



Date: January 20, 2023

To: Clerk of the Board of Supervisors

From: Linda Gerull
City CIO, Executive Director
Department of Technology

**Re: Approval of First Amendment to the citywide FirstNet Master Agreement with AT&T
Mobility for Wireless Service and Equipment
Supplier ID: 0000024955; Contract ID: 1000018237**

The Department of Technology (DT) manages a citywide cellular service and equipment purchase agreement with AT&T Mobility for first responders. The purpose of AT&T's FirstNet cellular plans is to offer prioritization and preemptive cellular service for first responders on a dedicated portion of radio frequency spectrum, referred to as "Band 14". The scope of the citywide FirstNet contract for first responders covers voice, text and data plans via cellular network as well as the purchase of various devices (such as cell phones, wireless cards, vehicle modems, and machine-to-machine devices) that enable the provision of the prioritized wireless connectivity services.

What is FirstNet?

FirstNet is a nationwide network operated by AT&T for the purpose of providing first responders a less congested network for voice and data communications. AT&T operates the network under a 25 year contract with the Federal First Responder Network Authority (known as the FirstNet Authority.) AT&T obtained this contract pursuant to a competitively bid Request for Proposals (RFP). After 9/11, the federal government sought to create a single interoperable platform for law enforcement, firefighters, paramedics and other public safety officials in every state. <https://www.firstnet.gov/about/history>

The FirstNet Authority issued an RFP in January of 2016. The FirstNet Authority awarded a 25-year exclusive contract to AT&T to build and deploy a nationwide public safety broadband network in March 2017. The contract allows AT&T to utilize the Band 14 spectrum to build and operate a network that gives priority to first responders.

The State of CA's FirstNet Contract under CALNET Program:

In December of 2017, the State of California opted into this proposed public safety network and negotiated an agreement with AT&T Mobility under the California Network and Telecommunications (CALNET) Program for cellular voice and data services. The City is piggybacking onto the CALNET agreement with AT&T Mobility for First Net services.

CALNET FirstNet Agreement:

Term: 10/22/2018 – 10/21/2023

Options: 2 one-year extensions

Contract Rates: CALNET Subcategory 9.1: FirstNet-Broadband for Public Safety

Benefits of the State of California’s CALNET FirstNet Contract:

- 1.) No commitment for a minimum purchase in dollars, quantity of services or any other measure.
- 2.) No fees to terminate service.
- 3.) Includes “Most Favored Nation”¹ clause
No other similarly situated public customer will receive rates, for a substantially similar service, lower than the statewide rates provided in CALNET contract

CCSF’s Original FirstNet Agreement:

Contract Not-to-Exceed Amount: \$9,000,000², to last through 10/21/2023

Contract Term: 6/23/2020 – 10/21/2025, including 2 optional years.

Proposed Modification:

CCSF’s Amended FirstNet Agreement, after giving effect to First Amendment:

Contract Not-to-Exceed Amount: \$22,252,968, adding \$13,252,968

Contract Term: 6/23/2020 – 10/21/2025 (no change)

The City currently spends an average of \$3.6 million dollars per year under this citywide FirstNet Agreement for purchasing both services and equipment. The eligible City departments have issued more FirstNet devices than DT anticipated when the FirstNet became available in the City, especially after the pandemic started. The existing \$9 million NTE amount will be depleted by March 2023, eight months before the CALNET contract expiration date of October 21, 2023, and 32 months before the City contract expiration date of October 21 2025, which included the two option years that DT believes CALNET will exercise.

DT is seeking approval of the proposed first amendment to this agreement that would increase the (NTE amount by an additional \$13,252,968 for the next 32 months, to cover the 8 months of shortfall plus new spending authority for the 2 optional years. The total contract not-to-exceed amount will be increased from \$9,000,000 to \$22,252,968 for a total contract term of five years and four months. All pricing and other terms of the FirstNet contract would remain in effect.

¹ “Special Terms and Conditions’, item H, of the FirstNet 9.1 Statement of Work. [Category 9.1 - FirstNet Broadband for Public Safety Statement of Work](#)

² For purposes of *projecting* City’s spend, DT forecasted a contract Not-To-Exceed amount of \$9 million to last for an initial base term of 40 months from 6/23/2020-10/21/2023, *exclusive* of CALNET’s 2 optional years.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Gerull". The signature is fluid and cursive, with a large initial "L" and a stylized "G".

/s/ Linda Gerull
City CIO | Executive Director
Department of Technology