



AGENDA ITEM SUMMARY

City Council

STAFF

Brian Hudson, Deputy Director, Broadband
Gerry Paul, Purchasing Director
Cyril Videgar, Legal

SUBJECT

Resolution 2023-071 Approving an Exception to the Competitive Purchasing Process for the Purpose of Renewing the Contract with Nokia of America for Broadband Equipment, Software, Firmware, and Support Services.

EXECUTIVE SUMMARY

The current Supply and Services Agreement between the City of Fort Collins and Nokia of America Corporation (Nokia) for equipment, software, and firmware necessary to operate Fort Collins Connexion (Connexion) services expires in August 2023.

Connexion's network is built with hardware and software originally provided by Nokia and is an integral part of Connexion's high level of service. Although there may be other viable partners to provide similar hardware, software, and services, transiting from the current Nokia solution would be a multi-year resource intensive project that would be very disruptive to Connexion customers.

Based on the alignment of Nokia's goods and services with the operating requirements of Connexion, the Purchasing Agent has recommended an exception to the City's competitive purchasing process to continue the relationship with Nokia under a new agreement for up to five additional years.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

Connexion went through a rigorous competitive purchasing selection process in 2017/2018 to determine the provider for equipment, software, firmware, and support services for both core networking components and customer premise equipment on the Connexion network. Nokia was selected as this service provider and, since the initial launch of Connexion, Nokia goods and services have been integral to Connexion's success.

Nokia is considered a market leader in core and passive optical network products, which are used daily in Connexion operations.

Moving away from Nokia products would be a resource intensive, multi-year project and would be very disruptive to Connexion customers and existing Intergovernmental Agreement (IGA) partners (Loveland

Pulse and Estes Park Trailblazer) through which the City contributes to a centralized regional broadband network operations center.

City Code Section 8-161(d)(4) authorizes the Purchasing Agent to grant a sole source exception, to allow for negotiating the additional purchase of specialized goods or services for up to a total of five (5) years, which in this instance include hardware, software, firmware, and support services from Nokia necessary for continuity in operating the Connexion network.

The proposed exception to the use of the competitive bid or proposal conforms with the requirements of City Code Section 8-161(d), which directs that the City Council is to approve exceptions greater than \$200,000 that meet specific criteria evaluated by the Purchasing Agent.

The Purchasing Agent has found all necessary elements of the Purchasing Code are met for an exception to the City competitive bidding or proposal process in this instance.

CITY FINANCIAL IMPACTS

The provision of Nokia equipment, software, firmware, and support services is funded by appropriations approved in the FY2023/2024 budget. Transitioning Connexion support operations to an alternative provider of network equipment and services would likely result in a substantially higher cost and negative financial impact to Connexion.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Not applicable.

PUBLIC OUTREACH

Not applicable.

ATTACHMENTS

1. Resolution for Consideration