



# STEERING COMMITTEE

## Agenda Report

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**File #:** 2022-2154

**Agenda Date:** 2/23/2022

**Agenda Item No:** 23.

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**FROM:** James D. Herberg, General Manager  
Originator: Kathy Millea, Director of Engineering

**SUBJECT:**

**RICHFIELD SUB-TRUNK ENCASEMENT, PROJECT NO. FRC-0011**

**GENERAL MANAGER'S RECOMMENDATION**

RECOMMENDATION:

Approve a Utility Relocation Agreement with the BNSF Railway Company for a reimbursement amount not to exceed \$121,065 for Richfield Sub-Trunk Encasement, Project No. FRC-0011.

**BACKGROUND**

Burlington Northern Santa Fe Railway Company (BNSF) is working on a project to construct an additional third railway along Orangethorpe Avenue, from Atwood Avenue to Esperanza Road, located in the cities of Placentia and Anaheim. The Orange County Sanitation District (OC San) owns a sewer that crosses the BNSF right-of-way at Richfield Road. BNSF notified OC San that additional mitigations are required per railway standards to protect the sewer in place so it will not be damaged during and after the construction of the third railway. BNSF and OC San desire to enter into an Agreement for the BNSF contractor to perform these protective mitigations.

**RELEVANT STANDARDS**

- Protect OC San assets
- Maintain collaborative and cooperative relationships with regulators, stakeholders, and neighboring communities

**PROBLEM**

The subject sewer was constructed by license agreement within the BNSF right of way. Due to the license conditions, BNSF is not obligated to protect the sewer in place using their funds.

**PROPOSED SOLUTION**

Enter into an Agreement with BNSF so their contractor will perform the work to protect OC San's sewer in place at the beginning of the railway addition project.

## **TIMING CONCERNS**

The work to protect OC San's sewer will need to be completed prior to BNSF's construction on the new railway, which is anticipated to start in late 2022.

## **RAMIFICATIONS OF NOT TAKING ACTION**

The subject OC San sewer will not be compliant with railway standards and the sewer may become damaged during or after BNSF's construction project. BNSF will have cause to revoke the license agreement for the sewer.

## **PRIOR COMMITTEE/BOARD ACTIONS**

N/A

## **ADDITIONAL INFORMATION**

The protective mitigations will consist of the installation of a concrete encasement that is designed to protect the sewer from the loads of the new railway. The portions of the sewer that are under the existing railways are protected with a steel encasement. The concrete encasement will be adjacent to the existing steel encasement.

OC San has prepared the design plans and cost estimate of the proposed construction, which BNSF reviewed and approved. OC San will provide inspection services to support and ensure the construction is in conformance with the design plans and OC San standards.

## **CEQA**

Work will be performed by BNSF and their contractor. CEQA compliance will fall under the BNSF project.

## **FINANCIAL CONSIDERATIONS**

This recommendation would be funded under the Repairs and Maintenance line item for Operations and Maintenance Department (Budget Update Fiscal Years FY 2021-2022, Page 45), and the available funding is sufficient for this action.

## **ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OC San website ([www.ocsan.gov](http://www.ocsan.gov)) with the complete agenda package:*

- Utility Relocation Agreement

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