

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
6	06/27/11	Open	Action	06/21/11

Subject: Approving the Right of Entry Agreement with the State of California for the State's "Across the Top" High Occupancy Vehicle Lane Project and a Service Contract with the State of California for Flagging Services.

ISSUE

Whether or not to approve: (1) a Right of Entry Agreement between the State of California and RT for the State's Del Paso Overhead Structure, "Across the Top" High Occupancy Vehicle Lane Project (EA 03-379709) (the "Project"); and (2) a Service Contract with the State of California for flagging services and gate crossing installation for the Project.

RECOMMENDED ACTIONS

Adopt Resolution No. 11-06-___, Approving a Right of Entry Agreement with the State of California for the State's "Across the Top" High Occupancy Vehicle Lane Project (EA 03-379709) and a Service Contract with the State of California

FISCAL IMPACT

All costs incurred by RT should be reimbursed by Caltrans within 45 days after receipt by Caltrans of an invoice documenting the costs.

DISCUSSION

The California Department of Transportation (Caltrans) will be adding high occupancy vehicle lanes on both sides of Interstate Highway 80 (Del Paso Overhead Structures). The widening of these structures will interfere with RT's existing facilities.

On February 28, 2011, the Board of Directors approved a Service Contract with Caltrans for RT to review the existing conditions and complete the engineering design effort for the modifications to RT's overhead contact system (OCS) and wayside equipment to eliminate interference between the OCS/wayside equipment and the Del Paso Overhead structure. The agreement allows RT to be completely reimbursed, in arrears, for all design costs, including staff costs, incurred in support of the Caltrans project. The Service Contract was for design work only.

RT and Caltrans have negotiated a Right of Entry Agreement that details the impacts of the project and the general areas of responsibility for various project activities for proposed improvements in and around Del Paso Park Separation Overhead Left/Right, located near the Roseville Road Light Rail Station.

Under the Right of Entry, RT agrees to the following temporary and permanent modifications to its facilities:

- A permanent loss of 25 parking spaces in the Roseville Road Park and Ride lot.

Approved:

Presented:

Final 6/22/11

General Manager/CEO

Director, Civil and Track Design

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- Closure of the eastbound on-ramp from RT parking lot will be closed for 6 months during the bridge span construction
- A new gate crossing that will be installed based on a PUC-approved design
- Temporary modification of the OCS during construction and then a permanent modification at the completion of construction, using a design prepared by RT and an RT-approved OCS contractor
- Temporary relocation of the existing southbound bus stop 200 feet to the south
- Closure of a portion of the parking lot for the duration of the Project both for construction and for relocation of the Sheriff Work Release Facility
- An extended shutdown of the OCS on one or two occasions during the Project, during which RT will provide a Bus Bridge to be paid for by Caltrans.

The Right of Entry also provides that RT and Caltrans will collaborate on Public Outreach activities, at Caltrans’s cost, related to the Project.

The new Service Contract would provide a mechanism for RT to be reimbursed for flagging services and a gate crossing installation needed for the Project. Caltrans wanted a separate agreement for these services, rather than incorporating those services into the Right of Entry. The Service Contract will provide reimbursement for the gate installation and for flagging services to be completed by RT staff on an actual cost basis. The Service Contract includes a reimbursement cap of \$374,855.84. This amount should be adequate to cover all of RT’s costs and includes an appropriate contingency. If RT expects its costs to exceed this amount, RT and Caltrans will negotiate a supplemental agreement.

Staff recommends approval of the Right of Entry Agreement and Service Contract with Caltrans for the “Across the Top” High Occupancy Vehicle Lane Project.

RESOLUTION NO. 11-06-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

June 27, 2011

APPROVING A RIGHT OF ENTRY AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE STATE'S "ACROSS THE TOP" HIGH OCCUPANCY VEHICLE LANE PROJECT (EA 03-379709) AND A SERVICE CONTRACT WITH THE STATE OF CALIFORNIA

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Right of Entry by and between the Sacramento Regional Transit District (therein "RT") and the State of California, acting by and through its Department of Transportation, therein referred to as "STATE," whereby the parties agree to terms and conditions governing the construction of STATE's "Across the Top" High Occupancy Vehicle Lane Project EA 03-379709, as further set forth therein, is hereby approved.

THAT, the Service Contract by and between the Sacramento Regional Transit District (therein "RT") and the State of California, acting by and through its Department of Transportation (therein referred to as "STATE") whereby STATE agrees to compensate RT for costs incurred by RT to provide flagging services and a gate crossing installation for STATE's "Across the Top" High Occupancy Vehicle Lane Project EA 03-379709, as further set forth therein, is hereby approved.

THAT, the General Manager/CEO is hereby authorized to execute said Right of Entry and Service Contract.

DON NOTTOLI, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary