

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

**AN ORDINANCE**

**APPROVING A CONTRACT BETWEEN THE CITY OF SAN ANTONIO  
AND AT&T CORP. FOR COMMUNICATIONS PRODUCTS AND  
SERVICES AT CUSTOMER SPECIFIC PRICING WITH AN ESTIMATED  
COST OF UP TO \$3.8 MILLION ANNUALLY.**

\* \* \* \* \*

**WHEREAS**, on July 14, 2017, the City issued a Request for Competitive Sealed Proposal ("RFCSP") for communications services to approximately 12,000 City employees located in over four hundred (400) facilities throughout San Antonio; and

**WHEREAS**, the RFCSP requested proposals from qualified vendors for the following categories of services: (1) wired telephone service; (2) metropolitan ethernet services; (3) broadband services; (4) internet access services; (5) long distance service, and support for conference calling, directory listing, and 3-1-1 services; and

**WHEREAS**, the stated purpose of the RFCSP was to reduce costs for communications services and improve efficiencies in the delivery and use of such services by consolidating existing contracts, expanding communication services, and providing more effective communication business processes for City departments; and

**WHEREAS**, inherent in the scope of services of the RFCSP is the goal of strategically partnering with one or more communications providers for the purpose of transitioning the City's communications capabilities into more advanced voice and data broadband services and functionalities; and

**WHEREAS**, in the RFCSP, the City expressed a preference to contract with a single provider for all communication service categories contained in the RFCSP, but reserved the right to award each category of service individually; and

**WHEREAS**, on November 13, 2017, the City received responses from four (4) vendors; however, two (2) proposals were deemed non-responsive. One firm failed to submit required proposal information such as experience, background and qualifications, or a proposed plan that was required in order to evaluate the proposal. The second firm failed to submit its response to the Office of the City Clerk by the stated due date and time; and

**WHEREAS**, on April 30, 2018, following the completion of the evaluation process, the head of the evaluation committee made a recommendation to the City's Chief Technology Officer and Chief Information Officer to pursue negotiations with AT&T Corp. ("AT&T") for a

RP

xx/xx/2018

Item No.

Best and Final Offer ("BAFO") based on the evaluation results; and

**WHEREAS**, on May 24, 2018, AT&T presented its BAFO to the City in which it offered a discount over and above the pricing it offered in its initial response to the RFCSP in exchange for receiving at least seventy percent (70%) of the City's overall business in the categories of communications services subject to the RFCSP; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Agreement between the City of San Antonio and AT&T Corp. for Communications Products and Services at Customer Specific Pricing ("Agreement") is hereby approved. A copy of the Agreement in substantially its final form is attached hereto and made a part of this Ordinance as Exhibit "A." A copy of the fully executed Agreement will be attached to this Ordinance and will replace Exhibit "A."

**SECTION 2.** The City Manager or designee is hereby authorized to execute the agreement any and any related documents necessary to fulfill the purpose and intent of this Ordinance without further council approval.

**SECTION 3.** The amounts will be encumbered upon issuance of a purchase order, and payment is authorized to AT&T. All expenditures will be in accordance with the Fiscal Year 2019 and subsequent budgets that fall within the term period of this contract approved by City Council.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This Ordinance shall become effective immediately upon the passage by eight (8) votes of the City Council and if passed upon fewer than eight (8) votes after the tenth (10<sup>th</sup>) day after passage thereof.

**PASSED AND APPROVED** this 13<sup>th</sup> day of December 2018.

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney