



Interoffice Memorandum

APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS

BCC Mtg. Date: November 29, 2016

November 18, 2016

TO: Mayor Teresa Jacobs and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Public Works Director

CONTACT PERSON: **Deodat Budhu, P.E., Manager**
Roads and Drainage Division

PHONE NUMBER: **(407) 836-7871**

SUBJ: **Approval of Project Addendum to Master Agreement between CSX Transportation, Inc. and Orange County for Installation of a New Full Width Concrete Surface Crossing on Titan Row Crossing #622329E**

Orange County is responsible for the repair or replacement of the at grade surface crossing on CSX Transportation, Inc. (CSXT) Railroad Crossing #622329E on Titan Row east of Chancellor Dr. The existing at grade surface crossing is in poor condition and needs to be replaced as soon as possible. Orange County previously entered into a Project Addendum to the Master Agreement with CSXT for the Preliminary Design of a new at grade surface crossing for this location.

The engineering design phase is completed and CSXT has prepared a separate Project Addendum to the Master Agreement for the construction of this new surface crossing. The estimated cost for installation of these improvements is \$352,924.

Staff recommends approval of the Project Addendum with CSXT for the construction of a new full width concrete at grade surface crossing on Titan Row with authorization for payment to CSXT in the amount of \$352,924 from Account #1002-072-5086-3197. This Project Addendum has been approved by the County Attorney's Office and Risk Management Division.

Action Requested: **Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County for installation of a new full width concrete surface crossing on Titan Row (Crossing #622329E). District 6.**

MVM/DB/GS/fs

Attachments

BCC Mtg. Date: November 29, 2016

EXHIBIT A

PROJECT ADDENDUM

Project: Taft, Orange County, FL; Titan Row at CSXT Milepost A-797.17, DOT 622329E
CSXT OP FL2160

**PROJECT ADDENDUM
TO
MASTER AGREEMENT**

This Project Addendum (“**Addendum**”) is entered into as of Jan. 13, 2017, 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: Titan Row
City: Taft
County: Orange
CSXT Milepost: A 797.17
DOT/AAR No: 622329E
County Project No.:
- **Description of the Project:**
- **Category of CSXT Work and Estimated Reimbursable Costs:**
☐ Preliminary Engineering: \$
☒ Construction Engineering/Work (Detailed Estimate Attached): \$352,924

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 the saw cut limits. 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.

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:

[Signature]

Witness

Evamarie J. Olsen

Notary Public

CSX TRANSPORTATION, INC.

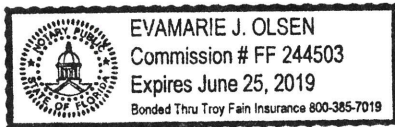
By: [Signature]

J. Tod Echler

Assistant Vice President - Engineering

(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: Paul R. Hitchcock

As its:

PAUL R. HITCHCOCK
CORPORATE SECRETARY

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: [Signature]

Teresa Jacobs

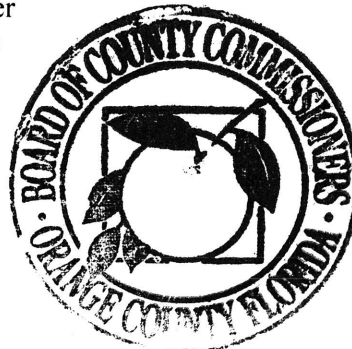
Orange County Mayor

Date: 11-29-16

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: [Signature]

Deputy Clerk



**CSX TRANSPORTATION, INC.
FORCE ACCOUNT ESTIMATE**

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ACCT. CODE : 709 - AFETBD

ESTIMATE SUBJECT TO REVISION AFTER:		4/16/2017	DOT NO.: 622329E
CITY: Taft	COUNTY: Orange		STATE: FL
DESCRIPTION: Titan Row - Flagging & CE & I for Proposed replacement of existing 33' double track asphalt surfaces with new 40' TUB surfaces			
DIVISION: Jacksonville	SUB-DIV: Orlando		MILE POST: A-797.17
AGENCY PROJECT NUMBER:			

PRELIMINARY ENGINEERING:

212 Contracted & Administrative Engineering Services	\$ -
Subtotal	\$ -

CONSTRUCTION ENGINEERING/INSPECTION:

212 Contracted & Administrative Engineering Services	\$ 17,900
Subtotal	\$ 17,900

FLAGGING SERVICE: (Contract Labor)

070 Labor (Conductor-Flagman)	\$ -
050 Labor (Foreman/Inspector)	\$ 784
070 Additive 113.98% (Transportation Department)	\$ -
050 Additive 118.39% (Engineering Department)	\$ 928
230 Per Diem (Engineering Department)	\$ 150
230 Expenses	\$ -
Subtotal	\$ 1,862

SIGNAL & COMMUNICATIONS WORK:

\$ 5,000

TRACK WORK:

\$ 296,078

PROJECT SUBTOTAL

\$ 320,840

900 **CONTINGENCIES:** 10.00%

\$ 32,084

GRAND TOTAL *****	\$ 352,924
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DIVISION OF COST:

Agency	<u>100.00%</u>	\$ 352,924
Railroad		\$ -
TOTAL *****		\$ 352,924

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 Assistant Chief Engineer Public Projects—Jacksonville, Florida

Estimated prepared by:

J. Hudgins

Approved by:

CSXT Public Project Group

DATE: 10/18/2016

REVISED:

DATE: