

WHEREAS, the North Central Texas Council of Governments (NCTCOG) issued a call for projects for the Railroad Crossing Reliability Partnership Program on August 8, 2003, to improve selected at-grade railroad crossings throughout the Dallas/Fort Worth Metropolitan Planning Area; and,

WHEREAS, the at-grade railroad crossings of the Union Pacific Railroad (UPRR) at Macon Street and Sunday Street were selected by the NCTCOG for final approval; and,

WHEREAS, a Letter of Understanding between NCTCOG, the Texas Department of Transportation (TxDOT), UPRR and the City of Dallas for this project was executed on May 18, 2005; and,

WHEREAS, available funds will be used towards the closure of Macon Street and Sunday Street at-grade railroad crossings with permanent barriers, the provision of an appropriate turning area on the closed portions of Macon Street, the provision of a wrought iron fence along one side of the railroad tracks, and the provision of a pedestrian walkway parallel to the fence constructed on TxDOT and UPRR right-of-way from the southern end of Ideal Avenue to Bethurum Street; and,

WHEREAS, on October 10, 2007, Resolution No. 07-2987 authorized the Local Project Advance Funding Agreement with TxDOT for paving improvements at the UPRR crossings intersecting Macon Street and Sunday Street with permanent barriers, turn around area on Macon Street, with fencing and pedestrian walkway improvements, and payment to TxDOT for the City's share of engineering and contingencies costs in the amount of \$4,433.00; and,

WHEREAS, on March 24, 2008, Administrative Action No. 08-0990 authorized an additional payment to the Texas Department of Transportation for the City's share of construction engineering and contingencies costs in the amount of \$2,500.00; and,

WHEREAS, on March 27, 2013, Resolution No. 13-0506 authorized a construction contract with Gibson and Associates, Inc. for the safety improvements along UPRR from Carlton Garrett Street (formerly Municipal Street) to Scyene Road in an amount not to exceed \$917,943.10; and,

WHEREAS, on March 27, 2013, Resolution No. 13-0507 authorized an agreement with UPRR for the installation and maintenance of a pedestrian walkway and wrought iron fence within the UPRR property for the safety improvements along UPRR from Carlton Garrett Street (formerly Municipal Street) to Scyene Road; and,

WHEREAS, on March 27, 2013, Resolution No. 13-0508 authorized a Multiple Use Agreement with TxDOT to allow for construction of a pedestrian walkway within the State right-of-way and Amendment No. 2 to the Advance Funding Agreement with an additional payment to TxDOT in the amount of \$30,727.40 for the City's share of costs for the safety Improvements along UPRR from Carlton Garrett Street (formerly Municipal Street) to Scyene Road; and,

WHEREAS, the City is the lead agency to administer the design and construction of the project; and,

WHEREAS, TxDOT is requesting funding from the City to pay for additional direct state costs associated with the design and construction; and,

WHEREAS, it is now necessary to authorize an additional payment to TxDOT for City's share of estimated direct State costs for the design review and construction oversight of the safety improvements along the Union Pacific Railroad from Carlton Garrett Street (formerly Municipal Street) to Scyene Road in the amount not to exceed \$18,088.72.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is hereby authorized to make an additional payment to the Texas Department of Transportation for City's share of estimated direct State costs for the design review and construction oversight of the safety improvements along the Union Pacific Railroad from Carlton Garrett Street (formerly Municipal Street) to Scyene Road in the amount not to exceed \$18,088.72.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund
Fund 2T22, Department PBW, Unit P359, Act. INGV
Obj. 4510, Program #PB03P359, CT PBW03P359F1
Vendor # 239588, in an amount not to exceed \$18,088.72

Section 3. That the Chief Financial Officer is authorized to reclassify the disbursement to a Prepaid Expense, BSA 032B, if required by generally accepted accounting principles.

Section 4. That the Chief Financial Officer is hereby authorized to deposit any unused Bond Funds advanced to TxDOT pertaining to this project into Fund 2T22, Department PBW, BSA 032B.

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

OCT 14 2015

Lucas A. Pineda
City Secretary