

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 4, 2018 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZE ENGINEERING AGREEMENT CITY PARKING DISTRICT NO. 1 ACCESS IMPROVEMENTS-DRAINAGE BNSF DRAINAGE STUDY REVIEW	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared authorizing an engineering agreement with The BNSF Railway Company to conduct a review of a hydrology and hydraulic study for drainage improvements near 120<sup>th</sup> & Old Giles Road in an amount not to exceed \$14,500.

**FISCAL IMPACT**

The FY17/18 Biennial Budget includes funding for this project. Funding will be carried over into the FY19/20 Biennial Budget.

**RECOMMENDATION**

Approval

**BACKGROUND**

In September 2015 an agreement with TD2 was approved to provide drainage analyses in conjunction with the City Parking District No. 1 Access Improvements. Those analyses identified drainage capacity problems in the vicinity of the 120<sup>th</sup> & Old Giles Rd intersection including culverts under the BNSF railroad near this intersection. Since then various efforts to improve drainage have been undertaken. A ditch enlargement project downstream of the BSNF culverts is currently in design. However, a long term plan to improve the culvert capacity is needed. Meetings with the BNSF have resulted in their request for an agreement to compensate them for reviewing the drainage analyses.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN ENGINEERING AGREEMENT WITH BURLINGTON NORTHERN SANTE FE (BNSF) FOR A DRAINAGE STUDY REVIEW FOR CITY PARKING DISTRICT NO. 1 IN AN AMOUNT NOT TO EXCEED \$14,500.

WHEREAS, the City Council of the City of La Vista has determined that said services are necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for this project; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize an engineering agreement with BNSF for a drainage study review for City Parking District No. 1 in an amount not to exceed 14,500.

PASSED AND APPROVED THIS 4TH DAY OF SEPTEMBER, 2018.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

## **PRELIMINARY ENGINEERING AGREEMENT**

**BNSF File #: BF10013831**

**Omaha Subdivision**

**LS 137 MP 25.03**

**La Vista, Nebraska**

THIS AGREEMENT, made and entered into by and between the BNSF RAILWAY COMPANY, hereinafter referred to as the "RAILROAD", and the City of La Vista, Nebraska, hereinafter referred to as the "AGENCY".

### **RECITALS:**

WHEREAS, the RAILROAD owns and operates a line of railroad in and through La Vista, NE;

WHEREAS, AGENCY desires the Railroad to review H&H and plans for the proposed drainage improvements near LS 137, MP 25.03 in La Vista, NE;

### **ARTICLE I SCOPE OF WORK:**

1. The term "**Project**" as used herein includes any and all work related to the RAILROAD reviewing plans and hydraulic report.
2. RAILROAD will authorize a third party consultant to complete the various design tasks. Estimated cost of the research and document preparation for the Project is \$14,110; as shown in Exhibit A
3. AGENCY must pay RAILROAD the actual costs of the Project, not to exceed \$14,500 without the prior written consent of AGENCY. Upon completion of the Project, BNSF will send AGENCY a detailed invoice of final costs, these costs will be on an actual cost basis. Agency must pay final invoice within 30 days of the final invoice.

### **ARTICLE 2 JOINT OBLIGATIONS:**

1. It is mutually understood that this agreement does not obligate the Project to construction. Nothing in this agreement shall obligate the parties to complete construction of the track work or the transfer of funds for construction. Obligations of the AGENCY in subsequent fiscal years are subject to annual appropriation of funds sufficient and intended for such purposes by AGENCY's City Council in its discretion.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as the dates below indicated.

EXECUTED by the RAILROAD this \_\_\_\_\_ day of \_\_\_\_\_, 2018

THE BNSF RAILWAY COMPANY

By: \_\_\_\_\_

Title: Manager Public Projects

EXECUTED by the AGENCY this \_\_\_\_\_ day of \_\_\_\_\_, 2018

CITY OF LA VISTA, NEBRASKA

By: \_\_\_\_\_

Title:

## Deliverables

The following items will be prepared for delivery to the BNSF:

Item	Description
1	Review findings report

## Assigned Staff

The following resources have been designated by MEI to respond and assist with your project needs:

Project Manager	Michael W Holesapple, PE	(417) 893-6645	<a href="mailto:mike.holesapple@mei-eng.us">mike.holesapple@mei-eng.us</a>
Project Engineer	Leigh P Long, PE	(417) 893-6646	<a href="mailto:leigh.long@mei-eng.us">leigh.long@mei-eng.us</a>
Hydraulic Support	Charles E Patterson, PE, PhD		

## Hours / Proposed Fee

Based on the availability of staff, our proposed hours for completing the necessary tasks are as follows:

Task	Description	Hours	Fee
1	Field investigations	16	\$ 1,860.00
2	Review of Hydrologic / Hydraulic computations	28	\$ 4,980.00
3	Review of existing conveyance capacities	22	\$ 3,870.00
4	Evaluate proposed ditch capacities for conveyance	12	\$ 2,020.00
5	Project management / coordination / findings report	12	\$ 1,380.00
<b>Total</b>		<b>90</b>	<b>\$ 14,110.00</b>

We are ready to begin work immediately upon your approval. If you have any questions regarding our proposal, please do not hesitate to contact me. We appreciate the opportunity to provide services to you and the BNSF.

Regards,



Michael W Holesapple, PE  
Principal  
Milestone Engineering, Inc.

milestone engineering, inc.  
3259 E Sunshine, Suite T  
Springfield, MO 65804