

A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO SIGN THE WASHTENAW EDUCATIONAL TELECOMMUNICATIONS SYSTEM CONSORTIUM AGREEMENT FOR THE PERIOD OF FIVE YEARS WITH THE OPTION TO RENEW

WASHTENAW COUNTY BOARD OF COMMISSIONERS

December 3, 2008

WHEREAS, Washtenaw County issued Request for Proposal (RFP) #6353 to build a Fiber Optic Network; and

WHEREAS, on April 2, 2008, the Board of Commissioners authorized the awarding of RFP #6353 to Fiber Link LLC; and

WHEREAS, the fiber network is to be designed to reach Washtenaw County Government owned or operated facilities for the purpose of expanding and enhancing network connectivity; and

WHEREAS, on April 2, 2008, the Board of Commissioners authorized the sale of bonds (Resolutions #08-0058 and #08-0059) for the purpose of paying for the build-out of the wide area fiber optic system; and

WHEREAS, under the Michigan Telecommunications Act, Public Act 179 of 1991, MCL 484.2101 et seq., Washtenaw County has the opportunity to save on recurring costs associated with the fiber optic network; and

WHEREAS, the consortium agreement is designed for the purpose of sharing telecommunications resources related to the County's fiber network construction and sharing of recurring costs associated with the ongoing maintenance of the fiber network; and

WHEREAS, the Board of Commissioners by resolution #08-0125 authorized the Administrator to sign the consortium agreement between Washtenaw County, WISD and Fiber Link; and

WHEREAS, the parties are unable to reach a consensus on the agreement; and

WHEREAS, the Eastern Michigan University – Merit has agreed to enter into the consortium agreement; and

WHEREAS, by entering into the Washtenaw Educational Telecommunications System Consortium Agreement, Washtenaw County is partnering with Eastern Michigan University - Merit and Fiber Link LLC, the County becomes eligible to recognize these costs savings; and

WHEREAS, the EMU-Merit has agreed to allow for the use of their common paths and attachments to related DTE service polls; and

WHEREAS, each entity will share the costs of maintenance and repair of the areas and paths where the entities share common attachments and locations, thereby reducing the recurring costs associated for all parties; and

WHEREAS, this agreement also permits other governmental partners to be included thereby further reducing the costs of ongoing operations; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, the County Administrator's Office and the Ways & Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the County Administrator to sign the Washtenaw Educational Telecommunications System Consortium Agreement between Washtenaw County, Eastern Michigan University-Merit and Fiber Link LLC, as on file with the County Clerk.