

SOUTHWEST

Green Line LRT Extension



Transportation Committee

August 14, 2017



Today's Topics

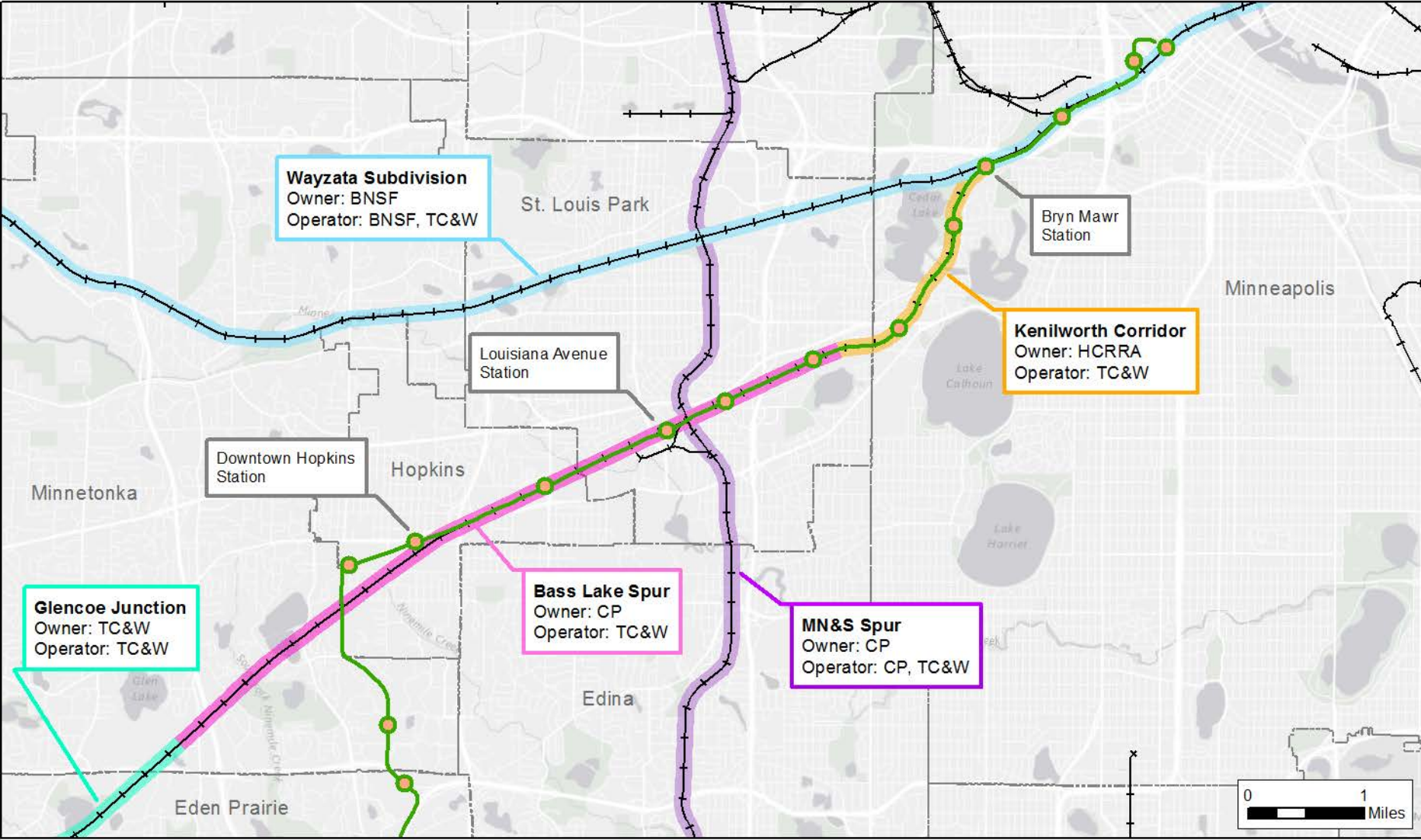
- Twin Cities & Western Railroad Construction Agreement
- Four BNSF Railway Agreements
- Construction Management Support Services Contract



Authorization to Negotiate and Execute Twin Cities & Western Railroad (TCWR) Construction Agreement

#2017-150SW

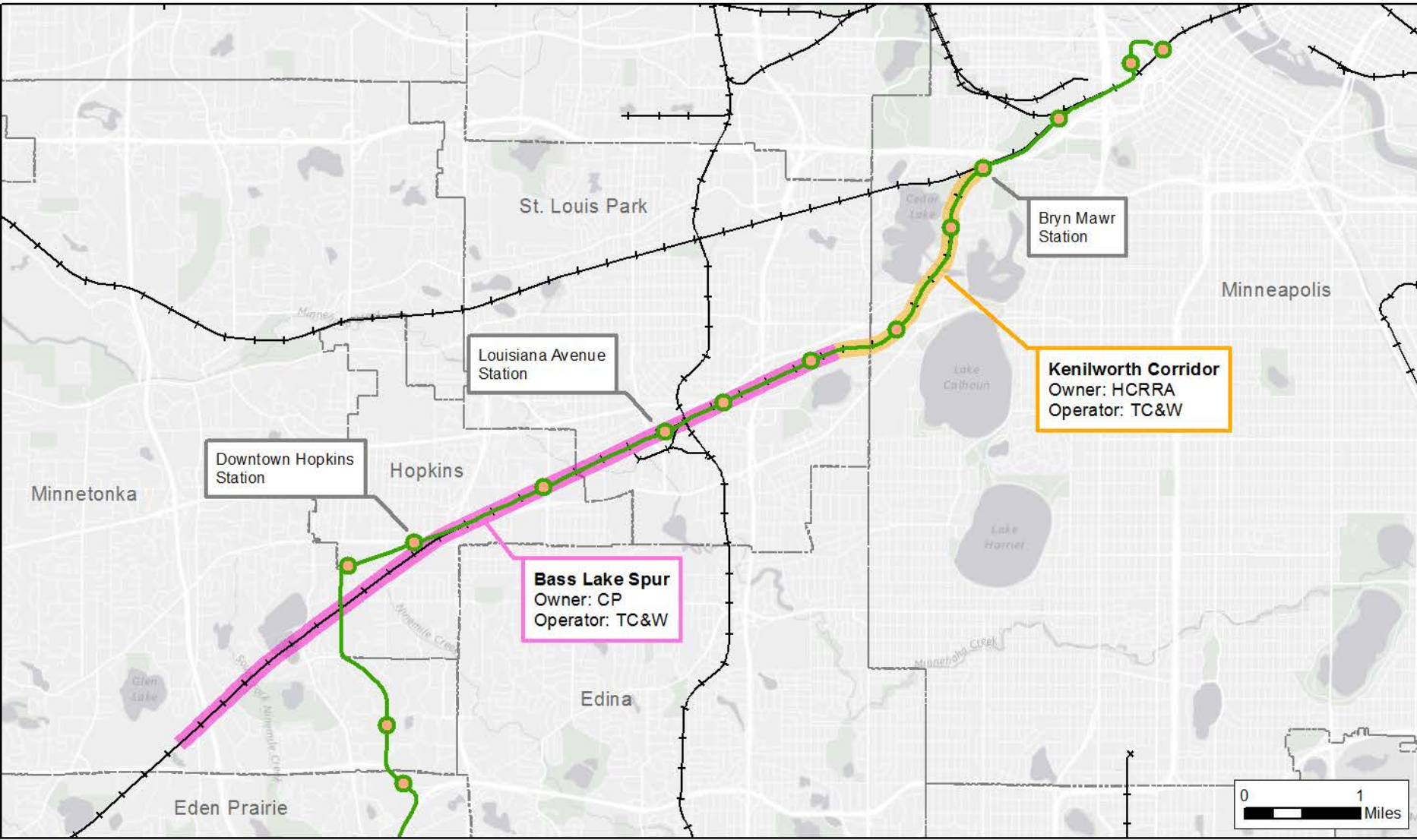
Existing Freight Rail Network



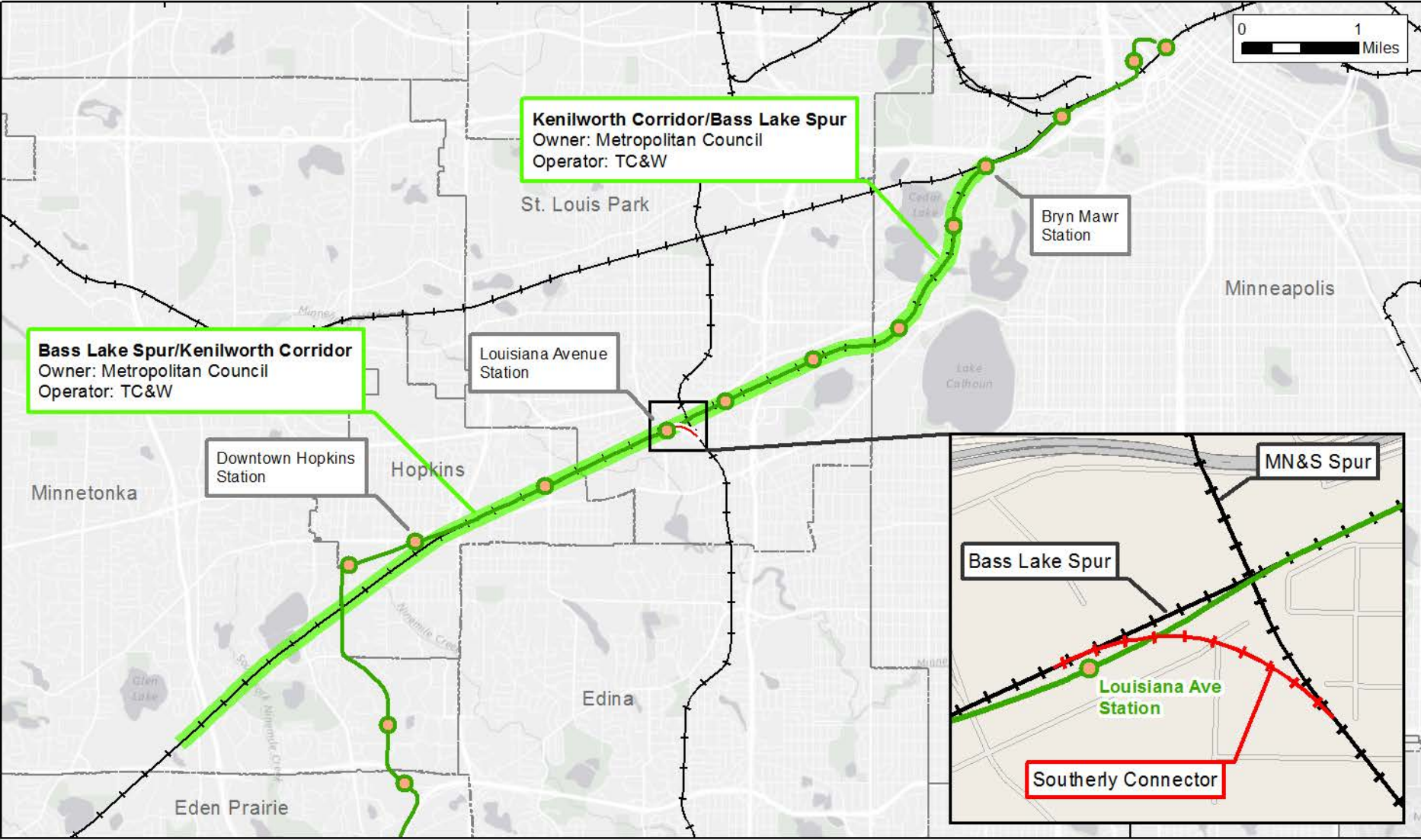
Background: TCWR

- Nov 9, 2016: Council authorized Regional Administrator to:
 - Negotiate Operations and Maintenance Agreement between Council and Twin Cities and Western Railroad (TCWR)
 - File petitions with Surface Transportation Board to acquire ROW and physical freight rail assets of Bass Lake Spur & Kenilworth Corridor without residual common carrier obligation
- July 12, 2017: Council authorized Regional Administrator to execute an Operations and Maintenance Agreement with TCWR related to freight access and operations on Bass Lake Spur and Kenilworth Corridor

Existing Freight Rail Owners & Operators



Proposed Freight Rail Owners & Operators



TCWR Construction Agreement

- Outlines roles and obligations, schedule and scope related to construction of SWLRT
- Includes funds not-to-exceed:
 - \$11.9 million to replace freight rail siding track outside of corridor
 - \$4.2 million for TCWR to provide flagging, inspection services, maintenance and other administrative and operational costs during construction

Current Siding Track to be Relocated



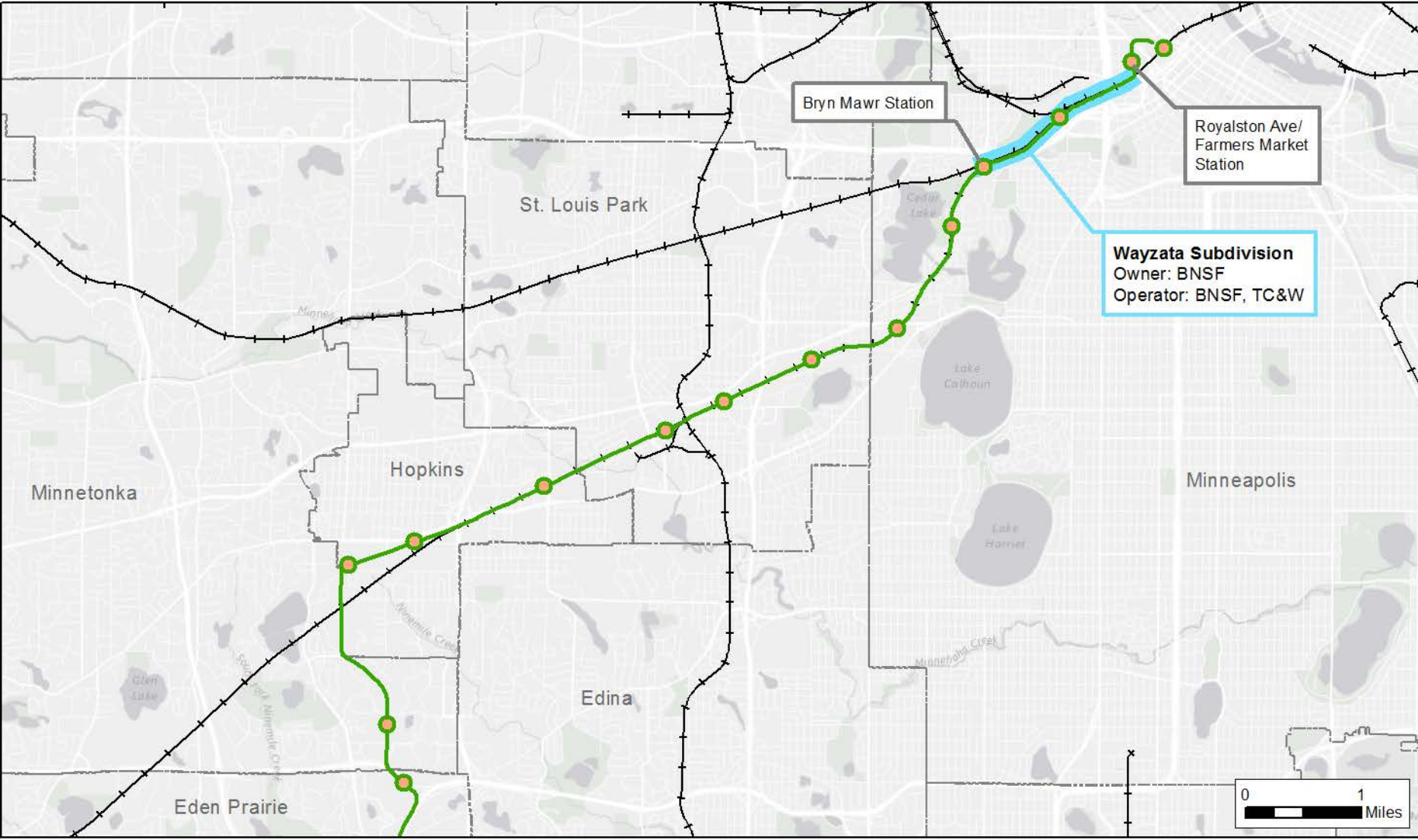
Authorization to Negotiate and Execute Agreements with BNSF Railway

- **2017-162SW Memorandum of Understanding**
- **2017-163SW Shared Use Agreement**
- **2017-164SW Construction Agreement**
- **2017-165SW Purchase and Sales Agreement**

Background: Wayzata Subdivision

- BNSF owns and operates freight rail service on the Wayzata Subdivision
- Approximately 1.4 miles of SWLRT Project alignment is on or adjacent to BNSF right-of-way in Wayzata Subdivision (the “Shared Corridor”)
- Construction of SWLRT requires shifting BNSF’s track to make space for LRT

Background: The Shared Corridor



Background: The Shared Corridor

- Between east side of Bryn Mawr Station to just south of Royalston Ave/Farmers Market Station
- SWLRT construction requires relocating approximately 3,160 feet of BNSF track and purchasing BNSF property
- Freight rail currently operates at 25 mph and LRT will travel at speeds up to 55 mph in this area

Memorandum of Understanding

- Parties to MOU include BNSF, MnDOT, Hennepin County and Hennepin County Regional Railroad Authority
- Recognizes importance of maintenance and improvement of freight rail infrastructure in region
- Recognizes importance of Wayzata Subd. as component of freight rail network
- Documents parties' intent to continue coordination on regional transportation planning
- Asserts SWLRT:
 - Is in the public interest
 - Has been designed and will be constructed so freight and LRT safely co-located and operated

Shared Use Agreement

- Governs Council's rights and obligations related to LRT service adjacent to freight rail in Wayzata Subdivision
- Addresses use of property, maintenance and insurance
 - Council will provide \$295 million Railroad Liability Policy
- Includes agreement to relocate tail track used for daily storage of Northstar train to west of Target Field

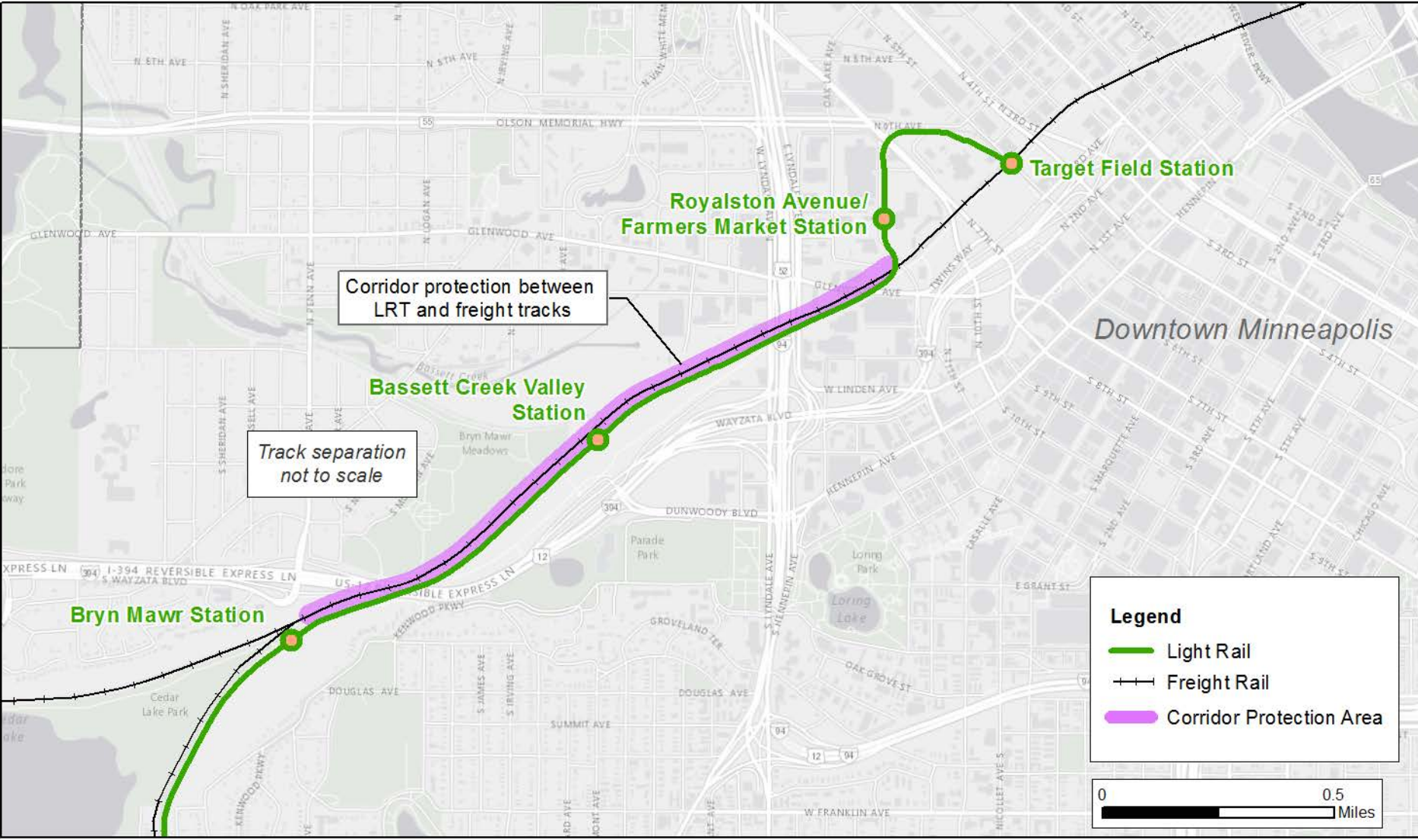
Shared Use Agmt: Northstar Tail Track Relocation



Shared Use Agmt: Corridor Protection

- Corridor protection includes:
 - Reinforced concrete wall between LRT and freight tracks
 - Reinforced bridge piers
- Design details including aesthetics to be determined
- Design allows for operations of co-located freight and LRT and maintains BNSFs current capacity

Shared Use Agmt: Corridor Protection



Shared Use Agmt: Corridor Protection



Shared Use Agreement: Co-Location

- If future law impacts operation of co-located LRT and freight rail, Council responsible for cost of corridor modifications
 - In unlikely event modifications cannot be implemented; Council will suspend SWLRT operations
- If local unit of government targets regulation to SWLRT and freight co-location, Council will lead effort to challenge
 - In unlikely event regulation cannot be invalidated, Council will suspend SWLRT operations

Construction Agreement

- Delineates construction activities
 - Council's civil construction contractor will complete site work, construct LRT tracks and improvements
 - BNSF will construct freight rail elements
- Agrees to pay BNSF up to \$1 million for pre construction activities including coordination and plan review
- After plans approved Construction Agreement will be amended to cover costs for flagging, submittal review, coordination, material procurement and labor
 - Estimated to be \$4 million

Purchase and Sales Agreement

- Council acquires property rights for amount not-to-exceed \$10 million
 - Fee title of two parcels in Kenilworth Corridor
 - Temporary property licenses in Wayzata Subdivision
 - Permanent easements in Wayzata Subdivision
 - Subject to FTA review and concurrence
- Council deeds property rights to BNSF portions of two privately owned parcels needed for construction of retaining walls

Location of BNSF Parcels



Recommendations

Summary

- SWLRT agreements with TCWR and BNSF allow:
 - Both rail operators to maintain existing operations and capacity
 - Operate LRT and freight rail safely in shared corridors
 - SWLRT to proceed with application for the Full Funding Grant Agreement

Recommendations

- Authorize the Regional Administrator to negotiate and execute a Construction Agreement with TCWR in an amount not-to-exceed of \$16.1 million *(2017-150SW)*
- Authorize Regional Administrator to negotiate and execute 4 agreements with BNSF
 - Memorandum of Understanding *(2017-162SW)*
 - Shared Use Agreement *(2017-163SW)*
 - Construction Agreement *(2017-164SW)*
 - Purchase and Sales Agreement *(2017-165SW)*

Award Contract for Construction Management Support Services (CMSS)

#2017-167

Background

- Southwest Project Office must hire construction management staff for 3 major contracts
- Southwest Project Office has hired 25 construction personnel and continues to fill positions
- Construction Management Support Services contract provides additional staff for roles that are hard-to-fill and that require technical expertise on unique aspects of the project

Recommendation

- Authorize the Regional Administrator to award and execute a contract for Construction Management Support Services in an amount to not-to-exceed \$8.5 million to Kimley Horn and Associates

More Information

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