

HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500
Houston, Texas 77002
(713) 755-5370

March 18, 2021

Honorable County Judge
& Commissioners

SUBJECT: Partnership Agreement

Recommendation for authorization to execute a Reimbursement Agreement with Union Pacific Railroad Company to review plans to reconstruct roadway pavement, repair storm sewer and add a 12' wide left turn lane at Telge Road at milepost 16.66, UPIN 20103396284, Precinct 3.

Sincerely,

A handwritten signature in black ink that reads "John R. Blount" with a stylized flourish at the end.

John R. Blount, P.E.
County Engineer

Attachment

cc: Commissioner Tom S. Ramsey, P.E.
Lynn Blue

**REIMBURSEMENT AGREEMENT
PRELIMINARY ENGINEERING SERVICES**

Effective Date:

Agency: HARRIS COUNTY, a body corporate and politic under the laws of the State of Texas.

Estimate: \$50,000.00

THIS REIMBURSEMENT AGREEMENT (**Agreement**) is made and entered into as of the **Effective Date**, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (**Railroad**), and AGENCY (**Agency**).

RECITALS

A. Agency desires to initiate the project more particularly described on Exhibit A attached hereto (the "Project").

B. The Project will affect Railroad's track and right of way at or near the Project area more particularly described on Exhibit A.

C. Railroad agrees to collaborate with Agency on the conceptualization and development of the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

1. NOW THEREFORE, the parties hereto agree as follows:

2. Railroad, and/or its representatives, at Agency's sole cost and expense, agrees to perform (or shall cause a third-party consultant to perform on Railroad's behalf) the preliminary engineering services work described on Exhibit B attached hereto (**PE Work**). Agency acknowledges and agrees that: (a) Railroad's review of any Project designs, plans and/or specifications, as part of the PE Work, is limited exclusively to potential impacts on existing and future Railroad facilities and operations; (b) Railroad makes no representations or warranties as to the validity, accuracy, legal compliance or completeness of the PE Work; and (c) Agency's reliance on the PE Work is at Agency's own risk.

3. Notwithstanding the Estimate (**Estimate**), Agency agrees to reimburse Railroad and/or Railroad's third-party consultant, as applicable, for one hundred percent (100%) of all actual costs and expenses incurred for the PE Work. During the performance of the PE Work, Railroad will provide (and/or will cause its third-party consultant to provide) progressive billing to Agency based on actual costs in connection with the PE Work. Within sixty (60) days after completion of the PE Work, Railroad will submit (and/or will cause its third-party consultant to submit) a final billing to Agency for any balance owed for the PE Work. Agency shall pay Railroad (and/or its third-party consultant, as applicable) within thirty (30) days after Agency's receipt of any progressive and final bills submitted for the PE Work. Bills will be submitted to the Agency using the contact information provided on **Exhibit C**. Agency's obligation hereunder to reimburse Railroad (and/or its third-party consultant, as applicable) for the PE Work shall apply regardless if Agency declines to proceed with the Project or Railroad elects not to approve the Project.

4. Agency acknowledges and agrees that Railroad may withhold its approval for the Project for any reason in its sole discretion, including without limitation, impacts to Railroad's safety, facilities or operations. If Railroad approves the Project, Railroad will continue to work with Agency to develop final plans and specifications and prepare material and force cost estimates for any Project related work performed by Railroad.

5. If the Project is approved by Railroad, Railroad shall prepare and forward to Agency a Construction and Maintenance Agreement (**C&M Agreement**) which shall provide the terms and conditions for the construction and ongoing maintenance of the Project. Unless otherwise expressly set forth in the C&M Agreement, the construction and maintenance of the Project shall be at no cost to Railroad. No construction work on the Project affecting Railroad's property or operations shall commence until the C&M Agreement is finalized and executed by Agency and Railroad.

6. Neither party shall assign this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned or delayed.

7. No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

8. This Agreement sets forth the entire agreement between the parties regarding the Project and PE Work. To the extent that any terms or provisions of this Agreement regarding the PE Work are inconsistent with the terms or provisions set forth in any existing agreement related to the Project, such terms and provisions shall be deemed superseded by this Agreement to the extent of such inconsistency.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

COUNTY OF HARRIS, TEXAS

UNION PACIFIC RAILROAD COMPANY,
a Delaware Corporation

Signature

Signature

Lina Hidalgo
Printed Name

Erik Lewis
Printed Name

County Judge
Title

Manager I, Engineering - Public Projects
Title

APPROVED AS TO FORM:
Christian D. Menefee
County Attorney

By: Philip Berzins
Philip Berzins
Assistant County Attorney
C.A.O. File No.: 21GEN0838

ORDER OF COMMISSIONERS COURT
Authorizing execution of an Agreement

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the ____ day of _____, 2021 with all members present except _____.

A quorum was present. Among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT WITH
UNION PACIFIC RAILROAD COMPANY TO REVIEW PLANS TO RECONSTRUCT
ROADWAY PAVEMENT, REPAIR STORM SEWER, AND ADD A
12' WIDE LEFT TURN LANE AT TELGE ROAD AT MILEPOST 16.66**

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

Vote of the Court	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Judge Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ramsey, P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Cagle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

IT IS ORDERED the Harris County Judge is authorized to execute for and on behalf of Harris County, a Reimbursement Agreement between Harris County and Union Pacific Railroad Company to review plans to reconstruct roadway pavement, repair storm sewer, and add a 12' wide left turn lane at Telge Road at milepost 16.66. The Agreement is incorporated herein as though fully set forth word for word.

All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.

Exhibit A

Project Description and Location

Project Description

County of Harris, TX proposes to reconstruct roadway pavement, repair storm sewer, and add a 12' wide left turn lane at the crossing referred to below.

Location

Eureka Subdivision

DOT	Crossing Type	Milepost	Street Name
743636M	Public	16.66	Telge Road

Exhibit B

Scope of Project Services

Scope of work includes, but is not limited to the following

- Field diagnostic(s) and inspections

- Plan, specification and construction review

- Project design

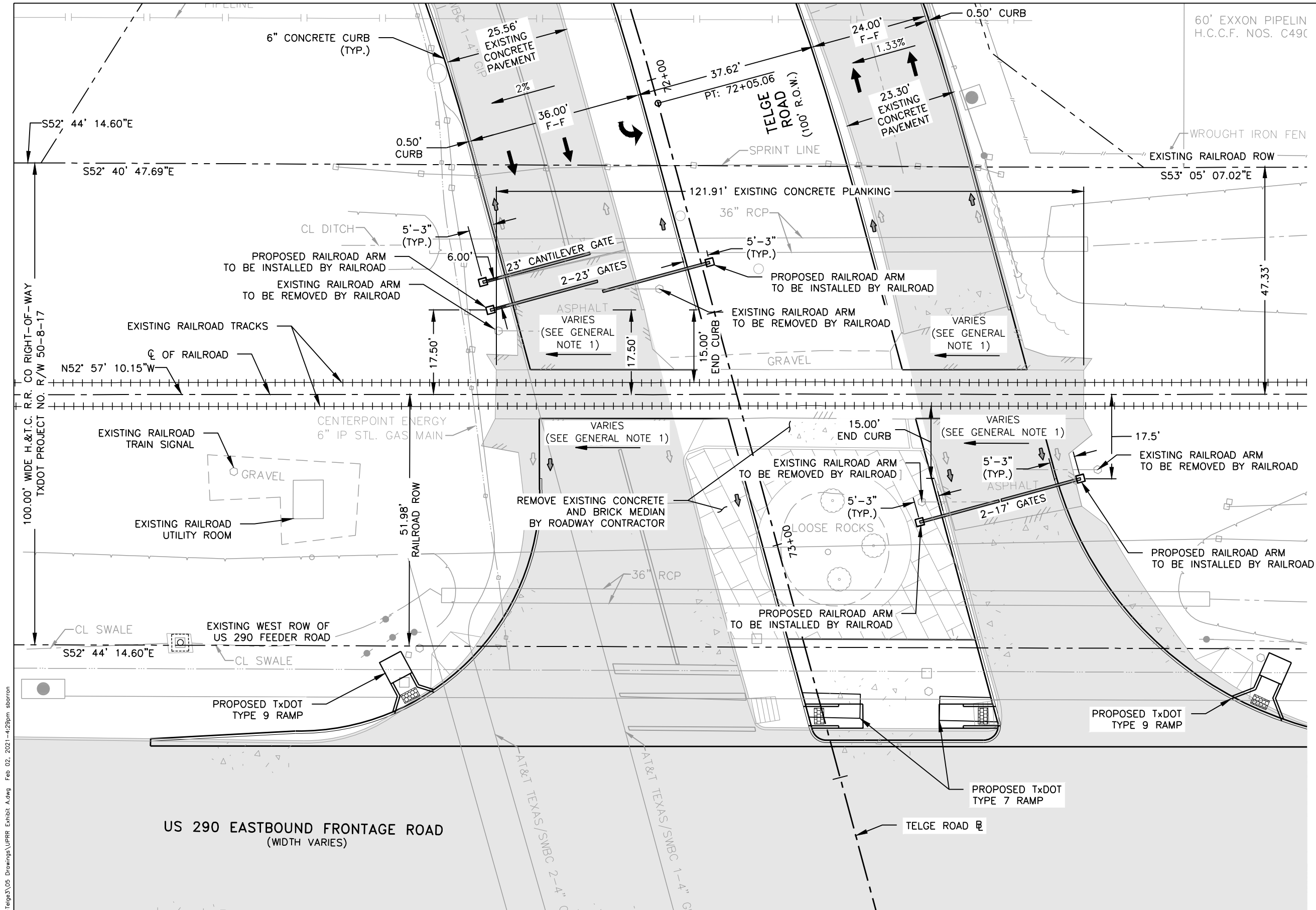
- Preparation of Project estimate for force account or other work performed by the Railroad

- Meetings and travel

Exhibit C

Billing Contact Information

Name	Chris Saldana
Title	Utility Coordinator
Address	1001 Preston Street, Houston, TX, 77002
Work Phone	(713) 274-3668
Cell Phone	
Email	christopher.saldana@hcpid.org
Agency Project No.	



GENERAL NOTES:

- ROADWAY CROSS SLOPE SHALL BE TRANSITIONED FROM 2% TO 0% WITHIN 20 FEET FROM THE RAILROAD HEADER TO ROADWAY AT BOTH APPROACHES.
- TRAFFIC DATA: XXX ADT, NO. XXX TRAINS PER DAY AT XX MPH, X SWITCHING, MOVES AT XX MPH.
- EXISTING XX LB. RATL. (FIELD VERIFY)

WORK TO BE DONE BY RAILROAD:

- REMOVE EXISTING GATE ASSEMBLIES ALONG NORTHBOUND LANES. IF REQUIRED, REMOVE EXISTING GATE ASSEMBLIES ON SOUTHBOUND LANES.
- INSTALL A 38'-0" GATE ASSEMBLIES (ON THE SOUTH SIDE OF THE RAILROAD) WITH FLASHING LIGHTS SIGNALS AND BELLS BEHIND FACE OF CURB. IF REQUIRED, INSTALL A 26'-0" GATE ASSEMBLIES (ON THE NORTH SIDE OF THE RAILROAD).
- REMOVE AND REPLACE XX ELECTRICAL GROUND BOXES AND WIRING, IF NEEDED FOR RAILROAD GATE.
- REMOVE EXISTING ELECTRICAL HOUSING AND INSTALL X' X' X' HOUSING, IF NEEDED FOR RAILROAD GATE.

WORK TO BE DONE BY CONTRACTOR:

- FURNISH AND INSTALL BARRICADES FOR TRAFFIC CONTROL.
- FURNISH, INSTALL AND MAINTAIN PROPER PAVEMENT MARKINGS AND ADVANCED WARNING SIGNS.
- CONSTRUCT PROPOSED PAVEMENT AND 6" CURB AT APPROACHES

LEGEND:

- CL CENTER LINE
- F-F FACE TO FACE
- ROW RIGHT OF WAY
- UPRR UNION PACIFIC RAILROAD
- PROPOSED TRAVEL DIRECTION
- PROPOSED DRAINAGE FLOW DIRECTION
- EXISTING DRAINAGE FLOW DIRECTION
- EXISTING PAVEMENT

M:\Projects\VC - 0829 - HC-Telge3\05 Drawings\UPRR Exhibit A.dwg Feb 02, 2021 4:29pm sborron

NO.	REVISIONS	DATE	NAME

HARRIS COUNTY
ENGINEERING DEPARTMENT



GC ENGINEERING, INC.

2505 Park Ave, Pearland, TX 77581
PH:281-412-7008, FAX:281-412-4623
TBPE Registration No. F-7889

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Or Construction

BHARATH DEVINENI
TBPE NO: 111368
February 2, 2021

PROJECT TITLE:
TELGE ROAD, SEGMENT 3 (UPIN# 201033962814)

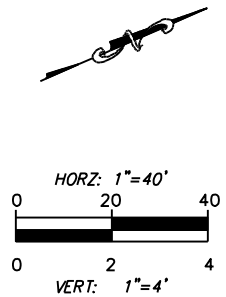
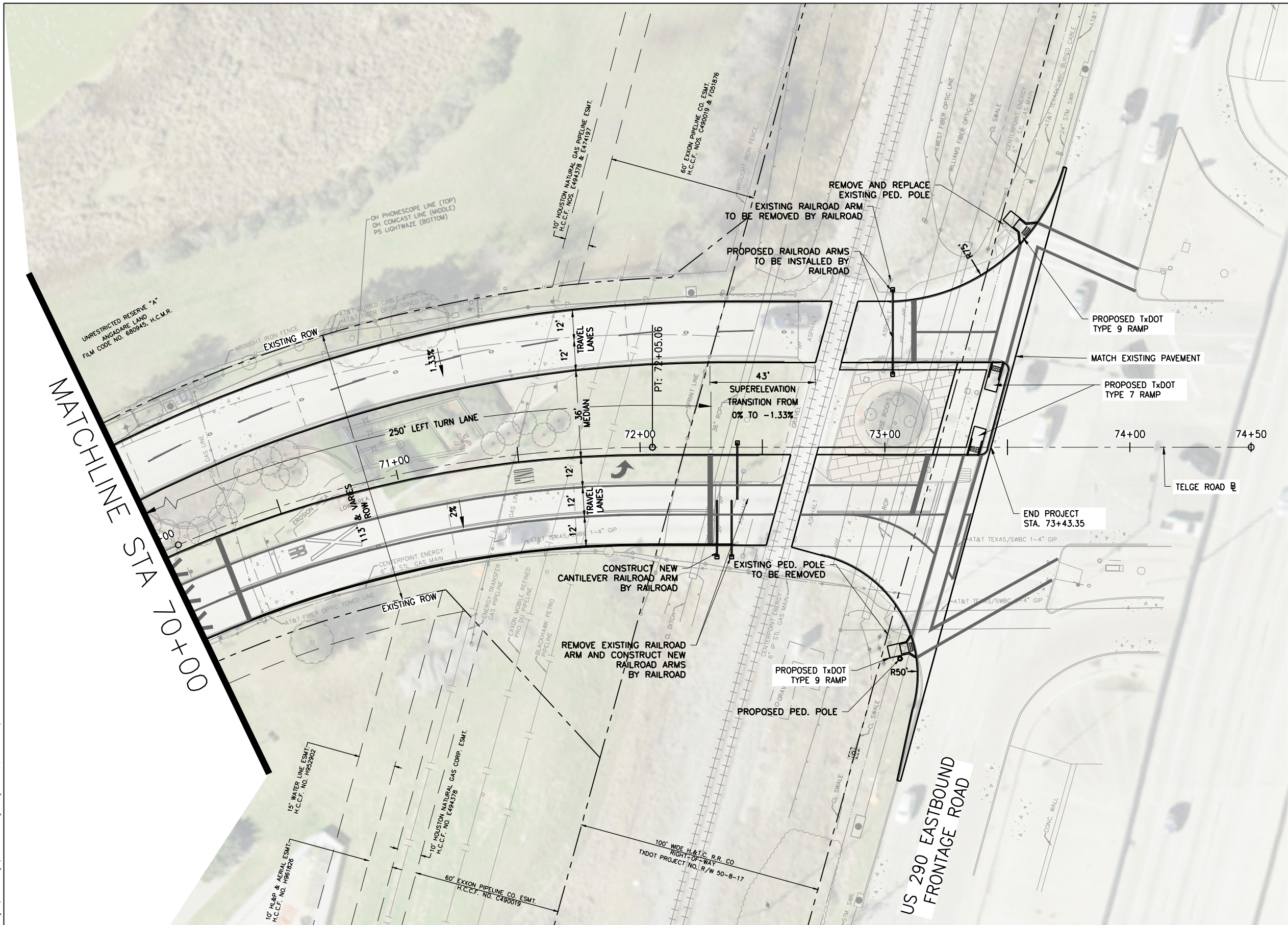
FROM WYMAN GORDON DRIVEWAY TO EASTBOUND FRONTAGE ROAD OF US 290

SHEET DESCRIPTION:
UNION PACIFIC RAILROAD EXHIBIT A

DRAWN BY: SO SHEET 1 OF 5 DATE: 2/2/2021

CK'D BY: BD SCALE: 1"= 20' SHEET NO: 1/5

M:\Projects\10 - 0829 - HC-Telge3\05 Drawings\PlanProfile-Telge3.dwg Feb 02, 2021 4:29pm sborron



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3. CONSTRUCT PROPOSED PAVEMENT AND 6" CURB AT APPROACHES


LEGEND:

- CL CENTER LINE
- F-F FACE TO FACE
- ROW RIGHT OF WAY
- UPRR UNION PACIFIC RAILROAD
- PROPOSED TRAVEL DIRECTION
- PROPOSED DRAINAGE FLOW DIRECTION
- EXISTING DRAINAGE FLOW DIRECTION
- EXISTING PAVEMENT

NO.	REVISIONS	DATE	NAME

HARRIS COUNTY ENGINEERING DEPARTMENT





GC ENGINEERING, INC.
2505 Park Ave, Pearland, TX 77581
PH:281-412-7008, FAX:281-412-4623
TBPE Registration No. F-7889

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BHARATH DEVINENI
TBPE NO: 111368
February 2, 2021

PROJECT TITLE:
TELGE ROAD, SEGMENT 3 (UPIN# 201033962814)

FROM WYMAN GORDON DRIVEWAY TO EASTBOUND FRONTAGE ROAD OF US 290

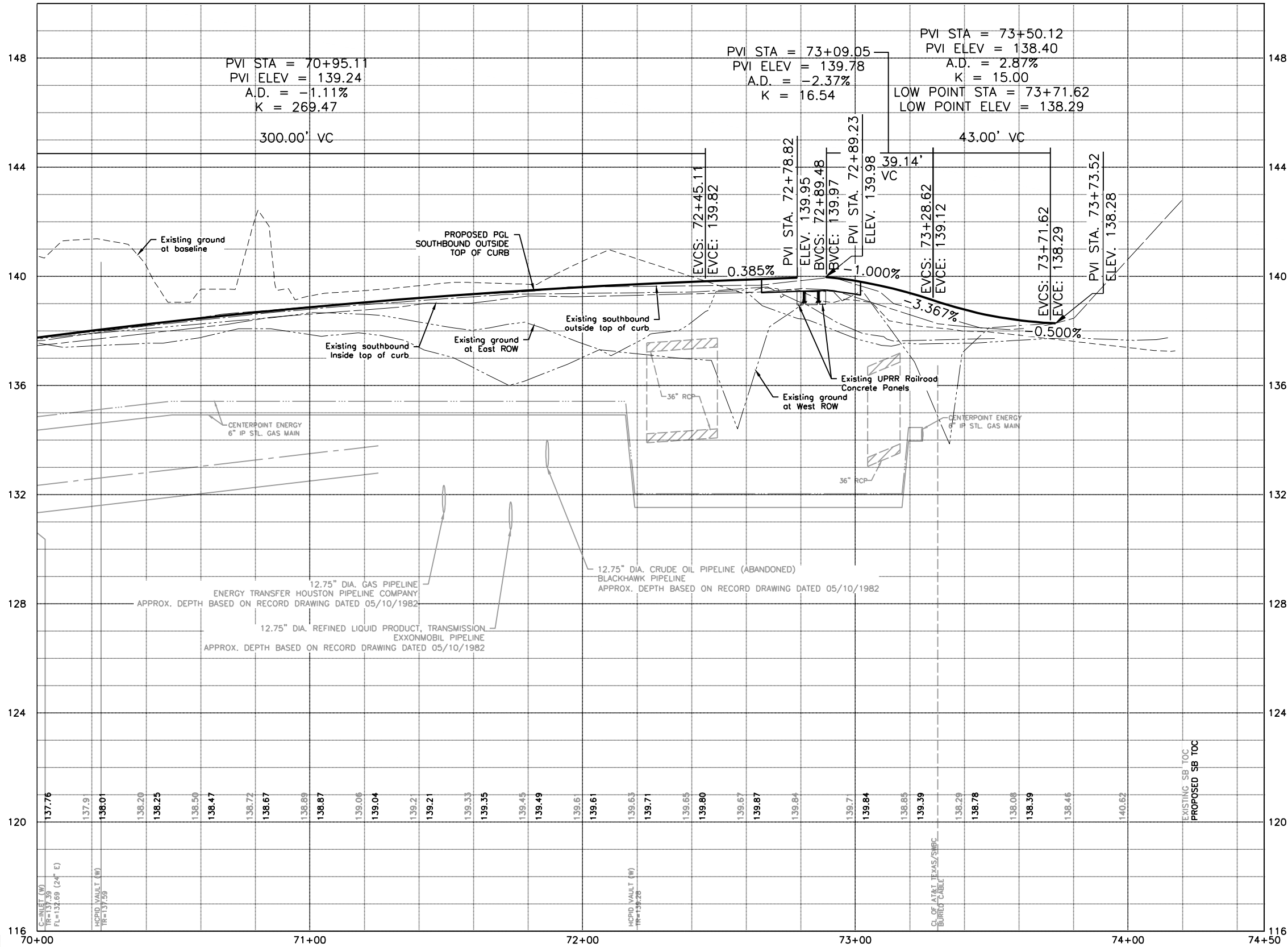
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UNION PACIFIC RAILROAD EXHIBIT A - PLAN & PROFILE

DRAWN BY: **SO**
CK'D BY: **BD**

DATE:
2/2/2021

SHEET NO:
2 / 5

PROFILE GRADE LINE (PGL) AT SOUTHBOUND TOP OF CURB (TOC)



GENERAL NOTES:

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HARRIS COUNTY
ENGINEERING DEPARTMENT

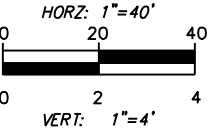
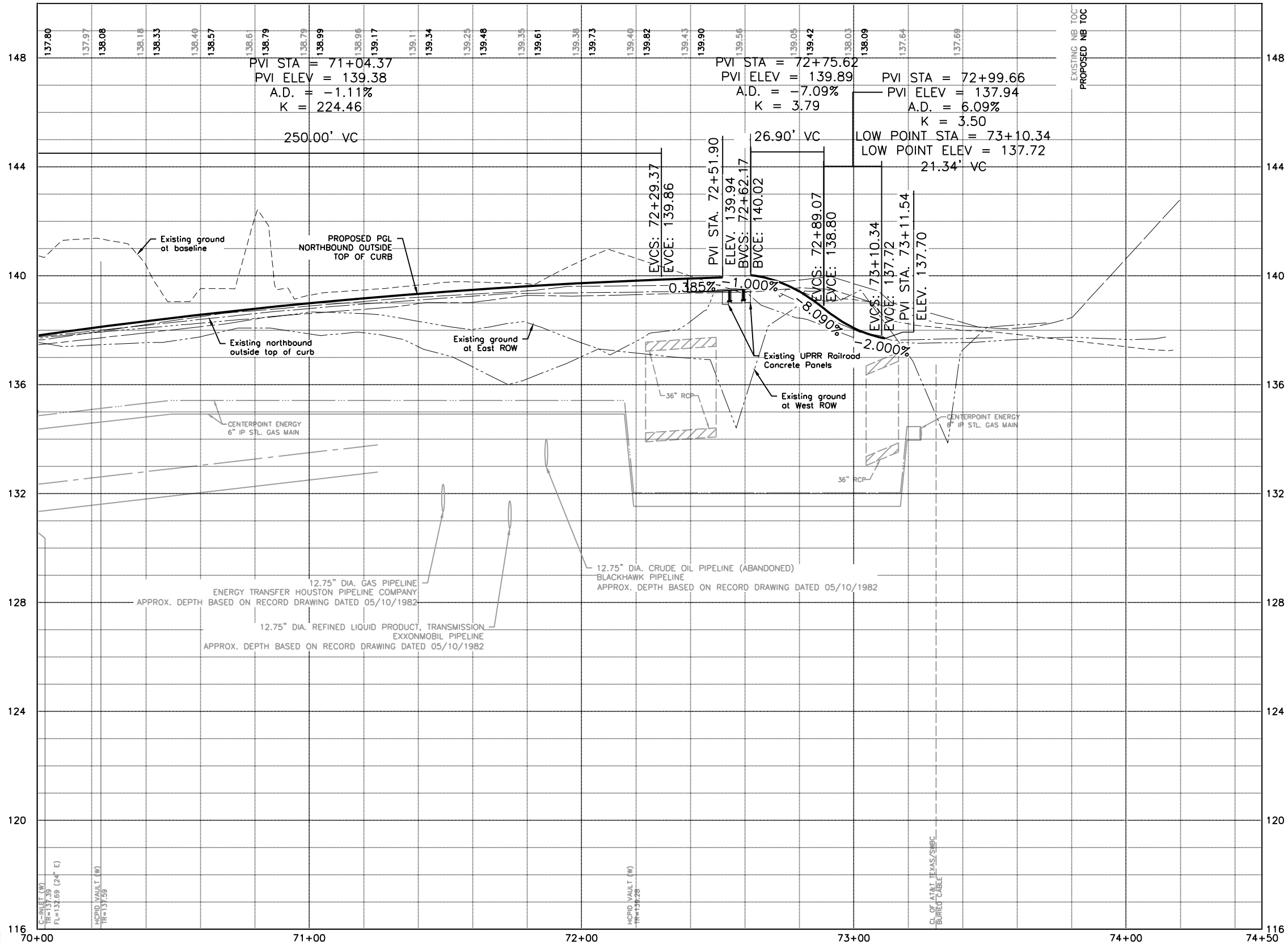


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FROM WYMAN GORDON DRIVEWAY TO EASTBOUND FRONTAGE ROAD OF US 290	
SHEET DESCRIPTION:	UNION PACIFIC RAILROAD EXHIBIT A - PLAN & PROFILE
DRAWN BY:	SO
DATE:	2/2/2021
CK'D BY:	BD
SHEET NO:	3/5
SCALE:	AS SHOWN

PROFILE GRADE LINE (PGL) AT NORTHBOUND TOP OF CURB (TOC)



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NO.	REVISIONS	DATE	NAME

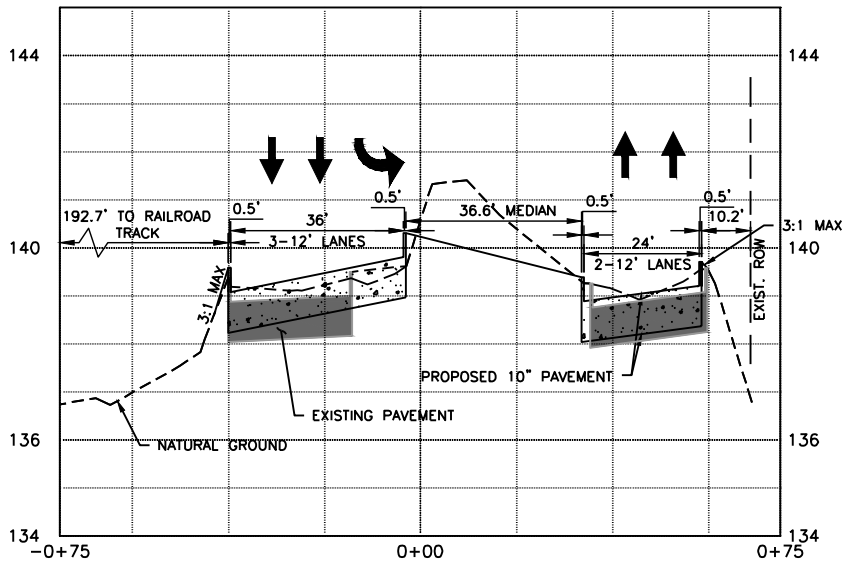
HARRIS COUNTY
ENGINEERING DEPARTMENT



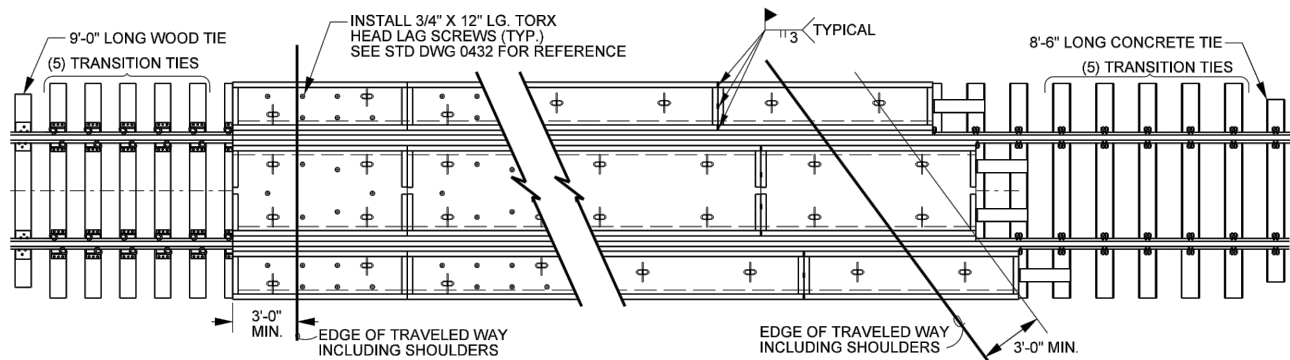
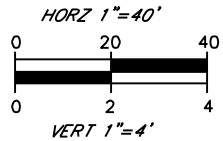
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FROM WYMAN GORDON DRIVEWAY TO EASTBOUND FRONTAGE ROAD OF US 290	
SHEET DESCRIPTION:	UNION PACIFIC RAILROAD EXHIBIT A - PLAN & PROFILE
DRAWN BY:	SO
DATE:	2/2/2021
CK'D BY:	BD
SHEET NO:	4 / 5
SCALE:	AS SHOWN

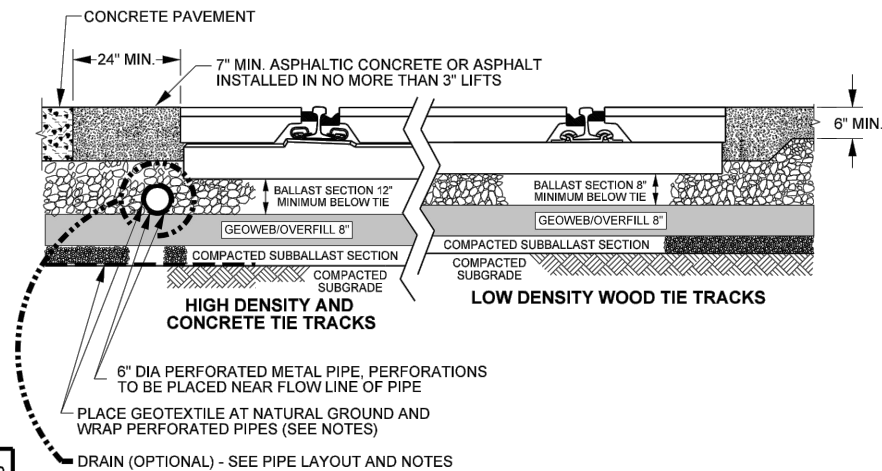


PROPOSED TYPICAL SECTION IN THE
VICINITY OF RAILROAD CROSSING
(STA 72+00.00)
SCALE: 1"=40'(H), 1"=4'(V)



PLAN VIEW OF PANEL WITH TIMBER TIES

PLAN VIEW OF PANEL & JOINT
WELD LOCATION W/CONCRETE TIES



TYPICAL BALLAST AND ASPHALT DETAIL

NOTES:
SEE PAGE 2 FOR NOTES AND MORE DETAILS.

UNION PACIFIC RAILROAD
ENGINEERING STANDARDS

INSTALLATION OF ROAD
CROSSINGS W/ PRECAST
CONCRETE PANELS



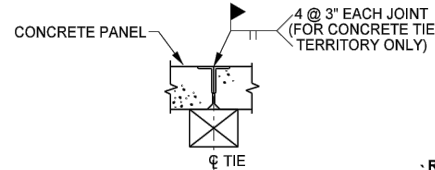
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PAGE 1 OF 2

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NOTES:

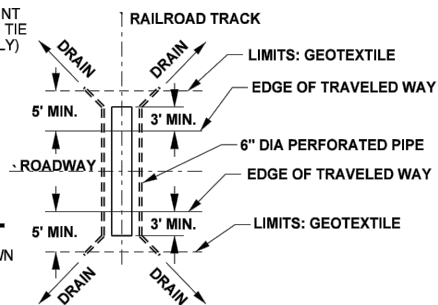
- CROSSING PANEL SUPPORT THROUGH THE CROSSING MUST BE UNIFORM. CONCRETE TIE SPACING IS TO BE A MAXIMUM OF 24" CENTER TO CENTER. WOOD TIE SPACING TO BE MAXIMUM OF 19 1/2" CENTER TO CENTER. TIE SPACING MUST BE ADJUSTED TO SUPPORT THE ENDS OF THE PANELS
- CROSSING SITE IS TO BE INSPECTED PRIOR TO START OF INSTALLATION TO DETERMINE THAT PROPER DRAINAGE AND SURFACE SUPPORT IS PROVIDED, TRACK GRADE IS UNIFORM AND EXISTING TIES ARE AT LEAST 10' LONG.
- IF CONDITIONS WARRANT, SITE IS TO BE OVER-EXCAVATED AND CROSSING DRAINAGE SYSTEM INSTALLED USING COMPACTED, WELL GRADED GRANULAR FILL; SUBBALLAST, GEOTEXTILE AND PERFORATED DRAINAGE PIPE (IF REQUIRED) INSTALLED PER DETAILS OF THIS DRAWING.
- GEOWEB UNDERLAYMENT RECOMMENDED FOR ALL ROAD CROSSING INSTALLATIONS.
- ADDITIONAL SITE DRAINAGE INCLUDING PROPER DRAINAGE AT EACH QUADRANT OF CROSSING SHALL BE COMPLETED TO ENSURE CROSSING DRAINAGE.
- PRECAST PANELS ARE TO BE HANDLED AND SUPPORTED AT SPECIFIED LIFTING INSERT LOCATIONS ONLY. LIFTING EQUIPMENT AND CONNECTION INSERTS ARE TO BE PROPERLY SIZED TO HANDLE THE LENGTH OF PANELS BEING INSTALLED. RING LIFTING DEVICES ARE AVAILABLE FROM COMPANY WAREHOUSE.
- APPROACH ASPHALT ROADWAY PAVING IS TO MEET STATE DOT HIGHWAY SPECIFICATIONS AND INSTALLED ACCORDINGLY. ASPHALT IS TO BE INSTALLED WITH PAVER WITH MAXIMUM 3" LIFTS AND LAID PARALLEL TO CROSSING TO MINIMIZE APPROACH SETTLEMENTS.
- GEOTEXTILE AND PIPE TO BE INSTALLED ONLY AT LOCATIONS WHERE REQUIRED BY STATE OR LOCAL AGENCIES OR WHERE DESIGNATED BY CHIEF ENGINEER.
- GALVANIZED ELASTIC FASTENERS ARE TO BE USED WITHIN THE CROSSING AREA. PANDROL E-CLIPS TO BE USED ON WOOD TIE CROSSINGS AND SAFELOK CLIPS ON CONCRETE TIE CROSSINGS.
- ALL RAIL JOINTS IN CROSSING AREA TO BE WELDED, DO NOT INSTALL BOLTED JOINT BARS.

STD DWG
0304
PAGE 2 OF 2



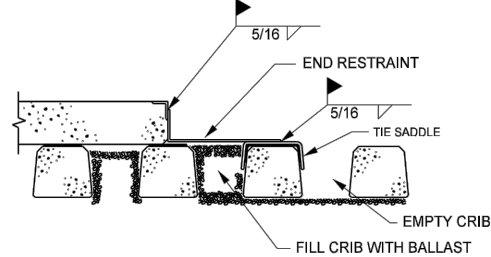
JOINT BETWEEN PANELS

INTERIOR JOINTS BETWEEN PANELS MUST REST ON CENTER LINE OF A WOOD OR CONCRETE TIE AS SHOWN



TYPICAL PIPE LAYOUT

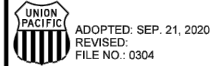
NOTE:
GEOTEXTILE & PIPE TO BE INSTALLED ONLY AT LOCATIONS WHERE REQUIRED BY STATE OR LOCAL AGENCIES OR WHERE DESIGNATED BY CHIEF ENGINEER.



END RESTRAINT DETAIL
(FOR CONCRETE TIES ONLY)

UNION PACIFIC RAILROAD
ENGINEERING STANDARDS

INSTALLATION OF ROAD
CROSSINGS W/ PRECAST
CONCRETE PANELS



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PAGE 2 OF 2

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SCALE:	AS SHOWN
SHEET 5 OF 5 -	
DATE:	2/2/2021
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