



**ITEM REPORT
UTILITIES COMMISSION**

Agenda Date: 4/8/2026
Agenda Section: Business Item

Department Origination: Public Works

Agenda Item: Approve the BNSF Invoice #90299809 in the amount of \$65.06 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 90299809 includes bill preparation services related to the railway signal. Invoice 90299809 is noted on the invoice as Final Bill.

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 90266709 is presented in the amount of \$130.10. The city previously approved BNSF Invoices 90244986, 90245633, 90246719, 90248604, 90248987, 90252171, 90252774, 90252993, 90254823, 90255952, 90257963, 9025875, 90259254, 90260775, and 90266709 in the amount of \$397,089.47 related to the railway signal. Approval of Invoice 90299809 will bring current railway signal costs to \$397,154.53 which represents 88% of the estimated railway signal cost of \$453,259.

FINANCIAL IMPLICATIONS

BNSF Invoice 90299809 is presented in the amount of \$65.06.

| | Invoice 90299809 | Invoices to Date | C & M Agreement Estimate | % Of C & M Estimate to Date |
|------------------------|-------------------------|-------------------------|-------------------------------------|--|
| Labor Cost | \$0.00 | \$160,306.11 | \$157,833 | 102% |
| Material Cost | \$0.00 | \$197,022.96 | \$183,520 | 107% |
| Other Cost | \$0.00 | \$22,642.48 | \$66,621 | 34% |
| Material Handling Cost | \$0.00 | \$14,917.16 | \$40,797 | 37% |
| Bill Preparation Fee | \$65.06 | \$2,265.82 | \$4,488 | 50% |
| Total: | \$130.10 | \$397,154.53 | \$453,259 | 88% |

STAFF RECOMMENDATIONS

Staff have no concerns and recommend payment of BNSF Invoice 90299809 in the amount of \$65.06 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121

COUNCIL ACTION REQUESTED

MOTION to approve the BNSF Invoice 90299809 in the amount of \$65.06 or the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121.