

BILL NO. 19-149

AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT FOR FACILITY RELOCATION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND CENTURYLINK COMMUNICATIONS IN THE AMOUNT OF \$224,063.48 PURSUANT TO THE CHIPMAN ROAD IMPROVEMENTS FROM VIEW HIGH DRIVE TO BENT TREE DRIVE, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME.

WHEREAS, the City is engaged in the design of the Chipman Road Improvements from View High Drive to Bent Tree Drive (hereinafter "Project"); and,

WHEREAS, an agreement between Jackson County and the City of Lee's Summit was reached on 4/18/18 so the City can make improvements to Chipman Road along the Rock Island Corridor right of way which includes the removal of the 1-lane railroad bridge; and,

WHEREAS, CenturyLink Communications has facilities (telecommunication fiber) on the existing 1-lane railroad bridge spanning Chipman Road; and,

WHEREAS, the removal of the railroad bridge will necessitate the relocation of approximately 41,000 feet of CenturyLink's facilities in order for their fiber to be spliced; and,

WHEREAS, CenturyLink has agreed to relocate its facilities under the Project roadway within their existing easement in the Rock Island Corridor right of way before the City begins their Project construction; and,

WHEREAS, the City desires to enter into an agreement with CenturyLink to perform the relocation of their facilities for the agreed upon estimate paid by the City to CenturyLink prior to the relocation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the City Council of the City of Lee's Summit, Missouri hereby approves the agreement for facility relocation by CenturyLink Communications, for an amount of \$224,063.48.

SECTION 2. That the City Council of the City of Lee's Summit, Missouri hereby authorizes the execution, by the City Manager, of an agreement with CenturyLink Communications for facility relocation for an amount of \$224,063.48. Said contract is on file with the City of Lee's Summit Public Works Department and is incorporated by reference as if fully set forth herein.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk, *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Chief Counsel of Infrastructure and Planning
Nancy K. Yendes