



Legislation Details (With Text)

**File #:** 18-1099      **Version:** 1

**Type:** Resolution      **Status:** Passed

**File created:** 12/11/2018      **In control:** City Council

**On agenda:** 12/18/2018      **Final action:** 12/18/2018

**Title:** Adopt the resolution authorizing the City Manager to execute the Right-of-Way License Agreement with CenturyLink for placement of fiber and conduit in the City's Right-of-Way.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution.pdf, 2. Level 3 executed - Naperville - License Agreement -11.27.2018.pdf

Date	Ver.	Action By	Action	Result
12/18/2018	1	City Council	adopted	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Adopt the resolution authorizing the City Manager to execute the Right-of-Way License Agreement with CenturyLink for placement of fiber and conduit in the City's Right-of-Way.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Tim Felstrup, Project Manager  
Jennifer Lutzke, Senior Assistant City Attorney

**BOARD/COMMISSION REVIEW:**

N/A

**BACKGROUND:**

CenturyLink has asked for the City of Naperville to approve a right-of-way use license to allow it to install fiber optics and conduit underground in the City's' right-of-way. The request is related to needs of certain businesses to connect to dedicated fiber-optic telecommunication lines for a variety of reasons including improved speed, global reach, and security. CenturyLink has submitted four applications to upgrade its fiber within the City's right-of-way.

**DISCUSSION:**

The Naperville Municipal Code (9-1B) provides that a right-of-way use license is required whenever a company desires to locate non-cable or telephone telecommunications facilities in the City's right-of-way. The Naperville Municipal Code requires a right-of-way use license agreement contain the following:

1. Five-year term with renewal and termination options;
2. Annual license fee of \$1.50 per each linear foot of newly installed facilities or \$.50 per linear

- foot for facilities located in existing excess or surplus facilities;
- 3. Obligation to cooperate with the City and move facilities if necessary;
- 4. Liability indemnification as well as insurance and construction/performance surety requirements.

CenturyLink has applied for a right-of-way use license. A review of their plans has been completed by appropriate City departments.

The following is a key summary of the proposed projects:

**Project Location:**

ADDRESS: Diehl Rd, Naperville, IL  
PROJECT NAME: I-88 Sub Loop, Naperville, IL



**SITE LOCATION**

**CONTACTS**  
CONTACT INFO

**SITE INDEX**

- 1 COVER SHEET/SITE LOCATION
- 2 LEGEND
- 3 GENERAL NOTES
- 4 SITE PLAN
- 24 RATE CARD TABLES

**SCOPE OF WORK:**  
New underground cable with existing conduit within quarter mile 150'

DEVELOPMENT SERVICES TEAM

APR 06 2019

PLEASE COMMENT TO YOUR LOCAL AND DISTRICT OFFICE AND TO THE SERVICE

NO.	REV.	DATE	DESCRIPTION	BY	CHKD.	REVISION #	COMMENT
1							
2							
1	1	2/28/19	ISSUE				ORIGINAL

**Level 3**  
COMMUNICATIONS

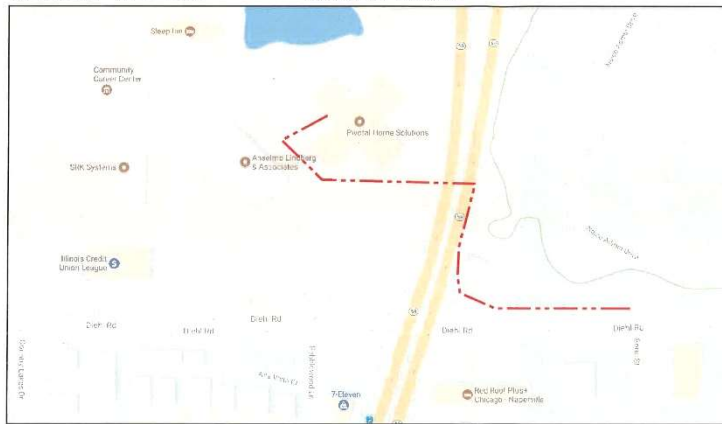
LEVEL 3 ENGINEER:  
SPECIALTY: FIBER OPTIC NETWORK SOLUTIONS  
PROJECT NUMBER: 1803  
LOCATION: 04181 Naperville, IL

DESIGNED NAME: USER: 180304181  
COMPLETING PROJECT: 180304181

- Plans to install approximately 8,011 linear feet of fiber within existing conduit in the right-of-way across Shuman Boulevard at North Washington Street, along Washington Street from Shuman Boulevard to Diehl Road, and along Diehl Road from Washington Street to Naper Boulevard.
- 144 strand fiber optic cable
- Approximately \$4,005.50 to the City per year (\$20,027.50 over five years). The annual fee is \$.50 per linear foot within existing conduit.

**Project Location:**

ADDRESS: 1751 W. DIEHL RD., NAPERVILLE, IL 60563  
 PROJECT NAME: 1751 W. DIEHL RD.  
 CLI: NPVLILBN SOW#: 33059



SITE LOCATION

PERMITS NEEDED:  
 CITY OF NAPERVILLE  
 DUPAGE COUNTY  
 IDOT



**CONTACTS**

**Level 3 Communications**  
 Mark Dechant  
 Project Manager  
 Global Fast Services  
 472 West Main Street  
 Madison, WI  
 Cell: 414.439.1857  
 Phone: 708.287.3130  
 Email: mark.dechant@level3.com

**Engineering:**  
 eX Technology LLC  
 Jim Sabatini, P.E.  
 Engineering Manager  
 1044 N 11th St, Suite 200  
 Omaha, NE 68104  
 Phone: (402) 502-2649  
 Cell: (402) 502-0059  
 Email: jsabatini@extechnology.com

**Construction Contractor:**  
 Jeff Jackson  
 Operations Manager - West Region  
 1850 Hopewood Dr  
 Bolingbrook, IL 60440  
 Phone: 630.455.3370  
 Cell: 616-313-0901  
 Email: jacksonj@tms.net

**Building Contact:**  
 Mary C. Langland  
 Property Manager  
 Avonny Young  
 1751 W. Diehl Rd.  
 Naperville, IL 60563  
 Phone: 630-942-3388  
 Cell: 630-916-5328  
 Email: mary.langland@avonnyyoung.com

**SITE INDEX**

- COVER SHEET/SITE LOCATION
- GENERAL NOTES
- SITE PLAN
- SP PLAN
- SYMBOLS
- RATE CARD TABLES

**SCOPE OF WORK:**  
 Place 3-1/2" conduit and (1) 48-core FOC from the existing AT&T handhole on the northeast corner of Bond St. and Diehl Rd. into 1751 W. Diehl Rd.

NO.	DATE	BY	DESCRIPTION	CONJECT
1				AS-BUILT
2				REVISION # 1
3				ORIGINAL

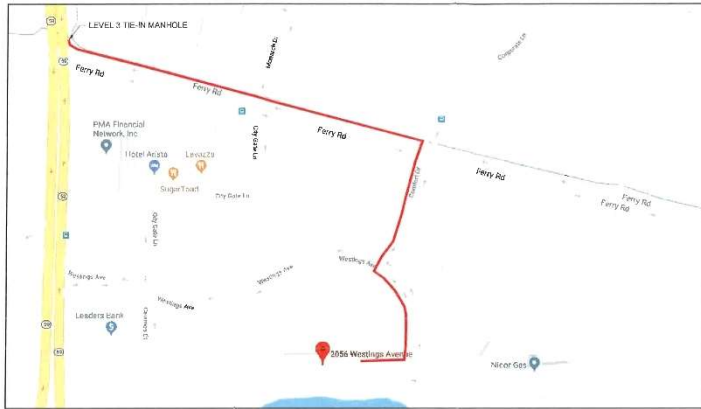
**Level 3**  
 COMMUNICATIONS

LEVEL 3 ENGINEER: Mark Dechant  
 ENGINEERING FIRM: eX Technology LLC  
 PROJECT NUMBER: 181099  
 LOCATION: 1751 W. Diehl Rd  
 NAPERVILLE, IL 60563  
 ENGINEER'S SEAL: [Seal Area]  
 CONSTRUCTION CONTRACT NUMBER: [Blank]  
 SHEET: 1 OF 18

- Plans to install approximately 1,023 linear feet of conduit and fiber in the City's right-of-way along Diehl Road from Bond Street to Route 59.
- 48 strand fiber optic cable
- Approximately \$1,534.50 to the City per year (\$7,672.50 over five years). The annual fee is \$1.50 per linear foot for newly installed facilities.

**Project Location:**

ADDRESS: 2056 WESTINGS AVE., NAPERVILLE, IL 60563  
 PROJECT NAME: 2056 WESTINGS AVE.  
 CLLI: NPVMILBE SOW#: 39327



SITE LOCATION

PERMIT REQUIREMENTS  
 IDOT  
 DUKE COUNTY  
 CITY OF NAPERVILLE



**CONTACTS**

**Level 3 Communications:**  
 Mark DeFaria  
 Project Manager  
 Global Field Services  
 67 West Main Street  
 Madison, WI  
 Cell: 414.826.1877  
 Email: mark.defaria@level3.com

**Engineering:**  
 ax7 Technology LLC  
 1050 West Main Street  
 Engineering Village  
 1044 N 115th St, Suite 200  
 Chicago, IL 60641  
 Phone: (815) 506-3848  
 Cell: (815) 588-6065  
 Email: jphurst@ax7technology.com

**Construction Contractor:**  
 Jeff Jackson  
 Operations Manager - West Region  
 1050 West Main St  
 Batavia, IL 60510  
 Phone: 312-451-3370  
 Cell: 312-312-0001  
 Email: jeff.jackson@level3.com

**Building Contact:**  
 Jim Haines, PHD  
 Senior Property Manager  
 CBSE  
 50 E. Wacker Pl.  
 Chicago, IL 60601  
 Phone: 312-451-7227  
 Email: jim.haines@level3.com

**Duplicate Engineer:**  
 Tom Lujan  
 Building Engineer  
 CBSE  
 2056 Westings Ave  
 Naperville, IL 60563  
 Phone: 312-312-0144

**SITE INDEX**

- 1 COVER SHEET/SITE LOCATION
- 2 LEGEND
- 3-4 GENERAL NOTES
- 5a CONDUIT DETAIL
- 6 FIBER DETAIL
- 7 PLYWOOD
- 8 TYPICAL DETAILS
- 9 MATERIAL DETAILS

**SCOPE OF WORK:**

Level 3 proposes to tie-in at an existing manhole located on the southwest corner of Ferry Rd and 135th Street. Route installation will be south 250' southeast on Ferry Rd, and then south on Comfort Dr. and Westings Ave. through new level 3 handholes, install an inverted handhole end of the building and continue west through an existing conduit to the existing point of entry. From there, conduit will be installed through existing conduit to the basement. Handholes above where Level 3 equipment is to be installed will be new wallboard on the east wall of the room.

NO.	DATE	BY	DESCRIPTION	REVISION #
1				AS-BUILT
2	8/20/18	JMS	ISSUE	REVISION # 1
3	8/20/18	JMS	ISSUE	REVISION # 1
4				

**Level 3**  
 THE FIBER EXPERT

**LEVEL 3 SERVICES:** Back Office  
 ENGINEER: 7886 ax7 Technology  
 PROJECT NUMBER: 181099  
 LOCATION: 2056 Westings Ave  
 Naperville, IL 60563  
 DRAWING NAME: 181099-39327-001-001.dwg  
 DRAWING NUMBER: 181099-39327-001-001.dwg

- Plans to install approximately 1,119 linear feet of conduit and fiber in the City's right-of-way along Comfort Drive from Ferry Road to Westings Avenue and along Westings Avenue from Comfort Drive to 2056 Westings Avenue.
- 48 strand fiber optic cable
- Approximately \$1,678.50 to the City per year (\$8,392.50 over five years). The annual fee is \$1.50 per linear foot for newly installed facilities.

**Project Location:**



**CONSTRUCTION DRAWING  
FOR INSTALLATION - CONNECTION TO  
535 E DIEHL RD, NAPERVILLE, IL 60563**

DEVELOPMENT SERVICES TEAM  
AUG 07 2018  
18-888 00192

**CONTACTS**

CHES KLEVANO  
ENGINEER  
618.877.9848

LEVEL 3 COMMUNICATIONS  
MARK DECHANE  
PROJECT MANAGER GLOBAL FIELD SERVICES  
415 WEST HANCOCK STREET HADSDON NJ  
CELL: 414.651.1857  
PHONE: 716.547.3136  
EMAIL: mark.dechane@level3.com

CONSTRUCTION CONTRACTOR:  
JEF JACKSON  
OPERATIONS MANAGER - WEST REGION  
188 WOODBURN DR.  
BATAVIA, IL 60210  
PHONE: 630.885.3899  
CELL: 815-413-8881  
EMAIL: jef@jefusa.com

**SITE INDEX**

1. COVER SHEET/SITE LOCATION
2. LEGEND
3. GENERAL & ENVIRONMENTAL NOTES
4. PRACTICE OUT CONTINGENCY PLAN
- 5.6. CDP PLAN
- 6.7.11. TRAFFIC CONTROL PLAN
12. TYPICALS
- 13-14. SITE PHOTOS
14. RATE TABLES



SITE LOCATION MAP

**FULLERTON**  
ENGINEERING & DESIGN  
1198 S WOODFIELD ROAD, SUITE 100  
SCHMIDT, ILLINOIS 60176  
TEL: 847.908.4000  
www.FullertonEngineering.com

NO.	DATE	BY	DESCRIPTION	CHKD BY	REVIEW
1	07/24/18	E. JAMBIN	RD		



LEVEL 3 ENGINEER:  
ENGINEERING FROM FULLERTON ENGINEERING  
PROJECT NUMBER:  
AS BUILT BY:  
LOCATION: 535 E DIEHL RD  
NAPERVILLE, IL 60563  
DRAWING NAME: CE 535 E DIEHL RD, NAPERVILLE  
CONFIDENTIAL/PROPRIETARY SHEET: 1

- Plans to install approximately 160 linear feet of conduit and fiber in the City’s right-of-way across Washington Street from Shuman Boulevard to 535 East Diehl Road.
- 48 strand fiber optic cable
- Approximately \$240.00 to the City per year (\$1,200.00 over five years). The annual fee is \$1.50 per linear foot for newly installed facilities.

A copy of the right-of-way use license is appended for consideration.

**FISCAL IMPACT:**

An annual increase of \$7,458.50 in licensing fees.