

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL
SEPTEMBER 7, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Amendment to An Existing Agreement with Comcast Commercial Services for Internet Access Services	✓ Resolution Ordinance Motion Discussion Only	Liangfu Wu Director of Information Services

SYNOPSIS

A resolution has been prepared approving an amendment to an existing service agreement with Comcast Commercial Services, LLC for upgrading the Internet access speed from 5 Megabits to 15 Megabits with an additional \$200 monthly charge.

STRATEGIC PLAN ALIGNMENT

The Downers Grove Vision 2021 identified *Technology Community*. A supporting objective of this goal is *Effective, Efficient Delivery of Village Services through User-Friendly Technology*.

FISCAL IMPACT

The FY 10 General Fund Budget has funding to support this minor increase.

RECOMMENDATION

Approval on the September 7, 2010 consent agenda.

BACKGROUND

On November 21, 2006, the Village Council approved a 5-year agreement with Comcast Commercial Services (Resolution 2006-98) to upgrade the Village's network. As part of the agreement, Comcast Commercial Service provides Internet access to the Village with a monthly charge of \$2,200 for the speed of 5 Megabits.

As the Village increasingly relies on the Internet to communicate with Downers Grove residents and businesses (e.g., online payment, Council document, web site, Podcast, Channel 6, etc.), the Internet access speed has been becoming an on-going issue. In order to help the Village to solve the speed issue, Comcast Services agrees to amend the existing agreement and offer 15 Megabits speed with additional \$200 monthly charge without changing any other terms of the agreement.

The network services agreement with Comcast Services will expire in November of 2011. Staff will re-evaluate the technology and availability of better services then.

ATTACHMENTS

Resolution
Comcast Agreement

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF A SECOND RIDER
TO NETWORK SERVICES AGREEMENT NO. IL-12031-092706-01
BETWEEN THE VILLAGE OF DOWNERS GROVE AND
COMCAST BUSINESS COMMUNICATIONS, LLC**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois,
as follows:

1. That the form and substance of a certain Second Rider to a Network Services Agreement (the **ARider@**), between the Village of Downers Grove (the **ACustomer@**) and Comcast Business Communications, LLC (“Company”), for an upgrade to existing internet services, as set forth in the form of the Rider submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Village Manager and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Rider, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Rider.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:

Attest: _____

Village Clerk

**SECOND RIDER
To
Network Services Agreement No. IL-12031-092706-01**

This Second Rider (“Rider”), entered into on August 26, 2010 (“Effective Date”) modifies and amends the Network Services Agreement No. IL-12031-092706-01 (“Agreement”), by and between Comcast Business Communications, LLC (“Company”) and Village of Downers Grove (“Customer”), individually referred to as “Party” and jointly referred to as “Parties”. In the event of conflict between this Rider and the Agreement, the terms and conditions of this Rider shall take precedence in the interpretation of the explicit matter in question. Unless otherwise set forth herein, all capitalized terms set forth herein shall have the same meaning as set forth in the Agreement.

Whereas, the Parties have previously entered into the Agreement and whereby Company agreed to provide Customer the Services more particularly described therein;

Whereas, the Parties desire to amend the Agreement by this writing to reflect the amended or additional terms and conditions to which the Parties have agreed to;

Now, therefore, in consideration of the mutual covenants, promises, and consideration set forth in this Rider, the Parties agree as follows:

1. At the request of the Customer, Company shall upgrade Customers existing Ethernet Dedicated Internet (“EDI”) Services, f/k/a EIS, from 5 Mbps to 15 Mbps at the Customer site set forth in Schedules A and B attached hereto.
2. The revised Monthly Recurring Charges (“MRC”) for all Services (to include the upgrade in Services set forth herein) throughout the remainder of the Agreement Term shall be \$2,400.00 and shall be effective upon the completion of the Services upgrade.
3. This Rider shall commence as of the Effective Date set forth herein and is coterminous with the Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Rider as of the day and year written below and the persons signing covenant and warrant that they are duly authorized to sign for and on behalf of the respective Parties. Except as otherwise modified by this Rider, all other terms and conditions set forth in the Agreement shall remain in full force and effect.

Village of Downers Grove

Comcast Business Communications, LLC

Signature:		Signature:	
Printed Name:		Printed Name:	
Title:		Title:	
Date:		Date:	