

RESOLUTION NO. 2021-95

AUTHORIZING CONTRACT NO. 2021-152 WITH AT&T CORPORATION FOR SWITCHED ETHERNET ON-DEMAND SERVICES FOR A PERIOD OF THREE YEARS IN AN AMOUNT NOT TO EXCEED \$171,147.60 (GENERAL FUND, INNOVATION & TECHNOLOGY DEPARTMENT BUDGET)

WHEREAS, the Authority has a need for a technology upgrade to Switched Ethernet On-Demand Services to continue to conduct daily operations; and

WHEREAS, this technology upgrade is required because AT&T is discontinuing the Authority's existing metro-ethernet product, Switched Ethernet, which will be no longer offered by AT&T; and

WHEREAS, because AT&T Switched Ethernet On-Demand Services is being added to an existing network of AT&T circuits, it cannot be provided by any alternate vendors; and

WHEREAS, the Ohio Revised Code, Section 306.43 (H)(3) provides that competitive bidding is not required when "[t]he expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns;" and

WHEREAS, AT&T Corporation, located at One AT&T Way, Bedminster, New Jersey 07921, has offered to provide the technology upgrade to Switched Ethernet On-Demand Services in an amount not to exceed \$171,147.60 for a period of three years; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of AT&T Corporation to provide Switched Ethernet On-Demand Services for a period of three years to be in the best interest of the Authority and recommends acceptance thereof by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the offer of AT&T Corporation to provide Switched Ethernet On-Demand Services be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to enter into a contract with AT&T Corporation to provide Switched Ethernet On-Demand Services for a period of three years.

Section 3. This contract will be funded through the General Fund, Innovation & Technology Department budget, in an amount not to exceed \$171,147.60 for a period of three years.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that AT&T Corporation will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: October 26, 2021



President

Attest: 

Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

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|--|---------------------------------------|
| TITLE/DESCRIPTION: CONTRACT: AT&T SWITCHED ETHERNET ON-DEMAND SERVICES VENDOR: AT&T CORPORATION AMOUNT: NTE \$171,147.60 FOR A PERIOD OF THREE YEARS | Resolution No.: 2021-95 |
| | Date: October 21, 2021 |
| | Initiator: Innovation & Technology |
| ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____ | |

- 1.0 **PURPOSE/SCOPE:** This action will permit the Authority to enter into a contract with AT&T Corporation for AT&T Switched Ethernet On-Demand Services for a period of three-years.

- 2.0 **DESCRIPTION/JUSTIFICATION:** In support of the operations of the Authority, the Innovation & Technology Department maintains a substantial voice and data network that connects various Authority facilities and systems and allows customers to access the Authority’s public-facing services, such as the RTAanswerline and the riderta.com website. The network is comprised of private infrastructure and supplemented by leased telecommunications services, including analog telephone service, local and long distance service, off-premise extensions for emergency call boxes, direct inward-dial service, point-to-point data circuits, internet service, metro-ethernet, etc.

 This technology upgrade is required because AT&T is discontinuing the Authority’s existing metro-ethernet product, Switched Ethernet, which will be no longer offered by AT&T. AT&T Switched Ethernet On-Demand is the replacement technology.

- 3.0 **PROCUREMENT BACKGROUND:** This contract is exempt from competitive bidding under Section 306.43 (H)(3) of the Ohio Revised Code which states that a sole source procurement is authorized when “[t]he expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns.” The Authority has been utilizing AT&T services since 2004. Because this service is being added to an existing network of AT&T circuits, it cannot be provided by any alternate vendors. Service from an alternate vendor would not connect to the existing AT&T network, thereby requiring the construction of a parallel network at a substantially higher cost.

 The monthly recurring cost for AT&T Switched Ethernet On-Demand Services is approximately \$4,134 per month, or \$148,824.00 over the three-year period. Because this service can be adjusted on-demand to meet short-term or long-term increases in bandwidth needs, the Authority is including an additional 15%, or \$22,323.60, as a contingency, for a total contract amount not to exceed \$171,147.60 for a period of three years.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of certified DBE firms.

- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This procurement shall be payable through General Fund, Innovation & Technology Department budget, in an amount not to exceed \$171,147.60 for a period of three years.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would require the Authority to procure an alternative solution from an alternative vendor, which will not integrate with existing AT&T services, causing substantial disruption to daily operations that rely on this connectivity.
- 8.0 RECOMMENDATION: It is recommended that the offer of AT&T Corporation be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to enter into a contract.
- 9.0 ATTACHMENTS: None

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



General Manager, Chief Executive Officer