



Legislation Details (With Text)

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**On agenda:** 6/3/2024      **In control:** City Council

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**Enactment #:** Reso 2024-055

**Title:** Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 6 to the Grant Service Contract with the State of California Department of Transportation; to Appropriate Additional Reimbursable Funds in the Amount of \$210,000; and to Reappropriate Reimbursable Funds from Previous Amendment No. 3 in the Amount of \$150,000 for the Section 130 Grade Crossing Improvement Program for the Washington/Chapman Railroad Crossing Improvement Project, Project No. 2016.0320

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Reso State of California Department of Transportation, 2. B - Grant Amendment No 3, 3. C - Grant Amendment No 6

Date	Ver.	Action By	Action	Result
6/3/2024	1	City Council	Received and Filed	Pass

Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 6 to the Grant Service Contract with the State of California Department of Transportation; to Appropriate Additional Reimbursable Funds in the Amount of \$210,000; and to Reappropriate Reimbursable Funds from Previous Amendment No. 3 in the Amount of \$150,000 for the Section 130 Grade Crossing Improvement Program for the Washington/Chapman Railroad Crossing Improvement Project, Project No. 2016.0320

**COUNCIL PRIORITY**

- Infrastructure
- Fiscal Sustainability and Transparency

**SUMMARY**

Amendment No. 6 to the Section 130 Grant Service Contract provides additional reimbursable grant funds in the amount of \$210,000 to complete the Washington/Chapman railroad crossing project through close-out and extends the term of the existing contract through June 30, 2025. The resolution will also reappropriate reimbursable funds from the previous Amendment No. 3 in the amount of \$150,000.

**RECOMMENDATIONS**

Staff recommends the following:

- Approve and authorize the City Manager to execute Grant Amendment No. 6 to the Service Contract

- Appropriate additional reimbursable funds in the amount of \$210,000; and
- Appropriate reimbursable funds in the amount of \$150,000 originally included in Grant Amendment No. 3

## **BACKGROUND**

Washington Avenue is a four-lane road with two lanes in each direction of travel running northwest to southeast. The railway crossing consists of one track with a heavy skew across Washington Avenue. In addition to the awkward skew, Chapman Road intersects Washington Avenue in the middle of the crossing. Drivers turning left onto Washington Avenue from Chapman Road immediately encounter the track crossing. The railroad is currently operated and maintained by UPRR.

Crossing safety is a priority issue not only for the City, but also for UPRR, Amtrak, the California Public Utilities Commission (CPUC), and the Alameda County Transportation Commission (ACTC). Safety enhancements are recommended for Niles Subdivision railroad crossings with acute skew angles, such as the Washington/Chapman crossing. Because of past incidents at this location, the CPUC, on behalf of both the City and UPRR, secured a federal Section 130 Grant for safety enhancements for the at-grade railroad crossing at Washington Avenue/Chapman Road. The State of California Department of Transportation (Caltrans) administers Section 130 grant funds.

The original grant was for \$340,875 and was executed in April 2016. After the grant was executed, additional railroad and highway safety enhancements, similar to the recently constructed crossing improvements at Alvarado Street, were added to the scope. Grant Amendment No. 1 was issued for the added scope, to provide \$343,738 in additional grant funds, and to extend the term to the grant agreement. As design neared completion, UPRR required right-of-way mapping and appraisal that was not previously included in the project. To accommodate the right-of-way processing and review, Grant Amendment No. 2 was issued to extend the grant term to June 2022, and Grant Amendment No. 3 was issued to increase the grant amount by \$150,000 to compensate for added right-of-way cost, additional design cost and construction cost increases. Grant Amendment Nos. 4 and 5 were issued to extend the grant term to December 2023 and June 2024, respectively.

The improvements include new realigned pedestrian crosswalks that cross the track at 90-degree angles, flashing light warning devices, extended raised curb medians to prevent errant driving, and enhanced pavement markings on Washington Avenue and associated safety features at all approaches.

## **Analysis**

Through the aforementioned Section 130 Grant, to date \$834,613 has been made available to the City for the Washington/Chapman Railroad Crossing Improvements project. However, no additional grant funds have been made available to the City since Grant Amendment No. 3 was approved in May 2021.

City Council Resolution No. 2016-039, adopted in April 2016, authorized the City Manager to execute the original Section 130 Grant and appropriated \$340,875 for the subject project. City Council Resolution No. 2018-157, adopted in December 2018, authorized the City Manager to execute Grant Amendment No. 1 and appropriated \$343,731 for the subject project.

In City Council Resolution No. 2021-072, an appropriation of \$493,738 was allocated for the subject

project. However, it was later discovered that the appropriation included money that was already appropriated under Grant Amendment No. 1. The correct appropriation should have only been \$150,000. The appropriation, although in excess of what is needed, was not carried forward for use in future years and resulted in the withdrawal of these funds from the project. Thus, \$150,000 is requested to accurately reflect the approved appropriation.

Construction costs exceeded the budget. To address this shortfall, \$250,000 from Measure BB funds were allocated to the project. Now that construction is complete, additional funding from the Section 130 Grant in the amount of \$210,000 will cover the entire cost of the project.

Approval of Grant Amendment No. 6 accepting the Section 130 Grant and the additional request to appropriate \$150,000 for a combined appropriation of \$360,000, will ensure the City is fully reimbursed for the design, construction, and administration of the Washington/Chapman Railroad Crossing Improvements project. In addition, funding from Measure BB funds that were used to cover the shortfall can be returned to that fund.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure.

### **Previous Actions**

- On April 4, 2016, by Resolution No. 2016-039, the City Council authorized the City Manager to execute a Service Contract and appropriate funds for the construction of highway improvements at the Washington/Chapman railroad crossing for \$340,875 in account 150-38-387
- On December 17, 2018, by Resolution No. 2018-157, the City Council authorized the City Manager to execute Amendment No. 1 to the Service Contract with CalTrans and appropriated additional reimbursable funds for \$343,738 in account 150-38-387
- On May 17, 2021, by Resolution No. 2021-072, the City Council authorized the City Manager to execute Amendment No. 3 to the Service Contract with CalTrans and appropriated additional reimbursable funds for \$493,738 in account 150-38-387
- On December 5, 2022, by Resolution No. 2022-212, the City Council awarded a construction contract to Sposeto Engineering, Inc. in the Amount of \$646,640 for the construction of improvements at the Washington/Chapman railroad crossing

### **Applicable General Plan Policies**

- Policy T-3.6, Pedestrian Environment. Improve the walkability of all streets in San Leandro through the planning, implementing, and maintaining of pedestrian supportive infrastructure
- Goal T-7. Improve traffic safety and reduce the potential for collisions on San Leandro streets
- Policy T-8.6, Railroads. Work with UPRR and Amtrak to minimize the impacts of their facilities on the City and to better educate the public about railroad crossing safety and the materials transported by rail through the City. Collaborate with CPUC to explore potential railroad improvement projects and funding sources in San Leandro

### **Permits and/or Variances Granted**

All required permitting was obtained by the Contractor from UPRR prior to performing work within twenty-five feet of the railroad centerline.

**Environmental Review**

CalTrans determined the project categorically excluded, under section 23 CFR 771.117(c), of National Environmental Policy Act (NEPA).

**Financial Impacts**

The cost of this project is detailed below. The budget authority section has details on funding types, accounts, and authorizations. CIP appropriations are carried forward for five years or until the work is complete, whichever occurs first.

Design and Bid	\$183,000
Railroad Right of Way	\$87,000
Construction Contract	\$676,640
<u>Construction Management &amp; Inspection</u>	<u>\$93,000</u>
Total	\$1,039,640

**Budget Authority**

The existing appropriation for this project is as follows:

<u>Account No.</u>	<u>Resolution No.</u>	<u>Appropriation Date</u>	<u>Amount</u>
150-38-387	2016-039	April 4, 2016	\$340,875
150-38-387	2018-157	December 17, 2018	\$343,738
<u>141-38-387</u>	<u>2022-212</u>	<u>December 5, 2022 (Meas. BB)</u>	<u>\$250,000</u>
Total			\$934,613

Sufficient funds are included in the Fiscal Year 2023-2024 General Fund budget:

<u>Appropriations Requested</u>	<u>Source</u>	<u>Amount</u>
150-38-387	Special Grants Fund	\$150,000
<u>150-38-387</u>	<u>Special Grants Fund</u>	<u>\$210,000</u>
Total		\$360,000

This Council action was not budgeted into the project and will require an appropriation of \$360,000 that will be reimbursed by the CalTrans Section 130 Grant.

**ATTACHMENTS**

- Attachment A:** Resolution Grant Amendment No. 6
- Attachment B:** Grant Amendment No. 3
- Attachment C:** Grant Amendment No. 6

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