



Agenda Item Summary Sheet

Date: 1/16/24

Item #: 3

Item Title: Budget Amendment #24-Ripple Fiber Street Repair

Item Summary: On December 16, 2023, a sub-contractor doing work on behalf of Ripple Fiber cut a water line in the Town's right-of-way at approximately 156 S Dogwood Trl. The Dare County Water Department repaired the line. Three days later, the Town's Public Works staff noticed damage to the road caused by erosion from the leaking water line undermined the road putting it in need of immediate repair. Due to the emergency need for repairs, the Town contracted Hatchell Concrete for the work which was performed the same day the damage was noticed. The road was repaved the following day.

Prior to fiber being installed in the Town rights-of-way, the Town entered into an encroachment agreement with Ripple Fiber and secured a performance guarantee to ensure that repairs to the Town's infrastructure are completed in an efficient and full manner. The performance guarantee is more than sufficient to cover the cost of repairs. This budget amendment is necessary for the Town to recognize the guarantee and pay Hatchell Concrete. Town Staff has invoiced Ripple Fiber for the expense which will return the performance guarantee to its full amount. Failure to pay by Ripple Fiber will put them in default of the encroachment agreement and result in a stop work order until payment is received.

Staff Recommendation: Approval of budget amendment.

Requested Action: A motion to approve budget amendment #24

Attachment: Budget Amendment #24