



## Legislation Text

---

**File #:** SC-1819-3, **Version:** 1

---

**SPECIAL CLAIM SC-1819-3:** SUBMITTED BY SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA IN THE AMOUNT OF \$2,573.31 FOR DAMAGE TO A BURIED CABLE BY STORMWATER DIVISION EMPLOYEES WHILE REPAIRING A STORM WATER PIPE LOCATED AT 2606 RICHARDSON DRIVE.

**BACKGROUND:** A claim was filed by Southwestern Bell Telephone Company (SBC) d/b/a AT&T Oklahoma (AT&T), in the amount of \$2,573.31 for damage to a buried cable located at 2606 Richardson Drive.

**DISCUSSION:** This incident was investigated by Carrie Evenson, Stormwater Program Manager. On March 23, 2018, a Line Maintenance Division crew was in the process of making necessary repairs to a damaged stormwater pipe located near 2606 Richardson Drive. OKIE utility locate services were initiated and a buried cable belonging to AT&T was marked in the area.

City crew began carefully digging along the location of the buried cable but instead uncovered an unexpected piece of concrete. In order to allow the crew access to the stormwater pipe and proceed with repairs, the concrete was then broken apart and removed from the area. It was during this process that the cable belonging to AT&T had been discovered embedded in the concrete and subsequently damaged by the removal process. Further inspection of the damage indicated that the concrete had been poured over the buried cable and that AT&T had not purposefully set their cable into the concrete.

AT&T submitted an invoice in the amount of \$2,573.31 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 SBC on behalf of AT&T, in the amount of \$2,573.31, 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 \$2,573.31, as set forth above, be approved.