

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	03/12/12	Open	Action	02/27/12

Subject: Repealing Resolution 11-10-0145 and Approving the South Sacramento Corridor Phase II Project Light Rail Project Agreement with the City of Sacramento.

ISSUE

Whether or not to repeal Resolution No. 11-10-145 and approve the revised South Sacramento Corridor Phase II Project Light Rail Project Agreement with the City of Sacramento.

RECOMMENDED ACTION

Adopt Resolution No. 12-03-____, Repealing Resolution No. 11-10-0145 and Approving the South Sacramento Corridor Phase II Project Light Rail Project Agreement with the City of Sacramento.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	35,000*
Budget Source:	Capital	Next FY:	\$	42,775*
Funding Source:	New Starts, STA, Prop 1B Measure A, Developer Fees	Annualized:	\$	
Cost Cntr/GL Acct(s) or Capital Project #:	410.03.09.01.02	Total Amount:	\$	TBD*
Total Budget:	\$ *77,775			

*The City charges RT review and inspection fees based on the value of the improvements. The fees, estimated to be \$77,775, are for actual time spent on the review and inspection, and are unknown at this time.

DISCUSSION

The South Sacramento Corridor Phase II (SSCP2) Project (Project) is within the City of Sacramento. Construction of light rail facilities within or across city streets, relocation of and connection to city utilities, and temporary modifications of traffic flow require RT to execute an agreement with the City of Sacramento authorizing the construction within City right of way.

The agreement provides for RT reimbursement of costs associated with City review of the design plans, construction inspection overview and any modification of city facilities. Insurance and indemnification are also addressed in the agreement. Project agreements were executed with the City for the Starter Line, subsequent double tracking projects, the South Sacramento Corridor, the Amtrak/Folsom Corridor Project and the Green Line to the River District Project. The agreement for the SSCP2 Project is modeled on the agreement for the Green Line to the River District Project.

Approved:

Presented:

Final 3/1/12

General Manager/CEO

Director, Civil and Track Design

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Operations and maintenance of the light rail system are generally covered in a separate operating agreement with the City of Sacramento. However, this Project Agreement would include provisions related to the Track Warrant and Red Tag Permit issuance for the new track segments and would require expedited processing of Track Warrants for City Projects.

The agreement approved by the Board in October 2011 included provisions to allow for City-reimbursed work (“betterments”) to be constructed as part of the project. The City has since notified RT that it cannot encumber the funds required for certain specified betterments until July 2012 and that it cannot execute the agreement until the funds are available.

The solution agreed to by RT and City Staff was to delete the requirement for RT to construct City-requested betterments and to instead provide that no betterments will be constructed without an amendment to the Project Agreement.

As the execution of the project agreement is critical to advancing the Project in the New Starts Process, staff recommends the Board repeal Resolution No. 11-10-0145 and approve a revised Project Agreement for the South Sacramento Corridor Phase II between RT and the City of Sacramento.

RESOLUTION NO. 12-03-_____

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

March 12, 2012

**REPEALING RESOLUTION NO. 11-10-0145 AND APPROVING THE SOUTH
SACRAMENTO CORRIDOR PHASE II PROJECT LIGHT RAIL PROJECT
AGREEMENT WITH THE CITY OF SACRAMENTO**

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

THAT, Resolution No. 11-10-0145 is repealed.

THAT, the South Sacramento Corridor Phase II Project Light Rail Project Agreement between the Sacramento Regional Transit District, therein referred to as "RT," and the City of Sacramento, therein referred to as "CITY", authorizing RT to construct the South Sacramento Corridor Phase II (SSCP2) Project within City right of way under the conditions set forth therein, is hereby approved.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary