



**November 5, 2018**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Amendment to Cooperative Agreement with the Orange County Flood Control District for the Railroad Grade Separation Projects

### **Overview**

On May 25, 2010, the Orange County Transportation Authority entered into a cooperative agreement with the Orange County Flood Control District for project support services for the railroad grade separation projects located at Placentia Avenue, Kraemer Boulevard, Orangethorpe Avenue, Tustin Avenue/Rose Drive, and Lakeview Avenue. Staff requests authorization to execute an amendment to this cooperative agreement for additional utility easement costs and additional project support services necessary to close out the right-of-way phase.

### **Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-9-0570 between the Orange County Transportation Authority and the Orange County Flood Control District, in the amount of \$300,000, for additional project support services and utility easement costs for the railroad grade separation projects located at Orangethorpe Avenue, Tustin Avenue/Rose Drive, and Lakeview Avenue, and to extend the term of the agreement through August 31, 2019. This will increase the cooperative agreement value to \$880,000.

### **Discussion**

The Orange County Transportation Authority (OCTA), in cooperation with the BNSF Railway, the cities of Anaheim, Fullerton, and Placentia, and the Orange County Flood Control District (OCFCD), has constructed five railroad grade separation projects to separate vehicular traffic from rail traffic to alleviate traffic congestion and enhance safety at the existing grade crossings along the Orangethorpe railroad corridor located at Placentia Avenue, Kraemer Boulevard, Orangethorpe Avenue, Tustin Avenue/Rose Drive, and Lakeview Avenue.

The original cooperative agreement with OCFCD was executed on May 25, 2010, to define specific roles and responsibilities and to reimburse OCFCD for providing project support services during design and construction of the five railroad grade separation projects.

With the completion of construction of the Orangethorpe Avenue and Tustin Avenue/Rose Drive railroad grade separation projects in October 2016, and the Lakeview Avenue railroad grade separation project in June 2017, staff is completing right-of-way closeout activities for these projects. The closeout effort includes coordination with the OCFCD for eight utility easements that cross the Atwood Channel, which is owned by OCFCD. The eight utility easements were included in Amendment No. 5 to Cooperative Agreement No. C-9-0570. Appraisals of the easements were performed subsequent to the amendment, and the resultant appraised values are higher than anticipated. Additional funding of \$145,000 is requested for the utility easements based on the appraisals. In order for OCFCD staff to complete close out of the three projects beyond the term of the cooperative agreement, funding of \$155,000 is requested for these additional administrative services required from OCFCD.

OCTA staff will continue to oversee the OCFCD's project support efforts and monitor the OCFCD's adherence to the agreed upon scope of services and estimated cost.

Proposed Amendment No. 6 to Cooperative Agreement No. C-9-0570, in the amount of \$300,000, is for increased appraisal values of the utility easements and additional project support services for the railroad grade separation projects located at Orangethorpe Avenue, Tustin Avenue/Rose Drive, and Lakeview Avenue, for a total agreement value of \$880,000 (Attachment A).

#### Fiscal Impact

Funding for the project is included in OCTA's Fiscal Year 2018-19 Budget, Capital Programs Division, accounts 0017-7831-SO204-QKC, 0017-7831-SO205-QKC, and 0017-7831-SO206-QKC, and is funded with Measure M2 funds. This additional funding request can be accommodated in the OC Bridges Railroad Grade Separation Program funding plan update approved by the Board of Directors on November 14, 2016.

***Summary***

Staff requests Board of Directors' approval for the Chief Executive Officer to negotiate and execute Amendment No. 6 to Cooperative Agreement No. C-9-0570 with the Orange County Flood Control District, in the amount of \$300,000, for increased appraisal values and additional project support services for the railroad grade separation projects, and to extend the term of the cooperative agreement through August 31, 2019.

***Attachment***

- A. Orange County Flood Control District, Cooperative Agreement No. C-9-0570 Fact Sheet

**Prepared by:**



Ross Lew, P.E.  
Program Manager  
(714) 560-5775

**Approved by:**



James G. Beil, P.E.  
Executive Director, Capital Programs  
(714) 560-5646



Virginia Abadessa  
Director, Contracts Administration and  
Materials Management  
(714) 560-5623