



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** January 19, 2021

**TO:** Christine Daniel, City Manager

**FROM:** Mary Grace Houlihan, Public Works Director

**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Amending The Project Budget Of The Quiet Zone Safety Engineering Measures Project, (CIP No. 19475008); And Appropriating Funds From Frontage Road Bay Trail Project (CIP No. 19250004), Frontage Road Median Landscape Project (CIP No. 19250006), Annual Street Rehabilitation Project (CIP No. 17240005), and Sidewalk Improvement Program (CIP No. 15475023) to Quiet Zone Safety Engineering Measures Project, (CIP No. 19475008)**

## RECOMMENDATION

Staff recommends that the City Council of the City of Emeryville 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 a total estimated match of about \$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 City 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.

## DISCUSSION

Staff has been collaborating for the last two years with the 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 Project
- Updated and refined estimates from nearby railroad projects
- 65<sup>th</sup> Street: Added Signal House (750k), refined estimates on civil/railroad equipment, and complex signal improvements added
- 66<sup>th</sup> Street: Removal of RR equipment added and refined civil estimates
- 67<sup>th</sup> Street: Added Signal House (750k), Signal at Hollis/67th (350k), refined estimates on civil/railroad equipment, and complex signal improvements added

With the inclusion of these modifications UPRR recently approved the design of the three crossings including the closing of the 66<sup>th</sup> Street crossing. The revised Engineer Estimate for the Project, including these modifications, reflects an increased estimated total construction cost. The original estimate for the total Project cost was \$6.7 Million. The updated estimate is \$8.87 Million. The updated estimate includes 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.

Staff is preparing an Allocation Request for Approval for Construction (E-76) to be considered at the March 2021 CTC meeting. Included in the request will be a Project Budget overview and letter from the City Manager indicating that the City has the adequate budget for any overages that may occur as the Project goes into the construction phase.

Due to the increase in constructions costs described above, staff recommends that the City add funds into the Project as the project enters the construction phase and as the City seeks allocation of TCEP Construction Funding. Staff has identified funding sources to fill the estimated funding gap between the original construction estimate and the newly updated estimate. Staff recommends that funds be re-allocated from the following City projects:

PB-07 - Frontage Road Bay Trail	19250004-250	\$	300,000.00
ST-09 - Frontage Road Median Landscape	19250006-250	\$	200,000.00
T-01 - Annual Street Rehab	17240005-444	\$	71,136.58
PB-01 - Sidewalk Improvement Program FY20/21	15475023-471	\$	180,000.00

Both the Frontage Road Bay Trail and Frontage Road Median Landscape projects have been on hold for some time; staff is recommending that Traffic Impact fees reserved for these projects in the budget be reallocated to address the Project which has been identified as a Council priority project<sup>1</sup>.

Included in the scope of work for the Project is a significant amount of paving rehabilitation of Shellmound as well as the completion of a pedestrian walkway gap on the east side of Shellmound. These improvements are currently budgeted in the Annual Street Rehabilitation project and the Sidewalk Improvement Program. Staff is recommending that these funds be reallocated to the Project.

Finally, there is also a remaining balance in Fund 444 unallocated to any capital project. Staff recommends re-allocating and appropriating these funds, approximately \$34,773.76 to the Quiet Zone Safety Engineering Measures Project.

Additional funding is still required to address the estimated budget shortfall. In November 2020, the City of Emeryville requested Alameda CTC to deprogram the following five projects from the CMA TIP for the purpose of reprogramming a total of \$1,379,886 to the City's Quiet Zone Safety Engineering Measures Project. These are remaining funds from old projects, none of which are active. Alameda CTC approved this budget reprogramming in December 2020.

The summary of the Alameda CTC reprogramming is as follows:

24-001, I-80 Ashby/Bay Interchange (Study)	CMA - STIP	Approx. \$ 130,000
24-002, Intermodal Transfer Station	CMA - STIP	Approx. \$ 900,000
24-003, Emeryville Street Rehabilitation (40th, Emery, & Hollis Streets)	CMA - ARRA	Approx. \$ 100,000
24-004, Park Ave. Improvements (Hollis to UP Tracks)	CMA - ARRA	Approx. \$ 100,000
24-005, Emeryville Street Rehabilitation (Various street segments)	CMA - ARRA	Approx. \$ 150,000
TOTAL		\$1,379,886.00

The reassignment of the funds listed above will bridge the estimated shortfall to complete the project.

Upon completion of the Project, there will be an expected cost of \$50,000 per year in Railroad Maintenance Fees. The maintenance of the newly installed supplemental safety measures will be the responsibility of the City of Emeryville as these facilities go beyond what is required at a normal railroad crossing. These maintenance fees are expected to first occur in Fiscal Year 2022/23 and will need to be incorporated into the City operating budget moving forward.

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<sup>1</sup> The Railroad Quiet Zone project was identified in the Transportation Impact Fee Nexus Study as a project eligible to be funded from the Transportation Facility Impact Fee (Reso 14-105).

## FISCAL IMPACT

Funding for this project is recommended to be reallocated as follows.

Current Project	Proposed Project	Fund	Pre FY19/20	FY20/21	FY21/22
19475008	19475008	475 – Gen Cap	\$608,870	\$100,000	
19475008	19475008	254 – ACTC		\$1,800,000	
19475008	19475008	254 – SB1 TCEP		\$4,200,000	
19250004	19475008	250 – Traffic Impact Fees		\$300,000	
19250006	19475008	250 – Traffic Impact Fees		\$200,000	
17240005	19475008	444 – 1999 Bonds		\$71,136.58	
15475023	19475008	471 – Ped Path		\$180,000	
	19475008	254 – CMA TIP Reprogramming			\$1,379,886
	19475008	444 – 1999 Bonds		\$34,773.76	

## STAFF COMMUNICATION WITH THE PUBLIC

The Transportation Committee discussed this Project and the related budget impacts at its November 2020 meeting.

## CONFLICT OF INTEREST

N/A

## CONCLUSION

Staff recommends that the City Council of the City of Emeryville 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:**



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Christine Daniel, City Manager

**ATTACHMENTS**

- Attachment A – Project Budget Overview
- Draft Resolution