


M E M O

Alameda Corridor Transportation Authority

To: Governing Board
Meeting Date: February 2, 2023
From: Michael C. Leue, Chief Executive Officer 
Subject: APPROVE First Amendment to Agreement M0899 with Union Pacific Railroad for Reimbursement of ACTA Costs for Construction Related Activities on Dolores Yard Crossover Project

Recommendation:

Authorize the Chief Executive Officer or his designee to execute the First Amendment to 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 First Amendment increases the costs associated with construction on ACTA right-of-way, design review and administration by \$592,000 to a total amount of \$1,657,000 to be reimbursed by UPRR as costs are expended by ACTA and its contractors.

Discussion:

ACTA Governing Board approved execution of Agreement M0899 on June 16, 2022. Since that time, UPRR has made modifications to project components related to the railroad signal system. The construction costs related to the modifications increase by \$494,000 and design costs increase by \$98,000. The total increase is \$592,000 and the total amended agreement amount is \$1,657,000.

Budget Impact:

There is no impact to the FY23 Program Budget for the work, which is fully reimbursable.

Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed and approved the proposed amendment as to form.

Transmittals:

Transmittal 1 – First Amendment to Agreement No. M0899 between the Alameda Corridor Transportation Authority and Union Pacific Railroad Company