

**CITY OF SAN ANTONIO  
PUBLIC WORKS DEPARTMENT  
CITY COUNCIL AGENDA MEMORANDUM**

**TO:** Mayor and City Council  
**FROM:** Thomas G. Wendorf, P.E., Director of Public Works  
**SUBJECT:** Railroad Quiet Zone Study in District 2 of Union Pacific Railroad Line  
**DATE:** June 2, 2005

**SUMMARY AND RECOMMENDATIONS**

This ordinance accepts a proposal and authorizes payment in the amount of \$11,000 for traffic engineering services to be provided by Pape-Dawson Engineers, Inc., under a previously authorized On-Call Professional Traffic Engineering Services Agreement, in connection with the Railroad Quiet Zone Study of the Union Pacific Railroad Line between Sherman and Essex located in Council District 2.

Staff recommends approval of this ordinance

**BACKGROUND INFORMATION**

This project provides for the execution of a Railroad Quiet Zone Study. The proposed scope of work includes: a review of the existing data collection effort by the City; an evaluation of the Quiet Zone Risk Index (QZRI) for the applicable railroad crossings within the limits described above; a quantitative comparison of the QZRI with the Nationwide Significant Risk Threshold (NSRT); where necessary, identifying potential crossing improvements that would reduce the QZRI to an acceptable level; providing cost estimates for these crossing improvements; and preparing a report that summarizes the findings.

This ordinance authorizes compensation to Pape-Dawson Engineers, Inc. in the amount of \$11,000 for traffic engineering services in connection with the performance of this study.

A previously executed Public Works Department Professional Services Agreement for on-call professional traffic engineering services with Pape-Dawson Engineers, Inc. in an amount not to exceed \$550,000 was approved by City Council on January 6, 2005, though Ordinance No. 100234. To date no funds have been expended under this Professional Services Agreement.

## **POLICY ANALYSIS**

Approval of this ordinance is consistent with Council Policy to address citizens concerns surrounding issues at railroad crossings.

## **FISCAL IMPACT**

This is a one-time traffic study expenditure. Funds in the amount of \$11,000 are available from Council District 2 Neighborhood Accessibility and Mobility Program funds and are authorized payable to Pape-Dawson Engineers, Inc.

## **COORDINATION**

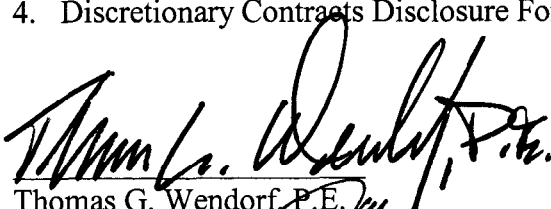
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

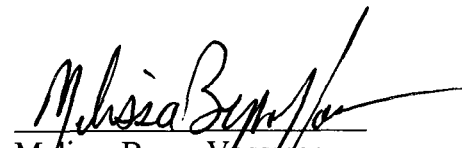
## **SUPPLEMENTARY COMMENTS**

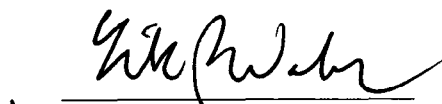
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is included herein as attachment 3.

## **ATTACHMENTS**

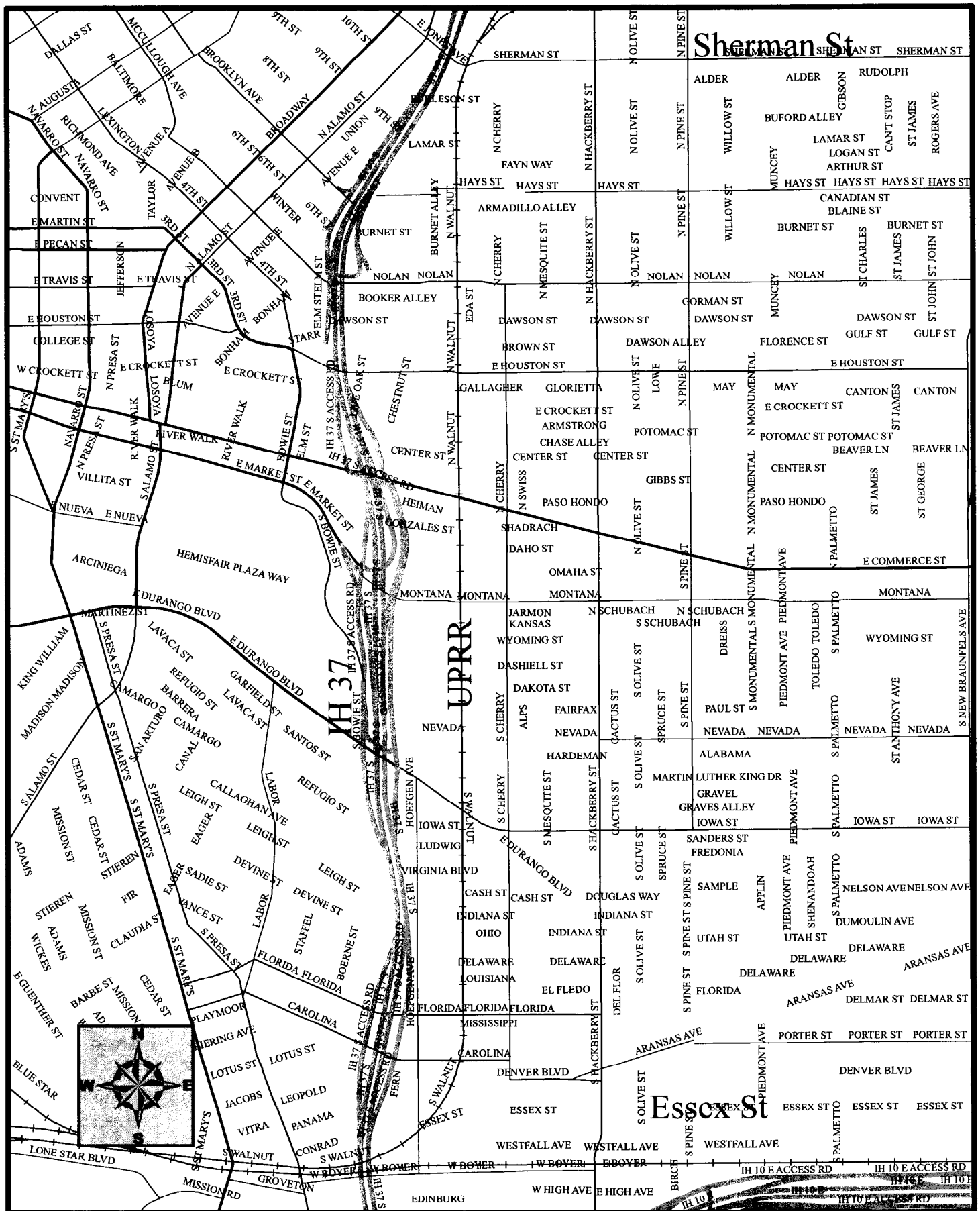
1. Study Area Map
2. Consultant's Proposal
3. NAMP Authorization from Councilman Williams
4. Discretionary Contracts Disclosure Form

  
Thomas G. Wendorf, P.E.  
Department Director

  
Melissa Byrne Vossmer  
Assistant City Manager

  
J. Rolando Bono  
Interim City Manager

# UPRR-ESSEX TO SHERMAN



**CITY OF SAN ANTONIO**  
Interdepartmental Correspondence Sheet

**TO:** Councilmember Joel Williams - District 2

**THROUGH:** Melissa Byrne Vossmer, Assistant City Manager

**FROM:** Thomas G. Wendorf, P.E., Director of Public Works

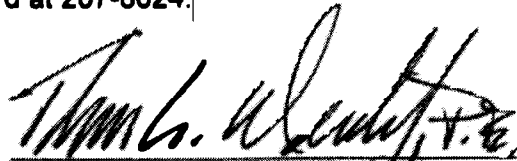
**COPIES TO:** Jason Cosby, P.E., Doug Yerkes, P.E., Ph. D., Maria Villagomez, File

**SUBJECT:** NEIGHBORHOOD ACCESSIBILITY AND MOBILITY PROGRAM (NAMP)

**DATE:** May 19, 2005

This memorandum is in response to your request to fund the cost of a Railroad Quiet Zone Study encompassing the area of the Union Pacific Railroad Line between Sherman and Essex from the District 2 NAMP fund. The cost of the study is \$11,000 and will be performed by Pape-Dawson Engineers, Inc. through the Indefinite Delivery Professional Services Agreements for City-wide Traffic Engineering Services approved by Council on January 6, 2005. Attached please find a copy of the proposal submitted by Pape-Dawson Engineers, Inc.

Please show your concurrence by signing and returning this memorandum to our office. If you have any questions, please contact Nancy Beward at 207-8024.

  
Thomas G. Wendorf, P.E.  
Director of Public Works

(Please circle one)  
APPROVE DISAPPROVE

Jc6

  
Councilman Joel Williams  
District 2

TGW:mdv

Attachment

May 6, 2005

Mr. John Frieble, P.E., PTOE  
City of San Antonio  
Traffic Engineering Division  
223 S. Cherry Street  
San Antonio, Texas 78203

Re: Proposed Scope of Services for COSA Railroad Quiet Zone Study – Union Pacific  
Railroad Line Between Sherman and Essex

Dear Mr. Frieble:

Please accept this proposal for engineering services concerning the above referenced project. Our proposed project scope includes the following tasks: a review of the existing data collection effort by the City; evaluate the Quiet Zone Risk Index (QZRI) for the applicable railroad crossings within the limits described above; provide a quantitative comparison of the QZRI with the Nationwide Significant Risk Threshold (NSRT); if necessary, identify potential crossing improvements that would reduce the QZRI to an acceptable level; approximate the cost of any crossing improvements; and provide a memo to summarize the findings.

A detailed scope of services for this project is listed below.

**I. Railroad Quiet Zone Study \$11,000**

We will perform an evaluation of the above referenced project limits based on the requirements of the Federal Railroad Administration (FRA) for establishing a Quiet Zone. Existing data collection efforts by the City will be evaluated to determine the extent to which existing data may be deficient. A field evaluation will be performed for the existing crossing locations to verify the field conditions present at each location. We will update inventory of crossing and prepare necessary documents to be forwarded to the FRA. Based on the existing level of protection at each crossing, the FRA's "Quiet Zone Calculator" (located on the FRA web site) will be used to calculate the existing QZRI for the entire length of the project. The QZRI will then be used to compare with the NSRT to determine the extent of Supplemental Safety Measures (SSM's) that may be explored as options in order to bring the QZRI down to an acceptable

**PAPE-DAWSON ENGINEERS, INC.**

555 East Ramsey | San Antonio, Texas 78216 | Phone: 210.375.9000 | Fax: 210.375.9010 | [info@pape-dawson.com](mailto:info@pape-dawson.com)

level. Alternative Safety Measures (ASM's) are presumed to be less desirable and will not be included in the evaluation unless special circumstances dictate their use. We would look to City staff for direction regarding the acceptability of specific SSM's at each crossing location. The findings will be reviewed with City staff prior to preparing a summary memorandum.

We will prepare planning level opinions of probable construction costs for the SSM's and ASM's as appropriate.

It should be noted that Pape-Dawson will be acting in an administrative role for the City and will not be responsible for applying to the FRA to obtain Quiet Zone approval. No representations have or will be made regarding FRA acceptance of the recommended improvements.

## **II. Schedule**

Assuming we receive notice to proceed by Friday, May 13, 2005, we can provide staff with the summary memorandum by Wednesday, June 15, 2005. This schedule assumes 33 calendar days

### ***THIS PROPOSAL ASSUMES AND/OR EXCLUDES THE FOLLOWING:***

- ◆ *No field instrument surveying is included as part of this proposal.*
- ◆ *Pape-Dawson Engineers, Inc., will apply Federal Quiet Zone guidelines for this project. Pape-Dawson Engineers, Inc., will not provide an independent evaluation/recommendation as to whether a Quiet Zone is appropriate for this application. Pape-Dawson Engineers, Inc., will provide recommendations for SSM's or ASM's, as appropriate, for each grade crossing or each zone.*
- ◆ *Additional traffic data may be collected, as required, at the discretion of the engineer.*
- ◆ *City of San Antonio shall make the application for a Quiet Zone, if applicable.*
- ◆ *City of San Antonio retains all liabilities associated with implementation of a Quiet Zone, should one be implemented as a result of this project.*

## **III. Compensation**

### **Basis of Compensation**

Pape-Dawson's compensation for the above services will be a charge for personnel services plus an hourly charge for specialized equipment and computers. A budget of **\$11,000** is the estimated cost of Pape-Dawson's current understanding of the services identified

Mr. John Frieble  
COSA Railroad Quiet Zone Study  
Union Pacific Railroad Line Between Sherman and Essex  
May 6, 2005  
Page 3 of 3

above. This budget figure does not include any Direct Expenses (defined below) nor applicable sales tax on services. This budget figure will not be exceeded without written modification of this Agreement.

Direct Expenses shall include reproduction, travel, long distance telephone calls, express mail, special deliveries and subcontractor expenses directly related to these services. Direct Expenses shall include a 10% markup on cost.

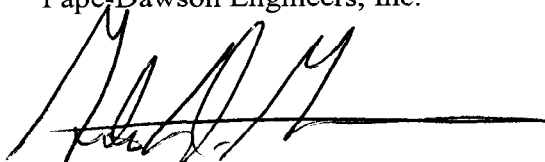
**Agreement**

Upon Client's signing of this Proposal, this Proposal and the attached Terms and Conditions become the Agreement between the Client and Pape-Dawson.

We appreciate the opportunity to work with you on this project. Please find attached duplicate originals of our Professional Services Agreement. If this proposal and agreement meets with your approval, please acknowledge such by signing this proposal letter and the attached duplicate originals of the Professional Services Agreement and returning one original of each to our office for our records. Receipt of the executed documents will serve as your authorization for us to proceed with the work.

Sincerely,  
Pape-Dawson Engineers, Inc.

**City of San Antonio**



Gilmer D. Gaston, P.E., P.T.O.E.  
Vice-President, Traffic Engineering

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Attachment

Marketing\Proposal\Letter\050506a3

**City of San Antonio**  
**Discretionary Contracts Disclosure**

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)  
Attach additional sheets if space provided is not sufficient.*

**(1) Identify any individual or business entity<sup>1</sup> that is a **party** to the discretionary contract:**

Pape-Dawson Engineers, Inc.

**(2) Identify any individual or business entity which is a **partner, parent** or **subsidiary** business entity, of any individual or business entity identified above in Box (1):**

**X No partner, parent or subsidiary; or**

**List partner, parent or subsidiary of each party to the contract and identify the corresponding party:**

**(3) Identify any individual or business entity that would be a **subcontractor** on the discretionary contract.**

**X No subcontractor(s); or**

**List subcontractors:**

**(4) Identify any **lobbyist** or **public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.**

**X No lobbyist or public relations firm employed; or**

**List lobbyists or public relations firms:**

<sup>1</sup> A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

**City of San Antonio**  
**Discretionary Contracts Disclosure**

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)  
Attach additional sheets if space provided is not sufficient.*

**(5) Political Contributions**

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made to any *current or former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

☐ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
See attached listing.			


**(6) Disclosures in Proposals**

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

**X** Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

Party aware of the following facts:

This form is required to be supplemented in the event there is any change in the information before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed, whichever occurs first.

<b>Signature:</b>  Wayne Brasington	<b>Title: CFO</b>  <b>Company or D/B/A:</b> Pape-Dawson Engineers, Inc	<b>Date:</b>  May 20, 2005
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<sup>2</sup> For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

May 20, 2005

**DISCRETIONARY CONTRACT ETHICS STATEMENT**  
**PAPE-DAWSON ENGINEERS, INC.**

Political contributions of more than \$100 made during the previous twenty-four months to Council members, candidates and political action committees.

**Eugene H. Dawson**

May 2005	Phil Hardberger	\$1,000
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**Eugene H. Dawson, Jr.**

March 2005	Roger Flores	\$250
March 2005	Ray Lopez	\$250
May 2005	Noel Suniga	\$250
May 2005	Ray Lopez	\$250
May 2005	Phil Hardberger	\$1,000

**Samuel G. Dawson**

May 2004	Chip Haass	\$250
March 2005	Roger Flores	\$250
April 2005	Art Hall	\$250
May 2005	Noel Suniga	\$250
May 2005	Phil Hardberger	\$1,000
May 2005	Ray Lopez	\$250

**Dennis R. Rion**

May 2005	Noel Suniga	\$250
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**Officers**

May 2003	Consulting Engineers	\$1,800
	Council of Texas – PAC	
August 2004	Consulting Engineers	\$1,800
	Council of Texas – PAC	
Various	Candidates and Previous	\$6,150
	Council not holding office	

Pape-Dawson Engineers, Inc.



Wayne Brasington  
Chief Financial Officer

**PAPE-DAWSON ENGINEERS, INC.**