



June 2, 2025

To: Regional Transportation Planning Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Amendment to Construction and Maintenance Agreement with the Union Pacific Railroad and the California Department of Transportation for the Interstate 405 Improvement Project

Overview

On February 10, 2020, the Orange County Transportation Authority entered into a construction and maintenance agreement with the Union Pacific Railroad and the California Department of Transportation to widen the Bolsa Avenue overhead freeway bridge over the railroad facility as part of the Interstate 405 Improvement Project. An amendment to the construction and maintenance agreement is needed for additional funding to complete project closeout activities.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Construction and Maintenance Agreement No. C-9-1793 between the Orange County Transportation Authority, Union Pacific Railroad, and the California Department of Transportation in the amount of \$331,000, for additional design and construction parameters, flagging, inspection, temporary easement, and permanent property rights to widen the Bolsa Avenue overhead freeway bridge over the railroad facility as part of the Interstate 405 Improvement Project. This will increase the maximum obligation of the agreement to a total value of \$1,123,055.

Discussion

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), has implemented the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605) (Project). The Project provided one general purpose lane from Euclid Street to I-605, consistent with Measure M2 (M2) Project K, and established the 405 Express Lanes on I-405 from SR-73 to I-605. The Project will widen the Bolsa Avenue overhead (OH) freeway bridge over the Union

Pacific Railroad (UPRR) facility, which is located between the Goldenwest Street and Beach Boulevard interchanges.

On February 10, 2020, OCTA entered into Construction and Maintenance Agreement No. C-9-1793 (Agreement) with UPRR and Caltrans to define the specific terms, conditions, and funding responsibilities for the construction and maintenance, including design and construction parameters, flagging, inspection, temporary easement, and permanent property rights for the Project (Attachment A).

In accordance with Section 6 of the Agreement, OCTA agrees to pay UPRR for all actual and necessary costs and expenses incurred by UPRR in connection with the Bolsa OH, including, but not limited to, all actual costs of preliminary engineering review, construction, inspection, procurement of materials, equipment rental, manpower and deliveries to the job site, flagging, and all direct and indirect OH labor/construction costs.

At this time, the actual costs and expenses incurred by UPRR will exceed the total value of the original Agreement. The original Agreement value was \$792,055. UPRR is requesting an additional \$331,000, for a total amount of \$1,123,055, to pay for all actual and necessary costs and expenses to close out the Agreement with OCTA and Caltrans for the widening of the Bolsa OH freeway bridge over the railroad facility, as part of the Project. OCTA staff agrees that the additional amount is appropriate and needed to complete UPRR's services.

Fiscal Impact

Funding for this amendment is included in the OCTA Fiscal Year 2024-25 Budget, Capital Programs Division, account nos. 0017-9084-FK101-0I2 and 0037-9017-A9510-0I2, and is funded with a combination of federal, state, and local funds.

Summary

Board approval is requested to authorize the Chief Executive Officer to negotiate and execute Amendment No. 1 to Agreement, between OCTA, UPRR, and Caltrans, in the amount of \$331,000, for additional design and construction parameters, flagging, inspection, temporary easement, and permanent property rights for the widening of the Bolsa Avenue OH freeway bridge over the railroad facility. This will increase the maximum obligation of the Agreement to a total value of \$1,123,055.

Attachment

- A. Union Pacific Railroad and California Department of Transportation, Construction and Maintenance Agreement No. C-9-1793 Fact Sheet

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