



Date of Memo: October 08, 2024  
Current Meeting: October 16, 2024  
Board Meeting: October 24, 2024

**BOARD MEMORANDUM**

**TO:** Indianapolis Public Transportation Corporation (IPTC) Board of Directors  
**THROUGH:** President and CEO Jennifer Pyrz  
**FROM:** Director of Capital Projects Matt Duffy  
**SUBJECT:** Consideration and approval of Purple Line Construction Agreement with CSX Transportation

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**ACTION ITEM A – 3**

**RECOMMENDATION:**

It is recommended that the Board of Directors authorize the President and Chief Executive Officer to execute a construction agreement with CSX Transportation (CSXT) in an amount not to exceed \$342,330 to reconstruct a railroad crossing on the Purple Line BRT project.

**BACKGROUND:**

The Purple Line BRT project traverses two CSXT railroad crossings. To date, no construction activities have occurred within CSXT right-of-way at either crossing intentionally because the project team was waiting to see whether additional project funds could be allocated for this purpose. However, with project construction (including available project costs) nearing completion and track conditions continually deteriorating at the Post Road crossing at-grade crossing, IPTC would like to reconstruct the pavement within CSXT right-of-way, including material between the rail tracks.

**DISCUSSION:**

CSXT requires all parties accessing its right-of-way for the performance of construction work to have a written agreement with CSXT fully detailing each party’s responsibilities. The agreement includes insurance and liability provisions, work procedures and conditions, and reimbursement provisions relating to payment to CSXT for costs it may incur in relation to the work. CSXT’s contractors will complete the entire pavement rehabilitation leading up to the tracks and between them within the right-of-way.

Funds associated with this agreement will go towards a force account that CSXT will draw against as the work is completed. There are two uses of the funds: (1) pavement rehabilitation and (2) to staff flaggers that are required to monitor construction and train activity while construction activities are occurring at the crossing. An estimated duration of construction activities was created to establish construction duration. The estimate will be updated if/as necessary to accommodate any unanticipated levels of involvement. Any unused balance at project completion will be refunded. Reconstruction of the railroad crossing is expected to occur in Q1 2025 and is anticipated to take 2-3 weeks.

**ALTERNATIVES:**

The Board could choose not to approve this agreement and repairs at the railroad crossing would not be pursued.

**FISCAL IMPACT:**

Funds associated with this agreement are funded through Capital funds as a part of the Purple Line BRT project budget.

**DBE/XBE DECLARATION:**

Not applicable

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

This action will be reviewed by the Finance Committee on October 16, 2024.