



Council Agenda Report

Item 6g

Department: Public Works
Cost Center: 5010
For Agenda of: 7/20/2021
Placement: Consent
Estimated Time: N/A

FROM: Matt Horn, Public Works Director
Prepared By: Luke Schwartz, Transportation Manager

SUBJECT: CALIFORNIA BOULEVARD AND FOOTHILL BOULEVARD RAILROAD CROSSING GRANT FUNDING AGREEMENT AND REQUEST FOR PROPOSALS FOR DESIGN SERVICES

RECOMMENDATION

1. Adopt a Resolution entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the City Manager to execute Service Contract No. 50LP291 with the California Department of Transportation for the provision of Highway Railroad Grade Crossing Safety Program (Section 130) Grant Funds for the California & Foothill Railroad Crossing Upgrades Project;" and
2. Authorize the City Manager to execute subsequent amendments to the Caltrans Service Contract as needed to facilitate completion of the California & Foothill Railroad Crossing Upgrades Project; and
3. Authorize the Finance Director to augment the budget, by accepting and appropriating Section 130 Program Grant Funds to the California & Foothill Railroad Crossing Upgrades Project account (Spec. No. 91293) pursuant to the Caltrans Service Contract and any subsequent amendments to this contract; and
4. Authorize the issuance of a Request for Proposals (RFP) for Consultant Design Services for the California & Foothill Railroad Crossing Upgrades Project (Specification No. 91293); and
5. Authorize the City Manager to award the Consultant Design Services contract if proposals are within the authorized reimbursable project budget for preliminary engineering pursuant to the Caltrans Service Contract.

DISCUSSION

Background

Following completion of the Railroad Safety Trail project connecting the Cal Poly campus south to Taft Street along California Boulevard roughly 10 years ago, the California Public Utilities Commission (CPUC) notified the City of San Luis Obispo that further upgrades would be required to the at-grade Union Pacific Railroad crossing adjacent to the Foothill Boulevard/California Boulevard intersection. Specifically, the CPUC requested that the City upgrade the antiquated railroad gate arm systems to new compliant gating and warning systems for vehicles, as well as bicycles and pedestrians. As part of the City's 2015-17 Capital Improvement Plan (CIP) work program, the City allocated funding to begin preliminary engineering for an upgraded crossing system.

Following the tragic death of a 22-year-old Cal Poly student in early 2016, who was killed after being struck by a train at this rail crossing, the CPUC notified the City that the proposed crossing improvements may be eligible for grant funding through the Federal Railroad-Highway Grade Crossing (Section 130) Program, which provides grant funding for qualifying railroad crossing safety improvements. In 2019, the CPUC provided formal confirmation to the City that the Foothill & California Railroad Crossing Improvements Project was selected for participation in the Section 130 Program, providing reimbursable grant funds for all remaining phases of the project, from design through construction.

In the State of California, the federal Section 130 Program is administered by the California Department of Transportation (Caltrans). Over the past year, City staff has been coordinating with Caltrans to confirm project details and scope of work and Caltrans recently provided a draft Service Contract, which dictates the terms of grant administration and reimbursements. Attachment A includes a City Council Resolution authorizing the City to enter into this agreement with Caltrans for administration and reimbursement of federal Section 130 grant funds. Attachment B (Exhibit 1 to Attachment A) includes the Caltrans Service Contract, which authorizes an initial allocation of \$400,000 to fund the preliminary engineering phase of the project, with subsequent contract amendments to be administered for the construction phase.

Public Works staff initiated preliminary engineering for this project as part of the 2015-17 Capital Improvement Program, contracting with a qualified Civil Engineering Firm, TRC, through the City's Civil Engineering On-Call Contract. However, the initial design work was put on hold following notice that all design and construction costs would be eligible for federal grant reimbursement. Subsequently, the on-call contract with TRC has since expired and pursuant to federal funding guidelines, staff will need to procure a new engineering design consultant via a competitive Request for Proposals (RFP) process. Thus, staff is requesting authorization to advertise an RFP (Attachment C) for consultant design services in order to continue with engineering design for this project.

Previous Council or Advisory Body Action

The City Council previously authorized funding for preliminary engineering for this project as part of the 2015-17 Financial Plan.

Policy Context

The City's General Plan Circulation Element includes specific policies supporting initiatives that improve transportation safety, as well as coordination with outside agencies and entities to address railroad infrastructure maintenance and public safety needs.

5.1.5. Pedestrian Crossings

To improve pedestrian crossing safety at heavily used intersections, the City shall institute the following:

- A. Install crossing controls where warranted by the California Manual on Uniform Traffic Control Devices (MUTCD) that provide adequate time for pedestrians to cross the street.*

12.2.3. Interagency Cooperation

The City shall coordinate railroad facility infrastructure maintenance with the Union Pacific Railroad and the Public Utilities Commission. In addition, the City shall work with the Air Pollution Control District and others to discourage idling train engines in San Luis Obispo.

12.2.4. Railroad Hazards Reduction.

The City shall monitor and respond to changes, or proposed changes in passenger and freight rail traffic that may impact the safety and well-being of residents of the community including the transport of combustible materials.

The recommended actions are consistent with the City of San Luis Obispo's Financial Management Manual, Section 740 – Grant Management Policy. The policy states that the Council will approve grant applications in excess of \$5,000 and delegates receipt and contract execution to the City Manager. Because the federal Section 130 grant funding opportunity was not obtained via a competitive application process, staff is requesting approval from Council at this time to authorize execution of the Service Contract with Caltrans and approve receipt of grant reimbursement funds for this capital improvement project.

Public Engagement

This item is on the Council Agenda for the July 20, 2021 meeting and will follow all required postings and notifications. The public may have an opportunity to comment on this item at or before the meeting.

CONCURRENCE

The Directors of the Public Works and Finance Departments, as well as the City Attorney's Office have reviewed this staff report and concur with the staff recommendations.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) does not apply to the recommended action in this report because the action does not constitute a "Project" under CEQA Guidelines Section 15378. As part of the preliminary engineering phase of this project and prior to the construction phase, the necessary environmental review for the proposed physical improvements will be conducted pursuant to CEQA and the federal National Environmental Policy Act (NEPA) requirements.

FISCAL IMPACT

Budgeted: No
 Funding Identified: Yes

Budget Year: 2021-22

Fiscal Analysis:

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
General Fund	\$287,325	\$0	\$287,325	\$
State				
Federal (Section 130 Grant)	\$400,000	\$400,000	\$400,000	
Fees				
Other:				
Total	\$687,325	\$400,000	\$687,325	\$

There are currently \$287,325 in General Fund Capital Outlay funds remaining in the project account (Spec. No. 91293), which were originally appropriated during the 2015-17 Financial Plan. While the federal grant will fully fund future costs associated with preliminary engineering and construction of the railroad crossing improvements, Caltrans is not yet certain that the grant funds can be used to reimburse the City for costs associated with acquiring the right-of-way needed from Union Pacific Railroad to construct these improvements. While the City has not yet entered formal negotiations with Union Pacific Railroad, and will request Council authorization prior to doing so, initial conversations indicate that there will be a fee associated with this right-of-way acquisition. Staff recommends holding the current General Fund dollars in the project account to fund future right-of-way acquisition in the case that the federal grant funds cannot be used for this purpose.

With execution of the Caltrans Service Contract for reimbursement of Section 130 grant funds, staff is requesting the appropriation of \$400,000 in grant funds for preliminary engineering. These funds would be used to fund consultant services for engineering design and required permitting and environmental review for the railroad crossing improvements project. There are no ongoing costs associated with these expenditures.

The current Caltrans Service Agreement authorizes allocation of grant funds for the preliminary engineering phase only. Requests to appropriate additional grant funds for the construction phase of the project will be processed in conjunction subsequent amendments to the Caltrans Service Agreement. Construction costs are currently estimated at approximately \$800,000.

ALTERNATIVES

Deny approval of Caltrans Service Contract and Design Services RFP. The Council could choose to deny or defer approval of the Service Contract with Caltrans and RFP for Consultant Design Services. Staff does not recommend this option, as this could risk loss of roughly \$1.2 million in federal grant funds and delay implementation of the railroad crossing improvements project.

ATTACHMENTS

- A – Draft Resolution to apply for Highway Railroad Grade Crossing Safety Program Grant Funds
- B – Exhibit 1 to Draft Resolution (Caltrans Service Contract)
- C – California & Foothill Railroad Crossing Upgrades Design Services RFP