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TO: Mayor, Board of Aldermen and City Administrator Hanson

FROM: Andy Hixson, DoD/ACA and Jim Link Street Superintendent

DATE: November 10, 2017

SUBJECT: Preemptive Excavations Repairs for Public Utilities

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Background:

Local utility companies will wait months before they or their sub-contractors come and finish repairs. Making sure that the concrete or asphalt is replaced is not high on their list. They want to make sure that services are restored, because that is how they make their money. The companies do not make money repairing the last step of filling in a hole. This leads to unhappy residents, who call the City, who in turn, call the utility company and then something gets done. This is a very reactionary, inefficient process.

Our current ordinance reads:

*Sec. 24-26. - City to restore streets upon excavation failure to do so; costs.*

*Should any person making an excavation fail to restore any street, alley, public place, highway, walkway, right-of-way or easement, to standards established by the city, the city may make such restoration as deemed necessary and charge the person making the excavation one and one-half times the direct labor and materials costs of making the restoration.*

*(Code 1973, § 22-27; Ord. No. 2210, § 1, 9-23-91)*

Recommendations:

Let's be proactive. We create a box that can be checked on the Excavation Permit Application that utility companies doing work in a public street or sidewalk can have the City do the concrete or asphalt repairs.

- The City is more responsive than the local utility companies, so the repairs would get done sooner.
- The repairs would be done to our standards.

- It is already in our ordinances that we can do so and charge one and half time the cost incurred to the City.
- Utility companies are more inclined to come in beforehand and fill out excavation permits. It is cost prohibitive for the utility companies to have the City do the repair work. The City will cover the cost, but is not in the market to make a profit like the utility companies.
- The deposit would not be paid, and the bill would be sent to the company following the completion of our work, with the bill to be paid within thirty (30) days.
- This would reduce the total time from possibly, from the start of the repair to finished product.
- Diversified Contracting was let go from doing Missouri American water repairs because budget cuts.
- Depending on the size and scope of the project, the City has the right to opt out at the beginning. If the size or scope of the project changes at any time, the City can reevaluate their decision. This situation has only occurred once in the past ten years.