



SUBSTITUTE RESOLUTION BY

04-R-0300

FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH BILTMORE COMMUNICATIONS, INC FOR FC-7577-03, CITY OF ATLANTA COMMUNITY TECHNOLOGY WI-FI INITIATIVE. ALL MONIES GENERATED SHALL BE PLACED IN A TRUST FUND ESTABLISHED FOR INFORMATION TECHNOLOGY AND SHARED BETWEEN THE TRUST FUND AND GENERAL FUND.

WHEREAS, The Chief Procurement Officer of the Department of Procurement (“DOP”) did advertise on behalf of the Department of Information Technology; and

WHEREAS, the Commissioner of the Department of Information Technology and Chief Procurement Officer have recommended that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of three (3) base years, with two (2), one (1) year renewal options subject to a 60 day notice of intent not to renew; and

WHEREAS, the Commissioner of the Department of Information Technology and the Chief Procurement Officer of the Department of Procurement have recommended that the contractual agreement with Biltmore Communications, Inc. be executed.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or designee be and is hereby directed to prepare an appropriate contractual agreement with Biltmore Communications, Inc. to create a citywide network of wireless zones standardized to the 802.11 technology.

BE IT FUTHER RESOLVED, that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of three (3) base years, with two (2), one (1) year renewal options subject to a 60 day notice of intent not to renew; and

BE IT FUTHER RESOLVED, that this contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until contract has been executed by the Mayor and delivered to the contracting party.

BE IT FURTHER RESOLVED, that all monies generated annually under this contractual agreement shall be shared as follows: annually the first \$100,000.00 shall go into a trust fund established for Information Technology Investment. Revenue between \$100,000.00 and 1,000,000.00, 25% will go into the Trust Fund and the remainder into the General Fund. Revenue above \$1,000,000.00, 10% will go into the Trust Fund for Information Technology Investments and the remainder into the General Fund.

A true copy,

Shanika Daughin Johnson
Municipal Clerk

ADOPTED by the Council
APPROVED by the Mayor

April 19, 2004
April 27, 2004



**SHIRLEY FRANKLIN
MAYOR**

CITY OF ATLANTA
55 TRINITY AVENUE, S.W., SUITE G-300
ATLANTA, GEORGIA 30303
(404) 330-6110-FAX (404) 658-6688
Internet Home Page: www.ci.atlanta.ga.us

**Abe A Kani
Chief Information Officer
Department of Information Technology**

MEMORANDUM

TO: Adam Smith, Commissioner
Procurement Department

FROM: Abe Kani, Chief Information Officer 

SUBJECT: Community Technology Wi-Fi RFP

I have reviewed the only bid submitted for the subject project and find it acceptable. Due to the self-funding nature of this project and the importance of promoting the City of Atlanta as a premier wireless city, I recommend the City to proceed with awarding this contract.



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BE IT FURTHER RESOLVED, that all monies generated annually under this contractual agreement shall be shared as follows: annually the first \$100,000.00 shall go into a trust fund established for Information Technology Investment. Revenue between \$100,000.00 and 1,000,000.00, 25% will go into the Trust Fund and the remainder into the General Fund. Revenue above \$1,000,000.00, 10% will go into the Trust Fund for Information Technology Investments and the remainder into the General Fund.

**RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE
AS SUBSTITUTED BY
FULL COUNCIL**

04-R-0300

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A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH BILTMORE COMMUNICATIONS, INC FOR FC-7577-03, CITY OF ATLANTA COMMUNITY TECHNOLOGY WI-FI INITIATIVE. ALL MONIES GENERATED SHALL BE PLACED IN A TRUST FUND ESTABLISHED FOR INFORMATION TECHNOLOGY AND SHARED BETWEEN THE TRUST FUND AND GENERAL FUND.

WHEREAS, The Chief Procurement Officer of the Department of Procurement (“DOP”) did advertise on behalf of the Department of Information Technology; and

WHEREAS, the Commissioner of the Department of Information Technology and Chief Procurement Officer have recommended that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of five (5) years, with one (1), five (5) year renewal option; and

WHEREAS, the Commissioner of the Department of Information Technology and the Chief Procurement Officer of the Department of Procurement have recommended that the contractual agreement with Biltmore Communications, Inc. be executed.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or designee be and is hereby directed to prepare an appropriate contractual agreement with Biltmore Communications, Inc. to create a citywide network of wireless zones standardized to the 802.11 technology.

BE IT FUTHER RESOLVED, that this contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until contract has been executed by the Mayor and delivered to the contracting party.

BE IT FURTHER,RESOLVED, that the term of this agreement shall be five (5) years with one optional five (5) year renewal period.

BE IT FURTHER RESOLVED, that the Chief Financial Officer be and is hereby authorized to established a Trust Fund which shall receive a portion of the revenues generated by this agreement, to be used for investments in information technology. On an annual basis monies generated under this contractual agreement shall be shared as follows: the first \$100,000.00 of revenue shall go into the Information Technology Investment Trust Fund; for revenues between \$100,000.01 and 1,000,000.00, 25% will go into the Trust Fund and the remainder into the General Fund; and for revenues above \$1,000,000.01, 10% will go into the Trust Fund and the remainder into the General Fund.

CITY COUNCIL
ATLANTA, GEORGIA

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WHEREAS, The Chief Procurement Officer of the Department of Procurement (“DOP”) did advertise on behalf of the Department of Information Technology; and

WHEREAS, the Commissioner of the Department of Information Technology and Chief Procurement Officer have recommended that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of five (5) years, with one (1), five (5) year renewal option; and

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BE IT FURTHER RESOLVED, that this contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until contract has been executed by the Mayor and delivered to the contracting party.

BE IT FURTHER RESOLVED, that all monies generated under this contractual agreement shall be deposited into fund, account and center number 1A017*****E11K01119999, Wireless Fidelity Network.

Legislation White Paper

To: Finance Executive Committee

Caption

A resolution authorizing the Mayor or designee to enter into a contractual agreement, on behalf of the Department of Information Technology with Biltmore Communications, Inc for FC-7577-03, City Of Atlanta Community Technology Wi-Fi Initiative. All monies generated shall be deposited into fund, account and center numbers: 1A017*****E11K01119999, Wireless Fidelity Network.

Council Meeting Date: March 1, 2004

Legislation Title: Resolution authorizing the Mayor to enter into a contractual agreement with Biltmore Communications, Inc.

Requesting Department: Department of Information Technology

Contract Type: Professional Services

Source Selection: Sealed Request For Proposals (RFP)

Bids/Proposals Due: May 14, 2003

Invitations Issued: 11

Bids/Proposals Received: 3

Bidder/Proponents: Syntergy USA, Inc
Biltmore Communications, Inc.
Inovative Solutions and Services

Innovative Solutions and Services and Syntergy USA, Inc. were found to be non-responsive by the Office of Contract Compliance. Neither firm was approved as an Eligible Bidder.

Justification Statement: Under the proposal recommended, The City of Atlanta will receive revenues from user fees paid for access to wireless internet broadband in participating public and corporate venues in Atlanta. Net revenues to the City of Atlanta (apart from revenues at Hartsfield Jackson Airport) projected in the plan to increase from \$62,336 in the first year to several millions in the fifth year. The main advantage to the City, however, will come from the rapid expansion of the wireless footprint throughout the City. This will enhance educational opportunities for students, enable the City of Atlanta and businesses in the City to create efficiencies, and make Atlanta even more attractive

as a convention and tourist destination. Aggregation of wireless hotspots is an important objective because the lack of a seamless footprint represents an obstacle to user acceptance of wireless broadband. City Hall leadership is imperative to encourage this process. Because this is a new industry, however, it has never been tried on the scale proposed here. Some communities have developed free wireless hotspots in a few outdoor locations. Atlanta will be the first City to aggregate a uniform network of indoor wireless access points that reaches throughout the community.

Background:

Contractor will partner with the City of Atlanta to create a citywide network of wireless zones standardized to the 802.11 technology. The Contractor will also serve as Network Manager for a Wi-Fi network that through the aggregation and expansion of a footprint will reach throughout the City of Atlanta within a five year period.

Fund Account Center:

1A017*****E11K01119999, Wireless Fidelity Network

Term of Contract:

Five years, with one (1), five (5) year renewal option

Method of Cost Recovery:

Revenue Generating

Prepared By:

Rholanda Malveaux Stanberry
(404) 330-6938

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Chief Procurement Officer's Signature:

Adam L. Smith
Adam L. Smith

Originating Department: Department of Information Technology

Contact Person: Rholanda M. Stanberry x 6938

Committee(s) of Purview: Finance/Executive

Council Deadline: February 9, 2004

Committee Meeting Dates(s): February 24-25, 2004

Full Council Date: March 1, 2004

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH BILTMORE COMMUNICATIONS, FOR FC-7577-03 CITY OF ATLANTA COMMUNITY TECHNOLOGY WI-FI INITIATIVE. ALL MONIES GENERATED SHALL BE DEPOSITED INTO FUND, ACCOUNT AND CENTER NUMBER 1A017*****E11K01119999,WIRELESS FIDELITY NETWORK.

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FINANCIAL IMPACT (if any) Revenue Generating

Mayor's Staff Only

+++++

Received by Mayor's Office:

2.9.04 DP
(date)

Reviewed by:

AS
(initials)

(date)

Submitted to Council:

(date)

Action by Committee: Approved Adversed Held Amended

Substitute Referred Other

(Do Not Write Above This Line)

04-*P*-0300

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

RESOLUTION BY

FINANCE/EXECUTIVE COMMITTEE

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ADOPTED BY

APR 19 2004

3/15/03

- CONSENT REFER **COUNCIL**
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 3/15/2004

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

Fav, Adv, Hold (see rev. side)
Action
Other

Chair

Date 3-15-04

Members

Refer To

Fav, Adv, Hold (see rev. side)
Action
Other

Chair

Date 3-15-04

Members

Refer To

Fish *[Signature]*
3/15/04
Chair *[Signature]*

Fav, Adv, Hold (see rev. side)
Action
Other

Members

Refer To

[Signature]

[Signature]
Date
Chair

Fav, Adv, Hold (see rev. side)
Action
Other

Members

Refer To

[Signature]

CERTIFIED

CERTIFIED
APR 10 2004

COUNCIL PRESIDENT PROTEM

CERTIFIED
APR 10 2004

[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
APR 27 2004
[Signature]
MAYOR