



Dave Cummings
Chief Information Officer

Technology Services

121 Library Court Oregon City, OR 97045

October 3, 2019

Board of County Commissioners
Clackamas County

Members of the Board:

Approval for Service Level Agreement Amendment #5 between
Clackamas Broadband eXchange and LS Networks

Purpose/Outcomes	Clackamas Broadband eXchange (CBX) is looking for approval for amendment #5 of a Service Level Agreement (SLA) with LS Networks (LSN) for an additional dark fiber connection to Mulino Rd in Canby.
Dollar Amount and Fiscal Impact	LSN will pay a non-recurring fee of \$1,500.00 for the new fiber construction and a recurring annual fee of \$7,488.00.
Funding Source	The funding source for the expansion of the CBX fiber network will be contributed from the CBX budget and then reimbursed by LSN.
Duration	Effective upon signature by the board and the SLA is effective for three (3) years.
Previous Board Action	Board previously approved CBX to build and maintain a dark fiber network for LSN.
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 complete a new fiber connection for LS Networks. LS Networks requested an additional connection to provide connectivity for one of their customers.

RECOMMENDATION:

Staff respectfully recommends approval to enter into this new fiber connection with LS Networks. 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

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. Semi-Annual Recurring Charges

From (Connecting Point A:Site Name & Address)	To (Connecting Point B:Site Name & Address)	Service	Monthly Rate (\$)
1 Rural Ring	Connecting in at: 1) Adjacent to PGE pole #556 splice case near Colton 2) Adjacent to PGE pole #431 slack loop near Molalla	One Pair (two) dark fibers	\$1,250.00
2 Tri-City Water Control Plant 15941 Agnes Ave Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Two Pair (four) dark fibers	\$590.00
3 Clackamas County Vault located in front of 15 82 nd Dr Gladstone, OR 97027	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	One dark fiber	\$255.00
4 Clackamas County Aerial	Clackamas County Vault	One dark fiber	

	splice case at Molalla Ave & Beaver creek Way Oregon City, OR 97045	Adjacent to PGE pole #431 Oregon City, OR 97045		\$255.00
5	Clackamas County Juvenile Building 2121 Kaen Rd Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	One Pair (two) dark fibers	\$255.00
6	Clackamas County Circuit Court 807 Main St Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	One Pair (two) dark fibers	\$255.00
7	2525 SE 1st St Canby, OR 97013	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	One Pair (two) dark fibers	\$624.00

5. Nonrecurring Charges

	From (Connecting Point A: Site Name & Address)	To (Connecting Point B: Site Name & Address)	Service	Amount (\$)
1	Rural Ring	Connecting in at: 1) Adjacent to PGE pole #556 splice case near Colton 2) Adjacent to PGE pole #431 slack loop near Molalla	Construction	existing
2	Tri-City Water Control Plant 15941 Agnes Ave Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Construction	existing
3	Clackamas County Vault located in front of 15 82 nd Dr Gladstone, OR 97027	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Construction	existing
4	Clackamas County Aerial splice case at Molalla Ave & Beaver creek Way Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Construction	existing
5	Clackamas County Juvenile Building 2121 Kaen Rd Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Construction	existing
6	Clackamas County Circuit Court 807 Main St Oregon City, OR 97045	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Construction	existing
7	2525 SE 1st St Canby, OR 97013	Clackamas County Vault Adjacent to PGE pole #431 Oregon City, OR 97045	Construction	\$1,500.00

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, or the highest rate allowable in accordance with applicable law, whichever is less, 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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