



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: June 17, 2025
TO: LaTanya Bellow, City Manager
FROM: Mohamed Alaoui, Public Works Director
SUBJECT: Resolution Of The City Council Of The City Of Emeryville
Appropriating \$300,000 From Unallocated Fund 475 To CIP No.
19475008

RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution.

BACKGROUND

On December 19, 2017, the City Council unanimously approved the City's application for 2018 SB 1 - Transportation Corridors Enhancement Program ("TCEP") funding for a Quiet Zone in Emeryville.

In January 2018, the City of Emeryville submitted a project application for \$4.2 million in construction funding with a required total estimated match of approximately \$1.8 million (30% funded by ACTC), for a total construction value of \$6 million.

On May 16, 2018, the California Transportation Commission (CTC) approved the 2018 Trade Corridor Enhancement Program Final Adopted Program of Projects. Included in this list of projects was the City's Project, titled "Quiet Zone Safety Engineering Measures." The Project was officially approved in Resolution TCEP-P-1819-05B (October 17, 2018) and revised per Waiver 19-33 (June 26, 2019). In June 2020, CTC granted an additional 8-month extension due to COVID-19 impacts.

On July 10, 2018, the City Council approved Resolution 18-104, finding the project is exempt from the California Environmental Quality Act pursuant to state CEQA Guideline 15301(c) and granting the City Manager signature authority for all agreements necessary to assure completion of the Quiet Zone Safety Engineering Measures Project.

On September 17, 2018, the City Council approved Resolution 18-124, authorizing the City Manager to execute a Professional Services Agreement to initiate design and processing of the Quiet Zone Safety Engineering Measures project on 65th, 66th, and 67th Streets Project.

On April 21, 2020, the City Council approved minor scope of work changes to the project and approved the permanent street closure of 66th Street 130' east of Shellmound Street at the Union Pacific Railroad (UPRR) Crossing effective July 1, 2021.

Staff collaborated between 2020 and 2021 with their design team and UPRR to obtain approval of the crossing and signal designs. UPRR required several modifications to the design:

- Additional UPRR equipment required to support supplemental safety measures to be installed by the Project
- Updated and refined estimates from nearby railroad projects
- 65th Street: Added Signal House (750k), refined estimates on civil/railroad equipment, and complex signal improvements added
- 66th Street: Removal of RR equipment added and refined civil estimates
- 67th Street: Added Signal House (750k), Signal at Hollis/67th (350k), refined estimates on civil/railroad equipment, and complex signal improvements added

On January 19, 2021, the City Council amended the project budget to include these modifications to the original scope of work. The revised Engineer Estimate for the project, including these modifications, reflected an increased estimated total construction cost of \$8.87 Million (original estimate was \$6.7 Million). The estimate included costs for construction, construction management, engineering support during construction, UPRR costs for installation of equipment in the UPRR right of way, and a project contingency.

On February 15, 2022, the City Council authorized the City Manager to enter into a contract with Bay Cities Paving and Grading, Inc. in an amount of \$2,269,819.11 for the City's portion of the roadway construction items.

UPRR was responsible for constructing the railroad construction items (in coordination with the City's contractor) which were estimated to total \$2,795,436 from the initial agreements signed between the City and UPRR. The Authorization and Reimbursement Agreements with the Railroad for each crossing (65th, 66th, and 67th) were executed in February 2021 which obligates the City to be responsible for 100% of all actual costs incurred by UPRR in connection with the railroad construction items.

On August 5, 2024, the Quiet Zone in Emeryville went into effect and a grand opening ceremony occurred on August 16, 2024. On September 3, 2024, the City Council accepted the Quiet Zone Project as complete, authorized the City Engineer to file a Notice of Completion with the Alameda County Clerk, and appropriated \$2,300,000 from unallocated Fund 475 to the Project. This appropriation brought the total project costs to \$11,774,666.

DISCUSSION

Since the Quiet Zone Project was accepted as complete in September 2024, additional invoices from Union Pacific have been sent to the City with requests for payment. The invoices include Quiet Zone crossing work completed from September 2024 to April 2025, and additional delayed invoices from before August 2024 that were not available as the project was accepted as complete at City Council on September 3, 2024.

The work included in the invoices is the responsibility of the City to pay pursuant to the Authorization and Reimbursement Agreements that were signed as part of the project negotiations in 2022. There are currently \$267,193 outstanding invoices with Union Pacific Railroad from work done by their crews in the timelines as described above. Staff recommends funding of \$300,000 to pay the current invoices and an allowance to address any further invoices that may be received from Union Pacific during their project closeouts in calendar year 2025.

The cumulative project costs are now \$12,074,666.

FISCAL IMPACT

Funding summary for this Project is shown below:

Project No.	Fund	Budget
<i>Allocated Funds</i>		
19475008	475 – Gen Cap	\$3,008,870
19475008	242 – MBB Local S&R	\$600,000
19475008	254 – ACTC	\$1,800,000
19475008	254 – SB1 TCEP	\$4,200,000
19475008	250 – Traffic Impact Fees	\$300,000
19475008	250 – Traffic Impact Fees	\$200,000
19475008	444 – 1999 Bonds	\$105,910
19475008	471 – Ped Path	\$180,000
19475008	254 – CMA TIP Reprogramming	\$1,379,886
Existing Budget =		\$ 11,774,666
<i>New Funds</i>		
Unallocated	475 – Gen Cap	\$300,000
New Budget =		\$ 12,074,666

Staff recommends that City Council appropriates \$300,000 from Fund 475 to CIP Project No. 19475008.

STAFF COMMUNICATION WITH THE PUBLIC

The Project has been discussed at various meetings of the Bicycle and Pedestrian Advisory Committee and the Transportation Committee between 2022 and 2024.

CONFLICT OF INTEREST

None.

CONCLUSION

Staff recommends that the City Council adopt the above-entitled resolution.

PREPARED BY: Ryan O'Connell, Senior Civil Engineer

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



LaTanya Bellow, City Manager

ATTACHMENTS

- Draft Resolution