



City of Killeen

Legislation Details (With Text)

File #: RS-23-182 **Version:** 1 **Name:** Consider a memorandum/resolution to enter into an agreement with BNSF for the reconstruction of the Gilmer Street Railroad Crossing
Consider a memorandum/resolution authorizing the agreement with BNSF for the Gilmer Street Railroad Crossing Reconstructio

Type: Resolution **Status:** Passed

File created: 10/13/2023 **In control:** City Council

On agenda: 11/14/2023 **Final action:** 11/14/2023

Title: Consider a memorandum/resolution to enter into an agreement with BNSF for the Gilmer Street railroad crossing reconstruction, in the amount of \$724,151.00.

Sponsors: Engineering, Development Services

Indexes:

Code sections:

Attachments: 1. Agreement, 2. Presentation

Date	Ver.	Action By	Action	Result
11/14/2023	1	City Council	Approved	Pass
11/7/2023	1	City Council Workshop		

Consider a memorandum/resolution to enter into an agreement with BNSF for the Gilmer Street railroad crossing reconstruction, in the amount of \$724,151.00.

DATE: **November 7, 2023**

TO: **Kent Cagle, City Manager**

FROM: **Edwin Revell, Executive Director of Development Services**

SUBJECT: **Consider a Memorandum/Resolution to Enter into an Agreement with BNSF for the Gilmer Street Railroad Crossing Reconstruction**

BACKGROUND AND FINDINGS:

The Gilmer Street Reconstruction project was included in the Street Reconstruction CO Bond in FY 2022.

The project includes reconstruction of Gilmer Street between Veterans Memorial Blvd and Rancier Road and will include full replacement of the roadway, curb and gutter, and sidewalk. The limits of the project do include the railroad crossing.

Since this project crosses the Burlington Northern Santa Fe Railway (BNSF), improvements are required by BNSF in order to bring the crossing up to current requirements. The railroad crossing is located within the BNSF right-of-way, which the public roadway crosses. Since construction is within the BNSF right-of-way, all

improvements need to be permitted through and performed by BNSF. The improvements to the crossing included repaving and installation of a concrete curb, pedestrian crossing, signals and gates, and concrete panels between the tracks. The improvements to this crossing are needed to eliminate the need for the train horns blowing for this crossing.

In order to proceed with the improvements, the City is required to enter into an agreement with BNSF. The agreement states the requirements to our contactor for construction near the tracks and coordination needed for the improvements within the BNSF right-of-way. In accordance with the standard BNSF agreement, the City is responsible for 80% of the total cost. This includes all materials and labor for their internal design, construction, testing, and flagging. The estimated cost of the overall work within the BNSF right-of-way is \$905,192 which includes 8.5% contingency. The City's estimated responsible cost is \$724,151.00.

THE ALTERNATIVES CONSIDERED:

Alternative 1 - Do not approve entering into this agreement. Doing so will prevent needed improvements within the railroad right of way. This requires changes to the current design that may result in a change order during construction and also eliminate the needed pedestrian connection across the railroad tracks to meet PROWAG/ADA.

Alternative 2 - Authorize the City Manager to enter into the agreement with BNSF to construct the railroad crossing improvements within the Gilmer Street Reconstruction project.

Which alternative is recommended? Why?

City staff recommends Alternative 2 - Authorize the City Manager to enter into the agreement with BNSF to construct the railroad crossing improvements within the Gilmer Street Reconstruction project. This will allow the railroad crossing to be replaced and improved within the Gilmer Street Reconstruction project. These improvements will allow the crossing to tie into the roadway reconstruction project and provide increased safety to both motorists and pedestrians in this location.

CONFORMITY TO CITY POLICY:

This item conforms to state, city, and local purchasing policies and regulations.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The City is responsible for 80% of the costs of the improvements within the BNSF right of way, estimated to be \$724,151.00.

Is this a one-time or recurring expenditure?

This is a one-time expenditure.

Is this expenditure budgeted?

Yes, funds are available within the Certificates of Obligations, Series 2022 Bond Fund account 328-8934-493.69-03.

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

Yes

RECOMMENDATION:

City staff recommends Alternative 2 - Authorize the City Manager to enter into the agreement with BNSF to construct the railroad crossing improvements within the Gilmer Street Reconstruction project.

DEPARTMENTAL CLEARANCES:

Development Services
Finance
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Agreement
Presentation