



**THIRD STREET GRADE SEPARATION - SECOND AMENDMENT TO THE PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH HDR ENGINEERING, INC., OF OMAHA, NEBRASKA FOR THE PLANS, SPECIFICATIONS, AND ESTIMATE PHASE OF THE PROJECT IN THE AMOUNT OF \$216,698.75 FOR A TOTAL AMOUNT OF \$2,808,642.56; UNDERPASS AGREEMENT WITH BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY IN THE AMOUNT OF \$10,200,000; RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE SECTION 190 GRADE SEPARATION PROGRAM FUNDS – SUPPLEMENTAL APPROPRIATION**

## Public Works Department

**City Council**  
March 11, 2025

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## BACKGROUND

- In April 2017, the City Council approved the Third Street at BNSF railroad as the top priority railroad grade separation and directed the Public Works Department to begin the preliminary engineering design and environmental clearance of the Project.
- Since then, Public Works has:
  - Completed the preliminary engineering design and environmental clearance of the Project.



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## BACKGROUND

- Worked on advancing the Project's final engineering design.
- Been successful in acquiring and/or receiving commitments for \$81.25 million in local, state, and federal grants with an anticipated additional \$8,750,482 in state and BNSF railroad matching funds bringing the total to just over \$90 million and making the Project fully funded.
- Currently, the Project is nearing completion of the final engineering design and right-of-way acquisition phases which are expected to be complete by October 2025. After their completion and upon receiving approval from Caltrans, the Project will be advertised for bids.
- Construction of the project is expected to begin in summer of 2026 and last approximately 24 months.



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## DISCUSSION

- Public Works is seeking approval of the 2<sup>nd</sup> Amendment to Agreement with HDR Engineering for additional out of scope work:
  - Prepare sewer relocation plans, make changes to the stormwater pump station plans as requested by City's maintenance crew, and prepare Utilities Certification Documents for approval by Caltrans (\$185,092.87).
  - Update the environmental Initial Site Assessment report because of changes to project footprint and number of parcels being impacted by the project. (\$22,645.76).
  - Prepare bridge soffit lighting plans (\$8,960.12).



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## DISCUSSION

- Prior to construction City must execute an Underpass Agreement with BNSF in the amount of \$10,200,000. The terms of the agreement include:
  - Granting of the necessary permanent and construction easements by BNSF.
  - Granting of the necessary permanent and access easements to BNSF by the City.
  - Conditions under which the City's contractor may work in the railroad right-of-way.
  - Reimbursement by the City for costs incurred by BNSF for inspection, permanent relocation of the 3 existing tracks, and signal work.
  - Annual maintenance of the new bridge superstructure, for the life of the bridge, by BNSF for a one-time amount of \$411,000 payable to BNSF upon the completion of the construction.
  - Reimbursement by BNSF to City of \$3,750,482 in matching funds upon the removal of the existing at-grade crossing from service during construction.



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## DISCUSSION

- Project ranks number 3 (out of 36) on CPUC FY24/25 California Grade Separation Fund Priority List.
- Project is eligible for \$5 million in Section 190 Grade Separation Program funds.
- Adoption of the attached Resolution will enable Public Works to apply for the funding.



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## STRATEGIC PLAN ALIGNMENT



### Strategic Priority No. 6 Infrastructure, Mobility and Connectivity

**Goal No. 6.2** – Maintain, protect, and improve assets and infrastructure within the City’s built environment to ensure and enhance reliability, resiliency, sustainability, and facilitate connectivity.



Community Trust



Fiscal Responsibility



Sustainability & Resiliency



Equity



Innovation



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## RECOMMENDATIONS

That the City Council:

1. Approve the Second Amendment to the Professional Consultant Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, to extend the term of the agreement from December 31, 2025, to December 31, 2026, and to provide additional services for the Plans, Specifications, and Estimate (PS&E) phase of the Project in the amount of \$216,698.75, bringing the total fee to \$2,808,642.56
2. Approve the Underpass Agreement with Burlington Northern Santa Fe Railway Company (BNSF) in the amount of \$10,200,000
3. Authorize the City Manager, or designee, to execute the Second Amendment to the Professional Consultant Services Agreement and the Underpass Agreement, including making minor and non-substantive changes
4. Following the execution of the Underpass Agreement, authorize the City Manager, or designee, to execute the right-of-way easement documents between the City and BNSF, including making minor and non-substantive changes



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## RECOMMENDATIONS

### 5. Adopt a Resolution

- a. Authorizing the filing of an application with California Department of Transportation (Caltrans) for State Section 190 Grade Separation Program funds.
- b. Authorizing the execution of all required documents by the City Manager, or his designee.
- c. Certifying that all matters prerequisite to the award of the construction contract can be accomplished within two years after allocation of the funds.
- d. Certifying that sufficient local funds will be made available.

6. With at least five affirmative votes, authorize the Chief Financial Officer, or designee, to record an increase in revenues and appropriate an equal amount of expenditures in the amount of \$3,750,482 in the Capital Outlay-Grants Fund, Third Street/BNSF Grade Separation from BNSF matching funds.



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