City of Hiawatha
Engineering Department
101 Emmons St., Hiawatha Iowa, 52233-1697
PHONE (319) 393-1515 ext. 511 FAX (319) 393-1516

To: **Mayor and City Council** **Date:** **December 11, 2019**

From: John C Bender PE, City Engineer

Re: **Professional Services Agreement Amendment with Anderson Bogert Engineers for Railroad Quiet Zone Design (Attached)**

Description: **Amendment No. 1**

Report:

The Council approved a budget item in the newly adopted CIP for $350,000 to prepare a project that could install new signals and gates at the Emmons Street railroad crossing. The intent is to replace the current railroad flashers and install the needed projection that would allow the construction of a new railroad quiet zone at this location. The railroad crossing with North Center Point Road was already constructed in accordance with quiet zone requirements when we repaved at section in 2013. Blairs Ferry Road also has railroad signals and will require very little work to meet the specifications of a quiet zone.

We have had Anderson Bogert Engineers under contract to review the current railroad crossings and determined the best process to start the discussions with the City, the railroad, the DOT, and the Federal Railroad Authority. The study is completed and includes the data collection, traffic studies, conceptual design, coordination meetings, and drafting the required Notice of Intent (NOI) to move forward with the project. Attached is the NOI that was submitted to the Railroad and Federal Railroad Authority. We can now proceed to the design phase of the project.

Anderson Bogert has not expended the original contract; in fact the fee used to date was considerably less than expected. Therefore as we proceed to the design phase, we can eliminate a portion of the original contract and apply the cost to the next phase.

We have met with Anderson Bogert and have negotiated the attached contract amendment. The work order includes:

- Utility research and coordination.
- Preliminary topographic survey and property boundary surveys

- Conceptual plans with new traffic islands and signing
- Review CN Railroad agreement for design and construction of the new railroad crossing signal at Emmons Street
- The engineering design and specifications for the pavement modifications to develop a certified quiet zone at Center point Road, Emmons Street, and Blairs Ferry Road
- Cost opinions at various stages of design to maintain budget controls. A portion of this project will be in Cedar Rapids and we plan to have a shared cost agreement with them
- Traffic control and staging plans.
- Permitting for construction which includes the CN railroad, the DOT, and the Federal Railroad Authority.
- Bidding services
- Construction phase services for on-call meetings.
- Original study fee will be reduced ($19,834), with a new design fee of $36,134. Net increase on contract $16,300. **The total study and design and bidding fee is not-to-exceed $43,318**
- The schedule for bidding is anticipated in April of 2020.
- Construction to take place by fall of 2020.
- Total budget is $350,000 funded with existing and new GO funds.

Engineering recommends approval of the design amendment ~~#1~~ #1 to the agreement If you have any questions regarding this project, please let me know.

Notice of Intent

To designate a New Railroad Quiet Zone

Anderson Bogert
4001 River Ridge Dr NE
Cedar Rapids, IA 52402

To whom it may concern:

The following missive serves an official Notice of Intent to designate a new railroad quiet zone as permitted by FRA 49 CFR Parts 222 and 229: Use of Locomotive Horns at Highway-Rail Grade Crossings; Final Rule. This letter is being mailed on behalf of The City of Hiawatha, Iowa, and the City of Cedar Rapids, Iowa (which forward shall be jointly referred to as the "Public Authority"). Paragraph 222.43(a)(1) of the Final Rule requires that this notice be send out to designated parties and allowed a maximum comment period of sixty (60) days to reply with comments. Parties are permitted and encouraged to respond sooner than the required sixty (60) day period. Please respond with comments **OR** respond stating "no comment," signifying the party is releasing their comment requirement, and any time remaining in the sixty (60) day comment period. Return receipt is requested. Response is required no later than **October 15th 2019**, which is 60 days after the distributed date of this letter. In the case of no response, reasonable efforts will be made to contact the addressee in case this letter fails to reach the intended addressee. After this point, the Public Authorities will assume a "no comment" response. This ensures that all required parties are given appropriate opportunity to participate in the designation process. The FRA has been provided on this mailing as a courtesy and are not required to respond.

Please respond via e-mail or post to the public authorities' designated consultant contact:

Mail to:
Anderson-Bogert
c/o Jacob Sprengeler
4001 River Ridge Drive NE
Cedar Rapids, IA 52402

E-mail to:
jsprengeler@anderson-bogert.com

Respectfully,

Jacob Sprengeler, EI, ENV SP
(Encl.)

Hiawatha!™

CEDAR RAPIDS
City of Five Seasons

Notice of Intent to Designate a New Railroad Quiet Zone

As required by the Final Rule Paragraph 222.43(a)(3), this notice has been provided to the following parties:

Name	Company	Company Role	Mailing Address	Phone	Email
Jacob Sprengeler	Anderson-Bogert	Consultant, Designated ***Point of Contact***	4001 River Ridge Drive NE Cedar Rapids, IA 52402	(319) 377-4629	jsprengeler@anderson-bogert.com
William Bogert	Anderson-Bogert	Consultant	4001 River Ridge Drive NE Cedar Rapids, IA 52402	(319) 377-4629	wbogert@anderson-bogert.com
John Bender	City of Hiawatha	City Engineer, Public Authority, Highway Agency	101 Emmons Street Hiawatha, IA 52233	(319) 393-1515	jbender@hiawatha-iowa.com
Matthew Myers	City of Cedar Rapids	City Traffic Engineer, Public Authority, Highway Agency	500 15th Avenue SW Cedar Rapids, IA 52404	(319) 286-5718	M.Myers@cedar-rapids.org
Nicholas Burwell	Canadian National	Operating Railroad		(319) 236-9205	Nicholas.Burwell@cn.ca
David Huntley	Federal Rail Administration, District 6	Federal Administrator		(515) 418-8314	David.huntley@dot.gov
Travis Tinken	Iowa Department of Transportation, Rail	State Agency, Rail Safety		(515) 290-5055	Travis.tinken@iowadot.us
Joel Keim	Iowa Department of Transportation, District 6 Permitting	State Agency, Road and Bridge Authority		(319) 730-1533	Joel.Keim@iowadot.us

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CEDAR RAPIDS
City of Five Seasons

In accordance with 222.43(b)(ii)(2)(iv), the City of Hiawatha, and the City of Cedar Rapids have designated Anderson Bogert as the first point of contact regarding inquiries and communications involved with the Notice of Intent, and Notice of Establishment for this quiet zone establishment process. Contact information has been provided on the cover letter, and in the information table above.

The public authorities have reviewed this Notice of Intent, and find it to be accurate to the best of their knowledge. The following quiet zone descriptions and tentative plan for quiet zone designation reflects the future intentions of the public authorities to the best of their knowledge. Please note that these are not construction documents, and serve only as a conceptual plan. If any major changes are encountered which nullify the anticipated safety improvements shown in this document, all parties will be notified appropriately.

City of Hiawatha:

Printed: John C. Bender P.E.

Signed: _____ Date: 8/9/2019

City of Cedar Rapids:

Printed: Matthew C. Myers PE PTOE

Signed: Matthew C. Myers Date: 8/9/2019

Hiawatha!™

CEDAR RAPIDS
City of Five Seasons

New Quiet Zone Description

The proposed new quiet zone is on the Canadian National Railway system. The particular line runs North/South between Cedar Rapids and Hiawatha generally parallel to the interstate I-380 corridor. Beginning ¼ mile south of the Blairs Ferry Road crossing, the proposed quiet zone extends approximately 1 mile north, terminating ¼ mile north of the Cedar River Trail crossing in Hiawatha (see **Figure 1**). It includes the following railroad crossings as currently listed in the Federal Rail Administration inventory:

Table 1 – FRA Listed Crossing Inventory							
Crossing ID	RR	Type	Position	Status	Milepost	City	Street
307836W	CC	Public	At Grade	Open	0038.04	Cedar Rapids	Blairs Ferry @ I380
307835P	CC	Public	At Grade	Open	0037.73	Hiawatha	Emmons St NE
307834H	CC	Public	At Grade	Open	0037.47	Hiawatha	N Center Point Rd
931825C	CC	Public Pedestrian	At Grade	Open	Z0037.45	Hiawatha	Cedar Valley Trail

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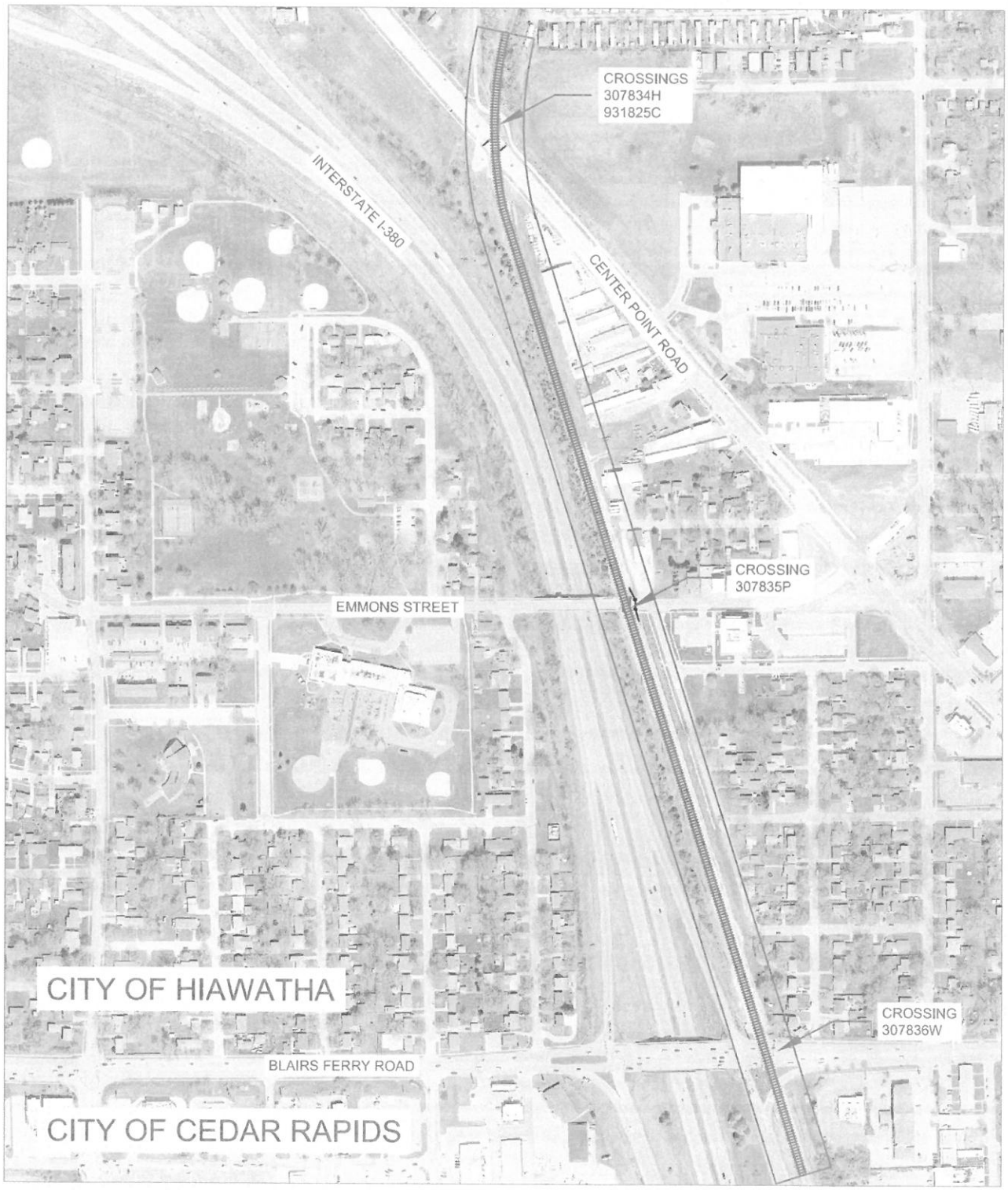
CEDAR RAPIDS
City of Five Seasons

Figure 1 - Proposed Quiet Zone Limits



ANDERSON-BOGERT
Engineers & Surveyors

Exhibit "A"

PROFESSIONAL SERVICES AGREEMENT

AMENDMENT NO. 1

FOR

Hiawatha Rail Quiet Zone Study

Hiawatha Resolution: 19-010

ABES Project No. 218033

This Amendment made on the XX day of December, 2019 between the City of Hiawatha (hereinafter referred to as City) and Anderson-Bogert Engineers & Surveyors (hereinafter referred to as Consultant).

WHEREAS, the City has requested additional design and coordination services from the Consultant.

NOW THEREFORE, the City and the Consultant agree to amend the original Agreement and City approved amendments with the following provisions:

- Amend the scope of services and anticipated schedule listed on the original agreement according to Attachment A. Anticipated schedule of services is not intended to be exact, and may be subject to 3rd party reviewers, such as the railroad and IDOT. Schedule of approvals and railroad equipment construction will be determined during design with the anticipated railroad agreements.
- Amend the schedules of costs according to Attachment B.

This Agreement may be executed in any number of counterparts as the case may be, each of which shall be deemed a duplicate original and which together shall constitute one and the same instrument. In addition, the parties agree that this Agreement may be executed by electronic, PDF or facsimile signatures by any party and such signature will be deemed binding for all purposes hereof without delivery of an original signature being thereafter required.

This Amendment is subject to all the terms and conditions of the original Professional Services Agreement executed on January 16, 2019. Upon execution of this amendment, this document shall become part of the original Professional Services Agreement as if bound therein.

CITY OF HIAWATHA, IOWA

Bill Bennett Date
Mayor

ATTEST:

Kari Graber Date
~~Deputy~~ City Clerk

ANDERSON-BOGERT ENGINEERS & SURVEYORS, INC.

William W. Bogert, P.E. Date
Principal

ATTACHMENT A

AMENDED SCOPE OF SERVICES

ADDITIONAL SERVICES TO BE ADDED:

The following are services to be added to the original agreement:

- Field Data Collection - Consultant will complete topographic survey complete with Iowa One Call Utility investigation within the existing railroad crossing medians, and in the vicinity of the Emmons Street crossing.
- Construction Plans - Consultant will design, draft, and complete plans for construction of proposed improvements as detailed and concepted in the official Notice of Intent which was distributed as a part of the original scope of services, and agreed upon by the City and the City of Cedar Rapids. Anderson-Bogert will attend and participate in all required design coordination meetings as part of the review and bid process.
- Bidding Services - Consultant will draft the appropriate documents required for bidding and ultimate construction of the project.
- Permitting - Consultant will assist the City as requested in providing information/drafting of IDOT ROW permits, railroad agreements such as preliminary engineering, construction and right of entry
- Construction Phase Services - Consultant will attend the pre-construction conference and two (2) progress meetings. Anderson-Bogert will provide assistance in design-related issues that arise during construction, including any required field revision drafting.
- Quiet Zone Establishment - Consultant will provide coordination services with regards to drafting, and electronic distribution of the Notice of Quiet Zone Establishment after construction has been completed in order to officially designate a new railroad quiet zone.

ADDITIONAL SERVICES REMOVED OR NOT INCLUDED IN THIS AMENDMENT:

The following services are to be removed from the original scope, or are not included in this Amendment, but may be requested by the City for future consideration:

- An effectiveness study for the use of Alternative Safety Measures has been deemed not required per the diagnostic review process. It shall be removed from the scope of work.
- A public authority application to FRA is not required as a part of City's chosen designation process. It shall also be removed from the scope.
- The Consultant assumes that day-to-day inspection and administration of the construction contract will be completed by the City, no field inspection or administration will be provided by the Consultant.
- The Consultant will not coordinate or request updated rail inventory forms after the Notice of Establishment has been distributed. The City will be responsible to ensure inventory form updates or assurances are submitted as required by the FRA.
- The consultant assumes that all work will be able to be completed within the existing ROW. No boundary documents showing temporary construction or permanent easements has been built into this amendment.
- Consultant will not provide or pay any permitting/design fees that may be required for work within DOT Right-of-way or railroad right-of-way.

ANTICIPATED SCHEDULE OF SUBMITTALS

Anticipated Schedule	
Railroad Preliminary Engineering Authorization distributed	December 13, 2019
Amendment #1 Approval	December 18, 2019
Meeting(s) with City staff	As scheduled
30% Plans	December 20, 2019
60% Plans	February 12, 2020
90% Plans**	March 11, 2020
100%/Print Plans**	April 7, 2020
Bid Docs, Permits**	April 21, 2020
Construction Bid (non-railroad)**	April - May, 2020
Construction (railroad)**	July 2020
Construction (non-railroad)**	Aug - September 2020

**Dates are dependent on timely railroad review, response, and construction schedule

ATTACHMENT B

FEE SCHEDULE

Estimate of additional services involving:

Preliminary Engineering, topographic survey and data acquisition, Preliminary Plans (through 60%), Final Plan Documents (through Print plans for bid), Bid, Specification, and Construction, Notice of Establishment Services

This project contains unique coordination challenges. Several governing bodies may be involved with review, including: IDOT Rail, IDOT District, IDOT Bridge Office, Canadian National Railroad, Federal Rail Administration, City of Cedar Rapids, and the City of Hiawatha.

Breakdown of additional services requested:

Task	Fee
Field Topographic and Easement Survey, Iowa One Call Coordination	**$2,558**
Plan Development through 60% Review	**$13,455**
Plan Development, 90% and Print Plans	**$7,974**
Specifications, Bid Documents, Bid Assistance, railroad preliminary engineering agreement draft, assistance with information for DOT ROW permitting	**$7,296.00**
Construction Phase plan assistance, progress meeting attendance, and remaining Quiet Zone Establishment services (Inventory form coordination, Notice of Establishment drafted)	**$4,851.00**
Total:	**$36,134**
Services deleted from original contract:	**$19,834**
Net change in contract amount:	**$16,300**

Total Summary

	Base Fee (with Amendments)	Change in Running Total	Running Total
Original Contract	$27,018	-	$27,018
Amendment #1	$27,018	+$16,300	$43,318

LETTING DATE
XX/XX/2020

HIAWATHA, IOWA

CITY OF HIAWATHA, IOWA

HIAWATHA RAIL QUIET ZONE

PROPOSED IMPROVEMENTS TO THE MUNICIPAL TRANSPORTATION SYSTEM AND CHICAGO, CENTRAL AND PACIFIC RAILROAD SYSTEM

PRE-30% PLANS

CONTRACT NUMBERS

FUNDING SOURCES

IOWA ONE CALL
CALL BEFORE YOU DIG!
1-800-292-8989
www.iowaonecall.com
811

PLANS PREPARED FOR:

Hiawatha!

MAYOR: BILL BENNETT

CITY COUNCIL:
AT LARGE: AIME WICHTENDAHL
AT LARGE: DENNY NORTON
AT LARGE: ROB ARCHIBALD
AT LARGE: DICK OLSON
AT LARGE: SCOTT OVERLAND
AT LARGE: STEVE DODSON

ENGINEER: JOHN BENDER

LICENSED PROFESSIONAL ENGINEER
WILLIAM W. BOGERT
12388
IOWA

I hereby certify that this Engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Engineer under the laws of the State of Iowa.

William W. Bogert Iowa Reg No. 12388
My License renewal date is December 31, 2019
Pages covered by this seal: _____

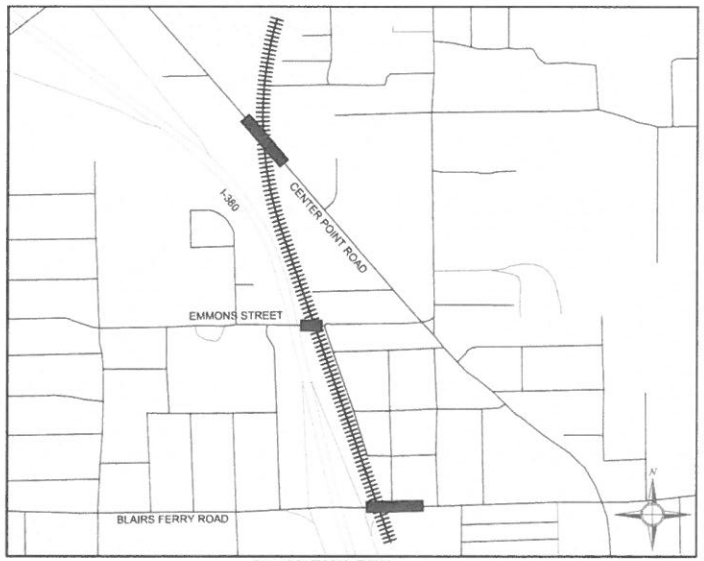
PRELIMINARY

PROFESSIONAL LAND SURVEYOR
R. RODNEY KLIEN
18646
IOWA

I hereby certify that this Land Surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

R. Rodney Klien Iowa Reg No. 18646
My License renewal date is December 31, 2019
Pages covered by this seal: _____

LOCATION MAP NOT TO SCALE



Sec. 30, T83N, R7W

PLANS PREPARED BY:
ANDERSON BOGERT
PHONE NUMBER: 319-377-4629

INDEX OF SHEETS

NO.	DESCRIPTION
A.01 - A.XX	TITLE SHEET, PROJECT LOCATION MAP
B.01 - B.XX	TYPICAL CROSS SECTIONS AND SECTION DETAILS
C.01 - C.XX	GENERAL NOTES
C.XX - C.XX	QUANTITIES AND TABULATIONS
D.01-D.03	PLAN AND PROFILE
G.01-G.XX	ALIGNMENT AND SURVEY INFORMATION
H.01-H.XX	EASEMENT INFORMATION
J.01-J.XX	PROJECT STAGING AND TRAFFIC CONTROL
K.01-K.XX	DRIVEWAY DETAILS
L.01-L.XX	MEDIAN ISLAND DETAILS
P.01-P.XX	SIGNING AND MARKING PLAN
R.01-R.XX	REMOVALS
S.01-S.XX	SIDEWALK DETAILS
U.01-U.XX	SPECIAL DETAILS

CITY OF HIAWATHA

THIS ENGINEERING DOCUMENT IS RECOMMENDED FOR FILING WITH THE CITY CLERK

CITY ENGINEER OR DESIGNEE DATE

UTILITIES ENGINEER OR DESIGNEE DATE

CITY TRAFFIC ENGINEER OR DESIGNEE DATE

THE PROPOSED IMPROVEMENTS INCLUDED IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE CURRENT VERSIONS OF THE IOWA STATEWIDE URBAN DESIGN AND SPECIFICATION MANUALS, AND THE CITY OF HIAWATHA GENERAL SUPPLEMENT. EXCEPTIONS ARE SHOWN ON SHEET A.02.

LETTING DATE: XX XX 2020

SHEET NUMBER: A.01

DRAFT

RESOLUTION NO. 19-
City Council

RESOLUTION APPROVING CONTRACT AMENDMENT #1 TO THE QUIET ZONE STUDY FOR THE CENTER POINT ROAD, EMMONS STREET, BLAIRS FERRY ROAD RAILROAD CROSSINGS PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF HIAWATHA AND ANDERSON BOGERT ENGINEERS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, that the Mayor is hereby authorized to sign Amendment #1 to the Professional Services Agreement between the City of Hiawatha and Anderson Bogert Engineers for the purposes and under the terms found in Exhibit 'A'

Amendment #1 not to exceed $16,300, as shown in the attached Exhibit 'A', and an updated total project cost not to exceed $43,318.00.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 18th day of December, 2019.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kari Graber, City Clerk