

# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** B 301-15

**Department Source:** Public Works

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** 10/19/2015

**Re:** Electrical Line Distribution Agreement with Boone Electric Cooperative for Scott Boulevard Phase III Reconstruction Project

## Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance

**Supporting documentation includes:** None

## Executive Summary

Authorizing the City Manager to execute an Electrical Line Distribution agreement with Boone Electric Cooperative as part of the Scott Boulevard Phase III, Vawter School Road to Route KK, reconstruction project.

## Discussion

The Scott Boulevard Phase III project includes reconstruction of street pavement, sidewalks, storm drainage and utilities along Scott Boulevard from Vawter School Road to Route KK. The Electrical Line Distribution agreement with Boone Electric Cooperative allows the relocation of their electrical lines out of a private easement due to roadway conflicts. Upon execution of this agreement, the City shall pay Boone Electric a lump sum of \$75,000 for the relocation of their facilities.

## Fiscal Impact

Short-Term Impact: \$75,000 from the Scott Phase III project funds for the relocation of Boone Electric Cooperative electrical lines.

Long-Term Impact: None

## Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development, Transportation

Strategic Plan Impact: Infrastructure...Connecting the Community

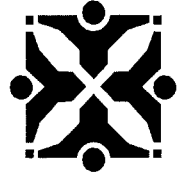
Comprehensive Plan Impact: Infrastructure, Mobility, Connectivity, and Accessibility

## Suggested Council Action

Authorize the City Manager to execute an Electrical Line Distribution agreement with Boone Electric Cooperative as part of the Scott Boulevard Phase III reconstruction project.

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## Legislative History

**5/04/15** (Ord 22424) Authorizing a pole removal and relocation agreement with Union Electric Company, d/b/a Ameren Missouri, relating to the Scott Boulevard Phase III Street Improvement Project, from Vawter School Road to Route KK

**2/02/15** (Ord 22357) Declaring the need to acquire additional easements for construction of the Scott Boulevard Phase 3 Street Improvement Project, from Vawter School Road to Route KK

**2/02/15** (Ord 22356) Bid Call to construct the Scott Boulevard Phase 3 Street Improvement Project

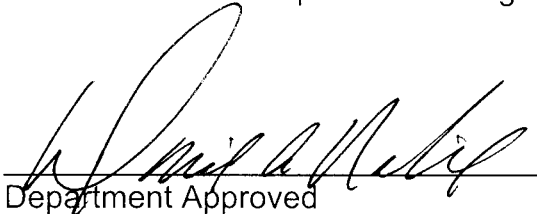
**11/17/14** (Ord 22272) Declaring the need to acquire easements for construction of the Scott Boulevard Phase 3 street improvement project, from Vawter School Road to State Route KK

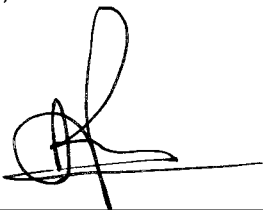
**4/03/14** - Interested parties meetings

**9/17/12** (R153-12) Authorizing engineering services agreement with Burns & McDonnell for preliminary & final design of Scott Boulevard bridge over Mill Creek, Scott Boulevard Phase 3 Project

**4-20-09** (R52-09) Public hearing for construction of street improvements to Scott Boulevard (Phase 2) Brookview Terrace to Vawter School Road, and (Phase 3) Vawter School Rd to State Rt KK

**12-02-08** - Interested parties meeting

  
Department Approved

  
City Manager Approved

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 301-15

**AN ORDINANCE**

authorizing an electric distribution line relocation agreement with Boone Electric Cooperative as part of the Scott Boulevard Phase III, Vawter School Road to Route KK, reconstruction project; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute an electric distribution line relocation agreement with Boone Electric Cooperative as part of the Scott Boulevard Phase III, Vawter School Road to Route KK, reconstruction project. The form and content of the agreement shall be substantially in the same form as set forth in "Exhibit A" attached hereto.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

## ELECTRIC DISTRIBUTION LINE RELOCATION AGREEMENT

This Electric Distribution Line Relocation Agreement ("Agreement") is dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015 between the City of Columbia, Missouri, a municipal corporation (hereinafter "City") and Boone Electric Cooperative, a Missouri cooperative corporation (hereinafter "Boone").

WHEREAS, City has requested that Boone relocate certain of its electric distribution facilities in connection with the new Scott Blvd Phase III Road move construction project; and

WHEREAS, Boone desires to comply with the relocation request and assist the City in the new Scott Blvd Phase III Road Move construction project as set forth in this Agreement.

NOW, THEREFORE, City and Boone agree as follows:

1. Boone shall relocate its electric distribution facilities from approximately as set forth as indicated below:

- Station 50+00 to 51+50 changing a pole and boring in some new underground (UG) on East side of road
- Station 64+00 relocation conflicts to be determined in the field
- Station 69+25 to 72+00 changing a pole and boring in some new UG on East side of road (pole might be able to stay, but UG movement is required)
- Station 93+30 Moving a pole approximately 50' with new anchor and UG
- Roundabout – UG on the NE quadrant of existing intersection will need to be moved to the NE. Main three phase.

Boone understands this to constitute the entire extent of the City's request for relocation of Boone's electric distribution facilities in connection with the Scott III construction.

2. City shall, upon execution of this Agreement by Boone and City, pay Boone the sum of \$75,000.00, such sum representing the full and final cost due from the City to Boone for the relocation of electric distribution facilities as set forth herein. Both parties to this Agreement recognize that such sum may only be amended by a change order(s) entered into by the City and Boone.
4. This Agreement is entered into for the benefit of City and Boone only and not for the benefit of any third party.
5. This Agreement constitutes the entire agreement between Boone and the City regarding relocation of Boone's electric distribution facilities required for the Scott Blvd Phase III Road move construction project and supersedes all previous

discussions and agreements and may not be modified, except by a written amendment, executed by both parties hereto.

6. After approval of the relocation plan and cost, and upon notification by the City, Boone Electric will commence, without unnecessary delay, to make changes to its facilities. Boone Electric will actively pursue completion of the work to reach the earliest possible completion date and to minimize interference with the roadway contractor. Boone Electric agrees to provide a written estimated time schedule of its planned work and a written notification to the City's engineer at least five (5) days prior to beginning the work. The submitted schedule shall show completion before or by **sixty calendar days after the City's notice to proceed date**. If the Boone Electric falls behind in its work schedule, it shall submit a revised work schedule to the City's engineer. Boone Electric will make every effort to get back on schedule and complete its work. Boone Electric has an affirmative duty to cooperate and coordinate its activities with those of the roadway contractor. The contractor has a contractual requirement to cooperate and coordinate its activity with the Boone Electric and other utility companies on this project.

IN WITNESS WHEREOF, the parties hereto have been duly authorized to execute this Agreement as of the above referenced date.

**CITY OF COLUMBIA, MISSOURI**

By: \_\_\_\_\_  
Mike Matthes, City Manager

ATTEST:

\_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Nancy Thompson, City Counselor

I hereby certify that the above expenditure is within the purpose of the appropriation to which it is charged, Account No. 440-8800-528-49-90, C00274, and that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor.

\_\_\_\_\_  
John Blattel, Director of Finance

**BOONE ELECTRIC COOPERATIVE**

By: \_\_\_\_\_  
Todd Culley, General Manager/CEO