



Legislation Details (With Text)

File #: 24-0740 **Version:** 1 **Name:** 5/6/24 Construction Phase Agreement with Amtrak
Type: Resolution **Status:** Passed
File created: 5/6/2024 **In control:** City Council
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Title: Resolution to Approve a Construction Phase Agreement with the National Railroad Passenger Corporation (Amtrak) for \$136,912.00 for the Barton/Bandemer Pedestrian Tunnel Project

Sponsors:

Indexes:

Code sections:

Attachments: 1. Construction Phase Agmt_B2B Crossing_Ann Arbor_20240418_final w Exhibits.pdf

Date	Ver.	Action By	Action	Result
5/6/2024	1	City Council		

Resolution to Approve a Construction Phase Agreement with the National Railroad Passenger Corporation (Amtrak) for \$136,912.00 for the Barton/Bandemer Pedestrian Tunnel Project
Attached for your review and consideration for approval is a resolution authorizing a Construction Phase Agreement with the National Railroad Passenger Corporation (Amtrak) for \$136,912.00 for services related to the Barton/Bandemer Pedestrian Tunnel Project. These services include:

1. The review of shop drawings for items in the railroad right-of-way
2. Inspection services of construction performed in the railroad right-of-way
3. Removal and re-installation of railroad infrastructure (ties, track, ballast, etc.) during the railroad outage
4. Services required for the protection of railroad traffic, such as flagging, controlled power outages and/or track outages
5. Attendance at meetings

This project will create a new pedestrian tunnel between Bandemer Park and Barton Nature Area, providing a safe and legal pedestrian connection beneath the MDOT owned railroad. This is a critical non-motorized connection for the Border to Border (B2B) Trail along the Huron River near downtown Ann Arbor and a key piece of infrastructure to connect the B2B trail westward. This project is included in the FY2024-2029 Capital Improvement Plan.

While MDOT owns the railroad tracks, Amtrak is the primary approval agency. Prior to beginning construction in the railroad right-of-way, Amtrak requires the City to enter into a construction phase agreement and to remit payment to Amtrak in the amount of \$136,912.00. This amount represents Amtrak's cost estimate for their participation in the construction phase of the Project, which shall be applied to Amtrak's costs as they are incurred. Upon completion of the construction phase, Amtrak shall return to the City any portion of this advance deposit that has not been expended by Amtrak.

Budget/Fiscal Impact: The City of Ann Arbor, Washtenaw County Parks & Recreation ("County"), the

non-profit Huron Waterloo Pathways Initiative (HWPI), have partnered to deliver this project with each organization responsible for 1/3rd of the project cost. HWPI's portion will be provided through a separate cost sharing agreement with the County. Cost sharing for this agreement will be as follows:

City of Ann Arbor (33.34%)	\$45,646.46
Washtenaw County (33.33%)	\$45,632.77
Huron Waterloo Pathways Initiative (33.33%)	<u>\$45,632.77</u>
Total:	\$136,912.00

Funding for the City portion of the project costs with Amtrak, estimated at \$45,646.46, is available from the Parks Maintenance and Capital Improvements Millage. The County will provide the remaining \$91,265.54 (including HWPI's contribution) on a reimbursement basis with the City.

The breakdown of the overall estimated project costs and estimated cost-sharing for this project are as follows:

Estimated Project Cost

Construction Costs	\$3,870,816.00	
Construction Engineering	\$500,000.00	
Fiber Optic Force Account Costs	\$100,000.00	
Estimated Amtrak Engineering & Force Account	<u>\$136,912.00</u>	
		Total:
\$4,607,728.00		

Estimated Cost Sharing

City of Ann Arbor (33.34%)	\$1,536,216.00
Washtenaw County (33.33%)	\$1,535,756.50
Huron Waterloo Pathways Initiative (33.33%)	<u>\$1,535,756.50</u>
Total:	\$4,607,728.00

Prepared by: Hillary Hanzel, Landscape Architect IV

Reviewed by: Josh Landefeld, Parks & Recreation Services Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Milton Dohoney Jr, City Administrator

Whereas, The Barton/Bandemer Pedestrian Tunnel Project is included in the FY2024-2029 Capital Improvements Plan (CIP);

Whereas, This project will create a new pedestrian tunnel between Bandemer Park and Barton Nature Area, providing a safe and legal pedestrian connection beneath the MDOT owned railroad;

Whereas, While the Michigan Department of Transportation owns the railroad tracks, and the National Railroad Passenger Corporation (Amtrak) will be the primary approval agency;

Whereas, Prior to beginning construction, Amtrak requires the City to enter into a Construction Phase Agreement and to remit payment to Amtrak in the amount of \$136,912.00 for the review of shop drawings for items in the railroad right-of-way, for inspection services of construction performed in the railroad right-of-way, for removal and installation of railroad infrastructure (ties, track, ballast, etc.) during the railroad outage, for services required for the protection of railroad traffic, such as flagging,

controlled power outages and/or track outages, and for attendance at meetings; and

Whereas, Funding for the Amtrak advance payment is available in the existing Barton/Bandemer Pedestrian Tunnel project;

RESOLVED, That City Council approve a Construction Phase Agreement with The National Railroad Passenger Corporation (Amtrak) in the amount of \$136,912.00 for the Barton/Bandemer Pedestrian Tunnel Project;

RESOLVED, That a contingency amount of \$13,691.00 be established within the project budget and that the City Administrator is authorized to approve amendments or change orders to the Construction Phase Agreement with The National Railroad Passenger Corporation (Amtrak) not to exceed that amount in order to satisfactorily complete this project;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said Construction Phase Agreement, after approval as to form by the City Attorney and approval as to substance by the City Administrator; and

RESOLVED, That the City Administrator be authorized to take all necessary actions to implement this Resolution.