



To: President Mellon and Members Town Council

From: Dustin Anderson, Town Manager

Date: December 7, 2020

Re: Rogers Telecommunications Invoice

Background

The construction of the shoo-fly in 2019 required the relocation of several fiber optic cables that were under the rail bed of the Canadian National rail line. We moved the alignment of the tracks to the south so that the contractor had the appropriate amount of clearance for the construction of the two northern retaining walls as well as the underpass structure itself. Because all elements of this construction required excavation, all the fiber optic lines also needed to be moved.

Utility coordination required agreements be made between the Town and each the telecommunication companies that owned fiber in the Canadian National right of way. The agreement with Rogers Communications Canada Inc. (RCCI, hereafter “Rogers”) was adopted at Council’s February 18th meeting in 2019. The estimated cost for the relocation was \$422,758.83. The estimate states that the “Town will be invoiced for what is utilized, not what is quoted”.

Shortly accepting the agreement, the Town issued a check for the estimated amount of relocation.

Work was completed during the 2019 construction season.

The Town was sent an invoice by Rogers for an additional \$164,853.37 at the end of May 2020.

Methodology

The Town immediately pushed back against this additional invoice. We had both the design engineer from Robinson and our construction engineer from DLZ review this invoice. The result of that review was a document request that would substantiate the cost invoiced.

After a thorough review of these documents, it is clear that the charges are appropriate.

In an effort to avoid potential confusion during a future audit due to the atypical timeline and magnitude of the charge, it would be a prudent course of action to have Council’s consent to the additional invoice.

There are sufficient funds in 47191501-64490 to accommodate this invoice.

Recommendation:

By motion and roll call vote approve Rogers Invoice No. 541409 in the amount of \$164,853.37