



# AGENDA REPORT

**TO:** Steven Falk  
Interim City Administrator

**FROM:** Tony Batalla  
Director, IT Department

**SUBJECT:** Agreement with AC Transit for Fiber  
Repairs

**DATE:** April 26, 2023

City Administrator Approval

Date: May 8, 2023

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement with Alameda-Contra Costa Transit District (AC Transit) For Cost-Sharing Of One-Time Fiber Repair Work Along The AC Transit Bus Rapid Transit Route In The Amount Not To Exceed \$97,265.**

## EXECUTIVE SUMMARY

On August 15, 2022, a PG&E subcontractor performed pavement saw-cutting within the intersection of International Boulevard and 22nd Avenue and damaged multiple fiber optics strands in the Bus Rapid Transit (BRT) fiber system, significantly impacted multiple services for the City, AC Transit, and Caltrans/Metropolitan Transportation Commission (MTC). Staff recommends that the City Council adopt a resolution authorizing the city administrator to enter into an agreement (**Attachment A**) with Alameda-Contra Costa Transit District (AC Transit) for cost-sharing of one-time fiber repair work along the AC Transit BRT route in the amount not to exceed \$97,265.

## BACKGROUND / LEGISLATIVE HISTORY

The Bus Rapid Transit (BRT) project was completed in 2019; and currently runs from downtown Oakland to downtown San Leandro. In 2021, the City used fiber optic cabling in the BRT system to construct the City of Oakland's OakWiFi ("OakWiFi"), a free public wi-fi system serving large portions of the City, primarily along International Blvd.

On August 15, 2022, a contractor performed pavement saw-cutting within the intersection of International Boulevard and 22nd Avenue near the gutter line on the northeast quadrant of the intersection (near Experience Auto Body). The saw-cutting operation severed an existing 3-inch conduit. This 3-inch conduit contained four (4) fiber optic cables; each cable has 144 fiber strands. This saw cutting operation significantly impacted multiple services which are summarized as follows:

- One cable was dedicated to Caltrans traffic signal operations. Caltrans has lost all

communications to 48 signalized intersections and must now perform any necessary traffic signal timing adjustments manually by deploying field personnel;

- The City has learned that the 48 Caltrans signals are also impacting the Metropolitan Transportation Commission's (MTC) Integrated Corridor Management (ICM) 880 project as MTC shared the fiber with Caltrans;
- One cable was dedicated to AC Transit BRT operations. The AC Transit fiber optic cable provides bus patrons with real time bus arrival information, bus fare collection and security operations. AC Transit considers this a critical impact on their services;
- One cable was dedicated to OakWiFi. The location of the fiber break has resulted in significant impacts to residents who rely upon the City's free Wi-Fi service. Of the 13 one-half square mile zones that comprise OakWiFi, 8.5 zones are without service (approx. 45% of service is offline, impacting an estimated 25,000 residents);
- One cable was dedicated to City traffic signal operations. The City has lost all communications to 14 signalized intersections and must now perform any necessary traffic signal timing adjustments manually deploying field personnel.

The saw cutting damage was caused by the contractor Accurate Saw Cutting, a subcontractor of the contractor VPI, who in turn is a subcontractor to PG&E. PG&E is the entity responsible for the permitted work within City right of way. The City of Oakland permit number is X2200104 and the PG&E project number is PM 35291344.

### **ANALYSIS AND POLICY ALTERNATIVES**

The conduit facility was properly marked on the pavement – alerting the saw cutting contractor that there was shallow communications conduit. The depth of the conduit was also properly marked on the pavement surface – 12 inches. In addition, there appears to be evidence that the PG&E subcontractors had previously exposed this 3-inch conduit.

PG&E was issued a City permit and therefore is fully responsible for repairing the damage. City Staff communicated with PG&E and the City Attorney's Office has sent PG&E a demand letter with claims for the damages.

Based on the requirement to restore operations, the following actions were taken:

- The IT Department agreed to oversee work for a temporary repair to restore service and worked with Diablo Engineering to analyze the fiber damage;
- The IT Department received an interim repair proposal. The approximate number of damaged strands are:
  - 22 strands for AC Transit
  - 48 strands for Caltrans
  - 28 strands Oak WiFi
  - Total of 98 strands for temporary repairs

The total expected cost to implement the interim repairs is \$97,265.

City Staff developed an Agreement with AC Transit to provide the one-time cost sharing necessary for the fiber repair work wherein each agency pays for their portion of strands to be temporarily repaired and is eventually reimbursed by PG&E; and PG&E additionally is requested to pay for permanent repairs.

If the City Council does not adopt this resolution to authorize the repair work, residents who rely on OakWiFi and our transportation partners will continue to be affected by this loss of service.

Increasing access to and adoption of affordable residential Internet service directly supports the Citywide goals of **Responsive, Trustworthy Government and Vibrant, Sustainable Infrastructure** and, more broadly, has many other benefits, including community safety, wellbeing, and engagement.

### **FISCAL IMPACT**

The repairs will be funded from the General Purpose Fund (1010), Systems Database Administration Organization (46321), CARES Broadband Digital Project (1005398) with a not to exceed amount of \$97,265. This cost will be partially reimbursed by AC Transit per the Agreement. It is expected this cost, as well as a permanent repair cost, will be fully reimbursed by PG&E through their claims process.

### **COORDINATION**

This report and legislation have been reviewed by the Office of the City Attorney, the Controller's Bureau, and City Administrator's Office.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Access to affordable residential broadband increases microeconomic development by empowering residents to have more access to the economy and workforce development, including entrepreneurship, expanded job opportunities, recruitment, job training, networking, and many other benefits.

**Environmental:** Broadband networks and residential Internet service play an important role in the transition to cleaner economy by supporting technologies that reduce carbon emissions and save consumers money, including: smart thermostats, heat pumps, electric water heaters, and other appliances that connect to the home's Internet service.

**Race & Equity:** Access to affordable residential broadband service in areas of East and West Oakland will address the social issues associated with the "Digital Divide," which disproportionately impact Black, Brown, and immigrant communities in Oakland.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into An Agreement with Alameda-Contra Costa Transit District (AC Transit) For Cost-Sharing Of One-Time Fiber Repair Work Along The AC Transit Bus Rapid Transit Route In The Amount Not To Exceed \$97,265.

For questions regarding this report, please contact Tony Batalla, Information Technology Director at 510-238-3319.

Respectfully submitted,



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TONY BATALLA  
Director, Information Technology Department

Attachment:

- A. Agreement with Alameda-Contra Costa Transit District (AC Transit) for Funding of One-Time Fiber Repairs