



Interoffice Memorandum

November 8, 2022

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

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

Handwritten signature of Joseph C. Kunkel in black ink.

CONTACT PERSON: Eduardo Avellaneda, P.E., Manager
Roads and Drainage Division

Handwritten initials "EA" in black ink.

PHONE NUMBER: (407) 836-7871

SUBJ: **Project Addendum to Master Agreement with CSX Transportation, Inc. for the Construction of Grade Crossing Surface at CSX Railroad Crossing No: 643865F on Presidents Drive**

On October 5, 2010, the County entered into a Master Construction Agreement with CSX Transportation, Inc. (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 Presidents Drive. This crossing surface is in poor condition with safety related concerns and needs to be brought to current standards of grade crossing surface.

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 \$345,235 and funds are available in Account #1002-072-5086-3197.

The County Attorney's Office has reviewed the Agreement and found it acceptable as to form.

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. 643865F on Presidents Drive, north of West Sand Lake Road and authorization to disburse \$345,235 for the construction engineering work. District 6**

JCK/EA/GS/rs

Attachments



Legend

Railroad Crossings
OC Maintenance

● YES

⊕ Railroads

≡ Full Maintained

≡ State of Florida

≡ City

≡ CFX



Presidents Drive - 643865F

Project Addendum for Construction Engineering Work

Author: George Shupp
 Checked by:
 Date Saved: 10/11/2022

All data, information, and maps are provided "as is" without warranty or any representation of accuracy, timeliness of completeness

BCC Mtg. Date: November 29, 2022

PROJECT ADDENDUM

Project: Orlando, FL - Presidents Drive CSURF; DOT# 643865F, Sanford Subdivision; M.P. AOC-3.81; CSXT OP FL2917

**PROJECT ADDENDUM
TO
MASTER AGREEMENT**

This Project Addendum ("Addendum") is entered into as of February 2, 2023, 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: Presidents Drive. CSXT Milepost: AOC-3.81
City: Orlando DOT/AAR No: 643865F
County: Orange County Project No.:
 - Description of the Project: Presidents Drive Crossing Replacement with a 60' TUB
 - Category of CSXT Work and Estimated Reimbursable Costs:
 Preliminary Engineering: \$
 Construction Engineering/Work (Detailed Estimate Attached): \$345,235

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) Installation of new asphalt within sawcut limits to the North, and 20' to the South of the track. 4) Disposal 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 in 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. Olsen
Witness

Tana Copeland
Notary Public



TANA COPELAND
Commission # HH 338434
Expires December 20, 2026

CSX TRANSPORTATION, INC.

By: *[Signature]*
Edward D. Sparks II, PE
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: *[Signature]*
By: *[Signature]*
As its: *Corporate Secretary*

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *[Signature]*
for Jerry L. Demings
Orange County Mayor

Date: November 29, 2022

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

By: *[Signature]*
Deputy Clerk



ESTIMATE SUBJECT TO REVISION AFTER: 10/6/2023 DOT NO.: 643865F
 CITY: Orlando COUNTY: Orange STATE: FL
 DESCRIPTION: Presidents Dr. replacement of existing concrete crossing surface with a new 60' single-track TUB-type crossing.
 ZONE: Florida SUB-DIV: Sanford MILE POST: AOC-3.81
 AGENCY PROJECT NUMBER: Orange County Project

PRELIMINARY ENGINEERING:

212	Contracted & Administrative Engineering Services	\$	15,000
	Subtotal	\$	15,000

CONSTRUCTION ENGINEERING/INSPECTION:

212	Contracted & Administrative Engineering Services	\$	17,000
	Subtotal	\$	17,000

FLAGGING SERVICE: (Contract Labor)

70	Labor (Conductor-Flagman)	0	Days @	\$ 350.00	\$	-
50	Labor (Foreman/Inspector)	5	Days @	\$ 504.00	\$	2,520
70	Additive	137.00% (Transportation Department)			\$	-
50	Additive	160.00% (Engineering Department)			\$	4,032
	Subtotal				\$	6,552

SIGNAL & COMMUNICATIONS WORK: \$ -

TRACK WORK: \$ 288,935

PROJECT SUBTOTAL: \$ 327,487

900	CONTINGENCIES:	10.00%	\$	32,749
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PROJECT TOTAL: \$ 360,235

CURRENT AUTHORIZED BUDGET: \$ 15,000

TOTAL SUPPLEMENT REQUESTED: **\$ 345,235**

DIVISION OF COST:

Agency	100.00%	\$	345,235
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: / - Matt Meyer

Approved by: **KSW** CSXT Public Project Group

DATE: 10/06/22 REVISED: 01/00/00 DATE: 10/10/22