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## Alameda Corridor Transportation Authority

September 12, 2019

<b>To:</b>	Governing Board
<b>From:</b>	John T. Doherty, Chief Executive Officer
<b>Subject:</b>	<i>UPRR Dolores Yard Crossover Project (INFORMATION)</i>

**Discussion:**

**Project Description and Purpose**

As reported at the October 2015 Board meeting, UPRR is proposing to replace and reconstruct an existing connection from the south end of its Dolores Yard to the ACTA tracks near Watson Crossing (adjacent to Lomita Boulevard). The project is known as the UPRR Dolores Yard Crossover Project (Project). Work will consist of replacing an existing 1400' long track segment connecting the former SP San Pedro Track to the Dolores Industrial Lead and ACTA Track #3 with a 1200' long segment connecting ACTA Track #3 with the Dolores Yard ladder track. See Transmittal 1. Although UPRR deferred the Project after completing the initial design in 2016, UPRR has recently communicated to ACTA that it has now re-initiated undertaking the Project.

The Project will provide a more efficient way of moving trains into and out of UPRR's Dolores Yard, which is a key marshalling yard for building and breaking down full trains to and from the Ports. The current track configuration causes considerable congestion on the ACTA mainline tracks while trying to maneuver trains into and out of the yard.

The installation of the new ACTA Track #3 connecting switch, removal of the existing connecting switch, and required signal modifications will be performed by ACTA's maintenance contractor. ACTA's signal design consultant will provide the signal design. All other design and construction activities such as subgrade preparation, track work and removals will be performed by UPRR forces or its contractors. The work also requires relocation of an existing adjacent retaining wall by a UPRR tenant and relocation of DWP power line poles in order to accommodate the new connection track. ACTA's maintenance contractor costs as well as consultant and legal costs will be reimbursed by UPRR pursuant to a Letter Agreement and Memorandum of Agreement discussed below.

Maintenance of the completed Project will be performed by UPRR with the exception of the Track #3 connecting switch, which will be maintained as part of the Corridor pursuant to the Use and Operating Agreement (UOA). The final design is in progress, and if the Project is approved, construction is anticipated to begin in mid-2020.



### Process

The Project requires a Memorandum of Agreement (MOA) among the five UOA signatories, which includes both ports, both railroads and ACTA. A draft MOA is attached (Transmittal 2), which when finalized will be brought to the Board and the Ports' harbor commissions for approval. In addition, UPRR will be required to obtain permits from the Ports for entry onto their jointly owned property to construct and maintain the new connection.

ACTA is the lead agency for environmental review of the Project because ACTA: 1) performs Corridor administrative functions pursuant to the Use and Operating Agreement, 2) has a Use Permit from the Ports for Corridor operations, and 3) will perform certain Project construction elements. Therefore, ACTA will determine whether environmental review, if any, is required, and/or whether an exemption applies for the Project under the California Environmental Quality Act (CEQA). This information will be reported to the Board when the MOA is presented for approval.

### Advance ACTA Services

ACTA has and will continue to advance certain consultant and legal tasks via an existing executed Letter Agreement (Transmittal 3), while the MOA progresses through the approval process. The Board approved this Letter Agreement at its January 2016 meeting and it remains in effect. Pursuant to the Letter Agreement, the cost of such advance services will be reimbursed by UPRR to ACTA regardless of whether or not the Project is approved or moves forward to completion. The original estimated cost of ACTA's services under the Letter Agreement was \$150,000. That amount has increased to \$235,000 in order to provide preliminary services until the MOA is executed, after which time the MOA will govern ACTA's reimbursement. The total cost for ACTA's services through the end of construction are not known at this time, but an estimate will be provided at the time the MOA is brought to the Board for approval.

### Budget Impact:

The Program Budget will be amended to include the increased Letter Agreement costs, but there will be no net impact because funds will come out of ACTA's LAIF Account which will be replenished with the UPRR reimbursement payments.

### Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed this Board Report and there are no legal issues at this time.

### Transmittals:

- Transmittal 1 – Project Map
- Transmittal 2 – Draft Memorandum of Agreement (MOA)
- Transmittal 3 – Letter Agreement with UPRR