



## CITY COUNCIL MEETING STAFF REPORT

<b>Meeting Date:</b> October 17, 2022		<b>Subject: Resolution No. 3006</b> Authorizing the City Manager to Execute a Construction and Funding Agreement with Portland & Western Railroad, Inc. for re-construction of a grade crossing at the 5 <sup>th</sup> Street railroad crossing associated with the 5 <sup>th</sup> Street / Kinsman Road Extension project (Capital Improvement Project No. 1139, 2099, & 4196)  <b>Staff Member:</b> Zachary Weigel, P.E. City Engineer  <b>Department:</b> Community Development	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> Staff recommends Council adopt the Consent Agenda.			
<b>Recommended Language for Motion:</b> I move to adopt the Consent Agenda.			
<b>Project / Issue Relates To:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities: Goal 1.5 Implement existing transportation plans and advance planning efforts to improve our local transportation network.	<input checked="" type="checkbox"/> Adopted Master Plan(s): Transportation System Plan Project RE-04	<input type="checkbox"/> Not Applicable	

### ISSUE BEFORE COUNCIL:

A City of Wilsonville Resolution approving a Construction and Funding Agreement with Portland & Western Railroad, Inc. in the amount of \$1,571,757.75 for re-construction of a grade crossing at the 5<sup>th</sup> Street railroad crossing associated with the 5<sup>th</sup> Street / Kinsman Road Extension (CIP #1139, 2099, and 4196) project.

**EXECUTIVE SUMMARY:**

The 5th Street / Kinsman Road Extension project (Project) is identified as a high priority project in the 2013 Transportation System Plan (TSP amended in 2020) as Project RE-04 and the Year 2000 Urban Renewal Plan. The Project will extend 1000 feet of Kinsman Road south of Wilsonville Road, 1800 feet of 5th Street west of Boones Ferry Road with a new intersection of Kinsman Road and 5th Street, and 2000 feet of Ice Age Tonquin Trail and includes installation of two bridge crossings of Coffee Lake Creek, and extension of sanitary and water mains. The Project includes installation of new railroad crossing at 5<sup>th</sup> Street, replacing the existing stop sign controlled crossing with a new railroad signal and gate arms along with supporting signing and striping improvements.

Design and construction of the 5th Street railroad crossing as part of the Project requires the City enter into agreement with Portland & Western Railroad (Railroad). The Railroad hires their own engineer and contractor to design and construct the railroad crossing improvements in coordination with the Project. The City reimburses the Railroad for all coordination, design and construction costs associated with the railroad crossing improvements.

On June 16, 2017, the City entered into an Agreement for Provision of Preliminary Engineering Services in Connection with Grade Crossing Improvements with the Railroad for preliminary engineering design of the 5th Street railroad crossing as part of the Project. On March 15, 2021, the City extended the Railroad Agreement for Phase II preliminary engineering and construction inspection services for the 5<sup>th</sup> Street railroad crossing project.

Now that the Railroad has completed preliminary engineering, prepared construction documents, and determined construction costs, a Construction and Funding Agreement between the Railroad and City is necessary to continue with construction of the railroad crossing improvements.

**EXPECTED RESULTS:**

Portland and Western Railroad will construct the 5<sup>th</sup> Street railroad crossing improvements in coordination with the 5<sup>th</sup> Street / Kinsman Road Extension project.

**TIMELINE:**

Construction of the 5<sup>th</sup> Street railroad crossing improvements is anticipated to be complete in the second quarter of 2023 in coordination with construction of the 5<sup>th</sup> Street / Kinsman Road Extension project.

**CURRENT YEAR BUDGET IMPACTS:**

The approved Fiscal Year (FY) 22/23 budget includes funding for construction, contract administration, and overhead for the 5<sup>th</sup> Street / Kinsman Road Extension project. The source of project funds for this work include System Development Charges (SDC) and Year 2000 Urban Renewal Agency (URA) as summarized below:

CIP No.	Project Component	Funding Source	FY 22/23 Budget	Agreement Total
1139	Water System	Water SDC	\$5,000.00	\$91,161.95
2099	Sewer System	Sewer SDC	\$5,000.00	\$111,594.80
4196	Roadway System	Year 2000 URA	\$3,417,633.00	\$1,369,001.00
		Total	\$3,639,633.00	\$1,571,757.75

Note that Project construction is budgeted across FY 21/22 and FY 22/23. Unspent funds from FY 21/22 will be transferred to FY 22/23 as part of the first budget supplement. The total budget includes a 5% construction contract contingency to allow for change order and contract amendments during construction.

The contract amounts for the water and roadway portion is anticipated to exceed the available FY 22/23 Budget, including the transfers from FY 21/22, by \$37,000 and \$560,000 respectively. The first budget supplemental will add water and roadway funds to the Project. In review of applicable fund account balance, additional funds are available to support the increased cost of the Project through the use of water SDC, road operating, and American Rescue Plan Act funds.

#### **COMMUNITY INVOLVEMENT PROCESS:**

The Boones Ferry Road to Brown Road Connector Corridor Plan included an extensive community involvement process with multiple stakeholder meetings, two public meetings, an on-line survey, and hearings before both City Council and the Planning Commission.

During the 2017 design phase of the 5th Street / Kinsman Road Extension project, engagement of the community has included three public open houses, meetings with several landowners, two City Council meetings, and regular informational updates on the project website and social media.

Coordination and outreach to the surrounding community and adjacent property owners will continue throughout construction, providing regular updates and notifications through the use of flyers, door hangers, social media posts, press releases, and Boones Ferry Messenger articles.

#### **POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

Construction of the 5th Street / Kinsman Road Extension project will provide additional connectivity in south Wilsonville with a new route between Old Town and Kinsman Road that parallels Wilsonville Road and provides an alternate to using the Wilsonville Road / Boones Ferry Road intersection, which experiences frequent congestion when I-5 approaches capacity. This project will also provide infrastructure and access to serve future industrial and residential development in the Arrowhead Creek Planning Area.

Along with constructing the roadway, both water and sanitary sewer will be extended within the road right-of-way. The project will construct a significant segment of Ice Age Tonquin Trail providing bicycle and pedestrian connectivity between the residential neighborhoods in southwest Wilsonville to commercial businesses along Boones Ferry Road, to Boones Ferry Park and Memorial Park, and to the neighborhoods east of I-5 and south of Wilsonville Road.

**ALTERNATIVES:**

Current final project design is based on coordination between City Staff, the design consultant team, neighboring property owners, the Old Town neighborhood, and City Council direction over the course of the Project design since 2016.

The 5th Street railroad crossing must be improved to current design standards as part of the 5<sup>th</sup> Street and Kinsman Road extension. Design and construction of the railroad crossing must be completed in accordance with Portland and Western Railroad requirements.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Project Location Map
2. Resolution No. 3006
  - A. Portland & Western Railroad, Inc. Construction and Funding Agreement