



## Legislation Details (With Text)

**File #:** 18-458      **Version:** 1      **Name:**  
**Type:** Report Item      **Status:** Passed  
**File created:** 9/7/2018      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 9/17/2018      **Final action:** 9/17/2018  
**Title:** SUBJECT: Railroad Quiet Zone Feasibility Study and Establishment Along the Burlington Northern Santa Fe Railroad Alignment Within City Limits

### REPORT IN BRIEF

Updates status of the request for proposals for the Railroad Quiet Zone Feasibility Study and Establishment along the Burlington Northern Santa Fe Railroad (BNSF) and requests City Council provide further direction.

### RECOMMENDATION

Provide Staff with further direction regarding the Railroad Quiet Zone Feasibility Study.

### Sponsors:

### Indexes:

### Code sections:

### Attachments:

Date	Ver.	Action By	Action	Result
9/17/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Steven C. Son, City Engineer, Engineering Division*

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### ALTERNATIVES

1. Direct Staff to proceed with one of the Statement of Qualifications; or,
2. Direct Staff to negotiate a fee with reduced scope; or,

3. Reject all proposals.

## **AUTHORITY**

Charter of the City of Merced, Section 200

## **CITY COUNCIL PRIORITIES**

Council has requested Staff renegotiate a consultant fee with reduced scope of work to conduct a study to investigate the possibility of a railroad quiet zone along the BNSF railroad alignment within City limits.

## **DISCUSSION**

Code of Federal Regulation 49 CFR Part 222, Federal Railroad Administration (FRA) requires all train engineers to utilize their locomotive horns at railroad crossings when workers are present or near the tracks, and at any time it is deemed necessary. With both Union Pacific Railroad (UPRR) and Burlington Northern Santa Fe (BNSF) Railway traversing through the City at times the amount of noise can be excessive. For this reason, the Council expressed an interest in establishing a railroad quiet zone within City limits.

Staff prepared a request for proposals (RFP) to solicit proposals for Professional Service for Railroad Quiet Zone Feasibility Study and Establishment. The scope of work was broken down into two (2) phases. The first phase was to conduct preliminary investigation/risk index update and review, coordinate with governing entities and conduct diagnostic meeting, and form a quiet zone cost calculation analysis. The second phase of the project was to establish the quiet zone.

On April 20, 2018, Staff received two (2) proposals with a cost proposal in separate sealed envelopes. The proposals were submitted by CTC, Inc. based in Fort Worth, Texas, with a local office in Los Angeles, California; and RRM Design Group from San Luis Obispo, California.

On May 10, 2018, Engineering and Development Services Staff met to discuss the two proposals. Based on the meeting, it was determined that the proposal from CTC, Inc. was most qualified for the project. Once a consultant was selected, the cost proposals from CTC, Inc. and RRM Design Group were opened.

On June 18, 2018, Staff presented to Council the results of the consultant proposals and the cost associated with the project. The proposed cost from CTC, Inc. was \$160,342 whereas RRM Design Group was \$650,640. Based on the cost, Council directed staff to renegotiate with both consultant with reduced scope of evaluating establishment of the quiet zone along the BNSF railroad alignment.

Only July 13, 2018, both CTC, Inc. and RRM Design Group submitted revised fee proposals for the quiet zone establishment and feasibility study along the BNSF railroad alignment. CTC, Inc.'s revised fee for the project was \$121,044, which is a \$39,298 reduction from the original amount of \$160,342. RRM Design Group's revised fee for the project was \$49,965, which is a \$600,675 reduction from the original amount of \$650,640. RRM Design Group stated that the significant reduction of fee is because they were no longer going to be providing exhibits that were ready to be used as construction documents, so the level of detail was not required to be presented. Furthermore, the project manager visited all of the railroad crossings and after doing so, he no longer felt that the crossings were as complex as he had originally envisioned. Additionally, since Union Pacific Railroad (UPRR) is no longer a part of the scope of work, a significant amount of work was eliminated.

At this time, Staff is requesting further direction from City Council.

## **HISTORY AND PAST ACTIONS**

Council has stated that this is one of Council's high priority projects.

## **IMPACT ON CITY RESOURCES**

In Fiscal Year 17-18, \$60,000 was appropriated to Fund 017 for the Quiet Zone study. Since a consultant was not selected before the end of the fiscal year, the appropriation was returned to fund balance. No budget appropriation is needed at this time since staff is requesting Council's direction on how to proceed with this project. However, at the time a consultant is selected and comes to Council for contract approval, the City Council will be requested to re-appropriate the funding in the FY 2018-19 budget, Fund 017, for this project.