



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1920-7

File ID: SC-1920-7

Type: Special Claim

Status: Consent Item

Version: 1

Reference: Item 19

In Control: City Council

Department: Legal Department

Cost: \$2,411.57

File Created: 12/04/2019

File Name: Special Claim from SBC d/b/a AT&T Oklahoma

Final Action:

Title: SPECIAL CLAIM SC-1920-7: SUBMITTED BY SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA IN THE AMOUNT OF \$2,411.57 FOR DAMAGE TO A BURIED CABLE AS A RESULT OF PROJECT WORK PERFORMED NEAR 1515 MORREN DRIVE.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1920-7; and, if approved, direct payment in the amount of \$2,411.57 contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma.

ACTION TAKEN: _____

Agenda Date: 12/10/2019

Agenda Number: 19

Attachments: City Clerk memo, Notice of Tort Claim, Invoice

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: sarah.encinias@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File SC-1920-7

Body

BACKGROUND: A claim was filed by Southwestern Bell Telephone Company (SBC) d/b/a AT&T Oklahoma (AT&T), in the amount of \$2,411.57 for damage to a buried cable located at 1515 Morren Drive.

DISCUSSION: This incident was investigated by David Hager, Utilities Manager, who found on May 31, 2019, a City crew was working near 1515 Morren Drive for the Morren Drive (WA0336) water main replacement project. The crew completed a bore path around the main

and safely exposed a nearby cable buried at a depth of two (2') feet but as the crew began back-reaming, the cable was cut. The cable was correctly marked but the crew assumed the cable would maintain a depth of two (2') feet when it was unexpectedly buried deeper near the cable pedestal.

AT&T submitted an invoice in the amount of \$2,411.57 for the repair of their buried cable. As indicated above, there appears to be possible negligence on the part of the City in this matter and consequently potential liability on the City. The request of AT&T, in the amount of \$2,411.57, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of SBC d/b/a AT&T in the amount of \$2,411.57, as set forth above, be approved.