



General Manager  
334 Front Street  
Ketchikan, AK 99901

Phone (907) 228-5603  
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## TRANSMITTAL MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Karl R. Amylon, City Manager

DATE: June 10, 2019

RE: **Exempting the Procurement of the Annual Telephone Switch Platform Software Support and Maintenance Services from the Competitive Bidding/Written Quotation Requirements of the Ketchikan Municipal Code – Ribbon Communications**

The motion detailed below was prepared at the request of Telecommunications Division Manager Ed Cushing, who asked that it be placed before the City Council for consideration at its meeting of June 20, 2019. If adopted, the motion provides for exempting the procurement of telephone switch platform software support and maintenance services from the competitive bidding/written quotation requirements of the Ketchikan Municipal Code and authorizing the procurement of such annual software support and maintenance services from Ribbon Communications at a cost of \$33,279.20.

Subparagraph 6 of Section 3.12.050(a) of the Ketchikan Municipal Code provides for exempting the purchase of such switch platform software support and maintenance services from competitive bidding/quotation when:

"Supplies, materials, equipment or contractual services which should be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment or contractual services. For the purpose of this paragraph, the term 'incompatibility' is defined as:

- (A) The inability to interconnect, combine, interchange, or join; or
- (B) That which causes substantial duplication in maintenance, expertise or training or in the stocking of parts, materials, supplies or replacements. Any purchase which is to be excluded from competitive bidding by authority of this subparagraph which exceeds \$10,000, must first be approved by the council."

The rationale for the exemption is detailed in Mr. Cushing's transmittal memorandum and requires no elaboration on the part of my office. I concur with the Telecommunications Division Manager's recommendation.

Mr. Cushing will be attending the City Council meeting of June 20, 2019, in order to address any questions and/or concerns that Councilmembers may have.

A motion has been prepared for City Council consideration.

### **RECOMMENDATION**

Pursuant to subparagraph 6 of Section 3.12.050(a) of the Ketchikan Municipal Code, it is recommended that the City Council adopt the motion exempting the procurement of telephone switch platform software support and maintenance services from the competitive bidding/written quotation requirements of the Ketchikan Municipal Code; authorizing the General Manager to enter into an agreement for the procurement of such annual software support and maintenance services with Ribbon Communications at a cost of \$33,279.20; and approving funding from the Telecommunications Division's 2019 Software & Equipment Maintenance Services account (Account No. 635-04).

**Recommended Motion:** Pursuant to subparagraph 6 of Section 3.12.050(a) of the Ketchikan Municipal Code, I move the City Council exempt the procurement of telephone switch platform software support and maintenance services from the competitive bidding/written quotation requirements of the Ketchikan Municipal Code; authorize the General Manager to enter into an agreement for the procurement of such annual software support and maintenance services with Ribbon Communications at a cost of \$33,279.20; and approve funding from the Telecommunications Division's 2019 Software & Equipment Maintenance Services account (Account No. 635-04).



**KPU Telecommunications**  
2970 Tongass Avenue  
Ketchikan, AK 99901

Phone (907) 225-1000  
FAX (907) 225-1788

## Memorandum

**To:** Karl R. Amylon, KPU General Manager

**From:** Ed Cushing, KPU Telecommunications Division Manager

**Date:** June 10, 2019

**Subject:** **Exempting the Procurement of Software Support and Maintenance Services from Competitive Bidding / Written Quotation Requirements of the Ketchikan Municipal Code – Ribbon Communications.**

The purpose of this memorandum is to request that the General Manager seek City Council approval to purchase software support and maintenance services from Ribbon Communications (formerly Sonus or Taqua), for our telephone switch platform. If adopted, this motion provides for exempting the procurement of Ribbon Communications software support and maintenance services from the competitive bidding / written quotation requirements of the Ketchikan Municipal Code and authorizing the acquisition from Ribbon Communications at a cost not to exceed \$33,279.20.

### Background

KPU Telecommunications utilizes a Ribbon Communications (formerly Sonus or Taqua) T7000 Switch as our core voice platform. Ribbon Communications charges an annual fee for software support and maintenance services. Based on our current configuration the annual fee is \$33,279.20 for the period June 30, 2019 to June 29, 2020. Obtaining these services from Ribbon Communications is necessary to prevent incompatibility with our existing Ribbon Communications T7000 equipment and software platform, and to secure ongoing engineering and technical support services.

At this price the Ketchikan Municipal Code requires that the city council approve the purchase and staff seek either competitive bids or written quotations unless the City Council approves an exemption. Subparagraph 6 of section 3.12.050 (a) of the KMC provides an exemption that would be appropriate for this transaction. Subparagraph (6) states the following:

"Supplies, materials, equipment or contractual services which should be purchased from a specific source in order to prevent incompatibility with previously purchased supplies, materials, equipment or contractual services. For purposes of this subparagraph, the term "incompatibility" is defined as:

- (a) The inability to interconnect, combine, interchange, or join; or

- (b) That which causes substantial duplication in maintenance, expertise or training or in the stocking of parts, materials, supplies or replacements

Any purchase which is to be excluded from competitive bidding by the authority of this subparagraph which exceeds ten thousand dollars must first be approved by the council."

Since acquiring support from Ribbon Communications is the only option available to KPU that will prevent incompatibility, I recommend seeking approval from City Council to exempt this procurement from the competitive bid/written quotation requirements of the KMC.

The software support and maintenance costs are part of the 2019 operating budget in the Software and Equipment Maintenance Services account (635.04).

**Recommended Motion:**

Pursuant to Subparagraph 6 of Section 3.12.050 (a) of the Ketchikan Municipal Code, I move the City Council exempt the procurement of software support and maintenance services from Ribbon Communications in the amount of \$33,279.20 from the competitive bid and written quotation requirements of the KMC and authorize funding from the 2019 KPU Telecommunications division annual budget from the Software and Equipment Maintenance Services account (635.04).

Cc: Lacey Simpson, Assistant KPU General Manager  
Bob Newell, City Finance Director





## Maintenance Service Quote

Company Name: CITY OF KETCHIKAN (DBA KPU)

Attention:

Email:

Quote Number: RQ-0019438

Description: CITY OF KETCHIKAN (DBA KPU) T7000 SUPPORT RENEWAL

Address: Ribbon Communications Operating Company, Inc.

4 Technology Park Drive

Westford, MA 01886

Date: May 17, 2019

Ribbon Contact: Erin Wheeler

Email: [Renewals@rbbn.com](mailto:Renewals@rbbn.com)

Currency: USD

System Number	Service Part Number	Service Description	Service Start Date	Service End Date	Duration Days	List Price	Discount	Net Price	Notes
527251	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 385.95	0.00%	\$ 385.95	
527286	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 641.80	0.00%	\$ 641.80	
527287	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 8,346.59	0.00%	\$ 8,346.59	
527288	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 661.59	0.00%	\$ 661.59	
527289	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 7,479.96	0.00%	\$ 7,479.96	
527724	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 13,578.80	0.00%	\$ 13,578.80	
549266	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 704.00	0.00%	\$ 704.00	
553285	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 73.04	0.00%	\$ 73.04	
581255	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 299.77	0.00%	\$ 299.77	
581348	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	30-Jun-19	29-Jun-20	366	\$ 417.90	0.00%	\$ 417.90	
661182	SRV-T-M-SYSTEM-Q	24X7 MAINTENANCE SUPPORT, INSTALLATION OF SW UPDATE OR UPGRADE NOT INCLUDED	2-May-20	29-Jun-20	59	\$ 689.81	0.00%	\$ 689.81	

Total: \$ 33,279.20 USD

### Quote Notes:

**Quote:** This Quote Is valid until the Expiration Date listed above, or for a period of ninety (90) days from the above Quote Date if no such Expiration Date is provided.

### Order:

- Please issue your Order to the applicable Ribbon Communications Selling Entity provided in this Quote as listed above.
- Please reference the Quote Number and clearly indicate the "Bill To" address on your Order.
- Please submit your Order to [orders@rbbn.com](mailto:orders@rbbn.com) or fax to 978-614-8910.
- All Orders are subject to Ribbon Communications acceptance and credit review.

System Number	Service Part Number	Service Description	Service Start Date	Service End Date	Duration Days	List Price	Discount	Net Price	Notes
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**Ribbon Communications Selling Entities:**

- For Customer Orders issued from the U.S., Canada and Caribbean Islands, the selling entity is **Ribbon Communications Operating Company, Inc.**. Ribbon Communications Operating Company, Inc. was formerly known as Sonus Networks, Inc. and was renamed as of January 1, 2019. GENBAND US LLC, a wholly owned subsidiary of Ribbon Communications Operating Company, Inc., is no longer a selling entity and contracts have been assigned to Ribbon Communications Operating Company, Inc. due to the merger and acquisition of Sonus and Genband companies forming Ribbon Communications.
- For Customers Orders issued from all other countries, unless a different Ribbon subsidiary is named under a Customer contract as the local country selling entity, the selling entity is **Ribbon Communications International Limited**, which was formerly known as GENBAND Ireland Ltd. and was also renamed as of January 1, 2019.

**Purchase Terms and Conditions:**

- Your purchase under this Quote is subject exclusively to the Ribbon Communications Purchase & License Terms available at [ribboncommunications.com](http://ribboncommunications.com), which are hereby Incorporated by reference and a copy is available with this Quote; except if you have an existing purchase agreement with Ribbon Communications in which case such agreement as executed between the parties shall exclusively apply. No other terms and conditions shall apply.
- Your purchases of products, professional services and maintenance services under this quote are subject exclusively to the applicable product or service description available at [ribboncommunications.com](http://ribboncommunications.com), which are hereby incorporated by reference and a copy is available with this Quote.

**Proprietary and Confidential**