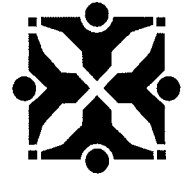


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 275-14

Department Source: Water & Light

To: City Council

From: City Manager & Staff

Council Meeting Date: August 18, 2014

Re: Amendment to the supplemental agreement for active warning device upgrades at the Columbia Terminal Railroad's crossing with College Avenue (MO 763).

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibit to Ordinance/Resolution

Supporting documentation includes: None

Executive Summary

Staff has prepared for Council consideration an ordinance authorizing the City Manager to execute an amendment to the supplemental agreement with the Missouri Highway and Transportation Commission. This amendment is for the active warning device upgrades at the Columbia Terminal Railroad's crossing with College Avenue and the appropriations of funds. The amendment will allow MoDOT to pay 100% of the cost required to refurbish and update the equipment formerly at the Columbia Terminal Railroad's (COLT) crossing at US 63 and reinstall at College Ave. Total project cost is estimated at \$196,000. The COLT will initially pay for the project with full reimbursement from MoDOT.

Discussion

In the agreement executed on December 7, 2012, Missouri Department of Transportation (MoDOT) offered to share the cost to upgrade the Columbia Terminal Railroad's (COLT) active warning devices at College Avenue (MO 763). MoDOT had originally offered to pay 95% of the cost required to refurbish and update the equipment formerly at US 63 and reinstall at College Ave. The original cost estimate for the project was \$120,000 with a Final Cost to the COLT to be \$6,000.

Since executing the agreement, the City has called for bids through the Purchasing Division for the active warning device upgrades at the Columbia Terminal Railroad's crossing with College Avenue. The low bid for the project came in at \$196,000. Staff from the COLT contacted MoDOT to inform them of this information. Since that time additional funding has been made available to MoDOT and they have now offered to reimburse the entire project cost.

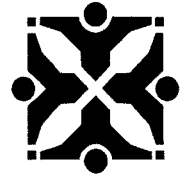
Staff requests approval of an ordinance authorizing the City Manager to execute an amendment of the supplemental agreement with the Missouri Highway and Transportation Commission and increase the budget for upgrades to the Columbia Terminal Railroad's active warning devices at College Avenue and the appropriations of funds.

Fiscal Impact

Short-Term Impact: The electric utility will advance funds to COLT in anticipation of reimbursement. MoDOT will reimburse COLT for 100% of total cost which is estimated at \$196,200. While COLT will

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initially pay for the project, with the reimbursement from MoDOT, the final cost to COLT is estimated to be \$0.00. Upon reimbursement from MoDOT, COLT will return the advance to the electric utility.

Long-Term Impact: None

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Transportation

Strategic Plan Impact: Infrastructure

Comprehensive Plan Impact: Infrastructure

Suggested Council Action

Staff recommends Council approve the ordinance authorizing the City Manager to execute an amendment to the supplemental agreement with the Missouri Highway and Transportation Commission for the refurbishment and update of the equipment formerly at the COLT crossing at US 63, re-install at College Ave and the appropriations of funds.

Legislative History

Jan 21, 2014


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 275-14

AN ORDINANCE

authorizing a second amendment to supplemental agreement with the Missouri Highways and Transportation Commission for highway/rail crossing signal improvements at the Columbia Terminal Railroad's (COLT) intersection with College Avenue (MO 763); and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute a second amendment to supplemental agreement with the Missouri Highways and Transportation Commission for highway/rail crossing signal improvements at the Columbia Terminal Railroad's (COLT) intersection with College Avenue (MO 763). The form and content of the supplemental agreement shall be substantially in the same form as set forth in "Exhibit A" attached hereto.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

CCO Form: RR09
Approved: 04/04 (BDG)
Revised: 07/05 (BDG)
Modified: 07/14 (MWH)

State Route 763/College Avenue
Boone County, in Columbia
USDOT # 480 800J
Project No. RRP-000S (310)

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION SECOND
AMENDMENT TO SUPPLEMENTAL AGREEMENT FOR HIGHWAY/RAIL
CROSSING SIGNAL IMPROVEMENTS**

This SECOND AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Columbia, Missouri, a municipal corporation (hereinafter, "Railroad"), pursuant to the terms of a Supplemental Agreement for Highway/Rail Crossing Signal Improvements and pursuant to the terms of a First Amendment to Supplemental Agreement for Highway/Rail Crossing Signal Improvements.

WITNESSETH:

WHEREAS, the parties previously entered into a Supplemental Agreement for Highway/Rail Crossing Signal Improvements for the captioned project which agreement (hereinafter referred to as the "Original Agreement"), was executed by the Railroad on November 20, 2012, and by the Commission on December 7, 2012; and

WHEREAS, the parties previously entered into a First Amendment to Supplemental Agreement for Highway/Rail Crossing Signal Improvements for the captioned project which amendment (hereinafter referred to as the "First Amendment"), was executed by the Railroad on February 6, 2014, and by the Commission on February 10, 2014; and

WHEREAS, the parties hereto desire to formally amend this Original Agreement and desire to be bound by the terms contained in the Original Agreement and First Amendment and contained in this Second Amendment.

NOW, THEREFORE, it is agreed that the said Original Agreement shall be amended as follows:

(1) AMENDED SECTION: Section 2 of the Original Agreement is hereby removed and replaced with the following:

(2) SCOPE OF WORK: The scope of work for the Project includes the installation of new flashing light signals, overhead cantilevers and one set of sidelights in northwest (compass direction) quadrant, all with LED lights; guardrail for the signal mast in northwest (compass direction) quadrant; two audible bells and a new signal bungalow with Style C detection circuitry at the SR 763 Crossing (USDOT# 480 800J).

(2) ORIGINAL AGREEMENT AND FIRST AMENDMENT: Except as otherwise modified, amended, or supplemented by this Second Amendment, all other terms of the Original Agreement and First Amendment entered into between the parties shall remain in full force and effect.

(Remainder of page intentionally left blank)

IN WITNESS WHEREOF, the parties have entered into this Second Amendment on the last date written below.

Executed by Railroad this _____ day of _____, 20____.

Executed by Commission this _____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF COLUMBIA, MISSOURI

By: Michelle Teel, Director
Multimodal Operations Division

By: Mike Matthes, City Manager

ATTEST:

ATTEST:

By: Commission Secretary

By: Sheela Amin, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: Senior Administrative Counsel

By: Nancy Thompson City Counselor