

M E M O

Alameda Corridor Transportation Authority

To: Governing Board
Meeting Date: December 12, 2024
From: Graham Christie, Chief Operating Officer *Graham M. Christie*
Subject: APPROVE Fourth Amendment to Agreement No. C0889 with Pacific Railway Enterprises, Inc. for Rates during Years 6, 7 and 8 of the Agreement

Recommendation:

Approve the Fourth Amendment to Agreement No. C0889 with Pacific Railway Enterprise, Inc. (PRE) for rates to be applied during years 6, 7 and 8 of the Agreement. The Board is requested to authorize the Chief Operating Officer to execute said amendment.

Discussion:

The ACTA Governing Board approved execution of agreement C0889 with PRE on November 15, 2019, a First Amendment on February 24, 2023, a Second Amendment on December 14, 2023 and a Third Amendment on August 15, 2024. Under the Agreement, PRE performs signal design services for both the Maintenance of Way Program and the Dolores Yard Crossover Project.

The First Amendment to Agreement C0889 increased the contract authorization amount by \$125,000 which was to cover design costs for the UPRR Dolores Yard Crossover Project.

The Second Amendment to Agreement C0889 increased the contract authorization amount by \$630,200 to cover increased project design costs for PRE related to the Dolores Yard Crossover Project due to unforeseen utility conflicts and delays to the project.


The Third Amendment increased the contract authorization amount by \$4,000,000 and exercised the 3-year option to extend the duration of the contract to cover PRE's urgently needed work on the Maintenance of Way Program (MOW).

The subject Fourth Amendment proposes to increase the rates for the additional 3-year extension granted under the Third Amendment. Most of the rates increase the various labor rates by 3% per year with a few exceptions.

Budget Impact:

There is no impact to the FY25 Budget for the additional signal design work proposed to be performed by PRE for either the MOW improvements or the Dolores Yard Crossover Project.

The MOW improvements are included in the MOW budget, which is incorporated into the Governing Board approved FY24/25 ACTA Operating Budget. These costs are either paid for by railroads directly or paid for by ACTA fees.





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The Dolores Yard Crossover Project costs will be fully reimbursed to ACTA by UPRR. ACTA will utilize the Local Agency Investment Fund (LAIF) account to pay PRE for the services and then reimburse the account when payment is received from UPRR.

Co-General Counsel Review:

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

Transmittals:

Transmittal 1 – Fourth Amendment to Agreement C0899 between ACTA and PRE