

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: August 27, 2012
	Agenda Item No. 8B Roll Call No. <u>12-1329</u> Communication No. <u>Council Communication: 12- 454</u> Submitted by: Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Authorizing Agreement for Preliminary Engineering Services between the City of Des Moines and Norfolk Southern Railway Company for rail impacts associated with the SE Connector

SYNOPSIS:

Recommend approval of the Agreement for Preliminary Engineering Services between the City of Des Moines and Norfolk Southern Railway Company for the design of a rail spur and siding track required to address impacts associated with the SE Connector roadway project.

FISCAL IMPACT:

Amount: \$135,000

Funding Source: 2012-2013 CIP, Page Street Improvements - 35, STR219, Southeast Connector – SE 6th Street to SE 14th Street, TIF Bonds

ADDITIONAL INFORMATION:

The preferred alternative for the Southeast Connector includes a major at-grade rail crossing as the roadway crosses under the SE 14th Street viaduct. The rail is operated by Norfolk Southern Railway (NSR) and owned by Burlington Northern Santa Fe (BNSF). To avoid the major rail crossing, an abandoned section of former rail embankment could be re-used to serve as a spur and provide service to the one customer serviced by the rail in this area. On April 25, 2011, by Roll Call No. 11-0654, City Council entered into an agreement for preliminary design services totaling \$50,000 for this re-located rail. This Agreement will finalize the design of the spur line.

The future railroad agreement with BNSF will include removal of their rail between SE 18th Street and SE 2nd Street. To mitigate the loss of rail footage, the City is being asked to replace the rail footage at BNSF’s Glake Yard, currently operated by NSR. Design of the rail siding at the Glake Yard is also included in this Agreement for design.

This Agreement is to complete the design of the rail spur line and rail siding at Glake Yard for an additional estimated cost not to exceed \$135,000. Railroad agreements are on the critical path for meeting the grant schedule for the Southeast Connector. This design work is required to develop the railroad agreement and provide cost estimates. An interim milestone of December 2012 has been agreed to for finalizing agreements for City Council consideration. Bi-weekly conference calls with railroad staff are being held. Additional

resources are being utilized to work with the railroads, including contact with the US DOT, Iowa DOT, Holland & Knight (lobbyist), and external counsel.
Construction of the Southeast Connector between SE 9th Street and SE 15th Street will begin in 2013, pending final railroad agreements.

PREVIOUS COUNCIL ACTION(S):

Date: February 27, 2012

Roll Call Number: [12-0266](#)

Action: [Approving](#) and authorizing the application for a Department of Transportation TIGER discretionary Grant for the Southeast Connector Project between SE 14th Street and SE 30th Street. ([Council Communication No. 12-081](#)). Moved by Meyer to adopt. Motion Carried 7-0.

Date: September 26, 2011

Roll Call Number: [11-1614](#)

Action: [Approving](#) and authorizing the application for a Department of Transportation TIGER discretionary grant for the Southeast Connector Project between SE 14th and SE 30th Streets. ([Council Communication No. 11-605](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: April 25, 2011

Roll Call Number: [11-0654](#)

Action: [Approving](#) Agreement for Preliminary Engineering Services with Norfolk Southern Railway Company for SE Connector – Relocation of Norfolk Southern Tracks, \$50,000. ([Council Communication No. 11-252](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: November 8, 2010

Roll Call Number: [10-1823](#)

Action: [Approving](#) Supplemental Agreement No. 8 to the Southeast Connector Professional Services Agreement with Kirkham Michael & Associates to provide additional design services for the Southeast Connector project – SE 9th Street to SE 14th/15th Street, not to exceed \$116,744. ([Council Communication No. 10-667](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: January 26, 2009

Roll Call Number: [09-137](#)

Action: [Authorizing](#) notification of the City's preferred alternative for the Southeast Connector. ([Council Communication No. 09-031](#)). Moved by Meyer to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Negotiate and execute agreement for the final design and construction of the relocated Norfolk Southern tracks to facilitate the Southeast Connector project.

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