

# COUNCIL COMMUNICATION

## REVISED

**From:** The City Manager

**Subject:** Charter Business Communications Service Agreement, Commercial Acceptable Use Policy, Commercial Terms of Service, Service Order and Website Use Terms and Conditions

**Manager's Recommendation:**

I recommend that the Service Agreement ("Agreement"), Commercial Acceptable Use Policy ("AUP"), Commercial Terms of Service ("Terms of Service"), Service Order ("Order") and Website Use Terms and Conditions ("Terms and Conditions") between the City of Saginaw and Charter Business Communications ("Charter") be approved. The term of the Agreement is three years. The monthly charge is \$352.52 and the annual amount is \$4,230.24. In addition, there will be no installation charge. The Agreement, AUP, Terms of Service, Order and Terms and Conditions have been approved by me as to substance the City Attorney as to form.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of "Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds are budgeted in the Celebration Park Operating Services Account, Number 508-7580-831.80-01.

**Justification:**

The City of Saginaw ("City") is in the process of re-purposing the former Andersen Water Park and part of the project is renovating the vending building into a police substation. The substation will be utilized as a "Crime Prevention Information Center," housing the City Police's high-tech crime prevention computer and digital applications. In

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order to connect into the City's computer network through a Virtual Private Network ("VPN"), the building will need to have an Internet connection. The City has chosen Charter Business to provide Internet, phone and cable service for the substation. Charter requires the City to approve the Agreement, AUP, Terms of Service, Order and Terms and Conditions. Pursuant to the terms of the Terms of Service, the City must pay late fees, all collection expenses, disclaims all express and implied warranties and must indemnify and hold Charter harmless against any claims. Though those terms are not favorable to the City, City staff has determined that Charter will offer the best service to the City.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.