File #: 20-1719, **Version:** 1

Broward County Commission Regular Meeting
Director's Name: Steve Hammond (Acting Director)
Department: Public Works **Division:** Highway and Bridge Maintenance

Information

Requested Action
MOTION TO APPROVE Railroad Reimbursement Agreement between Broward County, Florida Department of Transportation, and South Florida Regional Transportation Authority for rehabilitation and maintenance of the railroad crossing at NW 48th Street in the City of Deerfield Beach, at an estimated cost of $767,169 to the County; and authorize the Mayor and Clerk to execute same. **(Commission Districts 2 and 4)**

Why Action is Necessary
Board of County Commissioners' approval is required to enter into a legal agreement with the Florida Department of Transportation and South Florida Regional Transportation Authority.

What Action Accomplishes
Authorizes the South Florida Regional Transportation Authority to reconstruct the railroad crossing at NW 48th Street and formalizes the responsibilities of the Florida Department of Transportation, South Florida Regional Transportation Authority, and the County with regard to the project.

Is this Action Goal Related
No

Previous Action Taken
None.

Summary Explanation/Background
PUBLIC WORKS DEPARTMENT/HIGHWAY AND BRIDGE MAINTENANCE DIVISION RECOMMENDS APPROVAL.

On April 2, 1996 (Item No. 6), the Board of County Commissioners approved a tri-party agreement between Broward County, the Florida Department of Transportation (FDOT) and CSX Transportation, Inc. (CSX) for the construction and maintenance of a new rail crossing at NW 48th Street, a County road in the City of Deerfield Beach. Under the agreement, FDOT funded the construction costs; Broward County became responsible for maintenance costs of the road outside of the railroad tracks; and CSX became responsible to perform the maintenance of the crossing.

Since opening for public use more than 20 years ago, the condition of the NW 48th Street rail crossing has deteriorated and is in need of a major rehabilitation. In 2015, FDOT contracted with the

South Florida Regional Transit Authority (SFRTA) to maintain rail crossings in South Florida. As a result, FDOT is requiring a new agreement with Broward County and SFRTA to replace the current tri -party agreement between FDOT, CSX, and Broward County. Under the proposed replacement agreement, Broward County will fund the rehabilitation costs as NW 48th Street is a County road; SFRTA will perform the maintenance work; and Broward County will continue to be responsible for other maintenance costs of the highway roadbed and surface outside the railroad ties.

The new agreement addresses modification and rehabilitation costs as sole financial responsibilities of Broward County. The responsibility for rehabilitation work was not addressed in the current agreement. The funding of rehabilitation cost by the owner of the road, Broward County, in the new agreement is consistent with FDOT's policy throughout the State.

The proposed agreement is based on FDOT's standard form agreement but has been modified to include the County's comments. Approval of this agreement will enable FDOT and SFRTA to proceed with the rehabilitation at NW 48th Street. The estimated cost of the rehabilitation from SFRTA is $767,169. County staff has reviewed the estimate and the cost is consistent with the scope and level of effort of past rehabilitation projects.

This Agreement has been reviewed and approved as to form by the County Attorney’s Office and the Risk Management Division.

Source of Additional Information

Anh Ton, P.E., Acting Deputy Director, Public Works Department, (954) 357-6040
Steve Hammond, AIA, Acting Director, Public Works Department, (954) 357-6410

Fiscal Impact

Fiscal Impact/Cost Summary

This Agreement provides for a total County contribution of $767,169, which will be funded through the County’s portion of gas taxes.