

**ALBUQUERQUE PUBLIC SCHOOLS  
EMERGENCY DETERMINATION FORM**

The emergency procurement method (NMSA 1978, Section 13-1-127) may only be used when there exists a threat to public health, welfare, safety or property requiring procurement under emergency conditions. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

1. the functioning of government;
2. the preservation or protection of property; or
3. the health or safety of any person.

I. Name of Department or School: APS Technology Department  
Contact Person: Jason Johnson, Executive Director of Technology  
Telephone No.: 505-830-8040  
E-Mail Address: Jason.Johnson@aps.edu

II. Name of prospective contractor: Century Link  
Address: 400 Tijeras Ave NW  
City, State, ZIP Code Albuquerque, NM, 87102  
Telephone No.: 505-362-7485  
Email Address: Lauren.Hull@centurylink.com

Amount of prospective contract: \$1.4 million ; up to 4.2 million.

Term of prospective contract: April 29, 2019 to September 1, 2019

III. Thoroughly list the services (scope of work), construction or items of tangible personal property of the contract:

In Funding Year 2017, the district was awarded funding for a leased lit fiber wide area network that requires special construction to all district sites. Given the scope of the project the district will need transitional services to provide WAN and Internet connectivity to district locations until all sites can be connected to the leased lit fiber provided by Unite Private Networks (UPN).

IV. Provide an explanation for the justification of the procurement including a description of the practicable competition utilized.

A 470 e-rate solicitation was issued for bridge services to cover the requested services until Unite can light the fiber. The services that were requested were a month-to-month (MTM) or tariff basis. As Unite can light sites the district intends to cancel the existing and/or transitional service. Bids were accepted from vendors that can:

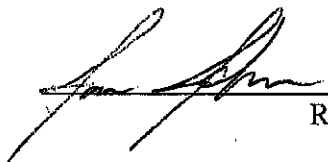
- Provide services to ALL the listed locations.
- Provide services to ALL locations by the contract expiration date.
- Provide the minimum and maximum speed to each location.
- Provide a valid purchasing agreement, such as a tariff or month-to-month pricing, state master contract or the extension of an existing pricing agreement.

- Allow the district to cancel the services with 60-day notice WITHOUT early termination fees.
- Demonstrate that it has provided similar services to an entity the size of APS.

The deadline to submit bids was 28-days after the posting of the Form 470. Vendors were asked to provide pricing for all of the speeds listed in attached spreadsheet including the maximum speeds and incremental speeds between 100 Mbps and 1000 Mbps in 100 Mbps increments. Century Link provided the only bid to the Form 470.

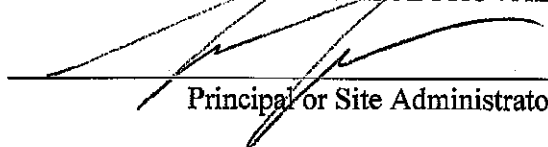
This contract is needed regarding the functioning of government. If the service is not procured, CenturyLink would be forced to terminate our services and APS would not be able to communicate directly out to the schools or out to the Internet, thus disrupting the ability of the entire school district. These services are utilized daily to monitor school systems, security, building controls (heating/cooling), access to wifi, communication with school systems, student information system, payroll, HR, Special Ed, etc

CERTIFIED BY

  
Requestor

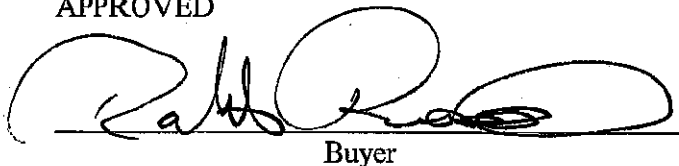
5/31/19  
Date

DEPARTMENT OR SCHOOL APPROVAL

  
Principal or Site Administrator

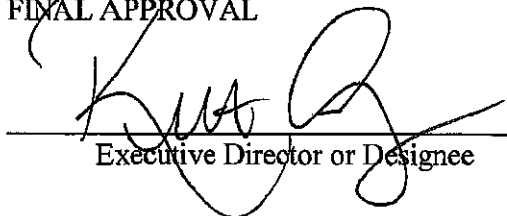
5/31/19  
Date

APPROVED

  
Buyer

5/31/19  
Date

FINAL APPROVAL

  
Executive Director or Designee

5/31/19  
Date