



## Interoffice Memorandum

October 30, 2017

**TO:** Mayor Teresa Jacobs  
and Board of County Commissioners

**FROM:** Raymond E. Hanson, P. E., Director  
Utilities Department

A handwritten signature in black ink, appearing to read "R. Hanson", is written over the "FROM:" line.

**SUBJECT: BCC AGENDA ITEM – Consent Agenda  
November 14, 2017 BCC Meeting  
CSX Transportation, Inc. Utility Addendum for Presidents Drive (Sand  
Lake Road to PS 3177) Wastewater System Improvements Project  
Contact Person: Andres Salcedo, P. E., Assistant Director  
Utilities Department  
407-254-9719**

A master construction agreement with CSX Transportation, Inc. (CSXT) was executed by the BCC on October 5, 2010. The master agreement governs all county-initiated projects that pass over, under, adjacent to, or at-grade with CSXT's railroad facilities. For county-initiated utility projects, the master agreement allows the use of a utility addendum for each specific utility project.

The utility addendum allows a utility crossing to be constructed under the terms of the master agreement without lengthy negotiation of a separate project agreement. The work to be performed and fees associated with the CSXT crossing are detailed in each project-specific addendum.

Some components of the wastewater collection system along Presidents Drive, from Sand Lake Road to Pump Station #3177, require rehabilitation. This rehabilitation will require the installation of two new pipe crossings of CSXT railroad tracks at CSXT Milepost A 797.17. Per CSXT's current construction requirements, each pipe must be installed within its own casing. Accordingly, a new 24-inch force main will be installed within a 42-inch casing and a new 15-inch gravity sewer will be installed within a 30-inch casing. This utility addendum will authorize the necessary CSXT facility crossings.

CSXT requires the payment of a permit fee for each project-specific addendum that is processed. The permit fee associated with this addendum totals \$19,200 and includes an Application Review Fee of \$7,500, a Railroad Protective Liability fee of \$1,500, and a License Fee of \$10,200.

The Orange County Attorney's Office has reviewed the document and finds it acceptable as to form. Orange County Utilities staff recommends approval.

**Action Requested: Approval of Exhibit B Utility Addendum (County Initiated  
Utility Project) CSX674448001 by and between CSX  
Transportation, Inc. and Orange County for the Presidents  
Drive (Sand Lake Road to Pump Station #3177)  
Wastewater System Improvements Project with a permit  
fee in the amount of \$19,200.**

**District 6.**

BCC Mtg. Date: November 14, 2017

**EXHIBIT B**

UTILITY ADDENDUM

**(COUNTY INITIATED UTILITY PROJECT)**

Project: CSX674448001 at CSXT Milepost A 797.17, DOT # N/A  
CSXT OP#

This Project Addendum (“**Addendum**”) is entered into as of NOV 14 2017 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 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:  
CSXT Milepost: A 797.17  
DOT/AAR No: N/A
- Description of the Project:  
☒ Facility Encroachment Application attached.
- Category of CSXT Work and Estimated Reimbursable Costs:  
☒ Preliminary Engineering: \$7,500.00  
☐ Construction Engineering/Work (Detailed Estimate Attached): \$

- ☒ License Fee: \$10,200.00  
☒ Railroad Protective Liability Insurance Risk Fee: \$1,500.00  
*(if box is checked, please disregard Article 4 of Exhibit E, Insurance Requirements)*

2. Allocation of Work:
- CSXT. Work to be done by CSXT (at sole cost and expense of County) and date(s) for completion:
  - County. Work to be done by County, and date(s) for completion:
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.

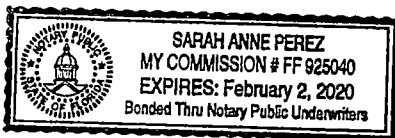
**IN WITNESS WHEREOF**, the parties hereto have caused this Addendum to be executed in duplicate, each by its duly authorized officers as of the date of this Addendum.

**CSX TRANSPORTATION, INC.**

By: [Signature]  
 Print Name: Dona Jadwin  
 Print Title: Manager Real Estate Services

The foregoing instrument was acknowledged before me this 9th day of October, 2017 by Dona Jadwin, Manager, of CSX Transportation, Inc., a Virginia corporation on behalf of the corporation. The above-named person is personally known to me.

[Signature]  
 Signature of Notary Public



SARAH ANNE PEREZ  
 Print Name of Notary Public

I am a Notary Public of the State of Florida  
 and my commission expires on 2-2-2020

**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

Date: 11.14.17

**ATTEST: Phil Diamond, CPA, County Comptroller**

As Clerk of the Board of County Commissioners

By: *Craig A. Stopura*  
Deputy Clerk  
fol Clerk/Deputy Clerk of the Board

Date: NOV 14 2017

