



DATE: February 3, 2026

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution to Authorize the City Manager to Execute Agreements with Alameda County Transportation Commission and Union Pacific Railroad to Facilitate Project Advancement into the Construction Phase

RECOMMENDATION

That the Council adopts the attached Resolution (Attachment II) to authorize the City Manager to execute a Memorandum of Understanding (MOU) with Alameda County Transportation Commission (Alameda CTC) and Construction and Maintenance (C&M) Agreements with Union Pacific Railroad (UPRR) and with Alameda CTC for the construction of the Tennyson High School Pedestrian (DOT #749773P) and Industrial Parkway (DOT #749775D)/ Industrial Parkway Trail (DOT #768394R) railroad crossings as part of the Rail Safety Enhancement Program – Phase A (RSEP-A) Project.

SUMMARY

Alameda CTC is the Project Sponsor and Implementing Agency for the RSEP-A Project. The RSEP-A Project will construct at-grade crossing pedestrian and roadway safety improvements at 26 at-grade crossings and two trespass locations throughout Alameda County, including the Tennyson High School Pedestrian, Industrial Parkway, and Industrial Parkway Trail at-grade crossings and Leidig Court trespass location in the City of Hayward. Staff is seeking Council authorization to execute the construction MOU and two C&M Agreements: 1) Tennyson High School Pedestrian Crossing and 2) Industrial Parkway and Industrial Parkway Trail, which are required for Alameda CTC to complete the Right-of-Way Certification allowing Alameda CTC to utilize grant funding for construction.

FISCAL IMPACT

This Project's construction will be implemented by Alameda CTC and is largely funded by regional, state, and federal funding. The City will be responsible for paying the annual signal maintenance costs of the two crossings to UPRR in an amount of \$6,250 with a 3% annual escalation, starting three years after the C&M Agreement effective date. The ongoing

maintenance costs paid to UPRR will come from Fund 210 (Gas Tax Funds). There will be no impact on the General Fund.

BACKGROUND

The RSEP-A Project addresses a safety need along several Alameda County rail corridors. Identified in the 2016 Countywide Goods Movement Plan, the major rail corridors (Union Pacific's Coast, Martinez, Niles and Oakland Subdivisions) in the Bay Area travel directly through Alameda County, including many regionally defined Equity Priority Communities, connecting to and from the Port of Oakland to the larger Northern California Megaregion Network, and national markets. Locally, these communities are heavily impacted by passenger freight and rail traffic and will see increased impacts as projected growth will create more freight travel. Overall, in Alameda County, there are 133 at-grade crossings and addressing safety was identified as part of the Rail Strategy Study. In 2018, the Rail Strategy Study prioritized at-grade crossings in Alameda County.

In 2019, the Federal Railroad Administration (FRA) sent a letter to Alameda County officials notifying them that there were 56 trespassing deaths along railroad corridors in Alameda County between 2012 and 2017, which was the fourth highest number of trespassing fatalities in the nation. From 2016-2024, the FRA crash reports documented 33 crashes, leading to 20 reported fatalities for the RSEP-A locations. RSEP-A comprises of 26 at-grade crossings and two trespass locations at UPRR crossings in the Cities of Hayward, Livermore, San Leandro, Berkely, Oakland and unincorporated Alameda County.

Alameda CTC, as the lead agency for the California Environmental Quality Act (CEQA), environmentally cleared all RSEP-A Hayward locations in June 2023 through an Initial Study/Mitigated Negative Declaration (IS/MND). The FRA also approved a National Environmental Policy Act Categorical Exclusion for the RSEP-A Hayward locations in September 2024. The Project is currently in the Plans, Specifications and Estimate phase.

DISCUSSION

One of the main goals of the RSEP-A Project is to improve safety by reducing the number of crashes and fatalities that occur at at-grade crossings via trespassing or other unsafe behaviors by pedestrians and motorists. Trains often travel at speeds up to approximately 80 miles per hour and crashes are often fatal.

RSEP-A will install proven safety measures recommended by the California Public Utilities Commission (CPUC) as the safety regulatory agency, UPRR and the local jurisdiction and aims to achieve the following objectives:

- Improve safety for all users by reducing trespass collisions at railroad crossings
- Improve safety of rail operations
- Improve efficiency and reliability of freight operations
- Close gaps and remove barriers in multimodal transportation network
- Encourage shift to active transportation modes

The proposed improvements at the Hayward at-grade crossings and trespass location will improve public safety and include:

- New concrete track panels required for the added pedestrian infrastructure
- Upgraded train-activated vehicle gate arms and flashing light signals
- New train-activated pedestrian gate arms and flashing light signals
- New train-activated gate arm for separated bike facility at Industrial Parkway
- Manual emergency swing gates
- Upgraded advance railroad warning pavement markings and signage
- New sidewalk
- New railing for pedestrians
- Detectable warning surfaces to alert people with disabilities
- Fencing to prevent trespassing in a dangerous train environment
- Median islands to prevent driving around activated gates during a train event
- Street lighting upgrades

RSEP-A has secured \$80 million of external grant funding for the construction phase (\$25 million from the FRA's (Consolidated Rail Infrastructure and Safety Improvements Program, \$25 million from the Metropolitan Transportation Commission's Regional Measure 3 Program and \$30 million from the California Transportation Commission's (CTC) Senate Bill 1 Trade Corridor Enhancement Program). RSEP-A will be delivered in multiple-phased construction packages and using the alternative Construction Manager/General Contractor (CM/GC) delivery method which allows for early contractor engagement and a streamlined construction procurement process. Securing funding from the external agencies is required to award the construction phase of the contract. In order to secure funding, Alameda CTC must complete Right-of-Way Certification, which includes full execution of all necessary agreements and permits such as C&M agreements and utility agreements, obtain CPUC General Order 88-B permits, have a full funding plan and obtain environmental and final design approval from all approving agencies.

The grade crossings in the City of Hayward and the City of Livermore are part of the first construction package. Final design has been completed for the City of Hayward and City of Livermore crossings. It is anticipated that the City of Livermore crossings will be constructed first and followed by the City of Hayward crossings. Alameda CTC has awarded the Construction Management contract to WSP USA, Inc. and a pre-construction services contract for CM/GC services with Clark Construction. Alameda CTC will work with City of Hayward staff before and during construction to provide sufficient noticing and coordination with transit operators, stakeholders and the public.

The MOU with Alameda CTC defines the respective roles and responsibilities between the agencies to ensure approval of the final design plans needed to secure external funding and during the construction phase. The C&M Agreements with UPRR, Alameda CTC and the City of Hayward define the construction and maintenance roles and responsibilities between the agencies. UPRR is responsible for constructing the track panel and signal work within UPRR right-of-way. Alameda CTC is responsible for all costs associated with UPRR's construction

work which includes constructing concrete track panels and vehicle and pedestrian gate signals and license fees since the Project requires additional UPRR right-of-way for improvements.

These agreements are necessary for Alameda CTC to complete the Right-of-Way Certification which is a required document to achieve Ready-to-List milestone. This milestone is important as it allows Alameda CTC to request funding for construction from the CTC in Spring 2026, as per Alameda CTC's baseline agreement with CTC. The current action would authorize the City Manager to execute the necessary agreements required for Alameda CTC to construct the RSEP-A improvements in the City of Hayward.

The City of Hayward is responsible for maintenance of the signal system in UPRR right-of-way after the project is constructed, as established in the C&M Agreements. Payment to UPRR will not start until three years after completion of construction. Table 1 identifies the maintenance cost to be paid to UPRR.

Table 1. RSEP-A Hayward Crossings – Annual City Maintenance Costs

| Railroad Crossing | DOT # | Base Maintenance Cost (Annual)* | Escalation (Annual)* |
|---------------------------------|---------|---------------------------------|----------------------|
| Tennyson High School Pedestrian | 749773P | \$3,125 | 3% |
| Industrial Parkway | 749775D | \$3,125 | 3% |
| Industrial Parkway Trail | 768394R | | |

**To start three years after effective date of C&M agreements.*

ECONOMIC IMPACT

This Project will support economic activity within the region by addressing safety needs of major rail corridors in Alameda County, which, when implemented, will help reduce the likelihood of serious injuries and fatalities. The Niles and Oakland Subdivision are two major regional freight lines that have crossings within the City which will be enhanced through this Project.

In addition, vehicle and pedestrian crashes have a significant economic cost, both to those directly impacted and to other users of the transportation system. The increased safety and access will support local schools, businesses, and the economy.

STRATEGIC ROADMAP

The agenda item supports the Strategic Priority of Invest in Infrastructure. This item is not specifically related to a project identified in the Strategic Roadmap. Staff are bringing forth this new item because it addresses regional and local transportation safety needs and aligns with the transportation goals established by the City's adopted Local Road Safety Plan and Vision Zero policy.

SUSTAINABILITY FEATURES

This Project includes necessary safety improvements that benefit all modes of travel by increasing freight reliability and encouraging a mode shift of goods movement from trucks to freight trains, while making active transportation alternatives safer and more viable options for the public.

PUBLIC CONTACT

Public outreach for this project was conducted to inform the public about the RSEP-A Project through the development of the project. Alameda CTC provided a notice and circulated the CEQA IS/MND on April 24, 2023, for a 30-day public review and comment period and conducted a virtual public hearing on May 5, 2023, for the Hayward crossings. Alameda CTC will continue to coordinate with project stakeholders and the public before and throughout construction.

NEXT STEPS

If approved by City Council, the City Manager will execute an MOU with Alameda CTC and two C&M Agreements with UPRR and Alameda CTC to allow Alameda CTC to obtain the necessary grant funding for construction. Table 2 identifies the tentative schedule for the project.

Table 2. RSEP-A Hayward Crossings Timeline (Tentative)

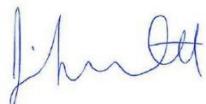
| Milestone | Expected Completion Date |
|--|--------------------------|
| Right-of-Way Certification | March 2026 |
| Ready to List | March 2026 |
| CTC Meeting for Construction Funding | May 2026 |
| Award Construction Contract | June 2026 |
| End Construction for Hayward crossings | June 2028 |

Alameda CTC is responsible to Award the construction contract.

Prepared by: Byron Tang, Principal Transportation Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Jennifer Ott, City Manager