



June 9, 2020

Council Meeting of June 16, 2020
Subject: Construction Agreement with Frontier Communications

The Honorable Mayor
and
Members of the City Council

Ladies and Gentlemen:

As part of the FY-21-22 Seminole Road Reconstruction and Place Plan Project, Frontier Communications will remove their over-head utilities and place them underground along the south side of Seminole Road between Henry Street and Seaway Drive.

An Agreement between the City and Frontier Communication is required for the relocation of such utilities with an upfront payment of \$173,887.23.

A budget revision of \$173,887.23 will have to be made in the FY-21 budget if the Council approves this work.

Adoption of the attached resolution will allow the City to enter into an agreement with Frontier Communications and approve a budget revision from the Local Improvement Fund.

Respectfully submitted,

Mark C. Meyers
City Administrator

JRM/sr
Attachment

Administration/City Clerk (231) 798-4391	Assessing Division (231) 799-6806	Building Division (231) 799-6801	Finance/Treasurer (231) 799-6805	Fire Prevention (231) 799-6809	Fire Department (231) 798-2255
Parks/Recreation (231) 799-6802	Planning/Zoning (231) 799-6800	Police Department (231) 733-2691	Public Works (231) 799-6803	Streets Division (231) 798-2156	Water/Sewer (231) 799-6804

RESOLUTION

WHEREAS, an agreement is required for the relocation of Frontier Communications utilities along Seminole Road between Henry Street and Seaway Drive as part of the 2021-2022 Seminole Road Reconstruction and Place Plan, and

WHEREAS, authorization is required for the City to enter into such an agreement, and

WHEREAS, a payment of \$173,887.23 is required at the time of the agreement

NOW, THEREFORE, BE IT RESOLVED that the City enter an agreement with Frontier Communications to do the construction and relocation work as part of the 2021-2022 Seminole Road Reconstruction and Place Plan Project and a revision to the FY-21 budget of \$173,887.23 from the Local Improvement Fund is approved.

At a regular meeting of the City Council of the City of Norton Shores, held remotely on the 16th day of June 2020, the foregoing resolution was moved for adoption by Council Member. The motion was supported by Council Member.

Ayes:

Nays:

Abstain:

Resolution declared adopted.

Shelly Stibitz, City Clerk



Internal Memo

June 9, 2020

TO: Mark Meyers, City Administrator

FROM: James Murphy, Director of Public Works 

SUBJECT: Revised Cost for Relocation of Fiber and Copper Cables on Seminole Road between Henry Street and Seaway Drive, FY2021-2020 Seminole Road Reconstruction and Place Plan Project

After the council's approval at the May 19, 2020 meeting to enter into an agreement with Frontier Communications for the relocation of their copper and fiber cables along Seminole Road, they were contacted and a final agreement was produced.

In the time between the original estimate and the final cost, there was an updating of the Frontier Communications systems to reflect the new costs in 2020 of doing business which includes engineering, material, material loadings, labor cost, and labor loadings to be applied to this year's projects.

As a result, there was an increase from the original estimated cost of \$147,000 to a revised final cost of \$173,887.23. This is a change in cost of \$27,000. The original estimate was made before the update and is no longer valid.

Attached is a copy of the cover letter and revised agreement dated June 2, 2020.

The project and budget revision will need to be added in the FY-2021 budget and is proposed to be paid from the Local Improvement Funds. If approved, the work would be done in the summer and fall of 2020.

I would appreciate it if this matter was presented to City Council at their June 16th meeting with the request to gain their consent to enter an agreement with Frontier Communications.

JRM/sr



**FRONTIER ENGINEERING
860 Terrace St.
Muskegon, MI 49440**

June 2, 2020

City of Norton Shores
Attn: Jim Murphy
4814 Henry St.
Muskegon, MI 49441

Dear City:

Re: Relocate Fiber and Copper cables on Seminole Rd from Henry to Mona Kai – EST 27196

This is in response to your request for Frontier Communications to relocate facilities from aerial to buried for road project located on Seminole Rd from Henry St to Mona Kai. This quote is with the understanding that Comcast will be removing all their contacts so that poles can be removed and that Frontier Communications can find a pathway on the south side acceptable to the City of Norton Shores.

We have estimated the cost to relocate this section of cable would be \$173,887.23. This signed agreement, along with the full advance payment, must be returned before work will be scheduled.

If you agree to these terms, please sign on page 2 and forward this signed letter of agreement and check for \$173,887.23 made payable to Frontier Communications to the attention of Neil Orlowski at the address listed below. In addition please email a copy of signed letter to me at david.b.flermoen@ftr.com.

**Frontier Communications
Attn: Neil Orlowski
14450 Burnhaven Drive
Burnsville, MN 55306**

If you are signing for a company or other entity, then by signing below, you warrant that you are authorized to bind the company or entity to the terms of this letter agreement. Upon receipt of your signed agreement and advance payment, your work order will be released to our Construction Department for scheduling.

Frontier shall not be responsible to the extent its performance is delayed or prevented due to causes beyond its control, including but not limited to acts of God or the public enemy, terrorism, civil commotion, embargo, acts of government, any law order, ordinance, regulation, or requirement of any government, fires, explosions, weather, quarantine, strikes, labor disputes, lockouts, and other causes beyond the reasonable control of Frontier Communications.

Please be advised that the price estimate quoted above is only valid for sixty (60) days from the date of this letter. If this work request is cancelled after you have signed the agreement, you will be billed for any engineering and construction cost incurred after the date of signature that may include the cost to place and/or remove facilities.

If this signed agreement and the advance payment is not received within this sixty (60) day period, we will assume you do not want the work to be undertaken and the project will be cancelled.

Should you have any questions or concerns regarding these terms, please contact me at 231-727-1319.

Sincerely,

Dave Flermoen

Dave Flermoen
Specialist – OSP Engineer
Frontier Communications
860 Terrace St.
Muskegon, MI 49440
231-727-1319 (o)

Robin Williams

Robin Williams
Manager, Network Operations
Frontier Communications
3249 Forest Rd
Gaylord, MI 49735
989-732-8503 (o)
517-230-1226 (c)

I agree to the terms of this agreement:

Accepted (Signature): _____

Name & Title (Print): _____

Company: _____

Billing Address: _____

Telephone #: _____

Date: _____