



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Railroad Crossing Protection Agreement - Turner Road at Mills Avenue, Southern Pacific Railroad Crossing

MEETING DATE: April 3, 1991

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution approving Program Supplement Nos. 029 and 032 to the Local Agency-State Agreement No. 10-5154 for railroad crossing protection improvements at the Turner Road/Mills Avenue intersection and the Southern Pacific Railroad tracks, and authorize the City Manager and City Clerk to execute the agreement on behalf of the City.

BACKGROUND INFORMATION: A team of City, Caltrans, California Public Utilities Commission, Federal Highway Administration, and Southern Pacific Railroad staff have recommended that improved railroad crossing protection devices be installed at the Southern Pacific railroad tracks where they cross the Turner Road/Mills Avenue intersection. City staff had questioned the original plan for crossing gates which would conflict with the City's plans for a future traffic signal. We felt that a railroad preempted signal similar to the Cherokee Lane/Lodi Avenue intersection would be appropriate. After a field meeting with the above parties, it was agreed that the Federal railroad crossing fund could be used for a traffic signal.

The necessary estimates and agreements have been prepared. There are two agreements as the railroad will be installing the necessary track improvements to preempt the traffic signal and the City, under formal contract, will handle the signal installation. The cost breakdown is:

<u>Work</u>	<u>Federal Funds</u>	<u>City Funds</u>	<u>Notes</u>
Preemption	\$ 76,500	\$ 8,500	Supplement #029
Signals	\$ 85,680	\$ 9,520	Supplement #032
Signal Design		\$15,000	by consultant
Sidewalk, misc. improvements		\$ 4,000	within RR R/W
Contingencies		\$ 4,980	
Subtotal	\$162,180	\$42,000	
Total	\$204,180		

APPROVED: _____

Thomas A. Peterson

THOMAS A. PETERSON
City Manager

CC-1

Railroad Crossing
April 3, 1991
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The "City Funds" share is not presently appropriated and will need to be included in the 1991/92 Streets Capital Improvement Program. The "Federal Funds" share is not part of the Federal Aid-Urban (FAU) program and will not affect other projects.

FUNDING: Not needed at this time.



Jack L. Ronsko
Public Works Director

Prepared by Richard C. Prima Jr., Assistant City Engineer

JLR/RCP/mt

Attachments

PROGRAM SUPPLEMENT NO. 029
to
LOCAL AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 10-5154

Date: January 28, 1991
Location: 10-SJ -0-LOD
Project Number: RRP-Y308(002)
E.A. Number:

This Program Supplement is hereby incorporated into the Local Agency-State Agreement for Federal Aid which was entered into between the Local Agency and the State on 12/21/77 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. _____, approved by the Local Agency on _____ (See copy attached).

The Local Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks set forth on the following pages.

PROJECT TERMINI:
ON TURNER ROAD AT THE SOUTHERN PACIFIC TRANSPORTATION COMPANY GRADE
CROSSING NUMBER DE-105.0.

TYPE OF WORK: INSTALL PREEMPTION DEVICE FOR SIGNALS LENGTH: 0.0 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK
 Preliminary Engineering Right-of-Way BY FORCE ACCOUNT
 Construction Engineering Construction

Estimated Cost	Federal Funds	Matching Funds		
		Local	OTHER	OTHER
\$ 85,000	139 \$	8,500 \$	0 \$	0
	\$ 76,500			
	0			

CITY OF LODI

STATE OF CALIFORNIA
Department of Transportation

By _____

By _____
DEPUTY DISTRICT DIRECTOR OF
TRANSPORTATION, DISTRICT 10

Date _____

Date _____

Attest _____

Title _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Stoup Date 1/28/91 \$ 76500.00

Chapter	Statutes	Item	Year	Program	SC	Fund Source	AMOUNT
467	1990	2660-101-890	90-91	20.30.010.500	:	255000 892-F	76500.00

SPECIAL COVENANTS OR REMARKS

1. The cost of maintenance of the crossing shall be as allocated by Public Utilities Commission.
2. All required pavement marking and advance warning signs shall conform to the requirements of MUTCD, 1988 and shall be placed in their proper location by the Local Agency at the time of completion of the Railroad's work.
3. The Local Agency agrees the payment of Federal funds will be limited to the amounts approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2)/Detail Estimate, or its modification (PR-2A) or the FNM-76, and accepts any increases in Local Agency Funds as shown on the Finance or Bid Letter or its modification as prepared by the Division of Local Streets and Roads.
4. In executing this Program Supplemental Agreement, Local Agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.

PROGRAM SUPPLEMENT No. 032
 to
 LOCAL AGENCY-STATE AGREEMENT
 FOR FEDERAL-AID PROJECTS NO. 10-5154

Date: March 8, 1991
 Location: 10-SJ -0-LOD
 Project Number: RRS-Y308(003)
 E.A. Number: 10-955361

This Program Supplement is hereby incorporated into the Local Agency-State Agreement for Federal Aid which was entered into between the Local Agency and the State on 12/21/77 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. _____, approved by the Local Agency on _____ (See copy attached).

The Local Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks set forth on the following pages.

PROJECT TERMINI:

ON TURNER ROAD, AT THE SOUTHERN PACIFIC TRANSPORTATION COMPANY
 RAILROAD GRADE CROSSING NUMBER DE-105.0.

TYPE OF WORK: INSTALL TRAFFIC SIGNALS, REPLACE EXIST'G LENGTH: 0.1 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

Preliminary Engineering Right-of-Way BY CONTRACT W/CITY
 Construction Engineering Construction

Estimated Cost		Federal Funds		Matching Funds		
				Local	OTHER	OTHER
\$ 95,200	138 \$	\$ 85,680	\$ 0	\$ 9,520	\$ 0	\$ 0

CITY OF LODI

STATE OF CALIFORNIA
 Department of Transportation

By _____

By _____
 DEPUTY DISTRICT DIRECTOR OF
 TRANSPORTATION, DISTRICT 10

Date _____

Date _____

Attest _____

Title _____

I hereby Certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Stump Date 3-8-91 \$ 85680.00

Chapter	Statutes	Item	Year	Program	BC	Fund Source	AMOUNT
467	1990	2660-101-890	90-91	20.30.010.500	C	255000 892-F	85680.00

SPECIAL COVENANTS OR REMARKS

1. The cost of maintenance of the crossing shall be as allocated by Public Utilities Commission.
2. All required pavement marking and advance warning signs shall conform to the requirements of MUTCD, 1988 and shall be placed in their proper location by the Local Agency at the time of completion of the Railroad's work.
3. The Local Agency agrees the payment of Federal funds will be limited to the amounts approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2)/Detail Estimate, or its modification (PR-2A) or the FNM-76, and accepts any increases in Local Agency Funds as shown on the Finance or Bid Letter or its modification as prepared by the Division of Local Streets and Roads.
4. In executing this Program Supplemental Agreement, Local Agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.
5. Whenever the local agency uses a consultant on a cost plus basis, the local agency is required to submit a post audit report covering the allowability of cost payments for each individual consultant or sub-contractor incurring over \$25,000 on the project. The audit report must state the applicable cost principles utilized by the auditor in determining allowable costs as referenced in CFR 49, part 18, Subpart C - 22, Allowable Costs.

AC-7(h)
cc-90
cc-300

RESOLUTION NO. 91-67
=====

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING CALTRANS SUPPLEMENT NO. 029 AND 032 TO LOCAL AGENCY-STATE
AGREEMENT FOR RAILROAD CROSSING PROTECTION AGREEMENT -
TURNER ROAD AT MILLS AVENUE, SOUTHERN PACIFIC RAILROAD CROSSING

=====

RESOLVED, that the City Council of the City of Lodi does hereby approve Program Supplement No. 029 and 032 to the Local Agency/State Agreement No. 10-5154 with the Department of Transportation for railroad crossing protection improvements at the Turner Road/Mills Avenue intersection and the Southern Pacific Railroad tracks; and

BE IT FURTHER RESOLVED, that the Lodi City Council does hereby authorize the City Manager and City Clerk to execute the subject documents on behalf of the City of Lodi.

Dated: April 3, 1991

=====

I hereby certify that Resolution No. 91-67 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 3, 1991 by the following vote:

- Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider and Hinchman (Mayor)
- Noes: Council Members - None
- Absent: Council Members - None

Alice M. Reimche
Alice M. Reimche
City Clerk

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
JAMES W. PINKERTON, Jr.
Mayor Pro Tempore
PHILLIP A. PENNING
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

BOB McNATT
City Attorney

April 4, 1991

Mr. Jay J. Fisher, P.E.
District Local Streets
and Roads Engineer
State of California
Department of Transportation
P.O. Box 2048
Stockton, CA 95201

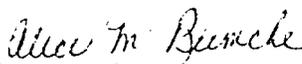
Dear Mr. Fisher:

Pursuant to your February 4, 1991 letter, enclosed please find two executed copies to Program Supplement No. 029 to Local Agency-State Agreement No. 10-5154 which was approved by the Lodi City Council at its regular meeting of April 3, 1991.

Also attached please find certified copy of the authorizing Resolution No. 91-67 entitled, "A Resolution Of the Lodi City Council Approving Caltrans Supplement No. 029 and 032 to Local Agency-State Agreement for Railroad Crossing Protection Agreement - Turner Road at Mills Avenue, Southern Pacific Railroad Crossing".

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,


Alice M. Reimche
City Clerk

AMR/jmp

Enclosures

DEPARTMENT OF TRANSPORTATIONP.O. BOX 2048 (1976 E. CHARTER WAY)
STOCKTON, CA 95201

(209) 948-7953

February 4, 1991

Mr. Jack L. Ronsko
City Hall
P.O. Box 3006
Lodi, CA 95241-1910

Dear Mr. Ronsko:

Attached in duplicate is Program Supplement No. 029 to Local Agency-State Agreement No. 10-5154.

Please have the two supplements executed by the proper officials and return both supplements to this office together with the authorizing resolution.

The program supplement must contain:

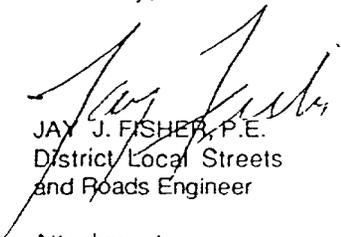
1. Date of execution.
2. Original signature of board member or other authorized official.
3. Original signature of attestor and title.

The authorizing resolution must be stamped and have an original signature by the Clerk and/or original signature by a board member.

After the agreements have been executed by the State, one original will be returned for your files.

A request for authorization to proceed has been submitted to the FHWA. You will be notified when the approval has been received.

Sincerely,


JAY J. FISHER, P.E.
District Local Streets
and Roads Engineer

Attachment

RECEIVED

FEB 7 1991

CITY OF LODI
PUBLIC WORKS DEPARTMENT

PROGRAM SUPPLEMENT N 029

to

LOCAL AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 10-5154

Date: January 28, 1991

Location: 10-SJ -0-LOD

Project Numl : RRP-Y308(002)

E.A. Number:

This Program Supplement is hereby incorporated into the Local Agency-State Agreement for Federal Aid which was entered into between the Local Agency and the State on 12/21/77 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. , approved by the Local Agency on (See copy attached).

The Local Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks setforth on the following pages.

PROJECT TERMINI:

ON TURNER ROAD AT THE SOUTHERN PACIFIC TRANSPORTATION COMPANY GRADE
CROSSING NUMBER DE-105.0.

TYPE OF WORK: INSTALL PREEMPTION DEVICE FOR SIGNALS LENGTH: 0.0 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

Preliminary Engineering Right-of-Way BY FORCE ACCOUNT
 Construction Engineering Construction

Estimated Cost	Federal Funds	Matching Funds		
		Local	OTHER	OTHER
\$ 35,000	139 \$	76,500	\$ 8,500	\$ 0
	\$	0		\$ 0

CITY OF LODI

STATE OF CALIFORNIA
Department of Transportation

By Thomas A. Peterson
Thomas A. Peterson
City Manager

By _____
DEPUTY DISTRICT DIRECTOR OF
TRANSPORTATION, DISTRICT 10

Date April 3, 1991

Date _____

Attest Alice M. Reimche
Alice M. Reimche
Title City Clerk

Approved as to form:
Bob McNatt
Bob McNatt, City Attorney

I hereby Certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Shoup Date 1/28/91 \$ 76500.00

Chapter	Statutes	Item	Year	Program	Fund Source	AMOUNT
467	1990	2660-101-890	90-91	20.30.010.500	255000 892-F	76500.00

SPECIAL COVENANTS OR REMARKS

1. The cost of maintenance of the crossing shall be as allocated by Public Utilities Commission.
2. All required pavement marking and advance warning signs shall conform to the requirements of MUTCD, 1988 and shall be placed in their proper location by the Local Agency at the time of completion of the Railroad's work.
3. The Local Agency agrees the payment of Federal funds will be limited to the amounts approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2)/Detail Estimate, or its modification (PR-2A) or the FNM-76, and accepts any increases in Local Agency Funds as shown on the Finance or Bid Letter or its modification as prepared by the Division of Local Streets and Roads.
4. In executing this Program Supplemental Agreement, Local Agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.

DEPARTMENT OF TRANSPORTATIONP.O. BOX 2048 (1976 E. CHARTER WAY)
STOCKTON, CA 95201

(209) 948-7937

March 15, 1991

Mr. Jack L. Rosko
Director Of Public Works
City Hall
Call Box 3006
Lodi, CA 95241-1910

Dear Mr. Rosko:

Attached in duplicate is Program Supplement No. 032 to Local Agency-State Agreement No. 10-5154.

Please have the two supplements executed by the proper officials and return both supplements to this office together with the authorizing resolution.

The program supplement must contain:

1. Date of execution.
2. Original signature of board member or other authorized official.
3. Original signature of attestor and title.

The authorizing resolution must be stamped and have an original signature by the Clerk and/or original signature by a board member.

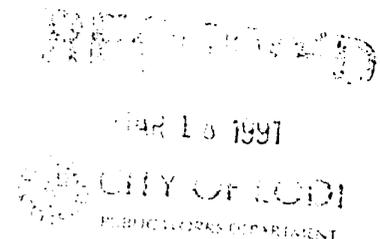
After the agreements have been executed by the State, one original will be returned for your files.

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Very truly yours,


J.J. Fisher, P.E.
District Local Streets
and Roads Engineer

Attachment



PROGRAM SUPPLEMENT 1 032
to
LOCAL AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 10-5154

Date: March 8, 1991
Location: 10-SJ -0-LOD
Project Number: RRS-Y308(003)
E.A. Number: 10-955361

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PROJECT TERMINI:

ON TURNER ROAD, AT THE SOUTHERN PACIFIC TRANSPORTATION COMPANY RAILROAD GRADE CROSSING NUMBER DE-105.0.

TYPE OF WORK: INSTALL TRAFFIC SIGNALS, REPLACE EXIST'G LENGTH: 0.1 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

Preliminary Engineering Right-of-Way BY CONTRACT W/CITY
 Construction Engineering Construction

Estimated Cost		Federal Funds	Matching Funds		
			Local	OTHER	OTHER
\$	95,200	138 \$	85,680	\$ 9,520	\$ 0
		\$	0		\$ 0

CITY OF LODI

STATE OF CALIFORNIA
Department of Transportation

By Thomas A. Peterson
Thomas A. Peterson
City Manager

By _____
DEPUTY DISTRICT DIRECTOR OF
TRANSPORTATION, DISTRICT 10

Date April 3, 1991

Date _____

Attest Alice M. Reimche
Alice M. Reimche
Title City Clerk

Approved as to form:
Bob McNatt
Bob McNatt, City Attorney

I hereby Certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Stroup Date 3-8-91 \$ 85680.00

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