



COUNTY ADMINISTRATOR  
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TO: Barbara Levin Bergman  
Chair, Ways & Means Committee

THROUGH: Robert E. Guenzel  
County Administrator

FROM: Dale Vanderford, Director  
Support Services Technology & Operations

DATE: July 2, 2008

SUBJECT: Consortium Agreement between Washtenaw County, WISD and Fiber Link

**BOARD ACTION REQUESTED:**

It is requested that the Board of Commissioners authorize the Administrator to sign the Washtenaw Educational Telecommunications System Consortium Agreement between Washtenaw County, Washtenaw County Intermediate School District (WISD), and Fiber Link LLC. The purpose of the agreement is to reduce the recurring cost of operating the County fiber optic network, which the Board approved for construction earlier this year.

**BACKGROUND:**

On April 2, 2008, the Board of Commissioners authorized the award (Resolution #08-0057) and bonding (Resolutions #08-0058 and #08-0059) to build a new County fiber optic network. During this process and as a part of the winning bidders response (Fiber Link LLC), inquiry was made by Fiber Link LLC as part of their response about the possibility of the WISD entering into an agreement similar to that entered into by Macomb County ISD and Macomb County for the purpose of reducing the cost of operating their fiber network. WISD agreed and the attached consortium agreement is the product of those discussions.

**DISCUSSION:**

The consortium agreement is designed for the express purpose of sharing telecommunications resources related to the County's fiber network construction and the sharing of recurring costs related to the ongoing maintenance of the County's fiber network. The WISD has agreed to allow for the use of their common paths and attachments to related DTE service polls and in return will receive operational cost reductions in the maintenance of their fiber network from their service provider, Fiber Link LLC. By signing this agreement Washtenaw County will receive the cost reductions related to being associated with an entity classified as an educational institution as allowed under the Michigan Telecommunications Act, Public Act 179 of 1991, MCL

484.2101, et seq. It is expected that these savings will not be less than \$28,000 per year. Each entity will share the costs of maintenance and repair of those areas and paths where the entities share common attachments and location. In doing so recurring costs will be reduced for all parties involved. The agreement also allows for the inclusion of other governmental partners which can further reduce the cost of ongoing operations.

The agreement is patterned after a similar agreement already in existence in Macomb County involving the Macomb County ISD, Macomb County and Fiber Link LLC.

**IMPACT ON HUMAN RESOURCES:**

None

**IMPACT ON BUDGET:**

There is no direct impact on the County Budget as the project has already been authorized and the Consortium Agreement holds no monetary value. However, this agreement will enable the County and its partners to recognize reductions in operational costs for shared and common areas.

**IMPACT ON INDIRECT COSTS:**

None

**IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:**

This action bridges partnership between Washtenaw County, the WISD and Fiberlink for the provision of a fiber network.

**CONFORMITY TO COUNTY POLICIES:**

This request conforms with County policy.

**ATTACHMENTS /APPENDICES:**

Consortium Agreement

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

WASHTENAW COUNTY BOARD OF COMMISSIONERS

July 2, 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, by entering into the Washtenaw Educational Telecommunications System Consortium Agreement, Washtenaw County is partnering with the Washtenaw Intermediate School District (WISD) and Fiber Link LLC, the County becomes eligible to recognize these costs savings; 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 WISD 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, Washtenaw Intermediate School District and Fiber Link LLC, as on file with the County Clerk.