



CITY OF KYLE, TEXAS

Union Pacific Railroad Company "Quiet Zone" Agreement

Meeting Date: 3/21/2017
Date time: 7:00 PM

Subject/Recommendation:

Approve a deposit reimbursement agreement with UNION PACIFIC RAILROAD COMPANY (UPRR) for the City to reimburse UPRR for the cost of review and approval of City's preliminary engineering and other related services in an amount not to exceed \$100,000.00 associated with the implementation of railroad quiet zones on Center Street, South Street, Opal Lane and Roland Lane and direct staff to bring back a budget amendment to provide required funding. ~ *J. Scott Sellers, City Manager*

Other Information:

Schematic plans have been prepared by City staff for review by Union Pacific Railroad Company (UPRR) for creating "Quiet Zone" crossings on Center St. and South St.

A consultant for the proposed Intermandeco development located between Opal Lane and Roland Lane west of the UPRR railroad tracks has prepared schematic plans for creating "Quiet Zone" crossings on Opal Lane and Roland Lane.

UPRR is requesting an amount of \$25,000.00 per crossing for costs for performing the following:

- review and approval of City's preliminary engineering submittal and other related services,
- development of cost estimates,
- review of the project's preliminary layouts,
- submit current train and switching moves, and
- establish a timeline for the completion of this project.

The services completed by UPRR on the Opal Lane and Roland Lane crossings are contemplated to be reimbursed to the City by the developer (Intermandeco) up to \$25,000.00 per crossing.

Legal Notes:

N/A

Budget Information:

A budget amendment will be necessary to provide funding for this agreement with Union Pacific Railroad Company.

ATTACHMENTS:**Description**

- [2017 0321 Letter Quiet Zone Railroad Agreement](#)
- [Exhibit A Quiet Zones](#)



CITY OF KYLE

100 W. Center • P.O. Box 40 • Kyle, Texas 78640 • (512) 262-1010 • FAX (512) 262-3987

March 21, 2017

AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES AND SUBMITTAL OF EXHIBIT "A" FOR RAILROAD APPROVAL

Crossing: Public
State: TX City: Kyle
MP 200.88 Austin Subdivision
Center St / FM450 DOT 447650T
Hays County

Crossing: Public
State: TX City: Kyle
MP 201.08 Austin Subdivision
South St DOT 447651A
Hays County

Crossing: Public
State: TX City: Kyle
MP 202.32 Austin Subdivision
Opal Lane DOT 447653N
447654V
Hays County

Crossing: Public
State: TX City: Kyle
MP 202.85 Austin Subdivision
Roland Lane DOT
Hays County

Mr. Andrew D. Hudanish
Manager, Industry & Public Projects
Union Pacific Railroad Company
24125 Old Aldine Westfield Rd
Spring, TX 77373-9015

Dear Mr. Hudanish:

Plans are being prepared to create a railroad quiet zone at Center St / FM150, DOT 447650T, South St, DOT 447651A, Opal Lane, DOT 447653N and Roland Lane, DOT 447654 in compliance with USDOT Title 49. Subtitle B, Chapter II, Part 222 (Train Horn Rule). The proposed work includes the design of compliant flashing lights and constant warning technology, roadway crossing surface widening and replacement, and other requirements to establish the quiet zone. In connection with the project, the City of Kyle (City) considers it necessary for the successful advancement of the project for your company to collaborate in the development of the project by performing the following:

- preliminary engineering and other related services
- development of cost estimates
- review of the project's preliminary layouts

- submit current train and switching moves
- establish a timeline for the completion of this project

The City authorizes and agrees to reimburse the Railroad for its expenses and actual costs that are incurred for collaborating in the development of the project's preliminary engineering and other preliminary activities. The Railroad has estimated that these preliminary engineering and other preliminary costs will be \$100,000.00. Payment will be made within thirty (30) days from the City's receipt and approval of the Railroad's request for reimbursement. Railroad will refer to City's Project as the "City of Kyle Quiet Zones – Center St., South St., Opal Lane and Roland Lane" and forward Invoices to Leon Barba, P.E., City Engineer at P.O. Box 40, 100 W. Center St., Kyle, Texas 78640

Additionally, attached for your company's review and approval is one (1) set of prints of the concept plans marked **Exhibit A**, which show the basic features of the proposed crossings referenced above. Please review and provide comment on the basic features of the **Exhibit A** as soon as possible. Also enclosed is one (1) set of photos of the project area.

The project may require the Railroad to incur costs for force account activities. Please prepare the railroad force account cost estimate for work activities to be provided by your company, as identified in **Exhibit A** and submit them at your earliest convenience so that they may be attached to the railroad generated Construction & Maintenance (C&M) agreement.

Please verify the number of current regular train 41 and switching movements 0 with a Maximum Speed of 79 at this location as currently shown in our inventory records. This information will be used by the City's Contractor to obtain Railroad Protective Liability Insurance.

This agreement is intended to address Preliminary Engineering. It is understood by both parties that railroad may withhold its approval for any reason directly or indirectly related to safety or its operations, property issues or effect to its facilities. If the Project is approved, Union Pacific will continue to work with the City to develop Final Plans, Specifications and prepare Material and Cost Estimates for Railroad Construction Work associated with the project. It is also understood that if the project is constructed there will be no cost to the railroad.

The City and the Railroad will enter into separate License, Right of Entry, Construction and Maintenance Agreements associated with the actual construction of the project if the project is accepted and approved by the railroad. The Agreements will be drafted by Union Pacific and forwarded to the City after **Exhibit A** and cost estimates have been approved.

Please contact Leon Barba, P.E. at 512-262-3958 or via email at lbarba@cityofkyle.com if you have any questions. Your assistance in this matter is appreciated.

Sincerely,

R. Todd Webster, Mayor
City of Kyle

UNION PACIFIC RAILROAD COMPANY

By _____ Date _____

Name and Title : Andrew D. Hudanish – Manager of Industry & Public Projects

Attachment(s)

Exhibit A Concept Plans

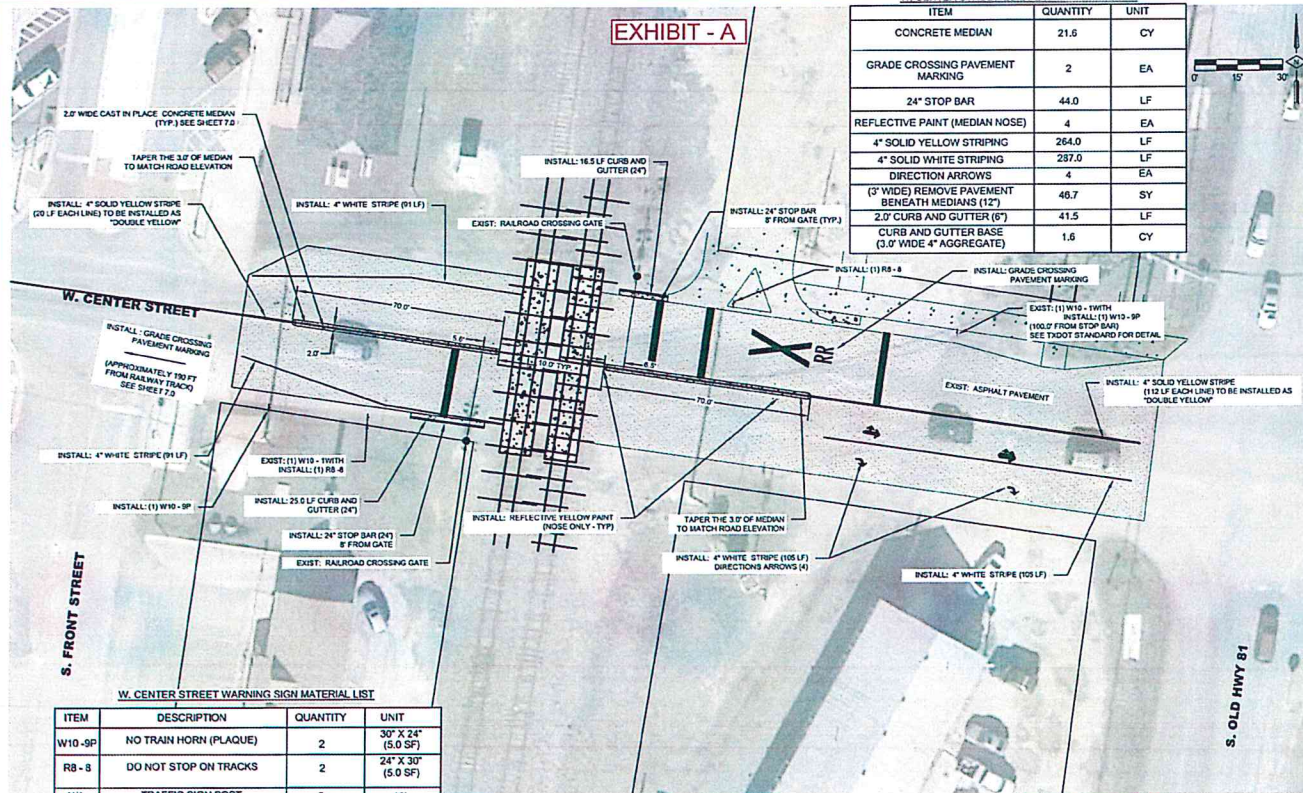
cc: PPTS

Douglas G. Woods – Sr. Manager of Industry & Public Projects – Spring, TX

EXHIBIT - A

W. CENTER STREET QUIET ZONE MATERIAL LIST

| ITEM | QUANTITY | UNIT |
|---|----------|------|
| CONCRETE MEDIAN | 21.6 | CY |
| GRADE CROSSING PAVEMENT MARKING | 2 | EA |
| 24" STOP BAR | 44.0 | LF |
| REFLECTIVE PAINT (MEDIAN NOSE) | 4 | EA |
| 4" SOLID YELLOW STRIPING | 264.0 | LF |
| 4" SOLID WHITE STRIPING | 287.0 | LF |
| DIRECTION ARROWS | 4 | EA |
| (3" WIDE) REMOVE PAVEMENT BENEATH MEDIANS (12") | 46.7 | SY |
| 2.0' CURB AND GUTTER (6") | 41.5 | LF |
| CURB AND GUTTER BASE (3.0' WIDE 4" AGGREGATE) | 1.6 | CY |



W. CENTER STREET WARNING SIGN MATERIAL LIST

| ITEM | DESCRIPTION | QUANTITY | UNIT |
|--------|---|----------|--------------------|
| W10-9P | NO TRAIN HORN (PLAQUE) | 2 | 30" X 24" (5.0 SF) |
| RB-8 | DO NOT STOP ON TRACKS | 2 | 24" X 30" (5.0 SF) |
| N/A | TRAFFIC SIGN POST | 3 | 10' |
| N/A | TUBULAR SOCKET | 3 | 27" |
| N/A | INCIDENTALS TO MOUNT SIGNS (CLAMP W/ BOLTS) | 10 | N/A |

W. CENTER STREET - FM 150 RAILROAD QUIET ZONE PLAN

THIS PLAN IS RELEASED FOR PRELIMINARY REVIEW AND COMMENT ONLY, AND IS NOT FOR CONSTRUCTION.

RAILROAD QUIET ZONE W CENTER STREET



| | |
|-------------|------------------|
| DATE | 01/20/2014 |
| DESIGNED BY | W. CENTER STREET |
| CHECKED BY | W. CENTER STREET |
| APPROVED BY | W. CENTER STREET |
| SCALE | 3.0 |

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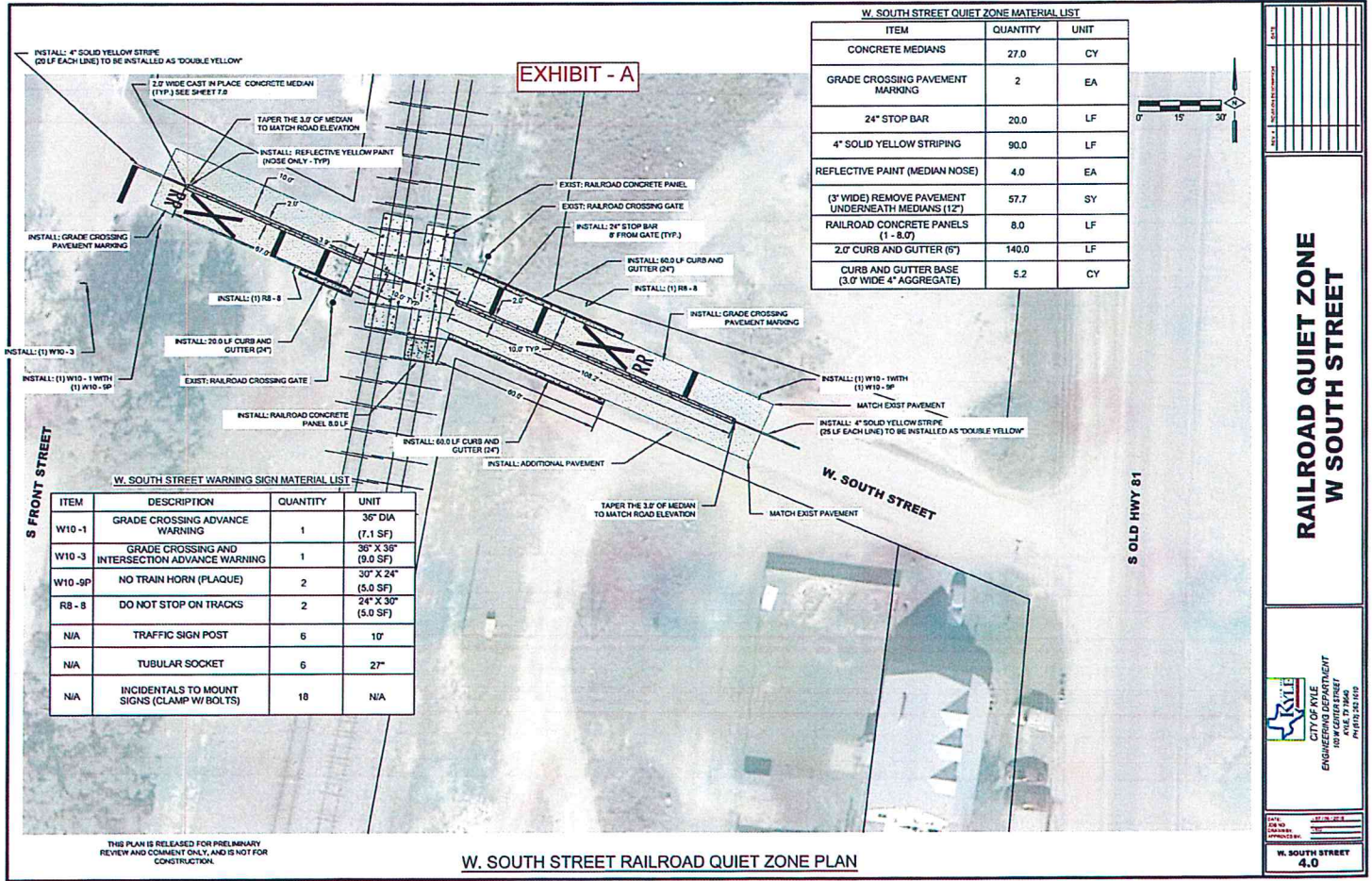


Exhibit A - Opal Lane / Roland Lane

