

#55  
11/15/22

(O-2023-68)

ORDINANCE NUMBER O- 21569 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 28 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE FIRST AMENDMENT TO  
THE CALNET LEGACY COOPERATIVE PROCUREMENT  
CONTRACT BETWEEN THE CITY OF SAN DIEGO AND  
AT&T CORPORATION FOR THE PROVISION OF  
TELECOMMUNICATIONS, VOICE, AND DATA SERVICES.

WHEREAS, network connectivity plays a critical role in ensuring continuity of the City's day-to-day technological operations, connecting thousands of devices (e.g. desktop computers, servers, VoIP telephones) to other City devices and the cloud, enabling safe, bidirectional data transfer in support of Citywide services; and

WHEREAS, the State of California, through its California Network and Telecommunications ("CALNET") contracts, is focused on providing access to services that meet the State's complex and critical telecommunications and network business needs; and

WHEREAS, the CALNET program accomplishes this through State-level oversight, rigorous policies, and a suite of favorable, competitively bid contracts developed expressly for use by, and leveraging the combined purchasing power of, hundreds of public agencies, counties, and local municipalities throughout California; and

WHEREAS, the State of California's Department of Technology (Agency) issued a notice for a cooperative contract opportunity for the provision of telecommunications, voice and data services by posting the solicitation on "Cal eProcure", the State of California's electronic procurement website on March 15, 2018, at least ten days before the bid or proposal was due and on January 3, 2019, based on the results of the competitive process, Agency awarded a CALNET contract to AT&T Corporation (AT&T) and executed the agreement for Telecommunications, Voice and Data Services with AT&T, identified as C4-LEG-12-TS-01 (Agency Agreement); and

WHEREAS, on September 30, 2021, as provided for in Section 22.3208 of the San Diego Municipal Code, the Purchasing Agent for the City of San Diego (City) certified in writing that use of the Agency Agreement is in the City's best interests, to the City's economic advantage, and the Agency's contract was awarded using a process that complies with the City's policies, rules, and regulations; and

WHEREAS, effective as of November 21, 2021, the City entered into a cooperative procurement contract with AT&T to use the Agency Agreement to purchase telecommunications, voice, and data services (Contract); and

WHEREAS, the City now wishes to enter into the First Amendment to the Contract to increase the not-to-exceed amount of the Contract from \$3,000,000 to \$21,083,000 and to allow the City to use the services beyond five years, through June 30, 2029, including option terms; and

WHEREAS, under San Diego Charter section 99, no contract, agreement, or obligation extending for a period of more than five years may be authorized except by Ordinance approved by two-thirds majority vote of the City Council; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, that the Mayor or his designee, is authorized to execute, for and on behalf of the City, the First Amendment to the Contract between the City of San Diego and AT&T Corporation for the provision of telecommunications, voice, and data services, to increase the not-to-exceed amount from \$3,000,000 to \$21,083,000, and to allow the City to use the services beyond five years, through

June 30, 2029, including option terms, and otherwise modifying the Contract pursuant to the terms and conditions contained in the First Amendment to the Contract on file with the City Clerk as Document No. OO- 21569.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$21,083,000 over the full term of the Contract, as amended, including any option terms, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Steven R. Lastomirsky  
Steven R. Lastomirsky  
Deputy City Attorney

SRL:jvg  
September 22, 2022  
Or.Dept: Department of Information Technology  
Doc. No.: 3096107

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 15 2022.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 11/21/22  
(date)

[Signature]  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

(The date of final passage is November 28, 2022, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature for approval.)

Passed by the Council of The City of San-Diego on NOV 15 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 28 2022

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on NOV 01 2022, and on NOV 28 2022.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

21569

Ordinance Number O-\_\_\_\_\_