

THIS IS A DRAFT ORDINANCE AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR
RESOLUTION ADOPTED BY CITY COUNCIL.

AN ORDINANCE

**APPROVING A PROFESSIONAL SERVICES AGREEMENT
WITH AT&T SERVICES, INC. FOR THE EXPANSION OF
BROADBAND INTERNET ACCESS SERVICE IN CERTAIN
UNDERSERVED AREAS WITHIN THE CITY OF SAN ANTONIO
AND ALLOCATING FUNDING IN THE AMOUNT OF \$8,880,297.**

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WHEREAS, the City of San Antonio recognizes the importance of high-speed, reliable broadband internet access for its residents and businesses, particularly those in unserved and underserved areas; and

WHEREAS, the City of San Antonio issued a Request for Proposals (RFP), released on July 6, 2022 with responses due on October 5, 2022, and titled “Digital Connectivity in Underserved Community Areas” for internet service providers to design, build-out, and provide broadband internet service in unserved and underserved communities to 20,200 locations; and

WHEREAS, the City of San Antonio has determined that AT&T Services, Inc., acting on behalf of its affiliate Southwestern Bell Telephone Company, d/b/a AT&T Texas (“AT&T”), has the capacity and expertise to expand broadband internet access services to these underserved areas; and

WHEREAS, the City of San Antonio desires to enter into a Professional Services Agreement with AT&T to provide funds to support the expansion of broadband internet access services in these areas; and

WHEREAS, the Parties agree that the expanded broadband internet access services will be made available to customers in the designated areas within the City of San Antonio as set forth in Exhibit A to the Professional Services Agreement; and

WHEREAS, the new fiber construction service will install a XGS-PON fiber network that will provide at least 100 Mbps download and 20 Mbps upload to customers; and

WHEREAS, the City Council finds that the execution of the Professional Services Agreement serves a public purpose and will promote the health, safety, and general welfare of the residents of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or their designee, is hereby authorized to execute a Professional Services Agreement with AT&T Services, Inc., acting on behalf of its affiliate Southwestern Bell Telephone Company, d/b/a AT&T Texas in substantially the same form as set

forth in **ATTACHMENT I**, for the purpose of expanding broadband internet access service in certain areas within San Antonio that are unserved or underserved and to take all necessary actions and execute such additional documents to implement the intent of this Ordinance. The total compensation to be paid to AT&T Services, Inc., under the Professional Services Agreement shall not exceed eight million eight hundred and eighty thousand two hundred ninety-seven Dollars (\$8,880,297).

SECTION 2. Funding in the amount of \$115,484.00 for this ordinance is available in Fund 11001000, Cost Center 115010001 and General Ledger 5201040 as part of the Fiscal Year 2023 Adopted Budget approved by City Council.

SECTION 3. Funding is available from General Ledger 5201040, Internal Order Number 144000000002 and Fund 2100700002 entitled "Coronavirus State", for a total amount up to \$8,724,813.00. Payment not to exceed the budgeted amount is authorized to Southwestern Bell Telephone Company DBA AT&T Texas upon issuance of a purchase order.

SECTION 4. Payment is authorized to AT&T Services, Inc., an affiliate of Southwestern Bell Telephone Company, d/b/a AT&T Texas and should be encumbered with a purchase order.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 6th day of April 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Raca-Sittre, City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

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