



Linu Parappilly
CIO / Director

Technology Services

150 Beaver Creek Road Oregon City, OR 97045

March 20, 2025

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of an Amendment to a Service Level Agreement with the City of Milwaukie for leased dark fiber connections. Amendment Value is \$160,382 for 3 years. Total Agreement Value is \$236,807 for 6 years. Funding is through Clackamas Broadband eXchange monthly cable lease revenue. No County General Funds are involved.

Previous Board Action/Review	The Board has previously authorized contracts for broadband expansion with the City of Wilsonville for enhanced Internet services to 2 water towers.		
Performance Clackamas	1. Which indicator of success does this item affect? a. Build strong infrastructure b. Grow a vibrant economy		
Counsel Review	Yes	Procurement Review	No
Contact Person	Duke Dexter	Contact Phone	503-722-6663

EXECUTIVE SUMMARY:

Clackamas Broadband eXchange (CBX) is seeking authorization to enter into a Service Level Agreement (SLA) with the City of Milwaukie for new fiber laterals to 5 water towers for communication purposes. This SLA allows for the enhanced communication capabilities for the City of Milwaukie to effectively manage all City services.

RECOMMENDATION:

Staff respectfully recommend approval of the contract with the City of Milwaukie for the new fiber laterals to 5 water towers. Staff further recommends the Board delegate authority to the Technology Services Director to sign agreements necessary in the performance of this agreement.

Respectfully submitted,

Linu Parappilly
CIO Director

For Filing Use Only

AMENDMENT #1

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

This Amendment #1 is entered into by and between the City of Milwaukie ("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 December 1, 2022 ("Agreement").

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

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 the Agreement is hereby amended as follows:

1. Appendix A is hereby replaced in its entirety with the amended Appendix A, attached hereto and incorporated by this reference herein.

Except as expressly amended above, all other terms and conditions of the Agreement, 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 Milwaukie

Clackamas County



Authorized Signature

Authorized Signature

Emma Sagor, City Manager

Name / Title (Printed)

Name/Title (Printed)

1/21/2025

Date

Date

Approved as to Form:

County Counsel

Date

APPENDIX A

SERVICE AND RATE SCHEDULE

1. Specified Services and Rates

The following are the sites, services, and rates agreed to by County and Customer at which Customer shall be provided services on the fiber optic network during the term of the Agreement. It is understood by both parties that service to these sites shall be provided for the rates below, subject to any rate increases otherwise applicable in accordance with terms herein. It is further understood that, during the term of the Agreement, Customer may add services to existing or new locations, or change services and/or locations, but that such changes are subject to the rates for such additional services.

2. Construction, Installation and Activation

For construction, installation and activation work and provision of fiber optic network components, the County shall charge Customer nonrecurring charge(s) as specified in Section 5 of Appendix A. All facilities constructed under this Agreement and Appendix A shall be owned, operated, and maintained by the County.

3. Service Changes and Conversions

Both parties agree that Customer may add or change services during the term of the Agreement, but that such changes are subject to applicable rates, and upgrade and downgrade charges.

4. Annual Recurring Charges

	From (Connecting Point A:Site Name & Address)	To (Connecting Point B:Site Name & Address)	Service	Monthly Rate (\$)
1	Milwaukie City Hall 10501 SE Main St. Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
2	Milwaukie Ledding Library 10660 SE 21 st Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
3	Milwaukie Public Works 6101 SE Johnson Creek Blvd Milwaukie, OE 97206	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
4	Clackamas ESD 13455 SE 97 th Ave Clackamas, OR 97015	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
5	3339 SE Monroe St Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
6	9951 SE 40 th Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00

7	9790 SE 40 th Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
8	11800 SE Stanley Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00
9	10505 SE 17 th Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	One Pair (two) dark fibers	\$255.00

5. Nonrecurring Charges

From (Connecting Point A:Site Name & Address)		To (Connecting Point B:Site Name & Address)	Service	Amount (\$)
1	3339 SE Monroe St Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	Construction	\$17,710.00
2	9951 SE 40 th Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	Construction	\$18,975.00
3	9790 SE 40 th Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	Construction	\$33,522.00
4	11800 SE Stanley Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	Construction	\$37,950.00
5	10505 SE 17 th Ave Milwaukie, OR 97222	Milwaukie Police Department 3200 SE Harrison St Milwaukie, OR 97222	Construction	\$6,325.00

6. Late Payment Interest

Customer will be charged interest for any payment made after its due date (thirty (30) days after receipt of invoice). Interest is charged at a rate of one and a half percent (1.5%) per month, or eighteen percent (18%) annually, on any installment not paid when due.

7. Annual Consumer Price Index (CPI) Adjustments

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.

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