



STAFF REPORT

APPROVE TASK ORDER AGREEMENT NO. 17 TO AGREEMENT NO. 17000 WITH PACIFIC RAILWAY ENTERPRISES, INC. FOR THE COMPLETION OF A QUIET ZONE IMPLEMENTATION STUDY

Time Sensitive: Consent:

**STAFF
RECOMMENDATION:**

Approve Task Order Agreement (TOA) No. 17 to Agreement No. 17000 with Pacific Railway Enterprises, Inc. (PRE) for the completion of a quiet zone implementation study in an amount not-to-exceed \$218,966.

**BACKGROUND
INFORMATION:**

The North County Transit District (NCTD) Board of Directors has adopted Board Policy No. 18 – *Railroad Safety and Community Enhancement Projects*, which provides a framework for NCTD’s cooperation on locally-initiated, rail-based project(s) undertaken by the county, city, state or other organizations for the purpose of improving railroad safety and/or community enhancement. The projects within the scope of the policy include rail crossings, wayside horns and/or quiet zones.

Federal regulation requires that locomotive horns begin sounding 15-20 seconds before entering public highway-rail crossings, no more than one-quarter mile in advance. A quiet zone is a section of a rail line at least one-half mile in length that contains one or more consecutive public highway-rail grade crossings at which locomotive horns are not routinely sounded when trains are approaching the crossings. A quiet zone may be established after implementing safety improvements that provide the same level of risk reduction as would otherwise be provided by the train horn. A quiet zone can be one crossing in a community, or several consecutive crossings in one or more communities.

Federal regulations and local decision-making responsibilities are the primary factors for cities, county, state or other organizations (Local Jurisdictions) designated as the lead agency for the implementation of community enhancement projects that promote safety such as quiet zones.

NCTD supports Local Jurisdictions pursuing quiet zones. In an effort to aid in Local Jurisdictions in pursuing projects, NCTD has advanced a procurement to conduct a planning study that will provide various paths available to implement quiet zones across the entirety of both the COASTER and SPRINTER serviced rail lines. The study will help stakeholders understand all parts of the quiet zone process and will identify typical costs, project durations, other key stakeholders, regulators, pit falls, and overall expectations to go from idea to establishment of a quiet zone.

The proposed scope of work in Task Order No. 17 identified above is within the scope for the as-needed Agreement No. 17000 with Pacific Railway Enterprises, Inc. (PRE), which was awarded by the NCTD Board of Directors (Board) on July 21, 2016 (Agenda Item 5).

PRE’s proposal was over NCTD’s independent cost estimate (ICE) that was completed by staff prior to the solicitation. The variance between the ICE and the proposal was primarily due to incomplete accounting by staff of the number of

drawings and level of detail for information requested from the design firm. After taking this into consideration, staff has deemed the proposal to be fair and reasonable.

Based on the foregoing, staff recommends the NCTD Board of Directors approve TOA No. 17 to Agreement No. 17000 with Pacific Railway Enterprises, Inc. (PRE) for the completion of a quiet zone implementation study in an amount not-to-exceed \$218,966.

ATTACHMENT: None

GOAL/STRATEGIC DIRECTION: Improve Community Partnerships

FISCAL IMPACT: The fiscal impact of this proposed contract action is \$218,966. The estimated expense for FY2023 is \$36,500, which is funded with local operating funds programmed in accounts 185.50311x, which collectively have an FY2023 budget of \$281,200. If the Board approves this proposed contract action, the FY2023 budget remaining in accounts 185.50311x will be reduced to \$201,909. Future expenditures will be programmed in the following fiscal year operating budget as required.

COMMITTEE REVIEW: None

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