

1 [Contract Agreement - Retroactive - Corporation for Network Initiatives in California - Fiber
2 Optic Network Installation, Occupancy, and Maintenance - Anticipated Revenue to the City
3 \$6,970,000]

4 **Resolution retroactively authorizing the Department of Technology to enter into a**
5 **contract with Corporation for Education Network Initiatives in California (“CENIC”) and**
6 **to provide fiber optic cable strands to establish a fiber optic network in support of**
7 **CENIC services to provide data connectivity for the University of California, San**
8 **Francisco (“UCSF”) for the period between May 25, 2011, through May 25, 2031, with an**
9 **expected revenue of \$6,970,000.**

10
11 WHEREAS, City Charter Section 9.118 on Contract and Lease Limitation and
12 Approvals requires Board of Supervisors approval for the City and County’s revenue contracts
13 with an anticipated revenue of \$1 million dollars or more or the modification, amendment,
14 termination of any contract which when entered into had an anticipated revenue of \$1 million
15 dollars or more and having a term in excess of 10 years; and

16 WHEREAS, The Department of Technology entered into a Contract with Corporation
17 for Education Network Initiatives in California (“CENIC”) on May 25, 2011, to provide fiber
18 optic cables strands to establish a fiber optic network in support of CENIC connectivity
19 services between University of California, San Francisco facilities within the City; and

20 WHEREAS, The Contract initially consisted of a non-recurring charge of \$51,000 for
21 connecting three UCSF sites with an annual recurring charge for occupancy and maintenance
22 of the network of \$32,300, through the addition of additional sites and the application of an
23 inflation adjustment, the annual recurring charge rose to \$412,789 in 2024; and

24 WHEREAS, The Department of Technology did not initially seek Board or Contract
25 approval for the Contract because the value of the contract was low and only through

1 subsequent amendments adding to the scope did the Contract come to exceed the threshold
2 value requiring Board of Supervisors approval; and

3 WHEREAS, The expected revenue for the life of the contract with UCSF, is
4 \$6,970,000.00; and

5 WHEREAS, The Contract with UCSF is on file with the Clerk of the Board of
6 Supervisors in File No. 240832, which is hereby declared to be a part of this resolution as if
7 set forth fully herein; now, therefore, be it

8 RESOLVED, That the City through CENIC and DT is authorized to enter into a
9 Contract with UCSF retroactive beginning May 25, 2011, with a minimum revenue
10 commitment above \$1,000,000 dollars; and be it

11 FURTHER RESOLVED, That in addition to the material terms identified in this
12 Resolution, the Department is authorized to include in such Contract or in any amendment or
13 modification to such Contract, in consultation with the City Attorney, any terms that are in the
14 best interest of the City, do not otherwise materially increase the obligations or liabilities of the
15 City or materially conflict with the terms in the Contracts identified above, are necessary or
16 advisable to effectuate the purposes of the Contract, and are in compliance with all applicable
17 laws; and, be it

18 FURTHER RESOLVED, That within 30 days of the approval of this resolution, the City
19 through DEM and DT shall provide the executed Contracts to the Clerk of the Board for
20 inclusion in the official file.