

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: March 11, 2013
	Agenda Item No. 6B1 Roll Call No. <u>13-0381</u> Communication No. <u>13-116</u> Submitted by: Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Approving and authorizing the execution of letter agreement with Level 3 Communications, LLC, in an amount of \$93,532 for relocation of a fiber optic line as required by the Southeast Connector project.

SYNOPSIS:

Recommend approval of letter agreement with Level 3 Communications, LLC, for \$93,532, for relocation of an existing fiber optic cable in conflict with the roadway to be contracted as part of the Southeast Connector – SE 9th to SE 15th Street Project.

FISCAL IMPACT:

Amount: \$93,532

Funding Source: 2013-2014 CIP, Page Street - 35, Southeast Connector - S.E. Sixth Street to S.E. 14th, STR219, Des Moines Tax Increment Bonds.

ADDITIONAL INFORMATION:

An existing fiber optic cable is located within the Burlington Northern Railroad right of way which crosses the Southeast Connector roadway location between SE 12th and SE 15th Street. The fiber is located such that it must be relocated to resolve the conflict with the City’s roadway. Level 3 Communications, LLC, has proposed to encase or relocate the existing fiber to ensure the Southeast Connector can be constructed.

A letter agreement has been negotiated with Level 3 Communications, LLC in an amount of \$93,352 for the necessary materials and labor. In the event that additional work is required, the cost may be increased up to \$22,500, as approved by the City Engineer.

PREVIOUS COUNCIL ACTION(S):

Date: December 17, 2012

Roll Call Number: [12-1912](#)

Action: [Approving](#) Burlington Northern Santa Fe Railway Grade Crossing Construction and Maintenance Agreements and Easement Agreement for the Southeast Connector Project. ([Council Communication No. 12-631](#)). Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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