



Legislation Details (With Text)

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Title: Planning and Building Department, Economic Development Division, and Chief Administrative Office recommending the Board approve and authorize the Purchasing Agent to sign Amendment III to Agreement 4555 with NEO Fiber, Inc., doing business as Neo Connect, for as-needed, ongoing staffing support and consulting services in support of American Rescue Plan Act-funded Broadband connectivity in the County, increasing the compensation amount by \$80,882 for a not-to-exceed amount of \$160,882, extending the term of the Agreement by one (1) year for a revised expiration date of January 29, 2023, and other minor administrative changes as necessary, with no changes to the scope of work.

FUNDING: American Rescue Plan Act (ARPA) / Transient Occupancy Tax (TOT) funds.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved Contract Routing Sheet, 2. B - Neo Connect Amendment III - PE, 3. C- Neo Connect Agreement 4555, 4. D - Neo Connect Amendment I, 5. E - Neo Connect Amendment II

Date	Ver.	Action By	Action	Result
1/4/2022	2	Board of Supervisors	Approved	Pass

Planning and Building Department, Economic Development Division, and Chief Administrative Office recommending the Board approve and authorize the Purchasing Agent to sign Amendment III to Agreement 4555 with NEO Fiber, Inc., doing business as Neo Connect, for as-needed, ongoing staffing support and consulting services in support of American Rescue Plan Act-funded Broadband connectivity in the County, increasing the compensation amount by \$80,882 for a not-to-exceed amount of \$160,882, extending the term of the Agreement by one (1) year for a revised expiration date of January 29, 2023, and other minor administrative changes as necessary, with no changes to the scope of work.

FUNDING: American Rescue Plan Act (ARPA) / Transient Occupancy Tax (TOT) funds.

DISCUSSION / BACKGROUND

On April 25, 2017 (File No. 17-0442, Item No. 5), the Board awarded Request for Proposals (RFP) 17-918-031 to Neo Connect to perform a Broadband Needs Assessment and Feasibility Study for the County, and authorized the Purchasing Agent to negotiate and execute an agreement with a not-to-exceed amount of \$150,000 for this project, with funding provided through the Federal Economic Development Administration (EDA) Grant and General Fund. Agreement 248 was subsequently executed on September 20, 2017.

Beginning on January 23, 2018 (File No. 18-0077, Item No. 37) and concluding on December 17, 2019 (File No. 19-1821, Item No. 55), and as part of the Broadband Needs Assessment and Feasibility Study, the Board received several presentations from Neo Connect and staff regarding planning efforts, financial analysis and options related to implementing a broadband strategy in the

County, and projected capital costs and funding alternatives of implementing County-wide broadband. During this period, the Board approved two (2) additional amendments to Agreement 248: Amendment II was approved to extend the expiration date to December 31, 2018 (File No. 18-1190, Item No. 2), and Amendment III was approved to increase the compensation amount by \$23,993 for a not-to-exceed amount of \$149,993 and extend the expiration date to June 30, 2019 (File No. 18-1889, Item No. 8).

As part of the final presentation on December 17, 2019, the Board also authorized staff to negotiate and execute a new agreement with Neo Connect for as-needed, ongoing staffing support and consulting services related to broadband efforts and the County's "Dig Once" policy for parallel conduit in County projects, and coordination with other agencies and developers on future projects.

On January 30, 2020, the Purchasing Agent executed Agreement 4555 with Neo Connect for the provision of general broadband consultant services on an as-needed basis, with a not-to-exceed amount of \$15,000 and a term of two (2) years.

On March 10, 2020 (File No. 20-0288, Item No. 30), the Board approved the Purchasing Agent to negotiate and execute Amendment I to Agreement 4555, increasing the compensation amount by \$35,882 for a not-to-exceed amount of \$50,882, and also expanding the scope of work to include researching what areas of the County would qualify for upcoming grant opportunities. Amendment I was subsequently executed on April 14, 2020.

On June 30, 2020 (File No. 20-0835, Item No. 37), the Board received a presentation from Neo Connect and staff regarding broadband implementation grant opportunities and to evaluate the use of multiple funding sources for various grant matches and specific priority areas in the County. As part of this item, the Board also authorized the Purchasing Agent to negotiate and execute Amendment II to Agreement 4555, increasing the compensation amount by \$30,000, for a not-to-exceed amount of \$80,882, and also expanding the scope of work to include supporting staff with grant preparation. Amendment II was subsequently executed on July 8, 2020.

As of June 2021, the County is in the final stages of review, and awaiting status update and award notification regarding its submitted Economic Development Administration (EDA) grant.

As the need for additional broadband and support services remain a priority in the County, staff are recommending that the Board approve the continued use of Neo Connect's support services under the proposed Amendment III to Agreement 4555, which increases the compensation amount by \$80,000 for a not-to-exceed amount to \$160,882, and extends the term by one (1) additional year for a revised expiration date of January 29, 2023. The continuation of these services will allow the County to strategically align its efforts through Neo Connect by utilizing their expertise on various broadband topics, including but not limited to, grant writing and submittals, policy and ordinance implementation, County-wide connectivity, and collaborative stakeholder engagement with other agencies and developers. Additionally, extending the term of the agreement will allow additional time for these goals to be met.

In addition to increasing the compensation amount and extending the term of the Agreement, it was also determined that it would be more appropriate for the Planning and Building Department, Economic Development Division, to oversee the administration of the Agreement. As such, the proposed Amendment reflects minor administrative changes in order to update the County's Contract Administrator, Notice to Parties recipients, and invoice recipients.

ALTERNATIVES

The Board may choose not to approve the proposed Amendment III. This would result in the County being unable to retain the continued consulting services under this Agreement that would now also cover ARPA-funded Broadband infrastructure, which is vital for strategic alignment and the County's successful Broadband connectivity initiative.

PRIOR BOARD ACTION

See Discussion/Background above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management have approved the proposed Amendment III.

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item. The additional compensation amount of \$80,000 associated with this proposed Amendment III will be offset by ARPA funding, which allows for the use of these funds for broadband infrastructure. ARPA funds must be obligated by December 31, 2024 and fully spent by December 31, 2026.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Infrastructure: Encourage and support through policy and resources the pursuit of local, state, and federal, private and public funding opportunities to support the County's infrastructure; and

Economic Development: Invest in infrastructure needs to improve and maintain competitiveness - (2)
Encourage development of high speed internet service (broadband and or Wi-Fi).

CONTACT

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