



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~~ ^{DB} Deodat Budhu, 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: 621489P 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 preliminary engineering design is \$254,077, 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: 621489P on Exchange Drive south of Presidents Drive and authorization to disburse \$254,077 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. (North crossing) at CSXT MP AOC 3.15,
DOT 621489P
CSXT OP FL2548

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:

1. The specific Project information is as follows:
 - Project Identification:

Route: Exchange Dr. (North crossing)	CSXT Milepost: AOC-3.15
City: Orlando	DOT/AAR No: 621489P
County: Orange	County Project No.:
 - Description of the Project:
 - Category of CSXT Work and Estimated Reimbursable Costs:

<input type="checkbox"/> Preliminary Engineering: \$
<input checked="" type="checkbox"/> Construction Engineering/Work (Detailed Estimate Attached): \$254,077

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:

Evan Marie J. Olson
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: Steven Armbrust
By: Steven Armbrust
As its: Steven Armbrust
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: Katie Sweet
Deputy Clerk

ESTIMATE SUBJECT TO REVISION AFTER: 11/18/2020 DOT NO.: 621489P
 CITY: Orlando COUNTY: Orange STATE: FL
 DESCRIPTION: Exchange Drive (north crossing) Replace existing 32' single track asphalt surface with new 40' TUB surface. 50' paving on both sides of the tracks with associated curb and sidewalk work requested by the County. Maintenance of Traffic and Police Protection included in the estimate.
 ZONE: Florida SUB-DIV: Orlando MILE POST: AOC 3.15
 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: \$ 204,817

PROJECT SUBTOTAL: \$ 245,979

900 **CONTINGENCIES:** 10.00% of construction costs only \$ 23,098

PROJECT TOTAL: \$ 269,077

CURRENT AUTHORIZED BUDGET: \$ 15,000

TOTAL SUPPLEMENT REQUESTED: \$ 254,077

DIVISION OF COST:

Agency	100.00%	\$ 254,077
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