

## Legislation Details (With Text)

**File #:** BILL NO. 19-276  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 11/6/2019  
**In control:** City Council - Regular Session  
**On agenda:** 12/10/2019  
**Final action:** 12/17/2019  
**Title:** An Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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. (PWC 12/2/19)

**Sponsors:** Public Works Admin & Engineering

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Relocation Agreement

Date	Ver.	Action By	Action	Result
12/17/2019	1	City Council - Regular Session	for second reading	Pass
12/17/2019	1	City Council - Regular Session	adopted and numbered	Pass
12/2/2019	1	Public Works Committee	recommended for approval	Pass

An Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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. (PWC 12/2/19)

Issue/Request:

An Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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.

Key Issues:

- The City is engaged in the design of the Chipman Road Improvements from View High Drive to Bent Tree Drive.
- Spire Energy's gas line is in conflict with road widening, sidewalk installation, grade cuts and fills at three portions of the City's Chipman Road Project.
- Spire Energy will relocate their facilities from the three portions of the City's Chipman Road Project for reimbursement of the actual cost to perform the work.
- City staff desires to enter into an agreement with Spire Energy to perform the relocation of their facilities for the agreed upon payment estimate paid by the City to Spire Energy prior to the relocation.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of an Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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.

SECOND MOTION: I move for adoption an Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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.

Background:

In July 2018, the City entered into an agreement with Wilson & Company for the design work on the Chipman Road Improvements Project from View High to Bent Tree. During preliminary survey and design, Wilson & Company identified potential conflicts with Spire Energy's existing 20-inch diameter high pressure gas transmission main.

Through field investigations and meetings with Spire, it was determined that the gas main will be in conflict with three portions of the City's Chipman Road Improvements Project. At the west end of the Project, Spire must relocate 790 ft. of their gas main outside of their existing gas easement and outside of the City's proposed ROW due to the existing main location being too shallow to safely grade and build the new roadway or sidewalk above it. At the Edgewood Drive location, the Project requires approximately 5 ft. of fill in addition to the existing cover over the existing gas main of 6.5 ft. Spire's maximum depth of cover is 8 ft. Therefore, Spire must relocate 550 ft. of the main outside of their existing gas easement and install the main with less cover taking into account our additional fill in this area. At the east end of the Project, the shallow depth of the gas main is negatively affecting the slope of a private driveway. Spire must relocate 125 ft. of the main outside of their existing gas easement at a depth required for this driveway to be installed with a proper slope.

This gas main was installed in 1957 to deliver gas to a large portion of Lee's Summit. Due to the age of the main and outdated protective coatings, Spire has decided to relocate the entire 4,665 feet of gas main between View High and Bent Tree. About two-thirds of the gas main relocation is outside of the area of work needed for the Chipman road project, so Spire Energy will be paying for that portion of the work. That does not relieve the City of the responsibility to pay for the work inside the private easement that is impacted by the roadway improvements.

Relocating this entire length of main instead of just the three separate conflicting sections actually saves the City approximately \$200,000 by limiting the number of stopple fittings (fittings at each end of a gas relocation) from six to just two. Through negotiations, Spire has agreed to City staff's assessment that the City's responsibility of the gas relocation is 1,465 ft. or 31.4% of the total relocation cost from View High to Bent Tree.

Including Spire, CenturyLink, and Verizon relocations the City will have paid out \$1,440,342 which is less than the project budgeted money for utility relocations of approximately \$2.0 million. This Facility Relocation and Adjustment Agreement requires the City to pay the estimated amount to Spire prior to the relocation work beginning. Following the completion of the relocation work, Spire will determine the actual cost of the

relocation and will either bill or refund the City the difference.

Timeline:

Construction start date summer of 2020

Dena Mezger, Director of Public Works

Recommendation:

Staff recommends approval of an Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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.

Committee Recommendation: The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of an Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Energy in the amount of \$1,197,009.00 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.