

**RESOLUTION NO. 2006-254**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ELK GROVE, TO EXECUTE A CONTRACT AMENDMENT WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC. FOR PROFESSIONAL SERVICES RELATED TO THE RAILROAD CROSSING SAFETY AND TRAIN WHISTLE STUDY**

**WHEREAS**, the establishment of Quiet Zones, within the City of Elk Grove, will reduce the noise impacts from trains, improve the quality of life for residents and reduce citizen complaints arising from train whistle noise; and

**WHEREAS**, the City of Elk Grove has executed a contract with Parsons Brinckerhoff Quade & Douglas, Inc. for the Railroad Crossing Safety and Train Whistle Study in the amount of \$84,147 and the study has been completed; and

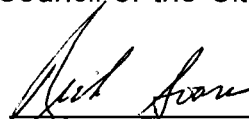
**WHEREAS**, the City Council of the City of Elk Grove directed staff to pursue all necessary steps to implement Quiet Zones in the City of Elk Grove, on April 26, 2006, and this necessitates an amendment to the contract for additional services; and

**WHEREAS**, the additional services include a Notice to Parties to Establish Quiet Zones on Fresno Subdivision and on Sacramento Subdivision and respond to comments from notified parties, assistance with location and specification of signage for affected crossings in Elk Grove, removal of closed at-grade crossings from the Federal Railroad Administration database, engineering roadway and crossing improvements for Quiet Zones, and miscellaneous studies and design; and

**WHEREAS**, the amendment to the contract would amount to \$222,401.

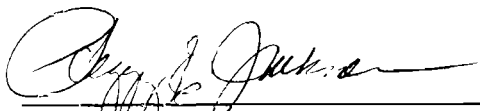
**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the City Manager, or his designee, to execute a contract amendment with Parsons Brinckerhoff Quade & Douglas, Inc. for professional services related to the Railroad Crossing Safety and Train Whistle Study in a not-to-exceed amount of \$222,401 for the amended work, bringing the contract total to \$306,548.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 11<sup>th</sup> day of October 2006.



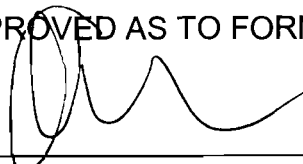
\_\_\_\_\_  
RICK SOARES, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2006-254**

STATE OF CALIFORNIA            )  
COUNTY OF SACRAMENTO    )        ss  
CITY OF ELK GROVE            )

*I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 11, 2006 by the following vote:*

**AYES :        COUNCILMEMBERS:        Soares, Scherman, Briggs, Cooper**  
**NOES :        COUNCILMEMBERS:        None**  
**ABSTAIN :    COUNCILMEMBERS:        None**  
**ABSENT:      COUNCILMEMBERS:        Leary**



*Peggy E. Jackson*  
\_\_\_\_\_  
**Peggy E. Jackson, City Clerk  
City of Elk Grove, California**



AMENDMENT TO CONTRACT FOR PARSONS BRINCKERHOFF QUADE & DOUGLAS,  
INC.

CONSULTANT

THIS AMENDMENT TO CONTRACT identified by the City as Contract No. C-05-115 is made and entered into between City of Elk Grove, a Municipal Corporation ("City") and Parsons Brinckerhoff Quade & Douglas, Inc., ("Consultant"), and hereby amends the agreement entered into between the parties on 04/27/05 as contract number C-05-115.

City and Consultant agree to change paragraphs 1.D. and 4.A. as follows in their entirety to read as follows:

1.D. TERM. Except as provided in Sections 6 and 19, this Contract shall terminate no later than November 30, 2007.

4.A. TERMS. Compensation to the Consultant shall be as set forth in Exhibit B attached hereto and made a part hereof. Total compensation to Consultant shall not exceed \$222,401.00 without the advance written consent of City.

City and Consultant agree to amend Exhibits A and B by adding the following without changing any other aspect of existing Exhibits A and B.



---

EXHIBIT A

Scope of Work

CONTRACT AMENDMENT NO. 1, RAILROAD SAFETY AND TRAIN WHISTLE STUDY

RESCOPING

TASK 4: STAKEHOLDER COORDINATION AND PUBLIC OUTREACH

Stakeholder Coordination

Consultant will organize and ensure the early coordination of all the stakeholders involved in the process, and shall create a Quiet Zone "diagnostic team" which shall include the applicant's civil engineer; the host railroad the Union Pacific Railroad, the Federal Railroad Administration and the California Public Utilities Commission. Consultant will ensure that a broader list of stakeholders will be involved with the application which will include:

- Amtrak
- Caltrans
- Sacramento County

Schedule: The City Council presentation will occur after the finalization of the implementation plan.

Deliverable: Coordination of stakeholders and meetings with Stakeholders. One presentation before the Elk Grove City Council with appropriate presentation materials. Coordination meetings with City of Elk Grove and Sacramento County.

Team Members: Dominic Spaethling, Ed Fishman, and others as necessary to accomplish tasks

NEW TASKS TO CONTRACT IN ADDITION

TASK 9: DRAFT "NOTICE TO PARTIES" TO ESTABLISH QUIET ZONE ON FRESNO SUB-DIVISION (COMBINED QUIET ZONE 1&2) AND ON SACRAMENTO SUB-DIVISION (QUIET ZONES 3 AND 4) AND RESPOND TO COMMENTS

Consultant will give a Notice to Parties that will indicate when the proposed Quiet Zone on the Union Pacific's Fresno Sub-Division will go into effect. Likewise at the end of the Sacramento Sub-Division's comment period on October 16<sup>th</sup>, the City, Consultant will give a "Notice to Parties" and establish Quiet Zones. The "Notice to Parties" for the Fresno Sub-Division will only be sent upon the completion of the improvements at the Sheldon Road at-grade crossing in November of 2006. The "Notice to Parties" for the Sacramento Sub-Division will only be sent upon completion of the required improvements and at-grade crossing closures outlined for Quiet Zones at Bilby and Franklin Roads and at Dwight Road in the "Notice of Intent" for the Sacramento Sub-Division.

Consultant will in coordination with the City, draft the "Notice to Parties" for the City of Elk Grove that will then be forwarded to the required parties in anticipation of the initiation of the Quiet Zone. In addition to the "Notice to Parties" the Consultant will respond to comments from



---

the notified parties regarding the Quiet Zones. Consultant will incorporate comments into Working Paper #2 *Implementation Plan for Quiet Zones in Elk Grove, CA.*

Schedule: Within 4 weeks of Notice to Proceed on Change Order #1 for the Fresno Sub-Division and within 4 weeks of the end of the Notice of Intent period for the Sacramento Sub-Division.

Deliverable: Draft Notice to Parties and a Response to Comment Matrix for any comments received as part of Notice of Intent. Draft and Final copies of Working Paper #2 with the incorporation of the Response to Comments Matrix from the Quiet Zone Stakeholders.

Team Members: Dominic Spaethling, Barry Lemke and Ed Fishman, and others as necessary to accomplish task.

**TASK 10: ASSIST WITH LOCATION AND SPECIFICATION OF SIGNAGE FOR AFFECTED CROSSINGS IN ELK GROVE**

Consultant shall identify the required signage to be installed and posted at the grade crossings. This does not include actual survey work and installation.

Schedule: Within 4 weeks of end of Notice of Intent period for each Union Pacific Subdivision.

Deliverable: Sign specifications for Quiet Zones and a map or diagram detailing the location of the signs.

Team Members: Dominic Spaethling and Barry Lemke, and others as necessary to accomplish task.

**TASK 11: REMOVAL OF CLOSED AT-GRADE CROSSINGS FROM FRA DATABASE**

Consultant shall identify all private or public crossings on the FRA database that are no longer in use and then assist the City of Elk Grove in removing them from the database, so that they do not confuse or interfere with the City's goal of establishing Quiet Zones.

Consultant will in consultation with the City, draft a letter to the California Public Utilities Commission from the City of Elk Grove requesting the removal of the following at-grade crossings from the FRA database:

Sacramento Subdivision

Private at MP 128.2 – DOT #833764U

Elliot Ranch Road – DOT #833763M

Private at MP 126.8 – DOT #833762F

Fresno Subdivision

Private at MP 122.3 – DOT #752747D

And any others identified through the work herein.

Schedule: Draft letter will be provided within one week of Contract Amendment #1, Notice to Proceed.

Deliverable: A draft letter to the CPUC

Team Members: Dominic Spaethling, Barry Lemke, and other as necessary to accomplish task.



---

**TASK 12: ENGINEER ROADWAY AND CROSSING IMPROVEMENTS FOR QUIET ZONES**

The *Implementation Plan for Quiet Zones in Elk Grove, CA*. Consultant shall comply with all recommendations regarding at-grade crossing or roadway improvements that provide safety benefits at the at-grade crossings in Elk Grove.

***Bilby Road (Quiet Zone 3)***

Bilby Road – Consultant shall do the following tasks:

- Survey Bilby Rd. 400' from intersection on either side of highway rail grade crossing. Identification of City, railroad, and private property owner Right of Way and abutting property lines on base map. Also identify property owner name, property owner street address, and assessors parcel map number to the base map. Identify utility location and place on base map.
- Meet with Elk Grove and Sacramento County to determine extent of improvements prior to preparing design.
- Determine relocation of grade crossing warning system and overhead utility.
- Spend up to 16 hours with Elk Grove negotiating crossing warning systems relocation with UPRR.
- Spend up to 16 hours with Elk Grove negotiating relocation of overhead utility.
- Prepare plans specifications and estimates for road improvements.
- Provide up to 24 hours of design support through construction.

***Franklin Blvd. (Quiet Zone 3)***

Franklin Blvd. – Consultant shall do the following tasks:

- Survey Franklin Blvd., southwest side of highway rail grade crossing to 400 feet from crossing.
- Meet with Elk Grove and Sacramento County to determine extent of improvements prior to preparing design.
- Prepare plans specifications and estimates for road improvements.
- Provide up to 8 hours of design support through construction.



---

### *Dwight Road (Quiet Zone 4)*

Dwight Road – Consultant shall do the following tasks:

- Survey Dwight Rd. 400' from intersection on either side of highway rail grade crossing. Identification of City, railroad, and private property owner Right of Way and abutting property lines on base map. Also identify property owner name, property owner street address, and assessors parcel map number to the base map. Identify utility location and place on base map.
- Meet with Elk Grove and Sacramento County to determine extent of improvements prior to preparing design.
- Determine design of warning devices to UPRR standards.
- Spend up to 16 hours with Elk Grove negotiating crossing warning systems with UPRR.
- Prepare plans specifications and estimates for road improvements.
- Provide up to 24 hours of design support through construction.

### Assumptions

1. All improvements can be constructed within existing street or UPRR right of way. If additional right of way is required, Consultant shall, upon request by the City, provide assistance to the City as necessary. Compensation for these additional services would be subject to negotiation with the City.
2. Consultant has not identified any utilities that will require relocation other than the overhead power lines mentioned. Time has been provided for negotiation with the owners of those lines. If relocation is required for overhead utilities, it will be designed and constructed by the utility owner. Should other utilities requiring relocation coordination or design be discovered during the course of the design process, Consultant shall, upon request by the City, provide assistance to the City as necessary. Compensation for these additional services would be subject to negotiation with the City.
3. Design and construction of all railroad crossing warning devices will be done by the UPRR. Consultant will coordinate with UPRR.
4. Base maps for bid documents will be created in AutoCAD.

Schedule: Six months for all the proposed improvements from Notice to Proceed on Change Order #1. Individual projects could be shorter.

Deliverable: Required plans to put required items out to bid.



Team Members: Dominic Spaethling, Barry Lemke, Robert McFarland, and others as necessary to accomplish task.

**TASK 13: MISCELLANEOUS STUDIES AND DESIGN**

Consultant will prepare additional studies and perform design related tasks as directed by the City. Additional studies and design may be related to right of way engineering, utility relocation or other subjects needed to complete the project. Prior to beginning any work on the additional studies or designs, a detailed scope of work, fee estimate and schedule will be developed, and subject to review and written acceptance by the City.

Schedule: On-going for the duration of the Quiet Zone implementation process.

Deliverable: Dependent on task

Team Members: Dominic Spaethling, Barry Lemke, Robert McFarland, and others to accomplish task.

**EXHIBIT B**

**Method of Compensation**

Amendment No. 1 - September 5, 2006

| <b>Task</b> | <b>Description</b>  | <b>Budget</b>    |
|-------------|---|------------------|
| 9           | Draft Notice To Parties   | \$48,761         |
| 10          | Assist with Location and Specification of Signage for Affected Crossings in Elk Grove | \$7,227          |
| 11          | Removal of Closed at Grade Crossings in Elk Grove                                     | \$3,939          |
| 12          | Engineer Roadway and Crossing Improvements for Quiet Zones                            | \$140,563        |
| 13          | Miscellaneous Studies and Design  | \$20,000         |
|             | Margin on Subconsultants (5%)   | \$3,905          |
|             | Other Direct Costs  | \$2,000          |
|             | <b>Subtotal Amendment No. 1</b>   | <b>\$226,395</b> |
|             | <b>Credit for Rescoping Task 4</b>  | <b>(\$3,994)</b> |
|             | <b>Amendment No. 1 Addition</b>   | <b>\$222,401</b> |

In all other respects, Contract No. C-05-115 shall remain unchanged and in full force and effect.





---

AGREED to this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by the parties as follows.

Approved as to form:

**CONSULTANT**

\_\_\_\_\_  
Counsel for consultant

By: \_\_\_\_\_  
Randy Altshuler, Vice President

Approved as to form:

**CITY OF ELK GROVE**

By: \_\_\_\_\_  
Anthony B. Manzanetti, City Attorney

By: \_\_\_\_\_  
John H. Danielson, City Manager