

AGENDA REPORT

DATE October 7, 2003

ITEM: CHANGE ORDER NO. 1 & FINAL PAYMENT CONSTRUCTION AGREEMENT WITH BURLINGTON NORTHERN SANTA FE RAILWAY, O. F. 1299

INITIATED BY: PUBLIC WORKS DEPARTMENT / ENGINEERING DIVISION

ACTION REQUESTED: APPROVE CHANGE ORDER

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

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RECOMMENDATION: Staff recommends approval of Change Order No. 1 and Final Payment to Burlington Northern Santa Fe Railway (BNSF) for 18th Avenue North and 52nd Street North Roadway Construction, O. F. 1299.

MOTION: "I move the City Commission approve Change Order No. 1 for \$7,668.72, and Final Payment, plus minor additional payments, to Burlington Northern Santa Fe Railway for the 18th Avenue North and 52nd Street North Roadway Construction, O. F. 1299, and authorize the City Manager to execute the agreements."

SYNOPSIS: On April 16, 2002, the City Commission approved the construction agreement with BNSF for the relocation of railroad tracks and reconstruction of the track crossing on 52nd Street North. The work was completed in June and July of 2003. Due to the deterioration of the existing track, more work than originally estimated was needed to complete the relocation and new crossing. This change order increases the contract value from \$156,985.00 to \$164,653.72. This cost is 100% reimbursed to the City by the Federal Highway Administration (FHWA). It should be noted that there is a slight chance that another small bill may be received. This uncertainty is due to the complexity of the BNSF organization, which makes it very hard to determine if additional, minor bills are yet to be processed. In this case, such a bill would be for cleanup work that occurred after the track installation was completed. Any such bill should be available by the end of October.

BACKGROUND: When Malmstrom Air Force Base needed to close 10th Avenue North for security reasons, the Air Force agreed to finance this project so that looped access to Rainbow Overlook and adjacent areas could be retained. In cooperation with Malmstrom and the FHWA, this City-managed project rebuilt 52nd Street North from the Northeast Bypass to 18th Avenue North; and 18th Avenue North from 52nd to 67th Streets.

Under the BNSF agreement, the railroad performed the track work needed so that the street reconstruction would meet modern standards. The work included construction of a new, smooth track crossing on 52nd Street; removal of one at-grade crossing on 52nd Street and one on 18th Avenue; and relocation of a 1000-foot long curve. The new curve was needed to eliminate a switch that was in the middle of the 18th Avenue pavement and two feet too low. BNSF benefited due to the new track and crossing, elimination of the inefficient backswitch, and elimination of two at-grade crossings.