

## Legislation Details (With Text)

**File #:** BILL NO. 17-33  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 1/10/2017  
**In control:** City Council - Regular Session  
**On agenda:** 2/9/2017  
**Final action:** 2/9/2017  
**Title:** AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI. (PWC 1/30/17)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Modification No 1

Date	Ver.	Action By	Action	Result
2/9/2017	1	City Council - Regular Session	adopted and numbered	Pass
1/30/2017	1	Public Works Committee	recommended for approval	Pass

AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI. (PWC 1/30/17)

Issue/Request:

AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI

Key Issues:

- The City and R-7 School District entered into an Intergovernmental Agreement on January 2, 2015 for reimbursement by the City of R-7 fiber optic cable relocation costs in association with the Blackwell Interchange Project.
- The original Intergovernmental Agreement called for reimbursement of relocation costs not to exceed \$110,000 based upon uncertain cost estimates of work available at that time.
- That Intergovernmental Agreement specified that the City would pay for any additional relocation costs if the actual cost of relocation work exceeded \$110,000.
- The relocation work has commenced and unexpected costs associated with underground rock boring have caused an increase in relocation costs that will exceed the original total estimate of \$110,000.

- This modification proposed to the Intergovernmental Agreement increases the total reimbursable amount by \$27,000, for a revised total of \$138,000 to cover additional costs to complete the relocation work.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI.

SECOND MOTION: I move for adoption of AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI.

Background:

Utility in conflict with the Blackwell Interchange construction must be relocated. Blackwell Interchange is a joint City and MoDOT project. Among the utilities in conflict that require relocation is R-7 fiber optic cables. Since the Blackwell Interchange Project is TIF funded and a portion of funds impact R-7 revenue, the City has entered into an intergovernmental agreement with R-7 to reimburse the fiber optic cable relocation costs incurred by R-7 in association with the Blackwell Interchange Project.

The intergovernmental agreement was executed on January 2, 2015, for the reimbursement of R-7 fiber optic cable relocation expenses by the City. The estimate of relocation work provide by the School District was \$110,000 at the time the agreement was proposed. The agreement specifies that the City will pay for the actual relocation costs, so if the relocation cost exceeds the original estimate, the City would pay the additional costs. If the actual work cost less than the estimate, then the City would have been refunded the difference.

The fiber optic cable relocation work was phased as needed with interchange construction, as well as to maintain critical communications provided by the fiber optic cable and to better coordination with co-located facilities using KCPL infrastructure. The initial phase of R-7 fiber optic cable relocation was completed in the spring of 2016. The latter phase of relocation commenced in the fall of 2016. The more recent underground relocation work unexpectedly encountered non-diggable rock material that required special tooling, time and construction methods to complete at a higher cost than originally estimated.

The projected increase in cost associated with this activity will cause the remaining work to exceed \$110,000, an amount not-to-exceed stipulated in the agreement. The additional cost and remaining work should be less than a \$27,000 change. A revised total reimbursement of \$138,000 is proposed to cover the remaining relocation work to be done. The reimbursement is funded from the Blackwell Interchange Project - East US 50 Highway Corridor TIF.

Impact/Analysis:

[Enter text here]

Timeline:

Start: \_\_\_\_

Finish: \_\_\_\_

Other Information/Unique Characteristics:

[Enter text here]

Presenter: Michael Park, PE, City Traffic Engineer

Recommendation:

Staff recommends approval of AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI

Committee Recommendation: The Public Works Committee voted unanimously 3-0 to recommend to City Council approval of AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO INTERGOVERNMENTAL AGREEMENT FOR REIMBURSEMENT OF RELOCATION OF FIBER OPTIC CABLE BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE REORGANIZED SCHOOL DISTRICT NO. 7 OF JACKSON COUNTY, MISSOURI.