



**AGENDA REPORT**  
**December 4, 2018**

**Approval Re: AT&T ILEC Intrastate Pricing Schedule Addendum**

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**SUBJECT:**

Board Approval Re: AT&T ILEC Intrastate Pricing Schedule Addendum

**FISCAL IMPACT:**

**Fiscal Impact:** The rates for current AT&T services would revert to month-to-month pricing instead of contracted pricing, which could be as much as \$10,000 more per month for existing services.

**DEPT/OFFICE:**

Information Technology

**REQUESTED ACTION:**

It is requested that the Board of County Commissioners approve the attached addendum agreement to continue AT&T's pricing schedule's terms and conditions for another year. If the attached addendum agreement is acceptable to the Board, it is also requested that the Board authorize the Chairman to execute the agreement.

**SUMMARY EXPLANATION and BACKGROUND:**

The County is currently migrating its legacy phone services to Voice Over Internet Protocol (VOIP) as well as some bundled network services to Spectrum. At this time approximately 57% of the sites have migrated from AT&T to Spectrum.

While most AT&T telecommunications services will no longer be necessary when the system is completely replaced, during the conversion period these services for the remaining sites are essential to keep connectivity. The current pricing schedule on these services expires on December 12, 2018. The Information Technology Department recommends the attached proposal from AT&T with the same terms and conditions to keep the current rates secured for another year instead of reverting to high month-to-month costs. This addendum will also allow the County to disconnect AT&T services with no termination fees.

Annual costs have decreased as we replace and/or disconnect services during this VoIP migration. In 2017 the annual estimated costs were \$1,279,236. In 2018, the same costs have been reduced to approximately \$838,000. In 2019, we anticipate the annual costs to be reduced even further.

**CLERK TO THE BOARD INSTRUCTIONS:**

Authorized signature on the attached copy of AT&T ILEC Intrastate Pricing Schedule  
FL18-1864-00

**ATTACHMENTS:**

**Description**

- **AT&T ILEC Intrastate Pricing Schedule Addendum FL18-1864-00**



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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Tammy.Rowe@brevardclerk.us

December 5, 2018

MEMORANDUM

TO: Jeff McKnight, Information Technology Director

RE: Item F.16., Agreement with AT&T for ILEC Intrastate Pricing Schedule Addendum

The Board of County Commissioners, in regular session on December 4, 2018, executed and approved the Agreement with AT&T for ILEC pricing schedules, terms, and conditions for another year. Enclosed are two executed Agreements for your action.

**Upon execution by AT&T, please provide the fully-executed Agreement to this office for inclusion in the official minutes.**

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)

cc: Contracts Administration  
Finance  
Budget



Addendum to AT&T ILEC Intrastate Pricing Schedule

Case Number FL18-1864-00

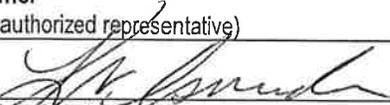
AT&T MA Reference No. 110834UA

<b>CUSTOMER ("Customer")</b>	<b>AT&amp;T ("AT&amp;T")</b>
<b>Board of County Commissions, Brevard County FL</b> Street Address: 2725 Judge Fran Jamieson Way City: Viera State: FL Zip Code: 32940-  <u>Billing Address</u> Street Address: 2725 Judge Fran Jamieson Way City: Viera State: FL Zip Code: 32940-	For purposes of this Pricing Schedule, AT&T means the Service Provider specifically identified herein.
<b>CUSTOMER Contact (for Contract Notices)</b>	<b>AT&amp;T Sales Contact Information and for Contract Notices</b>
Name: Frank Abbate Title: Assistant County Manager Telephone: 321-633-2004 Fax: - - Email: frank.abbate@brevardcounty.us Street Address: 2725 Judge Fran Jamieson Way City: Viera State: FL Zip Code: 32940-	Name: Tom Gill Title: Account Manager Telephone: 407-826-6567 Fax: - - Email: tg5181@att.com Attention: Assistant Vice President Street Address: 2180 Lake Blvd., 7 <sup>th</sup> Floor City: Atlanta State: GA Zip Code: 30319  <u>With a copy to:</u> AT&T Corp. One AT&T Way, Bedminster, NJ 07921-0752 ATTN: Master Agreement Support Team Email: <a href="mailto:mast@att.com">mast@att.com</a>

This Pricing Schedule Addendum ("Addendum") for the service(s) identified below ("Service") is part of the Agreement referenced above. Customer requests that its identity be kept confidential and not be publicly disclosed by AT&T or by any regulatory commission, unless required by law.

THE UNDERSIGNED PARTIES, AT&T Florida, ("Company") and Board of County Commissions, Brevard County FL ("Customer"), hereby agree, as acknowledged by their appropriate signatures as set out below, to amend and change Pricing Schedule FL05-1745-01. This Addendum is based upon the following terms and conditions as well as any Attachment(s) affixed and the appropriate lawfully filed and approved Guidebooks which are by this reference incorporated herein.

Offer Expiration: This offer shall expire on: 3/5/2019.

<b>Customer</b> (by its authorized representative)	<b>AT&amp;T</b> (by its authorized representative)
By: 	By:
Printed or Typed Name: Kristine Isnardi	Printed or Typed Name:
Title: CHAIR	Title:
Date: December 4, 2018	Date:



**Addendum to AT&T ILEC Intrastate Pricing Schedule**

Case Number FL18-1864-00  
Option 1 of 1

**Service description:**

This Addendum to Pricing Schedule FL05-1745-01 provides for an extension of Pricing Schedule Term for MegaLink Plus service, MegaLink® service, BellSouth® Metro Ethernet service and Primary Rate ISDN – Voice/Data (Standard) service, LightGate service, SMARTRing OC-48/OC12 service, and Business Lines as part of Basic Local Exchange Service.

This Addendum provides for a one year extension of the Addendum Agreement between the parties previously executed by the county on December 1, 2011 (as authorized by the Board of County Commissioners on January 1, 2011) and by AT&T on December 12, 2011 pursuant to Brevard County RFP 4-05-11; however, the extension will be implemented in four (4) 3 month service periods, the first extension beginning on December 13, 2018 and will automatically be extended for each of the additional three (3) month terms unless the County issues written notice to AT&T no less than seven (7) calendar days, from the beginning of the next three (3) month service period, of the County's termination of this Agreement to be effective at the end of the then existing extension.

All terms and conditions of Pricing Schedule FL05-1745-01 apply to this Addendum unless modified herein.



Addendum to AT&T ILEC Intrastate Pricing Schedule

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RATES AND CHARGES

	<u>Rate Elements</u>	<u>Non-Recurring</u>	<u>Monthly Rate</u>	<u>USOC</u>
1	There are no changes to the existing rate elements.	\$ .00	\$ .00	



**Addendum to AT&T ILEC Intrastate Pricing Schedule**

Case Number FL18-1864-00  
Option 1 of 1

**RATES AND CHARGES**

**NOTES:**

The following three paragraphs are added to Pricing Schedule FL05-1745-01:

**EARLY TERMINATION – PRIMARY RATE ISDN SERVICE**

If Customer migrates an AT&T ILEC PRI Service or Service Component, including DS1 used as transport for AT&T ILEC PRI Service (the "Terminated ILEC Service") to a qualifying AT&T Business Voice over IP (BVoIP) Service, then AT&T will waive the Early Termination Charge directly resulting from terminating the Terminated ILEC Service if:

- (1) the Terminated ILEC Service has been installed at the Customer site for no fewer than 12 months;
  - (2) the term for the replacement agreement is equal to or greater than the remaining term for the Terminated ILEC Service;
  - (3) the replacement AT&T BVoIP Service is installed or available at the same Customer sites as the Terminated ILEC Service; and
  - (4) activation of the replacement AT&T BVoIP service at the Customer site occurs within 90 days of termination of the Terminated ILEC Service at that Customer site.
- 5) In the event of early termination of AT&T ILEC Service or Service component, including DS1 used for transport for AT&T ILEC PRI Service, AT&T shall waive the Early Termination Charge directly resulting from terminating the ILEC Service if the Customer provides written notice at least 30 days in advance of the termination date. Email is an acceptable form of notice.

**EVOLUTION OF SERVICE – METRO ETHERNET SERVICE**

AT&T may replace the Metro Ethernet service with AT&T Switched Ethernet Service ("Successor Service"), subject to the Materially Adverse Change clause of the Master Agreement. The Parties will cooperate in migrating to the Successor Service to help avoid any unintended interruptions.

**SERVICE AND SERVICE COMPONENT WITHDRAWAL**

Service and Service Component Withdrawals during Pricing Schedule Term	
Prior Notice Required from AT&T to Withdraw and Terminate a Service	12 months
Prior Notice Required from AT&T to Withdraw and Terminate a Service Component	120 days

There are no other additions, deletions or changes to the above referenced Pricing Schedule included in this Addendum. All other terms and conditions as previously agreed and acknowledged remain unchanged and in full force and in effect.

All trademarks and service marks contained herein are owned by AT&T Intellectual Property and/or AT&T affiliated companies.

**END OF ARRANGEMENT AGREEMENT OPTION 1**