


M · E · M · O

Alameda Corridor Transportation Authority

June 16, 2022

To:	Governing Board
From:	Michael C. Leue, Chief Executive Officer 
Subject:	<i>APPROVE Reimbursement Agreement with Union Pacific Railroad for Construction Related Services on Dolores Yard Crossover Project</i>

Recommendation:

Authorize the Chief Executive Officer or his designee to execute the Reimbursement Agreement with the Union Pacific Railroad Co. (UPRR), wherein ACTA agrees to perform certain reimbursable services for UPRR's Dolores Yard Crossover Project in accordance with the project Memorandum of Agreement. The reimbursements by UPRR will be for costs associated with construction on ACTA right-of-way, design review and administration in the amount of \$1,065,000 to be expended by ACTA and its contractors.

Discussion:

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. 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 intermodal 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 UPRR proposed the Project and engaged ACTA in support of the Project beginning in 2016 when the Governing Board approved a Project Letter Agreement covering reimbursement by UPRR to ACTA for the early development efforts through the approval of a Memorandum of Agreement (MOA) and completion of the environmental review process under CEQA.

The MOA required approval among the five UOA signatories, which includes both ports, both railroads and ACTA. The MOA has been executed by those parties; the ACTA Governing Board approved the MOA on November 15, 2021 along with the CEQA Notice of Exemption. In addition, UPRR will be required to obtain permits from the Ports for entry onto their jointly owned property.



ACTA Development Services

As described in the Dolores Yard Crossover MOA, and as set forth in the Reimbursement Agreement (attached as Transmittal 1), ACTA and its contractors shall complete ACTA's Work on the Project, including: Pre-construction Design Review; Construction Close-out Approval; Flagging; Track Construction on ACTA Right-of-Way; Railroad Signal Design and Installation; Fencing; Traffic Control; and Project Administration. The work is expected to occur in the second half of 2022 and first half of 2023.

Budget Impact:

The Program Budget will be amended to include the Reimbursement 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 and approved the Reimbursement Agreement as to form.

Transmittals:

Transmittal 1 – Dolores Yard Crossover Reimbursement Agreement