



Interoffice Memorandum

January 17, 2020

TO: Mayor Jerry L. Demings  
and Board of County Commissioners

FROM: Joseph C. Kunkel, P.E., Director, Public Works Department

A handwritten signature in black ink, appearing to read "Joseph C. Kunkel".

CONTACT PERSON: **Deodat Budhu<sup>DB</sup>, P.E., Manager**  
**Roads and Drainage Division**

PHONE NUMBER: **(407) 836-7958**

SUBJ: **Project Addendum to Master Construction Agreement with CSX Transportation, Inc. for the Construction of Grade Crossing Surface at CSX Railroad Crossing No: 621488H on Exchange Drive**

On October 5, 2010, the County entered into a Master Construction Agreement with CSXT establishing the terms and conditions for all future County initiated railroad projects. Therefore, as per the terms of this agreement, the County would be responsible for the repair or replacement of the grade crossing surface at the CSXT railroad tracks on Exchange Drive. This crossing surface is in poor condition and needs to be brought to current standards of grade crossing surface.

In addition, as per the agreement, the County is submitting the Project Addendum to Master Agreement to CSXT for the construction engineering work of a new grade crossing surface. The cost of the construction engineering work is \$265,229 and funds are available in Account #1002-072-5086-3197.

The County Attorney's Office has reviewed the addendum and found it acceptable.

Action Requested: **Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County for the construction engineering work of the grade crossing surface at CSX Railroad Crossing No: 621488H on Exchange Drive north of West Landstreet Road and authorization to disburse \$265,229 for the construction engineering work. District 6.**

DB/GS/rb

Attachments

BCC Mtg. Date: January 28, 2020

**EXHIBIT A**

**PROJECT ADDENDUM**

**Project:** Orlando, Orange County, FL; Exchange Dr. (South crossing) at CSXT MP AOC 2.87,  
DOT 621488H  
CSXT OP FL2559

**PROJECT ADDENDUM  
TO  
MASTER AGREEMENT**

This Project Addendum (“Addendum”) is entered into as of February 21, 2020 by and between CSX Transportation, Inc., a Virginia corporation with its principal place of business in Jacksonville, Florida (“CSXT”) and Orange County, a charter county and political subdivision of the State of Florida (“County”).

**EXPLANATORY STATEMENT**

- A. CSXT and County entered into a Master Agreement dated October 5, 2010 for use when a County initiated highway or utility project passes over, under, adjacent to, or at-grade with CSXT’s railroad facilities (collectively, the “Projects”, individually a “Project”).
- B. In addition to the covenants contained in the Master Agreement, it is the purpose of this Addendum to provide for the specific Project descriptions, obligations, and responsibilities of the parties.

NOW, THEREFORE, in consideration of the foregoing Explanatory Statement and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree and covenant as follows:

I. The specific Project information is as follows:

- **Project Identification:**  
Route: Exchange Dr. (South crossing)      CSXT Milepost: AOC-2.87  
City: Orlando      DOT/AAR No: 621488H  
County: Orange      County Project No.:
- **Description of the Project:**
- **Category of CSXT Work and Estimated Reimbursable Costs:**  
 Preliminary Engineering: \$  
 Construction Engineering/Work (Detailed Estimate Attached): \$265,229

2. Allocation of Work:

CSXT. Work to be done by CSXT or its contractor (at sole cost and expense of County) and date(s) for completion: CSX or its contractor to provide or cause to be provided:

1. Removal of the existing crossing
2. Installation of a new tub platform type crossing surface.
3. Paving, curb, sod and pavement markings from 50' from the centerline of tracks
4. Dispose of waste material.
5. Provide police protection and maintenance of traffic as may be required.
6. Provide flagging protection as may be required.
7. Provide construction engineering and inspection services to protect the interests of CSXT (Estimated 180 days to complete from receipt of project authorization).

County. Work to be done by County, and date(s) for completion:

1. Provide information as needed by CSX or its contractor to assist scheduling and coordination of the work.
2. Provide advance notification to the public of MOT.

3. This Addendum shall be binding upon the parties hereto, their successors, or assigns and all portions of the Master Agreement not specifically changed by this Addendum remain in full force and effect.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed in duplicate, each by its duly authorized officers as of the date of this Addendum.

Witness as to CSXT:

*Erin Marie J. Olsen*

Witness

*JoAnn S. Rinehart*  
Notary Public



JoAnn S. Rinehart  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG308562  
Expires 7/1/2023

CSX TRANSPORTATION, INC.

By: *J. Tod Echler*

J Tod Echler  
Chief Engineer Design & Construction

(Corporate Seal)

I attest to the genuineness of the Corporate Seal, and I further attest that the above named officer is duly authorized to execute this document.

Attest:

By: *Steven Ambrust*

As its: Steven Ambrust

Assistant Corporate Secretary



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*

Jerry L. Demings  
Orange County Mayor

Date: 28 January 2020

ATTEST: Phil Diamond, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Kacie Fries*  
Deputy Clerk

ESTIMATE SUBJECT TO REVISION AFTER: 11/18/2020 DOT NO.: 621488H  
 CITY: Orlando COUNTY: Orange STATE: FL  
 DESCRIPTION: Exchange Drive (south crossing) Replace existing 35' single track asphalt surface with new 40' TUB surface. 50' paving on both sides of the tracks with associated sod, curb and sidewalk work requested by the County. MOT and Police Protection included as part of the estimate.  
 ZONE: Florida SUB-DIV: Orlando MILE POST: AOC-2.87  
 AGENCY PROJECT NUMBER: Orange County

**PRELIMINARY ENGINEERING:**  
 212 Contracted & Administrative Engineering Services \$ 15,000  
 Subtotal \$ 15,000

**CONSTRUCTION ENGINEERING/INSPECTION:**  
 212 Contracted & Administrative Engineering Services \$ 14,500  
 Subtotal \$ 14,500

**FLAGGING SERVICE: (Contract Labor)**

70	Labor (Conductor-Flagman)	0	Days @	\$ -	\$ -
50	Labor (Foreman/Inspector)	5	Days @	\$ 504.00	\$ 2,520
70	Additive	150.40%	(Transportation Department)		\$ -
50	Additive	149.50%	(Engineering Department)		\$ 3,767
230	Expenses		(Engineering Department)	5	Days @ \$ 75.00 \$ 375
230	Expenses		(Transportation Department)	0	Days @ \$ - \$ -
	Subtotal				\$ 6,662

**SIGNAL & COMMUNICATIONS WORK:** \$ 5,000

**TRACK WORK:** \$ 214,955

**PROJECT SUBTOTAL:** \$ 256,117

900 **CONTINGENCIES:** 10.00% of construction costs only \$ 24,112

**PROJECT TOTAL:** \$ 280,229

**CURRENT AUTHORIZED BUDGET:** \$ 15,000

**TOTAL SUPPLEMENT REQUESTED:** \$ 265,229

**DIVISION OF COST:**

Agency	100.00%	\$ 265,229
Railroad	0.00%	\$ -

**NOTE: Estimate is based on FULL CROSSING CLOSURE during work by Railroad Forces.**  
 This estimate has been prepared based on site conditions, anticipated work duration periods, material prices, labor rates, manpower and resource availability, and other factors known as of the date prepared. The actual cost for CSXT work may differ based upon the agency's requirements, their contractor's work procedures, and/or other conditions that become apparent once construction commences or during the progress of the work.

Office of Chief Engineer Public Projects--Jacksonville, Florida  
 Estimated prepared by: M. Ohlmann STV Inc Approved by: KSW CSXT Public Project Group  
 DATE: 11/19/19 REVISED: 01/00/00 DATE: 11/21/19