

February 20, 2018

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

Crossing: Public  
State CA City Fowler, Selma, Kingsburg  
MP 214.75 to 225.73 - Fresno Subdivision  
Jefferson Avenue to Earl Street / DOT # 756877N to DOT # 750618G  
Fresno County

Ms. Peggy J. Ygbuhay  
Sr. Manager Industry & Public Projects  
Union Pacific Railroad Company  
10031 Foothills Boulevard  
Roseville, CA 95747

Dear Ms. Ygbuhay:

Plans are being prepared to rehabilitate the Golden State Boulevard Corridor in Fresno County. The project limits span from the intersection of Mission Street and Simpson Street (City of Kingsburg) to 500' south of the intersection of American Avenue and Golden State Boulevard (City of Fowler). Proposed improvements will be constructed within the City of Kingsburg, the City of Selma, the City of Fowler and the County of Fresno. The proposed scope of work includes pavement rehabilitation, striping improvements, intersection signalization at certain intersections, signal modifications for existing signalized intersections, and roadway realignment of Stroud Avenue (City of Kingsburg). In connection with the project, the Fresno Council of Governments (Fresno COG) considers it necessary for the successful advancement of the project 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

Fresno COG authorizes and agrees to reimburse the Railroad for its expenses and actual costs that are incurred for collaborating in the development of the project's preliminary engineering and other preliminary activities. The Railroad has estimated that these preliminary engineering and other preliminary costs will be \$350,000.00. Payment will be made within thirty (30) days from Fresno COG's receipt and approval of the Railroad's request for reimbursement. Railroad will refer to Fresno COG's Project Number (-----) and forward Invoices to (-----).

Additionally, attached for your company's review and approval is one (1) set of half-scale prints of the concept plans marked **Exhibit A**, which are the 30% complete plans and show the basic features of the proposed highway project at the location referenced above. Please review and provide comment on the

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basic features of the **Exhibit A** as soon as possible. Also enclosed is one (1) set of photos of the project area.

The project 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 trains is 12 and switching movements is two with a Maximum Speed of 75 MPH at this location as currently shown in our inventory records. This information will be used by Fresno COG'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 Fresno COG 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.

Fresno COG 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 Fresno COG after the **Exhibit A** and cost estimates have been approved.

Please contact Peggy Arnest at telephone number (559) 724-9218 or via email at [parnest@fresnocog.org](mailto:parnest@fresnocog.org) if you have any questions. Your assistance in this matter is appreciated.

Sincerely,

Tony Boren  
Executive Director  
Fresno Council of Governments

UNION PACIFIC RAILROAD COMPANY

By \_\_\_\_\_ Date \_\_\_\_\_

Name and Title \_\_\_\_\_

Attachment(s)