

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: October 28, 2025

Item Details

Presenter(s): Russell Dalton, Traffic Engineering Manager

Department(s): Transportation and Infrastructure Development

Requested Motion

Motion to approve a New Project Initiation Form with CSX Transportation, Inc. and Town of Apex, for sidewalk extensions across the railroad tracks at Center Street and East Chatham Street, and to authorize the Town Manager, or their designee, to execute the New Project Initiation Form and associated documents on behalf of the Town.

Approval Recommended?

Yes

Item Details

The Town has started in-house design of sidewalk connections across the railroad tracks at Center St and E Chatham St as identified in the CIP. This will require the Town to sign a "New Project Initiation Form" with CSX Transportation. Completion of this form will only allow the consultant for CSXT to prepare a scope and fee estimate for the design review and approval process, and to set up a project including preparation of an Agreement for preliminary engineering (PE) phase services.

The New Project Initiation Form includes the following statement:

By signing this form, you are authorizing CSXT to incur costs and bill against this project.

Should the project be canceled, CSXT will bill the Project Sponsor for the incurred costs. In

the event the Project Sponsor is unresponsive for 90 days or more, the project will be closed;

and the Project Sponsor will be final billed for all project costs incurred.

As part of a separate project effort involving the standard form, not associated with the sidewalks, Town staff requested that the above statement include a specific amount not to be exceeded. CSXT declined to revise the statement on the New Project Initiation Form at that time. The consultant for CSXT has provided text for a letter to be drafted by Apex and returned as Notice-To-Proceed to bill for the related processing costs incurred by CSXT in the amount of up to \$5,000.00 for administrative tasks, development of an

estimate, Agreement handling and other charges involved with opening the project for the PE phase, until the Agreement (for PE phase services) is fully executed. However, the project initiation form does not specify this amount. Due to the CSXT's prior refusal to include a sum certain amount as requested, the unrevised form is being presented to the Town Council for approval.

Attachments

- CN8-A1: New Project Initiation Form with CSX Transportation, Inc. – Sidewalk Extension Across Railroad Tracks – Center Street and East Chatham Street Project
- CN8-A2: Letter requested by CSX – Sidewalk Extension Across Railroad Tracks – Center Street and East Chatham Street Project

