



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2024-442, **Version:** 1

An ordinance approving Amendment Number 1 to the contract between the Metropolitan Government of Nashville and Davidson County ("Metro") and Comcast Business Communications, LLC ("Comcast"), for managed and unmanaged telecommunications services.

WHEREAS, on or about April 25, 2018, following a competitive bidding process (RFQ # 1020705), Metro notified Comcast, AT&T Corp. ("AT&T"), and Level 3 Communications, LLC ("Level 3"), among others, of its intent to award contracts to them for the provision of managed and unmanaged telecommunications services, contingent upon successful contract negotiations; and,

WHEREAS, Metro's contract negotiations with Comcast, AT&T, and Level 3 were successful but concluded at different times, which resulted in different expiration dates for each contract; and,

WHEREAS, BL2024-295 approved Amendment Number 1 to Metro's contract with AT&T for managed and unmanaged telecommunications services, which extended the term of the AT&T contract to the same end date as the Level 3 contract and increased the value of the contract accordingly; and,

WHEREAS, Metro's contract with Comcast for managed and unmanaged telecommunications services (Contract No. 435302) began on July 2, 2021, and expires on July 1, 2026 ("Comcast Contract"); and,

WHEREAS, Metro's contract with Level 3 for managed and unmanaged telecommunications services (Contract No. 435304) began on August 22, 2023, and expires on August 21, 2028 ("Level 3 Contract"); and,

WHEREAS, to allow for the efficient management of Metro's telecommunications systems and services, the parties now wish to amend the Comcast Contract to extend the term to the same end date as the Level 3 Contract, and to increase the value of the Comcast Contract accordingly; and,

WHEREAS, extension of the Comcast Contract will cause the contract term to exceed 60 months; and,

WHEREAS, Section 4.12.160(B) of the Metropolitan Code of Laws calls for Council approval of contracts for supplies or services "with terms exceeding a period of sixty months, either initially or by virtue of amendments, renewals or extensions thereof"; and,

WHEREAS, it is in the best interest of the Metropolitan Government of Nashville and Davidson County that Amendment Number 1 to the Comcast Contract be approved.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That Amendment Number 1 to the contract between the Metropolitan Government of Nashville and Davidson County and Comcast Business Communications, LLC, for managed and unmanaged telecommunications services, attached hereto and incorporated herein, is hereby approved.

Section 2: That this ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance approves the first amendment to a contract between the Metropolitan Government and Comcast Business Communications, LLC (“Comcast”) for managed and unmanaged telecommunications services.

In April 2018, Metro issued a request for proposals for managed and unmanaged telecommunications services. Comcast, AT&T Corp. (“AT&T”), and Level 3 Communications, LLC (“Level 3”), among others, were notified of Metro’s intent to award contracts to them, contingent upon successful contract negotiations. Contract negotiations with each company concluded at different times and resulted in different expiration dates.

Metro’s contract with AT&T began on April 17, 2022, and was set to expire on April 16, 2024. Ordinance No. BL2024-295 approved a contract amendment that extended the end date of the contract with AT&T from April 16, 2024, to August 21, 2028. Metro’s contract with Level 3 began on August 22, 2023, and expires on August 21, 2028.

Metro’s contract with Comcast began on July 2, 2021, and is set to expire on July 1, 2026. Metro and Comcast desire to amend this contract to have the same end date as the contracts with AT&T and Level 3 and to increase the value of the contract accordingly.

The amendment under consideration extends the end date of the contract from July 1, 2026, to August 21, 2028. Because the amended contract allows for a total term in excess of 60 months, Metropolitan Code of Laws Section 4.12.160.B requires Council approval by ordinance. The estimated contract value would be increased by \$3,500,000, from \$15,000,000 to \$18,500,000.

The amendment also adds language required by Tenn. Code Ann. § 12-4-119 prohibiting the contractor from engaging in a boycott of Israel for the duration of the contract.

Fiscal Note: This amendment increases the estimated value of contract 435302 with Comcast Business Communications, LLC for managed and unmanaged telecommunications services by \$3,500,000 for a revised contract amount of \$18,500,000 to be paid from Fund 51137, Business Unit 14521121. However, actual expenses may be paid from various department’s fund and business units when purchase orders are issued.