



## 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
4-23	- SITE PLAN
24	- RATE CARD TABLES

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

DEVELOPMENT SERVICES TEAM

APR 06 2019

PLEASE COMMENT TO PROJECT LOCATION AND SECTION OR DATE AND TIME OF NOTIFICATION

NO.	DATE	BY	DESCRIPTION	REVISION	COMMENT
1				REVISED	# 1
2				REVISED	ORIGINAL

**Level (3)**  
COMMERCIAL TRUST

LEVEL 3 ENGINEER:  
SPECIALIZING IN FIBER NETWORK SOLUTIONS  
PROJECT NUMBER: 1803  
LOCATION: 2400 N. WASHINGTON, L.

DESIGNED NAME: USER: [blank]  
COMPLETING PROJECT: [blank]      SHEET: 1 OF 24

- 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

DEVELOPMENT SERVICES TEAM  
 FEB 13 2018

811  
 Know what's below.  
 Call before you dig.

**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:  
 eXt Technology LLC  
 Jim Sabatini, P.E.  
 Engineering Manager  
 1044 N 11th St, Suite 200  
 Omaha, NE 68104  
 Phone: (402) 502-2649  
 Cell: (402) 502-2059  
 Email: jsabatini@extechnology.com

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

Building Contact:  
 Mary C. Langland  
 Property Manager  
 Avonny Young  
 1751 W. Diehl Rd.  
 Naperville, IL 60563  
 Phone: 630-942-3388  
 Cell: 630-616-5328  
 Email: mary.langland@avonnyyoung.com

**SITE INDEX**

1 COVER SHEET/SITE LOCATION  
 2 GENERAL NOTES  
 3 SITE PLAN  
 4 SFP PLAN  
 5 TYPICALS  
 6 SCHEDULES  
 7 SCHEDULES  
 8 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
4				CONJECT

LEVEL 3 ENGINEER: Mark Dechant  
 PROJECT NUMBER: 181099  
 PROJECT NUMBER: 181099  
 LOCATION: 1751 W. Diehl Rd.  
 NAPERVILLE, IL 60563  
 CONSTRUCTION: 02/13/2018  
 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: 414.426.1877  
 Email: mark.defaria@level3.com

**Engineering:**  
 ax7 Technology LLC  
 1000 West Main Street  
 Engineering Manager  
 1044 N 115th St, Suite 200  
 Chicago, IL 60641  
 Phone: (630) 506-3848  
 Cell: (630) 588-9060  
 Email: jshindorf@ax7technology.com

**Construction Contractor:**  
 Jeff Jackson  
 Operations Manager - West Region  
 1000 West Main Street  
 Batavia, IL 60510  
 Phone: 312-451-7272  
 Cell: 312-312-0801  
 Email: jeff.jackson@level3.com

**Building Contact:**  
 Jim Haines, PHD  
 Senior Property Manager  
 CBSE  
 50 E. Wacker Pl.  
 Chicago, IL 60601  
 Phone: 312-451-7272  
 Email: jim.haines@cbse.com

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

**SITE INDEX**

- COVER SHEET/SITE LOCATION
- LEGEND
- GENERAL NOTES
- CONTRACT IMPACT
- UTILITY AS-BUILT
- PROPOSED
- UTILITY DETAILS
- MATERIAL DETAILS

**SCOPE OF WORK:**

Level 3 proposes to tie-in at an existing manhole located on the western corner of Ferry Rd and 135th Street, route northeast on Ferry Rd and 135th Street, route southeast on Westings Ave. and then south on Comfort Dr. and Westings Ave. through new level 3 handholes, install an inverted handhole at the 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 from where Level 3 equipment is to be installed on a new wallboard on the east wall of the room.

NO.	DATE	BY	DESCRIPTION	REVISION #
1	12/15/18	JMS	ISSUE	1
2	12/15/18	JMS	ISSUE	2
3	12/15/18	JMS	ISSUE	3
4	12/15/18	JMS	ISSUE	4

**811**  
 Call before you dig

**Level 3**  
 THE FIBER TRUST

LEVEL 3 SERVICES: Fiber Service  
 ENGINEER: 7886 ax7 Technology  
 PROJECT NUMBER: 181099  
 LOCATION: 2056 Westings Ave  
 Naperville, IL 60563  
 DRAWING NAME: 181099-2056 Westings Ave  
 DRAWING NUMBER: 181099-2056 Westings Ave  
 DATE: 12/15/18

- 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**

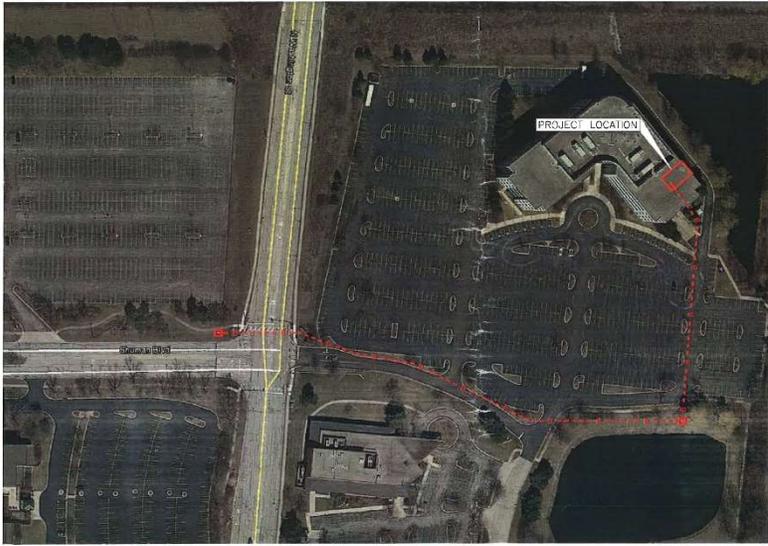
CHES KLEVANO  
ENGINEER  
618.877.9848

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: 630.85.3899  
CELL: 815.413.8881  
EMAIL: jef@jefusa.com

**SITE INDEX**

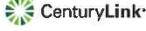
1. COVER SHEET/SITE LOCATION
2. LEGEND
3. GENERAL & ENVIRONMENTAL NOTES
4. PRACTICE OUT CONTINGENCY PLAN
- 5.6. CDP PLAN
- 6.7. TRAFFIC CONTROL PLAN
7. TYPICAL
- 10-11. SITE PHOTOS
14. RATE TABLE



**SITE LOCATION MAP**

**FULLERTON**  
ENGINEERING & DESIGN  
1188 S WOODFIELD ROAD, SUITE 100  
SCHAUMBURG, ILLINOIS 60197  
TEL: 815.708.4000  
www.FullertonEngineering.com

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



LEVEL 3 ENGINEER:  
ENGINEERING FIRM 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.