


# M E M O

## *Alameda Corridor Transportation Authority*

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To: Governing Board

Meeting Date: February 24, 2023

From: Michael C. Leue, Chief Executive Officer 

Subject: APPROVE First Amendment to Agreement C0889 with Pacific Railway Enterprises, Inc. to increase the total compensation amount by \$125,000 for an agreement total not to exceed amount of \$375,000 for the continuation of Signal Design Services

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### **Recommendation:**

Approve the First Amendment to Agreement No. C0889 with Pacific Railway Enterprises, Inc. (PRE), for additional compensation in the amount of \$125,000 for continuation of signal design services and authorize the Chief Executive Officer or his designee to execute the amendment.

The First Amendment increases the agreement compensation by \$125,000 to a total not-to-exceed amount of \$375,000. Of the total agreement amount, \$258,220.68 is to be reimbursed by the Union Pacific Railroad for costs associated with the Dolores Yard Crossover Project. The remainder of the Agreement amount will fund signal design services for other ACTA projects.

### **Discussion:**

The ACTA Governing Board approved execution of agreement C0889 with PRE on November 15, 2019. The Governing Board also approved a reimbursement agreement M0899 with Union Pacific Railroad (UPRR) on June 16, 2022. The reimbursement agreement included estimated costs for PRE to perform final design services in the amount of \$133,220.68 for the Dolores Yard Crossover Project railroad signal system.

The initial funding amount for agreement C0889 was sufficient to cover the original Dolores Yard Crossover Project design costs. Since that time, UPRR has made modifications to various Project components. On February 02, 2023, the Governing Board approved the First Amendment to Agreement M0899 to increase the funding amount by \$592,000. Of this increase, PRE's signal design services funding increased by \$98,000 and with a contingency amount added, the total funding increase was \$125,000. This increase exceeds the original approved amount of agreement C0889. Increasing the agreement compensation by \$125,000 to a new total of \$375,000 will cover the costs for the UPRR project and keep original funds available for other signal design work that is anticipated in the future.

### **Budget Impact:**

There is no impact to the FY23 Budget for the additional work, which is fully reimbursable. These are pass-through costs that ACTA is initially required to pay, but which are subsequently fully reimbursed by the entity requesting the services. ACTA utilizes the Local Agency Investment Fund (LAIF) account to pay for the services and reimburses the account when payment is received.



February 24, 2023  
**ITEM #07**

**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. C0889 between the Alameda Corridor Transportation Authority and Pacific Railway Enterprises, Inc.