### City of Fayetteville Staff Review Form

Arkansas & Missouri Railroad Reimbursement Page 1 of 10

# City Council Agenda Items and Contracts, Leases or Agreements

2/21/2012

City Council Meeting Date Agenda Items Only

Submitted By  Division  Action Required: Action Action Action Action Action Action Action Action Action Acti	Chris Brown	Engineering		Development Services	
Account Number  Funds Used to Date  Program / Project Category / Project Budget  Account Numbers  Funds Used to Date  Program / Project Category  Project Numbers  Budget Adjustment Attached  Budget Adjustment Attached  Program Contract Date:  Original Contract Number:  Previous Ordinance or Resolution #  Original Contract Number:  Previous Ordinance or Resolution #  Original Contract Number:  Previous Ordinance or Resolution #  Original Contract Number:  Preceived in City2-03-12 A09:45  Clark Soffice  Received in Mayor's Office	Submitted By		ion		t
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## THE CITY OF FAYETTEVILLE, ARKANSAS DEPARTMENT CORRESPONDENCE

#### 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 &

From:

Chris Brown, City Engineer

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 7<sup>th</sup> 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 31<sup>st</sup> 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.

<b>ORDINANCE</b>	NO.	
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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:
į	
By:	By:
LIONELD JORDAN, Mayor	SONDRA E. SMITH, City Clerk/Treasurer

#### City of Fayetteville, Arkansas Budget Adjustment Form

C. 4 V11.0310 Arkansas & Missouri

Budget Year Division: Engineering Request Date Adjustment Multimber

2012 Department: Development Services 2/2/2012

#### **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.

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Budget Director	Date		Budget & F	Resear	ch Use Or	nly	
Department Director	01-03.7611 Date	Туре:	А В	С	D	E	Р
Finance Director	2-3-2012 Date	General L	edger Date			6/7/2011	
Chief of Staff	2-6-12 Date	Posted to	General Ledge	er	Initial		Date
Mayor / Mayor	9/6/12 Date	Checked /	/ Verified		Initial		Date
ТОТ	AL BUDGET ADJ	USTMENT	-		**		
			Increase /	(Decr	ease)	: Proi	ect.Sub
Account Name	Account Nu	ımber	Expense	R	evenue		umber
Street improvements	4470.9470.5	809.00	(283,424)		-	0603	5 . 1500
Land acquisition	4470.9470.5	805.00	(13,835)			0603	5 . 1700
Street improvements	4470.9470.5	809.00	297,259			0603	5 1200
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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					
#	ltem	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
	Engineering &		Lump		
11	Coordination	1	Sum	\$15,000.00	\$15,000.00
			Subtotal for AMRR	\$105,317.00	
			Lump		4400 444 5
1	Sub-Contractor	1	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:

- 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 inpart 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.

p.2 C. 4 Arkansas & Missouri Railroad Reimbursement

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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

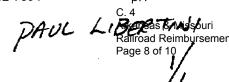
President

cc:

Jim Crouch, Cypert, Crouch, Clark & Harwell, PLLC

Kip Guthrie, PE - Jacobs

File





#### Railroad Signal Intl.

15110 E. Pine St.

Tulsa, Oklahoma 74116

Phone: (918) 234-1522 fax: (918) 234-1529

www.radroadsignaling.com

CUSTOMER:

A&M RAILROAD

PROJECT:

FURNISH AND INSTALL 6X6 CONTROL HOUSE

2 EA RAILROAD GATES WITH LED LIGHT HEADS

I EACH PED GATE

CIRCUITS DESIGNED TO PROTECT 3 TRACKS ACROSS ROADWAY

LOCATION:

CATO SPRINGS FAYETTVILLE ARKANSAS

CONTROL:

HXP-R CWT

MATERIALS SHOP WIRING AND TESTING FIELD LABOR, TESTING, ENGINEERING, EQUIP OVERHEAD, SHIPPING ETC.	s s	88,921.32 101,520.22
O'CONTO IO, DINITINO DI CI		

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

RAILROAI	SIGNA	L INTL.
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RACHEL BURNS DIRECTOR OF SALES 8/11/2011 DATE

APPROVED BY:	PO#
	•
	ADDDOVED DATE

Arkansas & Missouri
Railroad Reimbursement
Page 9 o 10

## 040496 Cato Springs Road (S. School - Razorback)

	O40430 Cate Opinigs	roud (or concern	<u> </u>	Page 9 o
	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	-		
S			\$258,457	
Щ		Contingency	\$50,000	
7		Right Of Way Total	\$308,457	
E	Utilities	l right of truy (other	4500, 101	l
PROJECT EXPENDITURES		]	\$94,312	l
Z	Arkansas Western Gas		\$177,886	
4	SWEPCO		\$177,000	
_ X	AT&T	Utilities Total	\$272,198	
<u> </u>		Utilities rotal	<b>\$212,190</b>	
ပ္	A&M Railroad		<b></b>	
삇	Control House, Gates & Signals		\$166,932	
Q	Conc. Panels, Timber Ties, Ballast		\$189,054	
8		Railroad Total	\$355,986	
1000	Construction		1	(
	Water & Sewer		\$691,389	ļ
	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	<u>,                                      </u>
	, arra della della radioni radioni	AHTD Admin Total	\$30,000	
	GRAND TO	TAL PROJECT COST	\$6,015,650	
	GRAND TO	AL INSSLUT SOST	Ψ0,010,000	
S	Fa	ederal Funding (Max.)	-\$2,879,679	
SC		dorum andmig (max.)	<b>4,070,070</b>	
Ä	Ī	OTAL COST TO CITY	\$3,135,971	
SO				
<u>Ö</u>	Wa	ater & Sewer Funding	-\$350,000	
N N	CID Funding (F	voces Project Eundal	\$AAA 22E	
FUNDING SOURCES	CIP Funding (E.	xcess Project Funds)	-\$441,335	
፲	TOTAL COST	TO BOND PROGRAM	\$2,344,636	
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