



**ITEM REPORT  
CITY COUNCIL**

Agenda Date: 2/17/2026  
Agenda Section: Consent Agenda

**Department Origination:** Public Works

**Agenda Item:** Approve the BNSF Invoice 90297300 in the amount of \$1,631.92 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121

**Approval Required:** Simple Majority Vote

**BACKGROUND**

As part of the 2022 TH 210 and Inglewood Drive Improvements Project the City of Baxter and BNSF Railway Company entered into a Grade Crossing Construction and Maintenance (C & M) Agreement that is effective as of June 1, 2022. The C & M Agreement covers railway crossing improvements to be constructed by BNSF and billed to the City of Baxter.

The C & M agreement includes cost estimates for the material and labor BNSF will provide for the surface crossing and the railway signal. The surface crossing is estimated to cost \$104,918 and the railway signal \$453,259.

Invoice 90297300 includes material cost for 282 tons of ballast material and a bill preparation charge.

Article 1-5 of the C & M Agreement states:

During the construction of the Project, BNSF will send Agency progressive invoices detailing the costs of the railroad work performed by BNSF under this Agreement. Agency must reimburse BNSF for completed force-account work within thirty (30) days of the date of the invoice for such work. Upon completion of the Project, BNSF will send Agency a detailed invoice of final costs, segregated as to labor and materials for each item in the recapitulation shown on Exhibit D.

BNSF Invoice 90297300 is presented in the amount of \$1,631.92. The city previously approved invoice 90244560, 90246233, 90266369, 90271495, and 90289650 in the amount of \$119,851.47 related to the Inglewood Drive surface crossing. Invoice 90297300 will bring the surface crossing cost to a total of \$121,483.39 or 116% of the estimated surface crossing cost of \$104,918. The surface crossing cost estimate consists of a labor component, material component, and miscellaneous cost.

**FINANCIAL IMPLICATIONS**

BNSF Invoice 90297300 is presented in the amount of \$1,631.92. Further broken down the invoice includes the following relative to the estimate labor, material, and miscellaneous costs.

|               | Invoice 90297300  | Invoices to Date<br>(Surface Crossing) | C & M Agreement<br>Estimate | % Of C & M<br>Estimate |
|---------------|-------------------|--|-----------------------------|------------------------|
| Labor Cost    | \$0.00            | \$49,905.27                            | \$36,843                    | 135%                   |
| Material Cost | \$1,421.28        | \$65,801.60                            | \$58,635                    | 112%                   |
| Misc. Cost    | \$210.64          | \$5,776.52                             | \$9,440                     | 61%                    |
| <b>Total:</b> | <b>\$1,631.92</b> | <b>\$121,483.39</b>                    | <b>\$104,918.00</b>         | <b>116%</b>            |

**STAFF RECOMMENDATIONS**

The Utilities Commission and staff have no concerns with the work completed and recommend payment of BNSF Invoice 90297300 in the amount of \$1,631.92 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121.

**COUNCIL ACTION REQUESTED**

**MOTION** to approve the BNSF Invoice 90297300 in the amount of \$1,631.92 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121.