



## Legislation Text

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**File #:** 18-559, **Version:** 1

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

**SUBJECT:** Award of Bid to RRM Design Group and Approval of Supplemental Appropriation in the Amount of \$54,961 for a Railroad Quiet Zone Feasibility Study and Establishment Agreement

### REPORT IN BRIEF

Considers approving a supplemental appropriation in Fund 017-Development Services from the unreserved, unencumbered fund balance in the amount of \$54,961 and awarding a bid to RRM Design Group for the Railroad Quiet Zone Feasibility Study and Establishment in the amount of \$54,961.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving a supplemental appropriation in the amount of \$54,961 in Fund 017-Development Services from the unreserved, unencumbered fund balance to 017-0803-532.17-00 (Engineering Professional Services account line) and authorizing the Finance Officer to make the appropriate budget adjustments; and,
- B. Awarding a bid and approving an agreement for professional services with RRM Design Group for the Railroad Quiet Zone Feasibility Study and Establishment; and,
- C. Authorizing the City Manager or Assistant City Manager to execute the necessary documents.

### ALTERNATIVES

- 1. Approve, as recommended by staff; or,
- 2. Approve, subject to modifications as conditioned by City Council; or,
- 3. Refer to staff for reconsideration of specific items; or,
- 4. Deny.

### AUTHORITY

Charter of the City of Merced, Section 200.

Merced Municipal Code section 3.04.120 (Services with an estimated value greater than \$31,000 shall be made by written contract.)

### CITY COUNCIL PRIORITIES

The City Council has requested Staff 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.

Proposals were received from CTC, Inc. and RRM Design Group. Shown below are the proposals:

Initial Proposals	
CTC, Inc.	\$160,342
RRM Design Group	\$650,640

Revised Proposals	
CTC, Inc.	\$121,044
RRM Design Group	\$49,965

*(Note: Consultants' revised proposals reflect Council's recommendation of reducing the scope of work, see History and Past Actions below for details.)*

Staff requested that RRM Design Group provide a scope-of-work for the project.

RRM Design Group's scope-of-work includes:

### Phase I: Quiet Zone Feasibility Study

- Site Investigation and Existing Conditions Analysis
  - Traffic Counts and Sound Study
  - Potential Safety Improvements
- Stakeholder Coordination
- Quiet Zone Analysis
  - Safety Measure Evaluation
  - Funding Source Research
  - Environmental Review
  - Feasibility Study

### Phase II: Quiet Zone Establishment

- Notice of Intent

- Plans, Specification and Estimates for Improvements
- Notice of Establishment

RRM Design Group's fee proposal for completing the above tasks is for the not-to-exceed sum of \$49,965. Staff has identified an additional \$4,996 (10%) as appropriate to cover the Engineering Division's potential costs for surveying, California Environmental Quality Act (CEQA) evaluation, and underground utility confirmation activities at the site.

Proposed Budget:

Contract	\$49,965
Engineering, Testing, Inspection (10%)	\$4,996
Total	\$54,961

History and Past Actions

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.

On 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.

On September 17, 2018, Engineering Staff provided a status update to City Council of the revised proposals submitted by CTC, Inc. and RRM Design Group. City Council directed Staff to proceed with RRM Design Group in achieving the project scope.

**IMPACT ON CITY RESOURCES**

In Fiscal Year 17-18, a General Fund transfer in the amount of \$60,000 was appropriated to Fund 017 for the Quiet Zone study. Since a consultant was not selected before the end of fiscal year the funding was not transferred from the General Fund. Fund 017 has funds available as part of the unreserved, unencumbered fund balance for the supplemental appropriation to 017-0803-532.17-00 (Engineering Professional Services account line) due to additional unanticipated revenue received in Fiscal Year 17-18. Therefore, the project will not use any funding from the General Fund.

## **ATTACHMENTS**

1. Agreement for Professional Services