



Board Report

File #: 2017-0634, File Type: Agreement

Agenda Number: 35.

CONSTRUCTION COMMITTEE NOVEMBER 16, 2017

**SUBJECT: XO COMMUNICATION UTILITY COOPERATIVE
AGREEMENT**

**ACTION: XO COMMUNICATION UTILITY COOPERATIVE AGREEMENT FOR SUPPORTS
SERVICES ASSOCIATED WITH METRO'S CONSTRUCTION PROJECTS**

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute the Utility Cooperative Agreement (UCA) between Metro (Authority) and XO Communications.

ISSUE

As the Purple Line Extension Project (PLE) moves forward, the team has identified XO communication systems within the alignment that require utility relocation and or general utility support from the proposed decking system. This is the Authority's first interaction with XO Communication. Therefore in order to move forward with the relocations and general utility support coordination, a Utility Cooperative Agreement (UCA) must be set in place between the Authority and XO Communication in order to memorialize roles and responsibilities. This UCA shall also be prepared in a manner that would accommodate any future Metro Project that may require services from XO Communication in order to support those future projects.

DISCUSSION

As technology advances, new communication providers are constantly installing new infrastructure within Metro proposed Project areas. Such as in the case of XO Communication. XO Communication is a relatively new fiber and communication company that now services L.A. County as well as the unincorporated counties. Being that they are relatively new, and no other UCA has been executed by both parties, this would be the first UCA executed that would allow both parties to collectively work together to support general utility relocation and coordination efforts. The general intent of the UCA would be to cover the current ongoing Projects, starting with PLE, as well as future Metro Projects for many years to come.

This UCA describes the roles, responsibilities, and obligations of both parties and specifies the procedures which the Authority and XO Communication will follow for elements associated with

the supports services associated with all of Metro's projects. Such elements include general coordination, providing as built, relocating utilities, preparation of designs, streamline processes, meeting accommodations, permitting, construction support services, reimbursements, invoicing, and other general tasks in support of Metro's construction of projects. The Authority and XO Communication agree that each will cooperate with the other in all activities covered by the UCA. Work performed by XO Communication under this UCA shall be per the work orders to be issued by the Authority on a yearly basis.

FINANCIAL IMPACT

Work Orders will be issued to XO Communications on an annual basis similar to contract task orders. Work orders for said Authority commitments created within the UCA parameters shall only be issued by funded projects and must be within each of the project's respective Fiscal Year or Life of Project (LOP) budgets. These projects will largely be comprised of the Measure R/M projects but can be utilized across all Metro capital projects.

ALTERNATIVES CONSIDERED

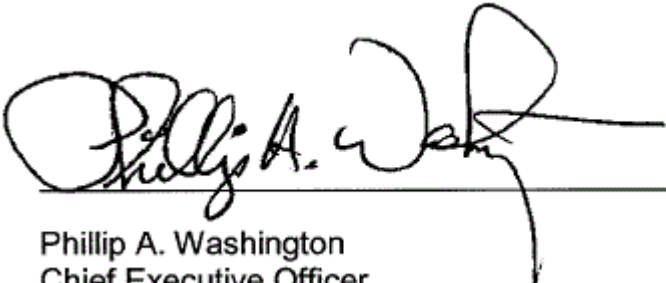
The Board may choose not to execute this UCA, however not executing this UCA would not solidify each of the parties' roles and responsibilities and would require Metro to follow standard over the counter processes and therefore not benefit from streamlined processes, and other administration benefits identified within the UCA. All of which are essential elements from a successful project standpoint.

ATTACHMENTS

Attachment A - Utility Cooperative Agreement; XO Communication

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