



Dave Cummings
Chief Information Officer

Technology Services

121 Library Court Oregon City, OR 97045

September 20, 2018

Board of County Commissioners
Clackamas County

Members of the Board:

Approval for Amendment #1 for a Service Level Agreement between
Clackamas Broadband eXchange and The City of Sandy

Purpose/Outcomes	Clackamas Broadband eXchange (CBX) is looking for approval for an amendment for an additional dark fiber connection for the City of Sandy.
Dollar Amount and Fiscal Impact	The City of Sandy will pay a recurring lease fee of \$255/month for the connection.
Funding Source	The funding source for the expansion of the CBX fiber network will be contributed from the CBX budget and then reimbursed by the City of Sandy.
Duration	Effective upon signature by the board the amended connection can be renewed on a year to year basis.
Previous Board Action	Board previously approved CBX to provide a fiber connection to the City of Sandy.
Strategic Plan Alignment	<ol style="list-style-type: none">1. Build a strong infrastructure.2. Build public trust through good government.
Contact Person	Dave Devore (503)723-4996

BACKGROUND:

CBX is proposing to provide a dark fiber connection for the City of Sandy from Clackamas Education Service District to the Concord School in Oak Grove.

RECOMMENDATION:

Staff respectfully recommends approval to enter into this Amendment #1 of the City of Sandy's Service Level Agreement. Staff further recommends the Board delegate authority to the Technology Services Director to sign agreements necessary in the performance of this agreement.

This Service Level Agreement has been reviewed and approved by County Counsel.

Sincerely,

Dave Cummings
CIO Technology Services

AMENDMENT #1

TO THE CLACKAMAS COUNTY/CITY OF SANDY FIBER OPTIC SERVICE LEVEL AGREEMENT

This Amendment #1 is entered into by and between the City of Sandy (“Customer”) and the Clackamas County (“County”) and it shall become part of the Fiber Optic Service Level Agreement entered into by and between the parties on March 15, 2018 (“Contract”).

The Purpose of the Amendment #1 is to make several changes to Appendix A, Service and Rate Schedule, of the Contract.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, it is mutually agreed upon that Appendix A is hereby amended as follows:

1. Appendix A, Section 4, Annual Recurring Charges, is amended to add the following additional service location:

From (Connecting Point A:Site Name & Address)	To (Connecting Point B:Site Name & Address)	Service	Monthly Rate (\$)
3 Clackamas Education Service District 13455 SE 97th Ave. Clackamas, Oregon 97015	Concord Elementary School 3811 SE Concord Rd. Milwaukie, Oregon 97267	One Pair (two) dark fibers	\$255.00

2. Appendix A, Section 5, Nonrecurring Charges, is amended to add the following nonrecurring charge:

From (Connecting Point A:Site Name & Address)	To (Connecting Point B:Site Name & Address)	Service	Amount (\$)
2 Clackamas Education Service District 13455 SE 97th Ave. Clackamas, Oregon 97015	Concord Elementary School 3811 SE Concord Rd. Milwaukie, Oregon 97267	Construction	\$0.00

3. Appendix A, Section 7, Annual Consumer Price Index (CPI) Adjustments, is deleted and replaced with the following:

All fees and minimum charges are subject to Consumer Price Index (CPI) adjustments, to be applied annually. The amount of the fees and charges specified herein may increase annually by a percentage up to the change in the West Region (West City Size B/C 2.5 Million or less) Consumer Price Index of the US Dept. of Labor, Bureau of Labor Statistics (<https://www.bls.gov/regions/west/data/xg-tables/ro9xg01.htm>), based upon the rate of change as stated from the last month reported to the same month of the preceding year. In the event such Consumer Price Index (or a successor or substitute index) is not available, a reliable governmental or other nonpartisan publication evaluating the

information theretofore used in determining the Consumer Price Index shall be used in lieu of such Consumer Price Index.

Except as expressly amended above, all other terms and conditions of the Contract, and Appendix A, shall remain in full force and effect. By signature below, the parties agree to this Amendment #1, effective upon the date of the last signature below.

City of Sandy

Clackamas County

Authorized Signature

Authorized Signature

Name / Title (Printed)

Name/Title (Printed)

Date

Date