pricing Schedule Term</u> <u>Renewal Option</u>	Customer may extend Pricing Schedule Term for additional two-year period upon written notice to AT&T at least forty-five (45) days prior to the last day of the amended Pricing Schedule Term
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3. **EXHIBIT H, AT&T MANAGED INTERNET SERVICE PRICING SCHEDULE Contract #20090521-0517**

Section 2 “PRICING SCHEDULE TERM AND EFFECTIVE DATES” is extended for two additional years as follows:

<u>Pricing Schedule Term</u>	<u>Term Start Date</u>
8 years which commenced on July 1, 2009	First day of first full billing cycle following installation of MIS Service

<u>Pricing Schedule Term</u> <u>Renewal Option</u>	Customer may extend Pricing Schedule Term for additional two-year period upon written notice to AT&T at least forty-five (45) days prior to the last day of the amended Pricing Schedule Term
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4. **EXHIBIT H, AT&T TELECONFERENCING SERVICE PRICING SCHEDULE Contract # 20090521-0510**

Section 2 “PRICING SCHEDULE TERM AND EFFECTIVE DATES” is extended for two additional years as follows:

<u>Pricing Schedule Term</u>	<u>Term Start Date</u>
8 years which commenced on July 1, 2009	First day of first full billing cycle following installation of Teleconferencing Service

<u>Pricing Schedule Term</u> <u>Renewal Option</u>	Customer may extend Pricing Schedule Term for additional two-year period upon written notice to AT&T at least forty-five (45) days prior to the last day of the amended Pricing Schedule Term
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5. **EXHIBIT H, AT&T CORPORATE DIGITAL ADVANTAGE PRICING SCHEDULE Contract 20090521-0502 (Mobility)**

Section 2 “PRICING SCHEDULE TERM” is extended for two additional years as follows:

<u>Pricing Schedule Term</u>	<u>Term Start Date</u>
8 years which commenced on July 1, 2009	First day of first full billing cycle following installation of Mobility Service

<u>Pricing Schedule Term</u> <u>Renewal Option</u>	Customer may extend Pricing Schedule Term for additional two-year period upon written notice to AT&T at least forty-five (45) days prior to the last day of the amended Pricing Schedule Term
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6. **EXHIBIT H, AT&T ILEC PLEXAR II SERVICE PRICING SCHEDULE
Contract 20090522-0086**

AT&T and the City of San Antonio hereby agree to extend the Pricing Schedule Term of the Contract for 12 months.

7. **EXHIBIT H, PRICING SCHEDULE FOR ILEC SERVICES PROVIDED IN
THE STATE OF TEXAS PURSUANT TO TARIFF(S) AND/OR GUIDEBOOK
Contract 20090529-0390 (Telco Wired Services)**

AT&T and the City of San Antonio hereby agree to extend the Pricing Schedule Term of the Contract for 12 months.

8. **EXHIBIT H, PRICING SCHEDULE FOR ILEC SERVICES PROVIDED
WITHIN AT&T'S FRANCHISE TERRITORY THE STATE OF TEXAS
PURSUANT TO TARIFF(S) AND/OR GUIDEBOOK Contract 20090522-0142
(Opt-E-MAN)**

AT&T and the City of San Antonio hereby agree to extend the Pricing Schedule Term of the Contract for 12 months.

9. **EXHIBIT H, AT&T ILEC NON-EMERGENCY 3-1-1 ("SERVICE") PRICING
SCHEDULE**

AT&T and the City of San Antonio hereby agree to extend the Pricing Schedule Term of the Contract for 12 months.

All other terms and conditions of the Master Contract and subsequent amendments remain in full force and effect.

Executed in multiple counterparts, each of which shall be deemed an original, by:

CITY OF SAN ANTONIO
A MUNICIPAL CORPORATION

AT&T CORP.
A DELAWARE CORPORATION

By: _____
Hugh Miller
Chief Technology Officer

By: Cheryl Wankowski
[Insert Name]
[Insert Title] Cheryl Wankowski
Senior Customer Contracts

Date: _____

Date: 5-26-16

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