



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 NOV -1 PM 12: 02

# AGENDA REPORT

TO: DEANNA J. SANTANA  
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E

SUBJECT: Agreement with Union Pacific  
Railroad Company

DATE: October 16, 2012

City Administrator  
Approval

Date

10/31/12

COUNCIL DISTRICT: 3

## RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the City Administrator, or her designee, to: (1) accept and appropriate \$200,000.00 from, and (2) enter into an agreement with, Union Pacific Railroad Company (UPRR) for the reimbursement of the City's costs of: (a) resurfacing certain portions of Embarcadero West between Webster Street and Clay Street that adjoin UPRR's railroad track repair and improvement project, and (b) providing traffic control for the resurfacing work and UPR project, in an amount not to exceed \$200,000.00.

## REASON FOR URGENCY

UPRR has scheduled crews to begin work early in November, and approached the City in October with a proposal to fund resurfacing of the streets, in exchange for the City taking on responsibility for traffic control work.

## OUTCOME

The City's Public Works Agency (PWA) will provide traffic control and road closure notification for both UPRR's track work on Embarcadero West and the resurfacing of the road immediately adjacent to the tracks. Work is scheduled to begin in early November and be completed before the end of 2012. The Resolution authorizes the City Administrator to accept and appropriate the \$200,000.00 in reimbursement funds from UPRR for the purposes described in this report.

The City will provide traffic control for replacement of UPRR's two mainline railroad tracks that run in the middle of Embarcadero West, with vehicular traffic running adjacent to them. One side of the road will need to be closed while work on that side takes place, and traffic will be

Item: **21**  
City Council  
November 13, 2012

detoured. The old track will be removed, and new sections of track, and prefabricated concrete panels will be installed. Once tracks on one side of the road have been replaced, the operation will continue on the opposite side of the road. Resurfacing of the roadway will take place after completion of the track replacement. The work will greatly improve UPRR's rail service to their customers, including Amtrak and freight carriers, and will improve vehicular safety and enhance the area by repairing the severely deteriorated pavement, which has been the source of complaints from businesses and visitors at Jack London Square. Resurfacing will prolong the pavement life and safety will be improved through the installation of supplemental striping and pavement markers.

### **BACKGROUND/LEGISLATIVE HISTORY**

Rail crossings are regulated by the Federal Railroad Administration (FRA) and the California Public Utilities Commission (CPUC). The City and UPRR have joint responsibility for rail crossings, in accordance with federal and state statutes, regulated by the FRA and CPUC. Further, the City and UPRR have a quarterly working group to address issues of mutual interest and resolution. It is from these meetings that the current proposal was developed and now is moving ahead seeking Council approval. It is in both parties' interest to collaborate and share resources to minimize disruption to businesses, passengers and the general public. Public Works Agency, Transportation Services Division will prepare the traffic control plan and detours, and will spearhead public outreach notification process; PWA Department of Infrastructure and Operations will install, operate and maintain the traffic control system and detours, and the final roadway resurfacing will be performed by the City's resurfacing contractor under the existing contract as change order work. Inspection will be provided by PWA Project Delivery Division.

### **ANALYSIS**

Both the tracks and roadway on Embarcadero West are badly in need of repair. Further, the City, UPRR, and the CPUC are in agreement that the track repair with track panels is an important improvement and with new roadway striping and pavement markers, will improve traffic safety.

### **POLICY ALTERNATIVES**

UPRR can provide their own traffic control for the track replacement work. However, they have indicated that this would require contracting the work and additional oversight.

UPRR is not responsible for resurfacing of the roadway; by proposing that the City provide traffic control, including outreach to businesses and residents, in exchange for up to \$200,000 the City will be able to take advantage of the temporary closure of the road, and pay for resurfacing.

**PUBLIC OUTREACH/INTEREST**

The City has received many complaints and requests to improve the roadway pavement and striping along Embarcadero West, particularly the Jack London Square area residents. The City has historically incorporated them in railroad studies and planned improvements on the corridor. The City will be providing notices to the area of the upcoming work, as well as the coordinated process that will be taking place to make improvements.

**COORDINATION**

TSD staff worked with the City Attorney's Office, PWA Pavement Management, PWA Traffic Maintenance and Heavy Paving units in preparing this report.

**COST SUMMARY/IMPLICATIONS**

Upon adoption of this resolution, the city shall execute the agreement and receive up to \$200,000 from UPRR which staff has determined will cover the cost to provide traffic control, track related pavement work, final roadway pavement, including striping and markers, and staff related work, in accordance with the agreement.

1. **COST OF PROJECT:**

Resurfacing Contract Work (Embarcadero West, Webster to Clay)	\$ 100,000
PWA Minor Paving, Offhaul of Material	\$ 30,000
PWA Traffic Control/Detours	\$ 30,000
Engineering/Traffic Engineering Support	\$ 15,000
<u>Contingency</u>	<u>\$ 25,000</u>
<b>Project Total:</b>	<b>\$ 200,000</b>
  
2. **SOURCE OF FUNDING:** Union Pacific Railroad Company
  
3. **FISCAL IMPACT:** Funding under this agreement will fully cover the cost for traffic control, detours and roadway resurfacing of Embarcadero West between Webster Street and Clay Street.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** The roadway and rail systems support businesses and commerce in the City and Port area; maintaining this basic infrastructure is vital as an investment to sustain the restaurants, shops and services in the Jack London Square area, as well as to continue to provide safe and smooth rail transportation to passengers and freight carriers.

**Environmental:** There are no significant environmental issues in this report.


**Social Equity:** There are no significant social equity issues in this report.

**CEQA**

The roadway work is exempt under Section 15301, "Existing Facilities".

For questions regarding this report, please contact Wladimir Wlassowsky, Transportation Services Division Manager, at (510)238-6383.

Respectfully submitted,

  
\_\_\_\_\_  
VITALY B. TROYAN, P.E.  
Director, Public Work Agency

Reviewed by:  
Michael Neary, P.E., Assistant Director  
Department of Engineering and Construction

Prepared by:  
Wladimir Wlassowsky, P.E.  
Transportation Services Division Manager

Attachments:  
**Attachment A** – Location Map

Attachment A

UNION PACIFIC TRACK  
REPLACEMENT AND CITY PAVING  
PROJECT MAP

