

City Council Agenda Items
and
Contracts, Leases or Agreements

2/21/2012

City Council Meeting Date
Agenda Items Only

CB
Chris Brown Engineering Development Services
Submitted By Division Department

Ordinance

Action Required:

A resolution approving a payment to Arkansas & Missouri Railroad (A&MRR) in an amount not to exceed \$297,258.54 for the replacement of crossing panels and the installation of railroad signal equipment affected by the reconstruction and widening of Cato Springs Road from Razorback Rd to S. School Ave.

\$ 283,424.00
\$ 13,835.00

Cost of this request

\$ 283,424.00
\$ 632,909.00

Category / Project Budget

Transportation bond funds
Transportation bond funds

Program Category / Project Name

4470.9470.5809.00
4470.9470.5809.00

Account Number

\$ -
\$ 600,967.66

Funds Used to Date

Transportation bond funds
Transportation bond funds

Program / Project Category Name

06035.1200
06035.1200

Project Numbers

\$ 283,424.00
\$ 31,941.34

Remaining Balance

CIP
CIP

Fund Name

Budgeted Item

Budget Adjustment Attached

[Signature] Department Director 02-03-2012 Date Previous Ordinance or Resolution # _____

[Signature] City Attorney 2-3-12 Date Original Contract Date: _____
Original Contract Number: _____

Paul A. Beck Finance and Internal Services Director 2-3-2012 Date Received in City Clerk's Office 02-03-12 A09:45 RCVD

[Signature] Chief of Staff 2-6-12 Date

[Signature] Mayor 2/6/12 Date Received in Mayor's Office ENTERED 2/3/12

Comments:

CITY COUNCIL AGENDA MEMO

Council Meeting of February 21, 2012

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director JP

From: Chris Brown, City Engineer CB

Date: February 2, 2012

Subject: A resolution approving a payment to Arkansas & Missouri Railroad in an amount not to exceed \$297,258.54 for the replacement of crossing panels and the installation of railroad signal equipment affected by the reconstruction and widening of Cato Springs Road from Razorback Rd to S. School Av.

PROPOSAL:

The City has received a proposal in the amount of \$297,258.54 from the A&MRR for the replacement of crossing panels and the installation of railroad signal equipment. The scope of work will include 3 new concrete panel crossings, leveling of existing tracks to create a smoother crossing at Cato Springs Road, installing flashing lights, vehicular gates, pedestrian gates and appurtenances.

At the June 7th City Council meeting, staff recommended approval of the construction contract for Cato Springs Road to Dean Crowder Construction. Staff also presented City Council with the attached spreadsheet which outlines the entire project expenditures, and stated that certain third party expenditures would have approved at a future date by the City Council. This expenditure to Arkansas & Missouri Railroad (A&MRR) is one of those identified project budget items.

RECOMMENDATION:

Staff recommends City Council approval of this payment to A&MRR. Street Committee recommended approval at the January 31st meeting.

BUDGET IMPACT:

Funds have been included in the overall project budget (attached) which is funded by the Transportation Bond Program, CIP Funding, and Water & Sewer Funding. The original estimate from A&MRR was \$355,986.00, but staff has negotiated with A&MRR to reduce this amount to \$297,259.54, a savings of approximately \$58,726.46. The attached budget adjustment transfers CIP funds from other Bond Projects to cover the cost of this work.

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING AN AGREEMENT WITH ARKANSAS & MISSOURI RAILROAD FOR REIMBURSEMENT OF \$297,258.54 FOR REPLACEMENT OF CROSSING PANELS AND INSTALLATION OF RAILROAD SIGNAL EQUIPMENT AFFECTED BY THE RECONSTRUCTION AND WIDENING OF CATO SPRINGS ROAD FROM RAZORBACK ROAD TO S. SCHOOL AVENUE, AND APPROVING A BUDGET ADJUSTMENT

WHEREAS, the reconstruction and widening of Cato Springs Road from Razorback Road to S. School Avenue will require replacement of crossing panels and the installation of railroad signal equipment at the Arkansas & Missouri Railroad crossing; and

WHEREAS, the scope of work will include three (3) new concrete panel crossings, leveling of existing tracks to create a smoother crossing a Cato Springs Road, installing flashing lights, vehicular gates, pedestrian gates and appurtenances; and

WHEREAS, as part of the Cato Springs Road Widening and Improvement Project construction contract approval with Dean Crowder Construction, the City Council was made aware of certain third party expenditures which would have to be approved in the future to fully implement the project; and

WHEREAS, this agreement with Arkansas & Missouri Railroad is one such expenditure; and

WHEREAS, Arkansas & Missouri Railroad should effectuate improvements to their own railroad according to its needs and specifications,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby finds that such circumstances constitute an exceptional situation where competitive bidding is not feasible

or practical, and therefore waives the requirements of formal competitive bidding and authorizes an agreement with Arkansas & Missouri Railroad for reimbursement of \$297,258.54 for replacement of crossing panels and installation of railroad signal equipment affected by the reconstruction and widening of Cato Springs Road from Razorback Road to S. School Avenue.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A".

PASSED and APPROVED this 21st day of February, 2012.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville, Arkansas
Budget Adjustment Form

C. 4 V11.0310
Arkansas & Missouri
Railroad Reimbursement

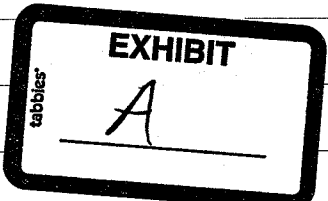
Budget Year 2012	Division: Engineering Department: Development Services	Request Date 2/2/2012	Adjustment Number 19
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BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION

A resolution approving a payment to Arkansas & Missouri Railroad (A&MRR) in an amount not to exceed \$297,258.54 for the replacement of crossing panels and the installation of railroad signal equipment affected by the reconstruction and widening of Cato Springs Road from Razorback Rd to S. School Av.

<u>Chris M.</u> Division Head	<u>2/3/12</u> Date	Prepared By: _____ <i>ehutchens</i>
<u>[Signature]</u> Budget Director	<u>2-3-2012</u> Date	Reference: _____
<u>[Signature]</u> Department Director	<u>02-03-2012</u> Date	Budget & Research Use Only
<u>Paul A. Paul</u> Finance Director	<u>2-3-2012</u> Date	Type: A B C D E P
<u>[Signature]</u> Chief of Staff	<u>2-6-12</u> Date	General Ledger Date <u>6/7/2011</u>
<u>[Signature]</u> Mayor	<u>2/6/12</u> Date	Posted to General Ledger _____
		Checked / Verified _____
		Initial Date
		Initial Date

TOTAL BUDGET ADJUSTMENT		-	-	
Account Name	Account Number	Increase / (Decrease)		Project.Sub Number
		Expense	Revenue	
Street improvements	4470.9470.5809.00	(283,424)	-	06035 . 1500
Land acquisition	4470.9470.5805.00	(13,835)	-	06035 . 1700
Street improvements	4470.9470.5809.00	297,259	-	06035 1200



January 20, 2012

Mr. Chris Brown, PE
City Engineer, City of Fayetteville
125 West Mountain St.
Fayetteville, Arkansas

Re: Cato Springs Roadway Improvements and AMRR

Dear Mr. Brown:

It is my understanding that the City of Fayetteville's roadway improvements on Cato Springs has now been awarded to a general contractor. From the on-site meeting with on January 13 with my staff, I further understand the City will be preparing documentation for City Council approval for the funding of the railroad improvements as a part of these roadway improvements.

Please find below our price for the construction of this project.

Item #	Item	Quantity	Unit	Unit Price	Cost
1	Surfacing Equipment	30	Per Hour	\$100.00	\$3,000.00
2	Track Ballast	240	Ton	\$80.00	\$19,200.00
3	Angle Bars (pair)	12	Each	\$76.00	\$912.00
4	Track Spike	20	Keg	\$68.00	\$1,360.00
5	Concrete Panels	108	Linear Foot	\$250.00	\$27,000.00
6	141# Rail	480	Ton	\$20.00	\$9,600.00
7	10' Cross Ties	90	Each	\$70.00	\$6,300.00
8	8'6" Cross Ties	54	Each	\$61.00	\$3,294.00
9	Tie Plates	288	Each	\$9.50	\$2,736.00
				Subtotal	\$73,402.00
				Tax @ 9.25%	\$6,790.00
10	Man Hours	270	Hours	\$37.50	\$10,125.00
11	Engineering & Coordination	1	Lump Sum	\$15,000.00	\$15,000.00
				Subtotal for AMRR	\$105,317.00
1	Sub-Contractor	1	Lump Sum	\$190,441.54	\$190,441.54
2	Sub-Contractor Coordination	40	Hours	\$37.50	\$1,500.00
TOTAL ESTIMATED COST					\$297,258.54

Note:

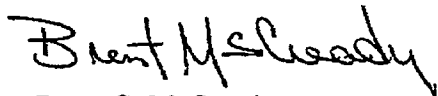
- 1) The AMRR will guarantee the cost noted here in for 90 days past the date of this letter. The AMRR reserves the right to pursue alternate sub-contractors and perform work in part or in whole for which they deem to be in the best interest of the Railroad.
- 2) Work at this site will be performed by the railroad or its sub-contractor under a road closed to through traffic work zone with the road closure to be provided by the City or the Contractor selected by the City.

Chris Brown, PE
Cato Springs Railroad Improvements
Page 2 of 2

The Arkansas Missouri Railroad will coordinate its work with the City and the City selected contractor. We will work to help ensure a safer railroad crossing at this location.

Please call me with any questions.

Sincerely,



Brent G. McCready
President

cc:
Jim Crouch, Cypert, Crouch, Clark & Harwell, PLLC
Kip Guthrie, PE - Jacobs
File

PAUL LIBERTINI
C. 4
Arkansas & Missouri
Railroad Reimbursement
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Railroad Signal Intl.
15110 E. Pine St.
Tulsa, Oklahoma 74116
Phone: (918) 234-1522 fax: (918) 234-1529
www.railroadsignalintl.com

CUSTOMER: A&M RAILROAD
PROJECT: FURNISH AND INSTALL 6X6 CONTROL HOUSE
2 EA RAILROAD GATES WITH LED LIGHT HEADS
1 EACH PED GATE
CIRCUITS DESIGNED TO PROTECT 3 TRACKS ACROSS ROADWAY
LOCATION: CATO SPRINGS FAYETTEVILLE ARKANSAS
CONTROL: HXP-R CWT

MATERIALS SHOP WIRING AND TESTING	\$ 88,921.32
FIELD LABOR, TESTING, ENGINEERING, EQUIP OVERHEAD, SHIPPING ETC.	\$ 101,520.22
TOTAL COST OF PROJECT	\$ 190,441.54

PRICE DOES NOT INCLUDE ANY TRACKWORK EXCEPT BONDING RAIL
PRICE FOB JOB SITE.
PRICE DOES NOT INCLUDE ANY TAX OF ANY KIND.
INSULATED JOINT AND SW RODS IF REQUIRED BY RAILROAD
THIS QUOTATION IS VALID FOR A PERIOD OF 30 DAYS FROM BID DATE

RAILROAD SIGNAL INTL.


RACHEL BURNS
DIRECTOR OF SALES

8/11/2011
DATE

APPROVED BY: _____

PO# _____

APPROVED DATE: _____

040496 Cato Springs Road (S. School - Razorback)

PROJECT EXPENDITURES	Engineering/Const Mgmt		
	Consultant Engineer	Orig Design Contract	\$227,550
		Amendmt #1	\$278,150
		Amendmt #2	\$196,350
		Garver Subtotal	\$702,050
	Engineering Staff Time (2006-2011)	Engs, Surveyors, Land Agents	\$144,627
	Const. Project Manager		\$63,000
	Const. Project Inspector		\$84,000
	Staff Engineer		\$12,600
	City Engineer		\$7,100
	In-house Surveying (2 Man)		\$3,000
		Contra Subtotal	\$314,327
	Materials Testing Lab		\$20,000
		Engineering Total	\$1,036,377
	Right Of Way		
			\$258,457
		Contingency	\$50,000
		Right Of Way Total	\$308,457
	Utilities		
	Arkansas Western Gas		\$94,312
	SWEPCO		\$177,886
	AT&T		\$0
		Utilities Total	\$272,198
	A&M Railroad		
	Control House, Gates & Signals		\$166,932
	Conc. Panels, Timber Ties, Ballast		\$189,054
		Railroad Total	\$355,986
	Construction		
	Water & Sewer		\$691,389
	Road		\$3,123,784
	SubTotal	\$3,815,173	
	5% Contingency	\$190,759	
	Construction Total	\$4,005,932	
Permits			
ADOH		\$500	
NOI		\$200	
STAA		\$200	
Railroad		\$5,800	
	Permits Total	\$6,700	
AHTD Administration			
AHTD Design Admin.		\$5,000	
AHTD Construction Admin.		\$25,000	
	AHTD Admin Total	\$30,000	
GRAND TOTAL PROJECT COST		\$6,015,650	
FUNDING SOURCES	Federal Funding (Max.)	-\$2,879,679	
	TOTAL COST TO CITY	\$3,135,971	
	Water & Sewer Funding	-\$350,000	
	CIP Funding (Excess Project Funds)	-\$441,335	
	TOTAL COST TO BOND PROGRAM	\$2,344,636	

