



Board Agenda Item 32

DATE: October 22, 2024

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer
Edward Hill, Chief Operating Officer/Interim Director of Internal Services/Chief Information Officer

SUBJECT: Agreement with Tone Consulting Group LLC for Broadband Consulting Services

RECOMMENDED ACTION(S):

- 1. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirements under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an Agreement with Tone Consulting Group LLC as the vendor currently provides broadband consulting services and it is the only vendor able to continue services without causing major delays in the County's broadband projects; and**
- 2. Approve and authorize the Chairman to execute a retroactive Agreement with Tone Consulting Group LLC for broadband consulting services, effective July 1, 2024, not to exceed three consecutive years, which includes a two-year base contract and one optional one-year extension, total not to exceed \$722,000.**

There is no additional Net County Cost associated with the recommended actions. Approval of the recommended actions will allow the County to continue using broadband consulting services from Tone Consulting Group LLC (TCG). This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the County would have to find alternative solutions for obtaining broadband and grant management consultation services, in addition to developing a countywide broadband strategic plan.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

It is requested that the County find under AP 34 that an exception to the competitive bidding requirement is satisfied, and a suspension of competition is warranted due to unusual or extraordinary circumstances, as TCG currently provides broadband consulting services and is the only vendor that can continue providing these services without causing major delays in the County's broadband projects. The Internal Services Department - Purchasing division (ISD-Purchasing) concurs with the request to suspend the competitive bidding process.

RETROACTIVE AGREEMENT:

The recommended Agreement is retroactive to July 1, 2024, due to extended contract negotiations and

modifications to the County's Local Agency Technical Assistance (LATA) grant application.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The maximum amount for the potential five-year term of the Agreement is \$722,000. Sufficient appropriations and estimated revenues are included in the CAO Org 2540 FY 2024-25 Adopted Budget and will be included in subsequent annual budget requests. Costs associated with this agreement will be reimbursed through the LATA grant. As of October 2024, there are currently three pending invoices totaling \$78,166.

DISCUSSION:

On May 8, 2023, ISD - Purchasing approved agreement number P-23-201 with TCG for broadband and grant consulting services (Procurement Agreement). On May 16, 2023, the Procurement Agreement was amended to update the scope of services. On April 24, 2024, the Procurement Agreement was amended again to extend the term through June 30, 2024.

On August 8, 2023, your Board approved the Department's retroactive grant application submittal for the LATA grant. On July 23, 2024, the California Public Utilities Commission approved the County's LATA grant modification application. The County's original application sought to hire a design engineering firm to design and construct fiber deployment. With the LATA modification, the County, in collaboration with TCG, will focus on developing a countywide broadband strategic plan, conducting a broadband needs assessment, and securing future broadband grant opportunities.

Approval of the recommended actions will authorize the County to contract with TCG for broadband consultation and grant management services, allowing TCG to continue consulting the County on and providing support for broadband-related projects and assisting the County in managing existing and upcoming broadband grants.

REFERENCE MATERIAL:

BAI #35, August 8, 2023

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request
On file with Clerk - Agreement with Tone Consulting Group LLC

CAO ANALYST:

Ahla Yang