



March 12, 2018

Terrel Anderson

Manager, Industry & Public Projects

Union Pacific Railroad Company

1 So. Pyramid Way

Sparks NV. 89431

**Re: AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES AND  
SUBMITTAL OF EXHIBIT "A" FOR RAILROAD APPROVAL**

Crossing: YES Public: YES  
State: OREGON  
City: OREGON CITY  
MP: 755.70  
Subdivision: BROOKLYN  
Street: 10<sup>TH</sup> STREET  
County: CLACKAMAS

*DOT # 760017A*

Dear Terrel:

The City is working on a Railroad-Highway Public Crossing Safety Application specific for the safety median installed west of this crossing. As you know the City is actually working on several projects at this location so dealing with all of these in separate crossing orders may make sense but it seems to me that it may also add confusion and complexity. The projects as I know them include:

1. The existing median and the lack of a crossing order (my fault).
2. A private development proposal (PA 18-09) for the parcel on the southeast corner of 10<sup>th</sup> Street and Main Street.
3. The City's goal of obtaining a quiet zone designation through our Downtown
4. Paving 10<sup>th</sup> Street between Main and the Railroad tracks (yet to be designed or scheduled)

We understand the need to work with all the stakeholders in connection with the project, we also want all of these projects to be successful as well as the need for your company to collaborate in the development of the project by performing the following:

- preliminary engineering and other related services
- development of cost estimates
- review of the project's preliminary layouts

- submit current train and switching moves

Oregon City authorizes and agrees to reimburse the Railroad for its expenses and actual costs that are incurred for collaborating in the development of the preliminary engineering and other preliminary activities needed for the project(s). We understand the Railroad has established that these preliminary engineering and other preliminary costs will be \$25,000.00. Payment will be made within thirty (30) days from the Agency's receipt and approval of the Railroad's request for reimbursement. Railroad will refer to Agency's Project Number (CI 18-007) and forward Invoices to me (John Lewis).

The project(s) may require the Railroad to incur costs for force account activities. Please prepare the railroad force account cost estimate for work activities to be provided by your company, as identified in **Exhibit A** and submit them at your earliest convenience so that they may be attached to the railroad generated Construction & Maintenance (C&M) agreement.

Please verify the number of current regular train (15) and switching movements (0) with a Maximum Speed of (79 mph) at this location as currently shown in your inventory records. This information will be used by Oregon City's Contractor to obtain Railroad Protective Liability Insurance.

This agreement is intended to address Preliminary Engineering. It is understood by both parties that railroad may withhold its approval for any reason directly or indirectly related to safety or its operations, property issues or effect to its facilities. If the Project is approved, Union Pacific will continue to work with Oregon City to develop Final Plans, Specifications and prepare Material and Cost Estimates for Railroad Construction Work associated with the project. It is also understood that if the project is constructed, if at all, at no cost to the railroad.

Oregon City and the Railroad will enter into separate License, Right of Entry, Construction and Maintenance Agreements associated with the actual construction of the project if the project is accepted and approved by the railroad. The Agreements will be drafted by Union Pacific and forwarded to Oregon City after the **Exhibit A** and cost estimates have been approved.

March 12, 2018

Page 3

Please contact me at telephone number (503) 496-1545 or via email at [jmlewis@orcity.org](mailto:jmlewis@orcity.org) if you have any questions. Your assistance in this matter is appreciated.

Sincerely,



John M. Lewis  
Public Works Director  
City of Oregon City

UNION PACIFIC RAILROAD COMPANY

By  Date March 13 2018

Name and Title Sr Specialist Industry & Public Projects

Attachment(s)

P:\PublicWorks\CIP\_PS\_RFQ\_RFP\CIP\_Open\CI 18-007 Quiet Zone\OTHER AGENCIES\UPRR\agency agreement FINAL 031218.docx