

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 7, 2019 AGENDA**

Subject:	Type:	Submitted By:
FIBER OPTIC ORDER 84 TH STREET REDEVELOPMENT AREA PARKING DIST. NO. 1-STRUCTURE NO. 1	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

SYNOPSIS

A resolution has been prepared authorizing the execution of an order for two additional strands of dark fiber under the existing agreement between the City and Unite Private Networks, LLC to connect communication and data facilities of Parking Structure No. 1 in Offstreet Parking District No. 2 to the City's network.

FISCAL IMPACT

The monthly charge for this service will be part of the operating expense of the parking structure and will be part of the budget established for Offstreet Parking District No. 2.

RECOMMENDATION

Approval

BACKGROUND

The City entered into an agreement with Unite Private Networks in 2013 to provide dark fiber connections to seven City facilities. The order would provide two additional strands of dark fiber under the existing agreement to connect communication and data facilities of Parking Structure No. 1 in Offstreet Parking District No. 2 to the City's network at a cost of \$550 per month through January 31, 2029 and \$275 per month thereafter consistent with pricing of the existing agreement.

This item was tabled at the April 16, 2019 Council meeting. City Engineer Kottmann obtained and is recommending the order as presented.

RESOLUTION NO. ____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN ORDER FOR TWO (2) ADDITIONAL STRANDS OF DARK FIBER FROM UNITE PRIVATE NETWORKS, LLC FOR CITY CENTRE PARKING STRUCTURE NO. 1 IN OFFSTREET PARKING DISTRICT NO. 2.

WHEREAS, the Mayor and Council have determined good technology communication between city facilities now and into the future is necessary; and

WHEREAS, the City entered into an agreement with Unite Private Networks, LLC in 2013 to provide dark fiber connections to seven City facilities, and this current order would provide two additional strands of fiber under the existing agreement to connect communication and data facilities of Parking Structure No. 1 in Offstreet Parking District No. 2 to the City's network at a cost of \$550 per month through January 31, 2029 and \$275 per month thereafter consistent with pricing of the existing agreement; and

WHEREAS, the monthly charge for this service will be part of the operating budget established for Offstreet Parking District No. 2;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby approve execution of a service order for two (2) additional strands of dark fiber to be installed under the existing agreement with Unite Private Networks, LLC and connect communication and data facilities of Parking Structure No. 1 in Offstreet Parking District No. 2 to the City's network at a cost of \$550 per month through January 31, 2029 and \$275 per month thereafter consistent with pricing of the existing agreement, subject to review and any modifications the City Administrator determines necessary or appropriate in consultation with the City Attorney.

PASSED AND APPROVED THIS 7TH DAY OF MAY, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



Service Order

Dark Services - (19-21808)

Contact Information				
Unite Private Networks, LLC ("UPN")			City of La Vista ("Customer")	
COMPANY CONTACT: Trudy Harris			COMPANY CONTACT: Jeff Siebels	
PHONE: (816) 336-2463			PHONE: (402) 331-8927	
EMAIL: trudy.harris@upnfiber.com			EMAIL: jsiebels@cityoflavista.org	
PAYMENT ADDRESS: Unite Private Networks, LLC 7200 NW 86 th Street, Suite M Kansas City, MO 64153			BILLING ADDRESS: City of La Vista 8116 Park View Boulevard La Vista, NE 68128	
Billing Information and Service Commitment Period				
Order Type:			New	
UPN Service Order ID:			19-21808	
Customer ID:			Cit1404	
Service Type/s:			Dark Fiber (DF)	
Service Term Length (beginning on date of installation):			Approximately 294 months (see <i>Service Order Term</i> section below)	
Service Order Monthly Recurring Charge:			\$550 (see <i>Monthly Recurring Charge</i> section below)	
Service Order Non-Recurring Charge:			\$0	
Service Other Charges:			\$0	
Circuit 1				
<u>Location Z</u>			<u>Location G</u>	
Site Name: La Vista City Hall			Site Name: Parking District No. 2 - Structure 1	
Address: 8116 Park View Boulevard La Vista, NE 68128			Address: (41.18359, -96.04278) La Vista, NE 68128	
Site Contact: Jeff Siebels			Site Contact: Jeff Siebels	
Phone: (402) 331-8927			Phone: (402) 331-8927	
Point of Demarcation: UPN Demarc			Point of Demarcation: MPOE	
Service and Pricing Schedule				
Type	Service	Term	Monthly Recurring Charge	Non-Recurring Charge
New	Circuit 1: Two (2) strands DF	Approx. 294 months	\$550	\$0
Total =			\$550	\$0
Comments: This Service Order is issued pursuant to the Service Order for Dark Services (SF 13-4336) executed by and between Customer and UPN on June 25, 2013, including without limitation the Additional Terms and Conditions Applying to Services ("Additional Terms and Conditions"), (together SF 13-4336 and the Additional Terms and Conditions shall be referred to in this Service Order as the "Agreement", which provide for additions of fiber. Provided, however; terms and conditions of said Agreement shall be deemed modified to be consistent with this Service Order. Customer shall be responsible for all cross connects. Customer acknowledges and agrees that the Dark Fiber provided to Customer in this Service Order ("Customer Fibers") will not be accessible to Customer other than at the Location "G" and "Z" Points of Demarcation listed above.				
Monthly Recurring Charge: Beginning on the Acceptance Date, Customer shall be responsible for the \$550 monthly recurring charge listed above until January 31, 2029. Beginning on February 1, 2029 and continuing for the duration of the Service Order Term, Customer's monthly recurring charge under this Service Order shall be \$275.				
Service Order Term: The term of the Agreement is set to expire on January 31, 2044. The term of this Service Order shall commence on the Acceptance Date, be coterminous with the Agreement, and continue in effect until January 31, 2044 ("Initial Service Order Term"). Thereafter, this Service Order shall be automatically renewed for successive one (1) year periods (each such period, an "Additional Service Order Term" and, together with the Initial Service Order Term, the "Service Order Term") unless terminated by either party upon at least three hundred sixty-five (365) days' advance written notice to the other party prior to the end of the Initial Service Order Term or Additional Service Order Term, as applicable.				
Minimum Point of Entry and Additional Charges: Customer will meet UPN at the Minimum Point of Entry ("MPOE") unless otherwise noted above. The MPOE is the closest practical point to where the cable enters the building. In the event Customer desires the installation to occur somewhere other than the MPOE, Customer understands that there will be additional costs.				
Installation Date: Anticipated installation date shall occur approximately thirty to ninety (30-90) days after the following events have occurred: (1) the acquisition of all necessary permits, licenses, pole attachment agreements, third-party fiber, and rights of way to complete the project; and (2) the full execution of this Service Order (the "Installation Date").				

This Service Order for Dark Services includes and incorporates by reference the "Agreement". Customer and UPN agree that this Service Order and the parties shall be subject to and bound by all terms and conditions of the Agreement, except as modified by this Service Order. From time to time, additional Service Orders for Dark Services may be entered into between UPN and Customer which shall incorporate the terms and conditions of the Agreement.

Unite Private Networks, LLC:

City of La Vista:

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____