

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: March 10, 2009

Board Item: V-A-22

**General Release and Settlement with Qwest**

---

Action by Consent

Action

Information

---

On February 7, 2008 Denver Water's 66-inch Conduit 94 ruptured under I-25 at approximately 58<sup>th</sup> Avenue. Although the water to this section of pipe was turned off within 15 minutes of the incident, a 40-foot sinkhole opened up in the northbound lanes of the highway. Within the area impacted by the sinkhole was a Qwest eight way multi-duct structure that housed high capacity telecommunications cables underground. Qwest expended significant resources to repair this facility and filed a claim for reimbursement on which we have reached an appropriate settlement amount.

Recommendation

It is recommended that the Board approve reimbursement of \$115,000 to Qwest for direct costs and expenses, pursuant to the attached Settlement Agreement and General Release.

**Approvals:**

  
\_\_\_\_\_  
General Counsel

Respectfully submitted,

  
\_\_\_\_\_  
H. J. Barry, Manager