



Roll Call Number

12-1329



Agenda Item Number

8B

Date August 27, 2012

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

WHEREAS, the City and Norfolk Southern Railway have conceptually agreed to a rail spur that would eliminate the need for at-grade rail crossings of the Southeast Connector, SE 15th Street and a trail; and

WHEREAS, on April 25, 2011, by Roll Call No. 11-0654, City Council entered into an agreement with Norfolk Southern Railway for preliminary design services totaling \$50,000 for preliminary engineering necessary for the rail spur associated with the Southeast Connector in the vicinity of SE 14th Street; and

WHEREAS, to mitigate loss of rail footage associated with avoiding the at-grade crossings, Burlington Northern Santa Fe Railway has requested replacement rail at their Glake Yard, currently operated by Norfolk Southern Railway; and

WHEREAS, the Norfolk Southern Railway Company is prepared to complete the design required for the rail spur and rail siding at Glake Yard for an additional estimated cost not to exceed \$135,000 for a total of \$185,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Agreement for Preliminary Engineering Services in connection with the Southeast Connector, be and is hereby approved, subject to legal counsel approval.
2. That the Mayor is hereby authorized and directed to execute said Agreement for an on behalf of the City of Des Moines, Iowa when approved by legal counsel.



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- 3. That the Engineering Department is hereby authorized to administer the terms of said Agreement.
- 4. That the Finance Director is authorized to make payment to the railroad for actual costs upon receipt of an invoice acceptable to the Engineering Department.

(Council Letter Number 12-454 attached)

Activity ID 06-2012-006

Moved by Coleman to adopt.

FORM APPROVED:

Kathleen Vanderpool
Deputy City Attorney

Funding Source: Various Funding Sources, as follows: \$135,000, 2012-2013 CIP, Page Street Improvements - 35, STR219, Southeast Connector - SE 6th Street to SE 14th Street, TIF Bonds

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7).

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

T. M. Franklin Council Mayor

Diane Rauh City Clerk